OFFICIAL REPORT

OF THE

DEBATES

OF THE

HOUSE OF COMMONS

OF THE

DOMINION OF CANADA

SIXTH SESSION—SEVENTH PARLIAMENT

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59 VICTORIA, 1896

VOL. XLII.

COMPRISING THE PERIOD FROM THE SIXTEENTH DAY OF MARCH TO THE
TWENTY-THIRD DAY OF APRIL INCLUSIVE

OTTAWA
PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN'S MOST
EXCELLENT MAJESTY
1896

House of Commons Debates

SIXTH SESSION—SEVENTH PARLIAMENT

HOUSE OF COMMONS.

MONDAY, 16th March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

MESSAGE FROM HIS EXCELLENCY—DEATH OF PRINCE HENRY OF BATTENBERG.

Sir **CHARLES TUPPER** presented a Message from His Excellency the Governor General.

Mr. **SPEAKER** read the Message, as follows :—

ABERDEEN.

The Governor General transmits to the House of Commons, the accompanying copy of a despatch dated 26th February, 1896, from the Right Honourable the Secretary of State for the Colonies, in reply to the Addresses of the House of Commons to Her Majesty the Queen, and Her Royal Highness the Princess Beatrice, expressing sympathy on the death of His Royal Highness Prince Henry of Battenberg.

Government House,
Ottawa, 13th March, 1896.

Copy—Canada—No. 69.

(Mr. CHAMBERLAIN TO THE EARL OF ABERDEEN.)

Downing Street,
26th February, 1896.

My Lord,—In accordance with the request contained in your despatch, No. 38, of the 1st instant, I have the honour to inform you that the Address of sympathy from the House of Commons of Canada to Her Majesty the Queen has been laid at the foot of the Throne, and that I have forwarded to Princess Beatrice the Address which you request may be submitted to Her Royal Highness.

The purport of these Addresses was, as I had the honour to inform Your Lordship by telegraph, communicated to Her Majesty and Her Royal Highness on receipt of your telegram of the 28th ultimo.

I am now commanded to express more fully the value which Her Majesty attaches to these assurances of loyal devotion and sympathy in her affliction, from the representatives of her people in the Dominion of Canada. And Her Majesty also commands me to say how deeply touched Her Royal Highness Princess Beatrice has been by the kind feelings expressed by them for her in her bereavement.

I have, &c.,
(Sd.) J. CHAMBERLAIN.

Governor General,
The Right Honourable,
The Earl of Aberdeen, P.C., G.C.M.G.,
&c., &c., &c.

DURATION OF PARLIAMENT.

Mr. **EDGAR**. Mr. Speaker, before the Orders of the Day are called, I should like to draw the attention of hon. members for a short time to a subject of very considerable importance to the House, and before I sit down I propose to put myself in order by a motion. It has been announced to the House that the Government has under consideration the reference of the duration of the present Parliament to the Supreme Court of Canada. I would very much like to bring before the House what seems to me to be the extraordinary nature of that suggested or contemplated reference. What, Sir, is the statutory life of this Parliament ? This Parliament has a life clearly and distinctly defined by the section of the British North America Act. Section 50 of that Act has these words :

> Every House of Commons shall continue for five years from the day of the return of the writs for choosing the House (subject to be sooner dissolved by the Governor General), and no longer.

Now, under that section, the simple question which we have to ask ourselves is : What was the day of the return of the writs? If that question can be satisfactorily answered, it seems to me it ends all controversy on the subject. Now, surely the day of the return of the writs is the day fixed by law for the return of the writs. To find what day was fixed by law for the return of the writs in 1891, we have to look at the proclamations which were issued by the Governor General, to be found in the Journals of 1891. There are four proclamations in those Journals, and to these proclamations we must go to justify the existence of the Parliament. One of these proclamations is a dissolution of the last Parliament. Another, which is also dated on the 3rd February, 1891, contains these specific words with reference to the writs :

> We have this day given orders for issuing our writs in due form for calling a Parliament in our said Dominion, which said writs are to bear date on the 4th day of February instant, to be returnable on the 25th day of April next.

That then is clear enough, surely. Another proclamation of the same day calls the new Parliament to meet on this same 25th day of April. Another proclamation contained in these Journals of a later date prorogues Parliament from the 25th of April to the 29th of April, and then to meet for the despatch of business. Now, the writs for the election of this Parliament were issued pursuant to that proclamation, and Parliament did meet on the 29th of April, pursuant to the other proclamation. Surely the statutory life of this Parliament, therefore, expires in five years from the 25th day of April, 1891, the date the writs were made returnable, and four days before this Parliament actually met and transacted business. Now, what have been the Canadian precedents in this matter? How have Parliaments been called before? How has the return date of the writs been fixed for the former Parliaments of Canada since confederation? I find that in 1867, the proclamation orders the writs returnable on the 24th September; but it goes on and says, what this proclamation of 1891 does not say: "except, however, the writs for Chicoutimi and Saguenay, which writs will be returnable on 24th October next." The House met on the 6th November. There was a special provision by proclamation for a later exceptional date for the return of a certain writ. But I find nothing of that kind in the year 1891. In 1872 there was an ordinary proclamation, fixing the writs returnable on 3rd September, except, again, for Chicoutimi and Saguenay, which were returnable on 12th October following, and that writ contained the further exception of the writs for the elections in Manitoba and British Columbia, which were also postponed, and only made returnable on 12th October. Then, in 1874, the proclamation issued making the writs returnable on the 1st February, except for Chicoutimi, Saguenay, Manitoba and British Columbia, which were made returnable on 12th March. But, in order to cover the case of Algoma, which was apparently overlooked when the issue of the proclamation in 1874 was made, on 2nd January, a special proclamation was made on 8th day of January, 1874, extending the time for the return for the Algoma election, and making the writ for that returnable on 12th March. Now, there we have proclamations giving special dates for a return of the writs in certain counties. If we were to be asked to construe the 50th section of the British North America Act in those cases, there would be a good deal of argument in favour of saying, that a date five years from the date of the return of the writs meant the date of the return of the last writs as fixed by proclamation. I suppose, that would be so. But here we have no proclamation for any writ to be returnable after 25th April. The proclamations of 1879, 1882 and 1887, as well as the proclamation of 1891, contained no exceptional provisions for the return dates of any writs, but I suppose they gave what they considered would be ample time for the return of the latest of the writs. They gave ninety days in some cases, and eighty in other cases, a great deal more than was necessary for an ordinary return; but that does not matter; they fixed the return dates of the writs. Now, why has another date for the expiration of this Parliament's life been suggested than the 25th April? Well, Sir, for this reason, that on 3rd June, 1891, while Parliament was in session, when Parliament had been in session for some thirty-nine or forty days, a return was presented by the returning officer of an election of a member for Algoma.

Sir CHARLES HIBBERT TUPPER. What is the date of the writ?

Mr. EDGAR. The proclamation says that all these writs shall be dated on 4th February, 1891, which I am talking of now. I understood the hon. gentleman to ask, what was the date of the issue of the writ of 1891. The proclamation says, that the date shall be 4th February.

Sir CHARLES HIBBERT TUPPER. No other writ being issued for that date.

Mr. EDGAR. I assume there was not; but I do not think it would make any difference, for, if it was not issued at that date, it was a negligence.

Sir CHARLES HIBBERT TUPPER. I thought my hon. friend might know.

Mr. EDGAR. I do not happen to know. If it was issued later on, it may be a nullity altogether. If it was issued, for instance, after the date of the return day of the writs ordered by proclamation, I doubt very much whether it would be a valid writ. Now, it appears that there was a neglect somewhere by an officer to have that election held according to the proclamation, and according to the writ, which recites the day of the meeting of Parliament to be 25th April. The Dominion Elections Act specially provides for a case of accident or of error. Section 15 of the Dominion Elections Act provides, that, if, from any unforeseen accident or error of the returning officer, the returning officer cannot fix the nomination day as ordered in the issue of the writs by the Government, or as fixed by himself, as in the case of Algoma, then he can extend the time, he can fix another day. But, if he does that, he has to make a special return to Parliament. In this case no special return was made; but, if it was an error of an official, as it must be, either at this end or the other end of the writ, it was an error of an officer, and not in any shape or way affecting the legal position of the life of this Parliament. Now, surely nobody can contend seriously, that any official, a returning officer, or a Clerk of the Crown in Chancery, or whoever is entrusted with the carrying out of the law laid down in that proclamation, can for one moment alter the life of this Parliament, can make another date for the writ to be returnable, and can absolutely ignore the directions of the proclamation, which, for the purposes of holding an election, are the absolute law which is to guide him. Why, if a returning officer could hold the execution of a writ back until 3rd June, 1891, instead of having sent it here by 25th April, he might hold it back for one year, for two years, or ten years, and the Parliament might last for five or ten years, at the option of that individual. If he can do it for a month and a half, he can do it for a year and a half ; therefore, the thing is absolutely absurd. I would like to know if it can be seriously contended, that the Governor General, in a case like that, where he found one of the writs on 25th April had not been returned, if he should keep on proroguing this Parliament from time to time until that writ was sent in by the returning officer. As my hon. friend suggests, if he did prorogue Parliament for more than twelve months, if he did not call a meeting of Parliament within twelve months from the meeting of the last session of the House, he would be running against another section of the British North America Act ; which would also be absurd. Now, I do not know whether the House has noticed it, but the Algoma return was not the only one which was not before this House on the date this House met ; on 29th April, the Chicoutimi return was not put in ; therefore, was the meeting of the 29th nugatory by reason of that, and was the meeting of this House all the time a mere sham, because of another returning officer's delay ?

I have seen it stated in the press that the position taken by the Ontario government on a similar question was relied upon by those who have argued that the duration of this Parliament will not expire until 3rd June. The position in that case was entirely different from the present one. In the first place, there was a special day fixed by proclamation for holding the Algoma election in August, whereas, the other elections were to be held in February. It was contended by Sir Oliver Mowat, and held by hon. members of that legislature—I think properly held that in the case like that, from the day of the return of the last writ, the life of the legislature lasted for four years under the special proclamation making the Algoma writ returnable on a certain day later than the other writs.

There is, Sir, another distinction between that case and this one. There was a special Act of the Ontario legislature passed, providing specifically that no elections should be held in Algoma at any time of the year except between May and November. That Act may, perhaps, have had the effect of extending the term of the legislature beyond four years, and if so, the provincial legislature had a perfect right to do it. We have no power to extend the life of this Parliament one day beyond the five years. The provincial legislatures have power to do so : they can alter, as we know, their constitutions in any matter except in regard to the office of Lieutenant-Governor. They can abolish the Upper House, and extend the term of the legislature, if they choose ; and so the effect of the Ontario Act coupled with the proclamation, was to do that which they had the right to do. At all events, the case of the provincial legislature is entirely different from this case. Every one in this country gives great weight to the constitutional opinions held by Sir Oliver Mowat. Only a few days ago, he was asked by a member of the Ontario legislature a question which, if answered, compelled him to give his opinion on the case now before this House, and I think I will not weary the House if I read the remarks which Sir Oliver Mowat is reported to have made on that occasion. Sir Oliver Mowat, in reply to the question asked, said :

> His hon. friend must have had in his mind the time when he would occupy a position at Ottawa similar to the one he now occupied. The question of privilege, which Mr. Whitney raised, was one affecting the present House of Commons, and not the Ontario legislature. The question of the duration of the Ontario legislature in 1879 was not the same question as that effecting the present House of Commons, but the object of Mr. Whitney was undoubtedly to get something said here and now that would be of service to his friends at Ottawa in their wish to make out that the duration of the House of Commons did not expire on the 26th of April ; but the two cases were entirely different as to the facts on which they depended. The duration of either body counted from the time of the writs being returnable, not of their being actually returned. The Ontario legislature sat within four years after the last of the writs, namely, the writ for Algoma, was returnable, and therefore within the time specified in the British North America Act. On the other hand, the Dominion writs of 1891 were all returnable at the same time, and five years from that time will expire, on the 26th of April. That was not the only thing that made the two cases different. The Dominion Parliament had no power to extend the term for which the House should endure, but the province had power to extend the term for which the assembly should endure, larger powers having been granted to the provinces than to the Dominion in that respect. There were several other material distinctions, but those mentioned showed that the precedent of 1879 afforded no argument for the House of Commons of the present year. He had taken the opportunity of stating this in answer to Mr. Whitney, but the question was not a matter of privilege in this House at the present day.

What is the practical effect of the contention that this Parliament lasts until 3rd June ? If the term does not end until 3rd June, 1896, the first session of the seventh Parliament was called into being only on 3rd June, 1891, "for it shall continue for five years and no longer." If Parliament dies on 3rd June, 1896, at the age of five years, it must have been born on 3rd June, 1891. The two hundred-odd members elected, who assembled in this chamber on 29th April, 1891, were only a mob of gentlemen. The Speaker chosen on that occasion is no Speaker of the House of Commons, though the Crown invited this body to elect a Speaker, and approved of his election after it took place. He may be a chairman, perhaps, of this assembly of gentlemen, but he is not a Speaker under the British North America Act, because the 44th section of the Act says:

> The House of Commons, on its first assembling after a general election, shall proceed with all practicable speed to elect one of its members to be Speaker.

If you, Sir, were not elected properly on 29th April, 1891, you have not been elected at all, because you have not been elected since, and I should be very sorry to think that you were not Speaker in fact, but a usurper of your place and your dignities. If you were not elected, we had no Speaker, and what becomes of the meeting of Parliament?

Mr. OUIMET. What are you speaking for?

Mr. EDGAR. The hon. gentleman is not now Speaker, and I do not suppose he will have to return any of his indemnity as salary of Mr. Speaker. The British North America Act says:

> The Speaker shall preside at all meetings of the House of Commons.

Now, Sir, if this House was not a House at all on the 25th of April, there was no Speaker and the House was not organized, and during all our meetings presided over by you, Sir, we could pass no Remedial Bill, or no legislation whatever. Now, Sir, if you were not duly elected at the proper time, what is to become of all the writs of election which were issued under your warrant? Since the 29th April, 1891, some sixty writs have been issued under your warrant, Sir. Are they all null and void; and are the members who have been elected, not elected at all? If, Sir, you were not elected by the House of Commons duly assembled on the 29th of April, 1891, then, Sir, I believe you would be bound to refund to the public treasury the six years salary which you have drawn from this country. And further, I would draw the attention of the Deputy Speaker to the fact, that if he were not duly elected as chairman of the Committee of the Whole on the 22nd of May, and if this House did not exist until the 3rd of June, the hon. gentleman (Mr. Bergeron) had no right to draw his salary. I am sure the hon. gentleman will be with us in resisting anything of that kind.

Mr. BERGERON. Then who will pay me for the work I have done?

Mr. EDGAR. Of course, it would be a special hardship, considering the work the hon. gentleman has done. I appeal to the House as a whole, to rise above party, because, Sir, if this is not a Parliament, we will all have to refund our indemnities. Mr. Speaker, is not that too horrible a thing to contemplate? But, Sir, even if by some curious hair-splitting argument, which I have not heard advanced, it can be contended that since the 3rd June, 1891, this has been a valid Parliament although no Speaker was elected; then, between the 25th of April and the 3rd of June, 1891, there were any number of Bills read the first, and the second time in this House, and some were read the third time, and of course they would be invalid even if that partial contention would prevail. Now, Sir, it is said, that this question may be referred to the Supreme Court of Canada, to settle. Sir, Parliament has settled the question by meeting on the 29th April, 1891. Parliament has settled that question and no Supreme Court can interfere with it. I say that this Parliament by legislating for six sessions, has proven that it is a de facto and a de jure legislature, and it cannot be interfered with. To annul the Acts of this Parliament, from the 29th of April to the present time would be a revolution. Not only has this House of Commons taken that ground by meeting and going on with its business, but the Senate met then, too, pursuant to the proclamation of the Governor General, advised by practically the present Government, who now wish to throw some doubts upon the question. The Senate also has taken part in affirming our position in this regard. Has any Governor in Council the right, the constitutional right, to submit to any outside tribunal a question like this—a great political question of the first magnitude? I say, that the Government as a committee of this House and of this Parliament, has no right to do so, and I believe, Sir, that this Parliament will never so far forget its dignity as to consent to it. I admit, that technically, under the terms of the Supreme Court Act and the amendments of 1891, the Governor in Council may submit almost anything to that court. But, supposing a reference were made of this question, would the decision of that court settle anything? No, Sir. It would unsettle everything. We know that the judgment of that court in a case of this kind is only an advisory judgment, and is not binding. Sir, what advice do we want on this subject? We have been advised on it, and we have acted too long on that advice, to ask for any one's advice now. Then again, how are the proceedings to obtain the advisory judgment going to be carried out? There is a provision in the Act that all interested parties should be notified of the hearing before the Supreme Court, and are entitled to be heard also. Why, Sir, the number of people interested in the legislation of this Parliament is infinite; coequal almost with the population of the Dominion. How, between now and the next few weeks is it possible to notify the parties interested in the hearing of this question? And then, when would it be heard? Could it be heard in time to be effective, and will the judgment be given immediately after the hearing? If we are going under the reference in the Supreme Court Act, I would like to know whether this Parliament should not have the benefit of the advice of Her Majesty's Privy Council, to whom there is an appeal in such cases. Every one knows that there is no time to get a hearing before the Supreme Court and a judgment, and much less is there time to get a revisory decision of the Imperial Privy Council on the question. This House has reason to know—it has come before their notice often—that Her Majesty's Privy Council does not always, in constitutional questions, entirely agree with the views of our Supreme Court. It is perfectly clear that it never was intended by the statute that this case should be heard without leave to appeal from the judgment of the Supreme Court. But, I do not think there is much fear of that; because, Mr. Speaker, I am perfectly satisfied, that if a reference of that kind were made to the Supreme Court they would decline to act. And why? Because an infinite variety of private rights are involved in the validity or non-validity of the Acts of this Parliament, and litigation might arise, and would be sure to arise before the courts of this country, and the Supreme Court would have to give decisions in cases of that kind. And a case has arisen already, I understand, questioning the right of the sitting member for Algoma to sit and vote on grounds which would be involved in this proposed reference.

Then, again, all the seats, more than sixty, for which you, Mr. Speaker, issued warrants for elections might be held to have been illegally occupied; and what about the actions which might be brought against the gentlemen who are usurping seats in this Parliament under those improper warrants, if they are improper? Is there not there a case for litigation, which the Supreme Court would know of from the facts, and would expect? I find that the Supreme Court, in an infinitely more trifling case than this, has taken that ground. I find in Bourinot's book, page 685, this statement in regard to a reference to the judges of a private Bill from the Senate:

> The judges in their report on the Bill excused themselves from answering, on the ground that it affected private rights which might come before the court judicially.

I say, therefore, that it is impossible to expect the Supreme Court to entertain this reference for one moment.

But there is a simple way of settling this matter. If this House of Commons has doubts of the legality of its continuing to sit after the 25th April, 1896—and I think we all have—then the simplest way to set those doubts at rest is for this House not to sit after that date. What earthly object can the Government have in view in suggesting a reference of this question to the Supreme Court? If they did so, they would take all the risk, the serious risk, of throwing grave doubts upon our solemn Acts of Parliament. They would do that simply for the purpose of gaining a little time, if by chance they might get a technical decision in their favour, so as to put off the appeal to the people, which certainly has been long enough delayed now. Having squeezed six sessions out of a five-year Parliament, the Government would seem to raise a legal quibble in order to prolong the sixth session still further. Now, Sir, I say that no doubt whatever exists as to the day of the expiry of the life of this Parliament being the 25th of April next. I say that is the plain reading of the statute law and of the proclamations. I say that the actions of the Crown support that view, not only in the proclamations, but in the calling Parliament together, the meeting Parliament, the asking this House to elect a Speaker, the receiving that Speaker, the issuing an Address to this Parliament, and the sanctioning all the legislation of the first and every other session of this Parliament. I say that the Acts of the Crown, as well as our own Acts of Parliament and all our proceedings cannot have been idle. We are not the people to admit that they were idle and were not legal. No legislature in the world ever was asked to make such an admission against its own solemn Acts of legislation. Then I say that to raise even a doubt by such a reference would be for the responsible advisers of the Crown a politically criminal act, a most serious outrage upon the constitution of the country. And I say that the reference to the Supreme Court would be utterly nugatory, at any rate, because they have no time to determine it, because they would refuse to consider it on account of the private rights involved, because there is no time for an appeal to the Privy Council, and at least, and last, because the decision, if they gave one, would be only advisory, and would still throw upon Parliament the responsibility as to what should be done. For these reasons, I sincerely hope that this matter which the Government announce they have under consideration, will be speedily dropped, and that Parliament and the people may not be asked to approve of the proposed reference. I move, Sir, that the House do now adjourn.

Mr. DICKEY. Mr. Speaker, the subject which the hon. gentleman has raised is undoubtedly one of very great interest and also of very great importance. I do not propose, at this stage, to discuss the merits of the matter, in the way of expressing any opinion of my own upon it. It seems to me that would be quite premature, in the view I take of it. It is also quite clear, Sir, from the hon. gentleman's own argument, that the question he raises is purely a question of law; it is a question that depends upon the construction of the constitution, in view of certain facts which are undisputed.

Mr. MILLS (Bothwell). Parliamentary law.

Mr. DICKEY. It may involve parliamentary law, Sir, but it is primarily a question of the construction of the British North America Act, in view of facts which, as I say are undisputed. Now, Sir, the hon. gentleman says there is no doubt about the law. The hon. gentleman is a practising barrister, and I am quite sure he has engaged in very many cases in his day in which he started out with the same high hopes—nay, absolute certainty—of the law being in his favour that he holds to-day in regard to this question, but in which he found, when he got to the higher courts, that unfortunately some small point which he had overlooked, had upset his calculations, and the law which he supposed was without doubt turned out to be in the opposite direction. Nothing is more certain than the glorious uncertainty of the law; and any hon. gentleman on either side of this House must, I am sure, feel that there is great difficulty in his arriving at an absolutely unbiassed opinion upon a question like this, which is mixed up more or less with politics. I confess myself to feeling some difficulty in deciding that any judgment I might offer on the matter would be quite unbiassed. I might suggest to the hon. gentleman—not as adopting them, but by way of conveying them to him—some arguments that are put forward with reference to this matter; and I may tell him that I have knowledge of a very widespread opinion in the profession to which we both belong, as to the proper legal aspect of this question. The hon. gentleman would agree with those who hold the opposite view to this extent, that if the date of the Algoma election were mentioned in the proclamation calling Parliament together, the life of this Parliament would date from the date of that return, which, we will assume for the present, to be the 3rd of June, so that really the question at issue is not a very large one.

Mr. DAVIES (P.E.I.) Do I understand the hon. gentleman to suggest that if all the writs were made returnable on the 25th April, with the exception of one writ, and that, all the writs but one having been returned on the 25th April, Parliament met, but that the one not returned was made, for local reasons, returnable a month later, the period of parliamentary life would nevertheless begin to run from the return of the last writ, although Parliament had met previously.

Mr. EDGAR. I did not take into consideration in any way the question of Parliament having met or not before the return of the last writ. If Parliament had not met until after the last writ was returned, then I admit it would be a very open question, but that is not the case here at all.

Mr. DICKEY. The hon. gentleman asked me the whole question in a nutshell, and I have already declared that I have no intention of expressing an opinion myself on the merits of the case. I am simply endeavouring to present some arguments which are used, to my knowledge, by gentlemen in the profession holding views opposite to those which the hon. member for North Ontario (Mr. Edgar) holds. What I was proceeding to say is that I think the hon. gentleman conceded with me that the date of the return of the writ means the actual date on which the writ was returned and would mean the date on which the last writ was returned. That seems to me tolerably obvious, because it is competent for this House to make writs returnable when it chooses. It may make these writs returnable one after the other during the whole six months. It may group the counties differently. It may hold the elections according to provinces; and obviously it seems to me that whatever is the correct definition of the return of the writ, it must mean the return of the whole of the writs or the return of the last writ, as otherwise your argument would be reduced to this, that the life of Parliament should count from the date of the return of the majority of the writs.

Mr. DAVIES (P.E.I.) You might take the date when the writs are returnable as the date from which to count.

Mr. DICKEY. With reference to that, it is argued that the date of the return of the writs is not equivalent to the return day of the writs—that it does mean the day upon which, as a matter of fact, the writs were returned. Now comes the question upon which the hon. gentleman raised, and that is the distinction which exists between this case and the Ontario case of 1879. In the Ontario case of 1879, the writ for Algoma was returnable by proclamation at a date subsequent to the date fixed for the return of the writs of all the rest of the counties. In the present case all the writs by proclamation were returnable by the 25th April. Now, the argument made, whatever it may be worth—and it is of such a character as to convince many gentlemen of the profession—is that section 14 of the Elections Act gives the returning officer for certain districts, Algoma amongst them, a statutory time within which to make the return; and the question is whether the Governor General, by fixing a date for the return of the writ of Algoma instead of the date within which the return might be made under the statute, can limit the discretion of the returning officer at Algoma and limit the time which the statute allows him within which to make his return. The returning officer for Algoma, when a writ is placed in his hands, has a certain time fixed by statute within which he may exercise his discretion in making the return of his writ. In the present instance, the returning officer for Algoma and the returning officer for Chicoutimi took that view of their duty in the elections of 1891, exercised their statutory right under section 14 of the Act, and made their proclamations legally, unless the Governor General's proclamation bound them to such dates as brought their return on, we will say, the 3rd June.

Mr. MILLS (Bothwell). When were the writs issued to them ?

Mr. DICKEY. I am not in a position to give the hon. gentleman the dates.

Mr. MILLS (Bothwell). The whole point turns on that.

Mr. DICKEY. So that independent of the proclamation ordering the issue of the writs, there is no doubt the action of the returning officer in Algoma was perfectly regular and legal. Now comes the question whether the prerogative of the Crown, referred to in section 3, with regard to the fixing of the return day of the writs, is or is not a limit with regard to certain named writs in those constituencies in which the time allowed for returning may be longer than the return day of ordinary writs. The hon. gentleman said that if the returning officer could hold back a writ for a month, he could hold it back for a year. But I do not think that that contention can be successfully made because the time within which the Algoma returning officer can hold back the return of his writ is strictly fixed by the terms of section 14, which gives him certain rights. The whole question has arisen from the fact that the Algoma returning officer accepted the statutory instruction instead of the instruction under the proclamation. Now, the hon. gentleman suggests that if another instruction than that fixing the expiry of this Parliament on the 25th April were adopted it would render nugatory a large portion of the Acts which we have passed, including Mr. Speaker, your own election. It is argued, on the other hand, that that is not a necessary conclusion. The question whether Parliament can act before all the writs are in, is one which must be decided separately and according to Parliamentary law. The decision of that question would settle whether or not Parliament met legally when it met the 29th April, 1891. But the decision as to what is the day from which the five years begins to run against Parliament is another question. Supposing the British North America Act said that Parliament should continue for five years from the last date of the year in which it is elected, namely, from the 31st December of the year in which it is elected, Parliament would then last more than five years and would be capable of doing business more than five years.

Mr. EDGAR. It says five years and no longer.

Mr. DICKEY. Quite so ; but it would sit no longer than five years from the end of the calendar year. If the British North America Act said that Parliament shall continue for five years from the day it is elected and no longer, you would have a Parliament which would endure more than five years, but which would be subject to the limited statutory existence to be fixed on the proper construction of the statute. That Parliament may legally have met and transacted business before the day of the return of the last writ; but that when you come to determine the period for which the British North America Act is enacted, you must take the day of the return of the last writ, and calculate from that, five years, the legality of the Parliament before that date being settled by other considerations altogether. As I said, I do not propose, at present, to express an opinion on either branch of the case which the hon. gentleman has read. A great many in this country look upon this as a purely legal matter ; they look upon it as a question which they would like to see withdrawn from party considerations, the question they would like to see discussed somewhere upon absolutely straight legal principles, and settled upon that basis. It is for that reason that a great deal may be said in favour of referring the question for the opinion of an entirely independent court. It is quite true that the opinion of the Supreme Court would not be final, nor would it necessarily, as, of course, every hon. gentleman knows, in a case like this, be a decision which would be acted upon as a matter of course. But the question that would arise on this case, by referring to the Supreme Court, would be whether the House which is a political body should, in this case, take from its cognizance a matter which is a pure matter of law, and leave it to the courts to deal with. That would be a question that would come up if this proposition were made to the House. I do not know that, in the present aspect of the case, it is necessary for me to say any more than this : That, however strong any hon. gentleman may feel himself upon this question—and however positive he may feel that there is but one view of the law, and that the one he takes, I can assure hon. gentlemen, from my own knowledge in my own department, there are grave differences of opinion among gentlemen very high up in the legal profession throughout the Dominion.

Mr. MILLS (Bothwell). The hon. gentleman says this question should be considered entirely apart from party. I agree with that view. This is a legal question, but it is, in my opinion, purely a question of parliamentary law, and, because it is a question of parliamentary law, it is not a proper question to refer to the courts. The courts do not pretend to undertake to construe parliamentary law ; they take the construction of the law of Parliament from Parliament itself. Now, the hon. gentleman has also referred to the provisions of the statute relating to the Algoma election, and says that it is upon the construction of that statute that the returning officer acted, and not upon the proclamation. Now, Mr. Speaker, I would say this with regard to the matter the hon. gentleman has raised : It is the statute of William III. that is in force in this country with regard to elections, and that statute assumes that the writs will be issued forthwith, and that the parties who are entrusted with the issue of those writs will discharge their duty in that regard. The issue of the writs was on the 4th of February. How is it that the whole of that time elapsed, from the 4th February until 18th April, before the nominations took place ? Was that due to the action of the returning officer, or was it due to some misconduct of some other officer, or to the neglect of the Government that has divested certain officers of the functions of returning officers, and taken the law into its own hands ?

Mr. DICKEY. The hon. gentleman admits, I suppose, that it was strictly within the time allowed by the statute——

Mr. MILLS (Bothwell). No.

Mr. DICKEY—setting aside the proclamation ?

Mr. MILLS (Bothwell). I wish to call the hon. gentleman's attention to this fact—that the nomination was within the period, but the election was held on the 18th of May, and the writ itself had expired on the 25th of April.

Mr. DICKEY. Under the proclamation.

Mr. MILLS (Bothwell). Under the proclamation, the writ has no vitality and no legal life after the 25th of April, and, that being so, the hon. gentleman will see that the quotations he makes from the statute, or rather the references that he makes to the statute, are altogether inapplicable. If that writ had been issued in proper form at the proper time ; if the Government had advised the Governor General as to the advisability of appointing a returning officer, as its duty was, and the Clerk of the Crown in Chancery had had made known to him at the proper time who was the returning officer, so as to issue that writ to him, it was possible to conform with the statute, and still keep within the proclamation. Why did the returning officer disregard the maximum time allowed by the proclamation ? It must have been that either the Administration, or some officer of the Administration here failed in their duty to the public with regard to this election. Then, Sir, there is more than that. I say, that being so, here was an election held, here was a return made when there was no writ authorizing it ; therefore, that return was improper and void. There can be no doubt with regard to that.

Now, let me call the attention of the House to some provisions of the law with regard to this matter. The primary provision of the law is a very ancient one, it is chapter 14 of Magna Charta, a part of which is as follows :—

> And besides, we will cause to be summoned in general by our sheriffs and bailiffs, all those who hold of us in chief, at a certain day, that is to say at the distance of forty days (before their meeting), at the least, and to a certain place ; and in all the letters of summons, we will express the cause of the summons ; and, the summons thus made, the business shall proceed on the day appointed, according to the counsel of those who shall be present, although all who have been summoned have not come.

Now, under that provision there must be an opportunity for every member to be returned. An election cannot be held, under that provision of Magna Charta, within forty days. If it is held within that time, and it has been held in England and here, it is an improper return, and the member is not entitled to sit. But if all the members do not put in an appearance, having had an opportunity of being returned within the time allowed by law, Parliament may sit. But, Sir, if there has been any election, the writ for which expired after the date at which Parliament has been called, if there has been any attempt on the part of the Crown, upon the advice of the Ministers, to call Parliament at an earlier date than the day on which the last writ is returnable, then that calling is an illegal summoning of Parliament. That was held in the case of James Monk, in February, 1820. This matter was referred to a committee of the House, and the committee reported upon it. The member had been elected within the time which the law allowed, and the committee states as follows :—

> That it is the opinion of this committee, that, according to the proclamation of His Honour the President and Administrator of the Government of this province——

That is the Province of Quebec.

> —bearing date the 9th day of February last, the representation of this province is not as yet complete, inasmuch as the day fixed by the said proclamation as the return day of the writ of election for the county of Gaspé is not yet arrived.
>
> Resolved, That it is the opinion of this committee that the writ of election for the county of Gaspé being dated 22nd February last, and returnable on the 11th of the month of April inst., is contrary to the said proclamation, and to the Provincial Act of the 42nd year of the reign of His Majesty George III., chapter 3.
>
> Resolved, That it is the opinion of this committee that, according to the enactments of the Act of the Parliament of Great Britain, of the 31st year of His Majesty George III., chapter 31, intituled : "An Act to repeal certain parts of an Act passed in the 14th year of His Majesty's reign, intituled : 'An Act for making more effectual provision for the Government of the province of Quebec, in North America, and to make further provision for the Government of the said province,' " this House is incompetent and cannot proceed to the despatch of business.

Now, there is a determination of this question by a former legislature of Quebec, that until the period of time expired fixed by the last proclamation, there can be no regular or legal meeting of Parliament. Let me call the hon. gentleman's attention to this, that it is not the period when, as a matter of fact, the last writ is returned, but the period fixed in the proclamation for the return of the writ, that determines the question. Why, it could not be otherwise. How comes this House together? By what authority does it meet? Why, it meets by authority of the Crown. This House is sitting here as a council of state for the purpose of advising the Crown. The Crown has called it together for that purpose.; the Crown fixes the time when it shall meet: it states that date in the proclamation; and that proclamation having fixed a day for the return of all the writs, the hon. gentleman cannot go behind that legal fact, that important constitutional fact, upon which the very existence of Parliament itself depends, for the purpose of determining and fixing in some other way when Parliament shall legally begin to exist. Look at the facts, Mr. Speaker, in this case. This House is the judge of its own privileges, and, as such, it decides when its life began. Now, the Crown assumes that this House legally began to exist, and that this Parliament began its legal life, on 25th April, when the writs were made returnable. When Parliament met on 29th, it met at the command of the Crown. It was summoned here for the purpose of deliberating upon such matters as the Crown chose to submit to it, and such other matters as the public interest called for. Well, I say this House is estopped from inquiring whether it had a legal existence at that moment; the Crown is estopped from making an inquiry, from the fact that the Crown called this House together for the purpose of transacting public business. Then, with these facts before us, how is it possible that the hon. gentleman can refer to some neglect of duty, some failure in the discharge of duty, either by the advisers of the Crown or by some officer of the Crown, whose misconduct is going to override the proclamation of the Governor General, and fix another date than that which the Governor General by that proclamation has fixed? Why, if he can do that, the tenure of our life would be extremely uncertain. The hon. gentleman undertakes to say, that this Parliament may exist, as a matter of law, for a longer period than five years.

Mr. DICKEY. No.

Mr. MILLS (Bothwell). Well, then, what does his illustration mean?

Mr. DICKEY. I suggested that as an argument made by others.

Mr. MILLS (Bothwell). He, therefore, suggested it as a legal interpretation of this clause of the British North America Act.

Mr. DICKEY. Not as my own view of it.

Mr. MILLS (Bothwell). Whether it be the hon. gentleman's view or not, he suggested it as a possible view. Now, the hon. gentleman gives, as an illustration, the fact, that the five years might have been made to begin and run, say, from 31st December. Supposing that were so, it would not be a period of five years and no longer, because the very terms the hon. gentleman has employed for the purpose of expressing a hypothetical proposition, are terms which would make the period five years, plus all that portion of the first year that had not yet expired, the year in which the election occurred. Well, that is embraced in addition to the five years, that time is embraced in the statement made by the hon. gentleman himself; and, if that were embraced in the statute, it would always be a period of more than five years, reckoning from 31st December. That would be a new provision, altogether different from the language contained in the British North America Act. Now, the British North America Act says that the life of Parliament shall begin from the period of the return of the writs. I say that expression "return of the writs," has in parliamentary law received a well known and settled interpretation: it means the time from which the last writ by the Royal proclamation is made returnable. It does not mean anything else. You do not go behind that fact. That, I say, is a well-settled principle of parliamentary law. Well, that being so, we look at the proclamation to see when these writs are returnable, and that is the time when the life of Parliament begins; and from that time Parliament, by the provision of the law, is to continue and exist for a period of five years, and no longer. There is nothing more than five years, you cannot protract it either beyond the expiry of the five years, nor can you supplement the period by adding something at the beginning. There is no provision in the statute by which that can be done; and that being so, there is nothing in the law which will permit Parliament to begin at any other period than that which is named in the proclamation. Now, formerly, before 1878, the practice had existed here of fixing different periods of time for the return of the writs from different constituencies, and, under a regulation of that sort, of course, no Parliament could exist until the last writ was made returnable, not being returned, as a matter of fact, before the last period fixed in the proclamation for the return of a writ. That fixed the period when Parliament began to exist. But you have no existence of Parliament before, and you could not call a session, you could not undertake to transact public business, nor could Parliament proceed to the election of a Speaker—none of those things which you have done in this case, could have been done until the last writ was returned or returnable under the proclamation. Now, what has been done since 1878? There has been a uniform period; you have undertaken to make a sufficiently long period between the issue of the writs and the return of the writs under the proclamation, that all these exceptional cases might be embraced. That is what you have done. You have given adequate time for the compliance of every provision of the writ to which the hon. gentleman has referred; and, if a returning officer has received a writ, and he is unable to hold a writ under the provisions of the statute before the period of the return expires, then the election cannot be held, there can be no election. The hon. gentleman will see that no other construction of that law is possible and capable of being reconciled with the settled rules and usages of Parliament. Now, I notice one or two things which show that the returns of writs have been in some cases irregular. For instance, there are a number of old statutes, which any hon. gentleman can look up for himself, that are still in force, with regard to Algoma, and with regard to Chicoutimi, Saguenay and Gaspé, where the period is made longer by statute within which the return should be made, than the period fixed by the proclamation. Now, the last proclamation was eighty-six days, and there are at least four constituencies in this country where the period is beyond eighty-six days; and, if you look at the words of the Magna Charta, and look at the two or three English cases that have arisen under that statute, the Knaresborough case, and some others, and this case of Mr. Monk, in Quebec, in 1820, you will see, that the rule recognized is, that you must observe the minimum time, and you cannot hold a valid election within the period fixed by that minimum.

At the time the elections were held in 1891 there were four or six elections held within the minimum period fixed by the law. This, Sir, only goes to show how very important it is that the Minister of Justice or some other member of the Government should immediately undertake to look at these old statutes and to reconcile the provisions of the law as it is necessary to administer it with the proclamation to be issued and the period of time fixed for the holding of these elections. But altogether apart from that phase of the subject, looking at the question raised by the hon. member for West Ontario (Mr. Edgar), there is no doubt whatever that the period for which this Parliament was elected begun on 25th April, 1891, and will expire on 25th of April of the present year. This is not a matter on which we can afford to have any doubt. Why should this question go to the Supreme Court? It is not a question that should be referred to that court. It is not a question of common law or equity or ordinary constitutional law, it is a question relating to the constitution of Parliament itself. More than that. Suppose the Supreme Court was mistaken in the view it announced, and suppose the Judicial Committee of the Privy Council was of a different opinion, what would be our position? Why should the question be raised here at all? We cannot afford to have any doubt as to the period of time at which this Parliament expires. We cannot afford to have you, Mr. Speaker, sitting in the Chair after this Parliament has expired; we cannot afford to transact public business after that time. There is no question that this period under the Act is absolutely certain; and taking the period most unfavourable to the continuance of the life of this Parliament, I say, beyond that period this Parliament should not sit, and before that period arrives this Parliament should be dissolved. That, Sir, is the principle of parliamentary law applicable to this case, and I do not think that this is a question which ought to be referred to the Supreme Court, or that where there is any doubt any action should be taken after the period mentioned has expired.

Mr. MARTIN. I do not rise, Mr. Speaker, to discuss the very interesting and important question before the House, but I rise to enter my protest against any question of this kind consuming the time which belongs to private members. We have on the Notice Paper forty-six matters under Notices of Motions, nearly all of which are contentious matters, nearly all of which are matters which different private members desire to bring before the House as being matters mainly interesting to their own particular constituents, it is true. But one of the rights and duties of the members, private members, is to bring matters of this kind before the House, and it is the only way they can do so. The interesting and important question debated here this afternoon is one that should be brought up on a Government day, because it is a matter not affecting private members, but the constitution of this House. According to the views of many hon. gentlemen, the term of this Parliament will expire on 25th of April. We know the Government find it necessary every session, as the session grows older, to take private members' days for Government business. Under the most fortunate circumstances, we cannot expect to have many more private members' days, and as a member who has several matters of a very special importance to my own constituents, and to my own province and to the west generally, to bring before the House, I protest against a discussion like this, which is likely to be a long discussion, and likely to elicit the opinions of many members, taking up time when the opportunity for considering private members' business will probably not come to private members. Last Monday, unfortunately, we had a long discussion on another question. The first order on Monday was private Bills, and we had a long discussion on the motion of the hon. member for Westmoreland (Mr. Powell) with respect to the Chignecto Marine Ship Railway. That discussion practically occupied the whole day, but as it came up regularly I cannot object to it. This, however, is a discussion which should have taken place on a Government day. At the present time the Government have four days out of five in the week, and surely enough time could be spared from the Government days to discuss such important questions without trenching on the time which should be occupied by private members in discussing important questions on the Order paper, forty-six in number, under the head of Notices of Motion.

More than that, there are no less than thirty items under the head of Public Bills and Orders, which could very well occupy the time of a Monday instead of the subject now under debate. It is most important that public Bills and orders should receive more time than they now receive. Instead of the time given to them being abridged by special subjects being brought forward for discussion on private members' day, the time should be enlarged, because some of the most valuable legislation enacted by Parliament has been carried by private members, who have introduced public Bills. Under the pressure of Government business it has become almost impossible for private members to reach the orders standing in their name. There is a public Bill standing in the name of the member for West Assiniboia (Mr. Davin), and a similar Bill standing in my own name, to amend the North-west Territories Representation Act and to remove very serious defects in the law, and if these defects are to be removed before the next general election, some measure of this character must be carried through the House. For these reasons, and without desiring to occupy the time of the House, I have endeavoured briefly to state why I think it most improper for a motion of this character to be moved by a private member on private members' day, and I am very strongly impressed with the necessity of private members being allowed greater opportunity to bring forward important questions.

Sir CHARLES TUPPER. I hope the hon. member for West Ontario (Mr. Edgar) will take due note of the observations which have just fallen from the hon. member for Winnipeg (Mr. Martin), which I may say I do not quite regard in the light presented by that hon. gentleman. No doubt, this is a question of very great importance indeed, and certainly the Government entertain no objection to its being raised by hon. gentlemen opposite. It is not a party question in any sense of the word, but it is one in which every hon. member is interested as being desirous that the wisest and best conclusion should be arrived at. The Government will consider this matter promptly, in view of the opinions expressed by both sides of the House, and arrive at a conclusion, which they will state to the House at a very early day.

Mr. WELDON. Before the Government make up their minds, in view of the arguments addressed to the House, I will make a further argument on the question brought before our attention by the hon. member for West Ontario (Mr. Edgar), and I will have due regard to the protest entered by the hon. member for Winnipeg, because I will occupy less time in making my argument than he consumed in entering his protest. Had I not been greatly impressed by the statement made by the Minister of Justice, that his department had advised with barristers of eminence at the bars of the different provinces who expressed opinions contradictory, I would have ventured to say, Mr. Speaker, that section 50 of the British North America Act was, at all events, in the vital part of it, a very clear section. There are two parts in that section. One it seems to me, in unequivocal language declares the maximum length of Parliament. There is another part of the section not quite so clear, declaring when the parliamentary term begins. Section 50 states, however, that the maximum length of Parliament is five years and no longer. It seems to me, that it is not even arguable that Parliament can sit longer than five years. On the other part of the clause, as to when that five years term begins, there may be argument, but we are estopped in a sense by our own action. We certainly began to make laws on the 29th of April, 1891. How then possibly, can we hold that we can exercise legislative powers after the 28th day of April, 1896? On the other phase of the question, I think there is some ground for argument, although the argument seems to me to be very strongly in favour of the view taken by the hon. member (Mr. Edgar). I merely rise, Sir, to express the strong view, that this Parliament began to live on the 25th day of April, 1891, and will die by the operation of the law on the 24th day of April, 1896.

Mr. DAVIES (P.E.I.) Since this question has been first bruited, I have given some consideration to it, and I frankly confess, that had it not been for the remarks made by my hon. friend the Minister of Justice (Mr. Dickey), I would not believe the question was capable of doubt at all. I have the greatest respect for his legal opinion, and if he had committed himself to a legal opinion adversely to the one which I entertain, I would have some doubt as to whether I was right or not. But, I watched the hon. gentleman (Mr. Dickey) very carefully, and I saw he was very careful not to identify himself in any way, with any of these unknown gentlemen who entertain a doubt on the construction of this Act. Now, the hon. gentleman of course said that which we all know: That there is a glorious uncertainty about the law. Well, that does not amount to anything. There is a glorious uncertainty about the decisions on points of law here and there, but there are many questions about which there is no doubt; and on which there cannot be any reasonable doubt. The question here is, not whether any very acute lawyer can suggest a possibility of doubt, but, whether reasonable men bringing their trained intellects to bear upon the section which govern this Act, can entertain any reasonable doubt upon the matter at all. In coming to a conclusion upon the matter, I think it well to look at two or three of the sections of the British North America Act, which more or less bear upon the subject. In the first place, from the provisions of the British North America Act we must try and evolve if we can, a correct idea of what the scheme of government is. We have it laid down in the 20th section: that there must be a session of Parliament once, at least, every year. So that, it is not in the power of the Crown, even if the Crown desires to do so, to leave the country without an existing House of Commons for any time. They must call Parliament once every twelve months at least, and the country is secured in that sense from any exercise of improper power on the part of the Crown or its representative. Now, who is to call the House together. The 38th section says:

> The Governor General shall from time to time, by an instrument under the great seal, summon and call together the House of Commons.

The House of Commons, we all know, is a constituent part of the Parliament, but the other parts of the Parliament remain, while the House of Commons comes and goes and the Governor General is to call us together. Now, when is there a House of Commons constituted? It is not necessary to have 215 members to constitute a House of Commons. There may be many reasons why 215 members cannot be got together. Magna Charta expressly provides that it shall not be necessary for all the burgesses who are summoned to attend, in order to make a legal House of Commons: but the British North America Act comes in and solves any doubt, and states the law so clearly that there can be no doubt about it. The 48th section of the Act says:

> The presence of at least 20 members of the House of Commons shall be necessary to constitute a meeting of the House for the exercise of its powers.

So that other things being equal, and subject to some exceptions, if you have 20 members of the House of Commons appearing in answer to the proclamation of the Governor General after the return of the writs, you have a House of Commons competent to exercise all the powers which the House of Commons can exercise under the constitution; and then we come to the section which the hon. member for Albert (Mr. Weldon) has just read. Now, I humbly submit this to the House, as a thing which is not open to reasonable doubt: That the British North America Act in the 50th section, did not contemplate several days for the return of the writs. It contemplated that the Governor General in exercising his statutory prerogative of issuing the writs for an election, should make one return day. It does not say that there shall be "days" for the return of the writs. It says, that the House of Commons shall continue for five years—from what? From the "day" of the return of the writs. That, to my mind, indicates that the intention of the law was: That the Governor General in issuing his proclamation for the writs, should fix a single day for them all, and as a matter of fact that is the practice. That is what he did in this case. If that construction of the law is correct, then the day for the return of the writs is a fixed period about which there can be no doubt, and the five years term runs from that period, and expires of course at a time about which there can be no possibility of doubt. It says:

> For five years and no longer.

That sets at rest the question, whether by any possibility, there can be a period of time longer than the five years during which the House of Commons could sit. Now, then, that is evidently intended to be definite. There is no doubt at all to my mind, that the draughtsman intended to fix a definite time from which the period should begin to run. I humbly and respectfully submit, that he has done so, when he declares that the five years shall run from the day of the return of the writs—plural for "writs," singular for "day." What took place, as a matter of fact? The Governor General issued his proclamation, and I find that in that proclamation dated the 3rd day of February, he says:

> I have this day given orders for issuing our writs in due form for the calling of Parliament in our said Dominion, which writs are to bear date the 4th day of February inst., and be returnable on the 25th day of April next.

So that every one of the writs for the election which was to be held in 1891, was to bear date the 4th day of February, and every one of the writs had a uniform return day, viz., the 25th of April. That is practically in conformity with the express words of the section and the spirit of the section, so that we have not only a law laying down what ought to be done, not only a law fixing the definite day from which the five years ought to run, but we have the Governor General issuing his proclamation pursuant to the statute fixing an identical day for the return of each and every of the writs. How can there be a doubt? If the Governor General had been advised to make a different return day, and if there were different return days in the writs, there might be some possibility of doubt suggested. But when the British North America Act says that the five years shall run from the day of the return of the writs, and the day of the return of the writs is fixed definitely on a particular day, and the elections are held pursuant to that, and Parliament meets on the 29th of April afterwards, where does the possibility of doubt come in ? I have never been able to see it. But, some hon. gentlemen say: Oh, well, one of the gentlemen to whom a writ was issued did not hold the election. What then? The election is void, is it not? What authorizes him to hold the election, and what gives the returning officer any power at all ? Nothing more nor less than the writ under the great seal which he receives from the Governor General.

Mr. HAZEN. The statute.

Mr. DAVIES (P.E.I.) The statute does not give him any power.

Mr. HAZEN. It gives him authority.

Mr. DAVIES (P.E.I.) The statute does not give him a single particle of power. Mr. A. or Mr. B. the returning officer, is unknown to the statute. The statute authorizes the Governor General to issue the writ, and the writ confers the authority, and the only authority on the returning officer. And, when the writ expires, the authority ceases, and the returning officer has no more power to act a day after the expiration of his authority, than I have. If he holds the election after the time mentioned in the writ has expired, the election is clearly void.

Mr. HAZEN. There is no time mentioned in the writ at all.

Mr. DAVIES (P.E.I.) The hon. gentleman says there is no time mentioned in the writ. But the hon. gentleman has not followed my argument at all, because I have pointed out that the proclamation issued by the Governor General under the statute fixed the date when the writs must be returned, and the date for the return of the writ for Algoma was the 25th day of April. Of course, that is not repeated on the face of the writ as the return day, because that was mentioned as the day Parliament was to be summoned. Now, Parliament could not be summoned until after that day.

Sir CHARLES HIBBERT TUPPER. You are assuming that the day of the return is the return day.

Mr. DAVIES (P.E.I.) I say that the Governor General fixed the 25th of April as the day when the writs should be returnable, and after the 25th of April it was not competent for any returning offier to hold an election. If any returning officer did not hold an election until after that date, that could not prevent Parliament meeting and doing business. If twenty members were returned, under the British North America Act, it was competent for the Governor General to call them together, and they would have full power to perform all the functions of the House of Commons, and the absence of one member did not affect the power of the House of Commons to exercise its functions as such. His election, I hold, is void, if held after the 25th day of April. That is a question for him alone ; it does not affect the power of this House. Then the hon. gentleman refers to the return of the elections for the three constituencies of Algoma, Gaspé and Cariboo. I would suggest, in answer, that the discretion vested in the returning officer must be exercised within the time the writ is returnable. That time limits the exercise of his discretion. In discussing this question with my learned friends on this side, I have never had any doubt on that point. Of course, some ingenious counsel may suggest a doubt in some way or other. So far, I am pleased to see that the Minister of Justice has not committed himself in any way to the existence of a doubt.

Mr. HAZEN. It seems to me that the hon. gentleman does not attach enough weight to sections 14 and 16 of the Act respecting elections of members of the House of Commons. These sections, taken together, seem to me to make it clear that in the districts of Cariboo, Algoma and Gaspé, the returning officer can hold the election at any time he pleases, provided he holds it within eighty days of the time he receives the writ ; and it makes no difference when the other writs are returned.

Mr. DAVIES (P.E.I.) My argument simply is that the discretion exercised by the returning officer there must be limited by the time fixed for the return of the writs.

Mr. HAZEN. I understand the hon. gentleman's argument ; but it seems to me that this statutory power overrides any discretion that may be vested in the Governor General. The statute clearly means that the returning officer may extend the time for the holding of the election after he receives the writ, in those districts, provided he does not extend it beyond eighty days. In the case of Algoma, the returning officer did exercise his discretion, and did not hold the election before the 25th of April, but held it on a much later date. That being the case, and taking the language of section 50 of the British North America Act, which says that " every House of Commons shall continue for five years from the day of the return of the writs." I think it is open to argument to say that that means the return of the last writ. It is not the return day of the writ, but the actual day on which the writ is returned. I do not want to give this as an opinion to the House, but it seems to me that the matter is very fairly open to legal argument. This being a question of law, it seems to me that this House is not a very satisfactory tribunal to decide it. If we can get a decision on the question from the Supreme Court, that would be much more satisfactory, because it would be a decision absolutely free from any party bias, which might not be said of the conclusion to which this Parliament might come.

Mr. MILLS (Bothwell). The election courts have decided against that view in regard to Gaspé.

Mr. HAZEN. Will the hon. gentleman give me the case in which they have so decided?

Sir CHARLES HIBBERT TUPPER. I would like to make a few observations on this question, because one hon. gentleman who expressed an opinion upon it, referred to those holding a different opinion as not being known—as those whose names were not before the House or the country. I have no hesitation in saying that I have a very strong opinion myself as to the settlement of one part of this question, while the other part gives me a good deal of difficulty. We may have had a right to meet on the 29th of April, 1891, as we did; but whatever the settlement of that question may be, I am not able to see how hon. gentlemen conclude that it settles the other question as to how long this Parliament lasts. The very section that seems to lead some hon. gentlemen to the conclusion at which they have arrived, leads me to an entirely different conclusion in regard to the length of the life of this Parliament. Section 50 of the British North America Act does not definitely fix the life of Parliament at five years. There is a difference between the language of the Act fixing the term of our Parliament and that of the Septennial Act in England. In the latter Act the question as to the length of the life of Parliament seems to be made absolutely and definitely clear. It is there provided that the duration of Parliament shall be seven years, "to be counted from the day on which, by the writ of summons, this Parliament hath been, or any future Parliament shall be, appointed to meet"; whereas, in our case, as the hon. Minister of Justice, I think, said, it had been contended before him, section 50, instead of saying definitely that the duration of Parliament shall be five years, says that it "shall continue for five years from the day of the return of the writs."

Mr. MILLS (Bothwell). That is the same.

Sir CHARLES HIBBERT TUPPER. My difficulty is as to whether we had, in this case, any right to sit before the month of June. But that the other question is not altogether as hon. gentlemen have suggested, I am led to believe by what I understand to be the opinion of the Attorney General for Ontario, Sir Oliver Mowat, given on the occasion to which the hon. member for West Ontario (Mr. Edgar) has referred today. In referring, not to the Ontario Act, but to the British North America Act, Sir Oliver Mowat, on January 30, 1879, said that, in his opinion, the language in section 50, "from the day of the return of the writs for choosing the House," meant the return of the last writs. That hon. gentleman, of course, is an eminent authority.

Mr. EDGAR. He meant the day they were returned.

Sir CHARLES HIBBERT TUPPER. Whatever he meant, that is what he said.

Mr. EDGAR. That is not what I read today.

Sir CHARLES HIBBERT TUPPER. This is an extract from the debates of the Ontario legislature of January 30, 1879.

Mr. MILLS (Bothwell). That was under a different statute altogether.

Sir CHARLES HIBBERT TUPPER. Not at all. He did refer to the Ontario statute, it is true; but when referring to this section in the British North America Act, he used the language I have attributed to him. He argued on that occasion, too, that it would be a monstrous thing if a Lieutenant-Governor should have the power of calling Parliament together when only some of the constituencies were represented. We may have done wrong. This Parliament met at a time when, according to the Attorney General of Ontario, it had no right to sit, because it had only the right to sit from the day of the return of the last writ. The hon. Minister of Justice (Mr. Dickey) has put in my hand the British North America Act, section 85 of which provides that every legislative assembly of Ontario and Quebec shall continue for four years from the date of the return of the writs. There is a very great similarity in language.

Mr. EDGAR. It is the same exactly.

Sir CHARLES HIBBERT TUPPER. Yes. I point out the position he took, for it has had great weight with me, and has stirred up the difficulty as to the correctness of the procedure in calling Parliament together in April instead of June. He argued that if a Lieutenant-Governor had the power with regard to one constituency, he would have it with regard to another. Now, then, the construction put upon this Act by those who have advised the Governor General in days past—in 1872, for instance, when the writs for Gaspé and Chicoutimi and Saguenay were made returnable on October 12th, all the others being returnable on the 3rd September, the proclamation for Parliament to meet issued the 12th October, that being the date on which the last writ was returnable; and the question is whether there has not been departure from that correct principle in connection with this very Parliament.

Mr. EDGAR. No, the writs were all returnable on the 25th April.

Sir CHARLES HIBBERT TUPPER. I mention this case because, while I do not propose to go into a lengthy argument, I would like to say why I have reached, right-or wrong—for the present, at any rate—a very strong opinion, not shared by most of the hon. gentlemen who have spoken to-day. In 1874, Parliament did not meet until after the day of the return of the last writ, and in that year the Hon. Mr. Blake was Minister of Justice. That seems to be in keeping with the view that Parliament began to run from that period. I rise merely in view of the statement that there were none whose names were known who held the opinion, and to suggest for the consideration of the Government that there is this curious phase which seems to strengthen the idea thrown out for reference to the Supreme Court. Take this chamber to-day, those who argue, no doubt sincerely, inclining to the view I entertain, that this Parliament runs till June, happen to be desirous of promoting remedial legislation, and are anxious to see the Remedial Bill carried into effect. All the other gentlemen, without exception, who say they have no doubt that the life of this Parliament expires on the 24th of next April, desire to defeat that Bill. No gentleman advocating the Bill would like to see it dealt with irregularly and unconstitutionally, so as to be in the end abortive. I would like to see this Parliament live long enough to deal comprehensively with the measure, but if there is any reasonable doubt amongst legal minds as to our power, no advocate of the measure would wish to run any risk. I was going to make another suggestion. It has been suggested that we should refer this point to the Supreme Court. Well, it is answered, and with some force, that the decision of the Supreme Court could not be considered a final judgment, and it is too late to go to the court of last resort. But we have a committee, and I think that committee might be called into play to look upon these very references and precedents and make a report ; and even if the members of that committee have not the standing of judges of the Supreme Court, still I question very much whether, on a matter of this kind, after all is said and done, the report of that committee would not be as valuable to the House of Commons. The question, at any rate, would bear investigation and discussion, for we all desire that no risk should be run in connection with this legislation ; and as regards the point that Parliament may possibly have met before it had a right to meet, that point demands the consideration of this House, and that consideration, it seems to me, could be regularly obtained by references to the Committee of Privileges and Elections.

Mr. CHOQUETTE. Opinions have been given from nearly every province, and I should like to quote the opinion contained in a letter from Ottawa to the "Moniteur de Lévis," which is considered the organ of the ex-Minister of Agriculture, the Hon. Senator Angers. That letter, I believe, was written by the Hon. Senator Landry, formerly member of this House from Montmagny.

Mr. AMYOT. Does the hon. gentleman affirm it as a fact that the "Moniteur de Lévis is the organ of the ex-Minister of Agriculture, and also that the letter he refers to was written by Senator Landry ?

Mr. CHOQUETTE. As far as one can affirm an opinion, I do so. It is well understood in Quebec that the "Moniteur de Lévis" is the organ of the ex-Minister of Agriculture. That is well understood in Quebec. And I can affirm with certainty that the letter from which I am about to quote was written by Senator Landry. This letter goes on to quote section 50 of the British North America Act, which reads as follows :—

> Every House of Commons shall continue for five years from the day of the return of the writs for choosing the House (subject to be sooner dissolved by the Governor General), and no longer.

Here is what Senator Landry argues from that clause :

> In decreeing that the duration of Parliament must not extend beyond the period of five years (and no longer) the law shuts the door on all ulterior delays, and every Parliament which would take upon itself to exceed this extreme limit would be without authority and against authority. The constitution would be violated and the country would fall into anarchy.

I give this as the opinion of Senator Landry, because I am sure the letter was written by him, and I feel pretty certain that this is also the opinion of Senator Angers.

Mr. EDGAR. The hon. member for St. John (Mr. Hazen) seems to think that, by reason of section 14 of the Elections Act, it was within the power of the returning officer for Algoma to extend the time of the duration of Parliament beyond five years. I do not think that the hon. member will contend that an officer can do, by a side wind, what this Parliament cannot do. We cannot constitutionally pass an Act to say that the existence of this Parliament shall be five years and one day. We have no authority ; we are estopped by the British North America Act from doing it. A province can do it, but this Parliament cannot do it. How much less, then, is it possible for a returning officer, by a side wind, under a clause of a Dominion statute to do what this Parliament could not do itself. Then, with reference to the hon. member for Pictou (Sir Charles Hibbert Tupper's) remarks, I could not quite make out how he argued that we may have the right, after meeting on the 29th April, 1891.——

Sir CHARLES HIBBERT TUPPER. We may have been wrong.

Mr. EDGAR. Or may have been right.

Sir CHARLES HIBBERT TUPPER. I argued that we may have been wrong.

Mr. EDGAR. But there was a doubt in the hon. gentleman's mind. He seemed to think that we may have been wrong, so, he must have thought that we may have been right. He seemed to argue that even if we were right in meeting on 29th April we might have power to sit until 3rd June, or five years and 35 days. Therefore, we run our head straight against the plain simple language of our own constitution which says we may continue for five years and no longer. I cannot get over that answer to his argument. The hon. gentleman seemed to misapprehend the position that Sir Oliver Mowat took, or the grounds of his arguments of the Algoma case in the province of Ontario. Sir Oliver Mowat argued from the proclamation: he never argued that because a writ was returned on a certain day, later than the other writs, that, therefore, the day on which the writ was returned should have any effect whatever in determining the duration of Parliament. It was not necessary for him to argue that. I hold in my hand the proclamation which they were discussing. It is dated the 23rd December, 1874, and reads, in part, as follows:—

> That we have this day given orders for issuing our writs in due form for calling a new legislative assembly for our said province, which writs are to bear date of 27th December instant, and to be returnable on the 2nd day of February.

If it stopped there, as ours does, there would have been some force in what the hon. gentleman said. But it goes on:

> Except our writ for the district of Algoma, which is to be returnable on the 14th day of August next.

And Sir Oliver Mowat held that the existence of Parliament would begin and run for four years after the return of the Algoma writ. That is the whole point of the case. It is impossible for the hon. gentleman to point out a provision like that in our proclamation. For three Parliaments after confederation, there were exceptional dates fixed for the return of the writs, just as there were in the Ontario case, and Parliament never was called together till after the last date that was fixed for their being returnable. But since that, in the elections of 1878, 1882, and 1891, one date has been fixed for the return of the writs, covering the whole country, without exception. There is nothing I have heard in this debate that has changed, in any way, my opinions I had formed before I spoke. I am sure I have nothing to complain of as to the spirit in which the arguments have been presented. We would like to have heard the Minister of Justice's own idea on this important question, but we had only hypothetical quotations from hypothetical persons, and so we have lost the valuable opinions we hope to get before long from the gentleman mainly responsible in this matter.

Motion to adjourn withdrawn.

CANADIAN JOCKEY CLUB.

House proceeded to consider amendments made in Committee of the Whole to Bill (No. 48) respecting the Canadian Jockey Club.—(Mr. Tisdale.)

Mr. MARTIN. I do not intend to take up the time of the House at any length, but I wish to register my protest in the House, as I did in the committee, against the provisions of the Bill which give twelve men permanent control of the Canadian Jockey Club, a club which is supposed to be a representative institution for the purpose of governing racing in Canada. I submit that this is bound to be very much to the detriment of this club, and very much to the detriment of any attempt to make it the guiding body of racing in Canada. There is no reason whatever why there should be any stock. And there is no reason why the possession of a certain amount of stock upon which there is only $550 paid, should entitle certain gentlemen to a representation of twelve upon the committee; in other words, to make these particular gentlemen equal, for purposes of representation, in this important association, to twelve affiliated clubs.

Amendments concurred in, and Bill read the third time and passed.

SECOND READINGS.

Bill (No. 82) respecting the Kingston, Smith's Falls and Ottawa Railway Company.—(Mr. Taylor.)

Bill (No. 83) to incorporate the Manitoba and North-west Millers' Association.—(Mr. Masson.)

MILITARY GROUND AT ESSEX.

Mr. DAVIES (P.E.I.) asked:

> Whether the military ground at Sussex, N.B., has been leased to any person? If so, to whom, and when, and for what length of time, and at what rent, and on what other terms?

Mr. DICKEY. By a lease dated 12th July, 1895, the Department of Militia and Defence has rented to Lieutenant Colonel Edwin B. Beer, the military ground at Sussex, N.B., for seven years, from 1st November, 1894, at the rate of $25 per annum, on condition that: The said lessee is to give his supervision to the property generally, to maintain the fences erected by the department, as permanent fences, to superintend such works and repairs as may, from time to time, be authorized to be done upon the premises, to clear such land as may be ready for stumping (not to exceed ten acres in any one year) and to crop and seed the same to grass, to perform eighteen days' work of team and two men in repairs to the river banks, or other necessary work in each and every year, and to have the land clear and ready for military camps when required. It is also stipulated that the lease may be renewed at the expiration of the said term of seven years, upon such conditions as may be agreed upon.

COURT-HOUSE AT WOLSELEY.

Mr. MARTIN asked :

When was the court-house at Wolseley completed ? How much has it cost ? How much has been paid to date since completion for caretaking and heating ? How often has court been held in it ? If no court has been held in it, why not ? When will court be held in it ?

Mr. OUIMET. 1. Completed on 28th June, 1895. 2. Cost of building, $8,349.77. 3. Caretaking, to 28th February, 1896, $202.50; heating, $195.95 ; total, $398.45.

Mr. MARTIN. How much in 1895 ?

Mr. OUIMET. Nothing. I have a note here which says : We are informed by the Department of Justice that after the official notification is given to the Lieutenant-Governor of the North-west Territories that a court house is ready for occupation, the subsequent action as to when a court is to be held, is not under the control of federal authority. Such notification was given to the judge by the Department of Justice on 25th November, 1895, and in turn given by the judge to the Lieutenant-Governor.

MANITOBA PENITENTIARY.

Mr. MARTIN asked :

1. How much land was bought in 1895 from Hugh Allan, J. O'Donoghue and William Fraser, respectively, for the Manitoba penitentiary ? 2. What was the price per acre in each case ? 3. What is the extent of said penitentiary lands now ?

Mr. DICKEY. 1. One hundred and sixty acres from each. 2. The Allan property, including a quarry and a brick dwelling house, cost, $2,000. The other quarter sections were purchased for $10 and $8 per acre, respectively. 3. Eight hundred acres.

POST OFFICE AT ROCKWAY VALLEY.

Mr. DEVLIN asked :

Whether the Government received a petition from Rockway Valley and vicinity, in the county of Ottawa, asking for improved mail service, and for the opening of a new office ? If so, is it the intention of the Government to comply with the prayer of the petition ?

Sir CHARLES TUPPER. In the absence of the Postmaster General, I beg to say to the hon. member that it is the intention to comply with the prayer of the petition.

SUGAR EX-SS. "SCYNTHANIA."

Mr. McMULLEN asked :

Was a cargo of sugar landed in Canada, ex-SS. "Scynthania," or any other vessel, at or about the date of the imposition of the last increase of duty upon sugar, on which the duty has not been paid ? What quantity was in the cargo or any other cargoes that arrived on or about the said date, and what amount of duty remains unpaid, if any, or is still in dispute? Who are the importers or importer ? If any duty is still due, what steps have the Government taken to collect the sum or sums due ?

Mr. WOOD. 1. A cargo of raw sugar was landed ex-SS. "Scynthania," about the date of the imposition of the duty on raw sugar last session. 2. The quantity in the cargo was 6,667,248 pounds, upon which duty, if exigible, would amount to $33,336.24. 3. The importers were the Canada Sugar Refining Company. 4. The parties refused to pay duty inasmuch as they had tendered entry the day before the Budget speech, and asked that the department would facilitate the determination of the court of the liability of the sugar ton-duty, and the matter is now before the courts.

CEMENT FOR WELLAND CANAL.

Mr. GIBSON asked :

1. What quantity of Thorold cement was used in building and enlarging the new Welland Canal ?

2. What quantity of Thorold cement was used in building the new aqueduct on the Welland Canal at Welland, Ont. ?

3. Is the Government aware that the following engineers, viz., the late John Page, W. G. Thompson and Thomas Munro expressed the following opinions regarding the quality of Thorold cement ?

From the late John Page, Esq., when chief engineer for canals for the Dominion of Canada :—

7th June, 1884.

For the past forty years the natural hydraulic cement obtained at Thorold, province of Ontario, has been used to my knowledge on various extensive public works, and in every instance the result has proved highly satisfactory. When properly burned, ground fine and used fresh from the mill, it will compare favourably with any natural or artificial cement that I know of for building or other purposes in a moist position, or for walls that have been built a few weeks before water has been let in on them. It is well adapted for concrete foundations, walls, drains, cisterns, or indeed for any hydaulic works. When properly prepared and mixed with two parts of clean, sharp sand to one of cement, the result will invariably give good satisfaction.

From W. G. Thompson, Esq., engineer in charge New Welland Canal and Sault Ste. Marie Canal :

17th April, 1884.

My tests of Thorold hydraulic cement have extended over a period of twenty-eight years, and have been on a large scale, as exemplified in the locks, bridges, culverts and other masonry on the Welland Canal and Welland Railway, and the record, which has been invariably satisfactory, is to be found in examination of the structures. The necessary tearing down of masonry and concrete, during the Welland Canal enlargement has afforded abundant evidence of the reliability of the Thorold hydraulic cement, both in masonry and in concrete, and above and under water. I desire no better cement for the class of work referred to.

From Thomas Munro, Esq., engineer in charge Soulanges Canal :

25th March, 1879.

About one million bushels of Thorold hydraulic cement have been usel in the construction of the canal works in my charge. This experience enables me to testify to the excellence of the article, especially when carefully burnt and thoroughly ground.

4. If the Thorold cement was used in building the above Government works, why is it not now used in building the "Soulanges" and "Trent Valley" Canals ?

Mr. HAGGART. I cannot state the amount of Thorold cement used in building and enlarging the new Welland Canal, neither can I say what quantity was used in the Welland Aqueduct, but the quantity, I am aware, was very large. I am not aware of the letters referred to, but the officers of the department say that Messrs. Page, Munro and Thompson did give letters of certificate as to the quality of the Thorold cement. The Thorold cement was used in building the Welland Canal, but it is not found to be so reliable and suitable for submerged work as the Portland cement, and, for this reason, the use of the Portland cement has been generally, of later years, adopted on Government canal work. Both Mr. Thompson and Mr. Munro strongly favour its use, as well as the chief engineer.

AMENDMENTS TO REMEDIAL BILL.

Mr. BRUNEAU asked :

Whether it is the intention of the Government to accept, support and adopt the amendments to the Remedial Bill, of which the hon. member for Bagot has given notice ? Do the Government intend to accept, support and adopt all the said amendments or a part thereof only ? In the latter case, which of the said amendments do they intend to accept ?

Mr. DICKEY. In reply to the hon. member. I beg to say that any proposed amendments will be taken into consideration when they are offered. The Government cannot give any further information now.

CLAIM OF E. ST. LOUIS.

Mr. McMULLEN asked :

Whether it is the intention of the Government to further resist the claim of E. St. Louis for labour supplied to the Curran Bridge ? Do they intend to pay the judgment given by the Supreme Court ? What is the amount of the judgment, and also the amount of the cost ?

Mr. DICKEY. That question is before the officers of the Department of Justice to determine its legal aspects. When their report is received, the policy will be detemined with regard to it.

Mr. McMULLEN. Can the hon. gentleman say the amount of the claim ?

Mr. GIBSON. Mr. DICKEY. Not definitely. It is in the neighbourhood of $67,000.

FISHERMEN OF SKEENA RIVER.

Mr. CHARLTON asked :

1. Has the Minister of Marine and Fisheries received a petition from the fishermen of Skeena River, in the northern part of British Columbia, a large number of whom are Christian Indians ; praying that the weekly close period for catching salmon, which now begins on Saturday at 6 a.m. and ends on Sunday at 6 p.m., shall hereafter begin on Saturday at noon and end on Sunday at midnight, thus enabling Christian Indians and others to observe the twenty-four hours of Sunday as a period of rest without reducing the number of hours in each week set apart as a close season ?

2. Will the Government grant the reasonable and proper prayer of the said petitioners, and respect their conscientious scruples against working on Sunday, by making the required change, which will not reduce the number of hours of the close season, but merely readjust them to meet the desire of Christians by embracing the twenty-four hours of Sunday in the close season of thirty-six hours in each week ?

Mr. COSTIGAN. 1. Several such petitions have been received. 2. Similar requests of this nature have been refused in respect of other rivers in British Columbia, on the grounds that the fish caught Saturday morning could not be canned the same day and the cannery cleaned, while keeping the fish over until Monday morning would involve their loss as they would spoil and would be wasted. But the department will make further inquiries into the matter with a view, if possible, to reaching some arrangement for meeting the wishes of the Indians.

SMELT FISHING.

Mr. DAVIES asked :

Has there been any extension of the close season with respect to the catching of smelts in the maritime provinces during the present winter ? If so, when, and in what localities and provinces, and for what lengths of time have such extensions been made, and for what reason ?

Mr. COSTIGAN. On representations from the different provinces in which smelt fishing is carried on, that the regulations acted unfairly in some localities, owing to differences in the dates at which the ice was sufficiently strong to permit of fishing, general instructions were issued to the fishery officers in Quebec, Nova Scotia, New Brunswick and Prince Edward Island to arrange that all parties should be allowed two and a half months' fishing. Thus, in localities where fishing began early, it would have to close early, and where it began late it would continue to a correspondingly later date.

IMPROVED RIFLE FOR VOLUNTEERS.

Mr. McMULLEN (for Mr. Casey) asked :

1. Who has been entrusted with the choice of an improved rifle for the volunteers ?

2. Has the choice been definitely made, and if so, what rifle has been chosen?

Mr. DICKEY. The choice has been made by the Government, after obtaining the opinions of experts on both sides of the Atlantic. After mature consideration, the Government, having heard fully all the opinions given, came to the conclusion, that they would order the Lee-Enfield magazine rifle, which is practically the same as the Lee-Metford rifle, at present in the hands of the Imperial troops, but with the Enfield barrel, which, from its improved grooving, greatly prolongs the life of the rifle. This is the newest pattern known, and is the one to be given to the Imperial troops.

FISHING IN LAKE ERIE.

Mr. McMULLEN (for Mr. Casey) asked:

1. What is the total number of (1) gill-net, and (2) pound-net, licenses, granted on the north shore of Lake Erie?

2. What number are granted to an individual, and to a firm, respectively?

3. Is it a condition of such licenses that the licensees shall, themselves, conduct the fishing under them? Do they, as a matter of fact, do so? In how many cases do they not?

4. Are transfers of licenses subject to approval of the Marine and Fisheries Department?

5. Are the licensees allowed to transfer their licenses to United States citizens? Or to use nets belonging to United States citizens? Or to operate the licenses, under hire, for United States citizens?

6. Is the Department of Marine and Fisheries aware that many of these licenses are operated by Canadians in whose names the licenses are issued, who are acting merely as foremen for United States citizens?

7. Who holds and operates the pound-net license at Port Stanley, Ont., held last year by John Ellison?

8. How many licenses of each kind are granted to the Long Point Company?

Mr. COSTIGAN. The total number of licenses granted on the north shore of Lake Erie is: (1) gill-nets, 45; (2) pound-nets, 58. 2. The maximum number of pound-nets granted to individuals is 5, and the maximum quantity of gill-nets is 3,000 fathoms for a boat license, and 12,000 fathoms for a tug license. 3. It is not a condition of the licenses that the licensees must conduct the fishing themselves, and the department is not aware whether they do so or not. 4. Yes. 5. Licensees are not allowed to transfer their licenses to United States citizens, nor could they do so, as the department will not issue licenses to foreigners; consequently, licenses could not be operated under hire from United States citizens. 6. No. 7. John Ellison holds the license, and it is presumed that he operates the fishery. 8. None.

GOVERNMENT DREDGES.

Mr. McMUULEN (for Mr. Casey) asked:

When, and to whom, and at what price, has the Government dredge, long laid up at Port Stanley, Ont., been sold?

Mr. OUIMET. I am not aware that any dredge, the property of the Government, has been sold at Port Stanley.

EXPORTATION OF RICE MEAL—MOUNT ROYAL MILLING COMPANY.

Mr. CHOQUETTE (for Mr. McShane) asked:

1. What was the quantity and value of rice meal exported from Montreal by the Mount Royal Milling Company, for the calendar year ending 31st December, 1895?

2. What was the amount of duty refunded by the Government to the Mount Royal Milling Company, on said exportation?

3. What was the quantity and value of rice meal exported from Montreal by the Mount Royal Milling Company, from the 1st January, 1896, to the 1st March, 1896?

4. What was the amount of duty refunded by the Government to the Mount Royal Milling Company, on quantity so exported?

5. If any duty has been refunded, at what rate of duty has the same refund been calculated?

Mr. WOOD. The quantity and value of rice meal or flour exported from Montreal by the Mount Royal Milling Company, durin the calendar year 1895, was 261,240 pounds; value, $4,665. Drawback of duty, at the rate of 99 per cent of the amount paid, was allowed, namely, $775.88. The department has no record of exportations having been made between the 1st January and the 1st March, 1896. 4th and 5th answered by above.

PROPOSED CANAL FROM MONTREAL.

Mr. CHOQUETTE (for Mr. McShane) asked:

Whether it is the intention of the Government to have a survey made of the proposed direct canal from Montreal to St. Johns, P.Q., a distance of about fifteen miles, which, if constructed, would shorten the distance of water carriage between Montreal and New York by about eighty miles?

Mr. HAGGART. The department is not aware of the facts stated—that a canal could be built, that it is a practical route, and that the distance saved would be as stated.

PAYMENT TO MONTREAL "GAZETTE."

Mr. YEO (for Mr. Rider) asked:

What amount has been paid yearly to the Montreal "Gazette" Printing Company, for each fiscal year during the past five years, under the following accounts, viz:—

1. For advertising?

2. For printing and lithographing?

Mr. FOSTER. I would ask the hon. gentleman to put this in the form of a motion.

PUBLIC WHARF AT MAGOG.

Mr. YEO (for Mr. Rider) asked:

Is it the intention of the Government to place in the Estimates a sum sufficient to connect the public wharf in the town of Magog with Lake Street, or to assist the town in providing some other way for reaching the wharf from Main Street ?

Mr. OUIMET. The department does not intend to place a sum in the Estimates to connect the public wharf in the town of Magog with Lake Street. It is understood, that the town is to provide the right of way to the wharf.

QUEEN VS. LARKIN, CONNOLLY & CO.

Mr. MACDONALD (Huron) (for Mr. Campbell) asked :

1. What were the dates respectively of the judgment in the case in the Exchequer Court of "The Queen vs. Larkin, Connolly & Co." and of the first writ of execution (fieri facias) issued to the sheriff of Frontenac ?
2. To what dates was sale of defendants' dredge, &c., advertised and successively adjourned under said writ ?
3. On what date was said writ withdrawn, and why ?
4. What return was made by said sheriff to said writ ?
5. On what date did writ of venditioni exponas issue to said sheriff, and what did said writ contain ?
6. In what newspapers and how often was the sale under said venditioni exponas on 7th March, 1896, advertised ?
7. At whose instance and when was said sale ordered to be adjourned ?
8. What communications were sent to said sheriff or others relative to such adjournment ?
9. What inquiries, if any, were made previous to time of sale in reference thereto either of the department, the attorneys or the sheriff ?
10. What persons were present at advertised place and time of sale, and did any such persons express a desire to bid ?
11. To what date was sale adjourned, and why?
12. On what dates did any one from plaintiff's attorney's office visit Kingston in connection with said execution or sale, and why ?
13. What costs have been incurred to date on account of said execution and proceedings ?

Mr. DICKEY. 1. Date of judgment, 11th September, 1894 ; writ of execution to sheriff of the county of Frontenac dated 15th May, 1895. 2. The sheriff, after the receipt of the writ, seized the dredge, &c., and made several attempts to sell same without success, for want of buyers. 3. On the 12th February, 1896, the sheriff returned writ with goods unsold, for want of buyers. 4. Goods of the value of $35,000 seized and unsold, for want of buyers. 5. 12th February, 1896. The writ was in the regular form issued out of the Exchequer Court. 6. The sale of the dredge, &c., under the writ of 'ven ex.' was advertised for some time in two Kingston newspapers, and for one week in the Toronto "Mail and Empire" and Montreal "Gazette." 7. On instructions from the Minister of Justice. 8. The sheriff was telegraphed and written to on the 6th of March. 9. None. 10. Several persons were in attendance in the sheriff's office, and among these were Mr. McNamee, Mr. Sullivan, Mr. Mann and Mr. Birkett ; McNamee and Sullivan stated, they attended the sale to bid. 11. Adjourned to 7th May by direction of Minister. 12. On the 14th January and 7th March, 1896, in the interests of the Crown. 13. The costs incurred have not been rendered.

RETURNS ORDERED.

Copy of the report made by His Honour the Lieutenant-Governor of the North-west Territories to His Excellency the Governor General respecting the Bill intituled : An Ordinance to amend and consolidate, as amended, the Ordinances respecting Schools, passed by the Legislative Assembly at its last session, and which was reserved for the assent of His Excellency, any Order in Council or report made in respect July, 1891, to 1st January, 1896.—(Mr. McMillan.)

Detailed statement giving all rebates of duty on imported and exported articles, from 1st July, 1891, to 1st January, 1896.—(Mr. McMillan.)

Also, the value and kinds of articles so imported and exported, and the amount of duty paid on each article, with the amount of rebate on each article, and to whom paid.—(Mr. McMillan.)

Papers relating to the sale of lots Nos. 15 and 16, on the west side of Cayuga Street, in the village of Cayuga, in the province of Ontario, to W. A. Mitchell, or any other person, including copy of petition and signatures, asking for the sale of said lots : also information as to whether at any time in the past, application has been made to the Government for permission to use the said lots as a burial place, and whether permission by the Government, or any official of the Government, was given for the use of the said lots for such purpose ; also whether the Government at the time the said lots were sold was aware that they had been used as a burial place, and that several hundred bodies were buried there.—(Mr. Charlton.)

Return showing the name of each licensee to whom fishing licenses were granted by David Sharp, of Port Dover, Ontario, fishery overseer, for the years 1894 and 1895, together with the amount received for each license so granted in the years 1894 and 1895, aforesaid.—(Mr. Charlton.)

Return showing amount of money expended during the past ten years, under the following heads :—

A. Permanent Militia—
  1. Headquarters and District Staff.
  2. Royal Military College and Staff.
  3. Permanent Force, including expenditures on buildings erected and repaired, intended for their use, and which would not be required for the Active Militia alone.

  Ammunition Factory at Quebec, staff, &c.

B. Active Militia—
  1. Rifle ranges and ammunition supplied.
  2. Drill shed and armouries.
  3. Clothing.
  4. Pay of rural corps, including camps.
  5. Pay of city corps.

C.—List and value of property of all kinds handed over by the Imperial Government on the withdrawal of the Imperial troops from Canada.

D.—List of above property since sold or otherwise disposed of, and value realized.

E.—List of remaining property now held by the Government in Canada with its present value.—(Mr. Charlton.)

Return showing the names of the Customs officials at the port of Montreal, including all officers or employees, and the gross sum paid each of them during the last fiscal year for salary or allowances of any kind, including share of seizures, &c.—(Mr. McMullen.)

Copy of the report of the Mechanical Engineers of the Department of Public Works, also the Order in Council passed in relation thereto, and all other correspondence and papers with reference to the unpaid claims of the Ottawa Gas Company, for gas consumed in the Parliament Buildings of this city, during the years 1866 and 1867.—(Sir James Grant.)

Copies of all instructions given to George H. Young, Inspector of Customs, to inquire into the conduct of Thomas Scott, Collector of Customs, Winnipeg.—(Mr. Tarte.)

Copies of all reports made by the said George H. Young to the Department of Customs on the conduct of the said Thomas Scott; and also copies of any reports made to the Council by the Controller of Customs, or by the Minister of Trade and Commerce, based on the reports of the said George H. Young, on the conduct of the collector at Winnipeg.—(Mr. Tarte.)

It being Six o'clock, the Speaker left the Chair.

After Recess.

SCRIP FOR SCOUTS.

Mr. DAVIN moved:

That, in the opinion of this House, the hon. the Minister of Militia should at once take steps to have scrip given to the scouts of Willow Bunch, Wood Mountain, Maple Creek and Moose Jaw entitled under the Act of 1886, and if any not coming within that Act should be found to have moral or equitable claims to scrip for their watchfulness and loyal services during the North-west rebellion, that the Minister should place them in a position to obtain scrip.

He said: Those for whom I mainly speak to-night, are a very interesting portion of our population in the North-west Territories. The scene of the rebellion which broke out in 1885, was, you will remember, in the north, on the Saskatchewan; but there was good reason to fear that that rebellion might extend all over the Territories. There was good reason to suppose, that the leaders of the rebellion had affinities and communications with designing men south of the international boundary, and it was of the utmost importance that intercommunication between the hostile spirits south of the line and the rebellious spirits north of it, should not take place. As a consequence, the Hon. Mr. Dewdney, who was then Lieutenant-Governor of the North-west Territories, instructed, as I am informed, Mr. John Louis Legaré to form a corps of scouts from the Metis at Willow Branch and Wood Mountain to guard that part of the Canadian frontier, under the guidance of Mr. Legaré, who had already done good service to Canada; and, indeed, good service to the United States, by getting Sitting Bull—who was at one time, as you will remember, a famous character—across the line. Mr. Legaré formed a corps of scouts, who were most active, in which we find such men as Pascal Bonneau, Joseph Lapointe, Prudent Lapointe, Gaspard Beaupré, André Gaudré. And I may say of Mr. Bonneau and of Mr. André Gaudré, who are personally known to myself, that two more energetic men do not exist in the North-west Territories of whatever nationality. Also amongst those who did their duty on that occasion were Louis Bruyere, Louis Larocque, the two Gosselins, Louis Piché, Théophile McGillis, Abraham Beauchamp, Louis Roy, Zacharie Chartrand, and many others. The motion contemplates that the Minister of Militia (Mr. Desjardins) should have a search made through the archives of his department for papers connected with this claim. Those papers, I believe, were given originally to one of my colleagues from Manitoba, who is not in the House at present, and who has assured me that he will have them placed in the hands of the Minister of Militia if that has not already been done. There is great danger that we should overlook those persons who are settled many scores of miles south of the railway at Willow Bunch and Wood Mountain, but I who have been there, and the hon. Minister of the Interior (Mr. Daly) who, I believe, has been there, and the hon. Prime Minister, know that there is no more interesting class in the North-west Territories than these gentlemen who ranche and till the soil and generally develop the country, and who live some 120 miles south of the track. Now, I am sure that when the claims of these gentlemen are looked into, it will be found that they behaved well on that occasion on which they found their claim. It is true that they were not under fire, it is true that they were not at the front, but it is equally true of them what General Middleton said to one corps who wished to be sent to the front. Where you are, he said, is as much the post of honour as if you were at the front. Indeed, he said, I do not know but that the post is one in which you deserve even more credit because you are exposed to unexpected attacks, without the excitement of fighting at the front, with the eyes of the world upon you. It is under the Act of 1886 that these gentlemen, for whom I speak, make their claim; and if it shall appear, as I have no doubt it shall, that during the troubles in the North-west these gentlemen were active along the frontier, ready to intercept any aid that might come to the rebels on the Saskatchewan and to assist in stopping characters who might be escaping across the line, I have no doubt whatever that the Minister of Militia (Mr. Desjardins) or the Minister of the Interior (Mr. Daly), or whoever shall have to adjudicate on these claims, will find that these people are as well entitled as were the other scouts to be given the scrip. I may say that when I brought the claims of the volunteers and of certain scouts before the present Mr.

Justice Sedgewick, then Deputy Minister of Justice, I did not forget those in whose behalf I am now moving; but, as I have said, the papers with regard to the Willow Bunch and Wood Mountain scouts never came into my hands, and I was unable therefore to do more than mention them to Mr. Sedgewick; and Col. Panet and the others who were going into all the claims were unable to find the documents. But I know they were placed in the hands of my hon. friend from Provencher (Mr. LaRivière), and that hon. gentleman has promised me that they shall be forthcoming. As regards the scouts of Maple Creek and Moose Jaw, I placed their claims before Mr. Sedgewick. Their claims were not very numerous, but his decision was adverse, but not so decidedly adverse that it would not be right to review that decision; and as the claims of the Willow Bunch and Wood Mountain scouts are gone into, it would be desirable that the claims of the Maple Creek and Moose Jaw scouts should be likewise investigated. However, I build my confidence in this motion mainly on getting scrip for the Willow Bunch and Wood Mountain scouts. They were an organized body under Mr. Legaré. There cannot be the least doubt of the danger that was apprehended, at the time, from hostile Metis south of the line, friends of Louis Riel, coming up to give assistance in the rebellion; and although that rebellion did not spread and did not make a conflagration co-extensive with the Indian and Metis posts in the North-west Territories, that was not owing to the smallness of the danger or to the smallness of the probability that such might be the case, but rather to the promptness with which the Government pounced upon the fire before it spread and the success of our gallant volunteers.

Mr. DALY. Before the motion is carried, I desire to say, that it will be a matter of considerable importance to the Willow Bunch and Wood Mountain scouts if the information which the hon. gentleman has stated is in the hands of the hon. member for Provencher (Mr. LaRivière), were placed in the hands of the Minister of Militia and Defence. There is no doubt these scouts rendered very valuable service during the rebellion of 1885. I am afraid their case has not been thoroughly considered, in view of the fact, that the information the hon. gentleman speaks of has not been in possession of the department. I have no doubt, that, if the information is laid before the Minister, he will go thoroughly into the case. I am quite agreeable to the motion passing, if it is amended. I now move that it should be, by inserting the word "if" before the word "entitled" and striking out all after "1886." The motion would then read:

> That, in the opinion of this House, the hon. the Minister of Militia should at once take steps to have scrip given to the scouts of Willow Bunch, Wood Mountain, Maple Creek and Moose Jaw, if entitled under the Act of 1886.

Mr. McMULLEN. I would like to know, Mr. Speaker, when we are going to reach the end of the troubles in connection with the North-west rebellion. Every year claims are coming up. The giving away of the valuable lands of the North-west in this manner, session after session, is a thing that we should hesitate to do, unless there is a strong and well-defined claim. I do not see that it would be proper for this House to adopt unanimously a resolution of this kind. For my part, I am not prepared to concur in it. It may add greatly to the popularity of the hon. member for West Assiniboia (Mr. Davin) to bring in resolutions which have the effect of giving these people donations of the public land for some services supposed to have been rendered eleven years ago. It is singular, that these things have been so long overlooked. How is it, that these claims were not attended to before? It shows considerable lack of activity on the part of the hon. member for Assiniboia to have allowed these people to have remained without this acknowledgment of their services for eleven years, and never even to have presented their claims until the approach of the general election. When a general election comes round, he becomes most active in seeking to have the valuable lands of the North-west given away in this manner. If we carry this resolution, and this donation is made, we shall hear nothing more of other claims, if the hon. gentleman is elected, for five years more; and, when the next general election comes, some Joe, or Dan, or Pat, will have a claim which will be brought before the House, and the unanimous sanction of the House asked for a grant for services rendered by them or some of their forefathers. I think we had better put a stop to this. A commission was appointed years ago to look into these claims. They took evidence on all the claims, I understand, and reported. Where were the claims the hon. gentleman has spoken of, then? For my part, I intend to record my vote against this resolution.

Mr. AMYOT. I protest against the remarks which the hon. gentleman has just made. He has no idea of what occurred in the North-west in 1885. He does not know the extent of that country. Nor does he know the bravery that was shown by hundreds of people there. The hon. gentleman complains of the value of the North-west lands, which, he says, are to be given away. But those lands seemed to be worth nothing to the hon. gentleman, when it was a question of acquiring them for the country. He has objected to any organization for the administration of those lands, and to-day, when the question comes up of recompense of those who have exposed their lives for the defence of those lands, he tries to undervalue their merits and their sacrifices. The question is not, whether these parties have been left for a long time without justice being done to them, but whether they are entitled to what they claim. Every year we have had some claims, the greater part of which have been found correct and have been allowed. No doubt, in that far prairie or in the bush near the Saskatchewan River many acts of bravery were accomplished for which some recompense should be made by this country. If two years, or ten years, or twenty years, hence, we find that there have been some acts calling for recompense, we should not hesitate to discharge that debt. Any country that has been exposed to war, has been many years in doing justice to the soldiers. To-day we see some of the soldiers of 1812 claiming from the state recognition for their services. And look at the case of the war of secession in the United States. How many claims are there still occupying the attention of the Government ? But it would take a very mean country, and it takes a very mean intelligence to deny to the soldiers of the country the recompense to which they are entitled.

Some hon. MEMBERS. Oh, oh.

Mr. AMYOT. I know the hon. gentleman will deny the merits of all the others, the bravery of all the others, and will rest satisfied with his own personal virtue.

Mr. McMULLEN. I make an exception in your case.

Mr. AMYOT. As for my humble self, when I went with my soldiers to expose my life for my country, the hon. gentleman thought of nothing except to decry my merits, and so deny me the political recompense which he thought I might receive on account of them. I understand that, but I realize where it comes from, from a very low quarter, and I know that it does not diminish the merit of my humble sacrifice in the eyes of my fellow-countrymen. He may go on in that strain as long as he pleases; it will never move me. I know the bravery of the hon. gentleman. Last year, when I was not in the House, he attacked me for what he called my courage, and, when I asked him if he had done so, he denied it ; but I found his words in the "Hansard." If that is his bravery, if he is not willing to acknowledge the next day what he said the day before, I do not know what he would do, if called upon to resist an attack. He may deny my merits, if he likes ; I do not care for that. But, as a citizen of Canada, and one who has seen the endurance and bravery and discipline of our soldiers in the North-west, I hold that it is right that we should recompense all those who deserve recompense, and not be debarred from it because we have been long in doing justice.

These poor unfortunate soldiers very often had no way of communicating with the Government. They were not in a position to make their claim ; they do it to-day ; and the only question is whether the facts they allege are true, and whether these facts entitle them to a recompense that we should not begrudge them, and that every civilized country awards to its brave soldiers.

Mr. McMULLEN. I wish to make a personal explanation. The hon. gentleman charges me with having denied an attack upon him. I beg to say that the statement he makes is entirely untrue.

Mr. AMYOT. Order, order.

Mr. SPEAKER. The hon. member will withdraw the word "untrue."

Mr. McMULLEN. As the word is not parliamentary, I withdraw it.

Mr. AMYOT. I shall take the first opportunity to prove that my statement is based upon "Hansard."

Mr. DALY. I understood the hon. member for Wellington (Mr. McMullen) was to oppose the motion as amended. If the hon. gentleman had taken the trouble to read the motion, he would see that as amended it does not mean——

Mr. SPEAKER. The hon. member cannot speak a second time.

Mr. DALY. On the amendment ?

Mr. SPEAKER. The hon. member moved the amendment.

Mr. MARTIN. Of course, as amended, the motion is entirely innocuous, or ought to be, at any rate, if the Government will do their duty, and I suppose we must presume they are doing it. The motion as amended simply means that if any person remains who has not received what he is entitled to under the Act of 1886, then the Government are to give it to him. It scarcely requires a motion of this House to do that ; and I would rather gather that the very strong remarks of the hon. member for Bellechasse (Mr. Amyot) must have been directed against the Government, because my hon. friend from West Assiniboia (Mr. Davin) asked the Government to go a great deal further than that, and to give any one scrip who, by their watchfulness and loyal services during the North-west rebellion, rendered themselves entitled to it. Now, Parliament, in 1886, decided how far they were prepared to go in giving scrip to the volunteers, and the Government seems very properly to have confined the awarding of scrip to those who were entitled to it under the Act of 1886. If they were to go further than that, and now give it to persons whom they might think entitled to it for some other reasons, they would, no doubt, cut out a lot of persons who, in the meantime, would have been entitled to it, and who had left the country, or who had never heard of the change in the Act.

Amendment agreed to, and motion, as amended, agreed to.

ST. ANDREW'S RAPIDS.

Mr. MARTIN moved for :

Copies of all correspondence with regard to improvements of St. Andrew's Rapids, not already brought down.

He said : The House will remember that, on one occasion at least, and I think on several occasions, I have brought this matter before their attention. They will also remember that my predecessor, as representative for Winnipeg, Mr. Hugh John Macdonald, also on one occasion, if not more, brought the matter before the House ; and I know that that gentleman brought the matter frequently to the attention of the Government outside the House. I may say that this matter has interested for a great many years the member for Winnipeg for the time being. In the interest of his constituents, he has urged upon the Government and upon this Parliament the urgent necessity for a moderate amount of public funds being devoted towards the improvement of St. Andrew's Rapids, on the Red River. The House will remember that the Red River is the principal river in the province of Manitoba ; that it rises in the United States, and drains a large part of the Dakotas and Minnesota ; that going up into Manitoba, it flows from Emerson into Lake Winnipeg, through the Red River Valley, and that the city of Winnipeg is situated upon its banks. In past days there was a great deal of navigation upon the river in flat boats from Moorhead to Winnipeg. The advent of railways has to a large extent done away with navigation. But the river is navigable, and could be used to great advantage to the people of Winnipeg and surrounding country, were it not for the fact that a few miles north of Winnipeg there exist these rapids, about six miles long, which are of such a character as practically to destroy navigation between Winnipeg and Lake Winnipeg during all but the period of very highest water. The reason that the people of Winnipeg are so much interested in this matter is that Lake Winnipeg has a number of natural resources which would be of great benefit to Winnipeg were there any cheap means of communication between the city and the lake. This is especially true in the matter of cordwood. It will be readily understood by the House that firewood is a very important item in the North-west, and the high cost of firewood, on account of the scarcity of that article in the North-west is one of the disadvantages that we labour under, coupled with the fact that coal has to be brought also from very considerable distances, and costs a great deal more in Winnipeg than it does in the eastern parts of Canada. Anything, therefore, calculated to reduce the price of firewood is a matter of very great importance to that city, and it is calculated that if we had navigation throughout the year, or throughout the season of navigation, between Winnipeg and the lake, the price of cordwood, by reason of the very large quantity of that article which is found along the shores of Lake Winnipeg, would be reduced probably $2 a cord. For that reason alone it has always been the idea of Winnipeg that they were not unreasonable in asking that Government money to a considerable extent should be expended in making the necessary improvements at St. Andrew's Rapids. I may say, Mr. Speaker, that we have had at various times very strong promises from Ministers of the Crown. We have also had very strong promises from Conservative nominees, who have always been elected to Parliament, except on the last occasion, that the Government would do its duty in this matter. The people of Winnipeg have lost no opportunity during the past ten or twelve years, when Ministers of the Crown have visited that city, to lay before them very fully the wants of the city in this matter. I have referred only to the question of cordwood, but there are many other resources in and around the lake which make it most desirable that there should be navigation between the two points. There is lumber, there are the fisheries, there are many mineral deposits around Lake Winnipeg which could be developed if we had navigation. Only a few months ago, the Minister of the Interior and the Prime Minister were up in that country, and the citizens of Winnipeg took the opportunity, as they had done on many previous occasions, of sending a representative delegation to meet those hon. gentlemen and lay this important question before them. I am very sorry to be obliged to state to the House that the delegation was received, not as it thought it should be, either by the Minister of the Interior, or the First Minister, and while the Minister of the Interior was not guilty of any direct disrespect to the deputation, the Prime Minister was, because, when the citizens of Winnipeg, a very large and influential deputation of them, as I have said, waited on those two hon. gentlemen, and brought this matter before them, and endeavoured to persuade them that they were fairly entitled to the expenditure of public money on that work, the Prime Minister said he had just returned from a long visit to the North-west, and during that visit he had been interviewed a great many times by Indians, and he noticed that every tribe of Indians wanted something, and he found when in Winnipeg they were no better—they were like the Indians in the North-west, with whom he had come in contact. It may be imagined that the people of a city possessing the ideas and prospects of Winnipeg would not be very much flattered by having such a reply made to a representative delegation urging on the Government a public work of this character. I understand that now, when the elections are not far distant, the Government are beginning to think of doing something in this matter, and the people of Winnipeg would consider an eleventh-hour repentance very much better than none at all, and if the Government are prepared to appreciate the position in which we are placed there with respect to this improvement, and are prepared to set aside a reasonable amount of money for that purpose, they will certainly obtain from those residents a very large amount of gratitude. During this session, a private company has applied to this Parliament for incorporation as "The Lake Winnipeg and Hudson Bay Canal Company," and, incidentally, that company has asked for a franchise to improve those rapids. I have, on behalf of the city of Winnipeg, opposed, and I intend to oppose the proposition that that company should receive a franchise from this Parliament in connection with those rapids, because, while it is true that if a canal were constructed from Lake Winnipeg to Hudson Bay, it would be necessary, in the interest of the canal company, to improve those locks, still, the city of Winnipeg and the surrounding country desire to have the locks constructed, and rapids improved whether the canal from Lake Winnipeg to Hudson Bay is ever constructed or not. We think it would be most unfortunate to hand over a franchise for the purpose of taking control of this public work, to a private company, in any event, but we certainly feel satisfied that if the Government could be induced to hand over a franchise covering a great river like the Red River, to a private company, it should be only on two conditions: 1. That the company had money in hand and were ready to proceed with the work; 2. That the tolls to be exacted for the use of those improvements should not, in any case, exceed what the parties using the navigation could fairly be expected to pay, utterly regardless of the question as to what the work cost. So it will be seen that the conditions which Winnipeg exacts make it almost equivalent to saying, as they do say, that no private company should have such a franchise handed over to them. I understand that the Government intend to restrict the powers of this company by some provision by which the Government are to be entitled to go on with the work if they see fit, but if they do not see fit, then it was to be handed over to this company. That stand is entirely unsatisfactory to the people of Winnipeg in one aspect. So far as the Government indicate that they have some idea of taking hold of the work, the people of Winnipeg are most glad to notice the fact, and would congratulate the Government if it were carried out; but the other alternative, handing this undertaking over to the company in case the Government do not intend to go on with the work, does not meet with the approval of the citizens there, and the restrictions which the Government propose to place on the company are not, in our opinion, sufficient. They say: We will reserve the power to approve the plans and allow the company to go on with the work unless we think their plans are proper. I put this case: Suppose a private company did go on with this work?

Mr. OUIMET. Mr. Speaker, is the hon. gentlemen in order in discussing a Bill which is now before the Railway Committee, stating what the conditions are, and so on?

Mr. SPEAKER. If that is what the hon. gentleman is doing, he is certainly out of order—if he is discussing a Bill which is before a committee of the House.

Mr. MARTIN. I think I am not out of order in saying that application has been made by this company to Parliament. I am not proposing to discuss their Bill, but the action of the Government.

Mr. OUIMET. The Bill is to be discussed to-morrow, and perhaps the hon. gentleman might postpone his remarks until then.

Mr. MARTIN. I do not know what will be discussed at the meeting to-morrow. I do not discuss the matter except as it bears on the question as regards whether the Government should take up this work or not. It will not be satisfactory to propose, as I understand they intend to propose to this House, to hand over this work to a private company unless the conditions attached to the performance of the work by the private company were of such a nature as would benefit the people of Winnipeg and the surrounding country from the work being done by the Government of the day. I am very much delighted to find that this question is approached by the Government to-day in a very different aspect from what it was in 1894, when I first brought this question before the House. Then, all the Government could say was, that their engineers had looked into the matter, and that according to the reports of the engineers, the expense of the work was so great, that they were not in a position to recommend Parliament to vote any money for that purpose. I am glad to know that two years having elapsed since that announcement, and the elections being near at hand, the Government are inclined to look upon this question in a somewhat different light. I frankly say to them, that their course in that respect is a very proper one in their own interest, and also in the public interest. I have no doubt, that if the Government, even at the eleventh hour realize their duty in this matter, and recollect the many promises that they and their friends have made to the people up there, and do their duty in the premises by devoting public money to this work, they will certainly very much improve their political position in the city of Winnipeg. I wish to say at the same time, Mr. Speaker, that public money spent on this work, to be of any benefit to Winnipeg and to the province of Manitoba, must be voted in such a way as to really give the people there the benefit of having this work constructed at the public expense. I do not believe that any private company is likely to come with money in hand to build this work, because it is quite clear to any one who has looked into the matter, that it is not a work in connection with which private capital is likely to be reimbursed. The only inducement a company is likely to have to take up the scheme, is with the hope of getting Government aid and a Government bonus, and in some way manipulating the Government aid and Government bonus so as to get some advantage to themselves. So far as the company I have referred to is concerned, there is no question at all but that they are mere speculators. They present to Parliament a scheme for a canal from Lake Winnipeg to Hudson Bay, without a dollar to put into it. Their expectation is to induce capital to take hold of that work. This is public work, and we have no right to hand it over to a company whose success is dependent upon the obtaining of capital to build a canal hundreds of miles away. If the Government propose to devote public money to this purpose, the only satisfactory way in which they can do so, is to have a proper survey made. The surveys that have been made in the past have been superficial, and the Government have never sent a good engineer to devote reasonable time to the matter, and to find out what this work will probably cost. On the other hand, the city engineer of Winnipeg has devoted very considerable time to the matter, and has looked into it very carefully, and his estimate for the work is, I believe, about half the estimate of the Government engineer.

Mr. McMILLAN (Huron). About how much is that?

Mr. MARTIN. The Government engineer estimated the cost at $900,000 or $1,000,000, while Mr. Ruttan who is a very eminent engineer, estimates that the work could be done, if I recollect aright, for about $450,000. I would be inclined to think, that if the Government were prepared to furnish the bulk of the money for this work, a reasonable amount in addition would be furnished by the city of Winnipeg. I believe the city could afford to do that on account of the great saving that would accrue to the people on the item of firewood alone. However, I do not know that the city would give any amount, as the question has never been before the people. I impress upon the Government, that if they intend to give any public money towards this work, they should give enough to complete it. There is no use offering one, or two hundred thousand dollars. They must offer a substantial sum which will be sufficient to construct the work in a reasonable time. I say, Mr. Speaker, that if the Government want to put themselves right with the people up there, and want to do their duty, they will not only give a sufficient sum towards this work, but they will also see that when the work is completed it shall be fully and freely available to the people of the locality. I do not say that there should not be tolls charged, nor do I think there would be any objection whatever if the Government were to charge a reasonable toll; but the toll must not be of such a character as to be a burden upon navigation. It must be so reasonable, that people will be enabled to engage in the transportation of cordwood and other products, from Lake Winnipeg to the city of Winnipeg. I am satisfied that the Government can not do justice to themselves, nor justice to that portion of the province, nor justice to that public work, by allowing a private company to intervene. A private company can only come in there for the purpose of deriving a revenue for their own benefit. In this work there is no chance for any outside profits. It will take every dollar that the Minister of Public Works can afford for the purpose of improving this river, along with anything that may be had from the city of Winnipeg, to complete that improvement without allowing for any profits to a private company. I therefore view with apprehension any suggestion as to the intervention of a private company. I would be almost prepared to say, that if the Government offered an adequate sum, and offered to give that sum as a bonus to a private company, they would be treating this subject with indifference, now, as they have for so many years past, and that they were merely making a feint of doing something. I hope that it will not be so. I hope that if hon. gentlemen opposite determine to give a vote of money for this purpose, they will do it in such a way as to reflect credit upon themselves. I am quite willing that they should have any political advantage they can get from that course. I shall be very glad indeed if for that reason—or leaving out reasons of that kind altogether—they should come to the conclusion that it was in the interest of that portion of Manitoba, and in the interest of Manitoba generally, that this great river which is practically useless at the present time, should be opened up, as a means of communication with the great resources of Lake Winnipeg, and all the rest of the province, and in fact with eastern Canada as well.

Mr. OUIMET. All the papers that are in the department concerning this matter have already been brought down. I can say to the hon. gentleman (Mr. Martin), that since last year, the department has under consideration the various improvements of which he has spoken. I was very sorry not to have at my disposal last summer a sufficient amount to get a new survey made, as I find that the first survey is not satisfactory to the people of Winnipeg. The first survey showed that the improvements required would cost very nearly $1,000,000, and the Government did not feel that they could, in this present year, undertake the work if it would cost so much. I hope, in view of the estimates that have been given to us by Mr. Ruttan, that the new survey will make it clear that these improvements can be made for a smaller amount. The hon. gentleman and his constituents may rely on this that, if it is possible to make the improvements at a cost at all proportionate to the benefits that will accrue to the people of Winnipeg, the Government will certainly undertake the work as soon as the finances of the country will enable us to do so, which I hope will be very soon.

Mr. DALY. Mr. Speaker, I desire to make a few remarks on this motion, particularly in view of the fact that the hon. member for Winnipeg (Mr. Martin) gratuitously cast a sneer at the Premier and myself in reference to a deputation that waited upon us in Winnipeg last September, when we were on our way east. The hon. gentleman stated that the Premier was disrespectful to the very important delegation that waited upon us in reference to this scheme, likening their request to the Indian pow-wows we held with delegations of the Indians whom we met during our trip. Now, I can say that any remark made by the Premier at that time in reference to the Indians, was made entirely in badinage, the Premier so stated, and it could not be taken seriously by any person who understands that hon. gentleman. So far as I am concerned, all I have to say is that I leave myself in the hands of the citizens of Winnipeg who were present on that occasion ; and if the applause I received on taking my seat after the few remarks I made was any indication of the feeling of those present, it seemed to me that they were well satisfied with what I had said. One would think, from the manner in which the hon. gentleman has spread himself to-night, that this was the first occasion on which this matter was brought before the House, and that he and he alone had ever advocated these improvements before the Government.

Mr. MARTIN. On the contrary, I expressly said I was not.

Mr. DALY. Instead of that, I want the hon. gentleman to understand that his predecessor, Mr. Hugh John Macdonald, and his predecessor, and other Manitoba members, brought this matter up repeatedly, session after session.

Mr. MARTIN. I so stated.

Mr. DALY. They were just as much impressed with the importance and necessity of this work as the hon. gentleman : and I have only to say to the hon. gentleman and the citizens of Winnipeg that no doubt the persistent work done by Mr. Scarth, Mr. Macdonald, and other members from Manitoba supporting the Government, will eventuate very shortly in something material being done towards carrying out the long-deferred wishes of the people of Winnipeg in reference to the improvement of the navigation of Red River. As stated by the hon. Minister of Public Works, the one thing that has kept the Government from expending the money has been the large amount that the work was estimated to cost. Every deputation that went to meet the Minister of Public Works and other members of the Government in reference to it, since 1887, was met by that one statement, that, according to the engineers of the department, the work would cost from $900,000 to $1,000,000. Since that time, as stated by the hon. member for Winnipeg, the city engineer of Winnipeg, Colonel Ruttan, has made a careful survey of the river, and he estimates the total cost of the work at $500,000. That report has been brought to the attention of the Minister of Public Works, and it is announced by him that another survey will be made by the officers of his department. I hope sincerely that the matter will receive the earnest and immediate attention of the Government, because there is no doubt that the people of Winnipeg, and the people of a large portion of the country tributary to Winnipeg, are considerably handicapped by the want of through navigation on the Red River, connecting with Lake Winnipeg, with its immense fishery resources, the great growth of timber around its shores, and its many miles of coast. The improvement of St. Andrew's Rapids, and the opening up of this communication, would mean a large increase of trade to the city of Winnipeg. I trust that it will not be long before the engineers will be on the ground, and the people of Winnipeg will realize, not because an election is near, but because the representations made through their civic bodies, and by the representatives of Manitoba supporting this Government, will induce the Government to make the necessary improvements in the navigation of Red River secure.

Mr. MARTIN. In reference to the remarks I made about the interview between Sir Mackenzie Bowell and my hon. friend the Minister of the Interior, and the deputation in Winnipeg, all I can say is that no matter what the spirit the Premier put forward, his suggestion that it was another Indian pow-wow, for which they had intercepted him on his way to Ottawa, the people of that deputation certainly did not take it in that spirit. There was in the city a good deal of feeling that the Premier of Canada had not treated them in a proper way. I myself was not present at the delegation, but what I say here I have heard from a great many people who were there, notably from those who belonged to the party of the Government. They were probably more offended than the Liberals, because the Liberals, perhaps, did not expect that the Government would treat them with respect in the matter : but the Conservatives did, and I can say that they were deeply offended, not only with the language of the Premier, but with the manner in which they were met by the Minister of the Interior.

Mr. DALY. Do I understand the hon. gentleman to say that any of them were offended at anything I said at that meeting?

Mr. MARTIN. So I am informed.

Mr. DALY. Will the hon. gentleman give me the names of his informants?

Mr. MARTIN. If the hon. gentleman will get a report of the meeting in any of the Winnipeg newspapers— -

Mr. DALY. I have got it here—the "Winnipeg Free Press" of the 13th.

Mr. MARTIN. I think I can fairly say that if the hon. gentleman will communicate with those present at the meeting, 90 per cent of them will corroborate everything I say. On making allowance of 10 per cent for yellow dog Tories, who would say they were satisfied, if the hon. Premier and Minister of Interior (Mr. Daly) had been ten times more offensive than they were? I think I can fairly say, that 90 per cent of that delegation, largely composed of Conservatives, would endorse everything I have said to-day with regard to the treatment they received. I scarcely think, that the hon. Minister has been very fair to me, in stating, that one would gather from my remarks, that I was the only one who ever brought the subject up here, because I expressly mentioned that Mr. Hugh J. Macdonald, my predecessor, and the gentleman who preceded him, had time and time again brought this matter before the attention of Parliament and the Government. Not a word escaped from me in condemnation of any of my predecessors, who are supporters of the Government, because I believe they did all they could to forward this matter. But what I draw attention to is, that it is only now, after my poor efforts have been exerted in that direction—but, possibly, not on account of them, but rather on account of the fact, that the Government, in the meantime, had lost Winnipeg by their gross neglect in this and many other matters, and also on account of the fact, that an election is imminent—we have for the first time a declaration from the Government, that they intend to do something substantial in this matter. My hon. friend has put forward the suggestion, that Mr. Ruttan's report has brought about this conversion: but Mr. Ruttan's report was before the Government about five years ago, and, if it was sufficient to convince the Government, why did not the Government undertake the work, when that report was submitted to them and when they had one of their own supporters, the then member for Winnipeg, and other strong friends of their own, urging on them the necessity of going on with this work just as strongly as I have ever done?

Motion agreed to.

YALE AND CARIBOO ELECTORAL LISTS.

Mr. MARTIN moved for:

Copy of the list of electors for the constituencies of Yale and Cariboo.

He said: Hon. gentlemen opposite are aware that in British Columbia there has been, during the last year or two, a great revival in mineral excitement and mineral discoveries, and that that has occurred perhaps more than in any other part of the province, in the Kootenay district, a portion of the constituency of my hon. friend from Yale. The House knows, that for the next election the constituency of Cariboo has been united with Yale, and that hereafter we are to have a single constituency of Yale and Cariboo. I am not very sure of the distances, but I think in that new constituency it must be about 200 miles from east to west, and three or four hundred miles from north to south. It is most natural, that the making of the voters' lists under the Dominion Franchise Act for a constituency of such magnificent distances, must be a matter of very considerable difficulty; and I think I can fairly say, that the voters' list which was made at the last revision for that constituency is a most unsatisfactory one. I believe that, in some places, the notices did not reach the people, and I know, from information I have received, that there is a large number of persons scattered all through that constituency who are fully entitled to vote, but whose names are not on the list. That is one of the things which must naturally happen under the operation of the very unfair franchise law we now have. But what I rise particularly to point out is, that on account of this mineral excitement, there is one portion of the constituency, namely the Kootenay district, which has almost entirely grown up since the revision of the lists. Towns that existed in 1891, when the lists were revised, have been very largely increased by people coming into them from other parts of British Columbia and Canada generally. In one instance, there is a new town, called Rossland, whose population at present exceeds 3,000 people, very few of whose names are on the lists, and which has no polling place at all. The polling place for Rossland is at Waneta. Now, I am told, that from Rossland to Trail, which is upon the water, is 8 miles, and that from Trail to Waneta is 12 or 14 miles water or by trail. What do you think of a law under the operation of which, when an election comes round, a town of 3,000 people has no polling place, and its people have to go 20 miles to vote? But that is not the worst. Not only are the people in Rossland obliged to go this distance to vote, but the great majority of them are not on the voters' lists at all, and cannot vote at all, unless they are able to go back to the old constituencies where they lived till 1894. Of course, I cannot say that the

Government are to blame exactly in this respect. They could not have foreseen the growing up of a town of that size. I think that, in fairness, this Parliament should pass a law allowing new voters' lists to be made for a place like Rossland, in order that the people there should have a fair chance of recording their votes, because of the very special circumstances of the case. Here is a town that was not heard of, that practically was not in existence when the revising officer made his last list, and which now has a population of about 3,000, and which next summer, if the anticipations of my hon. friend's constituents are at all carried out, will have a much greater population even than now. Would it not be eminently fair that in a case of that kind the House should pass a short statute, under which the judge might hold a special meeting at Rossland and other towns that have grown so rapidly by reason of the mining excitement arising out of the discovery of gold and the development of silver mining. Some means ought to be provided by which these people would have an opportunity to vote. I do not put this forward for party reasons. I have no means of knowing whether the people of Rossland are favourable or unfavourable to the Government of the day. But I say, as a matter of fairness and as a matter of recognition of the great importance that the mineral districts of Kootenay is likely to be not only to British Columbia, but to the people of Canada at large, it would be an eminently fitting thing for Parliament to draw special attention to the great increase in population by doing something of this kind. It would be fair to the people there, and it would be advantageous to Canada at large, as I say, to draw attention in this very marked manner to the fact that though the voters' list was made in 1894, and is accepted for the rest of Canada as being a fairly recent list, the enormous increase in the population in this district had made it necessary to have a special list in order that the people there should have a chance of depositing their ballots in the coming elections.

Mr. MARA. Mr. Speaker, the hon. member for Winnipeg (Mr. Martin) is quite right when he speaks of the district of Yale-Cariboo as a large one. But he has very much narrowed the bounds of the district. It extends from the summit of the Rocky Mountains to Harrison River or Agassiz, a distance of between 400 and 500 miles along the line of the Canadian Pacific Railway, and from the settlements on the southern part of Kootenay Lake to Barkerville, a distance, by the ordinary lines of travel, of nearly 800 miles. There are some sixty odd polling divisions in the district, with a voters' list of 7,743. Mr. Justice Walkem, who was the revising officer, took great pains to get every possible name placed on the list. Being a judge of the supreme court, and having to travel on circuit, he was enabled, during the time the list was being revised, to visit nearly every polling division in the county. Therefore, he had excellent opportunities of placing every name that was given to him. That he did his work well and faithfully every resident of the district will cheerfully testify to. The hon. member for Winnipeg, I think, is wrong in one contention, and that is that the polling-place cannot be held at Rossland, the town of which he speaks, and which has grown up in eighteen months from a little hamlet of about twenty people to a busy town of about 3,000. The name Waneta is given to the polling district, and it is quite possible for the returning officer to have the poll held at any place within the district, and it will probably be held at Rossland.

Mr. MARTIN. But that will be unfair to the people of Waneta, will it not? There are not so many of them, of course.

Mr. MARA. There are only three voters living at Waneta, who are on the voters' list. Waneta is the name given to the whole district, including the town of Waneta, and in this district are the town of Trail and the town of Rossland. The difficulty the hon. gentleman refers to can largely be overcome if the Government will bring in a short Bill enabling any voter who is registered within the district to vote at the polling-place where he happens to be when the election is held. I have already called the attention of the Government to that fact, and they have the matter under consideration, and I hope they will see their way clear to make an exception of the case of the town of Rossland.

Mr. MARTIN. May I ask the hon. gentleman if I understand rightly that he proposes that a person who has now the right to vote in some other constituency should have the right to vote at Rossland, or does he simply confine it to those having the right to vote in Yale and Kootenay districts.

Mr. MARA. I would confine it to Yale, Cariboo and Kootenay. The population of Rossland is made up chiefly of Americans—I suppose that two-thirds would be a low estimate of the proportion of American citizens in the population. The others, who are British subjects and who would be entitled to vote by length of residence in the province are registered voters in other parts of Yale and Kootenay or Cariboo. So that if the Government will do what I have suggested there will be no serious grievance and the number of voters who will be disfranchised will be very trifling. That Mr. Justice Walkem did his work well, that a great many names of voters were placed upon the list, is evidenced by the fact that the provincial voters' list, made up only twelve months before for the same district, contained 3,645 names, while the Dominion list contains 7,743 names. That is pretty good evidence that the revising officer did his work well, and that very few names were left off. I shall be most happy to receive the assistance of the hon. member for Winnipeg and other members on the other side of the House in inducing the Government to bring down a short Bill, which I hope they will do, to remedy the grievance the hon. gentleman has spoken of.

Sir JAMES GRANT. I am very glad I have had the opportunity of listening to the observations that have fallen from the hon. member for Winnipeg (Mr. Martin) with regard to the increase in the population in British Columbia. We know that for some years past we have been led to believe in this House that population, rather than coming into Canada, was actually going out of it. Such has been the text of the hon. member for South Oxford (Sir Richard Cartwright). It must be a source of gratification to hon. members on this side of the House to find that members of the Opposition are beginning to recognize the fact that a large population is rapidly coming into the Dominion of Canada. We know that Rossland now has a population of some 3,000 inhabitants, whereas a few years ago it contained only a few dozen people. If this is not in itself and evidence of remarkable development, I do not know what can be. Only a few days ago one of the leading members of the House of Commons in England visited the section of country, and expressed to me great astonishment in observing the remarkable growth of that section of the country, and the extent and importance of the industries that were being developed, and the outlook generally for the Pacific coast. I am pleased indeed and thankful to the hon. member for Winnipeg that he has undertaken to place this question before the House and country. He is impressed, no doubt, with the necessity in view of the coming elections, that these individuals should have their names placed on the list, because no doubt they will become voters for the Conservative party which has done so much for the development of the Pacific slope.

Mr. DALY. I was going to say that as it was his duty, the hon. member for Yale (Mr. Mara) had already brought to the attention of the Government the facts that were disclosed by the hon. member for Winnipeg; and at this present time the matter is engaging the attention of the Department of Justice in order that legislation may be prepared and introduced this session to meet the exceptional case that is now presented by the development that has taken place in this particular part in British Columbia. I have no doubt that in the course of a few days the Minister of Justice will be in a position to say whether that legislation can be drawn in such a way as to meet the requirements of the case, and to relieve the people of that district from the difficulties under which they labour.

Mr. MARTIN. I scarcely see how my hon. friend from Ottawa (Sir James Grant) is able to attribute to the National Policy the discovery of gold in the Rossland district. However, I am very glad that gold has been discovered there in such large and paying quantities, and if the financial policy of the Government can be credited with it in any way, I shall certainly have a little respect for that policy; but I must say that up to date, I have had very little respect for it. I am glad to see that the hon. member for Yale and Cariboo has had this matter in hand, and as suggested by him, I should be glad to give him any assistance I can with regard to the matter. It seems to me that if Parliament is to legislate upon the question at all, they might as well make their legislation as effective as possible. I think it would be a mistake if an Act is to be passed making a special arrangement for this constituency under the very special circumstances, that votes should be given only to those persons in Rossland and neighbourhood who were formerly residents of Yale and Cariboo; because while it is true no doubt that a very considerable number of the new inhabitants there are Americans, and would not be entitled to vote, I think there is, perhaps, a larger proportion, so I have been informed, of persons from Victoria and Vancouver and other parts of British Columbia who would lose their votes. There are objections to giving men a right to vote in polling divisions where their names do not occur, because it affords opportunities for personation, which have been found in the past to be rather unfortunate. I am informed that the Waneta list that covers this district containing this town of 3,000 inhabitants, has only 67 names upon it. That fact alone shows that there is a strong case for the Government to take action. I am also informed that applications came in to Judge Walkem from that district for perhaps 150 or 200 names, and they were too late for the judge to put them on the list, coming in after the date which he had fixed for receiving applications, and of course he was not able, under the statute, to receive them, and had to throw them out.

Mr. MARA. They were sent in not only after the date that applications should have been sent in, but after the list had been revised and sent to Ottawa.

Mr. MARTIN. I am finding no fault at all with the revising officer. I am merely pointing out the facts, probably it might be excusable on the ground that it was difficult to get the notice abroad in so large a constituency.

Mr. MARA. That is not the reason. They had the idea that the same rule prevailed as in provincial elections, and that they could send names in at any time. They thought any time previous to the elections their names could be placed on the list, and that is why they sent in the list.

Mr. MARTIN. I am finding no fault at all with the revising officer. I am pointing this out to show that something like 150 or 200 persons did really make application from that district to get their names on the list, but on account of a misapprehension on their part, were not able to do so. I believe, from all the information that I have been able to obtain, there will be a very large number unable to vote, not only in Rossland, but also in other districts whose population has been largely increased by the development of silver mines. If some legislation can be introduced which will give these people a vote—it matters nothing to me, as suggested by the hon. member for Ottawa, whether they will vote for the Government or against the Government, we have got to take our chances—at any rate it is quite clear they are entitled to vote, and it is quite clear that the circumstances are very special indeed, and are worthy the consideration of this House and Government.

Motion agreed to.

LITTLE METIS BAY HARBOUR OF REFUGE.

Order for:

Copies of all correspondence, papers, documents, telegrams, &c., from steamship and shipowners and agents, marine underwriters, manufacturers, merchants and others, of the city of Montreal and elsewhere, in the hands of the Government, in reference to a harbour of refuge in Little Metis Bay.—(Mr. McShane.)

Mr. SCRIVER. Stand.

Mr. SPEAKER. Dropped.

Mr. SCRIVER. I hope this motion will be allowed to stand, and the following motion in the name of the member for Montreal Centre (Mr. McShane).

Mr. FOSTER. There should be some good reason given for allowing a motion to stand at this late period of the session. A month ago we made an agreement across the floor of the House that if these motions were not pressed when they were called, they were to be dropped. I think we ought to insist upon that, unless there is some very good reasons to the contrary. The fact that a member is not present when his notice of motion is called, I do not think should be taken as a sufficient reason, because we are supposed to be here when the motions are called.

Mr. MARTIN. This motion has not been reached since that agreement was made. But on the contrary, the motion of the hon. member for Bruce (Mr. McNeill) has been reached and called three or four times since that agreement was made, and every time it has been allowed to stand for no other reason except to suit the hon. gentleman's convenience——

Mr. SPEAKER. Order.

Mr. MARTIN. So far as we know.

Mr. SCRIVER. I think it would be unfortunate if the rule should be enforced just at this time. I suppose the hon. gentleman from Montreal Centre has been unavoidably detained from being here to-day. I had agreed to support the motion myself, but I do not like to take the responsibility of moving it in the absence of the hon. member in whose name it stands.

Mr. FOSTER. We never can get through the Order paper if we always allow the motions to stand. It has been an invariable rule, when we have arrived at a certain period in the session, that motions should be dropped unless members were ready to proceed with them. This motion can be put on again, if the hon. gentleman wishes. In reference to the motion of the hon. member for Bruce (Mr. McNeill), the last time it was called the leader of the Opposition agreed that it should stand. To-day it was allowed to stand for the reason that the Secretary of State wished to speak upon it, but was not able to do so this afternoon. That is a very important motion.

Mr. SCRIVER. I hope the leader of the House will not insist upon this motion being dropped to-day. Let it stand for this time.

Mr. DAVIES (P.E.I.) I do not think the hon. gentleman can resist that appeal.

Mr. FOSTER. Stand.

BRITISH COLUMBIA SOUTHERN RAILWAY.

Mr. MARTIN moved for:

Copies of all Orders in Council passed with regard to the British Columbia Southern Railway Company and the subsidy to the same; also, of all correspondence with said company or with the Canadian Pacific Railway Company with regard to said railway company.

He said: This is a matter affecting British Columbia, and especially the constituency of Yale. There has been for a long time a very strong desire on the part of the people of British Columbia, and also on the part of the western section of the North-west Territories, the southern part of Alberta, that there should be a railway constructed from Lethbridge or Dunmore, on the Canadian Pacific Railway, through the Crow's Nest Pass, into the Kootenay district. It is suggested by those who know this country best, that the Crow's Nest Pass is a much better pass by which to cross the mountains than the Kicking Horse Pass, which was selected by the Canadian Pacific Railway. At all events, the matter has been agitated before this Parliament on more than one occasion, and up to date the Canadian Pacific Railway has been practically given a monopoly of that pass, on the assurance that they would, as soon as they could, make financial arrangements, construct a line from Lethbridge through the Crow's Nest Pass into the Kootenay mining district. That district consists of two portions—eastern and western—both of which are very rich in minerals. However, the Canadian Pacific Railway, up to date, has done nothing. Probably, there is not room in some portions of the pass for more than one railway, and, therefore, a charter in that particular part of Canada becomes practically a monopoly, because it gives the pass to one company and prevents two charters being given for lines through that pass. The great development of mining which has occurred during the past year or two years in the Kootenay district, has brought this matter especially to the attention of that portion of British Columbia, for this reason: It is most desirable that the ore in which this district is so rich should be smelted upon the spot, and for that purpose it is necessary to get coal, and it is stated, that Crow's Nest Pass through the Rockies is very rich indeed in coal. In proof of that statement, let me read from an official pamphlet issued by the Immigration Department, with the approval of Her Majesty's Secretary of State for the Colonies, dated January, 1896, in which there is the following:—

> Near Crow's Nest Pass coal beds of immense thickness (one seam thirty feet) extend a distance of about thirty miles, of superior quality, and producing coke (fifteen cannel coal seams). At the Kootenay mines coke now costs $14 per ton, but when the projected British Columbia Southern Railway is built it is expected that better coke from the Crow's Nest collieries can be supplied in the Kootenay mining district at about one-half of the present prices. The smelters at work now in the Kootenay are greatly hampered on account of the high price of coke—one at Pilot Bay is using thirty tons per day. From this smelter, which only commenced its operations 9th March, 1895, the bullion shipped to the United States up to 30th June this year amounted to 1,301 tons.

In view of that fact, it seems to me, that it is about time this Government should let it be known that the franchise for building a railway through Crow's Nest Pass is open to public competition, that is to say, that the determination expressed some years ago, that the Government were prepared to give the franchise as a matter of preference to the Canadian Pacific Railway, should be terminated. I am not particularly finding fault with the Canadian Pacific Railway on this matter. Probably, it is not so much their fault that the railway has not been built, as the dull times; it is quite probable that the company have been unable to negotiate the necessary loans to build this road, but I do not think it is of any special importance to Canada, or to that district which is more particularly interested, that the Canadian Pacific Railway should build the line. I understand, that a great deal of capital has been invested in the Kootenay district, that some of the most wealthy men in the United States have taken an interest in it; in fact, I am sorry to learn, that the development of the district has been more by means of American capital than by Canadian or old country capital. This probably arises from the fact, that the Americans understand that country better than other people, and also that there are a large number of men in the United States who understand mining and are prepared to risk their money in it, when they see they have a country that is worth developing. At all events, it is a fact, and the hon. member for Yale (Mr. Mara) will support me, that, at all events, a very large proportion of the development of the Kootenay mines has been carried out at the instance and on behalf of American capitalists. It will be evident, from the facts, as stated, and which are no doubt accurate, that it would be an immense advantage to smelting in the district if the American capitalists took hold of the road and built it, and they would probably do so were it not for the position in which the British Columbia Southern Railway has been placed since its charter was practically held up by the announcement from the Government, that they would hold the Crow's Nest Pass for a reasonable time for the Canadian Pacific Railway. I am not altogether finding fault with that determination on the part of the Government, but I desire to call their attention, and the attention of the House, to the fact, that the time has come when that reservation for the Canadian Pacific Railway should be withdrawn. The Government have bonused a portion of the line; the bonus is not given to any company particularly, but it is for a line from one point to another, extending over thirty or forty miles. I do not know if the Government are going to bonus railways again, but there is no more legitimate place to give a reasonable bonus than to a railway through Crow's Nest Pass into the Kootenay district, for the purpose of showing an interest on the part of the Government in the mining development, which is only commencing in that country, which is likely to spread very much indeed, and which is very much hampered indeed by the fact of very inadequate railway accommodation, and for the purpose of reducing the cost of coke, which is at present very great. If the cost of coke can be reduced from $14 to $7 per ton, the advantage of having ores smelted in our country, instead of sending them over to the United States, is one which the Government can very fairly take into considertion. I fancy the rest of Canada would be very glad to support a bonus to a railway for such a laudable purpose as to promote the development of the tremendous mineral resources which are believed—and believed with good foundation—to exist both in East and West Kootenay.

Mr. PRIOR. Mr. Speaker, when the hon. member for Winnipeg (Mr. Martin) was speaking on a previous motion, he saw fit to twit the Government with suddenly taking an interest in the St. Andrew's Rapids near Winnipeg, and the insinuation that it was on account of the approaching elections. I would like to know what his motive is for now taking such an interest in British Columbia. He (Mr. Martin) has had several motions on the papear dealing with matters from the north of British Columbia to the south, and I perhaps might be allowed to say that possibly the proximity of the elections has something to do with that also. The hon. gentleman (Mr. Martin) has stated very truthfully that the British Columbia Southern Railway is a road that in the interest of the country should be built and should be subsidized. The coal fields in that neighbourhood, I firmly believe, are the most valuable on the continent of America. This may be considered pretty tall talk, but it is borne out by the reports of all the engineers who have been on the ground and examined these coal beds. There are, as the member for Winnipeg (Mr. Martin) has stated, magnificent seams of semi-anthracite as well as of bituminous and cannel coal. Thirty feet, twenty feet, and six feet, and so on, lying layer upon layer, or rather in mining phraseology, seam upon seam, to the extent of 148 feet of coal. This coal is known to extend at least over 250,000 acres of land. Now, the British Columbia Southern Railway Company have a charter from the British Columbia government, from the Crows' Nest Pass to the Kootenay Lakes. That Company has, for years past, been doing their utmost to obtain capital to build that road and develop these mines. They have spent up to the present time, so I am informed, over $100,000 in surveys, and in prospecting these mines. They have had the very best brokers and financial men engaged in London and elsewhere to try and float the bonds of this company, but, owing to the great financial stress which has prevailed during the last few years, it has been found impossible for them to obtain the necessary funds to carry out this great work. The British Columbia Government, during the present session of the legislature, now sitting, has seen fit to give the company a further extension of two years to begin work, knowing full well that the company were using their utmost endeavours to get the road built. The Dominion Government has granted a subsidy for thirty-eight miles of that road, and, to the hon. member for Winnipeg (Mr. Martin) who said that the Government were holding that Pass so that no other road could get in there, I may say that the Minister of Railways sent an engineer to examine that Pass. There was some trouble between the Canadian Pacific Railway and the British Columbia road, but the engineer found that there was plenty of room for four railroads, in the very narrowest place in that pass. Therefore, it is not exactly right to say that the British Columbia Railway Company, or the Canadian Pacific Railway Company is keeping out other roads. There is plenty of room for three or four railroads there. Now, with regard to American capital. I may tell the hon. gentleman that I know for a fact that there has been an effort to get American capital, and that these bonds have been offered to Americans. American engineers have been in to survey the ground, and to examine the coal fields, but I am sorry to say that up to the present time, neither English capital nor American capital has been found ready to invest in that road. There is no doubt about the value of the road when it is built ; there is no doubt about the value of the coal fields when they are developed ; and above and beyond all, there is no doubt about the immense benefit the completion of that road would be to the Kootenay country. As the member for Winnipeg (Mr. Martin) has said, at the present time, the coke which is needed for the smelters—and there will be a largely increased demand soon—costs $14 per ton. If that road were built, with the immense development of coal resources and the facilities for obtaining that coal, coke could be obtained immensely cheaper. I may tell the House that this road can be run right alongside these large seams, and that the coal can be dumped out of the seam into the cars. There is no drainage needed, and little or no expense for ventilation, as these coal seams are on the hillside and run right through the mountain. I believe that the coal could be carried from the Crows' Nest Pass, or within a few miles of it, right to the heart of the gold and silver mining district of Kootenay, and the coke supplied there for $6 per ton. Hon. gentlemen can see what a tremendous advantage that would be to the smelters, and to the mining community at large. I was very glad, indeed, to hear the hon. gentleman (Mr. Martin) say that he considers that this railroad is one of the railroads in Canada that ought to be subsidized. I may say that the British Columbia members have for the last four or five years impressed upon the Government the necessity of subsidizing that road, and I am very glad to be able to say, also, that the session before last, we got a subsidy for thirty-eight miles. I am sorry, however, that the Government saw fit at that time to impose a certain condition with regard to that subsidy. That was, that if the British Columbia Southern Railway built that line, that for five years afterwards the Canadian Pacific Railway should have the chance of taking the road over at actual cost. That I did not think right, and I do not think it is right yet, because it is very hard, indeed, to get capitalists to invest money in a project when there is any condition of that sort imposed. However, if we cannot do any better than that, I am sure the people of British Columbia would be delighted to see that road built, whether it was built by the Canadian Pacific Railway or by any other company. What is wanted, is to have this road built and to get these immense coal deposits within access of the gold and silver mining districts, and thus to develop the immense mineral wealth of British Columbia. As I have said, it is amusing to me to see the tremendous interest that the hon. member for Winnipeg (Mr. Martin) has taken in British Columbia matters lately. I may tell him that there are six members from British Columbia, every one of whom is perfectly capable of taking his own part, and of promoting the interests of his district and of his province. Not only that, Sir, but I think I can prove beyond all doubt by documentary evidence, that these hon. gentlemen have looked after the interests of their province in the past. and are perfectly willing and able to do so in the future.

Sir RICHARD CARTWRIGHT. I would like to inquire of the hon. gentleman who are the proprietors of these same coal fields? Do they belong to the government of British Columbia or the Government of Canada, or to private indviduals ?

Mr. PRIOR. There are about 11,000 acres of coal lands in that district, the fee simple of which is owned by a company in Victoria. The rest belongs at present to the British Columbia government. The British Columbia Southern Railway Company got a charter from the government and a large land grant, which includes all these coal lands if they build the road.

Mr. McMULLEN. I am sure the remarks which have dropped from the hon. gentleman with regard to the prospects of that country have been quite interesting to the House. But I was disappointed at the introductory portion of his address. It is surely not to be understood that the members of this House are only to look after matters concerning their own constituency or their own province. Are we to be rebuked for taking an interest in other portions of this Dominion ? Are the members of this House to be told that. when they advocate the interests of another province than their own, they are interfering with the duties of the members from that province ?

Mr. PRIOR. Not at all.

Mr. McMULLEN. I was surprised at the hon. gentleman's introductory remarks. but I was still more surprised at his closing remarks. I think my hon. friend from Winnipeg deserves a good deal of credit for the interest he has taken in this matter. But the hon. Minister says that there are six men in this House representing British Columbia, and that they are able to take care of the interests of that province themselves. That is a very peculiar position for a Minister of the Crown or any other member of this House to take. We are here to advocate the interests of the entire Dominion. Every member of this House, if he discharges his duties properly, will take an interest in every province, and it is not becoming in a Minister of the Crown to tell an hon. gentleman who gets up to discharge what he believes to be his duty, that he is intermeddling in a matter that concerns only the six members who come from that province.

Mr. BARNARD. I think the hon. member for North Wellington quite misunderstands the remarks of the hon. Minister. The hon. Minister did not rebuke the hon. member for Winnipeg for taking an interest in British Columbia matters. He merely remarked that it was strange that immediately before a general election all this interest should be displayed. I may inform the hon. gentleman that during the last six or seven years that I have sat in this House, few members of the Opposition have shown any interest in British Columbia ; and it is strange that now, immediately before a general election, so much interest should be shown by these hon. gentlemen in that province. We are all glad, however, to find them taking so much interest even now in the development of the resources of British Columbia. At the same time, I do not think the Minister is entitled to receive the strictures of the hon. member for North Wellington.

Mr. PRIOR. I do not know any hon. gentleman who can get up a show of indignation in a short time better than the hon. member for North Wellington.

Mr. SPEAKER. The hon. member is out of order in speaking a second time on the question before the House.

Mr. MARA. Mr. Speaker, I was very much pleased at the hon. member for Winnipeg evincing so much interest in this railway ; but I was astonished to find the hon. member for North Wellington also taking an interest in it. When the question of granting a subsidy to this railway was before the House, the hon. member for Winnipeg was silent ; but there was not a more bitter opponent of that subsidy than the hon. member for North Wellington, unless it was the hon. member for South Oxford. Now, in listening this evening to the expressions of liberality and charity from those two hon. gentlemen, I could not but feel that it would be a grand thing for British Columbia if the same feeling of charity and liberality permeated the whole of the Opposition. In view of the remarks made by the hon. member for Winnipeg, it might not be out of place for me to read a few of the remarks made by the hon. member for South Oxford when the question of granting a subsidy to this railway was before the House. That hon. gentleman stated :

> But we do not own a scrap of this coal. Let the people who own it develop it. Why should

> we be called upon to tax the ratepayers of Canada $108,000 for the development of some valuable coal mine, whether it belongs to the British Columbia government or to some private individuals ? What justification is there for helping on our overburdened people all these expenditures for enterprises of the merits of which we know nothing at all, and which, if they be one-quarter as valuable or one-tenth as valuable as they have been represented by the hon. gentleman, ought to be able to pay their own way. I object to the whole system for the matter of that, but particularly it seems to me that going into the wilderness in this fashion, on the vague statement that there are valuable coal mines, in which, even though they are as valuable as they are represented, the people of Canada have no interest, is something worse than throwing away our money.

Then, in answer to some remarks made by myself, the hon. member added :

> I am very glad to hear that very valuable coal deposits have been discovered. But the more valuable they are, in all conscience, the less need there should be for taxing our people at large. The practical result of all this is that these gentlemen whom the hon. gentleman has just named, these capitalists, as I believe some of them are, not content with having got, and probably got very cheaply, an extremely valuable deposit, must needs come to the Parliament of Canada and demand that the ratepayers be obliged to contribute $108,000 for the purpose of making their individual fortunes.

Then, again :

> We do not grudge them what is due to enterprise and energy, but what I do object to is taking public money for the purpose of assisting persons who are absolutely able, if they control a mine one-tenth part as valuable as we are given to understand this is, to raise all the money that is required for the purpose of exploiting it. That is what I complain of, and to that no answer has been made. The more valuable these things are, the more solid and substantial value there is in them, the less reason and the less justice is there in coming to us for assistance to develop them.

And a good deal more in the same strain. Now, although thankful for the assistance of the hon. member for Winnipeg, what I do object to is the inference to be drawn from his remarks, that either the Government or any corporation have blocked the way, and have prevented the British Columbia Southern Railway Company from building that line. I know nothing of the directors or shareholders of the company, except for communications I have had with the solicitor of the company. They have not been blocked by the Government or by the Canadian Pacific Railway Company or any other railway company. In proof of that, let me read the remarks of the Hon. Colonel Baker, who is president of the company, and a member of the provincial government, when a private Bill was before the provincial House a short time ago for a renewal of their charter :

> Hon. Col. Baker said that as he had for many years been actively connected with this enterprise he might offer the explanation asked for. On two or three occasions the negotiations for its construction had been almost completed, though it had in each case been found impossible finally to complete them, owing largely to the difficulties in which railway enterprises everywhere had for the time being become involved. At the present time negotiations are again in progress, with every prospect that the work may be commenced this year, but only on the condition that the time for the completion of the first section of some 70 miles shall be extended beyond December next, the time now stipulated. No capitalist would put money into such a scheme without this extension, and therefore this Bill had been introduced.

It is quite evident, from these remarks, that the hands of the British Columbia Southern Railway Company have not been tied or that the company has not been blocked, either by the Government or by the Canadian Pacific Railway. A short time ago, the vice-president of the company sent, through me, an application to the Government for further assistance : and, when the time comes, I hope we will be able to rely on the practical assistance of the hon. member for Winnipeg (Mr. Martin) and the hon. member for North Wellington (Mr. McMullen), and that their good wishes will stand the test. Here is a copy of the application which was passed through my hands :

> In the year 1894 the Parliament of Canada provided a subsidy of $3,200 per mile for a railway between Coal Creek and the junction of the Kootenay River with Elk River in the East Kootenay district of British Columbia, a distance of 34 miles, and subsequently the British Columbia Railway Company applied to you for the purpose of obtaining the benefit of this statutory enactment.
>
> Very extensive metalliferous mining operations are now being carried on in the West Kootenay district where there are also large smelters in operation and in course of construction. The supply of fuel for these smelters is at present costly and for the most part from the United States. It has been frequently represented to the directors of this company by the owners of the smelters that the introduction of the coal from the Crow's Nest district would greatly cheapen their cost of production and at the same time aid in the development of the East Kootenay district which to all appearances is quite as rich in mineral wealth as the district in the west.
>
> Enclosed we hand you an application for an additional subsidy for the above railway over its second section, namely, from the Kootenay River to Kootenay Lake, a distance of about 100 miles.

Now, if the hon. gentleman will only assist the British Columbia members in pressing this application upon the Government and also induce the hon. member for North Wellington (Mr. McMullen) and the hon. member for South Oxford (Sir Richard Cartwright) to endorse the application, and back it up with their support, we shall indeed feel deeply grateful to them.

Mr. MARTIN. My hon. friend the Controller of Inland Revenue is quite surprised to find that I take some little interest in the province of British Columbia; and, in apology for doing so, I may say, that I visited that province in a political capacity for the first time, just prior to the meeting of this House, and it was that visit which induced me to take some little interest in the affairs of that province. I found that, while the people there knew and admitted that they have six very excellent gentlemen representing them in this House, but little was heard in this House of the grievances and wants of that province. I can say, at any rate, that during two sessions I have hardly heard a British Columbia question discussed in it. The question which has been referred to in this debate was, I believe, discussed in 1894, but the Government policy of bringing down railway subsidies at the very end of the session has always resulted in a very inadequate discussion of these matters; and the session of 1894 having lasted very long, I myself went away before the question of railway subsidies came before us, so that I had not the pleasure of hearing this question discussed. The only other question that I remember hearing discussed was the question of representation in the Cabinet for British Columbia, and I must say, that I listened to a very interesting and effective speech from the Controller of Inland Revenue on that subject. The hon. gentleman has the idea that he is in the Cabinet, but there are some grave doubts about it. He is not, at any rate, a first-class member of the Cabinet. I do not know whether he is a second or a third-class member, but there is a very decided difference between him and the Minister of Justice and the Minister of Marine and Fisheries. Just what the difference is, it is hard to define, but I might mention an incidental little difference of which the hon. gentleman is probably aware—a difference of $2,000 a year—but, of course, he does not care about that. I might also mention, incidentally, that the statutes of this Parliament provide that Controllers of Inland Revenue and Customs and Solicitors General are not members of the Cabinet.

Mr. SPEAKER. The hon. gentleman is wandering from the question.

Mr. MARTIN. While my hon. friend seems to resent the idea that I should interest myself in British Columbia matters, and attributes my interest to the approaching elections, rather than to any real desire to benefit the province, I am glad, at any rate, of this, that the matters which I have brought up are really of importance to the province, and that the members representing it have not been able to say, that I am in any way opposed to its interest in those matters. It is very fortunate that this particular matter should have been discussed here to-night. I myself have received some information upon it, and I think it will really be of advantage to the future railway development of the Kootenay district, that the question was discussed here this evening. There is one respect in which my methods are different from those of the hon. gentlemen. Their method of representing their province is something on the principle of the still hunt. They are supporters of the Government, and believe that quietly, by their influence upon the Government, they can get for their province more than it could obtain by injudiciously bringing on a discussion. I take issue with them, and it is for that reason I introduced to-night this railway question of railway development. I believe that no harm can result from that. And I believe that if in bringing these questions up here for discussion the Government comes in incidentally for some criticism, and that criticism is well founded, the influence of hon. members supporting the Government is by no means hurt by such discussion. In fact, I believe that it is improved, and that when members find, as these gentlemen have found for the past five years or ten years, the Government has not given fair consideration to the wants of their province, it would have been much better if, years ago, these questions had been brought up in the House and fairly threshed out, allowing members like myself and others from the more eastern parts of the country opportunities of knowing what their province wants and judging whether the Government gives it or not.

Motion agreed to.

ADJOURNMENT—VOTE ON THE REMEDIAL ACT.

Sir RICHARD CARTWRIGHT. Before the House adjourns, I wish to inquire of the Minister of Finance if any definite idea can be given as to when the debate on the Remedial Bill now before the House will close?

Mr. FOSTER. In the middle of the week before last I had some talk with the leader of the Opposition at which time we thought it might be possible to get a vote about the middle of the week following, that is last week. Last week, however, we came to the conclusion in talking it over that that would be pretty difficult to do. Since then the hon. gentleman has been kept out of the House by illness which we all deplore. We on this side of the House being very anxious to press the matter to a conclusion for various reasons, were of the mind that we should sit very late on Thursday night and Friday night so as to get a vote on Friday night late or Saturday morning. Talking the matter over with the whip of the Opposition side, that hon. gentleman was of the opinion that it would be rather difficult to bring about a vote on account of the number of gentlemen who wished to speak. For our part on this side, we were willing to cut our speeches—I said I for one was willing to leave out my speech —in order to get a vote. However, a proposition was made and the whip on this side went down to the hon. leader of the Opposition for confirmation of the proposition and came back with the arrangement made so far as it could be made between us, binding this side of the House most certainly, and binding, as I understand the other side of the House, and with the consent of my hon. friend who leads the third party, that we shall have a vote at the sitting commencing to-morrow afternoon. That is the understanding on this side and the members on this side, as I believe on the other, have been notified, and we propose to commence sitting to-morrow afternoon and to sit until a vote is taken.

Sir RICHARD CARTWRIGHT. If the arrangement has been made—and I accept the hon. gentleman's word for it—I suppose there is no help for it. But it strikes me that it will be very inconvenient to members on both sides. A very large number of members desire to speak, and, as the hon. gentleman knows, there will probably be two or three very long speeches delivered to-morrow.

Mr. FOSTER. We will have to make up our minds to hear them.

Sir RICHARD CARTWRIGHT. But there is reason in all things. Wednesdays and Thursdays are not Government days, and there would be no inconvenience to the hon. gentleman, though there might be to individual members if the vote was taken on Wednesday or Thursday, and it would be very much more convenient to members of the House generally. Of course, if the arrangement is made and the Government choose to sit all to-morrow evening, I suppose there is nothing more to say. But I do not see what in the world the Government have to gain by it.

Mr. McMULLEN. I would remind the hon. Minister that there is some very important business to come before the Railway Committee on Wednesday.

Mr. FOSTER. That meets to-morrow.

Mr. McMULLEN. We also wanted to get a meeting of the Public Accounts Committee. We have not had a meeting for some time.

Mr. FOSTER. We are of opinion that this matter is of more importance than any meeting of the Public Accounts Committee.

Mr. McMULLEN. I think the people throughout the country appreciate the discussions that take place in the Public Accounts Committee.

Sir RICHARD CARTWRIGHT. Perhaps the hon. Minister will consider the matter and let us know definitely to-morrow at three o'clock.

Mr. FOSTER. I will do so. But there was so hard and fast an arrangement——

Sir RICHARD CARTWRIGHT. If the arrangement is hard and fast, I have nothing more to say, except that it will cause a great deal of inconvenience.

Mr. FOSTER. It will, but we are prepared to face that.

Motion agreed to, and House adjourned at 10.35 p.m.

HOUSE OF COMMONS.

TUESDAY, 17th March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

BUSINESS OF THE HOUSE.

Mr. LAURIER. Before the Orders of the Day are called, I think it would not be unadvisable to call the attention of the hon. gentleman, and of the House, to the question with regard to the duration of this debate. There is an impression that the debate is to be closed at this sitting; but I venture to suggest that perhaps it would be unwise to bind ourselves to have a vote this sitting. I think, perhaps, we had better leave the question over until to-morrow.

Mr. FOSTER. In answer to my hon. friend, who was not here last night, I may say that in pursuance of an arrangement made before that time, I stated that the Government were disposed to try and get to a vote during to-day's sitting, some time Afterwards, however, after some further conference with my hon. friend, and very largely because of a somewhat long, if not serious indisposition, of the hon. member for Bothwell (Mr. Mills), who I understand has a very important speech to make, and which the House no doubt will very much like to hear, I think that we will probably get along as well if we have an understanding now that we will sit to-day as long as possible, and that to-morrow's sitting shall see the vote upon both the amendment and the second reading. That, I believe, we can compass, and with that understanding I shall be glad to accede to the hon. gentleman's proposition.

Mr. LAURIER. I can bind this side of the House so far as this amendment is concerned, but I cannot bind this side of the House as to the second reading.

Mr. FOSTER. I must say that my understanding certainly was that both sides of the House should endeavour to have the vote, both on the amendment and the second reading, at this sitting. But with that understanding, we shall have to sit it out.

Mr. LAURIER. There is no desire on the part of this side of the House to obstruct a vote on the second reading.

THE REMEDIAL ACT (MANITOBA).

House resumed adjourned debate on the proposed motion of Sir Charles Tupper for second reading of Bill (No. 58), the Remedial Act (Manitoba), and the proposed motion (six months' hoist) of Mr. Laurier in amendment thereto

Sir CHARLES HIBBERT TUPPER. Mr. Speaker, in reference to the very important question which has now for some time been before this Parliament, I venture to express the opinion that those who follow the discussion and those who are interested in a speedy settlement of this vexed question must experience gratification in observing that, exciting though the question has been, important as it is, there is less disturbance in this country or in this Parliament over it, than has occurred in the consideration hitherto of any of the great questions that have come before the Canadian people to be dealt with. For instance, I am not afraid to admit that in regard to that great proposition for a company construction of the Canadian Pacific Railway by the aid of enormous legislative grants, or in regard to the Jesuits' Estate Act, there was intense and dangerous excitement confined to no province in Canada. Those questions perturbed and disturbed the people of Canada generally, and in my humble judgment they were in their day far more difficult of a satisfactory and peaceful solution than the question, great as it is, important as it undoubtedly is, that is now under the consideration of this, the great council of the nation. Why was it that angry feelings and dangerous feelings on those occasions could come to the surface. I venture to say that the great reason was, as distinguished from the case with which we have now to deal, that no Government, no party, no men in the dispute could call to aid or could rally behind the judgment of the Queen's Privy Council. I believe that in the solution of this question the Government of the day enjoys a great and important advantage, because in the minds of the people, whether Catholics or Protestants, in regard to this question, which might otherwise, as I can quite conceive, and readily admit, evoke the most dangerous passions that could be aroused, they have called to their aid, and I believe they are warranted in calling to their aid, the general principle of the law, the law of the land, the law of the Empire, the judgment of the Queen's Privy Council. For that reason, I consider there has been, and I congratulate this House and this country upon the fact, no thoroughly popular agitation against the remedial legislation, no spontaneous, fervent, earnest declaration against the proposed action of the Canadian Parliament in respect to this matter.

There have been meetings, there have been large congregations of people. They have met in Toronto, in London, chiefly in Ontario; but at this late day, at this very day when we are considering what the action shall be, I delight in remembering that these agitations whether in one place or in another, have been engineered, have been promoted and have been led by two men, signally by two men who, of all those in Canada have absolutely destroyed whatever power they might otherwise have possessed of leading any independent and impartial opinion in this country. Who are those two men? One was my late colleague, the Grand Master of the Orange Association of Canada. And what is his position as a leader against the policy of this Government? I desire to call your attention to the important fact that this gentleman, one of the professed exponents of the opinion adverse to the policy of the Government, became a member of the Government, remained a member of the Government after the solemn declaration of the leader of the Government that in dealing with this question he would be guided by the judgment of the Privy Council, whether it was for or against the rights of the Catholic minority in Manitoba. That gentleman became his ally and associate in the Government, and remained in it, doing all he was loyally bound to do to assist and strengthen the Government while it was committed to that policy; and, after that leader's death, he continued on, he remained a member of the present Government, under the leadership of Sir Mackenzie Bowell, and when that Government, not only adopted the remedial order of March last, but out of the mouth of the Prime Minister said they would, in adopting that order, take the responsibility of the policy that order indicated, that gentleman dared to remain, was willing to remain a member of that Government down to November, 1895, doing all he could, as, under the constitution he was bound to do, to strengthen and fortify the Government committed to a policy of remedial legislation. Well, Mr Speaker, that gentleman, I believe, is presiding over a meeting to-night, or he has been presiding over and attending meetings called ostensibly for the purpose of denouncing the policy of this Government. Can we, members on one side of you, Mr. Speaker, or on the other, attach any great importance to the action or movements of a gentleman of that ilk and that style? I say he represents no honest, sincere, or outspoken opinion in the country. He can explain his position, but whatever the explanation may be, whatever his ingenuity may amount to, he can never be a representative of a sentiment in this country entitled to great consideration at the hands of Parliament. Now, who is his colleague, who is his associate, who is the other grand name who is called on as against the policy of the Government in favour of remedial legislation? The paid counsel, the paid attorney, the paid adviser of the Manitoba government, forsooth. He, and none other. He who was at the throat of the other gentleman to whom I have referred. They had their little wrestle last session, they fought each other like Turks, but to-day, forsooth, they pretend to represent a popular feeling in this country. I admit the ability of the hon. member for North Simcoe (Mr. McCarthy). I admit that he could do much if he had the power, and if he were not trammelled as he is trammelled, according to the traditions of this Parliament, by the extraordinary and unique position which he has occupied in connection with this question. I have never hesitated, I did not hesitate last session to dwell on this question. I propose to dwell on it again, not merely for the purpose of asking the attention of hon. gentlemen here to it, but of taking that advantage which I claim I can take at the hands of my fellow-countrymen, when I point to the fact that the excitement, whatever excitement there may be against the policy of justice adopted by this Government, has been fanned, has been aroused, and has been led by the paid advocate of the Manitoba government. It has been an ephemeral, a spasmodic, a pumped-up excitement, pumped up by arguments for every one of which there has been cash paid down in advance, cash paid over the counter. There cannot be an argument advanced by the hon. member for Simcoe which has not already been given in return for the gold of Manitoba, which he has in his pocket. Am I to be influenced by arguments of that kind; and to be, in the slightest degree disturbed in my opinion as a free and independent member of Parliament? I scout that, and I deride that, and I believe that the people of this country will take the member for North Simcoe (Mr. McCarthy) at his true and his proper worth. But, if hon. gentlemen think that my position is extreme, I call to my aid in denouncing, the advocacy in this independent legislature of the policy of the Manitoba government by the member for Simcoe—I call to my aid the arguments which that hon. gentleman (Mr. McCarthy) has already advanced in this House. He knows, that his position contravenes the traditions and the teachings of Parliament. He knows that his position is inconsistent with the position of an independent member of this House, or of any British parliament, and his own opinions are on record upon that question. I will not call your attention again, Mr. Speaker, to the rules of this House, nor to the resolutions of the English Parliament, by which no member is entitled to vote upon any question in which he has a direct pecuniary interest; but I will refer to the fact, that your predecessor, Mr. Kirkpatrick, decided, in 1884, that these resolutions and these opinions were the law of this Parliament. I will refer to the opinion of Sir Charles Russell, now the Lord Chief Justice, when Attorney General of England. He stated in 1895:

> The object of the rule no doubt was, that a person should not advocate the same thing in this House, for which he had received fee or reward out of it.

I call your attention, Sir, to the opinion of the present Attorney General of Great Britain, who said:

> I think no member should in his capacity as a member of this House, advocate afterwards, any case in respect to which he has received fee or reward.

I call your attention, Sir, to the opinion of a former Attorney General of England, Sir Henry James, now Chancellor of the Duchy of Lancaster, who said:

> The object of the rule no doubt was, that a person should not advocate the same cause in this House, for which he received a fee out of it.

And, coming to our own Parliament, I ask you, Sir, to recollect that my hon. friend from Bothwell (Mr. Mills), who was a member of Mr. Mackenzie's Administration, had his conduct commented on by the member for North Simcoe (Mr. McCarthy) in the year 1880. In that year, a discussion took place concerning the boundary between Ontario and the unorganized territories. What did the hon. member for Simcoe (Mr. McCarthy) think of the position of the hon. member for Bothwell (Mr. Mills) then? According to our "Hansard":

> He contended that the member for Bothwell (Mr. Mills) was biassed, and it was an unfortunate circumstance that he (Mr. Mills) happened to be the paid agent of the Ontario government, when he first received his impression on the subject.

The hon. member for Bothwell (Mr. Mills) interrupted, saying:

> That recognizing that, practically he took no part in the discussion of the question, and that it was dealt with by the First Minister and the Minister of Justice.

And then my hon. friend from North Simcoe (Mr. McCarthy) answered:

> If Mr. Mills was incompetent to take any part in the case as Minister of the Interior, he supposed he must be equally incompetent to take any part in the discussion in the House of Commons.

And later on, Sir, the hon. gentleman (Mr. McCarthy), representing, if you please, a helpless minority, a minority of one, in the case of the Streams Bill; he rose, after the litigation had run its course, to deal with the subject before this House, and he apologized for speaking on the subject, and stated, to use his own language:

> That he rose to reply with some hesitation as he happened to be counsel for one of the parties, Mr. Peter McLaren.

But what was his excuse for taking part in the discussion? I submit, Sir, that his excuse on that occasion places him in a deplorable position on the present occasion, for his excuse then cannot be urged now in connection with this matter under debate. The member for North Simcoe then said:

> The question is no longer of any interest to Mr. McLaren. My connection with the suit of

McLaren and Caldwell has long since ceased, or at all events, ceased so far as this is concerned, because I have no personal interest, nor any interest such as I might be expected to have if my client's interests were affected.

Sir, the statement made on that occasion is a condemnation of the member for North Simcoe (Mr. McCarthy) all through this story. And, Sir, why do I refer to it? Is it in order to stir up ill-will between him and me? No, Mr. Speaker. I would deplore such a spirit on the part of any hon. gentleman on the floor of this House, but I am glad to know, that he has been the arch-offender in introducing a spirit of discord, both in this House and in this country, into the important question of the education of the minority in the different provinces. I am glad to know, that it has laid upon his (Mr. McCarthy's) shoulders, more than on any other in this Parliament, or out of it, to wage the war, to make the fight, and to renew the strife on this question. I congratulate myself on the opinion—I will do it until the general elections are over, at any rate—that an agitation led by him, or led by the hon. member for York (Mr. Wallace), can amount to very little, after the defeat of a similar agitation raised by men like George Brown, without fee or award, but relying simply upon the intelligence of his countrymen and upon the allegiance of his party. They were beaten. Happily for the peace of this country, they were defeated; and I do not believe it will be written in history, that a lost battle, led by champions, and by independent men of the calibre of George Brown, can be won by men such as I have referred to to-day.

Now, then, Sir, coming back to the question under debate. I ask you, Mr. Speaker, to remember the long speech of the member for Queen's (Mr. Davies). I will remind you of what he had to say in regard to the law, as he called it, relating to this question, that was laid down by the Secretary of State (Sir Charles Tupper). I never was a champion of the Secretary of State in this House, when he ceased to be a member of it. I did not think, in regard to his parliamentary record and life, that it would be any compliment to him, if I attempted to make myself his champion. I have less occasion to be his champion now. The denunciation of his law by the member for Queen's (Mr. Davies) I will leave to the consideration of the House. But the member for Queen's (Mr. Davies) must not blame me, if I, in turn, proceed to denounce his law, and to challenge, as I propose to, any member of his profession on either side of the House, or in the third party, to rise now or subsequently in the debate, and to say, that he agreed with the interpretation of the legal decisions which are before us, as given by the hon. member for Queen's. What did that hon. gentleman say? He said:

> The Privy Council have taken the educational code to be found in the Manitoba Act, and they have on appeal determined that these alleged religious privileges and exercises and franchises, have not been interfered with directly or indirectly by the School Act of 1890.

Now, Sir, that has been absolutely determined upon by the highest tribunal of the Empire in language which cannot be misunderstood, and will any one agree with the hon. gentleman (Mr. Davies), that that is a good and sound interpretation of this question, which at times we are told, is not a question for the statesmen of this country, but a question, forsooth, for two constitutional lawyers—and we only possess two of them in this House, one on each side—a question for lawyers and members of the bar; then I will use an 'ad captandum' argument, and show the hon. member for Queen's (Mr. Davies) was not long in contradicting the very bad law which he laid down. In the same speech he said, for instance:

> It is equally true and decided by the same judicial body in 1895, that the legislation of 1890 by interfering with post-union privileges granted to the minority by the legislature of Manitoba created a grievance which gave the aggrieved minority a right of appeal.

If that is not satisfactory to the member for Queen's; if he will not take himself, as against himself—for the point is an important one—I appeal to the opinion of the Privy Council itself, when they used the following language in the Brophy case:—

> The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed has been affected by the legislation of 1890. Their lordships are unable to see how this question can receive any but an affirmative reply. * * * In view of this comparison it does not seem possible to say that the rights and privileges of the Roman Catholic minority in relation to education, which existed prior to 1890, have not been affected. * * * The appeal is given if the rights are in fact affected.

And they so decided.

Now, I pass on to the speech of the hon. member for Guysboro' (Mr. Fraser). Mr. Speaker, it is one thing to be beaten in a fight; it is one thing to be rejected by the votes of your fellow-countrymen; but if there is ever any consolation for a beaten man, it is to find that the man who beat him, after he enters the halls of this legislature, has to repudiate all the arguments with which he met you at the polls; and the hon. member for Guysboro's position—if it is parliamentary for me to say so—is humiliating, indeed. He fought me through Antigonish from platform to platform; but on this question, which I frankly put to that Roman Catholic constituency—not, forsooth, as a Roman Catholic question altogether, but as affecting Roman Catholics in the far province of Manitoba—I told the people that a defeat of the Government candidate in that riding would be most material and most injurious to the Government that was committed to the policy of remedial legislation. I wanted to win—of course, as a party man—but, above all, whether the House will take it from me or not, for the sake of the cause that was then at stake and at issue. My position was clear and well defined ; and I was met how ? I was met by the statement that it was cowardly for me to pretend that that was an issue ; that there could be no dispute between the two parties in regard to that question ; that the Roman Catholic Laurier—if he will pardon me for using the language of the hustings—would be as true to the Roman Catholics of Manitoba as the Orangeman Bowell. And that speech of the leader of the Opposition of 1893 was read to me by the hon. member for Guysboro' to prove on that question the leader of the Opposition was as ready to do justice to the minority in Manitoba, as the leader of this Government ; and so thought the candidate himself. Then they charged me with cowardice because, as they said, I sought to get away from the real issues of scandals and trade, to capture a verdict in the county of Antigonish, on the assumption that there was any difference between the two great parties in Canada on this question. I was beaten—beaten in an old Reform constituency ; but I congratulated myself on the fact that the hon. member for Guysboro' and the man who was afterwards elected the member for Antigonish (Mr. McIsaac), were as honestly and firmly pledged to the policy of remedial legislation as I was. Yet the other night I listened to no less than four objections from the hon. member for Guysboro' to the policy of remedial legislation. I heard with dismay and chagrin that there could be a member from the province of Nova Scotia ready to urge one, two, three or four objections to a policy of this character. Let us see what the issue was in that campaign ; let us wait to see how the hon. member for Antigonish acts or votes ; and let us remember at the same time that his assistant, the man who did more than any one else to bring him successfully through that fight, was the hon. member for Guysboro'. This was the platform I met. It is the hon. gentleman's own address at a public meeting held in Antigonish on the 6th of April, and reported in the "Morning Chronicle," the Grit paper in Halifax, on the 8th of April, 1895, shortly before the election :

> He would dismiss the Manitoba school question by the remark that the rights of the minority of Manitoba were at least as safe in the hands of the Hon. Wilfrid Laurier and the Liberal party, including Colin F. McIsaac, as in the hands of Mackenzie Bowell, ex-Grand Master of the Orange Order, and Joseph A. Chisholm.

Some hon. **MEMBERS.** Hear, hear.

Sir **CHARLES HIBBERT TUPPER.** I have no doubt that hon gentlemen opposite by their loud "hear, hear," desire to drown the reference to the miserable, the almost rascally appeal to the electorate against the ex-Grand Master. That might have been the excitable language of an excited individual on the hustings ; but let us take the hon. gentleman's written address to the electors. This is what the member for Antigonish wrote on April 10 to the electors of that county :

> As to the Manitoba school difficulty, I am in full sympathy with the Catholic minority. Between myself and my opponent on this question there is no difference of opinion. We both agree that full and ample justice should and must be done to our co-religionists in Manitoba. I pledge myself, if elected, to support remedial legislation.

Where is the cheer now ? Gentlemen on the opposite cheered the previous quotation ; will they deny me a cheer now ? In pity, I ask, will the member for Antigonish deny me a cheer ? But the hon. gentleman said more :

> It is not, as has been truly remarked, a question of Government and Opposition, nor of Protestant and Catholic. It is one of constitutional action and general rights. But members of the Government and their supporters in this county claim great credit for the Government's action in passing the Order in Council. The Government have, however, done only what they were bound to do under the constitution, and in obedience to the command of the highest judicial authority in the realm.

Oh, how often, Mr. Speaker, I have seen my hon. friends opposite laugh, as members on this side of the House dwelt on the importance of those words, the highest judicial authority in the realm. Here we bring them face to face with the language of one of their ardent colleagues. He goes on .

> No. Sir Charles Hibbert Tupper, the Minister of Justice, who admits he is opposed to separate schools, has stated that should the Manitoba Government refuse remedial legislation, then the Parliament of Canada, not the Government, will be called upon to deal with the matter. And in that Parliament, can you not as safely trust the rights and interests of the Catholic minority to Laurier, the Liberal members of Parliament, and myself, as to Sir Mackenzie Bowell, the Conservative members of Parliament, and Mr. Joseph A. Chisholm ? In his card to the electors of the county, Mr. Chisholm intimates that Laurier has failed to declare his policy on the school question. This, however, is not so. He has already declared himself in favour of the Catholic minority.

I count upon the support of the hon. member for Antigonish. In decency and in common fair-play, he must vote for remedial legislation, after winning a verdict upon that address. But I refer to him only to contrast his position with that of the hon. member for Guysboro', who is going to vote against this Bill, and who is responsible more than any other man for the presence of the hon. member for Antigonish in Parliament.

Now, Mr. Speaker, I counted sincerely, when we came to this difficult stage of this question, on the support of the leader of the Opposition. I am glad to see him in his place to-day—glad on every account ; glad, particularly, that he has survived the attack of illness from which he has suffered from the past few days. I tell him that I counted sincerely on his support. I could not believe it possible that a man in his position, of his faith, could do anything else than support a Government, largely Protestant, led by a Protestant leader, in a measure of justice immediately affecting his co-religionists. These are subjects, perhaps, sometimes better left unsaid, but I prefer, in this debate, to say out just what I think. I am a Protestant, born a Protestant, as the hon. gentleman was born a Catholic; and I would be ashamed if, for political reasons or on account of the trammels of any association, of whatever kind, I should ever find myself relatively in the position the hon. gentleman occupies to-day. I regret it, as a Canadian, whatever I may think of it as a party man. I wrote in the public prints that I expected the hon. gentleman to vote for this measure, and I sincerely did expect it. I had every reason to believe it, not merely upon the general principle to which I have incidentally referred, but from following the hon. gentleman as best I could. I know that he is a political gymnast. I know that on straight trade questions, it is difficult to find him at any particular time, or to nail him down to any particular policy, but I thought that on this question, this question of justice—justice to the Catholics of Manitoba—he would prove himself every inch a man, a Catholic and a Canadian. Why did I believe that? I was glad to find, for instance, that in July, 1895, whatever may have gone before, when the late leader of this House, the Minister of Finance (Mr. Foster) stated what the policy of this Government was going to be, stated plainly and above board—the hon. leader of the Opposition, using this important language. According to "Hansard," he said:

> The Government have at last taken a policy—so they say. I am not going to quarrel with them as to the character of that policy.

And, later on, in the same speech, and I take nothing from the hon. gentleman's meaning when I omit what intervenes, he said:

> Everybody hopes, everybody expects, that this controversy will be settled by the people of Manitoba themselves.

So I hoped, and, of course, so did everybody hope. Later on, again, when the hon. gentleman contemplated the possibility of our hopes being destroyed, he said:

> I do hope, for my part, that we shall be spared even the lamentable spectacle and lamentable event, which, however, I see must come if this question is brought upon the floor of this Parliament, when the lines of parties, I am afraid, will be broken from their present cleavage and reformed largely on lines dividing the Catholics and Protestants into two camps.

The Protestants of this Cabinet were committed to one line of policy—was it possible that I could imagine that a Roman Catholic would be found in what the hon. gentleman was pleased to term, the Protestant camp, as distinguished from the position of the Government? Hon. gentlemen may decline to follow me in that, but I will give them further testimony. The hon. gentleman was at Winnipeg in 1894. He spoke in the very province in which this troublous question had arisen, and what did he say in 1894 in Winnipeg?

> Prove to me that the complaint of the Roman Catholic minority is true, that their rights are outraged to this extent——

What extent?

> —that instead of sending their children to schools where there is no religious teaching, they are forced to send their children to schools where there is religious teaching——

Of a Protestant character? No.

> religious teaching not their own, and I will be prepared to go before the people of Manitoba and tell them that such legislation should not stand.

Mr. LAURIER. Hear, hear.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman cheers that statement. He admits the accuracy of the report, will he pretend now, or at any time in this chamber, that there is not a religious teaching being taught in the schools in Manitoba, not that of Roman Catholics?

Mr. LAURIER. This is mere child's play.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman says now it is mere child's play, but in 1894 he said he would tell the people of Manitoba that that legislation could not stand. Could I have anticipated that the hon. gentleman would so speedily change his opinion? Why, the hon. member for Winnipeg (Mr. Martin), supposed to be one of the fathers of this legislation to coerce the minority of Manitoba, put himself on record even in a stronger manner than did the leader of the Opposition. With regard to the Act of 1890, the hon. member for Winnipeg said:

> I said then, and I still think, that the clause of the 1890 Act which provides for certain religious exercises is most unjust to Roman Catholics. If the state is to recognize religion in its school legislation, such a recognition as is acceptable to Protestants only, and, in fact, only to the majority of Protestants, is to my mind rank tyranny.

Now, there was the position of the leader of the Opposition. And what, after that, did the leader of the Opposition put upon record? Last session, this House cannot have forgotten that he changed the position which he had taken in the debate in 1895. He did not raise the question of these being Protestant schools, but he did raise the question—and put it on an equal plane, of the schools being distasteful to the conscientious scruples of the Roman Catholic minority of Manitoba. This was the language he used in July of last year:

> If the schools are not Protestant, they are just as offensive to the Catholics. Why? Because it is part of the Catholic doctrine that the children should have both secular and religious education. If their conscientious conviction is that their children should be taught those religious

truths which they deem essential and necessary, who can object seriously ?

That, mark you, was the position of the hon. gentleman when he hoped this question would be drawn from the federal arena. Well, now, I shall give him a finding of fact, and a finding in law from a tribunal that ought at least to command his attention, if not his respect. I find, by the judgment of the last case of the Privy Council of England—the Brophy case—Lord Herschell, speaking for his colleagues, used the following language :—

> Contrast the position of the Roman Catholics prior to and subsequent to the Act from which they appeal. * * *
>
> In view of this comparison it does not seem possible to say that the rights and privileges of the Roman Catholic minority in relation to education which existed prior to 1890 have not been affected. * * *
>
> As a matter of fact, the objection of Roman Catholics to schools such as alone receive state aid under the Act of 1890 is conscientious and deeply rooted. * * * * It is notorious that there were acute differences of opinion between Catholics and Protestants on the education question prior to 1870. This is recognized and emphasized in almost every line of these enactments. There is no doubt either what the points of difference were, and it is in the light of these that the 22nd section of the Manitoba Act of 1870, which was in truth a parliamentary compact, must be read.

Well, if this is not sufficient, if the decision of the Privy Council on the very points that disturb the hon. gentleman, if the opinion of the hon. member from Winnipeg (Mr. Martin), who was one of the very men who was responsible for this troublesome legislation in Manitoba, be not sufficient, what will satisfy him ? What tribunal can we appeal to that will satisfy the people of this country at large as to the exact position of affairs ? Was I altogether counting without my host in expecting the hon. leader of the Opposition to rally to the support of the Government after these utterances ? Let us see, Mr. Speaker. The hon. gentleman inaugurated a tour in his native province, which is a Catholic province. He went to speak to the Catholic electorate 'par excellence' of the Dominion of Canada. In the month of August, only a month after Parliament had risen and after he had made these statements as to what he hoped would be done by the legislature of Manitoba, and as to what would happen should they not do it, he went to Grand River, in the county of Gaspé. And I hold in my hand a statutory declaration, made under the Act by a gentleman who heard the hon. gentleman then explain to the people of Grand River what his views were. I have sent to my hon. friend a copy of this declaration. I propose to read it to the House:

Canada,
Province of Quebec,
County and District of Gaspé.

We the undersigned citizens and parliamentary electors residing in the county of Gaspé above mentioned, solemnly declare as follows :—

That we were present at a meeting of the Gaspésian electorate held in Grand River on the 24th day of August, 1895, whereat the Hon. W. Laurier, M.P., delivered a speech on the political topics of the day.

That this meeting was attended by four or five hundred persons, of whom fully ninety per cent were Roman Catholics ; amongst whom were a large number of Roman Catholic priests then visiting Grand River.

That in his address, the Hon. Mr. Laurier gave out amongst other reasons why his hearers should not have confidence in the then Government of Canada, the fact that they would never submit to Parliament a Bill to redress the grievances of the Manitoba Catholic minority.

That the Hon. Mr. Laurier, to justify his suggestion of an inquiry into the facts connected with the Manitoba school difficulty, stated that he personally felt no need therefor, being already convinced of the righteousness and justice of the Catholic minority's demands ; but that an investigation of the kind suggested might cause others, not then convinced, to see in the Manitoba school laws of 1890 and amendments thereto, the injustice perpetrated to the detriment of the Catholic minority in that province.

That after the delivery of the Hon. Mr. Laurier's speech, an elector, Dr. Ennis, then begged leave to ask Mr. Laurier for further explanations about the position which the hon. leader of the Liberal party of Canada proposed to take with reference to this school embroglio when it would be brought up before Parliament, and that on being invited to put his question from the platform the elector asked : "Would the Hon. Mr. Laurier, as Prime Minister of Canada, be willing to assume the responsibility of submitting to Parliament for its approval, with the assent and support of his followers, a Bill to remedy the grievances of the Catholic population of Manitoba, or would the Hon. Mr. Laurier, as leader of the Liberal party in Opposition, give the Government of Sir Mackenzie Bowell fair and loyal support in their endeavours to do justice to the demands of the Catholic minority in Manitoba, by voting for such remedial legislation ?"

That in reply to this question the Hon. Mr. Laurier said that he would try and see such measures adopted by Parliament in the event of his being called upon to redress the grievances mentioned, as leader of a Government in Canada, and that he would vote for such a remedial law if submitted by Sir Mackenzie Bowell's Government.

That this declaration of the Hon. Mr. Laurier met with the hearty approval of his hearers.

And we make this solemn declaration conscientiously believing the same to be true, and having the same force and effect as if made under oath, under the authority of the Canada Evidence Act of 1892.

JOHN CARBERY, Mayor of Grand River.
ANDREW BAKER, ex-Mayor Cape Cove.
JAMES JONES, ex-Mayor Patos.
L. PHILIP BEAUDIEN, Merchant.
SIMON METHOT,
FRS. GIBAUT, Agent.

Declared before me at Grand River, Gaspé county, this second day of March, one thousand eight hundred and ninety-six.

JOSEPHAT BELINEAU, J.P.

So that evidently, Mr. Speaker, and I read it for the purpose of showing that—I had some reason to expect, in 1895, from statements made in this House, that the hon. leader of the Opposition proposed to be as good as his word and to make this a non-political question, and to join with the Government of the day in doing justice to the minority in Manitoba, and in voting for the Remedial Bill. I thought that at least he could emulate the example of a great Protestant leader in this country. I refer to Sir John Macdonald. Sir John Macdonald, I dare say, has said, though I do not recollect his saying it, but have heard it from others, that in Canada, perhaps, a Protestant leader could afford to do more even-handed justice to the Roman Catholics than a Roman Catholic leader. And the events to which I have been referring perhaps in some way bring up and justify that statement. But whether or not Sir John Macdonald dared to sacrifice much in the way of Protestant support by advocating the rights and standing by the privileges, not only of the French minority, but of the Roman Catholic minority at large, I have in my hand a proud boast of his on that subject on more than one occasion. Some gentlemen are impatient of these references to the statements of men who have passed away from these scenes. I certainly delight in being able to put my hand on any advice from Conservatives or Liberals in times gone by in reference to these trying subjects. This is my apology for dwelling upon some of these statements. For instance, Sir John Macdonald spoke in Cornwall on August 31st, 1878, and there he did not shirk making the boast before all Canada of what he had done in the direction of peace and conciliation among the creeds and races of this country. He said :

> He, who was a Protestant, a Presbyterian, and who had been at 18 years of age an Orangeman, had come down here to ask the electors to vote for him. He had given Catholics fair-play in the matter of public schools and had incurred a good deal of obloquy from unreasonably strong Protestants for doing so. Now the whole country acknowledge that the measure was a good one, and that we had peace and quietness in our neighbourhood since that question was settled. Dr. Ryerson, a Methodist clergyman, and a man of great influence had stated that the Separate School Bill did not injure the common school system but had widened the basis of education.

And I lived to hear him make what I consider a very proud and happy boast in the halls of this legislature. In 1890, when the hon. member for North Simcoe (Mr. McCarthy) introduced into this House his policy of discord, his attempt to incite race against race and creed against creed, he evoked the eloquent and brilliant denunciations of the leader of the Opposition. Sir John Macdonald, in resenting some insinuations of the present leader of the Opposition, made what I believe to have been the truthful boast, and one that showed him to be not merely a Protestant, not merely a Canadian, but a statesman for the Empire with Imperial purposes and Imperial instincts. He said :

> Again and again have the best and the strongest of our Conservatives been defeated at the polls simply because we would not do injustice to our French fellow-countrymen. Again and again have we been put in a minority because we declined to join in that crusade against the French Canadian, against the Catholic religion and against French institutions.

I did not know that there would be any difference among the leaders ; I did not know that it would be only for the Conservative leaders to make that boast. Why, even if I were not given ordinary intelligence in public life, it were impossible to suppose that I could have imagined that a Roman Catholic leader would be behind a Protestant leader in this House in vindicating the claims of that class and of that race to vindicate which the hon. gentleman on that occasion stood forth. But the hon. member for Berthier (Mr. Beausoleil), who perhaps is just as orthodox, sheds some light on the awkward position of the present leader of the Opposition. In a recent letter to the press he says, if this translation is correct :

> What I did say at Berthier, and what I am also ready to repeat, is that when closing the proceedings of the conference of Liberal members from Quebec province, in which I had stated my intention of voting for the Remedial Act, Mr. Laurier said that he was the last man willing to do violence to the consciences of any of his friends, but his position as leader of the party was such that he could not accept it.

In some respects not a satisfactory one for me as a Canadian, but that accounts for the sudden change, the unfortunate change, in the position of the leader of the Opposition. Now, Mr. Speaker, what is the issue before this Parliament ? There have been many definitions ; they vary from year to year ; but I like to look back a little and trace the definitions as they have come from one side or the other. We hear a great deal of coercion in 1896, coercion of a majority. The coercion of the minority, in my humble judgment, began long ago, in 1890. That, I believe to be the effect of the judgment of the Queen's Privy Council. But in 1895 we hear that the issue is one of coercion against non-coercion. In 1893—I refer again to the leader of the Opposition—he gave a very different definition. He said the question was the protection of the minority against the independence of Manitoba : and on that issue I am sure this side of the House would have no misgivings as to where they should stand, they would stand for the protection of the minority. My hon. friend the hon. member for Simcoe (Mr. McCarthy), the counsel for the Manitoba government, has defined the issue, and I think correctly, to be a question of separate schools or no separate schools in the province of Manitoba. We cannot get away from that issue, in my humble judgment, and the question is to be decided, as I shall argue in my speech, from the statutes and from the evidence which satisfied the law lords of the Privy Council. But let us notice the strange change in regard to the discussion of this issue in this House. I remember very well that the counsel for Manitoba, the hon. member for Simcoe, just before the late election for Cardwell, very happily defined the position which obtained between the three parties—if we may dignify his party as one—at that date. This was the position :

> If a Liberal candidate comes forward without any policy except that which Mr. Stubbs supports, why should the forces be divided, and the Government candidate walk in between them? If the Liberal candidate, whoever he may be, wants further information, then you have these three positions to choose from. If you want the Government sustained in their determination to reimpose separate schools upon Manitoba, you will vote for Mr. Willoughby ; if you want further information, you will vote for the Liberal candidate ; and if you are opposed to the re-establishment of separate schools, you will vote for Mr. Stubbs.

Three issues, three positions. Where is the leader of the Opposition to-day ? Whose policy has he now put into your hands, Mr. Speaker ? Did he ever, directly or indirectly, in any province, say that he would vote for the six months' hoist of a remedial legislation Bill ? Up to the very date that he moved it, I believe he was in favour of this policy, as the member for Simcoe understood it, a policy for a commission, a policy for an investigation, a policy consistent with remedial legislation. But when the hour came that he is called upon to screw his courage up to the sticking point, the hon. leader of the Opposition, forsooth, took shelter behind no less a man, or no greater a man, than the hon. member for Simcoe, counsel for the government of Manitoba, in favour of the most drastic and cruel coercion that has ever been perpetrated in any province of Canada. But the hon. gentleman thinks he made it all right ; he moved a six months' hoist, of course ; and then he is able to say in Quebec, and he is able to say in every Roman Catholic district : Look at my speech ; it is true I adopted the policy of the member for Simcoe, it is true I went into the Equal Rights Association, and got a policy for the occasion ; but nevertheless I supported it by a splendid speech in favour of ultimate remedial legislation. Only I want an inquiry, and I want something to stand upon after the awkward circumstances of a general election have passed by. And so he adopted the straddle-back policy. What did the "Globe" say, for instance, speaking for its Protestant readers in Ontario, of the position of the leader of the Opposition :

> May's Parliamentary authority makes it clear that the six months' hoist is a complete negative, and kills the Bill, and does not postpone it ; and also proves that it is the only way of completely killing the Bill. A vote against a Bill, May says, can only be made effective by carrying the six months' hoist, because if the second reading is barely negatived, it does not dispose of the Bill except for the time, and the Bill may be proceeded with at a later stage.

Again the "Globe" says, speaking for the benefit of the ultra-Protestant readers of that paper :

> Any opponent of the Bill must, therefore, vote for Mr. Laurier's amendment, and all who vote against it must be classified as supporting the Bill. There is no other motion on which they can record hostility to such legislation.

Now, then, all we want, all we want, at any rate, as Conservatives—and certainly the vast majority of the Conservative party are true to the cause of justice to the minority in Manitoba—all we want is a straight and above-board issue. The "Globe" lays down an issue upon which I would gladly go to the country. Mr. Speaker, you have heard often times the leader of the Opposition, in eloquent tones, carried away by —I won't say vanity, but by his enthusiasm and reading of English history, boast that he was a Cobden at one time, a Peel at another, a Gladstone at another, a Liberal of the English school at another; and last year he went over the province of Ontario endeavouring to make the people believe that he was a modern Wellington, that he followed Wellington's tactics, and he had thrown up defences, and copied that general's tactics in the Peninsular campaign. Whoever thought, what enthusiastic supporter of his, ever dreamed that with these grand examplars, with these splendid campaigns before him, he would go outside the lines of Torres Vedras and scamper about before the people in the tattered remnants of the habiliments of the hon. member for Simcoe ? In 1896 he adopted the policy that last year was laughed to scorn. Last year the hon. member for Simcoe was so poor that no one would do him reverence ; he could not divide the House, he ran away from one division. I do not know what general in English history ever did that. But nevertheless that is enough to show that he has never aped the English general. But running away from one, when another opportunity came, in vain he asked you, Mr. Speaker, to divide the House, and test the sentiment of the House on the policy of the Government. He had no power, no influence : as weak as the letter "p" in the word pneumonia was the hon. member for North Simcoe in 1895, but a great and mighty man is he this session. He can lie back and let this discussion go on ; he can attend the courts of law and exhibit his great forensic ability ; he can take Parliament as one of the easiest events of life, because he has now in full cry the whole of Her Majesty's loyal Opposition. They sacrificed him in 1895 ; they laughed him to scorn, they left him standing alone, and forsooth now they do his mischievous work, now they give him life and give him standing which but for them he never could have in Canadian politics or in Canadian public life. Mr. Speaker, I have to say something further about the extraordinary position in which we find the Roman Catholic leader of Her Majesty's loyal Opposition. I have not a very good memory, but I can go back a bit in Canadian life. I can hear almost now the indignant tones with which he denounced the mischievous and horrible policy that was launched before the Canadian public by the hon. member for Simcoe in 1890; and I will go a bit behind that, in order that the public, whether they be Protestants or Catholics, shall at all events, before they pass their verdict or give their judgment at the general elections, understand what we have to say upon our side in regard to the situation as it meets us.

What was the state of affairs between 1867 and 1889, as regards the old provinces of Canada? What was the state of affairs and public opinion as regards Manitoba between 1870 and 1889? I make a challenge—I make it for the purpose of debate. There are hon. gentlemen to follow me. I say here that I challenge hon. members on your right, Mr. Speaker, or on your left, to name one single leading public man, Liberal or Conservative, or whatever political stripe, who between these dates ever suggested in regard to our constitution that when separate schools were established, either before or after confederation, they could be interfered with or finally legislated out of existence or away. I submit that is an important question. I submit that any fair-minded man will agree with me that if my challenge cannot be accepted, we are bound to look and inquire very carefully into the matter and as to the time in which the new doctrine was promulgated. I have heard it, sitting in a quasi-judicial capacity, put before me by the counsel for the minority, that the hon. member for North Simcoe (Mr. McCarthy) was the disturber of the Queen's peace in Canada in regard to that question. I have seen him unable to grapple with the fact successfully, though endeavouring to deny it. I have seen it clearly established in that argument, which is, I am glad to say, fully reported and at the command of members of this House, that the hon. member for North Simcoe was the man who suggested the way and the means by which we could have thrown into our arena and into our country the apple of discord that did so much trouble in days past. Fortunately, because no one took up this question so ardently as the hon. gentleman, there has been nothing since 1867 comparable to what occurred previous to that year when free and independent parliamentary men did wage a dangerous and exciting war over it. But nevertheless it is significant when we find the leader of the Opposition giving his support to this movement, and I desire the country to understand the full measure of responsibility which the leader of the Opposition has taken on this occasion. Let me take, for instance, the "Globe," and I give that paper credit for all along endeavouring to be consistent in regard to a spirit to grind down into one system of uniformity all the religious teaching that ought to be given in public schools, which, that paper being Protestant through and through, they think is the system that ought to be general, and is the one that is commendable and has been commended by the representatives of Protestant schools. But to show that this question was definitely settled in 1867 and afterwards, as regards Manitoba, in 1870, I read, without apology, from the "Globe" of November 27th, 1876, where it says:

> We noticed recently the movement in Manitoba, having for its object the reform or improvement of the public school law of that province, and referred to the efforts made in other parts of the Dominion to effect such arrangements as while securing the practicable system of education are designed to protect the rights and consult the conscientious scruples of minorities. But it must not be understood from this that in Manitoba any more than elsewhere, the rights of minorities can be overridden or ignored.
>
> The local legislature may of course effect any changes in the administration of the school laws and not violate existing rights and privileges, but can do more than this. The Manitoba Act, which is the constitutional charter of the province of Manitoba, contains the same provisions that are to be found in the British North America Act in regard to the rights of minorities in the other provinces in this respect.

That I say was the general opinion. That is the statement that was never controverted by a single individual on the floor of this House, though the school question was threshed out in the case of New Brunswick, and these various Acts were discussed by hon. members on each side of the House. But what happened? In 1889 the hon. member for North Simcoe appeared on the western horizon. That hon. gentleman fretted in the party chains, under that party discipline which alone can secure the success of any party under our form of government and our institutions, and he got away. First there was a grievance in regard to the Jesuits' Estates Act. He was connected primarily with the Equal Rights Association, established in 1889. I quote from an address of the provincial council of that session respecting separate schools. It is signed by Wm. Caven, Chairman; E. D. Armour, hon. Secretary, and says:

> Denounce every compact, any legislation which appropriates public funds for sectarian purposes, as separate schools in this province certainly do.

I want to point out that for nineteen years not only had peace and contentment prevailed among the citizens of that province, but it had attracted a splendid class of population from the older countries of the world, and had within that short time made itself a province and a portion of this Dominion of which all people in the eastern provinces were proud indeed. No public man, no man on any hustings, so far as I can ascertain, and the hon. member for Simcoe (Mr. McCarthy) when acting as counsel for the Manitoba government was unable to show the contrary, suggested that the separate school system worked ill among them. But, smarting in connection with the special grievance of the minority in Quebec, the Protestant minority, failing to make that a troublesome and dangerous question to the confederation, we find the hon. gentleman (Mr. McCarthy) at Portage la Prairie, in August, 1889, outlining the platform which he, to give him credit for his courage, did not delay in putting before this Parliament soon after. He said there :

> There was something for the politicians to live for. We have the power to save this country from fratricidal strife. The power to make this a British country in fact as it is in name. In order to accomplish this, other issues for the moment must give way. We have got to bend our energies and let it be understood in every constituency, that whether a man call himself Grit or Tory, Conservative or Reformer, his record is clear, his principles are sound, and no influence at Ottawa will induce him to betray his great trust. The speaker was glad to inform the meeting that the poor sleepy Protestant minority of Quebec were at last awake. He trusted before many weeks to address a meeting in Montreal, and to realize that that minority is sound to the core on this question. There is a separate school question here, and in the North-west, and there is the French school question in Ontario. We have all work to do in our various localities : let us do that work before we seek to traverse fields, before more difficulty is to become encountered, because vested rights have become solidified.

And in the year 1890, in this House, he was not ashamed to say, after our experience of our French-speaking fellow-countrymen, after he had seen the pride, and heard the boast of the Dominion of Canada and the mother country in regard to the services the French Canadians have rendered the Empire, in regard to what they have done for this country, its constitution, its laws, and its literature ; he (Mr. McCarthy) was not ashamed to say, in the face of the leader of the Opposition himself :

> Well, hon. gentlemen, remember that when this country was ceded to the British there were no more than 60,000 or 65,000 French inhabitants ; and that I think included those on the banks of Illinois. However that may be, had a different policy been pursued, had a different policy been adopted, to induce them—not by any harsh means, not by adopting an aggravating policy—to speak the English tongue ; I want to know, whether to-day, instead of having a dangerous element in our midst which was becoming more pronounced, and which is calculated to rend this Dominion in twain ; I would like to know, whether we would have these things to-day if the policy I have indicated had been pursued.

Now, how did the leader of the Opposition meet the member for North Simcoe (Mr. McCarthy) on that occasion ? Did he (Mr. Laurier) join forces with him (Mr. McCarthy) as he does to-day, in the most essential feature of that hon. gentleman's campaign against the French, and against the Catholics, and against the Catholic schools ? No but as well became him (Mr. Laurier) at the time, he rose in indignation, and on the floor of this House, he pointed at the member for North Simcoe, the finger of scorn. He abused the member for North Simcoe, not merely for what he was then advocating. He (Mr. Laurier) admitted that the abolition of the French language in the North-west was comparatively a small affair, but dragging to the front the utterances of the member for North Simcoe, at Barrie, the leader of the Opposition pointed out to this House just what the purpose, and just what the ultimate aim was, of that disturber of the Queen's peace. The leader of the Opposition then said that this declaration of the member for North Simcoe (Mr. McCarthy), when he asked that the French language be prohibited and put down in the North-west, to use his own language :

> Involved a declaration of war against the French race.

The leader of the Opposition resented the epithets that had been used by the member for North Simcoe, his present ally, against his race. I can now remember the language of the leader of the Opposition then. He resented the statement of the member for North Simcoe (Mr. McCarthy) that the French constituted "a bastard nationality" on this continent, and he said that the member for North Simcoe dare not use the language in this House, language which I will quote, and which he (Mr. Laurier) then quoted, in regard to the race of which the hon. gentleman (Mr. Laurier) is an eloquent exponent. This was the language used by the member for North Simcoe :

> A race which begins and ends with those who profess the Roman Catholic faith, and which now threatens the dismemberment of Canada.

The leader of the Opposition then denounced the hon. member for Simcoe (Mr. McCarthy) and his comparatively harmless Bill, because he said, "It was only a preliminary skirmish, soon to be followed by a general onslaught upon the whole French race in Canada."

And, forsooth, while that Bill had to be stamped out though it was comparatively insignificant, the hon. member for Simcoe (Mr. McCarthy) to-day, as he sits in his chair, rejoices and chuckles that the second great article of his programme, namely, his attack upon the separate schools, his attack on the French and the Catholics of Canada, is being supported by the leader of the Opposition, and that his horrible work is being done by the hon. gentleman (Mr. Laurier), who, in 1890, denounced the first item of his (Mr. McCarthy's) programme, as only a preliminary canter. The hon. member for North Simcoe has been outspoken. I want the leader of the Opposition to mark well the object of his leader for, after all, the member for North Simcoe is to-day the leader of the chief of the Opposition on this question. The country recognizes that. The country fully understands that, and, Sir, let the leader of the Opposition fully appreciate where he is being led by the member for North Simcoe. The "Globe," of the 20th October, 1894, reports the hon. member for North Simcoe at Walkerton, as follows :—

> Of the North-west school question Mr. McCarthy spoke at considerable length, pointing out that the Parliament at Ottawa had undertaken to say that there should be separate schools and a system of dual language. He (Mr. McCarthy) had objected to the introduction into that Territory of a dual race, which would perpetuate there the evils in Quebec and Ontario to-day by such legislation. At the conquest, the 60,000 French Canadians at that time, had grown into a million and a half.

Sir, I would be glad to see that million and a half of French Canadians trebled. I would be glad to see them increased to any extent, because I know their value to Canada. Sir, I say this, as a Protestant, and as a Canadian. The member for North Simcoe continued :

> There was a million and a half so-called British subjects whose boast it was, if trouble should arise between Britain and France, they would be found on the side of their mother country, which was not ours. They could not be both French and British, and he believed it was the determination of the people of Canada that they should remain British. Yet the laws of the country had encouraged and fostered the development of the French nationality, which was more rampant and French now, than it was one hundred years ago.

Therefore, Mr. Speaker, the policy of the member for North Simcoe (Mr. McCarthy) which the leader of the Opposition has at last put upon its legs, has been, at any rate, honestly and clearly defined by the hon. gentleman (Mr. McCarthy), who, whatever his faults may be, will not be so disingenuous or cowardly as to go back on it on this occasion, or to withdraw one single statement in regard to it. And so, Mr. Speaker, I was not surprised to find the leader of the Opposition, in his desperate position, quarrel with the statement made by the Secretary of State (Sir Charles Tupper), that Canada has been happy since confederation. Perhaps the hon. gentleman's remark applies more directly to fiscal discussions, but I will refer him to the language of Sir A. T. Galt, who represented this country in Great Britain, and who, speaking at Edinburgh, in 1883, to eminent men of the mother country, said :

> That peace, tranquility and progress had followed confederation in Canada.

I believe that Sir A. T. Galt spoke words of truth when he said that. I believe, Sir, that the Hon. Edward Blake, the late leader of the Opposition, when he charmed a most distinguished audience at Edinburgh, after the celebrated Midlothian campaign, spoke the words of truth, when he told that audience of the grand things that we had done in Canada, claiming, as might be expected, a large share of credit for the Liberal party, and, when he pointed to Canada as a country that had solved many of the difficult problems that were perplexing the mother country. I have no doubt, Sir, that the Hon. Edward Blake spoke the words of truth then. And, when Sir Oliver Mowat travelled through the States, and reached Hamilton, in 1893, speaking to young Canada there represented by the Canadian Club, he told them of what Canada had done, and congratulated them on Canada's position among the nations of the world. I have no doubt that he spoke the words of truth. I have no doubt that Sir Oliver Mowat would fiercely combat the position which the leader of the Opposition, on this occasion, felt it necessary to assume. I have not forgotten what the leader of the Opposition himself told our brother Britishers from Australasia. I have not forgotten the eloquent and happy picture he drew of what Canadian confederation had accomplished in British North America, when those distinguished visitors were in the capital of this country. He spoke then with the assent of every man in this House. On the other occasion to which I have referred, he spoke with, certainly, not the hearty assent of any Canadian.

Now, some discussion has occurred—I think it not unwise to refer to it—as to the value of a decision of the Queen's Privy Council. The law is, after all, claimed to be at our back. The majority of the Conservative party—and I believe they form the majority of the people of this country—accept the argument, that, whether the policy be what they want or what they do not want, it is the policy demanded by the law. The law is respected in every portion of the British Empire in the most extraordinary way. Our old parliaments attached tremendous importance to the decisions of the law officers of the Crown in England. Every lawyer knows that it was our custom to refer great questions to them, and loyally, and without dispute, to accept their opinions. And so the great minds of the Canadian legislature, the Blakes and the Macdonalds, saw that there would be something even more satisfactory than the opinions of the law officers of the Crown, in the decisions of the Judicial Committee of the Queen's Privy Council. For that reason, the leader of the Opposition could not show that any issue that had arisen in this country—and there will always be burning issues while we are a free and independent people, a vigorous Anglo-Norman race—he could not show that any issue, no matter how exciting or burning at the time, had injured the integrity of Canada up to this day ; because the most of these questions are dealt with and settled by the Judicial Committee of the Privy Council, whether between subject and subject, or between province and province. It is our safety-valve, Mr. Speaker, and so it has been understood. I may be permitted to read here a quotation from a speech of Mr. Blake, in this House, where he says :

> But, Sir, besides the great positive gain of obtaining the best guidance, there are other, and, in my opinion, not unimportant gains besides. Ours is a popular Government and when burning questions arise inflaming the public mind, when agitation is rife as to the political action of the executive or the legislature—which action is to be based on legal questions, obviously beyond the grasp of the people at large ;—when the people are on such questions provoked by cries of creed and race, then I maintain that a great public good is attainable by the submission of such legal questions to legal tribunals, with all the customary securities for a sound judgment ; and whose decisions passionless and dignified, accepted by each of us as binding in our own affairs involving fortune, freedom, honour, life itself, are most likely to be accepted by us all in questions of public concern.

Ours is a sport-loving nation, Mr. Speaker, and we belong to a sport-loving Empire. It is this, perhaps, that accounts for the respect paid to the courts of law, not only by the people of Canada, but by the people in the mother isles themselves—that, in our games and sports, we have an appeal to the umpire. And, as the umpire's decision is law for the sporting world, so the decision of the courts is law for the creeds and races, and there are many of them, in the Empire at large. We accept the decisions of the umpire, most of us, without any feeling or dislike : and I appeal to the hon. member for Albert (Mr. Weldon), as to the value of those decisions. His position in this case has been hard to understand. His position, to my mind, is the most extraordinary of any man in this assembly. I know he is excitable. I know there are various rumours in regard to what he was willing to do, when there was a supposed crisis on hand. I have heard of those stories. I shall not go into them ; I care not to go into them. They are not pertinent here. But this I want to know : How that hon. gentleman can do otherwise than give a loyal support to the Government that is standing by the opinion of the Judicial Committee of the Privy Council, when he himself supported and counselled our late leader, Sir John Thompson, in the very steps that led to this result ? When the policy of the Government referring this question to the courts of law, was announced in this House, that hon. gentleman brought into the discussion all the weight that can attach to his opinion, be it great or small. He congratulated Sir John Thompson upon taking from the excitable and excited political arena a question of this kind. What did he say ? In 1893, he said this :

> The intention was on the question that arouse religious feeling, and where men cannot reason as in a white light, but have their minds perturbed by passion and feeling, that the legislature should call the statute to its help in all difficulties quasi judicial.

And Sir John Thompson dealt with this question with that candour that distinguished him in public life, holding, as he did, an admittedly awkward position in regard to it—just as awkward a position as my hon. friend opposite finds himself in to-day—he, a Roman Catholic, called upon, in a country having a Protestant majority, to deal out justice to the Roman Catholics, no matter what the Protestants might think. I have no doubt that Sir John Thompson, as a politician, lived in terror as to his ultimate position ; but, as a statesman and as a Canadian, his course on that occasion won the commendation of even the hon. member for Albert. He sought his refuge, if you like, in the judicial tribunal to which I have referred ; and he pledged himself before his fellow-countrymen, in 1893, without demur, that, as the court should decide, so he would steer his course. And, mark you, many a Protestant thought at that time, that the Catholics would come out of that court shorn, just as they did in the Barrett case. The hon. member for Queen's (Mr. Davies) will go with me that far. The general opinion among lawyers appeared to be, as the hon. member for North Simcoe said in this House, that that case was precluded by the Barrett decision. Nevertheless, the two parties appealed to the umpire, and were willing at that time to stand by its arbitrament. In 1893, after that statement by Sir John Thompson, the hon. member for Albert said :

> The Government had but one duty. It was happily stated by the Prime Minister at a banquet at Toronto, that one pole star should guide them in dealing with Manitoba's laws, that was, to stand by the constitution. I do not know what star could more safely guide any responsible body of Ministers in dealing with a question of admittedly great complexity, obscurity and extreme delicacy.

Now, what is the decision ? There is scope here for ingenious men, trained in the law—there is scope for ingenious men who ought to be trained in the law—there is scope for laymen who have trained minds—to discuss that decision until the day of judgment. But here is the hon. member for Albert, as I understand, day and night, opposed to the Government carrying out the judgment of the Queen's Privy Council, notwithstanding that he said, that was the correct guide. Here I find him saying, in 1895, only last session :

> There is no doubt that if Lord Herschell were a member of this House of Commons he would be in favour of a remedial law, judging from the views he has expressed.

I agree with him, that if Lord Herschell, who wrote the judgment concurred in by Lord Watson, Lord Macnaghten, and Lord Shand—if he and they were here, they would be willing to vote for remedial legislation, Protestant each and every one of them, Presbyterian, some of them—Protestant, of necessity, as Lord Herschell, keeper of the Queen's conscience, is—men not only trained at the great bar of England, but trained, every one of them, I believe, with the exception of Lord Shand, in the halls of Westminster, advising year in and year out, their Protestant countrymen, as to the legislation, not only of England, Scotland, Wales and Ireland, but of the whole Empire. I say those men, removed from the exciting issues here, removed from our local prejudices, and all Protestants, would have voted for this Remedial Bill to do justice to the Catholics of Manitoba, or any part of Canada. I, as a Protestant, and a Canadian, make a small concession, when I say I am willing to go with them and do as they would do. But, oh, hon. gentlemen say, what about the bargain? what about the compact? And we have heard how important these ante-confederation compacts were. Oh, the Protestants of Quebec, forsooth, they need not be disturbed; there was a compact preceding 1867 that it would be an outrage to disturb; but in regard to those post-union rights which concern Catholics chiefly, there is no such thing as a compact. But if there was a compact, I asked the hon. member for Queen's—what then? Would he vote for remedial legislation? Not he. I asked him the question, and he said it would be a very important consideration.

Mr. DAVIES (P.E.I.) The hon. gentleman will excuse me in calling his attention to the fact that we were speaking of a pre-union compact, and he asked me if there was such a thing as a pre-union compact, would I then vote for remedial legislation. I told him that our right to carry remedial legislation could in no way be dependent on a pre-union compact, but that the Privy Council decided that our right to carry remedial legislation depended upon rights given to the Roman Catholics after the union.

Sir CHARLES HIBBERT TUPPER. You may, Mr. Speaker, understand that to be an answer to the position I was taking. I do not. I say the hon. gentleman's argument amounted to nothing. I say that the time he took up was absolutely wasted if he did not distinguish between a compact before confederation, and legislation after confederation. Now, with regard to both these matters, I throw aside compact after compact outside the statutes. I go on the judgment of the Privy Council, and on the facts which led Lord Herschell and his colleagues to be of the opinion that remedial legislation is demanded and is right. They go upon the statutory compact, upon what they call this parliamentary compact, and I know, in connection with the provinces, of no compact higher than a parliamentary compact.

The hon. member for Simcoe (Mr. McCarthy), when acting as counsel for Manitoba, himself admitted that the proceedings anterior to the Act are entirely irrelevant. He also admitted that the judgment is binding in establishing a grievance, and the leader of the Ontario government (Sir Oliver Mowat), in his resolution passed the other day, interprets the decision as establishing, to use the language of his resolution, a legitimate ground of complaint which should be removed. And, speaking afterwards in support of that amendment, the only change he made in the language I have referred to is the substitution of "ought to be" instead of "should be removed"—that it is a grievance which ought to be removed. Those opinions, I think, are of some importance. We cannot argue with men like the hon. member for Albert (Mr. Weldon). He admitted that he was subject to passion and prejudice; and, after the decision of the court, when apparently it was not given as he hoped or wished, he told us in 1895:

> What meaning do you give to section 93 of the British North America Act? Is that section not a constitutional guarantee? Yes. And would you abridge it in this way? I frankly say I will.

Now, he is against separate schools, hit or miss, every time. Compacts, parliamentary, ante-union, post-union, bargain—all those things fall to the ground. His position is easily understood, and I hope it will never be commended by any important section of the people of this country.

Now, then, I arrive at a very important aspect of this case, and I again call to my aid the hon. member for Simcoe (Mr. McCarthy). I said a little while ago that up to 1889 no man dreamed that you could interfere with these post-union compacts, these parliamentary bargains, these parliamentary compacts, because this right of appeal precluded successful interference. So the hon. gentleman from Simcoe went, under a retainer, to London, to argue the Barrett case; and there the question involved was as to whether the Act of 1890 was within the ordinary powers of the Manitoba legislature. In that case, I find that he argued, and with great ability, that this section providing for an appeal—and I think it is better to express the section this way than by its number in the Manitoba Act—was not a substantive section, that it was to be read in connection with the section preceding it, and he then contended that no ante-union rights on the part of Roman Catholics had been interfered with by the Act of 1890; and he afterwards developed that idea that there was no appeal for the minority in Manitoba. But, mark you, he went on to say that in the case of New Brunswick and Nova Scotia, under the British North America Act providing for an appeal, the very fact of the right to that appeal guaranteed to the minority in those provinces a permanency of the separate school system, if, after 1867, a separate school system should be established. The very fact of that section of the British North America Act being a substantive section, providing for and contemplating an appeal, did protect the rights given after the union, and secured, of course, substantially—he used the word "absolutely"—to the minority of those provinces the right to separate schools. It became, as he said, a vested right. On pages 7 and 8 of the Brophy case, and page 74 of his argument in the Barrett case, as printed before Parliament, you will see he admits that if this appeal clause in the Manitoba Act is a substantive clause, as it is decided to be in the Brophy case, he admitted—which no lawyer, constitutional or otherwise, had ever before 1889 contradicted—that by it the rights became vested and were secured to the minority wherever the schools were established. Does any one think that a novel idea? Take the hon. member for Bothwell (Mr. Mills). In 1875, in discussing the New Brunswick case, I find him stating:

> The British North America Act provides that any province having separate schools before confederation should have them for all time, and also that any province not having them at the time of the union, but conceding them at any future time, shall concede them as a right which can never be taken away.
>
> If the minority carried their point——

He went on to say later in his speech, if the minority once got separate schools they, to use his language exactly—

> —they would possess these rights and privileges for all time.

To show you, Mr. Speaker, how awkward it is for us to have to deal with the hon. member for North Simcoe, I wish to point out, without desire to offend him, but without fear of him or terror of his indignation, that, if he was not embarrassed with his professional connection with the government of Manitoba there is hardly a man who could have enlightened us upon this subject better than the hon. gentleman. I freely admit that. But suppose the leader of the Opposition had a retainer from Mr. Greenway. The leader of the Opposition is a distinguished member of the bar of Quebec. Suppose that he sat there having argued the case with the hon. member for Simcoe. How many men in this House would pay attention to what he said in debate? Or suppose that Mr. Blake, a late distinguished member of this House, who accepted a retainer from the Canadian Pacific Railway in regard to the award, had dared to lead the Opposition and to find fault with the Government in regard to questions arising out of that matter and to ask why that award was not promptly paid or why some other action was not taken about it, what would have been the feelings, the proper feelings, of every member of this House? To show the extraordinary position of the hon. member for Simcoe, I point out some of the inconsistent views he has expressed in regard to this question which he would not have expressed had he not been legislator and counsellor as well in regard to the same subject. He was of opinion, as shown in a very interesting article in Mr. Ewart's book, that the Barrett case precluded any right on the part of the minority to appeal. But the Brophy case decided that subsection 2 of section 22 of the Manitoba Act had the same effect in their case as subsection 3 of section 93 of the British North America Act, in regard to the minorities in other province—it decided it to be a parliamentary compact. Now, then, the counsel for Manitoba, who argued in 1892 in the Barrett case, before the law lords of the Privy Council of England that, if these were substantive sections granting an appeal, they constituted on the part of an established separate school system a vested right—or in connection with the separate school system, to be more accurate—a vested right that could not be taken away—this same gentleman came before the committee of the Canadian Privy Council in 1895, and with the Brophy case staring him in the face, argued that neither the merits nor the rights of the minority were to be considered: argued that we had dealt only with the political aspect, argued that the appeal clause was practically a dead letter, and only in one extraordinary case could he conceive of its being used at all. If that does not put him out of court, it ought to put him out of Parliament, or at least prevent him having the slightest influence in Parliament in regard to this matter.

In regard to coercion, I desire to deal, in all fairness, with a statement of the hon. leader of the Opposition. He referred to the Manitoba Cattle Quarantine Act, the Act relating to public companies, the Act abolishing the French language and the Schools Act. The two former were disallowed, and the others were not. The hon. gentleman would not accept the challenge of the Minister of Finance and express his opinion as to whether the course of the Government in this matter was right or wrong. It was his duty either to express his own opinion or not to condemn the action of the Government in taking the course it did in regard to the matter. But let us see what is the record of the two parties in regard to everriding and annulling the Acts of the local legislatures. I find, for instance, that the Government of which the hon. gentleman was a member, the Mackenzie Administration, disallowed an Act to define the privileges, immunities and powers of the legislative assembly and the legislative council of Manitoba. They disallowed the Act to incorporate the Winnipeg Board of Trade. They disallowed the Act regarding the construction of the bridge over the Assiniboine River, between the city of Winnipeg and St. Boniface, and they disallowed chapter 43 of 46 Vic., known as the Half-breed Manitoba Protection Act. During the five years of their term they disallowed twenty-one provincial statutes, or an average of four and one-fifth each year, while during the twenty-four years of the Conservative regime, the Government have disallowed only fifty-three, including North-west ordinances, or an average of two and one-fifth, or about one-half the proportion of the Liberals. So that on this question of coercion, if we are so to style the exercise of the admitted powers of the Government, we are a long way behind the hon. gentlemen. What commission was appointed, what evidence was taken, what negotiations took place in connection with the exercise of these powers by the Grit government between 1874 and 1878? Did they consider the sensitiveness of the Manitoba government? Did they hold out the olive branch previous to disallowance? No. They exercised their powers under the constitution in the most ruthless manner. They did simply as the constitution required them to do.

Now, we have seen how little sympathy the leader of the Opposition has for the Roman Catholic minority of Manitoba. I want to show what sympathy he had for the Protestants of Quebec, because that subject has come up. In 1893 he spoke as follows :—

> I have quoted to you the law which now prevails in Quebec—the law demanded by the Protestant population of that province, giving them a school board of their own. I have quoted to you the law whereby in 1869 two separate boards of education were organized, a Roman Catholic board and a Protestant board. The Roman Catholic board to-day is composed of seventeen members, nine Catholic laymen and all the Roman Catholic bishops of the province. Now, suppose that to-morrow the legislature of Quebec were to abolish the Protestant School Board. Then, by the effect of that law, the management of the Protestant schools would become vested in the Roman Catholic board of the Council of Education, that is to say, practically in the hands of the Roman Catholic bishops. If such legislation were to be enacted by the legislature of Quebec, is there a man to say that it would not be a most infamous act of tyranny? Sir, if to-morrow such a law were enacted, the first thing that the Protestant population would do would be to come before this Government and ask this Government, in virtue of the powers vested in it by the constitution, to abolish at once the obnoxious and tyrannical legislation. If the Protestant population were to come and represent to the Government that their schools, the Protestant schools, had been placed under the management of the Roman Catholic bishops of the province, I say that every man in this House, be he Protestant or Catholic, would at once call on the Government to abolish the law and to pass the remedial legislation to the Protestant minority.

The hon. member for North Simcoe has also spoken on the subject of minorities. I remember one occasion, when he was not feed, when he was an independent member of this Parliament. I remember his eloquence, which he has certainly never equalled, in connection with the school question, when he considered the Protestant minority of Quebec were being subjected to coercion at the hands of the provincial legislature. In 1889, he said :

> I venture, Sir, to ask the House seriously to consider the position in which we stand. The worship of what was called local autonomy which some gentlemen have become addicted to is fraught, I venture to say, with great evils to this Dominion. Our allegiance is due to the Dominion of Canada. The separation into provinces, the right of local self-government which we possess is not to make us less citizens of the Dominion, is not to make us less anxious for the promotion of the welfare of the Dominion ; and it is no argument to say that because a certain piece of legislation is within the power of a local parliament, therefore that legislation is not to be disturbed. By the same Act of Parliament, by which power is conferred upon the local legislature the duty and power—because where there is a power there is a corresponding duty—are cast upon the Governor in Council to revise and review the acts of the legislative bodies. If you are to say that because a law has been passed within the legislative authority of the province therefore it must remain, we can easily see, Sir, that before long these provinces, instead of coming nearer together, will go further and further apart. We can see that the only way of making a united Canada and building up a national life and sentiment in the Dominion is by seeing that the laws of one province are not offensive to the laws and institutions, and it may be to the feelings of another. I will go so far as to say that they must be to some extent taken into consideration.

So say we all, except the hon. member for Simcoe, in this case. He was the champion of a minority on another occasion, and he was not feed. The minority in that case was the minority in Ireland, and I recollect, in 1886, the hon. gentleman waxing eloquent in their interest, when he said :

> While I am in favour of a fair and reasonable scheme for Home Rule which shall secure the rights of the minority as well as of the majority of the people of Ireland, I am not in favour, and I do not believe that the majority of the people of Canada are in favour, of handing the minority over to the majority.

That is in Ireland, with which he has nothing to do. But we have here a minority with which he has everything to do, as a Canadian, towards which he has a duty to perform, and yet he insists that they sha'll be handed over to the majority. There was another case in which he acted for a minority, and for which he was paid. It was the case of the Streams Bill, and the minority consisted of only one. There, Mr. Speaker, the hon. gentleman raised his voice loud and long in this House on behalf of federal interference, of coercion, and everything else, so long as it would be to the advantage of his client. I have no doubt he was right on that occasion but still it looks odd to see him linked with the leader of the Opposition now, insisting that interference with the majority is coercion, even if the interference be to prevent the oppression of the minority by that majority. Now, the leader of the Opposition says, that before interference, which he calls coercion—that is the latest term—there must be a full inquiry, all means of conciliation must be exhausted, and it must be a last resort. Well, Sir, from 1890 to 1896 the minority have rested quiet. They have been knocking at these doors for justice and action. When does the hon. gentleman propose to act ? Is there nothing definite ? Are hon. gentlemen opposite to go into the next campaign with no limit of time as to his policy ? Take his fiscal policy on the trade question. The leader of the Opposition says, that within forty years he proposes to bring it about. That is definite. When does he propose to bring about the rectification of the position of the minority, and give them justice ? In the one case it is a matter of time, in the other of eternity ; forty years in the case of free trade, but an absolutely indefinite time in regard to justice to the minority in Manitoba, except that it is to be after the general elections. Inquiry ? What inquiry does the hon. gentleman seriously ask for ? Does he ask, that we shall ascertain by evidence on oath what the prejudices of Roman Catholics are in regard to this question of religion ? Did the judges of the Privy Council prove false to their trust and make a great error in what they laid down, without equivocation, as an absolute certainty, which was well known and of common notoriety, in regard to these prejudices ? Why, Sir, if we have erred at all, it has been in connection with the careful inquiry, and the careful investigation, and the constant threshing out this case has undergone. If we have erred at all, it is because the delay has been too long. I say, that the position of the minority is in a sense splendid ; they have suffered, suffered grievously, and yet all they are asking is, that the law of the land, as interpreted by the highest judicial authority in the Empire, be enforced in the regular and proper manner. Let me run through a chronological statement of the question, a large part of it taken from the book of Mr. Ewart, which will shorten the time. For instance, in July, 1892, the decision in the Barrett case was given. In November, petitions of the Catholic minority to the Governor General were presented In 1893, on 22nd January, argument was fixed. The Manitoba government refused to appear, and only the representative of the minority addressed the Governor in Council. On 22nd February, the Dominion Order in Council was adopted, and this was a part of it :

> The committee therefore advise that a case be prepared on this subject, in accordance with the provisions of the Act, 54-55 Vic., chapter 25, and they recommend that if this report be approved a copy thereof be transmitted by telegraph to His Honour the Lieutenant-Governor of Manitoba, and to John S. Ewart, counsel for the petitioners, in order that if they be so disposed the government of Manitoba, and the said counsel, may offer suggestions as to the preparation of such a case, and as to the questions which shuld be embraced therein.

On 8th July, 1893, no reply having been received from the Manitoba government, and no suggestions as to the form of the case to be referred, having been made on its behalf, the draft case was approved :

> The Minister recommends that the case as amended, copy of which is herewith submitted, be approved by Your Excellency, and that copies thereof be submitted to the Lieutenant-Governor of Manitoba, and to Mr. Ewart, with the information that the same is the case which it is proposed to refer to the Supreme Court of Canada touching the statutes and memorials above referred to.

In October, the case was argued before the Supreme Court at Ottawa. Mr. Wade appeared as counsel on behalf of the province of Manitoba, but declined to argue the case; and the court requested Mr. Christopher Robinson, Q.C., to argue in the interest of Manitoba. Now, I call particularly the attention of the House to a document that has already been alluded to, but which I venture now to put on record, and that is the Order in Council approved by His Excellency the Governor General, dated 26th July, 1894. It is a communication to the Manitoba government from the Dominion Government on behalf of the Roman Catholic minority of Manitoba, complaining of the law of 1890, and praying for relief. That Order in Council set out with considerable fulness the grievances complained of by the minority, and it was communicated, along with a copy of the memorial itself, by the authorities at Ottawa to those of Manitoba. From the concluding paragraph of that order, I quote the following extract :—

> The statements contained in this memorial are matters of the deepest concern and solicitude in the interests of the Dominion at large, and it is a matter of the utmost importance to the people of Canada that the laws which prevail in any portion of the Dominion should not be such as to occasion complaint of oppression or injustice to any class or portion of the people, but should be recognized as establishing perfect freedom and equality, especially in all matters relating to religion and to religious belief and practice, and the committee, therefore, humbly advise that Your Excellency may join with them in expressing the most earnest hope that the legislature of Manitoba may take into consideration at the earliest possible moment, the complaints which are set forth in this petition, and which are said to create dissatisfaction among the Roman Catholics, not only in Manitoba, but likewise throughout Canada, and may take speedy measures to give redress in all the matters in relation to which any well-founded complaint or grievance be ascertained to exist.

That I call an order of conciliation, that I call a request as cordial and kindly as could be made by one government to another, to give full, ample and fair consideration to those representations. How was that treated ? We are continually charged with acting harshly ; but that document was never, I believe, to this day laid by the government of Manitoba before the legislature of that province, or has never been brought before them properly. Now, what further? On 20th January, 1895, the Privy Council's second decision was given. On 14th February, the Manitoba legislature met. The Dominion Government's communication was never laid before the legislature. The Lieutenant-Governor's speech at the opening of the legislature contained this clause:

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

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

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

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

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

It is a little late to get up this supposed grievance on the part of the government of Manitoba as to the manner in which they were treated. No one can look over the record without seeing that if they had evidence of facts they desired to present, there was abundant opportunity to present them, or that having asked directly or through counsel that certain facts should be submitted, the tribunal called on to investigate them ever made a refusal. I was a member of that board, and I think the board was prepared to sit as long as the counsel for Manitoba desired in order to hear testimony and argument. The hon. gentleman went upon the statutes of 1871 and the subsequent statutes up to 1890, and including 1890, and on those I am prepared to go, and on those I stand to-day.

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

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

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

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

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

Mr. MULOCK. When did their legislature meet?

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

Mr. MULOCK. Of course not.

Sir CHARLES HIBBERT TUPPER. I care not when it met. The government could have called the legislature together, if they were in earnest they could have done something exceptional, as we are doing now, for we are doing something without precedent, of which we are not ashamed, and for which we take full responsibility. We desire to settle this question locally if we can, but if not, we are prepared to settle it on the floor of this Parliament, where the jurisdiction now exists. That reply from the Manitoba government, dated 21st December, reached here two days before the meeting of this House—and that fact will answer the hon. gentleman who interrupted me as to when their legislature met. It is to this effect :

> It is therefore recommended that, so far as the government of Manitoba is concerned, the proposal to establish a system of separate schools, in any form, be positively and definitely rejected.

Mr. MULOCK. Read all the answer.

Sir CHARLES HIBBERT TUPPER. That is enough for me.

Some hon. MEMBERS. Oh, oh.

Sir CHARLES HIBBERT TUPPER. That is enough for any man who is not a quibbler, it is enough for any man who understands the Queen's English—that a separate school system in any form would not be acceptable to them. I am not a member of the Government now, but as a member of the Government then, and as a member of Parliament now, this, to my mind, was definite and conclusive. It barred the door to further negotiations. I do not say anything as regards what has happened since. There never has been a disinclination to meet the Manitoba government half way, but when we are told that legislation based on the remedial order should not be passed, we must recall the lines laid down by the fathers of confederation and by the able leaders who guided the destinies of the Reform and Conservative parties in this House down to the present day.

I deny that this is a Roman Catholic question. I have visited the Orange county of Cardwell, the Catholic constituency of Antigonish ; I have spoken in open day. I have canvassed this issue on the public platform, and my argument in each and every place was the same. I represent as strong a Protestant county as exists in Canada at the present moment, but I have never considered this is a question which appeals only to Roman Catholic sympathies and feelings. Directly the appeal comes from them, for the Catholics happen to be in the gap at the present time, they happen to be oppressed, to be coerced, to be standing begging for their rights that have been decided upon by the highest tribunal in the Empire. But the question to my mind, involves, as the leader of the Opposition has pointed out in past years, the rights of the Protestants of the province of Quebec. In 1893, in far more terse language than I can command, the hon. gentleman traced the history of the appellate clause in the Canadian constitution, and showed that this clause was to protect not the ante-union rights of the province, not merely the ante-union rights of the Protestants of the province of Quebec, but, as he pointed out, the very valuable and important post-union rights of the province of Quebec, obtained not merely in 1869, as some people think, but under later statutes. The hon. gentleman traced the history of that clause, and for what purpose ? Let hon. members read the hon. gentleman's speech, delivered in 1893, and they will see that there was much in the conclusion which the hon. member for Guysboro' (Mr. Fraser) stated in Antigonish, that no man could read that speech without coming to the conclusion that the sympathies of the leader of the Opposition were with the Catholic minority. The Roman Catholic minority in Manitoba have had sympathy from 1890 to 1896, and now they want action. They want it in the same direction that I would be willing to go as regards the Protestants of Quebec : and I could make it absolutely clear that the interests of the Protestants of Quebec are materially involved in this issue. I am unable to understand the position taken by those who are opposed to this proposed remedial legislation, and who are yet jealous of the rights of the Protestant minority in Quebec. How do they act ? They say to the Protestants of Quebec : You need not be alarmed. If we deny the so-called rights to Manitoba, it is a Catholic claim, it is a half-breed claim, and involves rights belonging to small portions of the population. You in Quebec need not be afraid—a solemn compact has been made with you, the minority in Quebec ; the Act of 1867 is a splendid protection to your rights ; but the minority in Manitoba cannot get the protection of the courts, and we propose that they shall not get the protection of this Parliament. I think that argument is unworthy of hon. gentlemen who used it. It has been applied by the hon. member for Winnipeg (Mr. Martin), by the hon. member for Queen's, P.E.I. (Mr. Davies), and by other hon. members opposed to the proposed legislation, but their arguments are answered by the declaration of their leader in 1893, who dwelt upon the rights that had been acquired since 1869, rights respecting the proper distribution of the government grants for the Protestant schools, and rights under which a Protestant board is constituted for the management of the public schools. And, if further testimony be required—and I do not go to the minuter history, although I should like to refer to the Protestant teachers' petition and to Sir Alexander Galt's position, of which mention has been made in this debate—yet it is brought out, that Sir A. Galt was asking for this protection, not for the Protestant population merely, but for what he was pleased to call the British population of the province of Quebec. I will refer briefly to the "Manual of the School Law and Regulations of the province of Quebec, together with an Outline of School Organization for the use of Candidates for Teachers' Diplomas, under the Regulation of the Protestant Committee;" prepared by Rev. E. I. Rexford, Rector of the High School, Montreal, and formerly secretary of the Department of Public Instruction. I will show from that how much is involved to the Protestants of Quebec, and how happily it is, that we can get on a broader plane than that of acting for one sect or the other, and that we can stand up, as I believe we are standing up, for minorities of all the provinces, whether that minority be Protestant, or whether it be Catholic. In this Manual Mr. Rexford says:

> Since confederation a number of important amendments have been made to our educational law. * * *
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> In 1869 a law concerning education was passed by the new legislature of Quebec, which contained several important provisions. These were adopted after numerous consultations between leading representatives of the Protestant minority and the Government of the day. Among other things it provided that the Council of Public Instruction should be composed of fourteen Roman Catholics and seven Protestants, and that these two sections should be committees of the Council for the consideration of matters pertaining to schools of their own faith. These committees could not take any formal action, however, except through the Council. It also provided that grants for superior education should be divided between the Roman Catholic and Protestant institutions according to the Roman Catholic and Protestant population of the province. The law of 1869 also extended the privileges of dissentients in several respects, and established the present system of the division of school taxes upon incorporated companies between the minority and the majority in a municipality in proportion to the number of children attending their respective schools.* *
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> In 1876 another important educational measure was passed by the legislature. This Act provided (1) that the Roman Catholic bishops of the province should be ex-officio members of the Council of Public Instruction; (2) that one-third of the Council should be Protestant; and (3) that each of the two committees of the Council should have the power of separate and independent action in reference to all matters which concern the educational work under their respective control. This was a most important provision. Under it, each committee appoints its own chairman and secretary, and conducts its business as an independent council. Upon the recommendation of Roman Catholic or Protestant committee, as the case may be, professors of normal schools, school inspectors, members of the Board of Examiners, and the secretaries of the Department of Public Instruction, are appointed by the Government. By placing the choice of these officers for Protestant institutions in the hands of the Protestant committee, an important guarantee has been given that these appointments will be made in a manner acceptable to the Protestant minority. And although it is not stated in the law that one of the two secretaries of the Department of Public Instruction shall be a Protestant, this is practically secured by the method of appointment.

Mr. MILLS (Bothwell). Will the hon. gentleman permit me to ask him, whether he contends that such a board is a right or a privilege, within the meaning of the Act?

Sir CHARLES HIBBERT TUPPER. I certainly think so, but whatever I may think is not of so much importance in the matter. That has been threshed out in the debate; but I call to my aid this—and I do it for the sake of saving considerable time. The leader of the Opposition, coming from Quebec, a Catholic; and the Minister of Trade and Commerce (Mr. Ives), coming from Quebec, a Protestant—they both attach the greatest importance to these safeguards that have been given to the Protestants of Quebec since 1867. I ask you, Mr. Speaker, to remember, and I ask, through you, this House to remember, the words of wisdom that fell from the lips of the old Liberal-Conservative chieftain, words which, certainly, with the majority of his countrymen, did obtain sufficiently to make acceptable this compromise with the Catholic population of Canada, this arrangement in regard to separate schools. Early in his days, when he had to fight on this question in the Protestant province of Ontario battles a good deal hotter than we have to fight now, his great justification for leaving the law as it is, for even improving it in the line of separate schools, was: That, while he would have preferred a system of general schools, yet it was one thing to give a right, or a franchise to the people, and another thing to take it away. That is the principle, I believe, that was at the bottom of this clause, which indicates to Manitoba, and indicates to all the provinces, which indicates, certainly, to Nova Scotia, according to public opinion there, that, where they once establish a separate school system there by law, there was a real and substantial undertaking, under the Confederation Act, that they should not repeal it. That induces, I believe, the Protestant majority in my province to work out harmoniously, as they are working out, their provincial school system, without an amendment to the Act. If it were not for that, they would many a time, I believe, have amended the Act, but the fact, that it is to stand there for all time, has induced them to proceed in what I consider a policy that is not only commendable, but which reflects credit on the intelligence and on the spirit of toleration of the people of my native province. As was so eloquently and brilliantly described by the Minister of Finance, that, after all, is the policy that has made the British Empire what she is to-day. That, for instance, has induced these people in the Transvaal to submit to what some of my friends opposite will not submit to—the judicial tribunals of the United Kingdom. It is not merely a spirit of toleration and a spirit of justice, that is inculcated in all quarters and in all portions of the Empire, but it is the fact of recognizing, as the great council of the British Empire never now ceases to recognize, that they control and have in their hands the destinies and the welfare of multitudes of races and of creeds ; governing India, Africa, America, and the hosts of possessions that are proud to acknowledge themselves under British sway. Toleration is the very secret of success, and the secret of the greatness of the Empire ; and toleration increases as the years go by. A few years ago it would have been impossible for the Lord Chief Justice to be a Roman Catholic, and sit as Lord Chief Justice in the United Kingdom. He is there to-day by virtue, not only of the growth of that spirit of toleration, but by the very experience that England has had in empire governing. A member of the late Government in England, one of the most distinguished members of the Liberal Administration, was a Roman Catholic, and before that he was Governor General of the Empire of India. All this indicates plainly and unmistakably to us, that the fathers of confederation were wise in their generation. We, in Canada, have led even public opinion in England, in regard to reforms and advancements, as Mr. Blake accurately pointed out in 1885, when speaking in Edinburgh. I pray God, that we may lead them even in the settlement of this question. I hope that we will deal with it, not merely as Canadians, but as British subjects, brought up, as most of our fellow-subjects have been, with the greatest respect and reverence for the decisions of our judicial tribunals. Little did I think, Mr. Speaker, when reading, as I have often read, the language of one of the men who did so much for Canada, and whose life was so unfortunately cut short : little did I think, that his language could be used in regard to the Roman Catholic leader of a political party in this country, and, least of all, did I think that the words of this great man would apply to the present leader of the Opposition. Thomas D'Arcy McGee, having before him this constitution of ours, and speaking in a Protestant centre of Ontario, used the following language, which will fittingly conclude the observations which I have ventured to address to this House :—

> When United British America will start on its race with 4,000,000 of a free people in religion they will be about 55 per cent Protestant to 45 per cent Catholics ; in some localities the religious minority may be small, and many apprehend local oppression, but the two great masses will be too nearly balanced to suffer any oppression to be long inflicted on the co-religionists of either. Our near equality will be the best guarantee of our mutual tolerance. With one half of the constituent power against him, it is evident that no fanatic, no bigot, troubler of other men's consciences, no insulter of other men's creeds can ever rise to the dimensions of a statesman in British America. The minorities east and west have really nothing to fear beyond what always existed, local irritations produced by ill-disposed individuals. The strong arm and the long arm of the confederate power will be extended over them all, and woe be to the wretch on whom that arm shall have to descend in anger for any violation of the federal compact.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. McCARTHY. Mr. Speaker, I would be paying the hon. gentleman who resumed his seat just before recess a very poor compliment if I did not take some notice of the personal attack with which he opened his speech, and which ran, more or less, through his whole address, from beginning to end. I confess, Sir, that, remembering that this same subject was brought up by that hon. gentleman when this question was under discussion in July last, and, remembering, also, that if he did not know what parliamentary practice was before that discussion, he ought afterwards to have realized what it was—if, indeed, he is capable of understanding anything—I was somewhat surprised to find that in the very laboured harangue which we had the pleasure of listening to this afternoon, he made that the burden of his song. Now, Sir, I either am, or am not, violating a rule of this House ; I either am or am not entitled to address to you and to all the members of this House such arguments as appear to me to be relevant to the question under discussion ; and as I think that, according to our rules, I am not out of order, and as the hon. member does not press the matter so far as to complain that I am out of order, I am unable quite to grasp the importance he attaches to the position I hold. If, indeed, he means to say that I now believe Manitoba should not be coerced because of the position I have occupied as counsel for that province on two different occasions, I can understand his argument. If he does not mean to say that, I fail to appreciate its force. On this personal matter, let me just recapitulate, briefly, the position which I have held, and which I still hold, with reference to this and kindred questions. I am blamed, Sir, because, in 1889, in a speech which I made at Portage la Prairie, I ventured to say that I thought separate schools in the province of Manitoba should be abolished. I thought so then ; I think so still ; but if I said so in 1889, and if that was my conviction then, I do not know how the fact that in the year 1892 I held a brief for the province of Manitoba in the argument of the legal question before the Privy Council could affect, or has, in any way, affected my opinion. I am bound, Sir, as a professional man, to accept a brief when I am offered it. I have no choice ; I am bound by my oath, when a brief is offered to me, to accept it ; and if the province of Manitoba thought fit—and that was the first time, in 1892, that I was consulted on this matter—to trust me as one of their counsel with the conduct of the argument before the Judicial Committee, can it be honestly said by any member of this House, or by any person outside of this House, that my position has been changed in the slightest degree by the fact that I held that brief? Well, Sir, I continued, I think, consistently, in the course that I had mapped out for myself in 1889, from that time onward; and in 1895 I was suddenly called on by telegram from the Attorney General of Manitoba to appear for him at the investigation, or the so-called investigation, which took place here in Ottawa before the Committee of the Canadian Privy Council. At the time Mr. Sifton, who was the Superintendent of Education in Manitoba, was engaged in leading the House, which was then in session, the Premier, Mr. Greenway, being ill in bed. Mr. Sifton urged me to come here and appear for the province, and to do the best I could in opposing the application that was made on behalf of the Roman Catholic minority for the remedial order. I did so. I did it openly and above board. I did not pretend that I was not acting as counsel for the province of Manitoba. I appeared as counsel, I spoke as counsel, and there was no pretense on my part that I was appearing in any other sense or quality than in my professional capacity. Now, if, owing to these circumstances, I have been obliged to give more attention to the subject and to master the details more thoroughly than I otherwise would, I do not know that that disqualifies me in any way from taking part in this discussion. I am not here to defend myself. After twenty years of public life, I do not require to come here to defend my character, in either the one way or the other. If my position is not as good as that of the hon. gentleman or any of his family who have assailed me, then I must occupy, according to my understanding, a low position, indeed, in the public life of Canada. I am quite content that my fellow-countrymen in all parts of the Dominion, who have had full opportunity of understanding my conduct, should place such value upon it and form such an opinion of it as they think fit; and I am quite willing to leave to their judgment the attacks which the hon. gentleman thought fit to make on me this afternoon.

The law of Parliament is quite well settled, and I shall give you an instance to show that I have not violated the law of Parliament, or even committed any impropriety. It will be in the recollection of the members of this House that in the year 1888 or 1889, a special commission was appointed to investigate the charges made against Mr. Parnell and his associates. That commission took evidence and was attended by counsel, leading counsel of England, on both sides. That commission reported to the Imperial Parliament; and upon the report of the commission, a motion was made and a resolution adopted, passing upon the findings. Well, Sir, if I am wrong in venturing to speak on the subject of the Manitoba school question, so, indeed, must have been Sir Charles Russell, the present Chief Justice of England, the Attorney General, Sir Richard Webster, and, in fact, every leading counsel of the bar in England, because every one of those gentlemen, notwithstanding they were employed and acted as counsel on either one side or the other, took part in the discussion on the motion in the House of Commons upon the report of that special commission. That was not deemed improper in England; that was not deemed a violation of any rule; and it is not a violation of any rule of Parliament. I do not deny that the hon. gentleman was perfectly within his right and privilege in drawing attention to the fact that I occupied the position of counsel for Manitoba with reference to this and other matters. And, so far as that circumstance should appear to detract from any statement or observation I have to make, or any argument I propose to offer, this House is quite at liberty to bear it in mind and be guided in the weight they ought to attach to my statement and argument, anything they think proper on that account. So much for that matter.

It occurred repeatedly, it was the alpha and omega of the hon. gentleman's address. If you leave out the attack on the hon. member for North Simcoe (Mr. McCarthy) and the introductory attack on the hon. member for West York (Mr. Wallace), I doubt if there is anything to be found in the harangue, laboured and tiresome as that was, to which we listened this afternoon.

May I say a word on behalf of the hon. member for West York (Mr. Wallace), who is not in his place now, and who was not in his place when the attack was made on him. The position which he and I occupy now does not differ in any regard, so far as I know, from that which we held here in July last. I was one of those who drew attention to the fact that I thought the position of the hon. member for West York in the Cabinet or in the Government of the day was, under the circumstances, unusual, extraordinary, and called for observation. And the hon. gentleman who assailed the hon. member for West York in unmeasured terms to-night was then the Minister of the Crown and the Minister who rose to his feet to defend the propriety of the position which the hon. member for West York took.

Sir CHARLES HIBBERT TUPPER. It was all right up to that date.

Mr. McCARTHY. All right up to that date. If you will allow me, I will read what the hon. member for West York said up to that date, and before that date, openly and above board, and what the hon. gentleman must have known if he kept himself cognizant of what was occurring in public life. The hon. member for West York said, in his address as Grand Sovereign of the Orange Order:

> As you are well aware, the present political situation has become of grave concern by reason of the Manitoba school question. I need not tell you how anxiously I have watched this matter since the day it first arose. My opinions on the subject have never been concealed. In all my addresses to the Orange Association, in my capacity of Grand Sovereign, as well as my utterances from political platforms, I have taken the ground that the education of our children should be attained through the medium of public schools, and I was pleased when in the important province of Manitoba and in our North-west Territories—soon, we all fervently hope, to become populous and prospreous parts of our great Dominion—legislation was carried looking to the establishment of a common school system free from sectarianism.

The hon. member for West York then went on to make some observations about the letter of Bishop Gravelle, which, not being pertinent to the present matter, I pass over, but he concluded in this way :

> Without dwelling longer upon this incident, continued the speaker, let me state to you briefly the attitude that I take under the present circumstances on this question. The Government after the last decision of the Judicial Committee referred the question to Manitoba, as provided by the constitution, ordering the authorities of that province to restore the separate school system in existence prior to 1890. The Manitoba government, with the concurrence of the legislature of that province, has declined to do so, but at the same time has intimated that if any real grievances exist on the part of the minority they will be removed, although still insisting upon the maintenance unimpaired of the public school system. The Dominion Government as a consequence has pledged itself before Parliament and the country to accept the offer of Manitoba to consider a basis of settlement before the next meeting of Parliament, and in the event of failure, to introduce legislation at the next session of Parliament. Now, for my own part——

I draw the attention of the House to this :

> —and I speak under full sense of the responsibility of my utterances I have to say frankly but firmly that I favour the maintenance of a non-sectarian school system in Manitoba and that if our constitution permitted, I would advocate with the same fervour a similar system throughout the Dominion. (Applause.) I propose, however, to await events, rather than to anticipate those which may never occur. Nor do I intend to be led or entrapped into precipitate action upon the subject by any device, no matter from what quarter it may come. Our duty, it seems to me, is to adhere resolutely to the main principles—to keep them always in view, swerving neither to the right nor to the left—and in this position I trust that I shall have not only the approbation of yourselves but the support of the great majority of the people of Canada.

I think that the hon. member for West York (Mr. Wallace) did not, in the slightest degree, conceal that he was opposed, and determinedly opposed, to the remedial policy of the Government ; and yet, Sir, that hon. gentleman was permitted to remain a member of that Government, and the hon. member who thought proper this afternoon to assail him in unmeasured terms, was the Minister who, at that time, rose to his feet to defend and justify that position. Surely if the hon. member for West York was wrong, as, in my humble opinion, he was, in not withdrawing from the Government, when announcing that his policy in this important matter was diametrically opposed to that of the Government, it does not lie in the mouths of his colleagues—who then approved of his remaining in the Cabinet, and endeavoured, no doubt, to have him remain there as long as possible—to denounce him here in the language meted out to him this afternoon.

Sir CHARLES HIBBERT TUPPER. Mr. Speaker, would the hon. gentleman tell me wherein I assailed the hon. member for West York for his conduct, until November, 1895 ? I have no recollection of it.

Mr. McCARTHY. I am beginning to fear, Sir, that the hon. gentleman is hopeless. He occupied for some little time the position of Minister of Justice of this country. He is the author, I believe, of this famous remedial order, this absolutely hopeless and indefensible remedial order, and I am beginning to think, the more I see and hear of him, that he is actually incapable of appreciating the difference between right and wrong. He says he did not assail the hon. member for West York until November last. He had not a word to say against the hon. member for West York when that gentleman was denouncing the policy of the Government of which he was a member, speaking on public platforms against it, doing all he could to destroy it. But when the hon. gentleman consistently retired from office—which is certainly a virtue the hon. member for Pictou cannot claim, except when he brought about the re-entrance of his ancient and venerable parent into public life—then he assails him, and I really am unable to understand the hon. gentleman's principles. If the hon. member for West York was sincere, as, no doubt, he was, I think he erred only in resigning too late rather than in resigning at all. He sacrificed his constituency for the time, and I dare say he feels it and knows it now, in order to avoid sacrificing his party, in order to avoid a split in the party ranks and injury to his friends. But the hon. member for Pictou assails my hon. friend from West York for having resigned his position and deciding to do what the great body of men on this side of the House would do if they stood by their convictions—vote against the policy and the legislation that we have before us this evening.

My hon. friend for Albert (Mr. Weldon) is here and can speak for himself. He also underwent a castigation, if it can be called so, from the hon. gentleman who formerly occupied a position which gave him some standing in this House, which I am afraid he cannot hold upon his own merits. I shall leave the hon. member for Albert to defend himself from the attack, such as it was.

which was launched at him by the hon. member for Pictou.

Now, I really have taken up more time than the subject warranted in this preliminary statement. We are engaged here in a much more serious matter than in considering the question of the position which I have held or the position which my hon. friend from West York, or the position my hon. friend from Albert has held. Let me, if I can, draw the House back to a consideration of the important measure before us. I confess, Mr. Speaker, I cannot answer the speech of the hon. member who addressed us this afternoon. I have failed to find a consecutive argument in it from beginning to end. Denunciation there was, abuse there was : but I defy any hon. member of this House to say, having listened to that tirade for two hours, that it contained one solitary argument—although it contained many statements, which, I suppose, the hon. gentleman mistook for arguments. He attacked the hon. leader of the Opposition as a Catholic. He wound up his speech by saying that this was a question that was not either Catholic or Protestant, it was not to be treated as a question pertaining to the Catholic religion—and in that I agree with him—but the burden of his attack was that he (Mr. Laurier), a Catholic and a French Canadian, was opposed to a Remedial Bill which was proposed on behalf of his co-religionists and compatriots. These positions can hardly be reconciled, nor can they be treated as consistent.

What is our position here to-night ? No person in the course of this debate has pretended to say that this Parliament is not clothed with jurisdiction to pass a Remedial Bill. I do not wish to be understood as saying that we have jurisdiction to pass the Bill which has been submitted to us—that is a vastly different thing. But that we have a right to pass a Remedial Bill in the terms of the remedial order and in fulfilment of the remedial order, no person who understands the subject will for a moment deny. But how comes it that we have that right ? The subject of education is not one that belongs to this Parliament—not primarily, at all events. The subject of education has, very properly, been committed to the local legislatures, and that subject is one which is to be dealt with, and properly dealt with, by these provincial assemblies. That they do deal with it, under certain restrictions and certain limitations, is undoubted. That under certain circumstances and on certain events happening—which have happened in this case—this Parliament has power to intervene, is also unquestioned. But what we have to remember is that primarily the duty and responsibility with reference to the subject of education belongs to the local legislature of the province of Manitoba, and before we interfere we have to be satisfied that that duty and that responsibility has not been properly discharged, has been wantonly disregarded. Otherwise, there is no fitting occasion for our interfering against the province itself. The hon. gentleman (Mr. Foster) who addressed us on Friday afternoon, and who, if he will permit me to say—I do not wish to make him blush—has made the only speech worthy of the occasion which has been made from his side of the House, certainly presented the case in a way which, if the facts and the circumstances stated by him can be relied upon, would lead to the conclusion which he asked the House to draw ; but he will pardon me if I am unable to accept these facts, and he will excuse me if I point out how he erred. And I think that his own good sense and fair-mindedness would lead him to say that if he had known how far he had been led astray with regard to the facts and the history of the case, he would not have been found addressing the House in the language he used on Friday afternoon. He told us that separate schools had nothing to do with the case. The hon. gentleman, the youthful member who addressed us this afternoon told us that that was the only subject before us. He accepted my statement before the committee. I said that that was the primary question, that first we must consider whether or not we ought to adopt and impose a system of separate schools. The more astute leader brushed that aside and told us that it was a side issue. His opening remarks were to the effect : We have nothing to do with separate schools ; that was settled long since ; settled at confederation, settled when Manitoba entered the union ; it is embedded in bed-rock of the constitution, and we have nothing to do with it. Now, after the character attributed to the speech of this afternoon, I cannot ask the House to accept the statement of the hon. member for Pictou as completely destroying the argument of the hon. Minister of Finance. It would be a simple matter for me to put one speech against the other, and point out how both cannot stand and ask the House to accept the latter. But I feel it would be trifling with the House, under all circumstances, if I did not give some reason for saying that, in that particular, at all events, the gentleman who last addressed us was right, and the hon. Minister of Finance was wrong. We are told, Sir, that the reason of this was that there were compacts—compacts at confederation, or rather a compact at confederation and a compact when the Manitoba constitution was passed. A compact at confederation—a compact, we are told, entered into on behalf of the Protestants of the province of Quebec, a compact without which confederation would have been impossible, a compact, to use his own language, which was the sine qua non of the scheme of confederation. Has the hon. gentleman dived no deeper than Mr. Ewart's little pamphlet in making these statements ? I find that every quotation he made, every statement he made, was to be found in this little document of Mr. Ewart's, written in answer to Mr. Wade's pamphlet. He is a Minister of the Crown leading this House, or was leading this House a little while ago ; but the source of his information is this skit of Mr. Ewart's in answer to a pamphlet put forth by Mr. Wade on behalf of the Manitoba school system. Not one solitary quotation, not one solitary statement, did the hon. gentleman favour the House with that was not to be found, and is not now to be read, in the pamphlet to which I refer, issued by Mr. Ewart in reply to Mr. Wade. No wonder, under these circumstances, that the hon. gentleman has gone very far afield, no wonder that his asserted facts and circumstances are not reliable, no wonder that the statements upon which he based his argument are not statements which we can trust. But let me point out the reason why. He commenced by telling us that it was a great mistake to suppose that the Catholics, at the time of confederation, had insisted on these clauses in the Confederation Act. It was a delusion that we had all been labouring under. We, who had lived through confederation, who ought to have known something about it, were told that that statement was utterly unreliable, and that in point of fact these limitations on the power of provinces in reference to education, had been insisted upon by the Protestants of the province of Quebec. I do not think I misrepresent the hon. gentleman, I think I am fairly repeating the arguments and the statements that he made. Well, Sir, nothing could be further from the truth ; and let me prove it to him, let me show to him that, if it makes the slightest difference, he was making a very grave error. Sir, when this question of confederation was dealt with, as we all know, it first came up at a conference held in the city of Quebec. At that conference there were representatives from the old Canadas, from the provinces of New Brunswick, Nova Scotia, Prince Edward Island, and the colony of Newfoundland. Certain resolutions were agreed to at that conference, and amongst them a resolution on the subject of education. Let us see what it was. It fell to Mr. Mowat to move as follows :—

> That it shall be competent for the local legislature to make laws respecting first, agriculture ; second, education.

Mr. D'Arcy McGee, whom, perhaps, the hon. Minister of Finance had not heard of, but who really was not a Protestant, nor was he a representative from the province of Ontario, moved, and it was adopted :

> Saving the rights and privileges which the the Protestant or Catholic minority in both Canadas may possess as to denominational schools at the time when the constitutional Act comes into operation.

Now, we know perfectly well the history of the Separate School Act in the province of Ontario. In 1863 when the Sandfield-Macdonald Government, I think the Macdonald-Sicotte Government, was in power, an amendment had been made which practically gave the Roman Catholics the separate schools system as they have it to-day. That law was carried by a majority of the province of Quebec ; and in one year afterwards Mr. D'Arcy McGee a leading Roman Catholic, not representing Ontario, but then representing one of the divisions of the city of Montreal, if my information is correct, who was present in the conference, in order that this law should not be changed, in order that this law which has been imposed upon the province against its will, should not be repealed, introduced a stipulation insisting, not on behalf of the Protestants but on behalf of the Roman Catholics of the province of Ontario, that the provincial legislature then about to be created under the Confederation Act, should have power over education, "saving the rights and privileges which the Protestant or Catholic minorities in both Canadas may possess as to denominational schools at the time when the constitutional Act comes into operation." The hon. Minister of Finance was therefore wrong when he told us that it was in the interest of the Protestants, and not of the Catholics, that this legislation was imposed. The hon. gentleman erred there. I think he will admit, he had not gone deep enough, had not quite mastered his subject ; because I am quite certain the hon. Minister is incapable of misrepresenting a thing to us here, or that he knew he was making a statement which was not in accordance with the facts. Well, Sir, what happened ? Why, it was pictured to us that John Sandfield Macdonald, a Catholic, had insisted, against the will of the Protestants of the province of Quebec, in expunging the guarantee and the provision which the Protestants insisted upon ; and the resolution of Mr. Sandfield Macdonald was actually read in support of that. Sir, it is hardly credible, it is hard to understand, that a gentleman occupying the distinguished position of Finance Minister should have either wantonly or carelessly—I won't suggest anything else—have made such a misrepresentation to us of the position of affairs at that time. Why, Sir, the resolutions as they were submitted to Parliament, were the Quebec resolutions. The Quebec resolutions contained a clause with regard to education, as I have mentioned it to you, with the saving clause introduced by Mr. D'Arcy McGee. These resolutions came before the Canadian Parliament ; these resolutions were adopted, and at the time they were adopted, the clauses upon which the question turns here this evening, and upon which we have to determine with regard to the rights of Manitoba, are not to be found, had not been thought of, and were not introduced. What Mr. Sandfield Macdonald said, and what I think we will all agree with, was this: As a Roman Catholic I do not want any limitation upon the powers of my province. I am willing as a Roman Catholic to allow the province from which I come, and to which I belong, to have full and complete authority in the matter of education, as in every other respect: and I warn the House—and, Sir, his words are prophetic, and if there was anything required to bear testimony to the foresight of that distinguished statesman, you find it in the passage which I am about, with your permission, to read on this very question. He said:

> I need only mention that I have no desire that the rights of the Roman Catholic minority of Upper Canada shall be abridged, nor that the rights and privileges of any other denomination should be interfered with in any respect; but I wish hon. members to bear in mind that the experience we have had in this country, not to allude to that of the neighbouring states, proves, that a denial of the right of the majority to legislate on any given matter, has always led to grave consequences. I need only mention the Clergy Reserve question. This, it must be recollected, was forbidden to be legislated upon by the Union Act; yet it was the cause of fierce strife and legislation for many years. The original constitution of the United States prohibited the question of slavery from being interfered with by Congress; yet an agitation for its suppression was early commenced, and has at last terminated in civil war. The agitation of the Clergy Reserve question produced a rebellion in Upper Canada. I say, that by making a constitutional restriction in respect to the schools of the minority, we are sowing the seeds from which will in the end arise a serious conflict, unless the constitution be amended. The minority will be quite safe on a question relating to their faith and their education in a colony under the sway of the British Crown; but if you expressly withdraw that question from the control of the majority, the rights of the minority will not be safe in either section of the province if you distrust the action of the majority.

And so on. Then he moved, that the following words be added to the original motion:—

> And that it be an instruction to the said committee to consider whether any constitutional restriction which shall exclude from the local legislature of Upper Canada the entire control and direction of education, subject only to the approval or disproval of the general Parliament is not calculated to create widespread dissatisfaction, and tend to foster and create jealousy and strife between the various religious bodies in that section of the province.

That is what John Sandfield Macdonald was doing: he was expunging the clause which D'Arcy McGee had inserted, which he had inserted for the protection, not of the Protestants of the province of Quebec, but of the Roman Catholic minority in Ontario; and Mr. Mackenzie, whose speech was also referred to, opposed this resolution; and why? He said: You, Sandfield Macdonald, are the very man who, in 1863, to the great injury of your party, caused the separate school law to be enacted, and you are now embarrassing your party friends by bringing up this question here: and, although I am not in favour of a separate school system and of limitation on the part of the provinces, yet I prefer to adopt that sooner than the scheme of confederation should come to an end. What he said was in these words:

> If the hon. member for Cornwall (Hon. J. S. Macdonald) had shown the same zeal against the separate school system when he had the power to prevent legislation on that subject, he would have saved himself and the party which kept him in power some trouble. It seems curious that he who was so anxious to promote the separate school system then should now be anxious in quite another direction.

Further on, he said:

> I formerly stated that I thought the separate school system would not prove very disastrous if it went no further. I do not now think they will do much harm if they remain in the same position as at present, and therefore, though I am against the separate school system, I am willing to accept this confederation even though it perpetuates a small number of separate schools.

Mr. Brown was also referred to. Let us see what Mr. Brown said on the same subject. He was taunted with having consented to the separate school limitation. What was the hon. gentleman's answer:

> I admit that, from my point of view, this is a blot on the scheme before the House; it is, confessedly, one of the concessions from our side that had to be made to secure this great measure of reform. But assuredly, I, for one, have not the slightest hesitation in accepting it as a necessary condition of the scheme of union, and doubly acceptable must it be in the eyes of hon. gentlemen opposite, who were the authors of the Bill of 1863.

So we have the statement here, that, whatever may be the effect of it—and I refer to it, not because, in my judgment, it can have any bearing on the interpretation of the Act, but because I want it to be understood, that these statements, made on the floor of this House, statements calculated to create prejudice and influence people's judgment, are not corroborated by the true historical account we have of the proceedings prior to confederation in 1867. Sir, will it be believed, that, although it has been pleaded, that this was a sine qua non as regards confederation, it was hardly referred to by the great leaders on either side of the House. Sir John Macdonald, in introducing these resolutions, never refers to the educational question. Why, we know what the trouble was. We know that there had been an attempt made under the constitution of 1841 to govern the Old Canadas on the principle of equal representation for Upper and Lower Canada. We know—and I happen to be old enough to remember it—I was not in public life at the time, but I perfectly well remember it, and, no doubt, there are other hon. members whose memory will go as far back as the date prior to 1867—the difficulty was this, that the whole people of Upper

Canada insisted that there should be representation according to population, and I remember, when that was granted, we found that Upper Canada was entitled to 82 representatives, as compared with 65 for Lower Canada, and Lower Canada equally insisted that, according to the bargain made in 1840, at the time of the union of the Canadas, the representation was to be equal, no matter what change of population should occur. Practically a deadlock had been reached—but it was not with respect to the separate school question. Do not malign the country. We were not fighting and tearing each other's eyes out on sectarian issues; but we, in the upper province, were insisting, with practical unanimity, that we should have representation according to population, while the people in Quebec were insisting that no change should be made in the Act of Union by which the two Canadas were brought together. So government fell, and government was reconstructed, and government again fell, and it was impossible to carry on the affairs of the country. Public affairs had come to a deadlock, not on account of the school question at all, but on account of the difficulties occurring in carrying on public affairs from the large majority in the province of Ontario holding one view, and the large majority in the other province determinedly holding the other view.

Well, Sir, we will pass on. We come now to the next stage. A great mistake has been made by the Finance Minister; he has mixed up dates and places, and it is well that we should keep them apart. We have the resolutions of Quebec, adopted in the fall or winter of 1864. We have the endorsement of those resolutions by the Canadian Parliament in February, 1865. The resolutions, so far as we are concerned with them as affecting the question of schools, are just as I have read them, they simply saved the rights of the Catholic and Protestant minorities in the Canadas at the time of the union, whenever the union should come into force.

The next step with respect to confederation took place, when? Parliament again met in August, 1866. Difficulties had arisen in the maritime provinces. No difficulty had occurred here. We had agreed to confederation on the terms of the Quebec resolutions, that is to say, the province of Lower Canada and the province of Upper Canada, and there was not one word of guarantee of the right of appeal which we find now in the Confederation Act. In the Parliament of 1866, which met mainly for the purpose of defining the constitution of the local Houses, an attempt was made, at the instance of the Protestants of the province of Quebec, to improve the school system in that province, to give the Protestants what they had been long demanding, and what they had not been able to obtain, notwithstanding that the united parliament represented the province of Ontario, as well as the province of Quebec; and, in fulfilment of the promises which were made, not, however, as part of the confederation scheme at all, a Bill was introduced by the hon. member for Three Rivers, who was then Solicitor General in the Government, to carry out the promises which had been made during the confederation debate in favour of the Protestant minority of that province. What became of that Bill? Why, Sir, it was withdrawn. After some discussion, it was withdrawn, and some of the statements with respect to the terms of its withdrawal I should like to have an opportunity to read to the House Bear in mind, Mr. Speaker, I am endeavouring in this statement to show how utterly fallacious was the argument made by the Finance Minister. Remember, the gravamen of this argument, the point of the whole discussion, was, that those clauses were insisted upon, those limitations on the powers as regards education were insisted on in the interest and on behalf of the Protestant minority, and that we here, a majority of Protestants, because it is the Roman Catholic minority which appeals to us, are refusing to give effect to the very conditions on which our forefathers insisted at the time of confederation. Now, Sir, the Bill was withdrawn, and what statements were made? Sir John Macdonald, in announcing the withdrawal of the Government Lower Canada Education Act, said:

> The minority in each section would have to throw themselves on the justice and generosity of the majority.

Mr. Cauchon, a leading gentleman at that time, having very great influence in the province of Quebec, said:

> At the time of the adoption of the confederation scheme it was understood that the separate school law of Upper Canada was not to be interfered with, and that the Lower Canada law was to be changed in some particulars, but the Protestants of Lower Canada now demand privileges that they should not have asked.

Mr. Dunkin, a Protestant from the Eastern Townships, said:

> As the case now stood the Protestants of Lower Canada would have to take their chance, and that chance has firmly believed would be a good one.

The Hon. Mr. Brown:

> Congratulated the Lower Canadians that they were to be relieved from the obnoxious school law which the Government designed to impose upon them. * * * * * * He contended that the rights of the minority would always be better protected when left to the justice of the majority.

Hon. T. D. McGee said:

> We were sending the minorities east and west adrift with a feeling of insecurity as to their future which this House could have removed by frankly dealing with the case. Since that cannot be done the best that could be would be to leave

them to work out their own case in each section.

Mr. M. C. Cameron, since Chief Justice Cameron, spoke in the strain of being satisfied.

So, we find as late as 1866, no guarantee for the Protestant minority, no sine quo non for confederation, the resolutions of 1865 adopted, the subsequent resolutions of 1866 embodied, and delegates appointed to go to England for the purpose of carrying out the Confederation Act. In England, Sir, notwithstanding the promise that had been made here in this Parliament, notwithstanding the promise that no change would be made in these resolutions without submitting them either to Parliament or to the people; in England, they met at the Westminster Palace Hotel in the month of December, and they recast a new scheme of confederation. It is perfectly true, that in that scheme of confederation as finally changed and adopted at the Westminster Palace conference, Sir A. T. Galt did move, and it was accepted, the clause which we have heard so much about here. Now, Sir A. T. Galt was in a sense the representative not merely of the Protestants, but of the British speaking people in the province of Quebec. They had been agitating unquestionably. Notwithstanding the generosity which we always hear so much about—the generosity of the majority who are never tired it seems of heaping favours upon the Protestant minority in this province of Quebec. That Protestant minority of Quebec mistrusted their masters, and they were agitating and insisting that some protection and some guarantee should be given them, prior to the Confederation Act going into effect. They had been promised an amendment to the school law, but that amendment to the school law had been defeated and withdrawn, and they were bound and compelled to assert and to protect themselves. And so, we find that the clause was introduced in England—I refer now to Mr. Pope's compilation of those matters—the question was introduced in England apparently at the instance of the Colonial Secretary, Lord Carnarvon. It is not to be found in or based upon anything that took place in the conference itself, yet, we get another limitation upon the legislative power of the province. Let me draw attention to that clause. It appears as clause 42, on page 107:

> All the powers, privileges and duties conferred and imposed upon Catholic separate schools and school trustees in Upper Canada, shall be extended to the Protestant and Catholic dissentient schools in Lower Canada.

Now, Sir, that was not by virtue of any agreement made at Quebec. It is not to be found in the resolutions that were passed by the Parliaments of United Canada. It is not to be found anywhere until you get to the conference that took place at the Westmister Palace Hotel, and you look in vain through the minutes and the resolutions at the meetings of that conference, to find why this clause was introduced. Its history, so far as I can gather is this: That the Protestant Protective Teachers Association petitioned Her Majesty the Queen, and the petition is to be found at the end of this book, as follows:—

> That notwithstanding the legislative union of Upper and Lower Canada there exists in each portion of the united provinces a distinct educational system.
>
> That under the educational law of Lower Canada, and in consequence of the denominational character of the schools of the Roman Catholic minority, Your Majesty's subjects, professing the Protestant faith, are subjected to serious disadvantages: first, in being deprived of the benefits of a general system of education similar to that enjoyed by their fellow subjects in Upper Canada; secondly, in their liability to be taxed for the support of the Roman Catholic schools; and thirdly, in the difficulties which they experience in establishing non-denominational or seprate schools and seminaries of higher education for themselves.
>
> That, though the injury thus inflicted on education, has been the subject of frequent complaints on the part of the Protestant population, and as your petitioners believe, has tended to discourage the settlement of Protestants in this province, and has caused many families to leave this country for others in which they might avoid such inconveniences, no remedy has hitherto been granted by the legislature.
>
> That, in prospect of the confederation of the province, under the constitution adopted at the Quebec conference, by which it was proposed that education should be under the control of the local legislatures, the Protestants of Lower Canada became alarmed lest they should continue to labour under these disadvantages, and to allay the feelings thus generally existing, solemn pledges were made by the members of the Government, that the grievances complained of should be redressed by parliamentary action before confederation.
>
> That, though a Bill for this purpose was introduced by the government in the last session of the legislature, it was almost immediately withdrawn; and unless provisions to this end can be introduced into the Imperial Act of Confederation, your memorialists fear that their educational rights will be left to the control of the majority in the local legislatures without any guarantee whatever.

So that, the Protestants were looking after themselves, and they were petitioning and did petition Her Majesty, and asked that the Imperial Government—faith having been broken with them, faith having been broken with them here in the withdrawal of the Bill of 1866—they petitioned the Imperial Government to see that provision was made to protect their rights in the Imperial Act of confederation. And so, we have this clause. And what is this clause? We have already the clause which prevents the local Parliament of Ontario from interfering with Catholic schools or separate schools. We have now a law declaring—and that will be found as a part of the code of education—declaring, that whatever rights the Catholics had at the time of the union, these rights should belong to the Protestants. And then, we have Sir A. T. Galt's provision, in order to protect the Protestant minority, in order to protect them so far as they could be protected, and because of the failure to pass the law in 1866, we had the clause of Sir A. T. Galt, which is found now as a part of the Confederation Act, and which was subsequently embodied in the Manitoba Act.

Now, Sir, I think we had better interpret this statute without these historical references. It is useless to talk about compacts. This is undoubtedly a Federal Parliament. This is a federal constitution. We are guided by the powers conferred upon us by the constitution, and our powers are limited and restricted by the same charter. There is no difficulty whatever in finding a meaning to the language of the constitution; and by the constitution I am as willing to stand and be bound as even the enthusiastic young gentleman who addressed us this afternoon. Although I am not a young Canadian, I am not going to say, as that young gentleman said, that I am prepared to die for the constitution. It is unnecessary. It is far better that we should live up to the Canadian constitution, than that we should attempt to sacrifice our precious lives when that is not called for by any exigencies that arise.

Now, assume it to be a fact that a bargain was made between Upper and Lower Canada, and that that bargain was, on behalf of Lower Canada, that it would not go into confederation unless the school law of 1863 in Upper Canada should remain a fixture; and that at the same time, on behalf of Upper Canada—although Upper Canada does not appear in the matter at all—or rather, on behalf of the Protestant minority of Quebec, it was said, that they would not be parties to the scheme of confederation. Remember, as far back as 1865, by a majority of 85 to 20 they had been committed to this scheme of confederation and all its terms, and they had prayed Her Majesty to pass an Imperial Act in pursuance of those terms. Remember all that; but let us assume for the sake of argument that Upper and Lower Canada made this bargain with regard to their own peculiar circumstances;—what has that to do with Manitoba? What has that to do with British Columbia? What has that to do with Nova Scotia and New Brunswick? Surely we shall be keeping faith with every person who spoke with reference to confederation if we keep the bargain between Upper and Lower Canada. There was no trouble in New Brunswick. There was no trouble in Nova Scotia. They were not seeking any limiting powers to be imposed on the local legislatures. They had rather scorned that than otherwise. They had full power with regard to education up to 1867; and in joining confederation they did not wish to tie the hands of the local legislatures. So that if we are keeping the bargain between Upper and Lower Canada, if we in Upper Canada are not seeking to destroy the separate schools there, and if the Lower Canadians are not trying to destroy the rights of the Protestant minority in Lower Canada, then are we not doing all that we bargained to do at the time of confederation? And why are we having this brought forward as an argument with regard to the province of Manitoba? What has it to do with the province of Manitoba? Manitoba was not a part of the Dominion at the time. We had not acquired the territory out of which the province of Manitoba was carved; and when the Minister of Finance spoke of two compacts, he forgot—although a member of the Council of this country should be supposed to understand the subject when he agreed to pass the remedial order—that the Privy Council distinctly stated, in answer to the question, that the British North America Act had nothing at all to do with the province of Manitoba. Does the hon. gentleman want to have that pointed out to him at this time of day? Does he want to know that one of the questions submitted to the Privy Council, was, has the British North America Act anything to do with this question of the Manitoba schools? and the answer, the emphatic answer, was, "No." What have we to do with that, or with the matters that led up to confederation? I am astonished, Sir. The case must be bad indeed when arguments such as this have to be used in order to bolster it up. Let us meet it, Sir. Let us examine the constitution as we find it; but let us not be led away by the statement that there was not only one compact, but two compacts.

Mr. FOSTER. So there were two.

Mr. McCARTHY. No. What record is there of two?

Mr. FOSTER. I do not like to interrupt the hon. gentleman when he is making an argument; and it is impossible for me to interrupt him in the trend of his argument without almost making a speech myself. I am quite willing to allow what I actually said to be placed before the House and the country side by side with what the hon. gentleman has said, and he will be the first to acknowledge that he has pushed the argument, for the purpose of refuting what I said, far beyond what I did myself. On this last point, for instance, I said that there were two compacts. Will the hon. gentleman deny it? I did not say that the first compact, as a matter of law or as a matter of words, had its bearing directly on the Manitoba question. The second or Manitoba compact has that. But my argument was this, legitimately pushed, fairly pushed, that the spirit of the first compact was followed out by the spirit of the second compact.

Mr. McCARTHY. I am delighted at the explanation of the hon. gentleman.

Mr. FOSTER. I am very glad to afford you pleasure.

Mr. McCARTHY. And I think it would require a good deal of ingenuity for any person who has listened to the hon. gentleman's speech—and I confess to have read it—to derive from it any such conclusion as the hon. gentleman states to have been his meaning. However, I accept his meaning. He now withdraws his statement, and says there were not two compacts.

Mr. FOSTER. I do not. My hon. friend has shown his utter incapacity by that very statement to argue fairly and rightly.

Mr. McCARTHY. The hon. gentleman has not withdrawn the statement that there were two compacts ?

Mr. FOSTER. No.

Mr. McCARTHY. I put it any way the hon. gentleman pleases.

Mr. FOSTER. I dare say——

Mr. McCARTHY. Now, surely I have allowed the hon. gentleman to make a speech, and he should not talk while I am talking. The hon. gentleman says there were two compacts.

Mr. FOSTER. Certainly.

Mr. McCARTHY. He said the first had nothing to do with the second except as infusing a spirit into the second. Is that right ?

Mr. FOSTER. Not quite. It is as near as you can get it.

Mr. McCARTHY. Well, we will try to keep as near to it as the hon. gentleman was. Now, Sir, as a matter of law, at all events, the hon. gentleman has admitted that the first compact had nothing to do with it. Then, if the first compact, as a matter of law—and we are living under a federal constitution—had nothing to do with it, why all that story ? Why all that tissue of misrepresentation, either designed or uttered in ignorance ?

Mr. FOSTER. If the hon. gentleman will allow me——

Some hon. **MEMBERS.** Order, order.

Mr. McCARTHY. I said either designed or uttered in ignorance.

Mr. FOSTER. You said a tissue of misrepresentations.

Mr. McCARTHY. So it is. It is a complete tissue of misrepresentations.

Mr. FOSTER. I object to that remark. The ignorant part I do not care about ; but to the other part I do object.

Mr. McCARTHY. Very well. Take your choice about it. I am not going to say it was not ignorance. I will accept the hon. gentleman's statement. But, Sir, if it was through ignorance, it is rather too much for us to be told that we must vote for a Remedial Bill based on statements which are founded in ignorance, and which really are a tissue of misrepresentations.

Mr. FOSTER. It is your own assertion that it was founded in ignorance.

Mr. McCARTHY. Well, I cannot please the hon. gentleman. Whether I blow hot or blow cold, it does not matter, he is not satisfied. So I will not attempt to satisfy him. I will go on with the discussion.

Mr. FOSTER. That is right.

Mr. McCARTHY. Well, now we come to the Manitoba compact. That was a compact also, it seems. What value does the hon. gentleman attach, what meaning does he attach to the word compact, may I ask ? Does it make the word mean more or less ? Are you to read the Manitoba Act differently from what these words express in plain and simple language ? They are not difficult of interpretation, because we are told it is a compact. What is a compact ? Sir, I have to congratulate the House on one thing in this debate—that no man, even the hon. Finance Minister (Mr. Foster) himself, has had the hardihood to get up and contend that there was a fourth bill of rights in this discussion. That was threshed out here last July, and the only thing that we gained by the discussion in the dog days was that that fourth bill of rights has not been heard of this session. Then, where was the compact ? That a certain portion of the people of the Red River were in rebellion, that we sent delegates to these rebels, that they sent, on our invitation, delegates down here, that we had a conference with these delegates, and that the result of that conference was the Manitoba Act, no person disputes. But what we always have disputed, what we have the right to dispute, and our contention is now practically admitted, is that there was no claim or demand on the part of the people of the Red River settlement for separate schools, and that if we found a clause recognizing separate schools in the constitution, it was not put there at the instance of the settlers or the people of the Red River, but was inserted here at the instigation of some influences with which we are not, perhaps, altogether unacquainted, as designing and fixing the legislation of this Parliament. Then, I would like to know why that should be called a compact. I give it all the meaning that is attached to it. I wish to give it full and absolute meaning, the broadest signification, the most liberal interpretation. I am willing to treat it upon the broad lines which the Minister of Finance laid down as proper to guide us in a question of this kind, and I am willing and anxious that the question should be discussed in that way. What does it say ? Let me summarize it, without troubling the House with reading these clauses which have been read so often, and I shall summarize it fairly. The province has unlimited power in the matter of education. The attempt to restrict that power by the first clause in the Manitoba constitution was found, upon investigation by the Judicial Committee, to be meaningless. The clause was found to be meaningless, and the consequence is that the Manitoba legislature has absolute power to deal with the subject of education, just as if there was no limitation there at all. Mark you. I will not pretend that is not subject to our review. I am speaking of it in the first instance. The legislature of Manitoba has the power to deal with education under the terms of the Manitoba Act:

> In and for the province, the said legislature may exclusively make laws in relation to education, subject and according to the following provisions.

The first provision was bound to be a meaningless provision. There were no facts and circumstances upon which it could act.

> Nothing in any such law, says the first provision, shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law or practice in the province at the union.

Neither by law, if there was any law, nor by practice. Has the Privy Council determined that there is any class of persons who had any right or privilege with respect to denominational schools at the time? The consequence is you cannot draw any conclusion from that clause, so far as the province of Manitoba is concerned. But the hon. Minister of Justice (Mr. Dickey) has told us that we are to interpret this law, not according to what it says, but as to what it was intended to say. Is there any principle upon which laws are interpreted that way? Can we bind the people of Manitoba by what the Minister of Justice says was intended by that law? Intended?—why it is perfectly plain. They desired to put the people of the Red River exactly in the same position as that in which the people of the other provinces have been placed, and therefore used the words "by practice"; and exactly as that clause has no application in Nova Scotia nor in New Brunswick, nor in Prince Edward Island, where, although they had law, there was no law by which denominational schools had any rights or privileges, so it has no application in Manitoba, where they had not such school, either by law or practice. So, in this Red River country the word "practice" did not add anything, because, on investigation of the facts of the case, there was found to be neither law nor practice by which denominational schools had any privilege or advantage. If this part of the Dominion was to be placed on an equal footing with the settled parts, it was only fair to introduce the words "by practice," as there could possibly be no law. And when we pass from that, then we find that this province was within its right, as the courts of law determined, when it abolished the separate school law by the statute of 1890. Absolutely within its rights.

Now, if it was within its rights, if the province of Manitoba was right in abolishing separate schools, and if here we have the right to sit in review of that, I ask in what spirit should we approach it? Are you to give credit for good faith on the part of the province? Are you to assume that the province has acted wantonly or that the province and the legislature of that province has desired to do the duty that it owed to its citizens, which was to see to their education? Why, when the state assumes the education of the child, when the state takes from the parent that which belongs to the parent, and sees to the education of his child, it does so for the public good. It does so because in a democracy such as ours, it is important that the citizens should be educated, it is important that they should grow up fit to fulfil and perform the duties of citizens. And the province has the responsibility of undertaking to see that the children of the people are educated, I would like to know what evidence there is here to show that the province did not properly discharge that duty when they passed the law of 1890. Are you going to say, simply because separate schools were established in 1871, with 12,000 people—the size of a township, with twenty-four representatives, it is true, and a senate, and a Lieutenant-Governor, and all the rest of it, a township, a handful of uneducated people—are you going to say that because that was done in 1871, the enlightened people of Manitoba had no right to review the situation in 1890? Are you going to say, without evidence, without accusation, without the pretense that in what they did in that respect they did not act with the full sense of responsibility, and with the desire to carry out in the very fullest manner the duties and responsibilities that were cast upon them—are you going to say that in so acting they were unwarranted and inflicted a grievance on any section of the people? Or how are we to look at it? The hon. gentleman (Sir Charles Hibbert Tupper), whom I see leaving the chamber, and others, told us that it was the law, that the Privy Council was behind them, and that the law-abiding people of Canada were going to obey the law, no matter how the law might fall. I suppose the hon. gentleman believes that; we are bound to accept his statement that he does. But, Sir, I do pity this country that had such a legal luminary as Minister of Justice, if that is his idea of the law.

Mr. FOSTER. Don't waste your pity.

Mr. McCARTHY. It is too late to waste my pity, the hon. Minister of Finance suggests——

Mr. FOSTER. I said, don't waste it.

Mr. McCARTHY. Therefore, I won't mind doing it. The law demanded this, we are told. That was a ridiculous statement when the hon. gentleman (Mr. Taylor) here from Gananoque made it; but, Sir, in him it was excusable. But to have a gentleman who calls himself a lawyer, who has actually been at the head of the law in this country, who has had the power of life and death and other very important powers—to have him come on the floor of Parliament and tell us that the Privy Council had determined that we were to pass this law, is ridiculous. Why, even the Minister of Finance could not tackle that. He is equal to most things, but he was not equal to that. Now, what did the law say? Listening to the hon. Minister of Finance, as I did the other evening, one could not but wonder what had been the cause of all the delay. Here was compact No. 1, compact No. 2—the matter was so clear that I wondered why, in the name of fortune, this unforunate minority had not had their rights restored to them four years ago. But it did not seem to the distinguished Minister of Justice of that day quite so simple a matter. Take the chronology of this case—let us recall it for a moment. It was hastily given to us this afternoon, but let me re-state some of the dates. Remember that it was in 1892 that the law was found to be a constitutional law. Remember that it was in the fall of that year that the minority petitioned for redress under the clause that we are now considering. And remember that a committee of the Privy Council was appointed, with Sir John Thompson at the head of it, and that that committee actually laid down the questions which were to be considered, and that it actually heard one day's argument on the question and then broke up, finding that the problem was too difficult for it to solve. What was it they wanted to know? They did not ask the Privy Council in England what to do, but they did ask the Supreme Court, whether, under the circumstances, and assuming the circumstances to be true which were stated in the petition—as was very properly pointed out by the hon. leader of the Opposition—there was a case that gave the minority the right to appeal and gave the Governor General in Council jurisdiction to pass the remedial order. And the Supreme Court of Canada was called upon to determine that simple question of law. The Supreme Court, as we know, said that no case had arisen. The same law which gave the Supreme Court jurisdiction gave the right of appeal from the Supreme Court to the Judicial Committee of the Privy Council. That appeal was made, not because it is Her Majesty's Judicial Committee, but because there is a right of appeal under the law from the judgment given by the Supreme Court in answer to the questions that our Government then submitted to that tribunal; and the judgment of the Judicial Committee is, in fact, the answers which the Supreme Court, in their opinion, ought to have given. And what are the answers? The answers are, in effect, that there is a jurisdiction under the circumstances that have arisen; that the British North America Act has nothing at all to do with it; that the whole question rests upon the Manitoba Constitutional Act; and that, under these circumstances, the Governor in Council has power to pass a remedial order.

Now, Sir, if I might, without wearying the House, I would like to call attention to the conduct of the Government at that time. And, while I do not go with the leader of the Opposition in requiring any further investigation, while from the investigation I have made I am perfectly satisfied that there is no possible case for interference. I ask the attention of the House and the country to the conduct shown and the course taken by the Government of Canada after this appeal was made. I care not whether you call it an appeal or whether you call it a complaint. What the laws said was that if separate schools are established in a province, or if separate schools exist in a province, when it is brought into the union, and if these separate schools are abolished or interfered with, although it is perfectly competent for the local legislature to do that, nevertheless, the minority may come to the central power and ask that the whole subject may be reconsidered. Well, Sir, the minority came as they had a right to do. The Government, after much difficulty, ascertained what the meaning of the clause was. It was found that the minority had a case which gave the Governor General power to hear them and to pass an order. What ought to have been the conduct of the Government with a province, one of its own provinces? There was not a war with Manitoba raging at that time. Manitoba was one of the provinces of this Dominion which had passed a law within its constitutional rights. Surely the proper course would have been, even as between friendly states, to communicate with the government of Manitoba; to say to that government: Here is a minority who have enjoyed what, to them, is a privilege, and what they claim as a right, from 1871 to 1890, and you have passed a law and swept that right away, and they have come to us and complained, and we ask why and wherefore this has been done. Not a word of it. They were treated as a hostile people. A summons, an order, was issued for them to appear—not, remember, in 1895, for the first time, but in the winter of 1893, without a word of warning, without the courtesy of a communication. They were treated as wrong-doers and were summoned here to the bar of the central power to answer for themselves, to defend their rights and justify their proceedings. I challenge any hon. gentleman on the Treasury benches—and they are all mixed up in this, more or less, we do not know how much or how little, but they are all responsible—I challenge them to point out in the history of the civilized world a case in which a friendly power—not a part of our own political system as the province is, but a friendly power—has been treated as Manitoba has been treated in this case. Was that the way to conciliate the province? Was that the way to ascertain whether a wrong had been done? Was that the way to do, if you wanted to get for the minority a restoration of what they call their rights? You summoned them, then you paused, you became alarmed, you took subterfuge in the courts, and you prayed God that the Supreme Court would say you had no jurisdiction, and you were bitterly disappointed when the Judicial Committee overturned the decision of the tribunal here, and cast upon you the jurisdiction. You wanted to hold yourselves forth as the defenders of the minority to the people of the province of Quebec, who are so much interested in this matter, and to avoid the responsibility to your friends in the province of Ontario, who are very much opposed to it; and you have wriggled and twisted from that day to this. And even now you are not done with it, for we are going through the solemn farce of meeting here for four months, a Bill being introduced in the middle of February, and brought to a second reading on 17th March, and we are told, that negotiations are then to be commenced, and the matter is to be hung up. The principle is to be established, you are to force your followers to eat dirt, if you can, and many of them will do it for a consideration.

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. The hon. member for North Simcoe will realize, that that is not a proper expression.

Mr. McCARTHY. I bow to the Speaker's ruling. He says that the followers of the Government will not eat dirt.

Mr. SPEAKER. I refer to the hon. member's statement, that the supporters of the Government would do certain things for a consideration. That, I think, is not parliamentary, and the hon. member ought to withdraw it.

Mr. McCARTHY. As to the latter part of the statement, it seems I am out of order, and I beg your pardon, Mr. Speaker, and at once withdraw the expression. The rumours, we see, are all fiction. We read the newspapers so frequently that we get imbued, perhaps, with the statements they make. I apologize for that statement. It is not true, Sir, I am quite certain, that there are a great number of members now hanging on to the skirts of the Government, demanding compensation for their vote, in the shape of office.

Some hon. MEMBERS. Order, order.

Mr. McCARTHY. It is not true: I say it is not true. I could give you the names; but it is not true, and I am bound not to do it.

An hon. MEMBER. What are you talking about, then?

Mr. McCARTHY. What am I talking about? I am taking it back.

Sir CHARLES TUPPER. I submit to you, Mr. Speaker, whether it is competent for an hon. gentleman to shelter himself by a subterfuge and a side wind, and at the same time to utter a gross libel upon the members of this House.

Mr. EDGAR. Mr. Speaker, I ask you to rule, whether the leader of the House is in order in the language he has just used.

Mr. SPEAKER. I am afraid the House is getting into a state of disorder. The member for Simcoe certainly did use an unparliamentary expression, in saying that hon. members of this House would be influenced to do certain things, to vote for a Bill, for a consideration: and I understood the hon. member to withdraw that statement.

Mr. McCARTHY. Perfectly correct.

Mr. SPEAKER. Since that time I have not understood him to make any unparliamentary statement.

Mr. EDGAR. I rise to a point of order, and I ask you, Mr. Speaker, whether you consider that the leader of the House was in order, when he characterized the language of the member for Simcoe as a subterfuge and a libel?

Sir CHARLES TUPPER. The statement I made was this, that the hon. gentleman had uttered a gross libel upon members of this House, and he has been obliged to withdraw that. What I objected to was, that by any subterfuge he should endeavour to repeat it, and to fix it upon members of the House.

Mr. SPEAKER. The hon. member is not in order in using the word "subterfuge."

Mr. FOSTER. I want to call your attention to this point of order, to a statement made——

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. If the hon. member proposes to raise another point of order, he is quite in order in doing so. But the hon. member must either accept the ruling of the Chair on the point already raised, or appeal to the House.

Mr. FOSTER. The point of order I wish to raise is this: The hon. gentleman went on to state, that it is not true that there are members in this House who will vote for a compensation.

Mr. MULOCK. The hon. gentleman himself is out of order.

Mr. FOSTER. I think I have a right to state the point of order I am making. The member for Simcoe went on to state further: "It is not true that there are several gentlemen who are willing to do that. I could give the names of those gentlemen, but it is not true." Now, that phrase, "I could give the names of those gentlemen," taken in connection with the hon. gentleman's previous statement, it seems to me, constitutes a direct imputation, and he cannot cover that up by saying just afterwards, "It is not true." That is the point I take.

Mr. SPEAKER. I did not quite understand the member for Simcoe to be casting a further imputation on the members of the House. What I did understand him to say was, that, although the newspapers had made these statements with regard to members of Parliament, he did not believe them to be true.

Mr. FOSTER. Then, if you will allow me, he said——

Some hon. MEMBERS. Order, order. Chair.

Mr. FOSTER. I am discussing the question. I do not question the Speaker's ruling.

Mr. SPEAKER. The hon. Finance Minister is entirely in order.

Mr. FOSTER. I did not understand the Speaker to have ruled decisively upon the point of order I raised, and I appeal now to my hon. friend who used the words, whether I am correct in my understanding of what he said, and whether he did not say: "I could give the names of those hon. gentlemen, but it is not true, and, therefore, I am not going on to give the names." That is the point of order to which I rose, and I think my hon. friend will admit that he did put in that parenthesis in that way.

Mr. SPEAKER. If the hon. member for Simcoe meant to continue the imputation that he first uttered, by his subsequent remarks, these latter are out of order.

Mr. McCARTHY. Honours being easy, I do not think we will pursue this matter any further. I do not wonder that the leader of the House has got libel on the brain at the present moment.

Mr. EDGAR. The point of order I raised, I understood, was ruled by you to a large extent in my favour. But we have not heard any expression of regret from the Secretary of State.

Some hon. MEMBERS. Chair, chair.

Mr. LAURIER. Is the House to understand, that the leader of the House does not submit to the ruling of the Chair, that he is out of order in using the words "subterfuge and libel?"

Sir CHARLES TUPPER. I am satisfied I was strictly in order in calling attention to the fact, which your subsequent ruling has established, that the hon. member, by putting his language in that hypothetical way, was continuing to impute the charge he made at first, and which charge, I repeat, is the grossest libel that an hon. gentleman in this House can utter. I say, Mr. Speaker, I am perfectly in order, and I am in the judgment of the Chair, and of the House, when I say, that the language of the hon. gentleman is the grossest libel that one member of this House can utter against another, that is, to charge him with being influenced in his vote by the promise of office. Taking it on that ground, your subsequent ruling, Mr. Speaker, entirely justified me in calling attention to it.

Some hon. MEMBERS. Chair, chair.

Mr. SPEAKER. I think perhaps the leader of the House did not quite apprehend what my ruling was with respect to the statement which he made. What I ruled was, that the word subterfuge as applied to an expression used by an hon. member of this House is not, in my opinion, in order, and it is a word which the leader of the House should withdraw.

Sir CHARLES TUPPER. I have no objection to substitute the word device for subterfuge.

Mr. LAURIER. I ask your ruling again, Mr. Speaker. I ask whether that is such language as the leader of the House, who should set an example in debate, should use.

Mr. SPEAKER. I am sure the House will agree with me that the incident which has just taken place is one that had better have been entirely omitted. While, of course, I have no power to do anything further than express my own opinion in regard to matters that occur, and rule according to the best of my judgment, I am sure the House will credit me with having ruled according to the best of my judgment in giving expression to the opinion that the word subterfuge was not a parliamentary term, and that it is one which the leader of the House, I am quite sure, will withdraw.

Some hon. MEMBERS. Take it back.

Sir CHARLES TUPPER. I have withdrawn it.

Some hon. MEMBERS. Take it back.

Mr. FOSTER. He has already withdrawn it.

Mr. McCARTHY. Mr. Speaker, I suppose it is not unnatural that the leader of the House should claim exemption from the rule that governs the rest of us. It is in the nature of a resurrection, we must remember. Under the circumstances, I, for my part, am not going to enforce or insist on the hon. gentleman doing what perhaps a humbler member, guided by the ordinary principles which regulate man and man, whether as members of the House or of any other assembly, would feel impelled to do without the dictation of the Chair.

Mr. LANDERKIN. We will not take any further proceedings against him.

Mr. McCARTHY. I will proceed with my argument, and I trust, at all events, not to offend again the proprieties of the House. I was dealing, Sir, at the moment with the consideration that we ought to attach to the Manitoba constitution. It will be perhaps in the memory of the House that the Minister of Finance, with whose address I am mainly dealing, in no way or other gave the House to understand that although there had been no bill of rights, which he declined, in point of fact, to argue in support of, nevertheless from the terms of the Queen's proclamation, from the language conveyed in the construction given to the hon. member for Montreal West (Sir Donald Smith), who was a commissioner at that time, the people of Manitoba, to whom these delegations were sent, and as to whom this proclamation was issued, had a right to assume, and could naturally assume, that they would be dealt with in this Parliament on the most favourable terms. For my part, Sir, I do not think it is necessary to labour that argument, for while I have here the blue-book containing the proclamation of Her Majesty and letter of instructions to the hon. member for Montreal West, as well as to his co-delegates, I think it will be perfectly clear that there was nothing more said either in the proclamation or in the instructions to the delegates than that the civil and religious liberties of the people of Red River would be respected and that they would have the rights of British subjects. The quotations that were given by the Minister of Finance do not put the matter any further than that, and it is unnecessary for me to criticise or to point out that the argument which was founded on that statement was certainly not warranted by anything contained in the text. Then, if that be not so, we are driven back to the document itself.

I yield to no man in the House in the broad and liberal interpretation which I am prepared to give to this remedial clause. I worship the constitution, if it is not idolatry, almost to the extent that it is worshipped by hon. gentlemen on the Treasury benches. But I want to know whether the constitution is only in force in Ottawa; I want to know whether no respect is to be paid to the constitution at Winnipeg. By the very same terms of the constitution, by the very code we have with respect to education, the duty and responsibility are first cast upon the provinces, and it is only when complaint is made here and when certain events happen, all of which have happened, that we are called upon in any sense to interfere. Ought we not first to assume—I am speaking to reasonable men, I am speaking as a reasonable man—that the legislative body charged with this duty at Winnipeg discharged that duty according to their sense of right and wrong. Are we to assume without evidence, without a charge, that this legislative body, consisting of forty of the chosen representatives of the people, passed this law in 1890 wantonly, without cause, without consideration, without justification ? They have since, we know, adopted that law, and ratified that law, at two elections. I am perhaps more familiar with the practice of courts than I am with dealing with a question of this kind in an assembly of this nature ; but a rule of the courts, which I venture to say is a proper rule for our guidance, is this, that where a question is a proper question to be submitted to a jury, and a jury has determined that question, without the imputation of improper motives being passed, no matter whether you accept the verdict or not, no matter whether it is a correct verdict or not, the highest court of the land would sustain the finding of the tribunal to which the law of the land has committed the responsibility. Surely the solemn verdict of the legislature of Manitoba is as much entitled to respect as is the verdict, or conclusion of a petty jury of twelve men. But, Sir, what are the accusations that are made ? I have gone through the petitions that were presented to His Excellency the Governor General in Council. These petitions emanated from the province, and from a body there called the National Congress, and in the petitions the allegation that is made is this :

> The Roman Catholics regard such schools (namely the schools that had been established in 1890) as unfit for the purpose of education, and the children of Roman Catholic parents cannot and will not attend to any such schools. Rather than countenance such schools, Roman Catholics will revert to the voluntary system in operation previous to the Manitoba Act, and will at their own private expense, establish, support and maintain schools in accordance with their principles and their faith, although by doing so, they will have in addition thereto, to contribute to the expense of the so-called public schools.

They also allege :

> That the Public School Act requires all members of the community, whether Roman Catholic or Protestant, to contribute by taxation to the support of what are called public schools, but are in reality a continuation of the Protestant schools.

In addition to these causes, which are all the complaints that are made by the petitions, the Conservative League, which appears to be an organization in Montreal, dating their petition from Montreal on the 3rd of November, 1892, stated that there was a treaty in 1870 between the Government of Canada and the people of Manitoba, in which it was agreed that their separate schools should be preserved to them. It also refers to the Treaty of Paris of 1763, and it impugns the judgment of the Privy Council. Now, the whole complaint made by the petitioners, if we take the last document first, is that there was a treaty in 1870, founded, no doubt, upon the exploded fourth bill of rights, and that there was a Treaty of Paris, which no person here has ventured to refer to as having anything in the least to do with the subject. And, we come back, then, Sir, to the charges that were made in the petition emanating from the province itself, and these charges are: That these schools were Protestant schools, and the statement is made that these schools are unfit for Roman Catholics to attend. Now, Sir, with regard to these schools being Protestant schools, I can only say as has been said more than once in this discussion, that that charge has been completely disposed of, and that that charge is answered and decided by the first decision of the Privy Council. The Act of 1890 itself says that they are to be non-sectarian. If the schools are non-sectarian, according to the Act, then they are not Protestant, and the Judicial Committee of the Privy Council considered that very question, and if I may trouble the House with an extract from their judgment upon that point, I think it must dispose of it so far, at all events, as it is possible for a court of law to dispose of the question. I read, Sir, with your permission, an extract from that judgment:

> Notwithstanding the Public Schools Act, 1890, Roman Catholics and members of every other religious body in Manitoba are free to establish schools throughout the province; they are free to maintain their schools by school fees or voluntary subscriptions; they are free to conduct their schools according to their own religious tenets without molestation or interference. No child is compelled to attend a public school. No special advantage other than the advantage of a free education in schools conducted under public management is held out to those who do attend. But then, it is said that it is impossible for Roman Catholics, or for members of the Church of England (if their views are correctly represented by the Bishop of Rupert's Land, who has given evidence in Logan's case), to send their children to public schools where the education is not superintended and directed by the authorities of the church, and that, therefore, Roman Catholics and members of the Church of England who are taxed for public schools, and at the same time feel themselves compelled to support their own schools, are in a less favourable position than those who can take advantage of the free education provided by the Act of 1890. That may be so. But what right or privilege is violated or prejudicially affected by the law? It is not the law that is in fault; it is owing to religious convictions, which everybody must respect, and to the teachings of their church, that Roman Catholics and the members of the Church of England find themselves unable to partake of advantages which the law offers to all alike. Their lordships are sensible of the weight which must attach to the unanimous decision of the Supreme Court. They have anxiously considered the able and elaborate judgments by which that decision has been supported. But, they are unable to agree with the opinion which the learned judges of the Supreme Court have expressed as to the rights and privileges of Roman Catholics in Manitoba at the time of the union. They doubt whether it is permissible to refer to the course of legislation between 1871 and 1890, as a means of throwing light on the previous practice or on the construction of the saving clause in the Manitoba Act. They cannot assent to the view, which seems to be indicated by one of the members of the Supreme Court, that public schools under the Act of 1890 are in reality Protestant schools. The legislature has declared in so many words that the public schools shall be entirely unsectarian, and that principle is carried out throughout the Act.

If then, Sir, the schools are not Protestant, and if the schools are non-sectarian, we come back to the one remaining charge, and that is, that these schools are unfit—to use the language of the petition—for Catholics to attend. Now, I apprehend, Sir, that the gentleman who penned that probably wrote it in French, and that the words I have quoted are a translation. I do not think that if he had penned it in English that we would find the charge made, that these schools are unfit for children to attend. But what is the fact, Sir? The fact is, that these schools are the ordinary public schools, common to all the rest of the Dominion. I do not mean to say that they are exactly the same, but I do mean to say that there is no substantial difference between the public schools of this province of Ontario and those of Manitoba. And, so far as I know, there is no substantial difference between the public schools of the other provinces and the schools of the province of Manitoba. Nay, Sir, I will go further. If I am properly informed, the schools of the minority of the province of Quebec are of the same character; schools that are, and can be attended by Roman Catholis, even there. And, Sir, what is the fact in our own province? The fact in our own province, proved by statistics, is, that notwithstanding the right to separate schools, notwithstanding the power to have them, more than half—some say nearly two-thirds—certainly more than half of the children of the Roman Catholic inhabitants of Ontario are actually attending the public schools of that province.

Mr. CAMERON (Inverness). They will if they are fairly treated.

Mr. McCARTHY. They always will if they are fairly treated, says my hon. friend, and I hope they always will be fairly treated, and I certainly should be very sorry to see any attempt to proselytize or interfere with any child, Roman Catholic or otherwise, in any of our public schools. But, Sir, if they are fit for the Roman Catholics of Ontario to attend, and fit for the Roman Catholics of the province of Quebec to attend—I am speaking of the British-speaking children—and fit for the Roman Catholic children of the province from which the hon. gentleman who interrupted me comes from, I would like to know how it can be said they are unfit to use in the province of Manitoba.

Mr. CAMERON (Inverness). It depends on the books they are to use.

Mr. McCARTHY. The books are the same as they are in our province—substantially the same.

Mr. CAMERON (Inverness). No, not the same at all—far different altogether from what they are in Nova Scotia.

Mr. McCARTHY. I am not speaking about Nova Scotia ; I am speaking about Manitoba. They are substantially the same. And in the argument which took place before the Committee of the Privy Council here, with the curriculum and the course of studies spread out, the only objection which Mr. Ewart, on behalf of the minority, made to the books used was a history called "Buckley's History," and it turned out, on investigation, that "Buckley's History" was being used in the convent schools in the city of Winnipeg. So that the petition here does not give any ground for interference. I ask this Parliament—if they will look at this matter as business men, apart from political influences, and as the council of this country ought to have looked at it when this petition was presented, and an inquiry was made—what conclusion could His Excellency the Governor General arrive at other than that the grounds set forth in the petitions did not entitle the petitioners to any relief ? Why, Sir—let me give it as a typical instance—in the North-west Territories, where separate schools are established by law, there is but one course of studies for separate schools and for Protestant schools—one curriculum and one set of books. The only distinction is that in some sections there are Catholic school trustees and a Catholic teacher. But the course of studies is the same in both ; and when the Roman Catholic bishops appealed here against that state of things, and asked that that law should be vetoed, what did the Government do ? Why, they refused to interfere. The Government that now insists that Manitoba, an independent province, must restore the separate school system as it existed in 1890—that same Government, when appealed to against the ordinance of the North-west assembly, when appealed to against the ordinance of the North-west assembly, which established practically but one set of schools, although allowing separate schools, so far as the election of officers and the appointment of teachers were concerned, permitted that law to go into effect—depriving the bishops of the control and of the right to say what books should be used, other than those who were on the Council of Public Instruction. That law was allowed to remain on the statute-book as not inflicting any injustice on the Catholics of the North-west. Then, why ought we to interfere with Manitoba, if we take the grounds put forward ? The order has been made. The Bill is before us. I ask every man in this House, can he conscientiously say that he ought to interfere with a free legislature which has thought fit to abolish separate schools, even on the showing of the petitioners themselves ?

Mr. AMYOT. Rank tyranny.

Mr. McCARTHY. I ask whether, upon the showing of the petitions themselves, any fair and reasonable man would interfere. Remember, we are not legislating. Remember, it is not our jurisdiction. Remember, we are here to supervise. Remember, we are here to undo what we think has been improperly done. That is our course, that is our power, and that alone. Under these circumstances, I want to know whether it would be proper and right to interfere ?

But, Sir, I will not stop there. I do not want to treat this thing technically. I will come to Mr. Ewart's argument. Mr. Ewart was not tied down by the petition. He came before the Council, representing the minority, and he spread his grievances before them. And what were the grievances ? He divided his argument into six heads. Three of those, you will remember, were founded on affidavits, and he withdrew them. We may therefore dismiss them, as he thought proper to dismiss them. He cannot surely ask the Governor General to pass a remedial order upon certain grounds which he withdrew, and afterwards ask Parliament to implement the order of the Governor General, based upon those grounds. And what was left ? There was left, Sir, the argument based on the fourth bill of rights, about which we hear no more, and the argument in favour of separate schools, without anything to support it beyond the statement that separate schools are preferable to public schools.

Mr. DAVIES (P.E.I.) The affidavit about the bill of rights was withdrawn, also.

Mr. McCARTHY. It was, but still it was treated as historical, and I was quite willing that it should be so treated. But we have never yet had the truth with regard to that so-called bill of rights. It was said to be in the office of the Minister of Justice, and I asked for it at the time. I asked if the statement with regard to Lepine was true, to have the whole statement brought down. On two occasions returns brought down to this House were based on that document as if it was genuine, while we all know that it was a spurious document. So we have all the charges made by Mr. Ewart withdrawn, and only the statement remaining with regard to separate schools being preferable to public schools.

But there is another side to this question. Did the legislature of Manitoba wantonly do away with this system of schools ? Did they do so simply out of bigotry ? Nay, Sir, am I the author of all this discord that has arisen ? Did those few words which I uttered in Portage la Prairie in the summer of 1889 really stir up the government and the people of that province so much as to induce them to abolish the separate schools and establsh the public school system ? It is a pity to destroy my own credit, but I cannot help doing so, having regard to the facts. The truth is that at that time, before I reached Manitoba at all, the government had announced their determination to do away with the dual system. On the very day that I reached Winnipeg I saw in the morning paper the statement that at a place called Clearwater, one of the Ministers of the Greenway government had announced as the policy of that government that the dual system of schools was to be abolished. I read that statement—I misread it I dare say—understanding that the separate school system was to be done away. In that I appear to have been mistaken. It was yet a matter for consideration whether, in abolishing the dual system, which entailed double expense on the province, they would also abolish the separate schools. Ultimately, it was determined that the separate schools should go with the dual system, and they went accordingly.

Now, it has been said with a good deal of force, why were those separate schools not reformed ? Their inefficiency has been challenged. Has any man disputed it ? They were not fulfilling the purpose for which they were designed. The children in the settlements where separate schools existed were growing up in ignoranc—ignorance which, to use Mr. Sifton's words, was a disgrace to any civilized community. Did not that call for an inquiry ?

Mr. LaRIVIERE. Has the hon. gentleman any evidence of that ?

Mr. McCARTHY. Yes. Was the legislature which was spending the money of the people in the attempt to educate their children not bound to inquire and investigate, when that money was not being properly used—at any rate, was not achieving the design for which it was intended ? The hon. gentleman asks me if I have any evidence. I ask him to appeal to his friends. What is the Bill they have given you ? Why, the Bill, on the face of it, admits the inefficiency of the schools. It says that you are not fit to be trusted with the management of the schools, with the examination of the teachers, or with the choice of the books.

Mr. LaRIVIERE. Do you call that evidence ?

Mr. McCARTHY. If that is not sufficient for the hon. gentleman, then I would like to know what further evidence he wants ? Why did the Government, why did your own friends, after ordering the province to restore the system as it was, deprive you of this control ?

An hon. MEMBER. Not as it was.

Mr. McCARTHY. Yes, the remedial order if I understand the English language, said as it was—as it was A, B and C, and in every respect. Then, have not the hon. gentlemen on the Treasury benches been going from stump to stump telling us how they were going to make the schools efficient. They never denied that the schools, as they existed, were inefficient. On the contrary, everybody knows they were inefficient. The public money voted for the schools was improperly expended, and in saying this I speak from evidence which ought to be accepted by this House. Remember how the money was used. A certain sum was granted by the province, and that sum was divided, according to school population. Acensus was taken by the trustees themselves, and the money was handed over, one portion to the Protestant and the other portion to the Catholic section of management ; and the Attorney General of Manitoba has not hesitated publicly to say that that money, so obtained, from the province was obtained dishonestly and unfairly, and that there was no ground and no pretense for the sums which the Roman Catholics exacted from the public treasury. Now, that is Mr. Sifton's own statement, which I will trouble the House by reading.

Mr. DUPONT. The statement of Mr. Sifton is not proof.

Mr. McCARTHY. The hon. gentleman says it is not proof. Well, the public must judge between the Attorney General of the province and the hon. gentleman. All I can say is that I have the statement which was deliberately made, and in which that charge is deliberately stated. Here are the words of Mr. Sifton :

> It was found that the school population which had been returned by the Catholic section of the Board of Education was palpably inaccurate.
>
> Again there were grave abuses in connection with the distribution of money. We have never been able to ascertain how the Catholic section worked the matter out. But I will give you one result of the distribution of the public money. They so managed that while the Protestant school districts received $197 each, the Catholic districts got $347 each ; that while for each Protestant teacher there was paid $121.76, for each Roman Catholic teacher there was paid $195.05.

That does not stand quite on Mr. Sifton's statement alone. Let me give you the statistics :

> The Roman Catholic population between 1885 and 1891 was 13½ per cent; the school population in 1889 was 23,214.

Of course, it is not definite or positive, but relatively. The school population of the Catholics, according to that proportion, 13½ per cent, should have been 3,017, whereas they actually drew on a population of 4,364 or 19 per cent.

Mr. GILLIES. How could that be ?

Mr. McCARTHY. Because they made the census themselves.

Mr. GILLIES. That is improbable.

Mr. HAZEN. Was it the provincial census ?

Mr. McCARTHY. The school law required them to make a census every year, and the distribution was based on that census.

Mr. LaRIVIERE. Is the hon. gentleman aware that these census returns were duly sworn ?

Mr. McCARTHY. I suppose so ; but if so, that does not make the matter much better.

Mr. MILLS (Bothwell). The hon. gentleman's observations are an attack on the board of management.

Mr. McCARTHY. Yes ; before we overturn, before we overrule, before we undo what was done by the Manitoba legislature, I want, if I can, to possess the House of the facts which were before the legislature, and upon which that body arrived upon the conclusion that it ought to abolish the separate schools of 1870 or 1871. It was not only that, but, as I have said before, illiteracy prevailed. Now, I give Mr. Sifton's evidence on that point, also :

> The separate schools, as conducted prior to 1890, were simply indefensible from an educational standpoint. The public money was in fact used to support the church. The schools were conducted in a manner that would be a disgrace to any civilized country. It was found that in the districts where the separate schools were in existence, they were conducted in a manner that would be a disgrace to any civilized country. * * * * * It was found throughout the districts where the separate schools were in existence that the priests and the members of the Roman Catholic clergy of one kind and another connected with the various orders which they have in that church * * that these gentlemen were teachers of the schools in a large majority of cases and yet they were actually the parish priests. That while they were conducting the teaching of the Roman Catholic Church they were at the same time the teachers of the Roman Catholic schools. It was found to be a common thing that while these gentlemen were drawing money as Catholic school teachers that in their districts school would be kept open for a week or two weeks or three weeks or that the school would be open for only two days in the week. It was found that actually the system of education which was followed in separate schools was no system at all.

What was the result ? It was what we might naturally expect, absolute illiteracy, public money wasted, large sums of public money taken from the people themselves by a direct tax, large sums taken from the Government grant, and all with this unfortunate result. These instances are given :

> Petition re change in Boundaries of Elm River municipality. Twenty-eight names on petition (4 English, 24 French or half-breeds.) English all sign their names. Eighteen French or half-breeds sign by mark.
>
> Petition for bridge over Turtle River. Fifty-four names on petition (French and half-breeds). Twenty-four out of 27 half-breeds sign by mark.
>
> Add to these the well authenticated case of a petition presented to the legislature by the reeve and councillors of a municipality, one of whom signed his name, while five signed by mark.
>
> Petition from municipality of Montcalm re destruction of diseased animals. Seven names on petition (all French). Three sign by mark.
>
> Petition of residents in St. Vital re placing certain river lots in municipality of Cartier. Twenty-two names on petition (all French or half-breeds). Ten sign by mark.
>
> Petition asking that Grande Point Settlement be declared part of the municipality of Taché. Twelve names on petition (all French or half-breeds). Five sign by mark.

Mr. AMYOT. Has the hon. gentleman the age of those who made their mark ?

Mr. McCARTHY. The hon. gentleman asks me if I have their age. The province, I think, was about nineteen years old when this system had been established, and we had been told—or else I have misread history altogether—that prior to that there had been efficient Catholic schools kept up by voluntary system. We have been told this gave the right to this separate school system after confederation, so that I do not know it would help us very much to know the age of these men who made their mark. Now, these were some of the results. Well, they inquired also into the system of education. Remember, it was all in the hands of this school board. And the head of the school board was the Archbishop, and the different priests were members—it was wholly in clerical hands. All teachers were ecclesiastics or members of some order connected with the church. And the result of the teaching at these schools may be given in a few words. In the 2nd, 3rd and 4th divisions, the history taught was confined to Old and New Testament. In the 5th division—there were seven divisions in all—the history of Canada under the French regime. In the 6th and 7th, British and British-Canadian. And I may just give you the following, as an example of British history :—

> As to English history, instruction in that branch, seems to have been regarded as a farce. A perusal of the examination papers set for first-class certificates will show that the questions set in history were exactly the same in 1880, 1881 and 1882. Those of 1884 were the same as those of 1883. The only question asked

> in English history as distinct from Canadian history, for first-class certificates in 1880, 1881 and 1882 was : " Relate the conquest of England by William of Normandy." The only question relating to English history in 1883 and 1884 was : " Describe the establishment of Christianity in England." The questions in 1885 sufficiently indicate the bent of the examiners :
>
> " Who was St. Thomas Becket ? What difficulty had he with Henry II. ? How did he die ? What was the fate of Mary Stuart ?"
>
> In 1887 the candidates are again asked to explain the conquest of England by the Normans. They are also to describe the causes of the schism in England and to give their views on " the reign of Elizabeth and the role of Cromwell."

Then, decorum formed another subject. And the points in decorum were how to address a letter to a prelate or a priest, how to conclude such letters, how to behave in a holy place, what titles to employ in conversation:

> Reading constituted a fifth division, and it is only necessary to open the prescribed text books, to find such extracts as the following, about Saint Helen :—
>
> Our Lord then showed His love for her, by letting her find the true Cross on which He had shed His blood. The sick were cured when they touched the cross.
>
> Saint Helen had a large church built, and in it she placed the cross. (Sadlier's Dominion Catholic First Reader, Part II., p. 58) ; or this from Wilfrid's journey with the Angel :

I do not know whether any reference is made here to the hon. leader of the Opposition.

> Other lands were dotted with ancient Christian churches, but without proper altars ; and with no Blessed Sacrament, no Mass, no pictures of the Mother of Jesus ; and Wilfrid thought, but he was not sure, that the angel was more sorrowful over these lands, than over those without churches. (Sadlier's Dom. Third Reader.)

Now, an example from the grammar. In one instance, they were called upon to correct a sentence describing the colour of silk stockings, worn by cardinals. The subjects in composition included a letter to his parent from a child who is preparing for his first communion ; and the following interesting subject :—

> The priesthood show the grandeur of the priest and the benefits which he confers.

Now, there are subjects, and we have the results.

Mr. BERGERON. Before the hon. gentleman leaves that subject, will he allow me to ask him one question ?

Mr. McCARTHY. Certainly.

Mr. BERGERON. Taking all this for granted, could not the provincial government have remedied it without abolishing entirely the separate school system ?

Mr. McCARTHY. I am very glad the hon. gentleman has asked me that question. I intended to come to it before I sat down, and, if the hon. gentleman will allow me, I will finish this branch of the subject before dealing with it. There was another matter that engaged their attention, and that was, that these schools were absolutely French schools. Now, whether the province was right, or whether it was wrong, the task the province set itself was to have a homogeneous people. They had Icelanders, they had Mennonites. And I would refer you, as I do not think I should be justified in taking up your time by reading it, to Dr. Bryce's statement with regard to that. Dr. Bryce was a member of the Council of Public Instruction. He has made an affidavit in the Barrett case. He found, that, while the system of separate schools existed, they could not prevail upon the Mennonites to come in and submit themselves to any school system. They found that the same was true of the Icelanders. The desire of the province was not to have Icelanders speaking Icelandic, to have Mennonites speaking their own language, but to make them all British subjects, speaking the English tongue. They desired the French Canadian half-breeds and the French from the province of Quebec to grow up in the same way. And, instead of their being so, the schools, so far as the French Canadians were concerned, were actually conducted as if the district of Provencher were in the province of Quebec :

> The teachers were in the main, not only Roman Catholic but French. The inspectors, as their names indicate, were nearly all French. French was the language of the schools. English was practically a langue étrangère—a foreign tongue. Under the regulations of August 10, 1879, it was provided that the language spoken by the majority of the ratepayers of a school district should be that taught in the school, and that teachers should have a right to an increase of salary when required to teach une autre langue. No teacher in a French school could be required to teach English, and no teacher in an English school could be required to teach French unless the children were furnished with the books prescribed by the Roman Catholic section, nor unless they were able to read in the language of the district when that language is their mother tongue. In any case the trustees were required to communicate with the council before introducing into a school une langue étrangère to the majority of the ratepayers of the district. (Minute Book No. 1, p. p. 78 and 80.)

Now, that does not rest merely upon the statement made in this document from which I am quoting. In the last report, the report of 1894, which was brought down to the Manitoba legislature about a year ago, there is this statement about the Icelandic schools. It is Mr. McCalman's report :

> The teachers conduct all classes in English and address them in Icelandic only on the rare occasions that a question as put in English is not clearly understood. In this respect the Icelandic schools present a marked contrast to any French schools I visited. In the latter English was used only during the English lesson from the English reader, a lesson occupying not more than an average of 15 minutes, the questions even on this lesson being asked and answered in

French. In the light of the above it is almost superfluous to add that the Icelandic children in but three or four years have attained a proficiency in the English language that the French have not in a very much longer period.

Mr. Ewart's report about the Mennonite schools is to the same effect:

> Progress has been made particularly in English, arithmetic and geography. German being the vernacular of the Mennonites is in nearly all schools the medium of instruction, yet where the teacher has sufficient command of English the most important branches on the programme are taught in English.

Now I come to the question asked me by the hon. member for Beauharnois (Mr. Bergeron).

Mr. LaRIVIERE. Before the hon. gentleman answers that, may I ask him a question? He has given the authority for the last two reports. Will he give the authority for the former charges?

Mr. McCARTHY. The statement upon which these are based, is Mr. Wade's pamphlet.

Mr. LaRIVIERE. Which the government paid him to write.

Mr. McCARTHY. As to the others, they will be found in the official reports presented in the year 1895. Now, Sir, the very natural question was asked: Why did not the government seek to reform, instead of abolishing these schools? That question presented itself to the Manitoba government, and the Manitoba legislature. What is the answer? Mr. Sifton says:

> When we came to the point that we should abolish the double management of the schools the question came up as to whether we should have separate schools or not; and it is often stated that if we had stated to the Catholic Church that we wanted to regulate these schools and see that they were efficient the Roman Catholic Church would have concurred in the proposal. There is no truth whatever in any suggestion of the kind. From the first moment of the declaration that we were going to do away with the abuses of the system we met with the most uncompromising opposition from the Catholic Church. It was declared that they would fight the new system to the bitter end, and they are fighting it to the bitter end.

Now, I think we may look for support to that statement of Mr. Sifton in a petition against the North-west schools, to which I referred a little while ago. From every Catholic bishop in Canada there is a protest couched in the most violent language against the reform of the schools in the North-west. Now, a member of the Government tells us that when the question was under consideration as to whether they should abolish the schools or simply abolish the dual system, they found they were antagonized by the Roman Catholic hierarchy to the same extent to the one proposed scheme as to the other. And now, having come to the end of my statement. I appeal to this House to know upon what ground we are called upon to interefere. We have now the power to interfere, we have no duty to interfere. We have got legislative authority to interfere. We are in the position exactly of the higher and central body, who, under the circumstances that have happened in this case, have authority to review and reconsider, and if we choose, to abolish and annul what has been done in the province. But before we do that, we have investigated the charges they have made. I have shown that the charge they made, and the arguments they submitted by their counsel to the committee are absolutely unfounded; and I have given to you what has not appeared before, what it was not necessary to put forward in self-defence and on behalf of the province; I have given to you the grounds which moved the legislature to act in the way they did on that occasion. Under these circumstances, there cannot be any ground for interference except one; that ground the hon. gentleman who addressed us this afternoon (Sir Charles Hibbert Tupper) said he adopted, and that is that there ought to be separate schools. It won't do, therefore, for the Minister of Finance to tell us that this is a side issue. It is the only question. You are asking us to pass a Bill by which separate schools shall be restored; you are asking us, in so far as that goes, to repeal the School Act of 1890, and you are asking us to do that on no ground whatever unless it is good ground to say that separate schools should be established in Manitoba instead of the public school system. And the gentlemen who come from the provinces all about—in no province is there separate schools except Ontario, and only in Ontario because we are not able to do away with them—the gentlemen from these other provinces who won't have separate schools in their own province, are now going on insist that Manitoba should have separate schools. That is the simple, plain fact. Separate schools they won't have for themselves.

Mr. PRIOR. We virtually have them.

Mr. McCARTHY. You virtually have them. If so, let the people of Manitoba virtually have them by practice. Why should we go and pass a law and say: You must have them. I ask you to take warning from the words of John Sandfield Macdonald. I ask you to remember that Manitoba occupies a position in which we will find it very difficult to impose a law upon her against her will. She has now a population of 200,000, and she is adding greatly to the wealth and importance of this Dominion. If our exports exceed our imports, if our exports increase, we owe it to Manitoba. But you are going to sow the seeds of discord there; you are going to coerce the province—coerce is the proper word, no other word will fit the case. You say it is coercion when they interfere in their proper sphere and in their proper right with the school system as it existed. It is nothing of the kind. It was the exercise of a legislative power, and the province has deliberately adopted that system, that has ratified and confirmed it with a popular approval constantly increasing—that province is to be told here by a paramount power that the law is wrong, that her proceedings are all wrong; and this law is to be placed on our statute-book as if it was passed by the free people of Manitoba themselves. Sir, I do not know that I am justified in occupying the time of the House much longer; but I have not dealt with the question to which I devoted a good deal of time, and that is the question of the minority in Quebec. If I have been at all successful in the statement I have made, I think I must have satisfied every reasonable mind that there ought to be no interference with the school system of Manitoba, so far as that province is concerned. But we are implored here on behalf of the Protestant minority of Quebec, not to deny a right to the Roman Catholic minority in Manitoba. If you do, says the Minister of Trade and Commerce, can you doubt that our action will be followed by reprisals from the majority of Quebec? The Postmaster General had anticipated that argument, and said that the generous French people would never interfere with the rights of the minority: and the hon. member for Three Rivers (Sir Hector Langevin), who followed the hon. Minister of Trade and Commerce, spoke in the same strain. But, Sir, I have yet to know when the Protestants of that province are not calling upon us, or not insisting on our staying our hands in Manitoba, why we should do an injustice to Manitoba for fear of a possible contingency which we are told can never happen, in the province of Quebec. What is the word that comes from the province of Quebec? The Minister of Trade and Commerce, the representative of the Protestants, stands up here and implores us on behalf of the Protestants whom he represents, forsooth, in this House, to pass this separate school law, and to impose separate schools on the province of Manitoba. What was the petition presented here the other day? Was that in the same strain? Was that in the language of a politician, or from a body competent and capable of speaking on the subject? And what did they say? A petition was received and read from the Quebec Branch of the British Evangelical Alliance, protesting against the introduction and passing of a Remedial Bill in Parliament. The reasons set forth are:

> That the Bill seems an arbitrary and unusual interference with the delegated rights of the individual provinces, and calculated injuriously to affect the good relations now subsisting amongst the various provinces of the Dominion. Also, that it would practically be the endowment by the state out of the public treasury of one particular church to the exclusion of all other churches, and this would necessarily excite religious jealousies and rivalries injurious to peace and prosperity. Also, that it would seriously injure the cause of public education by dividing the financial resources for promoting it, and would waste these resources by providing two or more teachers for small groups of children, who could all meet together under the care of one teacher. Also, that it would be forcibly re-introducing a system of separate schools in Manitoba under clerical control, which are now happily disappearing from all civilized and progressive countries in Europe and America. Therefore, while disclaiming any desire to promote the interests of any political party, or unjustly to interfere with the interests of any church, the petitioners pray that the Bill may not become law.

That is not the only voice we have from that province. What does the "Presbyterian Record" say, speaking on behalf of the Presbyterians, I believe the official organ, and copied in the Montreal "Witness" with approval? Does it ask us to restore separate schools, or to pass a Remedial Bill? On the contrary, it says:

> If the present order of things is reversed and separate schools are re-established there will not be fair-play. The Roman Catholics will then have Government-aided schools with their own catechism as a text book, while the Presbyterians, Episcopalians, Methodists, or Baptists, will have no such liberty.
>
> In Quebec, other denominations have not the same privileges that the Roman Catholics have. Presbyterians cannot use their catechism in the separate schools, nor can Episcopalians or others use theirs. These other denominations have to make some sacrifice, to unite on some common ground, in order to get the benefits of an education, and under such a separate school system there is not fair-play.
>
> Fair-play demands that the present order of things in Manitoba be maintained. To go back to the former position is to give the Romanists an advantage that others are not allowed, and every lover of freedom and of his country should stand for fair-play to all and favours to none.
>
> 2. A second error in many minds is that the Roman Catholic people feel it to be a great grievance not to have the separate schools, with their catechism as a text book.
>
> If this were the case there would be more of sympathy with the claim for the old schools, even though the claim be unjust. But such is not the fact.
>
> The Roman Catholic people are realizing that the schools as controlled by the church are utterly inefficient; that the children coming out of such schools from the average country district, with little education beyond their knowledge of the catechism and church observances, are sadly wanting in equipment for the work of life.
>
> It is an open secret that a great body of the Roman Catholic people, both in Manitoba and Quebec, would prefer national schools, and if there were a free expression of the opinion of the intelligent Roman Catholics of Canada, there is little doubt that it would be largely in favour of public national schools apart from the control of the clergy.

Mr. McALISTER. When was that published ?

Mr. McCARTHY. About ten days ago. It continues :

> The agitation to restore separate schools in Manitoba is not kept up by the Roman Catholic people of Manitoba or of those of Quebec. The grievance is the grievance of the Roman Catholic clergy, the agitation is the work of the clrgy, who seek to keep control of the education of the young, and who are exerting their utmost efforts to that end.

Let me now give the House an extract from a letter written to the Prime Minister by Mr. Sellar, who is living in Huntingdon, a journalist, and a man who has spent his life there, knows what he is speaking about. What does he say ?

> Sir, the non-Catholics of Quebec have had no rights or privileges granted them by the majority and are ignorant of any favours received from that majority, they have simply been left in the enjoyment of what is their inherent right, the non-sectarian schools designed by the old legislature of the united provinces. You say the minority of Manitoba is entitled to the same rights and privileges as have been granted to the minority of Quebec. Let me enumerate to you a few of these privileges. When the non-Catholics are not numerous enough to maintain a school of their own, they are taxed to keep up a school it is impossible for them to send their children to, when a non-Catholic becomes a stockholder in a factory, he pays taxes to support Catholic schools, when the non-Catholic looks into the blue-books he learns that the legislature pays yearly out of the public treasury, in the name of education, subsidies to 200 convents and a score of colleges, among the latter being the institutions of the Jesuits.
>
> The non-Catholics of Quebec have no fear for themselves should Manitoba remain true to the stand it has taken in favour of secular schools, for to speak of the majority retaliating upon them is absurd.
>
> I would the people of Canada realized the significance of what its Government is proposing to do. A stroke of the pen by George III. would have prevented those struggles between church and state which have made the government of Canada at all times difficult and twice in our history brought it to a standstill. The remedial order, looked upon by some as a small matter, is going to decide whether our North-west is to be free from the strife that has afflicted the provinces by the St. Lawrence or to be subject to it. Force upon the North-west separate schools, and the point of the wedge is entered which will involve the west in the troubles and difficulties that perplex Quebec.

So we get from every independent source a protest from the Protestants of Quebec not to allow their position to sway us in the slightest degree in considering what we shall do in the case of the province of Manitoba.

Mr. Speaker, I did desire to say a word about the so-called privileges of the Protestant minority. I have examined that question, and I venture to say that when it is examined and thoroughly understood, it will be found that the Protestants have nothing to thank the majority for. But it is beside this question. I have been irritated by the claim that has been made time and again to us in this House to do this, that or the other, in consideration of the generosity bestowed on the minority by the majority in that province, and when the proper time and occasion arrive, I think I shall be able to show that the minority have nothing to thank the majority for. One thing I may mention. One grievance of long-standing, often complained of, never redressed, is that while all commercial companies, certainly nine-tenths of the commercial companies in the province are English, the tax derived from that property is distributed according to population, and is not allowed to go to support their own system of schools. We do not claim great generosity in our province. But what is our law ? Our law is that of the tax on the corporations, not less than the proportion belonging to the Roman Catholic shareholders is to go to the Roman Catholic schools, and as much more as the directors of the company think fit to bestow. The law in the other province is this : Taking the great city of Montreal, I am within the judgment of hon. members as to whether I am not right in saying that nine-tenths of the commercial companies are English, and day by day men are forming companies, even storekeeping is being conducted by joint stock companies, and the tax from these corporations does not go to the support of the dissentient schools to which the children of the shareholders are sent, but it is distributed according to population, which stands as four or five Catholics to one Protestant in that province.

But I must draw my remarks to a close, and I do so thanking the House very much for the indulgent hearing I have received. The subject is a large one and a wide one, but, after all, the whole matter lies in a nutshell. There have been legal difficulties, they have been all cleared up. The matter now is so plain and simple that no man and almost no child can fail to comprehend and understand it. It is in a word, that the province of Manitoba had the power to pass the law of 1890 ; that if we leave that law alone it remains a perfectly valid and constitutional law ; that we have the power, under the circumstances which have occurred, to implement the order of the Governor General, and to pass a good Remedial Bill. Whether we should pass that Bill or not is a matter, like every other question that comes before Parliament, that is one not merely of justice, but, if I might put it in a few words, it is one as to whether it is just, politic, and wise for us to interfere. Justice alone is too narrow a term. Justice may mean to one man who looks at the question, one thing, and to another man another thing. If we sat here as a court of law merely, to administer the positive rules of law, I can understand that there would be no difficulty in its administration. We would expound the law, we would give effect to the law, and justice would be the fulfilment of the law. But we are here occupying a sovereign position, with powers looking to all the considerations, looking mainly and chiefly, as we ought to look, at the benefit of the province for which we are legislating. The law does not extend beyond the boundaries of Manitoba, if we pass it, and our consideration ought to be with respect to the welfare of that province, and with respect to that alone.

Sir, when we talk about justice, let us look back at our history. When we secularized the clergy reserves, when we dispossessed the churches to whom the King had granted lands for their support, can that action be justified on the ground of justice? Those lands were actually set aside for that purpose, they were dedicated for that use, we had to apply to the Imperial Parliament to deal with them—I do not say that it was not wise and politic, but if you talk about justice and justice alone, it is difficult to justify that action. Take the seigniorial tenure. Take the Irish land law, when Parliament stepped in and made contracts between landlord and tenant. Could that be justified on the ground of what we call justice—altering contracts, saying that what people agreed to openly and above board should be set aside and abrogated? No. But it was just, politic and wise all the same. So here we have to consider this question from that point of view. We have to remember the province for which we are legislating. We have to remember that this Bill proposes that where there are ten children in a school district, and the school district may be five miles in diameter—not ten families, but ten children of school age—a school district may be appointed, a teacher employed, a school-house built and taxes which would have otherwise gone to support the public school be devoted to support a separate school. Remember that in the 700 schools which exist in that province, according to the return brought down, there are more than 100 where the average attendance is not seven; my hon. friend tells me that there are 192 schools where the average attendance is not seven. Remember, that Mr. Sifton has had in contemplation the introduction of a Bill to deprive schools where the average attendance is not seven of any share in the public grant, and I find that nearly one-third of all the schools would thereby be disbanded and destroyed. This is the province in which it is desired to implant this demon of dualism. You split up this system of public schools in order to dissipate the public money and to waste it, and in order to make inefficiency where there may be, and we trust before long there will be, efficiency. And you admit, on the face of the Bill, that you cannot do it. You acknowledge you cannot touch the public grant. You put in an empty declaration, which is untrue in law and in fact, that the Privy Council has determined that the separate schools are entitled to a share of the public grants—an empty 'brutem fulmen' of no value, not worth the paper it is written on. And you leave your separate schools to what? You leave them to the tender mercies of all they can raise in the matter of taxation. I examined the question, to see what really was the benefit of these so-called separate schools. I find, Sir, that this is the result. In the old days, the Catholics got, of the legislative school grant, after deducting the charges of management, $226.44. They taxed themselves $242. The average cost of the Roman Catholic schools was $469. Where is that to come from, under this precious Bill? Not out of the legislative school grant, for you cannot touch it. You leave, therefore, $242 to do the work of $469, and yet you ask us to believe that this is a practical measure. We are told that the Archbishop is satisfied with it, and that we, therefore, have got to bow, and to assume that it is perfectly right. But, Sir, I venture to say, if his Grace the Archbishop is satisfied with it, it is because there is some understanding which is yet to be carried out, and for which this reserved power in the last section is intended. Is it possible to imagine, that these people can support their schools without the assistance of a government grant? Is it possible to imagine, that the sum of money which formerly went to their administration and came to somewhere in the neighbourhood of $5,000 or $6,000, and for which there is no provision whatever made, can be dispensed with? How are they to be carried on? Perhaps the hon. gentleman will tell us. Perhaps the hon. gentleman in the Senate, Mr. Bernier, who was the superintendent of schools, and who had charge of this administration, whose salaries, and etceteras consumed about $5,000 or $6,000 of money for which there is no provision in this Bill; perhaps he can tell us, how is that system to be administered? Why, it is a delusion, a delusion and a snare, calculated to destroy and disturb, but not calculated to produce any beneficial result to anybody.

And, if I were to venture to criticize this Bill, I would say, that it rests, not merely under the construction put upon it by the hon. member for Winnipeg (Mr. Martin), in not going far enough, but I would point out, that it goes, in many respects, altogether too far. What right have we here to do more than to restore the system, as it existed? One-half of this Bill is made up of new clauses, and, when we come to committee—if we are ever to get there, and it is not going to be in this Parliament, it is quite certain—it will be found out that more than one-half of this long Bill has been concocted or stolen, probably, from the Public School Act of 1890, and is now to be found in the Act which the province of Manitoba is ordered to restore. So, whatever way you look at it, whatever view you take of it, it will be found that the Bill is unworkable. The scheme is not intended to do anything more than to satisfy the sentiment which has been raised in its favour, and to gratify the longing of those who think there ought to be a declaration on the floor of this Parliament in favour of separate schools. I think I might add, Sir,—and then I am done—one further statement. The Minister of Justice (Mr. Dickey) is not here; but the ex-Minister of Justice might, perhaps, communicate my question to him. Will that distinguished luminary of the law tell me, by what authority this Parliament ventures to delegate the taxing power of Manitoba to the separate school trustees? Will he tell me, by what authority this Parliament dares to interfere with the authority of the local legislature, which says that everybody shall contribute to the public schools? The appeal to us is under the educational section. The appeal is not under that clause of the constitution which empowers the province to tax. The right to tax given to the trustees, is a delegated power conferred by the province, which the Dominion cannot interfere with, which the Dominion cannot touch. And, while they have baulked at laying violent hands on the legislative school grant, they would have been better advised, if they also paused and hesitated, before they attempted to legislate with respect to the taxing power of the province. So, Sir, for all these reasons; for all the reasons which I have endeavoured feebly to give, I shall vote with pleasure for the six months' hoist —not that I want an inquiry, not for the reasons which have induced the hon. gentleman (Mr. Laurier) who moved it—but because I am satisfied, that no pretense of case has been established to justify the interference of this Parliament, and that His Excellency the Governor General would have been better advised, if he had said he would not interfere. These are the reasons which have induced me to arrive at this conclusion, and, while others may think, that, as Manitoba has called for an inquiry, an inquiry should be made, and, while I do not pretend to say there is not great force in that, when the province demands and challenges investigation, still, Sir, for my part, I am quite willing to accept all the responsibility of saying that this Bill, as it stands, should never receive the assent of this House, and should now receive the six months' hoist.

Mr. HAGGART. At this late hour, Mr. Speaker, I may be pardoned, if I occupy the time of the House for some time in the discussion of this very important question. The hon. gentleman who preceded me (Mr. McCarthy) prefaced his remarks by an attack upon my hon. friend the member for Pictou (Sir Charles Hibbert Tupper), in reference to the manner in which he made the statement of this case before the House. He ridiculed the idea of a young man like my hon. friend occupying the proud position of Minister of Justice, and he regretted the manner in which that hon. gentleman addressed the House on this question. I ask you to contrast the speech of the hon. member for North Simcoe (Mr. McCarthy) with the speeches of the hon. Minister of Finance (Mr. Foster) and of the hon. member for Pictou (Sir Charles Hibbert Tupper), and to draw your own conclusions from them. I will not enter into the discussion, as to whether the hon. member for Simcoe (Mr. McCarthy) was a paid advocate, or not. That branch of the question I shall not touch. The hon. gentleman (Mr. McCarthy) accused my hon. friend (Sir Charles Hibbert Tupper) of copying largely from a pamphlet which Mr. Ewart issued on the school question. I may be pardoned, Sir, because I will plead guilty, to some extent, to quoting from Mr. Ewart's pamphlet on this question. There was nothing adduced by the ex-Minister of Justice in defence of the Bill before the House, but what can be found in the pamphlet issued by Mr. Ewart; and for chronological reasons, if none other, it was advantageous for every person arguing the question to make use of that pamphlet. The hon. gentleman says, why should a man who has been Minister of Justice descend to the use of a pamphlet which Mr. Ewart has had published? Mr. Ewart's pamphlet is simply a chronological summary of the different events of this school question. When the hon. gentleman was criticizing the action of my hon. friend from Pictou in regard to that, he fell into the same mistake, because he used the pamphlet of Mr. Wade nearly all the time he spoke.

The hon. gentleman found fault with the statement of the hon. member for Pictou that the question of education was embodied in the British North America Act, and said that there was no compact made with the people of Quebec prior to confederation. He read the debates which took place at the meeting in Prince Edward Island to show that the question of education did not at all enter into the discussion there. The hon. gentleman forgot to state that Mr. Galt was not satisfied because there was not embodied in the British North America Act the provisions he claimed should be inserted in it for the protection of the Protestant minority in the province of Quebec. He forgot to tell us that Sir John Macdonald has left us evidence that the question of education was a subject of the debates that led up to confederation. I will take the opportunity of reading what Sir John Macdonald said in a letter to Lord Monck on June 22nd, 1866:

> My dear Lord Monck,—The proceedings have arrived at such a stage that success is certain and it is now not a question ever of strategy. It is merely one of tactics. Galt, the representative of the British race in Lower Canada, has taken the best step possible for settling the

> educational question, for that section of the province. He has asked Judge Day, one of the ablest men and best judges that ever sat on the Lower Canada Bench, to frame a measure for the protection of the British and Protestant minority. Mr. Day, although a Protestant, has the confidence of the French Canadians. He is now here on this duty, and I do not doubt that he will produce a satisfactory measure.

And every person acquainted with the history of the matter knows that Mr. Galt resigned from the ministry because a measure was not passed which in his opinion afforded sufficient protection to the Protestant minority of Quebec. An arrangement was made, however, that he should go to London and meet the conference there. It was arranged before he started, that a clause would be embodied in the British North America Act which would protect the Protestant minority of Quebec, and that clause was embodied in the British North America Act, and it was one of the principal clauses which caused discussion on that Act in the House. The whole debate shows what was the intention of the legislature at that time. From beginning to end it shows that the principal clause discussed in the House was the clause for the protection of the Protestant minority in the province of Quebec. How long is it since this hon. gentleman has got it into his head that minorities should not be protected ? I have been in this House for some time, and I was astonished to hear his statements in reference to the minority of Manitoba. Could it have been possible that my ears mistook the sound of his voice, when I heard him on other occasion in this House, uttering entirely different sentiments. Let me quote some of them to show how the hon. gentleman has changed his opinions since then. In 1889, as hon. gentlemen who are members of this House must remember, there was a debate here in reference to the Jesuits' Estates Act. You know what part the hon. gentleman took in reference to that question. Was there any question about the protection of minorities then ? Was there any question in the mind of the hon. gentleman as to the right of appeal to the Governor General in Council for the protection of the minority concerned in that case ? What was the statement made by the Equal Rights Association, by its president, Principal Caven, in Toronto ? A fundamental ground on which that Equal Rights Association was formed was that the right of appeal by the minority to the Parliament of Canada must be maintained. Did not the hon. gentleman at that time state in every part of the country that it was one of the sacred bulwarks of the constitution that that right, above all others, must be maintained—the right of appeal by a minority alleged to be oppressed on educational matters, to the Parliament of Canada ? Let me read some of the statements made by the hon. gentleman in this House in the debate on that question :

> Is it because this is a particular church ? If it is a right in the province of Quebec to grant money to the Church of Rome. It would be equally right in the province of Ontario to grant money for the maintenance of the Methodists or the Episcopalian body or Scotch body ; and, if we did that, there would be no hesitation—and properly so—in bringing before the House the complaint of the minority whose money would be spent in that way and for that purpose. The legislatures are not to be at liberty to run in different directions, to promote in one province one nationality and one church, and in another province another nationality and another church, or in any other way to run counter, because such courses must inevitably bring about the dissolution of confederation. It is not because a province is kept in check, it is not because its legislation is vetoed, that there is danger to our system.
>
> But if the other system is set up, if the alternative presented by my hon. friend from Stanstead (Mr. Colby), is to be adopted ; if you are to say that because a law has been passed within the legislative authority of the province, therefore it must remain ; we can easily see, Sir, that before long these provinces, instead of coming nearer together, will go further and further apart.

These were the opinions held by the hon. gentleman in 1889. He was not arguing on behalf of the Roman Catholic minority, but on behalf of the Protestant minority of Quebec, and insisting that that clause in the British North America Act gave them the right of appeal to the Governor General in Council and the Parliament of Canada for redress. But the case is entirely different now.

Then the hon. gentleman attacked my hon. friend the Minister of Finance, and asked did he not know that the judgment of the Privy Council held that the Manitoba Act took the place of the clauses in the British North America Act ? Well, the hon. gentleman knew it just as well as did the hon. member for North Simcoe. He was not arguing on those lines at all, but on the lines laid down by the Privy Council of England. He knew what the judgment of the Privy Council was, but I believe in the opinion of many lawyers in this country—perhaps the majority—that the British North America Act was to be supplemented by these sections in the Manitoba Act. The Privy Council held differently, but my hon. friend was proceeding in the very words of the judgment of the Privy Council, from which I shall quote :

> In their lordships' opinion, therefore, it is the 22nd section of the Manitoba Act which has to be construed in the present case, though it is, of course, legitimate to consider the terms of the earlier Act, and to take advantage of any assistance they may afford in the construction of enactments with which they so closely correspond and which have been substituted for them.

My hon. friend was proceeding in that line, but he is not the constitutional lawyer that the hon. gentleman is. He is not the keeper of the Protestant conscience throughout this country, and the hon. gentleman in his excathedra style, gets up and states: Oh, the merest tyro of a logician, the veriest fool who has any knowledge of law, would not use the argument my hon. friend did. My hon. friend uses his argument correctly; following the judgment of the Privy Council in England, who said that it was perfectly legitimate to consider the two Acts as taken together for the purpose of understanding the clauses in the Manitoba Act.

The hon. gentleman states primarily that the jurisdiction is vested in the province of Manitoba. It is true that it is so vested, but did he not know, when he was making that statement, that that clause in the Manitoba Act which allows the power of appeal to the Governor General in Council and to this Parliament, the judges of the English Privy Council say has to be read as part of the constitution of this country. They say that it is perfectly easily understood. The whole question of separate jurisdiction in reference to education was discussed before the Privy Council, and they decided that the two Acts should be read together, and that jurisdiction in certain cases was vested in the Dominion.

We hear about coercing Manitoba. No one but a demagogue—I care not who he may be—could use any such language as that? The constitution imposes the obligation on the people of this country, and it gives them the power to legislate in the matter. That power is vested in the Parliament of Canada, and we have the right to legislate in the manner and direction we think proper. The hon. gentleman admits that we have the power to pass a Remedial Bill. He raises no question as to the law in the matter. But he asks is it judicious to do so? The question of jurisdiction then is decided. It was decided by the Privy Council. The hon. gentleman was careful to dwell very little on the decision of the Privy Council. You notice that he did not say a word about section 6 which was submitted to the Privy Council—that is the question of fact. The whole facts were before the Privy Council, and they decided, upon the facts of the case, that the minority in Manitoba had a grievance and they described what that grievance was. The hon. gentleman talks in a very decided way about wiping out one of the clauses altogether in the Manitoba Act. That clause reads:

> Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law or practice in the province at the time of the union.

The hon. gentleman says that the decision of the Privy Council virtually wipes that out, that there was no use talking upon it now, that the Privy Council had decided it had no effect whatever. The hon. gentleman, I remember well, in his argument here a year ago, discussed very fully whether there was a parliamentary compact or not. He discussed at length clauses 1, 2, 3, and 4, and he said that notwithstanding any mistake which might have been made in the Act or legislation, if there was a parliamentary compact, then even at this day he would see that it was carried out. What is the meaning of the words "by law or practice." What was the intention of the legislature? The judgment of the Privy Council in the Barrett case decided that beyond doubt. The Privy Council decided that the minority of the province of Manitoba expected that their educational rights had been secured to them and that the duty of the Privy Council was simply to decide upon the meaning of the words; and if it did not get the meaning of the words expressed correctly in the clause of the Act, it was not their duty to decide what was the meaning of that clause. I mention this merely to show that the hon. member for Queen's (Mr. Davies) and the hon. member for Albert (Mr. Weldon) and the hon. member for North Simcoe (Mr. McCarthy) said that if there was a parliamentary compact at the time they would, even at this late hour, give the minority in Manitoba the justice which they demand. The hon. member for Montreal West (Sir Donald Smith) can tell them whether separate schools were promised or not. He was one of the delegates at the time. The whole question has been gone into thoroughly and ably by my hon. friend from Westmoreland (Mr. Powell), who showed, that the parliamentary pact and agreement at that time was intended to give the minority the right to their denominational teaching through their schools. If that is so, why does not the hon. member for Queen's (Mr. Davies), why does not the hon. member for Albert (Mr. Weldon), why does not the hon. member for North Simcoe (Mr. McCarthy), following out the line of argument of last year, grant this simple demand at once. No man of sense who has read the correspondence, who has read the bill of rights, who has read the telegrams in reference to the whole matter—

Mr. DAVIES (P.E.I.) Which bill of rights?

Mr. HAGGART. There are different ones. Under the first bill of rights and the second, schools were provided for. A certain sum of money was to be given each year for the purpose of assisting the schools. There were none but the denominational schools at that time, the Presbyterian, the Roman Catholic and the English Church schools. Does the hon. gentleman think, that, where these two bills of rights mention schools, they mean public schools? Does he think, that the Roman Catholics, who were making that parliamentary pact and agreement, intended that the money should be given to the public schools, and that they should keep up their denominational schools themselves? As to whether Father Ritchot forged the fourth bill, or altered the terms of it, or whether Archbishop Taché was a party to it or not, on reading of all the correspondence, and taking into account all the circumstances in regard to it, I have not the slighest doubt, that the commissioners who came down here, whether they set aside the directions which they got from the legislature or not, negotiated upon the principle of having separate schools for the province of Manitoba. The hon. gentleman says it was not a parliamentary compact, it was a concession which was made to them by this Parliament. A pretty concession, that they would have the right or privilege with respect to denominational schools which any class of persons had by law or practice at the time of the union. The decision of the Privy Council showed that they had no rights whatever. What was the intention of the words that were put there? It is true, that the words might not bear the meaning, but one of the hon. gentlemen, I forget whether it was the hon. member for Queen's or the hon. member for Albert, says that he thinks, perhaps, the Privy Council gave a wrong decision, and that, if he had been sitting as a judge, he would have decided, that they were entitled to denominational schools, and that the words were intended to cover that right. There is no doubt, that these poor delegates went away believing that they had secured separate schools. The speeches in the House, the declarations of Mr. Mackenzie, the declarations of Mr. Brown, the statements and admissions of others who spoke upon the subject, show that they thought the same. But now we are told by some hon. gentlemen opposite, that this was not a parliamentary pact, but it was a concession made by this Dominion, and they are not willing to carry out what was intended by that concession because the Privy Council have decided that the minority are not entitled to it by law. But the only purpose of raising that argument is to give greater weight to the idea that the decision of the Privy Council was not a direction for the Governor in Council or the Parliament in Canada, but that our action has to be decided as a matter of policy. But, if the understanding at the time was clear, and if it is known what the concession was intended to be, then, as a matter of policy, how can they deny these people the schools that they require?

Mr. DAVIES (P.E.I.) I desire to ask the hon. gentleman a question for information. Did I understand him to say that the bill of rights No. 2 referred in express terms to the schools?

Mr. HAGGART. Yes.

Mr. DAVIES (P.E.I.) Will he kindly tell me what section?

Mr. POWELL. Is there a section that——

Mr. DAVIES (P.E.I.) I did not ask such a trite question as that. I asked what section. The hon. member for Westmoreland is a little too smart.

Mr. POWELL. I beg pardon.

Mr. HAGGART. I think I am perfectly correct in my facts.

Mr. DAVIES (P.E.I.) I was not casting doubt on the hon. gentleman's statement, but I have the bill of rights in my hand, and I cannot find the statement he refers to.

Mr. HAGGART. In bill No. 1, or No. 2, $25,000 is provided for the schools. If you will read Archbishop Taché's letter in the matter, he draws attention to this particular clause in bill of rights No. 1 and No. 2, and makes a comparison of them.

Mr. DAVIES (P.E.I.) I did not want to interrupt the hon. gentleman. I have the bill of rights here, and I do not see any reference to it.

Mr. HAGGART. There is no reference to it in bill of rights No. 3. The argument of the hon. member for Simcoe is founded on the contention that the negotiations were conducted on bill of rights No. 3.

Mr. DAVIES (P.E.I.) Then I understand the hon. gentleman to say that there was an express reference to it in No. 1 and No. 2.

Mr. HAGGART. Yes.

Mr. STUBBS. Are separate schools mentioned in the bill of rights?

Mr. HAGGART. No; in bill No. 1 and bill No. 2, the reference is to schools. In No. 4, separate schools are distinctly mentioned.

Mr. DAVIES (P.E.I.) Has the hon. gentleman got the paragraph?

Mr. HAGGART. I had it here, but cannot find it at the moment. I thought every member of the House knew the facts. My argument is, that negotiations on the bills of rights and the correspondence show conclusively, that the people of that section of the country thought that they had got, whether by a concession or by a parliamentary pact, the guarantee of this Parliament of the separate schools in Manitoba. As the hon. member for Simcoe states, the law is decided by the Privy Council, which, in the case of Barrett vs. Winnipeg, and Logan vs. Winnipeg, said, that they had not these schools by law, and they had not them by practice, because "practice" means a legal practice. I have heard since, that, if there was a reappeal of the case, with evidence which has been discovered since that time, the position of the minority would be fully established, and it would be shown that the separate schools existed by legal practice. The case may again go before the Privy Council in England, because, I believe, documents are in existence which it was impossible to find at that time, proving that these schools received grants from the legislature of the province of Manitoba. If that was the case, it would be ultra vires for the province of Manitoba to deprive them of their schools, and there would be no necessity for a Bill in this Parliament to rectify their wrongs. Now, what is the Order in Council of which the hon. gentleman spoke? It is simply a copy of the judgment of the Privy Council. The harsh Order in Council, we never hear a word of it now. There is not a single criticism on the Order in Council now except that it takes the province of Manitoba by the throat and orders them to answer it at once. If the Order in Council was less than the judgment of the Privy Council, we would not have heard the criticism in this House that it was impossible to pass a Remedial Bill because the powers granted to us by that judgment were not sufficiently extensive. The Order in Council is simply a vesting order. The inquiry by the committee of the Privy Council for the purpose of issuing that order was a judicial inquiry. It was so declared by our own Order in Council, which Sir John Thompson made out and supported before the judges of the Privy Council. It is true that Mr. Blake, in his argument, said that the first inquiry should be a political one; and Mr. Ewart did the same. The judgment of the Privy Council followed the law as laid down in the Order in Council by Sir John Thompson, who was a party to drawing it up, that our first inquiry into the facts should be a judicial one. It was a judicial one, and what complaint has the province of Manitoba in reference to our proceedings in that case? The Privy Council decided in 1892 that the Manitoba School Act was valid; then in November of that year we have a petition from the Catholic minority to the Governor General, presented by Mr. Ewart. That petition was forwarded to the province of Manitoba. We waited for months for suggestions in reference to altering it, we waited for months for an answer. We did not get an answer, and then we proceeded to act in the form and manner approved by the hon. gentlemen opposite when Mr. Blake introduced his resolution providing for taking the opinion of the Supreme Court. Sir John Thompson acted upon that resolution, and obtained the decision of the Supreme Court, and subsequently the Privy Council gave a decision in reference to the Manitoba School Act. In 1890, the suit of Barrett vs. the City of Winnipeg had commenced; and Sir John Thompson mentioned in his remarks that it was for the purpose of making the legislature come to a decision in reference to the question which had been decided by a judicial tribunal. The case was sent to the Supreme Court, and the judgment of the Supreme Court was appealed to the Privy Council, and on the Privy Council's declaration of the law, we proceeded to act. The hon. member for Simcoe states that the decision of the English Privy Council was not at all binding upon this country, that in fact it was not a judgment of the court. What is the distinction between the judgment of the court and the decision of the highest court in the land deciding what the law is? They tell you what the law is; are you not obliged to follow it? Could it be supposed that a small province would not have carried out the Queen's command, as embodied in the judgment of the highest court in the land? And could it be supposed for one instant, that when they were told what the law was, they would not obey it? Now, I would like to show the House how inconsistent the hon. leader of the Opposition has been in his course upon this question. Let me read, for the edification of the House, some of his opinions in the past.

In "Hansard" of 1893, page 1882, we find these words in reference to the school question:

> The question after all is a simple one. In 1890 the legislature of Manitoba passed a law which the Roman Catholic minority deemed oppressive; that minority appealed to the Government against that law; their prayer has to be denied or has to be granted; this is the simple issue.

Further on, he says:

> The question is a difficult one—I admit that it is surrounded with difficulties—because it is surrounded with passions, passions religious and national.

In 1893, on page 2004 of "Hansard," he says:

> I blame the Government even now for not having done sooner what they should have done. I blame them for these long delays * * * for procrastination, after long delays shifting of expedients, subterfuge, at last the Government will have to pronounce a decision.

How does that tally with the hon. gentleman's statement, repeated from one end of the country to the other, that the Government should appoint a commission of inquiry. Then, again, in 1894, we find he said:

> The longer this question is kept before the public, the worse it is for the good of Canada. It is a question on which there should be an immediate and speedy answer.

Nothing about a commission of inquiry then. Again, in 1895, "Hansard," page 4503:

> Something must be done and done at once, because this policy of delay, this policy of vacillation is not only paralyzing, but it is fast disintegrating the national life; fast disintegrating national life, I say, because it is arraying creed against creed and race against race; something must be done and done at once.

Then he spoke as follows at Toronto, on February 5th, 1895, according to the "Globe" report:

> The question is a legal one that is before the Government to answer to-day. I do not desire at the present time to say anything or do anything to make their position more difficult than it is. It is a difficult question. For my part, I must tell you frankly that I see in the question

but a question of fact. I never saw any question of law or interpretation of the constitution. I think it was a question of fact and nothing else.

And again :

> This is not a political question at the present time. * * * * To-day it is purely a judicial question.

The hon. gentleman sneered at some of my remarks a while ago, but here he says it is a judicial question. Then, at Morrisburg we find him saying :

> The first thing they must do is to investigate that question. * * * Tell the Government to do this and appoint a commission, and I will support them.

Then at Prescott :

> He asked his fellow-countrymen to divest themselves for the moment of party and religious differences, and appealed to them if they did not think that the better way of dealing with this question was by such investigation, upon the result of which the Government could act.

Then, in the House of Commons, on the 19th April, 1895 :

> The Order in Council is termed a decision. I do not understand that term exately. As I read it, and I read it pretty carefully, it can hardly be called a decision. It is simply an invitation to the government of Manitoba to deal with that question, and to leave them to apply the remedy to the evil which has been created by their own legislation and invitation, I say, though I am sorry to say it, couched in most unfortunate language.

It is couched in the very language, in the ipsissima verba of the judgment of the Privy Council. Then, the hon. gentleman in this House on 15th July, 1895 :

> We had an Order passed by the Government commanding the province of Manitoba to restore the schools of the minority, commanding it to do so under threat that if it failed to obey, this Parliament would force schools upon them.

Then, at Brockville, on 10th October, 1895, according to the "Globe" report

> The course taken by the Government was to prepare a drastic Order in Council calling upon the Manitoba government to restore the separate schools, or failing it, they would do it by the supreme authority of Parliament. Could a more impudent course be taken ?

Then, again, at Morrisburg :

> The first thing they might do is to investigate this question. I tell the Government to do this and appoint a commission, and I will support them.

How the hon. gentleman has changed within a few months ! At one time he says there is nothing to investigate, that the Government should act at once upon the matter, and not be dilly-dallying with this question. The hon. gentleman supported a resolution in this House moved by Sir John Thompson, which outlined the action the Government should take in this matter ; and yet the hon. gentleman complained of it. Why did not the hon. gentleman complain when that Act was passed ? It was passed with respect to this particular question, as was stated by Mr. Blake, and it was passed with the intention that the question should be dealt with in the manner in which it has been dealt with. At Prescott, I find Mr. Laurier said :

> He asked his fellow-countrymen to divest themselves for the moment of party and religious differences, and appealed to them if they did not think that the better way of dealing with this question was by such an investigation upon the result of which the Government could act.

Even the hon. member for Simcoe (Mr. McCarthy) laughs at the idea of an investigation. It was an insult to him as a lawyer, as counsel who represented the Manitoba government before the Committee of the Privy Council, to say to him : You did not perform your duty ; you did not introduce the evidence required to prove your case ; you did not show that the schools were mismanaged Does not the hon. gentleman (Mr. McCarthy) know how to manage a case, does he not know what his duty is, does he not know that if certain evidence is valuable it should be brought before the tribunal ? The hon. gentleman is fully aware of the absurdity of the proposition made by the leader of the Opposition, and his position was distinctly proved the other day. Fancy a leader of the Opposition when a question comes up on a Bill which affirms a principle, moving, not an amendment which would add to or subtract from the Bill, but moving the six months' hoist. Does not the hon. gentleman know what the parliamentary practice is ; does he not know that by that amendment he disapproves of the principle of separate schools ? Does he not know that that principle is affirmed in the Bill ? If it is not in accordance with the order of the Privy Council of England or of our own remedial order, why did he not set that out in an amendment, but instead of doing so, he places himself on record as being opposed in principle to any remedial legislation whatever. I suppose he will justify himself in some such manner as was adopted by an hon. gentleman behind him, who, addressing this House the other day, said he was not opposed to the principle of separate schools, but he was opposed to the Bill altogether. In three years from the present date there will not be a separate school in Manitoba, said that hon. gentleman ; it will be impossible to amend or change the Bill, but no doubt if the hon. leader of the Opposition came into power, he would introduce a Bill which would be satisfactory at all events to the Roman Catholic minority in Manitoba. What would the hon. member for East York (Mr. McLean) say to that ? What would the hon. member for East Grey (Mr. Sproule), or the hon. member for Simcoe (Mr. McCarthy) think of a resolution which was supported by hon. gentlemen on the other side of the House on the principle that while it would do away with separate schools, it held out the inducement that when the leader of the Opposition got into power he would introduce a satisfactory measure for separate schools? Mr. Laurier said in the House of Commons, April, 19th, "Hansard," page 1998:

> If there is such an outrageous state of things prevailing in Manitoba, not a moment is to be lost in coming to the rescue of the oppressed minority.

Mr. Laurier at Morrisburg, October 9th, 1895, "Globe" report, said:

> These facts are clear to you and to all who believe in a system of separate schools.

Again at the same place, he said:

> The question cannot be settled until there has been such an investigation to see what are the rights and pretensions of the case. If I were in power and if I had the responsibility, I would try the sunny way. I would approach this man Greenway with the sunny way of patriotism.

"Le Cultivateur" Mr. Tarte's paper, writing a meeting at Chicoutimi, September, 1895, said:

> Mr. Laurier reiterated amidst indescribable enthusiasm, his solemn engagement to re-establish the Catholic schools on his arrival in power.

Mr. Laurier at Sorel, August, 1895, "Globe" report, said:

> He knew those Conservative papers well. They would be delighted, it would seem, if he said a word about the school question. In Quebec these pious Conservative newspapers were Catholics; in Ontario they were Protestants. In Quebec the saintly "Minerve," Sir Adolphe Caron, Mr. Ouimet and the Ultramontanes were listening to him with clubs in their hands ready to down him if he said a single word about the school question, and in Ontario, Mr. Clarke Wallace, Sir Mackenzie Bowell and the Tory and Orange organs were watching him with another club ready to strike if he dared to say a word on the same question.

Mr. Wallace and the hon. gentleman are in company at the present moment. At Sorel, Mr. Laurier in August, 1895, "Globe's" report, said:

> Now he had expressed his views on the school question on many occasions and in many parts of the Dominion. He had said over and over again that it was a question of fact, and that the Federal Government had a right to interfere, but it had never yet interfered. It had shuffled and dallied with the question all along.

I heard it stated by the hon. member for South Oxford (Sir Richard Cartwright) the other day, that he had travelled with the hon. gentleman from one end of the country to the other, and he must say that in Quebec and in Ontario the same statement was made by him to the electors in every place, and on every platform. "L'Electeur," referring to Mr. Laurier's speech in the House of Commons, April, 1895, said:

> Mr. Laurier has pronounced himself boldly for the re-establishment of the separate schools in Manitoba, and has vigorously reproached the Government for not having interfered more promptly.

I will not trouble the House with any more extracts from speeches made by the hon. leader of the Opposition. The House can see in what direction they all lead. If there is any hon. gentleman who has endeavoured to follow a course north by south it is the hon. gentleman. But the policy of hon. gentlemen opposite on the school question is exactly such a policy as we would expect, judging from their policy on the trade question. It is a wonderful spectacle for the people of this country to see the leader of the Opposition, who declared in the province of Ontario that he was in favour of separate schools, move the six months' hoist to a Bill which he says cannot be altered or amended, and thus give a direct negative to the principle of separate schools involved therein. He did it for the purpose of catching certain votes on this side of the House, and by relying on his personal popularity in his province, and by communicating some mental reservations to his Quebec friends that he would make it right for them at some time or another, he tries to get their votes also. Is he not posted from one end of this country to the other, as the champion of liberty? Do his friends not state in Ontario, that he is opposed to the priests, that he is in favour of the autonomy of the province, and that he is in favour of the government of Manitoba doing what they like on educational matters? But, Sir, does he pose in that light before the people of the province of Quebec, and before his followers from that province. Does not every one in this country know that his supporters from Quebec must have an understanding with him, that if he gets into power, he will restore separate schools to the Manitoba minority? Does not every one know that at one time, he is saying one thing to catch votes on this side of the House, and at another time he is leading his friends and followers from Quebec to believe another thing? What kind of statesmanship is that? Why, Sir, in any other assembly in the world, if the leader of a party made so many contradictory statements as the leader of the Opposition makes in this House, no reliance would be placed upon his opinion with reference to any public question. It is the proud boast of the hon. gentleman (Mr. Laurier), that his personal popularity amongst his Quebec followers is such that he can induce them to deny the principles upon which they have set their hearts. We all know the compact that was entered into with the provinces when they united in confederation. Lord Herschell referred particularly to it in delivering his judgment in the Privy Council. Is it not laid down there, that one of the main conditions of these provinces entering into confederation was that parents should be allowed to educate their children in the religion in which they thought proper. The hon. member for Queen's (Mr. Davies) says: Leave that to the provinces; what did I do in Prince Edward Island when I was bandied from one end of the country to the other: what have they done in Nova Scotia? Although it is not in the law there, separate schools are allowed in practice. Sir, if separate schools are allowed in practice in these provinces, what is the objection to putting it in the law with regard to Manitoba? Again, Sir, we are told that we are interfering with the autonomy of the province. Sir, if some day in the province of New Brunswick or in Prince Edward Island, a majority of the people should hold the sentiments of the member for York (Mr. Wallace) and the member for Grey (Mr. Sproule), and many other members in this House who are opposed to the principle of separate schools; if the majority holding such views in these provinces should put their opinions into active operation and sweep away separate schools, what, then would occur? If they have the majority, and the majority has the right to do it, is it not possible they may do it some day or other? Is it not possible that they may sweep away these rights secured to the people when they entered into confederation, believing that they could give their children that religious training which they thought proper. Sir, the principle of allowing minorities to educate their children as they wish, is breathed in every section of the British North America Act. Before confederation, that guarantee was announced on every occasion, from one end of the country to the other, and that was one of the principal conditions of the confederation. But the member for Simcoe (Mr. McCarthy) sneers at the argument of the ex-Minister of Justice (Sir Charles Hibbert Tupper) and he says that that compact cannot apply to Manitoba, because Manitoba was not thought of at that time. But does not the British North America Act contemplate the admission of Manitoba into confederation? Does not the British North America Act say:

> And whereas it is expedient for the eventual admission into Canada of other parts of British North America.

Was not the admission of Manitoba into confederation contemplated under this express language of the British North America Act? Sir, look at the judgment of the Privy Council, as you will, or interpret it as you will, let me ask: What was the duty of the Government, and what is the duty of the Parliament of Canada in reference to this matter? Was it not their duty to carry out the compact which the Lords of the Privy Council have stated was breathed in every clause of the British North America Act? Must not every man of intelligence who reads that first clause of the Manitoba Act interpret it to mean, as providing a safeguard for the minority? The hon. gentleman (Mr. McCarthy) read from Mr. Wade's pamphlet to show the deplorable state of the separate schools in Manitoba. He said that there were a hundred schools with not more than seventy-five pupils in attendance at those schools. But the hon. gentleman (Mr. McCarthy) forgot to tell the House that not one of these hundred schools were Catholic schools. He led us to believe that these one hundred schools were Catholic schools. Sir, such is not the case. Do we impose, by this Bill, a system of education any worse than the public school system of Manitoba? No, Sir, we do not. We give to the Catholics an education co-equal with the education given to others in the province, and we leave the decision of that question to the provincial authorities, if they like to undertake it. Before they can have a separate school, one of the conditions is, that the system of education, as to the mode of teaching, as to the qualification of the teachers, and as to the matter taught in the separate schools, shall be equal in all respects to that of the public schools. Do we then propose to restore the inefficient schools which existed before 1890? The hon. gentleman, who has read the Bill, knows that it is not so. He knows that the proposition of the Government is simply to allow in the schools in which the Roman Catholics preponderate, the teaching of their religion; and that in the teaching of all other subjects and in the qualification of teachers they must be equal to the public schools of the province. But the hon. gentleman and those who agree with him say that that will destroy the efficiency of the schools, that if separate schools are allowed in some sections of the country, the Roman Catholics will be unable to educate their children on account of the paucity of their numbers and the sparseness of their population. But, as has been stated by the hon. Finance Minister, the Catholics number only 20,000 in 200,000 people, or one-tenth of the population of the whole province; and every one knows that the Catholics are congregated together, and it will be unnecessary to have two sets of schools in the same parish, except in the city of Winnipeg, and, perhaps, in the town of Brandon. That argument fails entirely on account of the paucity of the numbers of the Roman Catholics, and the sparseness of the population.

The fact is this, and we may as well put it plainly and publicly before the people of this country: These gentlemen object on principle to separate schools being granted to the minority in Manitoba; and the reason they object, as is well known to every man in the province of Ontario, is that most of them believe that the teachings of the Roman Catholic church are subversive of the liberties of the people of this country. Most of them believe in their hearts that the morals taught by the Roman Catholic church ought not to be taught to the people of this country. They have not enough charity or enough of the common religion of mankind to believe, with the great mass of the people of this country, that morality and religion are as well taught by the Roman Catholic clergy as by the Protestant clergy of this country. We may as well call a spade a spade, and say that the opposition to this measure is aimed solely at the Roman Catholic religion in the province. But was it not one of the conditions of confederation that religious privileges should be guaranteed to all in this country? Though it might not be written in the statutes, yet every word of those statutes breathes the understanding that the Roman Catholic minority in this country should have the right of teaching their children morals and religion in their own schools. As the hon. member for Bellechasse (Mr. Amyot) says that was a right implanted in their consciences. And the hon. member for North Simcoe, though he may have a different opinion to-day, some time ago stated in this House, if I did not misunderstand him, that he was in favour of denominational schools. I may be mistaken, but I think I have heard that statement from him

Mr. FOSTER. As compared with secular schools.

Mr. HAGGART. He is in favour of denominational schools.

Mr. McCARTHY. No, as compared with secular schools.

Mr. HAGGART. Then the hon. member for East Grey (Mr. Sproule) says, why cannot all the children be educated together, and be brought up together, without these religious bickerings? He is in favour of a secular system of education, or else he is in favour of some religious exercises in which all can agree. The hon. gentleman may be perfectly correct in that: but his view is entirely different from that of all the leaders of public opinion in the Empire. He is completely at variance with the view of Lord Salisbury, Mr. Gladstone and every other important public man in England who has spoken on this subject, because they are all in favour of denominational teaching. I quote from Lord Salisbury, as reported in the book to which the hon. member for North Simcoe objects:

> Numbers of persons have invented what I may call a patent compressible religion, which can be forced into all consciences with a very little squeezing; and they wish to insist that this should be the only religion taught throughout the schools of the nation. What I want to impress upon you is, that, if you admit this conception you are entering upon a religious war of which you will not see the end. There is only one sound principle in religious education to which you should cling, which you should relentlessly enforce against all the conveniences and experiences of official men, and that is, that a parent, unless he has forfeited the right by criminal acts, has the inalienable right to determine the teaching which the child shall receive upon the holiest and most momentous of subjects. This is a right which no expediency can negative, which no State necessity ought to allow you to sweep away; and, therefore, I ask you to give your attention to this question of denominational education. It is full of danger and of difficulty, but you will only meet the danger by marching straight up to it, and declaring that the prerogative of the parent, unless he be convicted of criminality, must not be taken away by the State.

The leaders on both sides of politics in England are in favour of denominational teaching. But when we propose to give a denominational system to a small minority in the province of Manitoba, we are told that we attack the autonomy of the province, and interfere with its sacred rights. Do these gentlemen not know that this Parliament legislates for the people of Canada as well as the parliament of Manitoba legislates for the people of Manitoba? Cannot we look to the greater Parliament? Was it not contemplated in our constitution that no small section of the country should interfere with the security of the whole by enacting laws prejudicial to the state at large? That is the doctrine which was laid down by the hon. member for North Simcoe. That is the doctrine which the present Government ask the Parliament of Canada to carry out. That is the doctrine which the people of this country will sustain at the polls; and the hon. gentleman's insult to the supporters of the Government in this House, accusing them of being bought to vote for the Bill, stamps the lawyer who never uttered a sentiment in his life without feeling the guineas jingling in his pocket. The last man in this country who ought to accuse a fellow-member of this House of anything of that kind is the hon. member for North Simcoe. His profession teaches it to him. It is part of his nature to feel that even the men he has associated with during his whole lifetime are voting for the purpose of getting money into their pockets.

The accusation which he made against you, gentlemen, he might very well take to himself. He was a man who had been the associate for a number of years of the gentlemen I see around me. He was a friend of the whole of them, but, on account of his prejudices, he deserted his party, and is now seeking to induce us not to carry out a solemn obligation imposed upon the people of this country, simply on the grounds of bigotry and prejudice; and on these grounds he has accused many of his fellow-members of eating dirt or altering their opinions through mercenary motives. The people of this country will know how to appreciate the man who makes a statement of that kind. They will take his statement for what it is worth. I have been in this House for a great many years, and I have never yet heard of any member of it being approached in any way for the purpose of inducing him to sell his vote in this Parliament, be he on the one side or on the other; and I know of no gentleman in this House who would not resent to the utmost an imputation of the kind. I have never met a man in the Parliament of Canada so debased as this man who would get up and make groundless accusations of that kind against his fellow-members.

Now, I wish to say a few words with reference to the argument of the hon. gentleman from Queen's (Mr. Davies), to whose remarks I gave most careful attention the other night, when he was laying down the law on this subject. I may be wrong in my law. I may not have the constitutional knowledge which these gentlemen suppose they are possessed of, but every man who has been a member of this House, every young man brought up in this country, after all, understands the constitution of his country, and knows as well as most lawyers what that constitution is, and what the effect of an Act of Parliament is. The hon. gentleman from Queen's, in a lengthy document, which he took a great deal of pains to draw up, volunteered his opinion, that there were three propositions in the remedial order, and that, if we legislate outside of them, the Act would be ultra vires, and he claimed, that every lawyer in the House would agree with him. He claimed, that the power to legislate in this matter is given by the remedial order, and that, if we go outside of that, we shall be going beyond our jurisdiction. He said further that, if we pass an Act of Parliament to remedy this grievance, we could afterwards neither amend it, nor alter it, nor rescind it. I will venture the opinion—and the question may come before the courts of law—that we can amend, alter and rescind.

The hon. gentleman talked about the local legislature having the power to alter and amend any Act which we may pass, if the jurisdiction over education is vested in the provincial authorities. Well, I would again venture the opinion, that, if we pass an Act within our powers, any Act of a provincial legislature amending it will be of no effect whatever. The hon. gentleman must remember the decision of the courts, that wherever there is concurrent jurisdiction between the provinces and the Dominion, the paramount power always lies with the Dominion. Where we have powers conferred on us by the constitution, although the concurrent power may be with one of the provinces, the paramount power lies with us. The hon. gentleman said, why not withdraw that remedial order? Sir, the remedial order is issued, and there is no power in the Dominion could withdraw it. Those powers which are remitted to the Parliament of Canada are perpetually vested in this Parliament. We cannot divest ourselves of them. We can delegate the powers back again to the provinces for the purpose of legislating upon the subject, but the power exercised under the Order in Council, I maintain, is perpetually vested in this Parliament, and there is no power, except the Imperial Parliament, which can reinvest the province with it. We can delegate it, we can rescind the delegation, but the power over that subject, from the moment of the issuing of that order, is perpetually vested in the Dominion.

Then, the hon. gentleman complained about the issuing of the order. Well, Sir, look at the chronological statement of facts. First, there was the petition which came to the Governor General in Council for a remedy. We sent the petition back to the province of Manitoba, and asked them to suggest any alteration they might desire, or make any suggestion they thought fit. We never got a reply. The question then was submitted to the Supreme Court, and we asked the provincial authorities to furnish us with all the facts. We took the facts, as set forth in the Barrett case vs. Winnipeg, because we supposed, that where there was a contested case, all the facts would be produced in that case. We submitted the question to the Supreme Court of Canada, and from that court it went to the Privy Council. Before the judgment of the Privy Council was given in 1894, we sent a request to the Manitoba government to submit, themselves, legislation in this matter to the legislature of that province. They never complied with our request. That legislature was in session after the judgment of the Privy Council in England was given, and even then the Manitoba government did not lay that judgment before their legislature, or take any action. We then issued the remedial order, embodying the very words of the Privy Council, and we asked the Manitoba government what they proposed to do in the premises, and were careful to tell them that they were not obliged to carry out, in the strict sense, the remedial order. We said to them: What you are asked to do is, not to rescind the Act of 1890, but simply to restore to the Catholic minority their rights, which you can do by a few short clauses added to the provisions of the Act of 1890. The Manitoba government have never answered our communication to this day. Afterwards, we sent them a fresh communication, requesting them to state what they were prepared to do, and we waited again and again for a long time for a reply; but in vain. But the hon. gentleman from Queen's said: If it was a judgment of the court, you had no right to wait this long time; your judgment should have been expeditious. The hon. member for Simcoe said: You are taking the province by the throat and compelling it to come before your bar for the purpose of answering the question. So that we can set the one complaint against the other. Then, we sent a communication up to the Manitoba government, with a polite request to carry out this judgment of the Privy Council. The members of the Manitoba government knew of the judgment of the Privy Council as soon as did the members of this Government.

They knew what the decision of the court was. They knew that they had a right to appear and prove their case, if there was any reason why we should not make the order. They had every opportunity and plenty of time. And we are yet willing, if the provincial authorities think proper, to pass a legislative enactment satisfying the minority of Manitoba and redressing the grievances they complain of. These are the facts of the case. The hon. member states in a threatening manner to the supporters of the Government from Ontario: If you vote for this Bill you will never be returned to this House again. I know the people of Ontario perfectly well. I know that they are as intelligent as any other people on the face of the globe. If you have an honest case you have only to state it before them to win their approval. Those who have listened to this debate and those who understand this question know perfectly well that the opponents of the remedial legislation have not a leg to stand upon. The hon. member for North Simcoe himself admits that we have a right to pass the Bill. If we have the power to pass the Bill, surely we must, some time or other, exercise that power. If these people have a grievance—and that has been decided by the Privy Council in England—that grievance must be remedied. Take a legal view of the case, and one that would be upheld by any judge in the country. Where you have the power to do justice to an oppressed minority, that minority have a right to expect you to exercise that power. The Minister of Finance has stated that there is no power which can compel an unwilling legislature to do what it is unwilling to do. There is no power, as the Minister of Justice has stated, to compel a magistrate, except in one or two cases, such as the writ of habeas corpus, where there is a fine attached. But where you have the power, the duty goes with that power. If the case came 'ab initio,' what is our duty? Knowing the conditions under which confederation was formed, is it not the clear duty of this House, independent of every other consideration, to see to it that the minorities of the different provinces are accorded the rights they became entitled to on entering confederation? The case seems perfectly clear to me. I require no argument in favour of denominational teaching, because I was taught from my youth upwards to believe that morality should be taught in the public schools. I was always opposed to schools where a system of teaching in morality or religious training was not given. The majority of the Protestant electors in Ontario believe that there should be religious exercises in the public schools. Why, then, should the people who hold this opinion object to a few Frenchmen on the banks of the Red River having schools for their children in accordance with their conscientious principles? I stated in another place that I did not believe that, when the facts were laid before the people of Ontario, before my countrymen, that even a moiety of them would refuse to believe in the justice of the proposal. What interest is it to them to refuse religious training to Roman Catholics? No; this agitation is got up, not because of any objection to religious education in Manitoba, but because a few disappointed parties have not got the influence or precedence in the Conservative party which they think their abilities entitle them to. They desire to advance their own interest even at the price of stirring up strife in the community. I believe, Mr. Speaker, that the people of my province will, when the facts are before them, give a practically unanimous verdict in favour of the Government and of the policy they have adopted of giving this moiety of justice to the minority in Manitoba.

Mr. McISAAC. Mr. Speaker, the hon. member for Pictou (Sir Charles Hibbert Tupper) this afternoon in the course of his speech made some allusions to myself and the hon. member for Guysboro' (Mr. Fraser), and the election which took place in Antigonish last year. I desire to refer to that at the outset. A little less than a year ago a contest took place in the county which I have the honour to represent in this House. During that contest the hon. member for Pictou conducted the campaign on behalf of the Government. He was then Minister of Justice, and claimed credit because the Government had passed the remedial order. He made the Manitoba school question the paramount issue before the electors of Antigonish on that occasion. The hon. gentleman stated this afternoon that the hon. member for Guysboro', in his presence and in my presence, while the three of us were on the public platform, promised that he would in this House support the policy of remedial legislation. I am here, Sir, to give a most emphatic denial to that statement of the hon. member for Pictou. I tell him, and I tell you and the members of this House, that the hon. member for Guysboro' did not on that occasion make such a pledge. If he refers to the meeting which took place in the court-house in Antigonish on the 6th April, 1895—and that is the only occasion on which the hon. member for Pictou, the hon. member for Guysboro' and I addressed a meeting together during the whole campaign, so that he cannot have reference to any other—I tell this House that not only did the hon. member for Guysboro' not pledge himself in favour of remedial legislation, but the hon. Minister of Justice did not say then that he would vote for it himself. Further, I say, and I am going to prove it, that the hon. member for Pictou on that occasion did not dare to state, though I challenged him to do so before the electors of Antigonish, that the policy of this Government was to introduce remedial legislation and place it before Parliament, Manitoba failing to comply with the remedial order. The Minister of Justice was in the county for two weeks, and for the first week, though addressing some six or seven meetings, including the one I have referred to, he did not dare to tell the electors of Antigonish that the Government would introduce remedial legislation as their policy if Manitoba failed to comply with the remedial order. I am not here to explain why he was so slow in doing it. I do not know whether it was or was not the policy of the Government at that time, but I can state as a matter of fact, that it was one week after he came into the county before he declared the position of the Government. It may have been that it was because of the fact that in Haldimand, at the same time, an election was going on, a member of this Government running for election and claiming credit in the county because the Government were standing by the constitution, and although they were compelled to issue the remedial order, they were not bound to go further, and that it was not necessarily the policy of the Government to introduce remedial legislation in this House. But I tell you, Mr. Speaker, and I am going to prove it, that at this meeting in which the hon. ex-Minister of Justice states that the hon. member for Guysboro' said he would pledge himself to vote in this House for remedial legislation the hon. gentleman himself did not, although challenged two or three times, say that it was the settled policy of the Government to introduce remedial legislation, Manitoba failing to comply. I am going to put on the stand to prove my statement a witness the hon. member for Pictou will not dare to discredit, one of his best friends and one who did more to reduce my majority in Antigonish, aye, ten times more than the hon. member, though he was there two weeks.

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

Mr. McDOUGALL. That is not true.

Mr. McISAAC. What is not true ?

Mr. McDOUGALL. The editor is not a Conservative.

Mr. McISAAC. Who is talking about the editor ?

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

Mr. McISAAC. I never said a word about the editor. I am talking about the paper. I know what I am talking about, and the hon. gentleman need not interrupt me, as I would like to put a question to the hon. member for Pictou. Perhaps the member for Cape Breton (Mr. McDougall) may be able to answer it for him. Does he mean that the statements published by the "Casket" in reference to that campaign are or are not true ? Did the "Casket" tell the truth in relation to the Antigonish election ?

Mr. McDOUGALL. What is the question ?

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

> When doubt was thrown on the question as to whether the Government was on constitutional principles bound by its action in issuing the remedial order, to introduce remedial legislation in Parliament as a Government measure in the event of Manitoba's failure to comply with that order, I saw the reasonableness of that doubt and promptly notified the readers of "The Casket" of its existence, as I had previously made the statement absolutely that they were so bound.
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> When Sir Charles Hibbert Tupper, Minister of Justice, visited the county, I watched his public utterances for an authoritative statement that remedial legislation, Manitoba failing to grant it, would be introduced and carried forward as a Government measure. I noted with some dissatisfaction that in his first public speech in the town he made no such statement. I refused, until such authoritative statement should have been made by the Minister, to advise "The Casket's" readers to support the Government candidate ; and, knowing the ease with which a careful weigher of words can appear to make a declaration without actually doing so, I further refused to take the statement of any person that anything tantamount to such a declaration was made by him in any of the outlying districts. Finally, on the evening of April 10, at the court-house in Antigonish, Sir Charles set all doubts as to the Government's intentions at rest by declaring, as unequivocally as the most skeptical could desire, that they had adopted remedial legislation as their policy and would stand or fall by it.

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

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

An hon. MEMBER. An election card.

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

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

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

That statement was made in face of the fact that at the very time he was giving utterance to such words as terrible slanders, infamous jibes, he knew that within the Council Chamber there had occurred something which, probably, never happened in any government in the civilized world—ministers accusing each other of committing forgery and committing almost all the crimes in the calendar. Let hon. gentlemen read the statement made by the leader of the House not very many days ago, when he stated that he and his colleagues went into the Government and stayed there, but it was very difficult to do so, because they had for leader a man who was not fit to be leader ; and one of the seven bolters was the hon. gentleman. In the face of these facts, I ask if the statement of the ex-Minister is to be relied on ?

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

Some hon. MEMBERS. Hear, hear.

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

An hon. MEMBER. What was the pledge?

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

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

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

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

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

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

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

> The principle of remedial legislation is in that Bill as the gold is in the nugget.
>
> Sir RICHARD CARTWRIGHT. Very refractory gold.
>
> Mr. FOSTER. It may be so, Sir. But the man who wants to get pure gold does not simply kick aside the nugget with his rough encasement, but he says : Let me have that and, with the help of others, I can refine it into pure gold.

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

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

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

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

And further on he said :

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

And again :

> * * * If the leader of the Opposition wants to settle the question for all time to come, and remove it from this House, not to remain as a question, as the hon. gentleman has often said, out of which political capital could be made, then let him withdraw his amendment and substitute a motion reading like this : That this House is of the opinion that this Bill or any other Bill dealing with this question be not read now or six months hence or at any future time, but the whole question be left to the province of Manitoba to deal with it as it may deem best. Let the hon. gentleman move such a motion, and he will satisfy the House that if the question is not settled now, we at all events will not deal with it, and it will be left to the province of Manitoba. If the leader of the Opposition should move a motion like that, he might reasonably expect the support of hon. members in this House who are opposed to the re-establishment of separate schools as they were prior to 1890. But the hon. gentleman cannot expect that hon. members entertaining such opinions will support a motion for the six months' hoist preceded by a speech to the effect that the grievances in Manitoba must be removed, and that the claim of the minority that separate schools be established must be conceded and attended to. This being the case, I cannot support the amendment. I cannot do so in view of the statement made by the leader of the Opposition and repeated by his followers, that the only object they have in view is to defeat the present Bill with the hope of being able to pass a stronger Bill.

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

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

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

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

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

> The parliamentary correspondence of the "Trifluvien" considers that the present time is not well chosen for discussing the merits of the Remedial Bill.
>
> We believe it is infinitively better worth our while to examine this Bill now when it is at least theoretically possible to modify it, than to pass it first and then to estimate its shortcomings.
>
> It will be said "If there are defects they will be removed by subsequent legislation." Let no one create this illusion for himself. As the Act is when passed, so it will remain. Never can Parliament be held to legislate twice on the question.
>
> It is enough to remember what is going on at Ottawa to convince one of this.
>
> If the Bill is not modified so as to make it conform entirely to the remedial order of last March it can be attacked as unconstitutional. In effect the Federal Parliament has no right to legislate on the school question, except in so far as the Manitoba legislature has refused to legislate itself.
>
> Now the remedial order of March 21st, 1895, declared that the minority had a right to three things, viz. : (a) To construct, maintain, manage and conduct Roman Catholic schools ; (b) to receive a proportionate share of every subsidy granted from the public funds for educational purposes ; (c) finally, exemption for the Catholics from taxes imposed for the maintenance of public schools. It is a, b, c which the Federal Government ordered the legislature to do. It is, therefore, a, b, c which the Manitoba legislature has refused to do. It is, therefore, a, b, and c which the Federal Parliament has the right to do in virtue of the constitution.
>
> But by the Bill actually before the public the Government only invites Parliament to do (a) and (c) ; for no matter what we may say, clause 74 does not do (b), that is to say, it does not give the minority a proportionate part of every grant made for educational purposes out of public funds.
>
> Winnipeg may then say : "I have refused to do a, b and c, but I have not refused to do a and c alone. You have, therefore, the right to legislate on a, b and c, because of my refusal, but you have not the right to legislate on a and c, because you have not, in the first place, given me notice to legislate myself on a and c alone.
>
> It is useless to do like the ostrich, to hide one's head in the sand and believe one's self under shelter. If clause 74 is not modified so as to do c, the Act will probably be declared unconstitutional.
>
> Let us now cast a glance over some of the clauses of the Bill which, according to us, require to be altered.
>
> To begin with, the first section of the Bill appears to us as exposing the minority to a grave danger. This section says that "the Lieutenant-Governor in Council of the province of Manitoba shall appoint, to form and constitute the Separate School Board of Education for the province of Manitoba, a certain number of persons, not exceeding nine, all of whom shall be Roman Catholics." It is hardly probable, we know, that the Manitoba government would carry this clause into effect and constitute the Separate School Board, but it may do so, and if it should take into its head to carry out this disposition of the Bill it would certainly do it in such a way as to frustrate the whole law. For that purpose all it would have to do would be to appoint as members of the new board a certain number

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

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

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

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

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

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

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

The famous section 74 reads textually as follows :—"The right to share proportionately in any grant made out of public funds for the purposes of education having been decided to be, and being now, one of the rights and privileges of the said Roman Catholic minority of Her Majesty's subjects in the province of Manitoba, any sum granted by the legislature of Manitoba and appropriated for the separate schools shall be placed to the credit of the Board of Education in accounts to be opened in the books of the Treasury Department and in the Audit Office."

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

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

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

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

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

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

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

Mr. GILLIES. Certainly.

Mr. McISAAC. Without any amendment ?

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

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

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

Mr. McISAAC. I say that if I could believe that the minority in Manitoba are satisfied with the Bill, as it is now, I would be compelled to say that the grievance of that minority, as they were represented to me and to the people of the country, must have been grossly magnified. I do not believe that the minority are satisfied with it, except perhaps on this condition, that promises have been made to gentlemen representing the minority in Manitoba, that although this Bill practically provides but very little, still in the future, they will get something more, and under this belief they may have given their assent to the Bill. I want no stronger proof of this than what occurred the other night, when the hon. member for Quebec Centre (Mr. Langelier) put the question across the floor to the hon. Postmaster General (Sir Adolphe Caron). I shall read from the speech of the hon. member for Quebec on that occasion. He said :

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

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

> Can we pass legislation to force Mr. Greenway or the Manitoba government ? What power have we ? The only thing we can do is to pass a declaratory law, and the Bill contains that declaration. It says that it is decided that such is the right of the minority. Mr. Speaker, when the government of Manitoba will be led by men who are friends of the minorities as well as of the majorities, when the government of Manitoba will be led by friends of justice, then the Manitoba government will find in the law such declaration, and will give justice to the minority. But, Sir, so long as the Manitoba government will be led by friends of the Liberal party in this House, unless we go there with an army, unless we go there with force, unless we go there as a nation equipped for war in order to obtain that justice which the constitution says is ours, I do not see any human way of forcing Manitoba to give us justice. We might, perhaps, say in this Bill that a certain amount, yearly, should be given to the separate schools out of the lands which the Federal Government own in that province. Well, Sir, it will be easy to pass such a law later on. It might be, perhaps, possible to insert such a clause even in this Bill, but that I do not discuss now.

Later on in his speech he said :

> But, Sir, the Conservative party of Manitoba, which, in Manitoba, as everywhere else, is the upholder of liberty, is not a very small minority in that province. If you take the returns of the last election for the Manitoba legislature, you find that out of a total of 25,507 votes, giving thirty-two government supporters, the government supporters have received 11,178 votes, whereas the Conservative candidates received 10,719 votes, the Patrons 2,680 votes, and the Independent received 930 votes. * * * * * * You will see, also, Sir, when party passion is over, when the present Bill will be the law of the land, when it will be understood and interpreted, when the sentiment of justice which exists in the heart of every Canadian is awakened, you will see then, Sir, that the Conservative party will be in power in Manitoba. Then the Conservative party will get back the majority in Manitoba, and you will have a friendly administration at the head of affairs there. Then this law will be the safety of the minority, will bring back peace to the Dominion, and will allow us to work harmoniously together for the development and the welfare of the country. That is what this law is likely to do.

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

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

Mr. AMYOT. That only refers to clause 74.

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

Bill, and will have to apply themselves to the doubtful process of doing justice to the minority through the instrumentality of this Bill. He stated that justice will be denied until his friends get into power in Manitoba. Sir, would it not be far better for his friends to pass a Bill in the legislature of Manitoba itself. Does not everybody know that a Bill passed in that legislature is worth ten times more to the minority of that province than a Bill passed in this House ? Therefore, assuming his statement to be correct, I say if justice is to be denied the minority until his friends get into power in Manitoba, then it will be infinitely better that his friends should introduce a Bill into the legislature of Manitoba. But the hon. gentleman has gone further, he has stated that the Conservative party in the province of Manitoba, as elsewhere, were the champions of toleration, of liberty, and I suppose I may include, separate schools. Why, has the hon. gentleman been asleep for the last fifteen years ? Has he read the political events of this country for these years ? Does he not know that for fifteen years a struggle has been going on in the province of Ontario on this very question ? And what is the record of his friends in Ontario on that question, and what is the record of the Liberal party ? Do the political events in that province prove the statements of the hon. member for Bellechasse (Mr. Amyot) that the Conservative party in Manitoba and elsewhere are the champions of religious liberty and toleration all over this country ? Does he not know that during the last fifteen years the Liberal party, led by Sir Oliver Mowat, have stood by the separate schools and the cause of the Catholic minority in that province ? And does he not know that during those fifteen years his political associates in that province have hounded Sir Oliver Mowat and the Liberals from pillar to post, because forsooth they would not lay their hands upon the separate schools and destroy them. Sir, I will go further, and I will examine the political situation in Manitoba. The hon. gentleman would have this House believe that his friends in Manitoba are the friends of separate schools, are the friends of the minority in that province. On that point I take issue with him, and I will proceed to give the proof. In the election which took place in Manitoba in 1892, the Conservative party, at a convention held on 13th May, at Winnipeg, adopted a platform, the sixth plank of which related to schools, and reads as follows :—

> The Opposition hereby declare :
>
> 1. That they are in favour of one uniform system of public schools for the province.
>
> 2. That they are ready and willing to loyally carry out the present Act should it be held by the Judicial Committee of the Privy Council of Great Britain to be within the legislative power of the province.
>
> 3. That in the event of such School Act being held by the Judicial Committee of the Privy Council of Great Britain to be beyond the legislative powers of the province, they will endeavour to secure such amendments to the "British North America Act" and the "Manitoba Act" as will place educational matters wholly within the legislative power of the provicne of Manitoba, without appeal to the Governor in Council or the Parliament of Canada.

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

> DECEPTION.
>
> Electors of Manitoba.
>
> The Greenway Government is Deceiving You.
>
> Mr. Laurier said at Montreal, in the late contest there, speaking as to the Manitoba school question :
>
> I have no hesitation in telling you that I want to have the minority in Manitoba restored to the same privileges which are freely granted in Quebec to the Protestant minority, and to the Catholic minority in Ontario.
>
> The Brandon "Sun" (the organ of the Greenway party), in its issue of 26th December last, said :
>
> Let it be shown that the Manitoba School Act attacks the conscientious convictions of Catholics, and we will join in demanding its amendment or correction.
>
> The Hon. Mr. Sifton, in his speech at Douglas, on the 31st December last, as reported by the Winnipeg "Daily Tribune" (the Government organ), said :
>
> We are prepared to consider any changes in method that will make it acceptable to the Roman Catholics. We will do anything in reason, anything that will not compromise principle ; and again, anything in reason, if we can settle this matter without compromising principle, then we will do it, but not otherwise. If there is any change that can be made in the religious exercises that will make them acceptable to all parties, if any change can be made in the time they are held, or other like changes, we are prepared to consider them.
>
> What does all this mean ? Is the present School Act going to be modified to meet the grievances of the Roman Catholics, by the Greenway party, if returned to power ? Why are these doubtful and qualified expressions uttered and published at the present time if no understanding has been come to ? The evidence is clear, and the inference is clear. The Greenway party are coming before you on a false issue. They are deceiving you on this school question, and hope by means of it to cover the numerous shortcomings of their administration.
>
> You may depend upon it that, if returned to power, they will so change and amend the present School Act that the conscientious convic-

> tions of the Roman Catholics will no longer be attacked by it, and, though they will not have separate schools in name, they will have them in fact.
>
> Remember Greenway's withholding of maximum letter as to freight rates.
>
> Remember Sifton's concealment of Dalton McCarthy's opinon re Ryan & Heney claim.
>
> Remember Greenway's deception towards the Roman Catholics in passing the School Act, and he will deceive the whole province.
>
> ELECTORS, DON'T TRUST THEM ! ! !

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

Mr. LaRIVIERE. And a supporter of Greenway.

Mr. McISAAC. On this question.

Mr. LaRIVIERE. No, all through.

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

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

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

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

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

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

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

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

Some hon. MEMBERS. Order.

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

Mr. McDOUGALL. I want to ask——

Some hon. MEMBERS. Order.

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

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

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

Mr. McDOUGALL. He is Greenway's seconder.

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

Some hon. MEMBERS. Order, order.

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. GILLIES. Mr. Speaker, although this debate has been carried on in a very stirring manner for the past fortnight, and although the debate has been upon a question that intimately concerns me and those of the religious denomination to which I happen to belong, yet, it was my fixed purpose and set determination not to take any part whatever in the discussion, and I would have adhered to this purpose, were it not for the very extraordinary exhibition made of himself by the hon. member who has just taken his seat (Mr. McIsaac), and who, I am very sorry to say, happens to come from my province. Now, Mr. Speaker, I never saw, to my mind, any gentleman in a more unenviable position than the hon. gentleman (Mr. McIsaac). He has denounced a Bill that he is going to vote for. His vocabulary was profuse enough to denounce this Bill in the terms that he desired, yet he is going back upon his leader, he is going back upon his speech, and he is going to vote for this Bill. That hon. gentleman (Mr. McIsaac) went down to Cape Breton some few weeks ago to take part in an election campaign there. What was his attitude upon this question then? He went into every Catholic district in which he could find an abiding place, and he told the people that the policy of his leader was that of an investigation. He told them, that the Government would not dare bring down a Remedial Bill, but that the matter was safe in the hands of his leader, the Catholic (Mr. Laurier), and that immediately the House met, his policy would be carried out, and that policy was not delay, but immediate action in the way of investigation. Where is the investigation now, Mr. Speaker. Where is the policy of the leader of the Opposition now? In 1893 that hon gentleman took a very strong stand against the procrastination, as he called it, of the Government. He denounced them very violently indeed for not giving immediate relief, to what was then to him, a suffering minority. Well, Sir, the Government took the proper method to deal with this question. They went from court to court, and had the question threshed out in all its aspects, and before submitting this legislation to Parliament, they wished to be sure that they were proceeding on a solid basis. The very moment that the decision was given by the highest court of the Empire, they issued the remedial order. Let me say here, Sir, that, if it is my lot, or the lot of any hon. gentleman in this House, to listen in the future to such attenuated and half-starved statements as the member for Antigonish (Mr. McIsaac) made to-night. I do hope that such statements will not come from a man from my province. Sir, in the few observations that I intend making upon this subject, I wish to draw the attention of the House to a misstatement made by the hon. member for Antigonish (Mr. McIsaac), in connection with Mr. Mulvey of Manitoba. He (Mr. McIsaac) was animadverting upon my friend, the hon. member for Bellechasse (Mr. Amyot), and he said that Mr. Mulvey was a political friend of that hon. gentleman. Now, Sir, a grosser misstatement than that was never made on the floor of this House. What are the facts? Mr. Mulvey was the Greenway candidate in opposition to the Conservative candidate in Morris county, and he was returned by the influence of the Greenway Government, and so closely does he stand in with that Government, that he either moved or seconded the Address in reply to the Speech from the Throne at the opening of the Manitoba legislature. That statement made by the hon. member for Antigonish (Mr. McIsaac) is so wide from the truth, that the other statements that he has made may be judged accordingly. The hon. gentleman (Mr. McIsaac) referred to the campaign in Antigonish in which my hon. friend, the late Minister of Justice (Sir Charles Hibbert Tupper) took so active a part. If there is one fault to find with the hon. the ex-Minister of Justice, it is that he possesses indomitable courage. Every person who knows my hon. friend from Pictou (Sir Charles Hibbert Tupper) will admit that. I could hardly believe my ears, when I heard the member for Antigonish say to-night, that the ex-Minister of Justice would not dare make such-and-such a statement in his presence. Sir, on every platform on which the hon. gentleman (Sir Charles Hibbert Tupper) appeared during the Antigonish campaign, I venture to say that he proclaimed readily, and expressly, and definitely the course that the Government would pursue on this question. At the very first meeting we had in the town of Antigonish, I myself heard the ex-Minister of Justice make as definite a statement on that question as ever fell from the lips of man. But, what was the position of the hon. gentleman from Antigonish on this Bill? It was written by himself, and I happen to have it here to-night, and for the edification and instruction of the House I will read a few lines from it. Here is what he said:

> As to the Manitoba school difficulty, I am in full sympathy with the Catholic minority.

I suppose he is so now, too, when he is going to vote for the Bill.

> Between myself and my opponent on this question there is no difference of opinion. We both agree that full and ample justice should and must be done to our co-religionists in Manitoba. I pledge myself, if elected, to support remedial legislation.

Well, Sir, he is trying to excuse himself to-night for the action he is taking. He denounces the Bill, but he is voting for it, because he wants to do justice to his co-religionists in Manitoba. If the Bill is bad as he contends, why in the name of common sense is he voting for it? But the Bill is effective, gives the relief asked for, is satisfactory to the minority and is therefore good and sound legislation, but the hon. gentleman is not honest enough to admit this. There may be another reason which actuates and compels the hon. gentleman (Mr. McIsaac) to take this course; a reason that he has not given to the House, and that reason is, that he probably thinks that this course is more likely to ensure his return to this House than if he voted against the Bill.

Sir CHARLES HIBBERT TUPPER. His speech will kill him.

Mr. GILLIES. Yes. It ought and will. Again, the hon. member for Antigonish goes on to say:

> Members of the Government, and their supporters in this county, claim great credit for the

Government's action in passing the Order in Council. The Government have, however, done only what they are bound to do under the constitution and in obedience to the demand of the highest judicial authority in the realm.

The hon. gentleman (Mr. McIsaac) is quite correct in that, and I am glad to have his opinion in regard to that matter. But, I would like to know, how his friend the member for Queen's (Mr. Davies) likes that, and I would like to know how his friend the member for North Norfolk (Mr. Charlton) likes that. I would like to know how the hon. member for North Wellington (Mr. McMullen) or the hon. member for North York (Mr. Mulock) or his friend the hon. member for Winnipeg (Mr. Martin) or the hon. member for East Huron (Mr. Macdonald) or the hon. member for L'Islet (Mr. Tarte) likes that. They have all been shouting that the Government did wrong in issuing this remedial order, but the hon. gentleman says they only did their duty. Who is right? The hon. gentleman or his political associates above named, all of whom are the friends of his bosom? If they are a happy family in this connection, that is something the outside world does not know. The hon. gentleman goes on further to say:

> In his card to the electors of the county, Mr. Chisholm intimates that Laurier has failed to declare his policy on the school question. This, however, is not so. He has already declared himself in favour of the Catholic minority.

Now, Sir, the only way a member of this House can declare himself is to place himself on record; and what is the record of the hon. leader of the Opposition in this connection? Does he wish relief to be given to the Catholic minority of Manitoba? And if he holds this Bill to be inadequate in that direction, his duty is to move an amendment that will give them more relief than this Bill provides. But he does not move in that direction; he simply moves the six months' hoist, which puts this question away in the indefinite, dim and distant future. Another paragraph of this celebrated card, and I am done with it:

> In conclusion, let me add, that should the Manitoba government fail to do justice in the matter, the question of remedial legislation will be submitted to the Parliament of Canada, where the fair and tolerant spirit of men of both political parties will assert itself, as it did in the settlement of the Jesuits' Estate Act.

Well, Mr. Speaker, the Manitoba government did fail to do justice in the matter, but is the fair and tolerant spirit of men of both political parties asserting itself in carrying out this legislation? Where are the friends of the hon. gentleman who has just spoken? Are they coming to the assistance of the Government in granting a measure of relief to the suffering minority in Manitoba? I will leave the hon. gentleman and his friends to sleep over that question, and to settle it among themselves.

Now, Sir, I desire to make a few observations on the question itself, and in doing so I shall be very brief; because the question has been fully and ably dealt with by gentlemen on both sides of the House, each according to his lights, and I hope all according to their convictions, except the member who speaks against the Bill and is going to vote for it. With that sort of personage I have no patience. Great fault has been found with the Government for not giving sufficient notice to the government of Manitoba, that unless they introduced legislation themselves, providing to remedy the grievance, legislation would be introduced here. Let us go back for a moment, and look at the record. We find that as long ago as the 26th of July, 1894, an Order in Council was sent from this Government to the government of Manitoba. That order was of a most conciliatory character. It was couched in such langauge as I think the most supersensitive person could not take exception to. What does it say:

> The statements which are contained in this memorial are matter of deep concern and solicitude in the interests of the Dominion at large, and that it is a matter of the utmost importance to the people of Canada that the laws which prevail in any portion of the Dominion should not be such as to occasion complaint of oppression or injustice to any class or portion of the people, but should be recognized as establishing perfect freedom and equality, especially in all matters relating to religion and religious belief and practice; and the committee, therefore, humbly advise that Your Excellency may join with them in expressing the most earnest hope that the legislature of Manitoba and the North-west Territories respectively, may take into consideration at the earliest possible moment the complaints which are set forth in this petition, and which are said to create dissatisfaction among Roman Catholics, not only in Manitoba and the North-west Territories, but likewise throughout Canada, and may take speedy measures to give redress in all the matters in relation to which any well-founded complaint or grievance be ascertained to exist.

There is not in that minute of Council a single objectionable word. What was the answer to that made by the government of Manitoba? It was this:

> It has been made clear that there is no grievance. Under these circumstances the executive of the province see no reason for recommending the legislature to alter the principles of the legislation complained of.

Now, how can it be alleged that the government of Manitoba were approached in a summary or coercive manner by this Government, in view of the Order in Council which I have read as having been sent to the Greenway government in July, 1894, and the answer to it, which was a direct negative. Then, there was the remedial order as long ago as March, 1895. That order was of course in more forcible terms than the first minute of Council. It expressely ordered the government of Manitoba to restore to the minority their rights. It was an intimation of what would happen unless that were done. But nothing was done. Then, in July last the statement was made in this House of Commons by the leader of the House, and in the Senate by the Premier, that unless the legislature of Manitoba would grant such relief as would be reasonably satisfactory to the minority, steps would be taken by this Parliament on a day not later than the 2nd of January to enact such legislation as would give relief to the minority. That was notice number three. After that, on the 22nd of July, an Order in Council was sent from here to the government of Manitoba in these words:

> The sub-committee have, therefore, the honour to recommend that Your Excellency will be pleased to cause communication to be had through the Lieutenant-Governor of Manitoba with the government of that province, in order to ascertain on what lines the local authorities of Manitoba will be prepared to promote amendments to the Acts respecting education in schools in that province, and whether any arrangement is possible with the Manitoba government, which will render action by the Federal Parliament, in this connection, unnecessary.

Could anything be more conciliatory than that? Could anything be framed in milder terms than that? Well, that went up to Manitoba last July, and only a few days before this House met, the answer of the Manitoba government was transmitted to this Government. How does it read? This is the main paragraph in it:

> It is, therefore, recommended, that, so far as the government of Manitoba is concerned, the proposal to establish a system of separate schools in any form be positively and definitely rejected, and that the principle of a uniform non-sectarian public school system be adhered to.

That is a most distinct and emphatic refusal, and I think that that answer of the Manitoba government effectually disposes of the allegation made so frequently that the federal authorities are attempting to take it by the throat, and that it is no wonder it should have resented it in the way it did. But when we come to look at the facts, the Order in Council of July, 1894, the remedial order of March, 1895, the statement of the hon. leader of the House of Commons that a remedial Act would be passed unless the Manitoba government would take such action as was necessary in Manitoba itself, and then taking the final Order in Council of the Federal Government of July last, which I have just read, and the distinct expressed negative given by the legislature of Manitoba, I cannot see for the life of me how any person can say that coercion was used in the slightest way by the federal authorities against the local authorities of Manitoba. Now, I am almost afraid to approach the question of a grievance. That has been so fully discussed, far better than I can hope to discuss it, that I am almost afraid to take it up; but in justice to myself, I hope the House will permit me to refer to it very briefly. That the minority are suffering from a grievance, I do not think any reasonable man can doubt. We have it on the authority of the Judicial Committee of the Privy Council and on Mr. McCarthy's own admission. When the question was argued before the Privy Council at Ottawa, he admitted, as you will find on page 34 of the proceedings before the Canadian Privy Council, that he was precluded from denying there was a grievance by the judgment of the Judicial Committee of the Queen's Privy Council. Mr. Martin, the putatative and actual father of the Manitoba Act, wrote the following letter to the Ottawa "Citizen," July last:

> When I introduced the School Bill of 1890 I pointed out that in so far as it provided for religious exercises in the schools it was, in my opinion, defective. I am one of those who deny the right of the state to interfere in any way with matters of religion. I said then, and I still think, that the clause of the 1890 Act which provides for certain religious exercises is most unjust to Roman Catholics. If the state is to recognize religion in its school legislation, such a recognition as is acceptable to Protestants only, and in fact only to a majority of Protestants, is, to my mind, rank tyranny.

No one is more familiar with the Act than the gentleman who introduced it, who is now a member of this House, and he admits that a gross injustice has been done, and that in fact the whole Act was rank tyranny.

Then, the sixth question, which is really the important one which was referred to the Supreme Court and decided by the Judicial Committee of the Privy Council, is as follows:—

> (6) Did the Acts of Manitoba relating to education, passed prior to the session of 1890, confer on or continue to the minority "a right or privilege in relation to education" within the meaning of subsection 2 of section 22 of the Manitoba Act, or establish a system of separate or dissentient schools, within the meaning of subsection 3 of section 93 of the British North America Act, 1867; if said section 93 be found applicable to Manitoba; and if so, did the two Acts of 1890 complained of, or either of them, affect any right or privilege of the minority in such a manner that an appeal will lie thereunder to the Governor General in Council?

Let me read the answer of the Judicial Committee on that point. What do they say:

> With the policy of these Acts their lordships are not concerned, nor with the reasons which led to their enactment. It may be that as the population of the province became more largely Protestant, it was found increasingly difficult, especially in sparsely populated districts, to work the system inaugurated in 1871, even with the modifications introduced in later years. But whether this be so or not is immaterial. The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed has been affected by the legislation of 1890. Their lordships are unable to see how this question can receive any but an affirmative answer. Contrast the position of the Roman Catholics prior and subsequent to the Acts from which they appeal. Be-

fore these passed into law there existed denominational schools, of which the control and management were in the hands of Roman Catholics, who could select the books to be used and determine the character of the religious teaching. These schools received their proportionate share of the money contributed for school purposes out of the general taxation of the province, and the money raised for these purposes by local assessment was, so far as it fell upon Catholics, applied only towards the support of Catholic schools. What is the position of the Roman Catholic minority under the Acts of 1890 ? Schools of their own denomination, conducted according to their views, will receive no aid from the state. They must depend entirely for their support upon the contributions of the Roman Catholic community, while the taxes out of which state aid is granted to the schools provided for by the statute fall alike on Catholics and Protestants. Moreover, while the Catholic inhabitants remain liable to local assessment for school purposes, the proceeds of that assessment are no longer destined to any extent for the support of Catholic schools, but afford the means of maintaining schools which they regard as no more suitable for the education of Catholic children than if they were distinctively Protestant in their character.

That distinctly, emphatically and unequivocally declares that there is a grievance. I think it will appeal to any parent, whether he be Protestant or Catholic, in the keenest and most tangible manner, that he would resent by every power at his command if any body of men or any man would try to compel him to send his son to a school to which he was conscientiously opposed. There is no doubt about that. I do not care whether a person be Protestant, Catholic, Jew or Mahommedan, he has a perfect right to see that his son shall not go to any school he cannot conscientiously attend. That is exactly the position of affairs in Manitoba. In this connection, I would ask permission of the House to quote Lord Salisbury's opinion :

> Numbers of persons have invented what I may call a patent compressible religion, which can be forced into all consciences with a very little squeezing ; and they wish to insist that this should be the only religion taught throughout the schools of the nation. What I want to impress upon you is, that if you admit this conception, you are entering upon a religious war of which you will not see the end. There is only one sound principle in religious education to which you should cling, which you should relentlessly enforce against all the conveniences and experiences of official men, and that is, that a parent, unless he has forfeited the right by criminal acts, has the inalienable right to determine the teaching which the child shall receive upon the holiest and most momentous of subjects. This is a right which no expediency can negative, which no state necessity ought to allow you to sweep away ; and, therefore, I ask you to give your attention to this question of denominational education. It is full of danger and of difficulty ; but you will only meet the danger by marching straight up to it and declaring that the prerogative of the parent, unless he be convicted of criminality, must not be taken away by the state.

This is the opinion of an eminent Protestant and one of the leading thinkers of the day, and is precisely in line with the views held by the authorities of the church to which I belong. Into what fact can any commission investigate, if the proposal of the hon. leader of the Opposition is agreed to ?

Mr. McMULLEN. You do not know anything of the schools there.

Mr. GILLIES. Yes, I do. Mr. Martin himself, the author of the Act, tells us in the letter that I have just read that the religious exercises prescribed by the Act are most unjust to Roman Catholics, and then the highest court of the Empire has decided that this Act is an abrogation of the rights of the minority in Manitoba ; but you do not want any change there. You will have to settle that with the hon. member for Antigonish. One other point I will touch upon and then I will conclude. I have heard it contended that the position of affairs in Quebec was not analogous to that in Manitoba. I have heard even some lawyers contend that. I may be allowed to take issue with that statement and I will give authority for the position I hold. I think it will be freely admitted that very few people ever lived that better understood the genius of the Canadian constitution than the late Sir Alexander T. Galt. In 1876 he wrote a pamphlet which may be found in the library, entitled "Church and State." In that pamphlet he says :

> The educational rights of Protestants as respects much of the principle and mode of taxation, separate management and other important points, are not secured by the Act of Confederation ; but rest upon a provincial statute of Quebec that is subject to repeal if not prevented by the veto power.

Now, we all know that separate schools were established in the two provinces of Canada prior to confederation—about the year 1863, I think. The bare right to have separate schools was established, and, of course, innures for all time to these two provinces under the Act of Confederation. But the separate school system in the province of Quebec was really unworkable until the legislation of 1869 was adopted. That Act gave effect to and made operative the separate school Act in the province of Quebec, which is the Act that Sir A. T. Galt refers to in the pamphlet which I have just read, when he says it may be repealed at any time by that province. If it is repealed, the Separate School Act of the province becomes really unworkable. Suppose then, and I put this very seriously to gentlemen on both sides, both Catholic and Protestant —and I do not like using these terms, for no one is more liberal minded than I am, and I think that any one who knows me will agree with that statement, and I hate to bandy these names "Catholic " and "Protestant" in this House, but it seems inevitable in this discussion—suppose that the legislature of Quebec in its wisdom or in its anger undertook to repeal the Act of 1869. The Protestant minority would have a grievance. What, then, would be done? The Federal authority could veto the Act, but according to the doctrine of hon. gentlemen opposite, that would be an undue interference with provincial autonomy. Would not their course be to come to the Governor in Council, as the minority in Manitoba has done, and seek the relief the statute provides? If I am right in that, the hon. gentlemen who oppose relief being given to the minority in Manitoba would have to raise the cry "Hands off Quebec" and declare that no relief could be given to the Protestant minority there. That is a position to which, as a Roman Catholic, I could not agree nor subscribe. I would stand up in defence of the rights and privileges of my Protestant fellow-brethren, and in doing so every Catholic clergyman would endorse and bless my action because it would be right. If such an Act were passed by the local legislature of Quebec denying or abridging by one iota the rights conferred upon the Protestant minority of that province and this Government would not interfere and give relief, I would leave them that moment and vote for remedial legislation, even though I never saw the inside of Parliament again. That is the stand I take, so strongly do I feel upon the matter. And if I, as a Roman Catholic, am ready to stand up for relief of the Protestant minority of Quebec if their rights are interfered with, why should not my Protestant friends meet me in the same way?

Mr. CAMERON (Inverness). So they will.

Mr. GILLIES. So they will. I have every faith in the determination of the majority of this House to do what is right to stand by the constitution and to give fair play. Before I sit down I must briefly refer to the way in which superior education is provided for in the province of Quebec. I have looked through the Education Act of that province very carefully. I find that section 2204 of the Act, under the head of superior education, provides as follows:—

> The total aid to universities, classical colleges, academies and model schools, granted under the provisions of this title, shall be divided between the totality of the Roman Catholic and Protestant institutions respectively, in the relative proportion of the respective Roman Catholic and Protestant populations of the province according to the last census.

Now, I think that is a most equitable division. It also provides:

> Such grants, so made out of the income fund, shall be for the year only and are not permanent.

Suppose that at the end of the year the legislature, as it would have the right to do, should depart from its usual course and should cut off the public grants to the Protestant minority. That would create a grievance that we should have the right to inquire into, and for which a remedy would have to be found by this Parliament. And I am sure that not a single Catholic in this House would vote against that remedy. Now, the Council of Public Instruction in the province of Quebec is composed of Roman Catholic and Protestant members, as follows:—

> 1. The bishops, ordinaries or administrators of the Roman Catholic dioceses and apostolic vicariates, situated either in whole or in part in the province, who are members ex-officio.
>
> 2. An equal number of Roman Catholic laymen appointed by the Lieutenant-Governor in Council.
>
> 3. A number of Protestant members equal to the number of Roman Catholic members appointed by the Lieutenant-Governor in Council, who are appointed in the same manner.

The Council of Public Instruction is divided into two committees, the one consisting of the Roman Catholic and the other of the Protestant members thereof, each having its own secretary. So complete is the machinery provided by the Act that the whole thing runs on without a jar. And, as I say, if one of those committees was interfered with, if, for instance, the Protestant committee were interfered with, the Protestant minority, who are one to seven of the population, would have a grievance. And if the objectionable Act were vetoed, it would be, according to gentlemen opposite, and I am not disposed to quarrel with them on that ground, an undue interference with provincial rights and autonomy. Then these people, in order to obtain a remedy, would have to apply to the Governor in Council just the same as the minority in Manitoba are doing now; and if they did that, I and my co-religionists in this House would support them. There is little further for me to say upon this question. In taking this attitude I contend that I stand upon the rock of the law, the basis of all justice and all rights. Sir, I appeal to my fellow-members of both religions in this House to settle this question in such a way as to allow us to live amicably together in this Dominion, and go on developing its enormous resources. Let us live side by side in peace and harmony, and let this question be settled constitutionally and be forever thereafter buried in oblivion.

Mr. FLINT moved the adjournment of the debate.

Sir CHARLES HIBBERT TUPPER. Go on.

Mr. OUIMET. The hon. member for Laprairie (Mr. Pelletier) wishes to speak.

Mr. FLINT. I will withdraw my motion with the consent of the House, and move it again at the conclusion of the speech of the hon. member for Laprairie.

Motion to adjourn the debate withdrawn.

Mr. PELLETIER. (Translation.) At this advanced stage of the debate, Sir, I do not rise to participate at any length in the discussion that is now in progress. I shall confine my remarks to certain points of special interest upon which I wish to call the attention of the House. It is beyond the realm of doubt, Sir, that the right of the Manitoba minority to their separate schools had been asked for in express terms in the seventh clause of the bill of rights presented to the Federal Government in 1890 by the Red River delegates, Judge Black, Alfred Scott and Rev. Father Ritchot, and further, that such right was guaranteed and sanctioned first by a federal statute, which is now the Manitoba Act, and that it was later or ratified in behalf of the people by the legislative assembly of the new confederated province. So it came to pass that for nearly twenty years the minority in that province were enabled to enjoy the rights and privileges of the separate school system. The Conservative government were in power during that period and they never interfered with that right of the minority. It was only after the coming into power of the Liberals in Manitoba that the new Liberal administration dared to infringe the rights and privileges of the Catholic minority, through the obnoxious law which they passed in 1890, doing away with the separate school system and imposing upon the Catholic minority a so-called system of public schools, which are in reality but Protestant schools. But granting that they were public and unsectarian schools, they would even, in that case, prove unacceptable to the Catholic minority who have a right to their separate schools, a right which they have been all along claiming and petitioning for. According to the tenets of the Catholic church, instruction in the secular branches and religious or moral teaching should go hand in hand, and should never be divorced ; for the human soul is indivisible and the heart and mind ought to be trained together under the guidance and inspiration of the church. It is a matter of regret, to my mind, that, during the course of this debate, some anti-remedialist members should have, with a view to strengthening a bad cause, brought forward the argument that the Catholic educational system of the province of Quebec was defective and below the standard. That is a libel upon our province which is easily answered. In referring to the records of our educational system and of our institutions of learning we could find ample grounds for patriotic outbursts of patriotic faith, hope and love, inasmuch as those records evince what a large and liberal quota of men renowned for their abilities, their high intellectual gifts, their learning and their virtues, the province of Quebec has supplied at different periods of our history. Now, Sir, I venture to say, beyond fear of contradiction that in the province of Quebec, none of the Catholic majority have ever attempted abridging or encroaching upon the rights and privileges of the Protestant minority in connection with the control of their own schools. And here I appeal to the English-speaking members who come from the province of Quebec, who would fain testify to the spirit of toleration, to the loyalty and liberality of their French Canadian constituents. In a country like ours, composed of different creeds and races, is not that spirit of toleration, of loyalty and fair-play an all-important factor in the building up of the country, and in the work of educating the people ? Why, then, I ask, should they begrudge to the minorities in the other provinces of confederation the privileges and blessings of that genial liberty which the Protestant minority in the province of Quebec so bountifully enjoy ? Should not reciprocity in freedom and justice prevail everywhere in our midst ? As I said, under the statute of 1890, the Liberal government of Manitoba swept away, the separate schools, and imposed upon the minority schools which were repugnant and unacceptable to them. The minority forthwith rose in protest against the flagrant wrong-doing and injustice perpetrated upon them. Now the anti-remedialists raise an objection and find fault with the Government for their having failed to disallow the tyrannical law of 1890. Had the law been vetoed on the ground that it prejudically affected the rights and privileges of the Catholic minority, the Manitoba government might perhaps thereby have been induced to re-enact a public school Act only applicable to the Protestant majority who were satisfied with that law, and leaving the Catholic minority in the enjoyment of the separate school system that had obtained from 1870. But two serious objections were urged against disallowance. (1) The vetoed statute could have been re-enacted by the Manitoba government, as often as it was disallowed, and such a state of things might have created an agitation fraught with the greatest dangers, intensified the conflict and kindled ill-feeling between race and race, neighbour and neighbour, province and province. (2) The law, if disallowed, would have been void and inoperative, and the exercise of the power of disallowance, under the circumstances, would have created a constitutional grievance on the part of the majority who stood by that law and had a right not to be deprived of the system of national schools established under that statute. As a matter of fact, the Judicial Committee of the Privy Council held that the present educational statutes of Manitoba are constitutionally valid, and that they must be regarded as within the powers of the legislature of Manitoba. Still, there was left to the persecuted minority an appeal to the Governor General in Council, under the clause providing that such appeal would lie to the Governor General in Council from any act or decision of a provincial authority affecting any right or privilege of a minority. The case was referred to the Supreme Court, and then taken to the Imperial Privy Council, who decided in favour of the appellants. Later on came the remedial order, which the Manitoba government, after a protracted delay, declined to obey; new efforts were made to prevail upon the Greenway government to bring about a peaceful solution of the question, but the local government again declined meting out justice to the minority; and finally, in last resort, came the remedial law now under discussion. And strange to say, the hon. leader of the Opposition with his friends who have been arraigning the Government during several years for dilly-dallying and for their policy of postponement with reference to the school question, now pretend that the Government are too hasty, too precipitate in their action. During the past years, the hon. leader of the Opposition with his friends and his organs found fault with the Government for not issuing a more drastic remedial order, while now they pretend that it is too draconian, too coercive. After six long years of waiting have elapsed, after negotiations and repeated solicitations from the Federal Government, from the press, from the interested parties and the whole Catholic clergy, and after more and more hostile replies have been returned by the Greenway government to the prayer of the minority and of all friends of concord and fair-play, after all that, I say, can it be that human patience having been exhausted, the time has not yet come for action and for justice to prevail? What can be expected from the Greenway government and from all those hon. members in this House who have nothing better to offer than to stand up here and propose the six months' hoist, while may be seen siding with them all the irreconcilables, all the most bitter and inveterate enemies of our Catholic schools? The hon. leader of the Opposition has spoken at great length about the investigation and inquiry into the facts of the case, but he did not propose anything in that direction, to supersede the Bill. Besides, of what use would such an investigation prove, now that we are in full possession of all the material facts in connection with the wrong perpetrated and the means of redressing it, at a time when we have at our disposal to guide us in that work of redress, the constitutional finding of the highest tribunal in the Empire? We are told that the Conservative party is under the rule of Orangemen and that no confidence can be relied in it. Now, the hon. Premier, Sir Mackenzie Bowell has received at the hands of the leader of the Opposition and of his friends the highest encomiums for the pluck, the sense of justice and fair-play which he has displayed of late in connection with the school question, at a time of crisis, and the course of the minority, under those critical circumstances, had no abler, no more zealous and devoted champion than Sir Mackenzie Bowell. Can any hon. member lack the sense of justice and fair-play to the point of forgetting so soon the action of the Premier? Better serve under an Orangeman who acts right than under either a Catholic or a Protestant who conspires to do wrong. The hon. member for Napierville said the other day:

> Does that Remedial Bill secure interference in favour of the Manitoba minority? What redress does it give? And first, what are the grievances which the Manitoba Catholics complained about? They complained in their petition that they had been robbed of their rights and privileges through the School Act of 1890. They did not complain of having lost their separate schools, of having been deprived of the control exercised over those schools by the hierarchy, but only of the fact that they no longer received their share of the legislative grant. That is the grievance complained of by the Manitoba Catholics.

I now understand why the hon. member for Napierville does not take very much to heart the Remedial Bill, and how his conscience is perfectly at rest about it, as he contends that there is nothing or hardly anything to redress, and that the Manitoba minority lie on a bed of roses. The trouble is that those who are conversant with the state of affairs in that province and who care to speak out, find that there are serious and well-founded grievances. Thus, for instance, the minority had been enjoying for over twenty years a separate school system guaranteed by the constitution. The Greenway government, notwithstanding their plighted faith, have robbed the minority of their rights and privileges in that connection, and they decline to redress the wrong perpetrated by them, although they have been requested to do so. Nay, more, under the Greenway Acts, Catholics as well as Protestants are forced to pay taxes for the support of public schools, although the Catholic minority cannot conscientiously send their children to such schools. Moreover, under the same law, if Catholics want to have their separate schools, they are forced to pay taxes to support them. The Remedial Bill provides for the redress of those grievances. As to the legislative grant, that principle is involved in the Bill, and I believe that in the Committee of the Whole, after the second reading of the Bill, we will be enabled to discuss it clause by clause and amend it as we think best. Notice has already been given to the House that important amendments will be proposed. But if the Bill be killed on the second reading and previous to its going into the Committee of the Whole where it can be discussed and amended, what will there be left for the Manitoba minority? There will be absolutely nothing left actually and no hope will be held out for the future. Still, that remedial law is asked for by the Manitoba minority and accepted by them as operative.

effective and satisfactory. In order to substantiate that important fact, I need only refer to a despatch sent by Archbishop Langevin to Rev. Father Lacombe, on the 22nd February, 1896, which reads as follows :—

> Law applicable, operative and satisfactory. I approve of it. All the bishops and all true Catholics should approve of it. That law is our safeguard.

The hon. member for Quebec Centre (Mr. Langelier) when he read that despatch in the House the other day, made the remark that the Bill did not exist at the time the despatch was sent. Thereupon, I sent another despatch to Archbishop Langevin, who sent the following telegram :—

> Winnipeg, Man., 13th March, 1896.
>
> A. L. C. Pelletier, M.P.,
> House of Commons, Ottawa.
>
> See despatch to Father Lacombe. Can a brother kill his brother ?
>
> ARCHBISHOP LANGEVIN.

In view of such facts, and in the face of the statements made by those who contend that the Remedial Bill will be inoperative and that it will not give redress, but is a bogus law, there is no room left for doubt as to the hypocrisy and duplicity of these men. The anti-remedialists among the Catholic Liberals look upon the Remedial Bill from three different standpoints, from a national, political and religious view. Now, Sir, could not the Opposition policy be styled a doubled-faced or even a three-faced policy, as under it we see flocking together the hon. members for Winnipeg, North Simcoe and Muskoka who are of opinion that the law is too strong, because it restores separate schools, and the hon. leader of the Opposition (Mr. Laurier), the hon. member for Verchères (Mr. Geoffrion), for Lotbinière (Mr. Rinfret) and for Napierville (Mr. Monet) and other gentlemen of the same ilk, who find that the law is too mild and does not go far enough. It was with no small surprise that I heard, a little while ago, the hon. member for Antigonish (Mr. McIsaac) declare that the Bill was unacceptable. The hon. gentleman has indulged in very lengthy remarks about the Bill, and he has fought its passage with such peculiar arguments that he finally satisfied himself—and he so stated in his speech—that he would vote for the second reading of the Bill. This reminds me of a story. One day a professor was explaining to his pupils the saying that "force or power is strengthened by union," and he was illustrating in many ways his proposition, when one of his pupils ventured to ask a question. Yesterday, said he, I saw somebody filling a glass with liquor and with double the amount of water ; in that case, was force or power strengthened by union ? No, replied the professor, because, in that case, there was no union but only a mixture. Could we not, Sir, apply the professor's position to the sad mixture which the Opposition as it stands offers us ? On what grounds can the hon. gentlemen rest their opposition to a Bill, which has been approved of by the political leaders of the Manitoba minority, by the most eminent members of the clergy of that province, who agree in stating that the Bill is operative and satisfactory ; when, I say, we find among the champions of that Bill the pioneers of civilization and progress, the prelates and missionaries in the North-west, and among others, the Rev. Father Lacombe who is the prototype of the missionary, a man universally revered and enjoying the esteem of Protestants and Catholics alike ? As representatives of the French race in America, we want equal rights for all, and we want all classes to enjoy their full share of justice. To whatever nationality we may belong, all, Englishmen, Irishmen or Frenchmen alike should be proud of the nations they spring from. Under the British flag, there is enough freedom for every one to share equally in its benefits. Let us all concert our efforts in order to build up a great nation here. But meanwhile, let us not forget that there is one absolutely necessary requisite, namely, respect for the constitution and for plighted faith. Let respect for our plighted faith be our watchword, our political creed ; on that condition alone, will we be able to agree and to further the progress, the freedom of the country, and our march onward in the glorious path of order, justice and union, which are the main elements of our political and national strength.

Mr. FLINT moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

Mr. COSTIGAN moved the adjournment of the House.

Motion agreed to, and House adjourned at 2.55 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 18th March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

PERSONAL EXPLANATION.

Mr. McGILLIVRAY. Before the Orders of the Day are called, I wish to rise to a question of privilege. An address of a most unique and extraordinary character, was delivered in this House last night, continuing for an hour and a half, and I observe that it has been credited to me in the press. The "Citizen" of the 18th says :

Mr. McGillivray, committed to support the Bill by the speech of Sir Charles Hibbert Tupper, evinced his distaste of the situation by attacking the measure before the House, while admitting it to be his bounded duty to support it.

I never yet announced my intention to support the Bill, and I repudiate the statement.

RAILWAY FREIGHT RATES.

Mr. MULOCK. I desire to inquire of the Minister of Railways whether he is prepared to answer the inquiry I made across the floor of the House a few days ago, in regard to the classification of freight rates on the principal trunk lines in Canada for live stock for breeding purposes? The season is advancing, and I have received more than one communication on the subject since I spoke to the Minister. It is important that an announcement should be made at an early date.

Mr. HAGGART. In reply to the hon. gentleman, I beg to say that I ordered inquiries to be made by the department to ascertain whether the statement made by the hon. gentleman was correct or not. I got no information from the railway companies in regard to it; but I see by the changed classification which they have filed in the department that it evidently was their intention, if the classification had been approved by the Government, to make the change indicated in the papers and in the remarks made by the hon. gentleman. There has been no change in the classification approved as yet by the Government. When my attention was directed to the matter, I called the attention of the railway companies to it in order to see that that particular change would not be made.

Mr. MULOCK. It is understood, then, that there has been no tariff classification approved by the department, which authorizes railways to classify at 4,000 pounds live weight young stock of six months' and under twelve months of age. There has been no authority given by Governor General in Council?

Mr. HAGGART. There is no authority for the change.

Mr. MULOCK. I want this public announcement made so that shippers may be governed by it.

INQUIRIES FOR RETURNS.

Sir RICHARD CARTWRIGHT. I wish to inquire of the Minister of Finance when the Supplementary Estimates for the current year are likely to be brought down. They have been promised for a considerable time.

Mr. FOSTER. The hon. gentleman is having more out of the pleasure of anticipation than usual. The Supplementary Estimates are being prepared, and I am happy to say they are now in a somewhat forward state. I hope to bring them down in a very little while now.

Mr. GIBSON. I desire to ask the Minister of Railways when I may expect to obtain a return ordered in regard to damages done by shipping on the new Welland Canal?

Mr. HAGGART. The return is ready. It was ordered before the hon. gentleman's motion was made; I ordered the papers to be prepared, and I will send them to the hon. gentleman.

Sir RICHARD CARTWRIGHT. I call the attention of the Finance Minister to a return ordered, setting out the full amount of our debt. I desire that it be brought down as soon as convenient.

Mr. COLTER. I desire to ask the Minister of Public Works when I may expect the return ordered on 10th February last. I have asked for it two or three times, and it has been promised, but I have not yet obtained it.

Mr. OUIMET. What is the subject-matter of the order?

Mr. COLTER. The expenditure of money on the River St. John.

CATTLE SHIPMENTS TO ENGLAND.

Mr. LANDERKIN. Is the Minister of Finance prepared to-day to make any statement concerning the negotiations regarding cattle shipments to England, and the progress of the negotiations in reference to this important matter? I should also like to know if the Government have succeeded in preventing the passage of the Bill introduced in the Imperial Parliament to prevent our cattle being landed in the United Kingdom?

Mr. FOSTER. I have no further information to give to the House, further than this, that the whole matter is under the consideration of the Colonial Minister, and the resolution is being considered by my own department.

THE REMEDIAL ACT (MANITOBA).

House resumed adjourned debate on the proposed motion of Sir Charles Tupper for second reading of Bill (No. 58) the Remedial Act (Manitoba), and the proposed motion (six months' hoist) of Mr. Laurier in amendment thereto.

Mr. MILLS (Bothwell). Mr. Speaker, this has become a question of very great constitutional importance to the legislature and government of Manitoba and to the Parliament and people of Canada. It is so because of the manner with which it has been dealt, and because when settled, it ought to be settled in conformity with the principles of constitutional law involved, and in obedience to the rules of public ethics applicable to the case. Yet looking at the character of the discussion which has taken place, and at the spirit in which it has been conducted, I fear there is very grave danger that other and less defensible considerations may be allowed to influence the judgments of men both in and out of Parliament.

There are in the life of every state periods when people apprehend dangers without adequate cause, when passions are easily aroused and difficult to allay. Concessions which at one time are thought just and reasonable, and which are made with the acquiescence of men of every shade of political opinion, are regarded at another time as an evidence of sleepless ambition which cannot be satisfied and ought not to be tolerated, and which it is the duty of every independent, patriotic man to pitilessly stamp out. This is the spirit which finds expression in a few newspaper articles and in occasional speeches, and which shows that the country is in the midst of one of those disorders which spring from religious differences and which fasten themselves upon whatever political question lies nearest the boundary which was once the subject of contention, and which it was hoped had been permanently settled. Who is there today who can read of the judicial murders of Lord Stafford and Langhorne, and of others, caused by the purjured testimony of Oates, Bedloe, Dangerfield and Tuberville, without a feeling of profound pity for the victims, and of indignation for the heartless scoundrels who testified against them, and the base time-servers who presided at their trials. Who is there that has studied with care the origin and consequences of the Lord George Gordon riots, and the diabolical passions let loose under the pretense of upholding religion; of the property destroyed, of the innocent men and women who perished, without indignation and shame. When men's energies have spent their force, when their passions are allayed, and when they see the ruin that they have wrought, then and then only do they begin imperfectly to realize the calamitous character and the gross injustice of the course which they have taken. A spring is touched, and

> " On sudden open fly
> With impetuous recoil and jarring sound,
> The infernal doors and on their hinges grate
> Harsh thunder."

The worst passions of men are left without rational restraint, and they become fiercely hostile to each other. This was the case in England immediately after Catholic emancipation. No action of any kind had been taken to give any special privilege to the newly emancipated section of the King's subjects. It was, nevertheless, assumed that Protestantism was in danger and that the Duke of Wellington was aspiring to the throne, and so, throughout the kingdom, secret societies were organized to set aside William IV. and Her present Majesty, as heirs to the crown, and to raise to the throne the Duke of Cumberland, as the only one of the Royal family competent to protect the religious majority of the nation. One of the most widespread conspiracies known since the revolution had its origin in the religious prejudices of a section of the population. Not because any right or privilege was taken from them, but because the fetters which bound a section of the King's subjects had been removed, and they had been allowed to stand disenthralled—the peers in this regard of the other freemen of the United Kingdom. I am sure there are some members in this House who can recall, as I can, the excitement which prevailed in Great Britain over the Ecclesiastical Titles Bill. I remember that event very well. A great majority of the people favoured this Bill. That the Pope should create a Roman Catholic bishop in England, with a territorial title, was regarded as an act of insulting aggression, and this Bill was passed to resent that affront. There was, however, a select few in the House of Commons who opposed the Bill. In their minds there was no confusion of thought upon the subject. They were the greatest statesmen of the United Kingdom. Gladstone and Graham, Cobden and Bright, Palmer and Gibson, and a few others, stood like rocks, unmoved, amidst the storm which raged so violently throughout Great Britain. Roundell Palmer pointed out that the founders of the Free Church of Scotland had not come to Parliament for any Act to confer upon them the power to divide Scotland into parishes, nor had the Wesleyan Conference asked leave of Parliament to divide England into circuits. These were matters which they had assumed, and which they had rightly assumed, stood outside the domain of legislation and government. If they were so left to one religious community, they ought to be so left to every other to which Her Majesty's subjects might belong, if they were to stand upon a footing of equality. This measure remained upon the statute-book for eighteen years, and was repealed by Mr. Gladstone's Government without any protest having been made to that proceeding. No doubt there is, not infrequently, in every country, questions which lie along the border of the jurisdiction of the church and state, respectively, out of which controversies arise. I am not, in this case, going to question the jurisdiction of the state; I am ready to defend it as I find it; but when a compact is made which has become part of the political constitution, I shall interpret it by the aid, not of conflicting parties who claim to derive their authority from a kingdom not of this world, but by the aid of the great luminaries of the law. The jurisdiction which is explicitly confided to Cæsar I shall endeavour to see is maintained in his keeping, although claims may be made to that jurisdiction from another quarter: but in saying this I do not at all question the propriety of maintaining a modus vivendi where such has been once found and acted upon.

I never knew a question brought before Parliament or before the public, in respect to which the course of action called for was more clearly marked out by the principles of political ethics and the rules of Constitutional Law, than this one. I have never known one in which greater facilities were afforded for misleading the public mind, and for confusing the public judgment. I have never known a question which required to be approached with more tact, good sense, and patience, in considering the difficulties which lie in the way of the other party, and in which all these qualities were more manifestly wanting. I affirm that, from the hour of the last judgment delivered by the Judicial Committee to this hour, the path of hon. gentlemen has been strewn with half-formed projects, as the thoroughfare of some eastern pilgrimage is with the bones of its devotees. For myself, I am sincerely anxious that the people should understand this matter fully and to the end, that the country may not become a party to any wrongful act, and that faith may be kept with the sanction of the whole Canadian people. When I consider how easy it is, upon such questions, to inflame the passions of men and to retard the progress of the country, and to plant the seeds of rancour and bitterness in the human heart, when I consider how hard they are to eradicate, and how sure they are to grow and to choke out all those generous sentiments of mutual trust and confidence, upon which the peace and prosperity of the country so greatly depends, it is impossible not to be impressed with the importance of endeavouring to put the whole case before the Canadian people, that each one may be disposed to do to the minority, what, were the case his own, he would like the majority to do towards him. It is in our interest that the discussion of this question should be approached as Milton approached the theme of his greatest poem:

> " What in me is dark,
> Illumine ; what is low, raise and support,
> That to the height of this great argument,"

I may honestly uphold the constitution, that I may assert the principles of truth and justice to the end, that the people of Canada may continue in that path in which an honest desire for the common good, and a proper regard for the public honour, requires that they should walk. Let me say that a right judgment on the part of the people and a proper knowledge on the part of this House necessitates a very careful inquiry as well as a very full and exhaustive discussion of the subject, so that an accurate knowledge both of the facts and of the law may temper and control the prejudices which may have been enlisted on the one side or upon the other.

Before I enter upon the discussion of the policy of the Government or the consideration of the course which they have hitherto pursued, I desire with some fulness to discuss the law involved in the case, in order that the whole question may be accurately apprehended. To this end I think we are bound to consider fully, and with care, the provisions of our constitution on the subject of education. We must ask ourselves, and we must decide honestly, what matters are legally before us. We must ascertain whether by the letter and spirit of the instrument this question was properly brought before the Governor General in Council: for what purpose, and to what end, His Excellency was called upon to entertain the subject, and whether, in any event, it can be submitted to the Parliament of Canada, and if so, whether it can be submitted as an ordinary question of public policy, or as a specific question involving the fulfilment of a constitutional duty. It is important to ascertain whether Parliament, if called upon to deal with the subject is, in doing so, invading a provincial right. We must consider how far Parliament has jurisdiction in respect to education. With what constitutional intent, and for what constitutional purpose, this jurisdiction has been bestowed. We must consider the nature of the investigation which the Governor General in Council is authorized to make, and the character of the communications to be had with the provincial government and legislature, before the question can be legally or constitutionally brought before this House.

A power may be given to Parliament in the public interest generally, and the use of the constitutional authority and discretion so conferred is, in that event, governed by present considerations as to what the public interest demands. A power may be given in the constitution or in a statute for a specific purpose and with no other discretion than to determine how that purpose can be best accomplished. Where this is the case the power must be confined to the specific purpose for which it is granted, and the parliamentary discretion is exercised in determining the most suitable means to attain that end. This limitation, under a written constitution is as applicable to a legislature, as it is to an administrative officer, or to a court of justice. The power may be, as in this case, contingent upon the happening of certain events. It may arise when the compact is broken and faith has been violated. Where the contingency has not arisen the power is dormant and cannot be employed. To me it seems to be a misuse of terms to speak of a constitutional provision, such as the one invoked by the minority of Manitoba, as a provision conferring upon the Federal Parliament an ordinary legislative discretion, as if the policy of deciding whether there should or should not be separate schools was vested here. This is not so. Our discretion is of another kind. It may be found, when the matter complained of is inquired into, that it is too trivial to call for action. It may be found that the majority of those on whose behalf these rights and privileges were created do not want them continued, or have become indifferent in regard to them. If so, it would be very important that the evidence establishing that fact should be laid before the House. There may be other reasons why no action should be taken; for it must not be forgotten that the political department of government has far greater freedom of action than a court of justice. But all the contingencies I have mentioned admit the duty of action, subject always to adequate reasons of state for permitting that duty to remain in abeyance.

The policy of the country in respect to separate schools is already decided. That decision is incorporated in the constitution; as much so as the principle of representation between the provinces in the House of Commons. It is only because of this that the question can come before Parliament at all. The law grants to the minority whose rights and privileges can be affected, an appeal to the Governor General in Council, not to decide whether it is good or bad policy to have separate schools—the constitution settles that—but for the purpose of ascertaining whether a right or privilege in a Protestant or Roman Catholic minority of the Queen's subjects, in relation to education, has been affected by any provincial law, or any provincial authority. Parliament is not called upon to decide whether as a matter of policy separate schools ought or ought not to exist. If they have not been created in the province, no matter how favourable the opinion of this House might be to them, it cannot create them; and if they do exist, no matter how hostile its opinion may be, it cannot abolish them. These two facts stand like walls of adamant, on either side of the narrow way which is open to us, of that narrow field of jurisdiction under our control. And if the minority are heard, the power of the Federal Parliament does not at once attach. Another duty devolves upon the Government after hearing them and after having found that a case has been made out. Their business is to enter into negotiations and discussion of the question with the local authorities and to press upon the local authorities the propriety of restoring any right that can be shown to exist under the compact. But, in dealing with the other parties they are not dealing with an inferior body or with a body that they have a right to treat contemptuously. They are bound to deal with the local legislature and government in this matter precisely as one state would deal with another. The whole of this proceeding from beginning to end is diplomatic in its character, and there is a mode of procedure marked out in the law and each step must be taken in its turn. And it is only when it is clearly established that the right of the minority is set at defiance and that the local government will not remedy the wrong that the Federal Government have a right to come to Parliament at all. They must prove affirmatively that every step has been properly taken before we can have jurisdiction, and that jurisdiction rests upon the propriety and regularity of the course the Government has taken. The primary duty of the Governor General in Council is not to ascertain how the system works or whether as a matter of policy these schools should be restored or not. That question was once before the local legislature. The duty of the Governor General in Council is to ascertain "whether any rights or privileges of a Protestant or Roman Catholic minority of the Queen's subjects, in relation to education, is affected by any act or decision of any provincial authority." Something very much more than that may be required to ascertain, in case there is a grievance, the extent of that grievance and to ascertain how that grievance can be best met with a remedy. There is a duty of some one to grant remedial legislation, once it is clearly established that a substantial grievance exists. But that question cannot come here in the first instance; it can only come here in a last resort. And, Sir, it is a very grave matter indeed to bring that question here at all. Now, Sir, there are some things connected with the proceeding in this case that I have been anxious to hear discussed, and unless by the Finance Minister whose speech I did not hear, they have not been dealt with at all. The Federal Government summoned the local government before them. There was so much urgency in the matter that they summoned the local government even when the local legislature was in session—a most extraordinary procedure it seemed to me. Now, for what purpose were the local government and the representatives of the minority summoned before the Government? The judgment of the Judicial Committee of the Privy Council had already been given tending to show that rights and privileges which once existed had been taken away. This having been established by legal proceeding, for what purpose were these parties summoned here? Was it for the purpose of investigating facts, and, if so, why were those facts not investigated? Why did the Government not undertake to establish the facts, if they deemed it necessary clearly to make out, that there was a grievance? Now, this much is obvious, that the simple repeal of the law, comparing one statute with another, shows what the legal possibilities were. Under the earlier statute, the legal possibilities were taken away. They do not show to the House, nor did they show to the Government, to what extent the parties who possessed these franchises under these earlier statutes had availed themselves of them. Now, this much, I think, is plain, that at the time these earlier statutes were adopted, they were for a population living along the Red River and the Assiniboia, that were a comparatively dense settlement. You enlarged the province of Manitoba, you altered the plans of survey, you furnished facilities for a population spreading over the entire province. Now, I have taken the trouble to go over the census to see how this population was distributed; and, while I see, that in several districts it would be possible to have separate schools, and no doubt efficient schools, there are very considerable areas where the population is too sparse to carry out such a system. I do not see that this Bill makes any provision in this regard; I do not see that this Bill takes any care whatever to avoid interference with the rights and functions that belong to the local government, as having absolute and exclusive jurisdiction over the secular education of the entire population.

Now, Mr. Speaker, let me say, that it is also a well settled rule, that, where there is a right by law in the suppliant to seek for relief, there is a corresponding duty to hear his complaint, and, if a substantial right or privilege be injuriously affected, or destroyed, to redress the grievance, and restore the privilege taken away. This legal and constitutional obligation rests upon every state functionary, from the sovereign down to the humblest officer to whom any portion of state authority is entrusted.

Our constitution, like the English constitution, is made up of precedents, customs treaties, quasi-treaties, compacts and statutes. The Acts uniting England and Scotland, and the Acts uniting Great Britain and Ireland, embrace treaties between sovereign states. These treaties, when they bring two sovereign states together to settle the terms of union between them, are treaties in international law, and, when that union is accomplished, the provisions of such treaties become a part of the constitutional law of the new state. In the case of the union between England and Scotland, those treaty provisions have no other guarantee than the honour of Parliament. Thus, by article 18, it is provided:

> That the laws concerning the regulation of trade and commerce and such excises to which Scotland is, by virtue of this treaty, to be liable, be the same in Scotland, from and after the union, as in England; and that all the laws in use within the Kingdom of Scotland do after the union and notwithstanding thereof remain in the same force as before, excepting such as are contrary to or inconsistent with this treaty, but alterable by the Parliament of Great Britain; with this difference betwixt laws concerning public rights, policy and civil government, and those which concern private right, that the laws which concern public right, policy and government may be the same throughout the whole United Kingdom, but that no alteration be made in laws which concern private right except for the evident utility of the subjects within Scotland.

Now, under the provisions of the article, the Roman civil law, which is the common law of Scotland, has been preserved; the Parliament of the United Kingdom could, at any moment, abolish it, and make the civil law of Scotland the same as that of England. The union has existed for one hundred and ninety years, and this has not been done. The compact, it will be seen, is not an absolute compact, yet it has been preserved, and the Scotch members still are under these provisions regarded as the sole judges of the rights of this minority of the United Kingdom. Lord Campbell says, that an Act of Parliament in violation of these terms of union would, undoubtedly, be valid, but, if not assented to by a majority of the representatives of Scotland, would be a gross breach of public faith. Now, what I ask the attention of the House to is this, that that provision which reserves to the Scotch their civil law, notwithstanding the fact, that it is alterable by the Parliament of England, that Parliament has felt itself so far bound that for one hundred and ninety years it has allowed it to remain just as it was before. I am pointing out how the compacts that are embraced in the constitution of England are treated by the Parliament of the United Kingdom; and, Sir, in so far as we have compacts in this country, or treaty obligations, they stand on exactly the same footing. The same rules of law, the same principles of constitutional law apply in the one case as in the other.

> "Compacts," says M. Boutmy, "in the English constitution are the great charter, the bill of rights and the Act of Settlement. The compacts are like statutes, the common work of the three branches of parliament, that is, of the king and the two Houses. But what is peculiar to the compacts and what distinguishes them from the statutes is that in the compacts the king does not appear as the integral part of one and the same legislative power as the Lords and Commons, but as a real contracting party, in opposition to whom the nation seems to stand up as a distinct and independent power. There is no concerted action of the three constitutional powers in its ordinary and regular form, there is only a reconciliation between two powers. These two powers begin by observing and distrusting each other. From time to time struggles take place between them and at last they entered into a treaty with mutual safeguards. This distinction will be made clear by a rapid survey of the circumstances which produced these three great compacts."

Now, a compact in the English constitutional law differs from a treaty in this: a treaty is an agreement between two bodies that were sovereign and separate communities: a compact is simply between two of the elements which go to constitute the community, here the king, on the one side, and the two Houses on the other: and these compacts, although put in the form of a statute, are intended to bind the two governments, and to regulate the conduct of the sovereign himself. The importance of these compacts as part of the English constitution is shown by some of their special provisions. Thus, Magna Charta provides, that, if the king disregards the compacts into which he has entered, the barons may make war upon him and lay siege to his castles. And when Dr. Sacheverel preached in favour of the divine right of kings and against the lawfulness of resistance under any circumstances, he was brought to the bar of the House of Commons and censured for his attack upon the compacts of the constitution. I have made this quotation to show the character of the constitutional provisions which are described as treaties and as compacts in the discussion of questions of constitutional law. Lord Carnarvon calls the British North America Act a treaty between the provinces, and so it is, for although the provinces were not sovereign powers, they were authorized by the sovereign to agree upon the terms of union, and those terms of union are embodied in the Act of the Imperial Parliament, and have impressed upon them the same treaty-like character which belongs to the Act of union between England and Scotland. Compacts in our constitution are compacts, not between provinces, but between what are the religious majorities and minorities of the provinces, sanctioned by the representatives of the provinces and confirmed by an Imperial statute. Their lordships of the Judicial Committee of the Privy Council, in discussing the Manitoba school case under the statutes of 1890, say :

> It is notorious that there were acute differences of opinion between Catholics and Protestants in the educational question prior to 1870. This is recognized in almost every line of these enactments. There is no doubt either what the points of difference were, and it is in the light of this that the 22nd section of the Manitoba Act of 1870, which was in truth a parliamentary compact, must be read.

Here the expression "compact" is used in that specific and technical sense which it has acquired in English constitutional law. Now, the rule to be observed in respect to compacts between peoples, is a very ancient one. We are told in the story of the conquest of Canaan that Joshua made peace with the Gibeonites, and made a league with them, to let them live. And that the chiefs bound themselves according to ancient custom. The Gibeonites were supposed to reside far away from the scene of Joshua's military operations. In three days thereafter, Joshua was in the midst of their country. It was within the area which had been marked out by him for conquest, and the Israelites murmured because of the treaty which Joshua and the chiefs had made. But the answer was : we have made a compact ; we may not touch them ; we are bound to its observance. And from that day to this compacts between persons and compacts between states, whether weak or powerful, are held in the eye of the law, and in the moral sense of mankind, to be inviolable, according to their true intent and meaning.

Sir, it was argued in this House a year ago that there is no constitutional duty imposed upon Parliament in the last resort to grant redress. It is said that the power vested in Parliament was a mere enabling power to be employed, not for the benefit of the minority, but, if at all, in the general interests of the whole public. I shall examine this contention later, but I will say at this point, that where an enabling power is bestowed for a specific and named purpose, the constitutional presumption is that obedience to the law is in the public interest, and this judgment as to the public welfare was exercised under all ordinary circumstances, once for all, when the system of separate schools was introduced by the province under the provisions of the constitution.

The hon. member for Albert said, last year :

> It is clear that we have the power. But the statute does not use any word that indicates compulsion ; it does not say we must or shall make remedial laws and I base a great deal on this clear word "may" of the Act, seeing we have no case to guide us.

Now, these words show, I think, that the hon. member has misunderstood and misapplied a very important rule of construction. Words of compulsion are never applied, either to the sovereign or to a sovereign body. "The sovereign," says Sir George Bowyer, "cannot be commanded, and so, words of command are not respectful, as they are, in effect, a denial of sovereignty." Our constitution, like that of England, imputes the intention both to the sovereign and to Parliament to keep faith and to perform all the duties falling within their respective jurisdictions. The law does not impute to either, in any event, bad faith. There is no authority over either to enforce the performance of any duty which the law imposes either upon the one or upon the other, and so words of compulsion are regarded as improper.

The sovereign, at her coronation, takes an oath to govern according to law, and we must assume that every duty by law imposed upon the sovereign will be faithfully performed. Every legislative body with us is sovereign within the sphere of its authority, and there is no power anywhere to order it to act, and any words of compulsion applied to it would be out of place. But the constitution assumes that although only words of mere permission are allowable, that the sovereign or sovereign bodies will act wherever action on their part is called for. In the case of the Queen vs. the Secretary of State for War, 1891, Mr. Justice Charles says :

> There are no doubt cases where the servants of the crown have been constituted, by statute, agents to perform particular acts. But it is also beyond question that a mandamus cannot be directed against the Crown or any servant of the Crown simply acting in his capacity of servant.

And in the case of the Queen vs. the Lords of the Treasury, Chief Justice Cockburn says :

> We must start with the unquestioned principle that where a duty has to be performed by the Crown this court cannot claim, even in appearance, to have any power to command the Crown. The thing is out of the question. Over the sovereign we have no power.
>
> In like manner where the parties are acting as servants of the Crown and are amenable to the Crown whose servants they are, they are not amenable to us in the exercise of our prerogative jurisdiction.

So the hon. member for Albert will see that from the use of the word " may " it does not at all follow that no duty is imposed, because words of compulsion are never used in such a case, and the use of mere enabling words does not touch the question as to whether what has been authorized implies a duty or a mere discretion. It has again and again been decided that mere enabling words do impose a duty in certain cases. In the case of McDougall vs. Patterson, Chief Justice Jarvis, in referring to mere enabling words, says :

> The general rule derived from the cases is that where the statute confers the authority to do a judicial act in a certain case, it is imperative upon those so authorized to exercise the authority when the case arises, and when its exercise is duly applied for by the party interested, and having the right to make the application.

In the Queen vs. the Tithe Commissioners, Mr. Justice Coleridge, in discussing the meaning of the words " shall be empowered to confer," says :

> The words are undoubtedly only empowering, but it has been so often decided as to have become an axiom that in public statutes, words only directory, permissory, or enabling, may have compulsory force where the thing to be done is for the public benefit or in the advancement of public justice.

The principle set out in these cases is, perhaps, put with more philosophical accuracy by Lords Selborne and Blackburn, in their judgments in the case of Julius vs. the Bishop of Oxford. In discussing the force and meaning of the permissive words " it shall be lawful," Lord Selborne observed :

> The meaning of such words is the same whether there is or is not a duty imposed or an obligation to use the power which they confer. Whether a judge or a public officer to whom power is given by such words is bound to use it upon a particular occasion or in a particular manner must be held aliunde and in general it is to be solved from the context, or from the particular provisions, or from the general scope and object of the enactment conferring the power.

And Lord Blackburn said .

> If the object for which power is conferred is for the purpose of enforcing a right there may be a duty cast upon the donee of the power to exercise it, for the benefit of those who have the right when required on that behalf.

So the hon. member will see that because the word " may " is used it does not, by any means, follow that the power which is bestowed is a mere discretionary power, but it may import a constitutional duty, as certainly as if a compulsory word had been employed. But the case of most interest here is that of James Baggs, in 11 Coke, and which is still good law. There it is laid down that :

> Where rights, franchises and liberties are conferred, they are regulated and protected by the rules of law and not by considerations of public policy.

This rule is one that on many occasions has been invoked to protect such franchises and liberties against hostile attack, and many instances will readily occur to hon. gentlemen on both sides of the House. When Lord Grey's Reform Bill was under discussion those who had become proprietors of decayed boroughs, undertook to protect them against the proposed reform, by setting up the principle contained in this case. They maintained that they had a property in the franchise for returning a member to Parliament, but the answer to this contention was that they had a right to vote for the return of a member and not a right to return a member under their franchise, and that, by the extension of the constituency, this right remained untouched so long as the right of voting continued. These cases show that we must look away from mere permissive or enabling words to the purpose and object of the provision of law in which they are in order to decide whether they are words implying a mere discretion or whether they go further, and impose a duty of action. The words in respect to the appeals to the Governor General in Council are as strong as it is legislatively possible to make them. They are, " an appeal shall lie." Here a right is given to a dissatisfied party, and there is an implied duty imposed upon the executive authority, to make that hearing effective : but there is no legal command, because none could be given. No mandamus can issue to the Governor General in Council, for no court of law is superior to its mistress. The Queen can do no wrong is the maxim, and " let right be done" is the rule which springs from it. Mr. Speaker, before passing away from this point, let me refer to sections 19, 20 and 86 of the British North America Act, where the word " shall " is employed in respect to the calling of Parliament, which some might take to be contrary to the rule which I have stated—that words of command are never used towards the sovereign, or towards Parliament. These words are part of an ancient compact between the sovereign and the nation by which the right of a certain party to exercise royal authority was recognized upon the conditions stated, for it is the law which made the king and by which his title is confirmed, and as used in our statute, and in the English statutes, they are repeated from 5th Edward II., where "it is ordained that the king shall hold a Parliament every year."

Sir, I shall not, at this moment, pursue this part of my argument further. I shall begin at the beginning. The germ of section 93 of the British North America Act and of section 22 of the Manitoba Act is to be found in the Separate School Act of Upper Canada, 1863. That Act was intended by its promoters to contain, to their full extent, the rights and privileges claimed, not that the law might not require amendment from time to time to meet the altered circumstances of the population ; but so far as the extent of their rights went, this law was sufficient. When the union was resolved on and the subject of education was about to be assigned to the provinces, the Protestant population of Lower Canada began to consider their future situation ; and so, during the confederation debates, many of the Protestant members of Quebec referred to the subject as one that awakened not a little apprehension in the minds of Protestants. We find Hon. Mr. Holton and others question upon the subject, the promoters of the scheme of union. In reply to Mr. Holton, the Attorney General West, Mr. Macdonald, afterwards Sir John Macdonald, said :

> There was a good deal of apprehension in Lower Canada on the part of the minority there as to the possible effect of confederation on their rights on the subject of education and it was the intention of the Government, if Parliament approved of the scheme of confederation, to lay before this House this session certain amendments of the school law to operate as a sort of guarantee against any infringements of the rights of the minority in this matter.

Here it is said that the proposed legislation was to operate as a guarantee against any infringement by the majority of the rights of the minority, and we may fairly conclude that this aim, which was had in view before the plan of accomplishing it was divulged to the House, was not, during the final preparation of the scheme, abandoned. Mr. Dorion, who then led the Quebec Opposition, said :

> I think it but just that the Protestant minority should be protected in its rights in everything that is dear to it as a distinct nationality, and it should not lie in the discretion of the majority in this respect, and for this reason I am ready to extend to my Protestant fellow-citizens of Lower Canada of British origin the fullest justice in all things, and I wish to see their interests as a minority guaranteed or protected in every scheme which may be adopted.

Sir CHARLES TUPPER. Hear, hear.

Mr. MILLS (Bothwell). My hon. friend the leader of the House cries "Hear, hear." I am sorry that, while the Government accept the principle, they have departed so widely from the intention of the statute in the course they have taken. The House will see that Mr. Dorion declared that the continuance of the rights should not lie in the discretion of the majority, and that the interests of the minority should be guaranteed or protected. Let me ask, has this object been attained ? Have the rights of the minority been guaranteed or protected ? If there is a compact and by it a constitutional duty imposed, the answer is, yes. If there is no compact but a mere enabling power the exercise of which rests upon public policy, the answer must be, no. Hon. Mr. Rose declared that for the first time in the history of the country there was serious apprehension aroused amongst the Protestant population in regard to the elementary education of their children, and he called upon Hon. Mr. Cartier to state if the rights which were to be conceded to them were to be guaranteed. But the proposed school law of Lower Canada failed for reasons which it is not necessary now to discuss. Before the session closed, Mr. Cartier said :

> I now give you my pledge that when confederation is formed, and Quebec has a Parliament of its own, one of its first actions will be to put upon the statute-book the law which we cannot get upon our statute-book to-day.

And in the legislative council the Premier, Sir E. P. Taché, declared that "if the majority in Quebec were wicked enough to commit so flagrant an act of injustice against the English minority, they would be checked by the Federal Legislature and Government." If he had simply said by the Federal Government, one might have supposed that he contemplated simply the employment of the power of disallowance, but he has mentioned the legislature as well. And so you see that at that time, when the Protestants of Quebec were nervously anxious about their future in respect to education, the method of protection and redress in respect to the rights and privileges of the minorities had been considered. These expressions and apprehensions, with the assurances which are given show very clearly that from the outset the intention was to give to the concessions made the character of permanency and to prevent, by a solemn compact, resting upon federal guarantee, any effectual violation of the rights and privileges so conceded. The framers of the constitution did not permit the concession to rest solely with the legislature of Quebec. The school law of Lower Canada was not amended prior to the union : and so the delegates in London, by subsection 2 and by the other subsections which follow, provided for carrying out their design in fulfilment of the promises made to the Protestant and Roman Catholic minorities ; and they also, by subsections 3 and 4, provided for cases of minorities from provinces which might subsequently enter the union or which, subsequent to the union, might concede the liberty of separate schools. Subsection 2 declares :

> That all the powers, privileges and duties, at the union by law conferred and imposed in Upper Canada on separate schools and school trustees of the Queen's Roman Catholic subjects, shall be, and the same are hereby extended to the dissentient schools of the Queen's Roman Catholic subjects in Quebec.

Upper Canada, a province existing before the union, Quebec, a province which is first known by that name at the union, are here mentioned, and it is provided, that a condition of things existing in the one province before the union, shall exist, as of right, in another province after the union is established. The power of Quebec to legislate upon the subject of education is only limited by the superintending legislative jurisdiction imposed here. If Quebec disregarded this provision, the redress of the aggrieved parties must be by legislative and not by judicial proceedings. When the union was consummated, it at once became the duty of the legislature of Quebec, under the compact, to bestow upon the Protestant and Roman Catholic minorities all the powers, privileges and duties conferred and imposed upon the Roman Catholic schools and trustees before the union in Upper Canada. Subsection 2 does not transfer the whole body of the school law of Upper Canada to Quebec. It merely creates certain substantive rights. The administrative law by which these rights are made operative rests with the legislature of Quebec after the union. Had the legislature failed to give effect to this provision under the constitution, there would have arisen a grievance which would have given to the Protestant minority, under subsection 3, the right of appeal to the Governor General in Council, whose duty it would have been to have heard that appeal and to have decided in favour of action, if it was unable to secure local legislation, and to have ultimately ordered action in conformity with the facts, and, if that order was not carried out by the legislature of Quebec, upon the fact being reported here, it would have imposed upon Parliament the duty of legislation in kind and in degree exactly the same as that which, in the first place, rested solely on the legislature of Quebec. To have discovered what it was the duty of the Quebec legislature to do, Parliament would have been obliged to have looked to the law of Upper Canada, as it stood at the time of the union, and it would have been called upon to force upon the people of Quebec, against the will of its legislature, the school system of another province. The duty of Parliament would have been, not simply to restore a right or privilege taken away, but, under the compact, to have created for the first time the right under the authority of the words for the due execution of the provisions of this section. It is true, Parliament could not have been compelled to act. Parliament is a sovereign body, and cannot be coerced, but what I am pointing out is, that the constitution does not merely confer the power, it imposes the duty, and I take the case of initial legislation in Quebec to establish very clearly the fact, that, had Quebec refused to legislate, that, not only the power, but the duty, of legislation would have arisen here. The 3rd and 4th subsections of section 93, no doubt, were suggested and grew out of the provisions of the Upper Canada Separate School Act, which read as follows :—

> In the event of any disagreement between trustees of the Roman Catholic separate schools, superintendent of common schools or other municipal authority, the case shall be referred to the equitable arbitrament of the chief superintendent of education in Upper Canada, subject, nevertheless, to an appeal to the Governor General in Council, whose award shall be final in all cases.

This section relates solely to administrative acts, and, if it had been intended to confine it would have been more appropriate to have made it to the Lieutenant-Governor and his advisers ; but, in the words of Lord Carnarvon, "These school clauses were framed after long and anxious controversy, in which all parties were represented, and on conditions to which all gave their consent ;" and, as the schools of the different provinces were not constituted in the same way, this provision of the Act was made much more comprehensive than that found in the Upper Canada statute, and was to give to minorities protection, not only against the officers administering the law in every province, but against hostile conduct on the part of the provincial legislature itself, for which no protection could have been given prior to the union except by an appeal to Imperial authority. That some protection was contemplated by the promoters of the union is shown by the statements made during the debates of the last session of the old Parliament of Canada, which I have already quoted. There may be some dispute over the meaning of the phrase "provincial authority," from which an appeal is given to the Governor General in Council. The Judicial Committee say : "Their lordships must express their dissent from the argument that the insertion of the words 'of the legislature of the province' in the Manitoba Act show that in the British North America Act it could not have been intended to comprehend the legislature under the words "provincial authority.'" Their lordships, of course, have not decided that the phrase "provincial authority" in the British North America Act includes the provincial legislature, but the opinion incidentally expressed points in that direction, and I shall hereafter endeavour to show that it is the only view which makes the provisions of the two sections consistent with each other, and that it is the proper meaning to give to these words. I readily concede a state of things may arise of such a character that the law on this question will not be the only thing to consider. There may be reasons of state which cannot, under the circumstances, be left out of view, but the law is the foremost question to master. Our federal constitution, like the constitution of England, consists of usages, statutes, conventions, compacts and treaties, which are in part embraced and derive their authority from the great Act of Union. This Act is the authority above all legislative bodies created to act under it. This feature of our constitution is not found in that of the United Kingdom. Parliament is there sovereign in all things, and whenever a law is passed, no matter how much at variance with the spirit and principles of the constitution as it was before, it may be it is, nevertheless, valid.

So far as the courts found any difficulty in tracing the boundary between provincial and Dominion authority, it may, in most instances, be ascribed to the imperfect acquaintance with surrounding circumstances, and perhaps in no case is this made more clearly to appear than in the arguments, reasoned judgments and decisions relating to the school clauses of the constitution. When we read them we must bear in mind there is much still remaining to be decided before we have a full elucidation of these sections. It is only by slow degrees, by the acquisition of a knowledge of the facts in the one case which were not possessed, and not, therefore, considered in the case which preceded, that a full and consistent interpretation can be ultimately put upon the whole text. But so far as the interpretation of this provision of the constitution has gone, it throws not a little light on what remains to be construed. No notion has been more industriously propagated than this, that any legislation by the Parliament of Canada would be in violation of provincial rights. That, I think, is not the case. I listened to the hon. member for North Simcoe (Mr. McCarthy), last evening, and I do not think that in a single instance did he pretend to say that legislation here would in any way interfere with a provincial right. I desire to preserve the field of provincial rights unimpaired. But what are these rights ? Where are they set out ? We must look at the Constitutional Act and to our previous history to ascertain the full measure of these rights. I have heretofore endeavoured to explain them, so that the people might understand them, and so that they might be protected against encroachments. But let me say that I am also a federalist. There is a union of the British North American provinces, and the Parliament of Canada has also, under the terms of union, its exclusive functions. The Federal Parliament and the Federal Administration have their rights, duties and responsibilities under the constitution. These have been bestowed for general and for special purposes, for the peace, order and good government of the whole country, and are not less entitled to be respected than those which, by the same instrument, are conferred upon the provinces.

What is meant by the doctrine of provincial rights in its true constitutional sense ? Not rights beyond the law, but rights in conformity to the law, fairly and properly interpreted. It is this—that within the sphere of legislation and government assigned to the exclusive jurisdiction of the province the principle of parliamentary government shall be preserved, and the responsibility of the provincial ministry to the legislature, and of the legislature to the electorate of the province, shall not be interfered with. Within its own exclusive sphere it shall be sovereign. This is what I understand by provincial rights, and it is a constitutional doctrine of great importance in our federal system, for upon this doctrine rests the security of the provincial legislatures and government against federal encroachments.

We must bear in mind that Parliament has no power to interfere with a provincial right. There is no point at which it can come in contact with such a right. The power by which provincial rights may be interfered with is the power of disallowance. But this power rests with the Governor General in Council, and is restrained by the conventions of the constitution. The Parliament of Canada can pass no measure invading any provincial right or encroaching upon any provincial privilege. Every legislative measure passed by Parliament beyond the limit of its own express authority or which enters within the exclusive domain of any province is ultra vires and void. The Parliament of Canada cannot legislate on the subject of education at all unless the province disregards the compact to which it has become a party, and goes beyond the limitations which the constitution intends it shall not exceed without the sanction of those whose rights and privileges are thereby affected. The power of Parliament arises from the unconstitutional legislation of the province. It arises for the purpose of seeing that the compact is observed, and that the rights and privileges of which it is the surety are not impaired or destroyed. We must never forget that, if it be once admitted that the circumstances have arisen which will make it possible for Parliament to enact a valid law, circumstances have arisen in which the compact for the protection of the minority is broken, and if unredressed by the provincial legislature, in contemplation of law, calls for action by federal authority. The federal executive may encroach upon a provincial right. In a few instances it has done so. The Governor General in Council can, within a year, disallow every provincial Act. No doubt, such a proceeding would be grossly unconstitutional, but it would be strictly legal. So we must bear in mind that under our constitutional system you have not carried a contention beyond question simply by showing that a statute passed, or a deed done was not illegal ; you must go further, and show that it is not unconstitutional. A desire to do what is just and wise, added to experience and good sense, have established certain conventions and restraints upon the royal prerogative relating to disallowance, and has settled the circumstances under which this power may be properly exercised. Now, the exercise of authority in conformity with settled usage, is not an invasion of a provincial right, but the fulfilment of a royal trust, and the provincial legislature goes beyond the right when it enters into a region committed by the supreme law to the protection and care of another authority. Provincial rights are not a species of squatter sovereignty. A province cannot acquire exclusive authority over a subject by usurpation. It cannot make its jurisdiction absolute where it is limited by the constitution and subordinated to some other authority. It is not dealing honestly with the people to parade such an authority as a provincial right further than law makes it such. So there is no interference with provincial rights if we act within the spirit of our authority. It is only when we undertake to act beyond the sphere of our authority that there may be an abortive attempt on the part of Parliament to interfere with its rights. Now, if we undertake to legislate here in violation of provincial rights, all our Acts are ultra vires. It is the power of the executive government that may interfere with provincial rights ; it is the power of disallowance, and the power of legislation that interferes with provincial rights ; and in some cases there have been interference with provincial rights by undertaking to disallow Acts which, in my opinion, are altogether outside the jurisdiction and policy of the Parliament of Canada. Lord Carnarvon, in supporting the British North America Act in the House of Lords, said :

> In this Bill a division of powers has been effected mainly by a distinct classification. That classification is four-fold. First, those subjects of legislation which are attributed to the central Parliament exclusively. Second, those which belong to the provincial legislatures exclusively. Third, those which are the subjects of concurrent legislation ; and fourth, a particular question which is dealt with exceptionally.

The first of these embraces the legislative jurisdiction of Parliament. The second embraces the absolute legislative rights of the provinces. In the third group the powers of legislation are concurrent, but the powers of the provinces are subordinated to the powers of the Dominion, the powers of which are discretionary and in their exercise the legislative bodies to whom they are entrusted are governed by ordinary considerations of public policy. The fourth division consists of the constitutional provisions in relation to education. In this the powers are normally with the provinces, subject to certain conditions. If these conditions are disregarded a corrective power arises here. To use the words of Lord Watson :

> The power of Parliament is a qualification of their exclusive power. It is simply to correct something that has been wrongly done, not to legislate themselves upon the subject one hair-breadth further than to set right what has been wrongly done.

Whether the thing has or has not been wrongly done, is simply a question of fact. If the framers of the constitution had intended to confer upon Parliament an ordinary, but limited power to be governed by considerations of public policy, this section would have been differently worded. It would, in its construction, have been similar to the section which immediately follows it. But it is not. Its form and the surrounding circumstances show that it confers not an ordinary limited legislative discretion, but it imposes a constitutional duty to see that certain rights and privileges which have been conferred upon the minority are not taken away, if that minority desires to retain them. Now, look at the words of this section. If you are giving an ordinary enabling power, all you intend to do is to see that the Parliament of Canada may, upon any local legislature repealing any right or privilege relating to separate schools, if it sees proper, legislate on the subject. It does not say so ; it does not enable us to deal with the subject in that way. We cannot on our own motion touch the matter at all. No hon. gentleman on this side of the House, or on that side of the House, can come to the rescue of a local minority unless the minority asks for relief. They must go to the executive government, they must establish a grievance ; there must be communication between the executive government and the government of the province, there must be an earnest and honest attempt to secure the restoration of the right from the province ; and all those efforts must fail before there can be a right to act here at all. Then I say, is it not clear that it is an ordinary discretionary power ? It is a remedial proceeding from beginning to end. It is to some extent, in its form, like a proceeding in a court of justice, but it is an attempt to give a political redress for an act instead of giving a judicial redress. But it does not permit this House to take the initiative ; it does not permit this House to take a single step towards the correction of any complaint, the redress of any grievance, unless the minority themselves proceed. It stands exactly on the same footing as a court of justice, that cannot take the initiative to redress the wrongs of a party until the party makes application himself to the court. It is, then, from all surrounding circumstances that we learn that this power is not an ordinary and limited legislative discretion. but it is a power imposing a constitutional duty for the purpose of fulfilling a compact when that compact is violated. and when there is adequate evidence. and when the regular proceedings have been taken for the purpose of bringing about that result. Lord Carnarvon, speaking of this section. said :

> Lastly. in the 93rd clause. which contains the exceptional provisions to which I have referred. your lordships will observe some rather complicated arrangements in reference to education. I need hardly say that this great question gives rise to nearly as much earnestness and division of opinion on that as on this side of the Atlantic. This clause has been framed after long and anxious controversy in which all parties have been represented and on conditions to which all have given their consent. It is an understanding. which. as it only concerns the local interests affected. is not one the Parliament will be willing to disturb. even if, in the opinion of Parliament, it was susceptible of amendment ; but I am bound to add as an expression of my opinion. that the terms of the agreement appear to me to be equable and judicious. For the object of the clause is to secure to the religious minority of one province the same rights. privileges and protection which the religious minority of another province may enjoy. The Roman Catholic minority of Upper Canada. the Protestant minority of Quebec and the Roman Catholic minority of the lower provinces will thus stand upon a footing of entire equality. But in the event of any wrong at the hand of the local majority. the minority have the right of appeal to the Governor General in Council and may claim the application of any remedial law that may be necessary from the central Parliament of confederation.

Let us for a moment consider the meaning of this. Is it a mere enabling power ? What does the right of appeal mean ? and what the claim to remedial law ? A claim means not a request. but a demand resulting upon a right. Let the House mark the significance of the whole paragraph. This provision was the subject of long and anxious discussion that Parliament would not alter if it were susceptible of amendment because it sets out an agreement at which the parties have arrived. It was to secure to the religious minority of each province certain rights and privileges which it assuredly would not do if the limited power entrusted to Parliament was a mere enabling power imposing no duty whatever. There is a right of appeal admitted and there is a claim to its enforcement conceded. A claim would be no claim if it were a mere appeal asking that a discretionary power should be used. It means much more than this. It implies that those who make it have a right. and that they are invoking the aid of the party to whom the law has committed the power of redress. A mere discretion is not consistent with a compact. It is assumed that there is a compact which is. by the law. adequately protected against successful violation by the power conferred. and by the constitutional duty imposed.

The appeal bestowed is not based on the superior wisdom and superior capacity of Parliament. On the contrary the provisions of the law show that the Parliament of Canada is assumed to be less qualified, less fitted, to deal with the subject than the legislature of a province. The appellate power is not based, then. on the superior fitness to deal with the subject of education. but it is a simple trust to guard the rights and privileges bestowed upon the minority against encroachment and to restore them if they have been impaired or taken away.

The provincial legislature has no legal grounds for making its jurisdiction absolute where it is limited by the constitution. It cannot maintain its authority as exclusive where. by the supreme law. it is subject to certain conditions. Under section 95 it is provided that any provincial law relative to agriculture or immigration shall have effect in the province so long and so far only as it is not repugnant to any Act of the Parliament of Canada. Could it be said that this Parliament is restrained by the doctrine of provincial rights from legislation on these subjects, because the provinces have also the power to legislate ? If the legislation is conflicting. ours is paramount. Now. the exercise of federal authority is not an invasion in these matters of provincial right because the provincial right remains to the full extent of the authority granted and upon the conditions which the law contemplates. The legislature of the provinces has no more legal right to disregard the restrictions which the superior law imposes than has any subject of the Queen to disregard the restraints which are intended to regulate his conduct in his intercourse with other members of the community. It is essential to the due execution of the federal system of government that we should recognize throughout the regulative authority of the supreme law. This applies equally to Parliament and to every provincial legislature. Each of them must look to the constitution as the source from which its authority is derived ; and when a Parliament exercises a power granted under the constitution for the very purpose for which it is given. no legislature. no provincial government. can have any legal or constitutional cause to complain. If the results are not satisfactory the fault is with the supreme law and not necessarily with those who are called upon to administer it. It is preposterous to argue that when special circumstances arise which were contemplated by the framers of the constitution and which call for the exercise of the power bestowed. that it is not to be employed. The responsibility of those entrusted with the authority is confined to the mode of proceeding. and to the manner in which the duty is discharged. and cannot extend to the question of the propriety of its being undertaken at all. I do not pretend to argue that parts of our constitutional system may not become obsolete, but this is a condition which seldom applies to a compact until the protected parties become indifferent to its maintenance. Where the power is one relating solely to policy the parties entrusted with the authority are responsible to the province or to the Dominion as the case may be, for the use made of it. But where it is a trust bestowed for the protection or preservation of some right or franchise, the responsibility is confined to the proper fulfilment of the duty imposed and does not, nor can it, relate, under the statute, to the propriety of continuing the right, privilege or franchise itself. The propriety of bestowing such a privilege was before the framers of the constitution. It is not before the Governor General in Council, nor can it ever come before Parliament. This Parliament, as I have said, has a limited jurisdiction conferred by positive law. That jurisdiction is not bestowed to settle any question of policy, but solely as an additional security for the continuance to the minority that the rights and privileges granted to them shall not be taken away. And the importance of keeping faith with the minority in the estimation of the founders of the union is shown by the fact that to Parliament, in the last resort, is confided the power of restoring the right. This federal power is for the purpose of securing the due observance of the compact, and for no other can an appeal be granted. I say, then, that neither the Governor General in Council nor Parliament is made a judge of the wisdom or of the propriety of the law in any province which has created a separate school system. The duty of Parliament in the last resort, when it is called to legislate is to ascertain the nature of the grievance and the remedy called for, and the extent of its discretion is to determine the kind of legislation required to produce the best results to the parties complaining not inconsistent with the compact which they are asked to have observed. The Governor General in Council has to ascertain whether the minority has appealed: whether the rights and privileges of that minority have been impaired or destroyed by any provincial authority, and, if so, then there rests on him, not only the power, but the constitutional duty to urge redress in the way that the constitution itself provides. The power vested then in the Parliament of Canada is extremely limited, and it is exceeded at some points by the Bill before us. It exists but as an appellate power which can be called into life only by some wrongful act on the part of some provincial authority. When the wrong is once done by the provincial legislature, there is a disregard of the restriction imposed upon provincial authority and that it has not legislated subject to the restrictions so placed. The complaint must be made by the aggrieved party to the Governor General in Council: the facts must be found to establish a grievance; the decision of the Governor General in Council must be communicated to the provincial government for the information of the provincial legislature; there must be a refusal or a failure amounting to a refusal, to grant redress, before redress can be looked for elsewhere and before any decision upon the question can be properly communicated to Parliament, and before Parliament can be clothed with any legal authority to deal with the question at all. Has this procedure been followed? Did Ministers make any effort to secure a redress from the local legislature and government before coming here? Did they admit the contrary by further negotiations? Where is the evidence submitted to Parliament, showing that any serious effort was ever made to secure provincial action? Is not the return made to this House conclusive evidence to the contrary? Where is the evidence before us that the minority have appealed? Where is the evidence that the proceedings that have taken place, have the sympathy and support of that minority? Where is the evidence that puts before this House such information with regard to the local circumstances of the population as to enable us, if we were called upon to legislate, to do so intelligibly? If it is in the possession of the Government, it is time that it was placed in the hands of members of the House. Sir, I say, that this House requires a very great deal of information that it does not possess. I have in my hand a statement which I have made up from the census, and I find, that, taking the ordinary school population in the sections, that there could be, in Manitoba—assuming the school section to be three miles square, four sections to a township in which there is a school population—I find, that there could be 88 efficient schools organized. There could be 36 more fairly efficient, and there would be 220 that would be very inefficient, if it were possible for them to exist at all. How are you to deal with the population in those 220 sections? Then, Mr. Speaker, there is another question, which, to me, is a question of very great importance. The hon. gentlemen, in the Bill, deal with the qualification of teachers. They say, that the qualification of teachers in those separate schools shall be exactly the same as that of the teachers in the public schools. They wish to show you, that there is no diminution of the standard of attainments. Now, Sir, a very large number of these 88 schools, where the population is dense, I apprehend, are schools for the half-breed population. These half-breeds speak the French language, and not the English language. They have yet to learn English. I have a few letters from these people, and most of them express themselves somewhat alarmed lest we put an end to the policy of instructing their children in the English language, as well. In order that any man may teach one of these schools efficiently, and impart to the children in these schools the knowledge of the English tongue, he must be fairly well acquainted with both English and French. I want to know, what evidence the Government have in their hands, and what evidence they have submitted to this House, for the purpose of showing, that there are persons competent to take a high standard of examination in all the subjects that are taught in an ordinary efficient school, and at the same time possess a sufficient knowledge of both languages in order to become efficient teachers of these schools ? You want to know what is the material available in these institutions before you can undertake to lay down any rule as to their examination. In my younger days, Sir, I was inspector of schools for the county of Kent, and we had a number of French schools in that county, and we always had to take into consideration the circumstances of these schools, when we were determining whether the teacher was qualified or not ; and, if a man had a fair knowledge of both English and French, we gave him a certificate, even though he was not quite up to the mark in other respects : because, if we did not do so, we would practically close these schools altogether. I mention these matters incidentally, but there are others which go to point out the importance of the amount of information on the subject that ought to be in our possession before we can deal with the subject at all.

I do not dispute the fact, that this House has the power, when a case is properly before it, to deal with it. I can further say, that by law, apart from reasons of state, that there is a constitutional duty resting upon this House, in the last resort, to use its power. The power is unquestionably for the protection of the privileges of the minority, if the minority desire their continuance. The determination is with them, under the law, and not with us. So long as the province keeps within the prescribed limits, we have no jurisdiction at all, or, if it acts beyond them at the instance or by the acquiescence of the minority, then there is no power to interfere ; and it is because this is the case, that it is essential to the exercise of the powers here vested, to have it made perfectly clear to us, that this action is taken at the instance of a majority, at least, of that minority, and not simply on their behalf. The minority are dealt with in the constitution as a community, and its will can only be voiced by a majority of that community. When it has so spoken, the Governor General in Council is entitled to approach the local government to negotiate with them, to point out the kind of remedy that the nature of the grievance calls for, and then, if there is a determination on the part of the local authorities that no redress shall be given and no relief had, then, so far as the law on this question is concerned, this Parliament would have jurisdiction, on the matter being regularly submitted to them. Both in its origin and in its purpose this remedial power stands by itself, a special and peculiar power in our constitutional system. In saying this, I do not intend to convey the impression, that the rules which are to govern in its use are not perfectly clear and capable of precise statement.

I ask the forbearance of the House, Mr. Speaker, while I trace the judicial interpretation of the school sections of these two statutes. The first controversy in respect to the Roman Catholic claims to separate schools was in the province of New Brunswick. That controversy first received judicial consideration in the Renaud case. In that case, it appears, that, by the Parish School Act of 1858, certain schools were constituted in Roman Catholic settlements, and taught by Roman Catholic teachers, and at which the children of Roman Catholics attended and received religious instruction, their parents desired and their church deemed essential to proper elementary education. These practices had no legal sanction, though they had been long acquiesced in. They were put an end to by the Parish School Act of 1871. The Roman Catholics of New Brunswick protested against the abolition of the privilege, and, in the end, contested its validity in the courts of justice. The Renaud case came before the Supreme Court of the province, and there it was held, that no separate schools had been created in New Brunswick by the Parish School Act of 1858, nor were any rights acquired under that Act. The court held, that the Act clearly contemplated the establishment throughout the province of public common schools for the inhabitants generally, and the mere fact, that, in exceptional cases, certain schools, under the Parish School Act, drawing provincial aid and having been made for the time being, with or without the knowledge and sanction of the Board of Education, denominational, by reason of the teacher instructing the children exclusively in the doctrine of a particular denomination, cannot confer on any class of persons with respect to denominational schools, or give to the denomination whose tenets are so taught any rights or privileges other than those possessed by the other inhabitants of that section. It is not by looking at what the inspectors, trustees or other persons may have allowed, but what the law itself at the union authorized, that the rights and privileges of parties under the law are to be ascertained.

The Supreme Court of New Brunswick were of the opinion, that subsections 2, 3 and 4 fully provided for the separate schools in Ontario and the dissentient schools in Quebec, and, by way of confirming the conclusions at which the court had arrived, they undertook to show what schools existed at the union which were judicially protected as denominational schools, under subsection 1. Denominational schools are not a genus of which separate schools are a species.

They are a distinct class of schools, created for a different purpose and protected in a different way. I affirm, that the schools mentioned in subsection 1 of section 93 are not separate or dissentient schools at all. These, wherever they are established, are, in fact, a part and parcel of the public school system, and must, of necessity, be subject to the progressive legislation, if they are to remain efficient, as much so as the public schools which are established for the majority.

I believe I am correct in saying, that subsection 1 was suggested at the London conference by Mr. Fisher, one of the New Brunswick delegates. It was proposed to meet the case of a class of schools, numerous in the province of New Brunswick, which were created by Acts of Parliament or by royal charters, and in which the religious views of different denominations were taught, and which were under denominational control. Such Acts of incorporation were held by the Supreme Court of the United States, under their constitution, to be contracts, which the state or local legislature could not impair, and Mr. Fisher had in his mind, so he informed me, the decision of that court in the Dartmouth College case, when he proposed this subsection. He wanted to have the same principle applied to institutions created by private benefaction here. Because no one would found such institutions, if he believed that the Act of incorporation, or the charter, gave no permanency to its character, and, if the will of the legislature, and not the will of the donor, was to govern, and so that charity might flow in a wholly different channel from that which the founder had marked out for it.

It will be seen, from this statement, what class of institutions was in the minds of the framers of our constitution, which they had suggested to them this subsection by the decision of the Supreme Court of the United States in the Dartmouth College case. If this view is correct, it is clear, that, in deciding what the law is in respect to separate or dissentient schools, it is necessary to leave entirely out of consideration the first subsection. Let me, with more fulness, invite your attention to that class of institutions which are called denominational schools, and which are protected by this subsection 1 of section 93 of the Act. Though they are protected in a manner wholly different from that protection which is extended to separate and dissentient schools that existed at the union or which are thereafter established. In the Renaud case, the Chief Justice says :

> At the time what may be fairly and legitimately called the common school system of the province was carried on under the 21st Vic.,Chap. 9, entitled " An Act relating to Parish Schools," there were no doubt in existence at the same time in addition to the schools established under the Parish School Act, schools of unquestionably denominational character under the immediate government and control of the Board of Education and in which there may be no doubt, or it may reasonably be inferred, the peculiar doctrine and tenets of the denominations to which they respectively belonged were exclusively taught and there had what may be rightly assumed all the characteristics of denominational schools pure and simple.

The Chief Justice, after describing a number of these schools, says :

> Thus, in the year 1867, but before the first day of July, the day of the union, it will be seen by the Journals of the House of Assembly, page 45, that in addition to the amount authorized by law the following schools among others received a further grant, namely : the Madras School, the Wesleyan Academy, the Presbyterian Seminary, the Roman Catholic School, Fredericton, the Presbyterian School, St. Stephens, the Roman Catholic School, St. John, the Roman Catholic School, Milltown, the Roman Catholic School, St. Andrews, the Roman Catholic Schools, Carleton, Woodstock, Portland and Bathurst, the Presbyterian School, the Roman Catholic School, Newcastle, and the Sackville Academy ; and in the Journals for 1871, the year the Common School law passed, are to be found special provisions for the above schools, so that it is obvious that there were in existence at the time of the union, and have been ever since, in this province, apart from the schools established by the Parish School Act, denominational schools recognized by the legislature and aided by the public revenues.

In the same case, Mr. Justice Fisher shows, that the schools which are protected under subsection 1 of section 93, are not any of the parish schools, for, if the Board of Education had failed in its duty in respect to any right acquired in such schools, the case would have been one to which subsection 4 of section 93 applies. He then says :

> A denominational right or privilege, if any such existed, would not alone make the Common School Act unconstitutional. It must be a right or privilege in respect to the denominational schools which a class of persons had by law at the time of the union, which is prejudicially affected by this Act to render it unconstitutional. It appears to me the first inquiry is, what is a denominational school ? In my opinion it is a school under the exclusive government of some one denomination of Christians and where the tenets of that denomination are taught. There were denominational schools at the union, such as Varley School at St. John, the Sackville Academy, the Madras School, and the like, but they are not touched by the Common School Act of 1871. They remain in the enjoyment of all the rights they had at the union.

This case went to the Judicial Committee of the Privy Council, and the report says :

> It was argued for the appellants by Messrs. Brown and Duff, and a discussion arose on denominational schools in New Brunswick. Lord Justice James, after conferring with other members of the committee, gave judgment without calling upon the respondents, their lordships concur in the opinion of the court below and would advise Her Majesty that the appeal be dismissed with costs.

It will be observed from these extracts that the Supreme Court of New Brunswick held that there were no separate or dissentient schools in New Brunswick, but that there were denominational schools, which were schools under the exclusive control of some denomination of Christians, and that these had not been prejudicially affected by the Parish School legislation. The difference between denominational and separate and dissentient schools is very marked. The denominational schools are private schools, while separate schools are as much public schools as those which are established for the children of the majority. When you look at the Barrett case you see that the Judicial Committee held that the schools existing in Manitoba at the union were private schools, and that the franchises which their supporters possessed did not differ from that of the supporters of other denominational schools. These two decisions go to establish that subsection 1 of section 93 of the one Act, and subsection 1 of section 22 of the other, have no reference whatever to separate and dissentient schools, but refer to institutions which any class of persons whether they are of the majority or minority, enjoyed by law at the union, whether under royal charter or by private Acts of incorporation. The separate and dissentient schools are schools of minority, always. They are public schools, and as such, are protected in a different way, and when you are considering the rights and privileges of separate schools, you must leave subsection 1 out of view altogether.

The basis of the public school system is this, that the state has its interests to guard, and it is essential to this end that it should look after the character and attainments of its people. To secure peace, order and good government, it establishes schools, it examines teachers in respect to their knowledge of those subjects, which concern it, and which knowledge contributes, in the estimation of the state, to its self-preservation. The state licenses whom it finds qualified. It determines the constitution of such schools, the manner of their support, and the adequacy and kind of supervision required to maintain their efficiency. It is the right and it is the duty of the state to keep itself constantly informed as to the degree of efficiency. Although separate and dissentient schools, under the constitutional compact, have conceded to the minority certain rights and privileges, these are not in derogation of its own exclusive rights, but rather supplementary to them. The work of the state is distinct from that which is performed under the rights and privileges conceded. The state has an undoubted right to see that what it aims to do through the ordinary public school is also accomplished by the separate schools. Separate and dissentient schools are public schools, and in this respect the constitution provides that the provincial legislature may, at any time, legislate for them, so long as it does not impair the right to give the religious instruction which the supporters of such schools think their children ought to receive, and which, under this provision of the constitution, they are entitled to have given. These schools, which are in fact and in law public schools, are dealt with under subsections 2, 3 and 4 of section 93. It is of very great consequence to distinguish between private schools that have individual Acts of incorporation, or existing by practice, subsequently sanctioned by law, and public schools in which denominational instruction is given, because, until this distinction is clearly seen, this section of the British North America Act is liable to be both misunderstood and misconstrued. Subsection 1 deals with denominational schools which are private, and with their management, and with the instruction there imparted the state has nothing to do. Separate and dissentient schools are state institutions performing the functions called for by the state in like manner as other public schools, but, in addition to the work which the state requires, the parents of the children, as a matter of conscience, have had guaranteed to them the privilege of affording to the children that religious instruction which they deem to be an essential part of a common school education. If I have given a correct construction to this section, and I have carefully followed the decisions of the courts so far as I have gone, there is a clear distinction between schools protected under subsection 1 and those protected under the other subsections. The denominational schools existing at the union are protected by the courts of law, the separate and dissentient schools, whether they existed at the union, or were thereafter established, are protected by an appeal to the Governor General in Council, and, if necessary, to Parliament. This appeal is not based on superior wisdom or superior capacity here. The provision in respect to education shows that it is bestowed as a trust to guard ultimately, the rights and privileges of the minority, and to preserve them unimpaired. The aim is to reconcile permanence, if the minority desire permanency, with the changes in the law which the provincial legislature might, from time to time, find required by the progress of the country, and by the altered condition of its population.

The interpretation which I am putting on subsection 1 enables us to give a clear and definite meaning to every word and phrase in the education sections of both Acts, and no other construction does—at all events, no other does so equally well. If you attempt to apply subsection 1 to separate schools existing at the union, you make the beginning of subsection 3 meaningless, as that subsection gives an appeal to the Governor General in Council where, in any province a system of separate schools exists at the union and where they are prejudicially affected. This provision would be wholly inoperative if such legislation was ultra vires under subsection 1. The only way of giving effect to this introductory part of subsection 3 would be by defining the appeal to administrative Acts, and not extending it to legislative Acts at all, a construction which the express words of the Manitoba Act forbid. Subsection 1 reads: "Nothing in any such law shall prejudicially affect any right or privilege in respect to denominational schools which any class of persons have by law in the province at the union." The privilege is one which appertains to a class of persons whether they are of the majority or of the minority, created by law, and existing at the union. It is not a privilege in the subject-matter taught, but it is a right or privilege in the institution itself. It may relate to the management, to the endowment, or to the instruction. Prejudicial legislation is ultra vires. But subsection 3 reads "where in any province a system of separate or dissentient schools exists by law at the union, or is thereafter established by the legislature of the province, an appeal shall lie to the Governor General in Council from any act or decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education." Here you have not a right or privilege given relating to the institution, but in relation to education. It is not a right of any class of persons, but of a certain minority of the Queen's subjects. It relates to the character of the instruction imparted upon the subject of religion. The persons protected are different, the rights and privileges secured are essentially different, and there is a marked difference in the mode of their protection. Can any one seriously argue that the schools of any class of persons against which prejudicial legislation is made ultra vires under subsection 1 are the same schools as those existing at the union, in which a minority have given rights and privileges and in respect to which an appeal is given to the Governor General in Council under subsection 3. I do not think this can be so. The words of subsection 3 could only apply if at all to post-union concessions to preunion schools, which would be a very forced construction to put on the words employed. I think, then, in determining the rights and privileges of minorities in separate schools, subsection 1 must be left out of view altogether. In considering the subject of separate and dissentient schools we must look solely at the remaining subsections which apply to minorities. In subsection 3 you have a plan for protecting the minority, by the political department of the Government, and not by the courts.

It being Six o'clock, the Speaker left the Chair.

Mr. MILLS (Bothwell).

After Recess.

TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY.

House resolved itself into committee on Bill (No. 70) respecting the Toronto, Hamilton and Buffalo Railway Company.—(Mr. McKay.)

(In the Committee.)

Mr. TISDALE. I move that the following clause be added :—

6. Upon delivery to the Bank of Hamilton of the debentures of the city of Hamilton, granted under their by-law No. 755, and on the Bank of Hamilton agreeing to accept the same as the purchasers thereof from the said railway company, the city corporation first receiving so much of the proceeds thereof from the said purchasers as the corporation may deem proper to hold as security for all expenses payable by the company to the said corporation, under the terms of the said by-law, and for claims against the said company for compensation for damage to real property taken or injuriously affected by the exercise within the city of Hamilton of any of the powers granted for the railway or against the said corporation for compensation, damages or costs by reason or on account of the construction of the railway within the said city, the corporation having the right to pay any of such claims and costs when agreed upon or legally ascertained, and to use so much of said proceeds as may be necessary for that purpose, accounting to the said railway company for the whole amount of said security, the said bank shall hold and apply the sum of $85,000 portion of the said purchase money as the deposit provided for by this Act, and subject thereto, repay and retain to themselves their advance of $75,000 on the purchase of the said debentures and account to the said railway company for the balance of the said purchase money.

Amendment agreed to.

Bill as amended, reported and read the third time, and passed.

IN COMMITTEE—THIRD READINGS.

Bill (No. 79) to incorporate the National Sanitarium Association.—(Mr. Roome.)

Bill (No. 45) to incorporate the Schomberg and Aurora Railway Company.—(Mr. Coatsworth.)

Bill (No. 63) to amend the Act incorporating the International Radial Railway Company.—(Mr. Masson.)

REMEDIAL BILL (MANITOBA).

Mr. MILLS (Bothwell). When the House rose at six o'clock, I was pointing out the difference between denominational schools mentioned in subsection 1 of section 92 of the Manitoba Act, and subsection 1 of section 93 of the British North America Act, and that they referred, not to separate or dissentient schools, but to denominational schools, which are a distinct class of schools from those designated separate or dissentient. I was pointing out that separate and dissentient schools are public schools, under public provision, differing from other public schools in that the course of instruction given in them is supplemented by religious instruction of the denomination to whom that right or privilege is conferred. Denominational schools which are private and which existed in a province at the union, are given judicial protection, but separate and dissentient schools, being public, it is assumed may require to be modified by legislation which is amended from time to time, the same as any other of the public schools. Trifling things are not intended to stand in the way of change, and as the rights and privileges associated with them are left to the protection of the legislature which will not be hampered by some of the considerations which a judicial body could not ignore. The proper consideration of this section cannot, however, be considered wholly apart from subsection 1. We must look at the phrase "provincial authority." Does it embrace the legislature of the province? I think it does. If it were not so, an appeal in the first instance would have been to the Lieutenant-Governor in Council, and not to the Governor General in Council. Their lordships of the Judicial Committee say:

> That it is unnecessary to determine the point, but they must express their dissent from the argument that the insertion of the words "of the legislature of the province" in the Manitoba Act shows that in the British North America Act it could not have been intended to comprehend the legislature under the words "any provincial authority."

I do not press this opinion further than it goes, but their lordships' observation points to the wider view, which, in my opinion, is the correct interpretation of the phrase. If you embrace the legislature of a province in the words "provincial authority," then, of course, in no case, can subsection 1 include the separate schools, because subsections 3 and 4 provide a system of procedure of granting redress both against legislative and administrative acts, against the separate schools, whether such schools are created before or after the union. This provision in respect to legislation would be wholly inoperative as to schools existing at the union if subsection 1 applied, but the appeal is given as well in respect to them as in respect to those that are thereafter established. This being so, such schools are not embraced under the protection of the first subsection, but are under the protection of subsections 3 and 4, which are specifically named. The appeal is made as extensive in the one class as in the other.

On the 1st July, 1867, the substantive law of Quebec in respect of dissentient schools was made the same as the separate school law of Upper Canada, but the adjective law was wholly wanting and without the adjective law the substantive law must remain a dead letter. The framers of the constitution did not leave the fulfilment of the legal obligation wholly to the good faith of the province. Between sovereign states such a course might prevail because if faith is not kept force in the end may be resorted to, but in a sovereign federation the observance of solemn compacts is secured by law and not by force; so, as a further security to the minority and with a view to keep faith subsection 4 provides:

> In case any such provincial law as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor General in Council on any appeal under this section is not fully executed by the proper provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decisions of the Governor General in Council under this section.

If Quebec had not legislated to give effect to subsection 2, and either minority of the province had petitioned for the enforcement of the rights and privileges as extended to it, and if the province refused to act, Parliament might have been called upon to legislate upon the authority conferred under this subsection 4, which authorizes it to legislate, among other things, for the due execution of subsection 2. The compact under this subsection set out, imposed upon Quebec the duty of legislation because legislation is necessary to its due fulfilment. Let us suppose that after the union Quebec had refused to legislate; that the representatives of the province and its press were opposed to legislation, and that they argued then, as some argue now, that legislation in respect to the minority is a mere question of public policy; that the power to legislate implies a discretion; that the power having been bestowed the legislature in every case is authorized to judge as to the propriety of exercising this power, that the legislature is not compelled to act and is not obliged to carry out intentions previously expressed, and so it has a right to decline to legislate. Does any one believe we would have heard of provincial rights being extended into regions from which by the express terms of union they are excluded? Would any one have heard the cry that Quebec must be left alone: that she must not be interfered with, that if she refuses to carry out the compact with the Protestant minority, she has a right to do so, that she may change her policy, and that she ought to be allowed to take her own course, and that the duty imposed on Parliament by the supreme law, must not be discharged? That in its conduct, Parliament, too, must be governed by considerations of public policy and not by any theory of constitutional duty the same as if no compact existed; that the power conferred by way of guarantee really imposes no duty, and that it may be treated as an ordinary power? I am sure no such contention would ever have been put forward had the appeal come here from the Protestants of Quebec had that province failed to carry out the provisions of the constitution after the union, and if the Protestant minority had come to the Federal Parliament for redress. Would it have been said that there must be no interference? That Quebec must be left alone? That the remedial power expressly given for the protection of the minority, and for no other purpose, is never to be invoked? Not at all. It would have been said that this union is based on compacts and that an honest observance of them is necessary to its continuance. These compacts must be kept. Where they are deliberately disregarded the remedial power reposed in Federal hands is rightly invoked. The use of this power by Parliament does not invade the exclusive dominion of the offending province, but is only asserting an authority within its jurisdiction for the very purpose for which that authority is bestowed, and with the sanction of the only class of persons to be affected by that interference. If the legislature of Quebec had refused to carry out the compact to which it is a party and had refused to provide by law so as to give effect to the powers, privileges and duties bestowed upon the minority, could the Governor General in Council have refused constitutionally to consider that appeal? Would Parliament, if the case had regularly reached it, have refused to afford the legislative remedy which the constitution authorized? I do not think so. This power is granted for a purpose and that purpose is to maintain certain privileges unimpaired. It is an incentive in addition to a strong sense of public duty to honestly observe the agreement between the parties. It is a perpetual monition to every province not to disregard the obligations which primarily rest upon it and not to permit its legislative history to be sullied by broken faith. Parliament is given a superintending authority, so far as such is necessary to fulfil its trust. It is given solely for that purpose. Beyond this it cannot go. In no case is it made a judge of different systems. This is the function of the local legislature, and not of Parliament. What Parliament is authorized to do is to see that where a compact exists, and complaint is made of its violation, that its terms are observed if the minority desire its continuance, for the words are:

> As far as the circumstances of each case require the Parliament of Canada may make remedial laws for the due execution of the provisions of this section.

Due execution is one adequate to the maintenance of the right or privilege. I have already pointed out that if you embrace separate and dissentient schools under the protection of subsection 1, you must hold that the legislature is not included in the words "provincial authority" and you must hold that pre-union and post-union schools, although exactly the same in the constitution, are so essentially different that they are differently protected. But when you read subsection 3 you find that the same appeal exists for both and that it is given for the same purpose. If the Acts of the legislature affecting separate schools existing at the union were ultra vires, there would be no propriety in giving an appeal to the Governor General in Council. This consideration would leave the legislature free to repeal all post-union legislation, both as to pre-union and post-union schools. But in the Manitoba Act the legislature is included in express words, and so there can be no doubt in this case that there are appeals from the Acts of the legislature. The rule is certainly the same, both for Ontario and Quebec. Such a construction is the most natural one, and best fits in with the condition of things for which it was intended to provide. It was the intention of the framers of the constitution that the protection to separate schools in every province in which they were established should rest ultimately with the Federal Parliament, and not with the courts of justice. This plan was no doubt adopted because it was the most elastic and made the security of the privilege conform to that legislative readjustment which, from time to time, the progress of the people might render necessary. The separate and dissentient schools have a national as well as a religious and denominational side. On the side of the state they are supported in the public interest to secure the personal qualification for citizenship so as to afford a more secure basis for popular institutions. The state says, in effect, to the parents and guardians who are the supporters of separate schools, the privilege of giving religious instruction to which you attach special importance is conceded to you, and the right and privilege of making certain public schools separate, the better to meet your convictions, are allowed. We concede to you the right to impart religious instruction which you deem of lasting importance to the religious and moral well-being of your children. But it is not for the purpose of giving this instruction that the state has embraced the subject of education within its jurisdiction. The state, in conceding separate schools, does not abandon its functions in respect to such schools: it does not place separate schools outside of its own jurisdiction, quite beyond the pale of state institutions. In this regard, separate schools are essentially different from those institutions with which the state has no concern and which are no part of the system which the state provides for the general education of the people. The state, on its own behalf, deals with that kind of public instruction which it deems necessary to good citizenship in the life that now is. The principles and domgas of religion remain much the same from generation to generation, but for secular instruction you must place the state schools with in the reach of the progressive legislation of the state. In the separate schools, the sphere of instruction is divided. The religious instruction is under the direction of parents and guardians but the secular side is, and must remain, under the jurisdiction of the state. The words of the statute are: "The province may exclusively make laws in relation to education, subject to the following provisions." These limiting provisions being made for religious instruction, the special claims of rights and privileges are fully met, and these schools stand to the state with regard to everything else, precisely in the same way as any other public schools, as to the state instruction. The legislature may alter and amend the law by which such schools are governed, and bring into conformity with the altered requirements of the community and the higher standard of attainment which, from time to time, may be called for in the interest of the state. If it deems it necessary to raise the common standard of attainment it may do so in respect to separate schools, no less than in regard to those public schools which are the schools of the majority. If experience shows that the existing mode of inspection in these schools is defective on the side of the state, the state may decide on some other mode, and no one would have any right to complain of any interference with any right or privilege which he can claim under the provisions of the constitution. The rights and privileges are mainly outside of the work which the state does on its own behalf. To ascertain the extent of the rights and privileges we must look to the sphere of the special work done and which the parents of the children had in view in seeking the concession. These rights and privileges lie in a special field, and are not, nor was it intended that they should be, embraced within those subject-matters of which the state has taken charge, and of which, under the constitution, it cannot primarily divest itself. Let it then be borne in mind that the legislature of a province has a general grant of power which is exclusive in respect to education conferred upon it, and which is not within any right or privilege. The possession by the state of this exclusive jurisdiction extends to separate schools as well as to the nonsectarian public schools of the majority, and it is perfectly consistent with the rights and privileges of the minority in respect to which the provincial authority is restrained that this jurisdiction should remain to the lgislature. It is quite true that a legislature may, in an administrative law, place part of its exclusive jurisdiction under a denominational body, but in doing so it does not confer upon such body any right or privilege. The power so granted as a matter of judgment or convenience, may again be withdrawn because it cannot be regarded as in any degree touching those matters by reason of which separate or dissentient schools have been called into existence. There is a notion abroad that separate schools in Ontario and dissentient schools in Quebec stand upon a different footing from those which existed in Manitoba. I do not think this is the case. I do not find anything in the constitution to warrant that opinion. Prior to the union, the school system of Upper Canada had been made acceptable to the Roman Catholics by that province, like privileges were to have been extended to the Protestants of Quebec. This was not done prior to the union, and when the British North America Act was framed you have special provisions made to enable Parliament to carry into effect this part of the compact should Quebec refuse to do so. For both provinces an appeal is made to the political department of Government. The Ontario law was carried before the union, and the Quebec law after the union, and in affording protection equally available to both, you have a remedial provision introduced with the words: "where in any province a system of separate or dissentient schools existed at the union"—which is the case of Ontario, "or is thereafter established"—which meets the case of Quebec—"an appeal shall lie to the Governor General in Council." This provision contemplates legislative redress, and so we find there is no difference between Manitoba and the two provinces which I have mentioned in this regard, and Ministers ought to keep this fact in view when they are endeavouring to awaken throughout the country feelings which it will be far easier to call up than to allay.

An attempt was made in the discussion last year by the hon. member for Albert, who undertook to distinguish between the position of separate schools existing before and separate schools created after the union. The hon. member declared the policy unwise and that the guarantee to such schools established after the union would be a most reckless provision. He said:

> If a legislature by any hasty or snap judgment made an absurd law and the sober second thought of the people led them to repent, there would be no way of repealing that preposterous law, and to suppose that any Parliament looking into the future would have any local legislature the dangerous power of making perpetual laws as to rights which were in the womb of the future, as to franchises not yet known, was to assume that Parliament in passing such legislation was acting without proper discretion.

This is an argument rather against any compact, whether before or after the union—in fact an argument against a written constitution altogether. This is an argument in no degree aiding in the consideration of that which is too plain to require it. The hon. gentleman further ignored the facts which I have stated and which are indisputable, that the separate school law of Ontario was settled before the union, and that of Quebec was enacted after, and the clear intention was to put them both on precisely the same footing. Nor can I see with the hon. member that it would be a more reckless proceeding in one case than in the other. The intention of the law was that there should be legislation from time to time. The changes in the school system and in the mode of supporting them may in half a century be so great as to leave scarcely anything remaining that was in force at the time of the union, and to say that what is obsolete shall be inviolable and that what is modern and efficient is to be wholly unprotected is a species of wisdom which I am unable to appreciate. The objection, so far as it can have any force, is equally applicable to pre-union and to post-union compacts, for they are in the law put upon precisely the same footing, nor do I see any reason for making any difference between them. In the case of both, expensive buildings may be erected and private benefactions liberally bestowed; in both cases the generations represented by the men who made these compacts may, when a change is attempted, be in their graves. Why should the one be differently protected from the other? The doctrine of the hon. member for Albert is not found in any part of the constitution. The words are:

> Where in any province a system of separate or dissentient schools exists at the union or is thereafter established.

There is no distinction made. The privileges of the minority have precisely the same security in the one case as in the other; and they are the same in the three provinces in which the right or privilege was conceded. The hon. member suggested that an understanding might be had between the minority and a Government whose tenure of office was uncertain by which a system of separate or dissentient schools might be established by a corrupt or moribund legislature. The province could not become so bound. Fraud vitiates any compact, and fraud can no more bind a legislature than it can a private party. But contracts cannot be vitiated because fraud is possible, but because fraud has been practised, and the burden of proof is upon him who charges it. But where a system has existed for many years, where it has been altered and amended by successive governments after successive elections, it can scarcely be denied that while it was in operation that it rested upon popular sanction. It is by the act of the province itself alone that such a right or privilege is called into existence, and where this is the case and the right or privilege is construed as I understand it, it imposes indeed a very limited restraint upon a majority, and leaves them free in every other regard to mould the institutions of the province according to their own ideas of what is best in the public interest.

Let us examine more closely the Manitoba case and see how the question stands. I pass by the so-called bills of rights. It matters very little in this discussion whether the bill of rights No. 4 was genuine or whether it was spurious. Those who insist that there was a fourth bill were those who had the best opportunity of knowing; and so I can see no reason for disputing the correctness of the statement so explicitly made by one of the parties. What is the object of denying the existence of this fourth bill? It is because in the third bill presented separate schools are not mentioned, and it is assumed that if the fourth bill is spurious there is no compact in respect to schools. No line of argument could be well more preposterous. One might as well argue that nothing contained in the treaty could be regarded as part of the treaty unless it were disclosed in the diplomatic correspondence which preceded the negotiations. No matter in which way we decide the question in relation to the genuineness of bill of rights No. 4, it does not in any way affect the interpretation of the section, which is all that we can authoritatively look to. Their lordships of the Judicial Committee of the Privy Council say:

> The terms upon which Manitoba was to become a province of the Dominion were matters of negotiation between representatives of the inhabitants of Manitoba and of the Dominion Government. The terms agreed upon, so far as education was concerned, must be taken to be embodied in the 22nd section of the Act of 1870.

Of course, one must accept this as an authoritative determination of the educational provision found in the Manitoba Act. It is a determination of one of several preliminary matters upon which the decision of the question submitted rests. The Imperial Government took an interest in the subject at the time, and sent Sir Clinton Murdoch to this country to see that the terms of union were such as to satisfy the Red River inhabitants. Lord Granville, on the 22nd March, telegraphed the Governor General:

> That troops should not be employed in forcing the sovereignty of Canada on the population of Red River should they refuse to admit it.

On the 23rd of April, he further informed the Governor General:

> That the Imperial Government was to finally decide all differences in respect to settlers' rights.

On the 3rd of May, the Governor General cabled Lord Granville:

> Negotiations with the delegates had closed satisfactorily.

And on the 18th of May, Lord Granville replied, expressing his satisfaction:

> That the Canadian Government and the delegates have come to an understanding as to the terms on which the settlements on Red River should be admitted into the union.

Here are delegates, negotiations, terms of admission, and a final agreement. How, then, can any one maintain that that did not constitute a compact? The terms as to education are found in section 22. Everything embraced there forms part of the compact, and nothing proposed on either side which is not found in this section does, and nothing so omitted can be urged as a basis of any right or privilege.

The first subsection of this section is the same as subsection 1 of section 93 in the British North America Act, except that the words "by practice" occur after the word "law," and was given the same construction in the Barrett case as the latter received in the Renaud case. In the Barrett case, their lordships say:

> There were no schools, public schools, in the sense of state schools. The members of the Roman Catholic Church supported the schools of their own church for the benefit of their own children and were not under obligation and did not contribute to the support of any other schools. Now, if the state of things which the Archbishop describes as existing before the union had been established by law, what would have been the rights and privileges of the Roman Catholics with respect to denominational schools? They would have had by law the right to establish schools at their own expense, to maintain their schools by school fees or by voluntary contributions and to conduct them in accordance with their religious tenets.

That is, they were private schools, having just the same franchise at law after the union that they had by practice before the union. In the judgment of the Privy Council, in Brophy vs. the Attorney General of Manitoba, their lordships again return to the subject, and say, in defence of their former judgment, that, in the Barrett case:

> The sole question raised was whether the Public School Act of 1890 prejudicially affected any right or privilege which Roman Catholics had by law or practice in the province at the union. Their lordships arrived at the conclusion that this question must be answered in the negative. The only right or privilege which the Roman Catholics then possessed, either by law or practice, was the right or privilege of establishing or maintaining for the use of members of their own church such schools as they pleased. It appeared to their lordships that this right or privilege remained untouched, and, therefore, could not be said to be affected by the legislation of 1890.

And they further vindicate their decision in the Barrett case in these words:

> Its duty is to interpret, not to enact. It is true that the construction put by this board upon the first subsection reduced within very narrow limits the protection afforded by their subsection in respect to denominational schools. It may be that those who are acting on behalf of the Roman Catholic community of Manitoba and those who either framed or assented to the wording of that enactment were under the impression that the scope was wider and that it afforded protection greater than their lordships held to be the case. But such considerations cannot properly influence the judgment of those who have judicially to interpret the statute. The question is not what may be supposed to have been intended but what has been said. More complete effect might in some cases have been given to the intention of the legislature if violation were done to the language in which their legislation has taken shape. But such a course would, on the whole, be quite as likely to defeat as to further the object which was in view. Whilst, however, it is not necessary to resist any temptation to depart from sound rules of construction in the hope of more completely satisfying the intention of the legislature, it is quite legitimate, where more than one construction of the statute is possible, to select that one which will best carry out what appears from the general scope of legislation under the surrounding circumstances to have been its intention.

The impression became widely disseminated, that the judgment in the Barrett case disposed of the whole question. Of course, this was a mistake. It dealt with the rights of the parties, as supporters of denominational schools at the union under subsection 1 of section 22. It did not touch the rights thereafter established under subsections 2 and 3. The impression has, nevertheless, gone abroad, that the second judgment is inconsistent with the first, and that their lordships expressed opinions on questions not before them, for the purpose of unduly favouring the minority. This impression is without a particle of foundation. It is, indeed, most improper to awaken suspicions calculated to weaken the authority and respect which ought to be had for any judgment of the greatest tribunal of the Empire. In my opinion, the matters dealt with in this decision, were considered throughout with the greatest care, and there is no statement made, from the beginning to the end of that judgment, which does not serve to illustrate the law involved in the instances submitted, and which could with propriety have been omitted. Much has been written and said for the purpose of derogating from the authority of this judgment, and, especially, by setting up propositions of constitutional law which are not such, and which have never been recognized to be such by any one having even a moderate acquaintance with the subject. I must sincerely deprecate attacks made upon this great judicial tribunal of the ablest jurists and lawyers of the Empire. One section have criticised the Judicial Committee because of their first judgment, and another class have done so because of this second judgment. These attacks are equally unwarranted. It would have been a mark of more modesty and, certainly, not of less wisdom, had an earnest effort been made to understand their bearing, rather than to criticise their contents. The words which are introductory to subsection 3 of the British North America Act, are omitted from subsection 2 of the Manitoba Act. In the provisions relating to one specific province they were unnecessary. Their lordships have decided, that the right or privilege protected in this subsection of the Manitoba Act, is a right or privilege existing at the time the Act complained of came into operation, and could not be of any consequence when it was called into existence. They see no justification in putting a limitation on language that is unlimited. There is nothing in the surrounding circumstances, or in the apparent intention of the legislature, to warrant such limitation.

The right or privilege, whether existing at the union or subsequently established by the legislature of the province, if thereafter attacked by hostile legislation is protected by the constitution in the same way and by the same instrumentality mentioned in this subsection. The compact found in section 22 was entered into to be observed, not pedantically, but from the point of an enlightened friend who paid heed to the spirit rather than to the letter and who did not desire to hamper or hinder the legislature in respect to those matters falling within its exclusive jurisdiction. I have observed in respect to the subject a great deal of discussion in relation to the nature of the remedy afforded. Looking to the department of government from which redress is sought the remedy is undoubtedly political and the responsibility of granting or withholding redress rests with the Ministry or with Parliament, but when this much is granted you have not in the slightest degree contributed to settle the question as to the relation in which Ministers of the Crown or Parliament stand to the question itself. This House may have before it a question of tariff reform, it may be a question of an annual payment of a subsidy already pledged to a foreign state. They are both political questions. There may be reasons of state for the rejection of both, but ordinarily this cannot be the case in respect to the subsidy. Though both are political they do not both fall within the same class. The one imports an ordinary political discretion and the other the performance of a subsisting public obligation. There is a legislative remedy given. It might have been a judicial one, and the primary considerations which arise under this provision of the constitution and which present themselves to the legislature and by which, apart from external considerations, the action of the legislature should be governed, are essentially judicial. There are rights and privileges given, there is a protection afforded for a wrong done. A complaint is made by the aggrieved minority. There is an inquiry and an ascertainment of the facts. There is a mode of redress provided. The power is conferred for a purpose. It is not because Parliament possesses superior wisdom, it is not to enable it to exercise a superintending care, but to see that the compact for the protection of the minority is duly observed.

The legislature of every province in which separate schools have been established by law has imposed upon it by the constitution certain restraints; subject to those restraints its powers are exclusive. How is it that this authority in the province of Manitoba has not continued exclusive? Why is it that the Judicial Committee have said the Governor General in Council may hear the appeal, assuming the facts to be as alleged? How it is that the Parliament of Canada may, if all the steps were properly taken to bring the matter here, have power to legislate? It is because the limitations which the constitution has imposed upon the provincial legislature have been disregarded. The law which creates the union and under which the minority have secured to them certain rights and privileges, of which rights and privileges Parliament is made the ultimate protector, has been disregarded, and the faith of which Parliament is the guardian, has been broken. Parliament has no power to legislate at all as long as the boundary beyond which the privileges lie has not been crossed. But when a provincial legislature enters within the protected enclosure, then the protecting power of the Governor General in Council may be invoked and for adequate cause exercised. It has been contended that the power of Parliament to deal with a subject in respect to separate schools when properly before them is a discretionary power, and for this reason it is constitutionally right and proper to consider the policy and propriety of the legislation which may be sought for the purpose of restoring the privilege which the local legislature has impaired or abolished. In other words, the contention is that our position in respect to the question is exactly the same as that of the legislature of Nova Scotia or British Columbia, if either had this subject before it for the first time. I do not think that such is our position. The legislature of a province that has not conceded the rights and privileges to separate schools is at the point where the roads part. It exercises a judgment as to the policy of introducing the system or of refraining from doing so, but we are in precisely the same position as the province of Manitoba itself, once, in consequence of her refusal to act, the question is regularly before us. In one sense every prerogative of the Crown and every power committed to Parliament is a discretionary power. The power to vote the Estimates for each year is so. Yet no one would expect that a Parliament would make up its mind to withhold the Estimates altogether, nor could it claim that it was exercising a constitutional right by doing so, although it might be acting strictly within its legal authority. It would, therefore, be trifling with the common sense of the House of Commons to deny ordinarily its constitutional duty in this regard. The English constitutional system rests, on its political side, not on legal compulsion, but on moral duty. It says, "this is the way, walk ye in it." In a case of this kind, there is a constitutional discretion, because there is no power of compulsion, and because there may be higher reasons of state which would justify the legislature in refusing to act. I do not, at this moment, admit that a discretion would be constitutionally exercised, supposing that every step previously called for by the statute had been taken, and every function prudently and zealously discharged unless it was found as a fact that no substantial right or privilege had been affected, unless outside of the statute, and outside of the duties that it imposes, it was found that there was such a state of public opinion from some other cause existing that the evil springing from the discharge of this duty would be greater than those springing from its present neglect.

If I were asked by one of the minority for advice upon a question of this kind, with a view to his taking such action as the statute warrants, my first duty would be to ascertain what was the precise character of the rights and privileges that existed. Next, in what regard and to what extent they had been affected by administrative Acts, or by subsequent legislation. Having gone this far, my next duty would be to ascertain if there was a general disposition on the part of the minority to claim those rights and privileges, because if there were but a few persons out of that minority who were seeking for this restoration, my duty would be to say that as the law cares not for little things, that a fraction of the minority could not avail themselves of the provisions of the law. For if the minority acquiesced in what a local legislature did, Parliament would not at all be warranted in undertaking to restore what had been abolished. The next step is to appeal to the Governor General in Council. If I were asked whether the appeal must be heard, my answer would be that as the law confers the right to appeal, there is, impliedly, a corresponding duty to hear and to determine according to the facts and the law, and although the Crown cannot be compelled to hear, the law will not impute to the Crown a wrong, and so by the conventions of this constitution, his duty of hearing will certainly be discharged. But this does not finally determine the question. If the wrong is found to be of an unsubstantial character the Governor General in Council may properly refuse to proceed further, but if it is a substantial grievance, and where the whole rights and privileges have disappeared, it cannot be regarded in law as otherwise than substantial, the provincial government must be first called upon to rectify the wrong and to restore substantially the rights and privileges taken away, and it must refuse or fail to do so after full discussion and opportunity, before the matter can be legally or constitutionally brought before Parliament. As the redress is political, those considerations which are recognized by public law in sovereign states in their intercourse with each other are the rules applicable to this case. There ought to be a full discussion, both with regard to any question of law, and any question of duty, and any question of fact which may be in issue. If there are questions of fact in dispute, they should be investigated and the facts ascertained. If there are questions of law, they ought to be exhaustively threshed out, and if the government and legislature of the province does not act, not because it is wholly unwilling, but because of the state of public opinion, and time is required to bring the opinion of the province into line with its duty, it is an abuse of authority to press for an immediate settlement.

The question as to the propriety or impropriety, the wisdom or the folly of separate schools is not before this Parliament. It cannot come here. It was before the framers of the constitution, and it was before the Manitoba legislature in 1871, but it does not arise in this appeal. It is no part of the inquiry in the ascertainment of the grievance, though it might, in a limited degree, present itself, either before the legislature or before Parliament, in providing a remedy, under existing circumstances. The principle of action here is the same as in all compacts, and in all treaty obligations where Parliament becomes necessary to their due fulfilment. The same thing may be said with regard to the prerogatives of the Crown. The Crown may pardon every convict now confined in the penitentiaries. It may pardon no convict. It has the legal discretion to take either course. But an observance of the conventions of the constitution prevents it taking either. Certain rules have grown up founded on natural justice and human experience which effectually settle the question when a conviction shall not be interfered with, when an offender shall have a sentence mitigated and when he ought to be wholly pardoned. These rules are known and are as much a part of the criminal law of the country as are the statutory provisions under which the accused was tried and convicted. All these conventions, although they are within the discretion of the royal prerogative, are upheld upon constitutional principles and reasons that are as well understood and as certain in their application as they would be were they reduced to statutory form. They are exercised by the political department of the Government. They are matters of royal discretion for the exercise of which Ministers are responsible, but the reasons which guide, the principles which govern, are, for the most part, judicial in their nature, and are not ordinarily less certain nor less binding upon the sovereign's advisers than they would be upon a court of justice were these conventions converted into law. No doubt at times circumstances arise outside the ordinary conventions which a political body is bound to recognize, and which a judicial body could not. Such a distinction might impose itself upon our consideration in a case of this kind.

I confess I am surprised to find such erroneous views entertained in respect to our constitutional system which we are daily called to put into practice. A prize court is a part of the executive government of a sovereign state. Its judgments are conclusions of law for the information of the executive department, and the judgment rendered is not made effective till it meets with executive approval. It is then binding upon the owner of the ship and cargo, but it does not relieve the government from responsibility to the neutral state of which the owner is subject. So the House will see that judicial considerations may govern, and often do, in the discharge of legislative and executive functions. The Judicial Committee of the Privy Council is a council of state, and not an ordinary court of justice. It advises the sovereign as to questions of law, and in appeals as to what Her Majesty's decision ought to be. She acts upon its report, upon the advice of her political council, who are constitutionally responsible for the order made, as much so as if it were a declaration of war. But what would be the degree of responsibility in the first instance? Next to nothing. So the responsibility of the Queen's advisers may vary all the way from zero to high crimes and misdemeanours. The establishment of the constitutional duty in such a case on the part of the Ministry does not determine the nature of the considerations which govern in its discharge. There is responsibility whether the considerations involved are legal or purely political, but the degree and kind of responsibility may not be the same in the one case as in the other. In one case you must decide whether the case which the law contemplates has arisen, in the other case, the propriety of dealing with the question at all is always before you. You cannot decide whether a question is one of policy or one of compact by looking at the department which deals with it. The duties of the Committee of Privileges and Elections are legal. The duties of former committees for the trial of election petitions were legal. The proceedings of Private Bills Committees are generally legal. So, too, may be the consideration relating to payments under treaty stipulations. The proceedings in a divorce case involve purely judicial considerations when you proceed by Bill in Parliament, as much so as if you proceeded to judgment in a court of justice. It is, of course, in the power of every sovereign body to act or to refuse to act, because a sovereign cannot be commanded. But the question is not, what are its powers, but what are its duties under the circumstances ? What did the framers of the constitution intend? Was it not intended, where the facts fell within the mischief contemplated, that redress should be given, unless, indeed, there are graver reasons of state which, under the conventions of the constitution, would justify a government or legislature in leaving the duty, for the time being, in abeyance ?

I think where the law speaks of rights and privileges invaded and a means of redress is provided, the intention must be that means shall be made available, not capriciously, but as to the law itself, certainly. It is a remedy ordinarily to be made available, and not to be withheld. Our whole system of government is founded upon forbearance, and it is most successfully administered when some regard is shown to the opinions, the circumstances, and the difficulties of others. If a spirit of moderation and consideration for the rights of communities and a conscientious regard for intention is important when but the ordinary affairs of government are involved, it must be still more important where a specific right is created and a special duty is imposed. A discretion under our law is never arbitrary. It is always constitutional, and it is bounded by the authority which the law assigns, and by the facts found. Parliament has no authority in any degree to impair or lessen the authority of a provincial legislature, nor is it made a judge of the relative merits of different systems of education. Our jurisdiction does not extend to the majority in any event, although it would not be an abuse of our power to consider in redressing the grievance of a minority how this duty could be discharged with the least inconvenience and the least disturbance to a majority. Our powers are, as I have said, not originating, but remedial. They are to redress wrongs, and are not intended to be employed or made effective for any other purpose. The power to legislate is exclusively in the province, but subject to certain conditions which imply restraint.

Parliament may enter into a treaty to pay certain sums of money yearly : it may, if it chooses, discuss the propriety of such payment on every appropriation Bill. This certainly would be a rather unusual course. It is supposed to settle the wisdom or propriety of the treaty provision when the question is first before it, and, while it is in its power, on any subsequent year, to withhold the grant, it would be a violation of a treaty engagement which imposes upon it a constitutional duty. Such a course is open to it. The legal restraint upon a province is external. The Parliament of Canada may refuse to use the power with which it is clothed, and to withhold from the minority the protection which the supreme law intended to afford. It is legally open to the legislature of Quebec to repeal the Dissentient School Act, and to tax the minority for the support of her general schools, and say of this provision of the constitution that it shall in no case become law. In that event, the law as to Manitoba and the law as to Quebec would read as though the power of the local legislature was exclusive.

But this is not the compact. This is not the section as it stands, and as Lord Carnarvon explained it. This would be a declaration that the protection to which Parliament stands pledged is a condition of union that shall, in no case, be observed.

Let me notice one argument addressed to the House last year by the hon. member for Albert (Mr. Weldon), calculated to belittle the judgment of the Judicial Committee in respect to the question now before us. The hon. member said that it was a moot point in England when the House of Lords asked the opinion of the judges of the Superior Courts on any question of great public importance, whether they were not bound by the opinion which the judges gave, and whether such opinion ought not to govern the House of Lords. He admits that it does not, and the inference he draws is—no more ought the opinion of the Judicial Committee to govern this House. The cases are not at all parallel. The judges do not stand to the House of Lords in the same relation as the Judicial Committee stands to this House. The House of Lords is the final court of appeal in the United Kingdom, for all common law and equity cases. The judges are summoned to Parliament, not as a court of last resort, but as assessors to aid in legal questions of great difficulty which have not been exhaustively discussed in the arguments and reasoned judgments of the inferior courts. Their duties are to aid the lower lords in the final interpretation of the law, not to finally interpret the law for them. It would, indeed, be a novel rule which would require the superior judicial authority in the United Kingdom to be bound by the opinion of courts inferior to itself. They examine them with care, but they are only bound by their own precedence. But these consultations do not refer to questions of public policy at all. They relate solely to questions of law. No such relation exists between the Government and Parliament of Canada on the one side, and the Judicial Committee on the other. The Judicial Committee is the final interpreter of the law for us, and it is also the final interpreter of the law for the executive government of the Empire. In no case are they simply assessors to us. They are not consulted on questions of public policy, but of law, and the executive department of government accepts the law from them without question. This does not relieve the officers of the Crown from responsibility. That responsibility still exists. It may be much; it may be little; but when policy is substituted for law, and when the authoritative interpretation of the constitution is brushed away on a question, eminently legal, as of no weight, we have passed from the normal field of constitutional government into the abnormal field of revolution. It is sometimes argued that if separate schools may be in any province abolished legally, they cannot be in that province protected under the constitution. There is no inhibitive limit to the power of the legislature to alter and to amend or to abolish such schools if the minority desire their abolition. It would be constitutional as well as legal, and no compact would be broken. But, so far as the legal power to repeal is concerned, there is no difference between that of the legislature of Quebec, Ontario and Manitoba. They all stand upon precisely the same footing. What has been done in the one province, can be done with equal certainty in the other two. The privilege conceded in each is protected in the same way. The right or privilege is politically, not legally, secured. Every sovereign state may repudiate its obligations. The Congress of the United States may refuse to compensate the Canadian sealers. The Government of the United Kingdom might have repudiated the Geneva award. But this failure of duty does not in the slightest lessen its binding character. If you put the constitutional provision on the lowest ground, that of a simple declaration of intention to maintain some privilege promised, but not actually consummated, on the one side, nor abandoned on the other, how would the matter stand? When Ireland entered the union, Mr. Pitt authorized Lord Cornwallis to agree to a measure of emancipation. Lord Cornwallis did so in two written documents. Mr. Pitt had not seen either of them, and they went further than he would have knowingly sanctioned. The King's hostility made it impossible for Mr. Pitt to keep his promise, and he declared, that it was impossible for him to remain with honour in the situation in whch he then stood. Suppose the pledge given by Mr. Pitt had been given by the two Houses of Parliament, would they have been less bound in honour to press for the fulfilment of these promises than was Mr. Pitt? There is no doubt whatever, that Parliament can undo this year what it did last. It can refuse to keep its engagements. But there is no doubt of this, that it is in the power of Parliament, through the executive government, to enter into an engagement. The Parliaments of England and Scotland did so, when they made the treaties of union, and, although those provisions of the existing Act of Union could be repealed by a majority of Parliament, no member has, for one hundred and fifty years, suggested that such a course could be honourably taken. The possession of power to break faith does not, in the slightest degree, release a body from the moral and constitutional obligations to which it stands pledged.

I now pass to the consideration of the conduct of the Government in dealing with this question. You have now in this country, for the first time since the union, a tendency to form other than ordinary political parties, and Ministers are responsible for their existence. You see in this country parties forming on lines of religion, and I can conceive of no greater calamity to a country than that this movement should go on to consummation. You hear the mutterings of the coming storm. It is the product of those political incantations in which Ministers have been engaged, and with which they seem too much occupied to seriously consider the results. Every step taken since the last decision of the Judicial Committee marks some fresh blunder. If there is one man more than another responsible for this very dangerous condition of things, that man is the Minister of Public Works (Mr. Ouimet). The overbearing tone of that hon. gentleman towards the province of Manitoba, the assumption that he had not performed an act of public duty, but an act of grace of extraordinary merit, and one which entitled him to an extraordinary reward, has been of no little effect. The hon. Minister of Public Works has, in effect, said, that this has been with him a work of supererogation, and that he was entitled to the whole representation of the province of Quebec from the clergy for what he had accomplished. His overbearing tone, the absence of all forbearance towards the province of Manitoba and its government has kindled a flame which may be easily made to burn more fiercely, but which it will be very difficult to extinguish. What defence has been made by the hon. gentleman? Why, that his party might not suffer in the province of Quebec. He has, in fact, maintained, that his friends in that province would not trust his colleagues, if they did not at once bulldoze Manitoba, and so, although the Manitoba government asked for time in dealing with the question, because of the state of public opinion in that province, that forbearance has been refused to enable the Minister of Public Works to appear as a conqueror of Manitoba before the electors of his own province. When the hon. Minister returned from the North-west rebellion, the people of Quebec did not scatter garlands in his path, and did not sing the praises of a conquering hero. The garlands which the hon. gentleman did not win in war, he has striven to gain in a field where the personal danger is less, but where the possible public mischiefs are very much greater.

Mr. OUIMET. Less danger than by staying at home, like you.

Mr. MILLS (Bothwell). The hon. gentle- followed the rule that

He who fights and runs away
May live to fight another day.

Mr. OUIMET. That is very funny.

Mr. MILLS (Bothwell). The hon. gentleman, I say, could have approached the government of Manitoba. The government of Manitoba invited him to do so. The opportunity was open to him to discharge a public duty with great advantage to the country; what use has he made of it? Has he allayed public discontent? Has he restored quiet? Has he enlisted public sympathy on the side of a peaceful and quiet settlement? Not he. What was a purely local question he has made a national one; and why? Because he thought only of his own standing in one province while he was dealing with the affairs of another province. He believed that the hon. leader of the Opposition, were he called in, could secure an early and satisfactory settlement of the question without bringing it to this Parliament at all. Too arrogant to approach the local government, too anxious to gratify his feeling of triumph over them, he would neither by consultation seek a settlement nor was he willing that that duty should be discharged by any other. The course taken by the Minister is one calculated to make this country a seat of political disorder, of one in which the wildest passions will be let loose, passions that emit no light, but carry the country into regions of greater disorder and fiercer storms, because he prefers official position to the interests of the country. Let me turn away from the Minister of Public Works to the course taken by the whole Government. Now, when we look at these education sections of the constitution we find there the skeleton of a method of procedure to be followed in dealing with questions like the one we have now before us. What does this skeleton make this question mainly? It makes it one of diplomacy. Where, let me ask, is the diplomatic part of this question? It is wholly wanting. Here is a remedial order, stiff and formal enough, beyond all doubt. It has no more resemblance to an ordinary diplomatic correspondence than the wooden Indian at a cigar store has to the living native savage. How was it, when the statute of 1890 was received at the Department of the Secretary of State, that the contents of these sections which invaded the rights and privileges of the minority were not made the subject of discussion between the Minister of Justice and the Attorney General of Manitoba? How came it that the local government was not informed that unless those objectionable sections, which were a violation of the agreement upon which Manitoba came into the union were not repealed within a year, that the Act itself must be disallowed? We were told, I think, some time ago that it was because the Department of Justice were in doubt as to whether the statutes of Manitoba, out of which these rights and privileges arose, were within the exclusive jurisdiction of the province or not, and it was for this reason that you went to the Supreme Court, and then to the Judicial Committee of the Privy Council, and so the law was, in some respects at least, settled. When that was determined, did you require further information and further knowledge of the facts? If all that it was necessary you should know was to be derived from the statutes, what reason had you to summon the provincial government before you ? The minority deemed it necessary to submit further information. The local government desired to do the same thing. You would not permit them, and sooner than agree to such a procedure you permitted the counsel for the minority to withdraw the evidence which they had submitted and against which objection was taken by the counsel for the local government. Why did you hold this semblance of a court ? What was the further information that you required ? What was there in your mind about which you had not the material to come to a conclusion that led to such a procedure ? Did you set out with the notion that your functions were political and not judicial, and that you were to ascertain the facts and that you were to give judgment ? If not, did not the question remain within the political functions of government ? It had, I admit, certain legal and judicial features. Every question of treaty, every question of the construction and interpretation of a treaty, every question relating to the violation of a treaty, has features of this kind, but they are always dealt with according to the rules of diplomacy, by correspondence, by despatches, by personal conferences of persons appointed to represent such government. The facts which you required the minority were entitled to present on their own behalf, and it was the undoubted right of the local government to contradict or to combat them by evidence not submitted to you as a court of justice, but evidence communicated from them or by them in the same way that one sovereign state would communicate the evidence upon which it relied to defend its course against an opposing government. What justification, then, was there for passing a remedial order before all those informal proceedings were taken which one state always takes in its dealings with another before an ultimatum is presented ? What reason was there for assuming at the outset that the local government would not make its legislation conform to the judgment of the Judicial Committee ? When the judgment and the Queen's order were received they should have been inclosed under the cover of a despatch in which the Government here ought to have assumed that the provincial ministers would modify their legislation in the way required by that judgment, so as to render any further federal action wholly unnecessary. The Ministry here were seized of the question. Further action was not required to enable them to obtain that jurisdiction which the law gave, and so formal action ought to have awaited the results of negotiations with the government of Manitoba.

I have not, up to this hour, heard any hon. gentleman on the Treasury benches tell us why this Government summoned the Manitoba government, in the midst of a session, to appear before them. In the first place, this Government had no right to summon them. It was an act of discourtesy to do so. That is not the way one sovereign body ought to approach another sovereign body ; and they are a sovereign body, acting within their limited sphere, as much as you are, acting within another and different sphere. Why, Sir, a court of justice could not call a member out of this House to appear as a witness in a case ; and was it a simple thing to summon the government of Manitoba away from the legislature of which they are the head, to meet the Government here and answer for their conduct ? Why did you want to have a meeting ? Why did you summon the government at all ? You told us that the decision of the Judicial Committee was enough. Did you want more evidence ? If so, why did you not continue your sitting, and give the government of Manitoba an opportunity of producing their evidence ? But you refused them that opportunity. You dealt with them as the Sultan of Turkey might deal with an Armenian. You could not have treated the government of Manitoba with more discourtesy than you have done.

Every phase of this question, legal or political, ought to have been disclosed in the correspondence between the Government of Canada and the government of Manitoba. That correspondence ought to have been such as not only to have made manifest the differences in the interpretation of the law between the Manitoba ministry and the Ministry here, but it ought to have shown upon what grounds the Government here rested the authority which, in the first instance, they claimed to exercise and upon what grounds they rested the authority of Parliament. The correspondence between the Government of Canada and the government of Manitoba ought to have made known to the country the whole merits and demerits of this controversy. It is upon the force and validity of the arguments presented in such correspondence that the public judgment should rest. It is by that correspondence that the public should have been informed. Where is it ? Of what does it consist ? You may look through the diplomatic annals of the world and you will find nothing like this. In the partition of Poland the despoilers made up their minds to subjugate and to divide and diplomacy could give them no aid in such an enterprise. But the Government of Canada professed that they wanted the local authorities to deal with the question. How have they shown their desire ? By a remedial order that is a species of ultimatum and should only have been made in case the Government, after full discussion and after full personal conference, had failed. But it was adopted without any conference, without any negotiations. It was based upon the assumption, that the local government and legislature, which, under the constitution, are entrusted with sovereign authority, have no standing and no rights which the Federal Government are not bound to respect. Last session Ministers felt that they had blundered. There had been no discussion, and yet Parliament had been informed by the Speech from the Throne, that remedial legislation would be submitted. When that promise was made, no Minister knew whether Manitoba would legislate or not. It was felt by every supporter of the Government who was not too infatuated to exercise his rational faculties, that they had no legal or constitutional right to come here at all unless they were able to show Parliament conclusively, that the government and legislature of Manitoba would do nothing. The hon. gentlemen opposite felt, that that was not the case, and so legislation was postponed. A second opportunity came to them for full and frank discussion. Has any Minister ventured to tell this House what was done with that opportunity ? Where is the evidence of an earnest effort at negotiation and settlement ? Where is the evidence, that Ministers endeavoured to secure through the only instrumentality fully capable of dealing with the entire question, the local authorities in Manitoba, a full and satisfactory settlement of the whole question? The second opportunity was as useless to them as the first. Nothing was done. It came to them, and was thrown away. No argument, no despatches, by which public opinion was to be guided, made their appearance. Public opinion was left to drift. Those who had commercial interests to serve by appealing to prejudice on the one side or the other, were given full swing, and so the feeling was intensified, without any rational information having been imparted.

The official proceedings since the second judgment of the Privy Council have been harsh, arrogant and offensive. They have been calculated to repel the local government and to prevent any frank interchange of opinion. Every consideration of public duty has been subordinated to the one desire to make political capital against the leader of the Opposition in the province of Quebec. Ministers have assumed the air of victors, and they have been expecting the local government to come forward to make submission and to lay down their arms. Have they forgotten that the government of Manitoba had behind it a strong public opinion, which was, possibly, a source of embarrassment and a cause of reticence. If the law had not been in doubt, in the minds of Ministers, there was a duty of disallowance, unless the Act was modified and made to conform to the compact within a year. Why did the Ministers shrink from this course ? Was it because they were in doubt as to the law ? If so, why have they insisted upon a legal knowledge on the part of the local government which they did not themselves possess, and have not ventured to claim ? The excuse, the justification for six years' delay was their ignorance of the law. Their inability to satisfy themselves of the true construction of the statute. If they expect the House and the country to accept this defence, is it not as good for the local government as for them ? No doubt, the ministry and legislature of Manitoba supposed the law was on their side. It is not reasonable to suppose, that they would have legislated in the way they did in 1890 on any other supposition. Why, then, was it not assumed, that, in so far as the law was settled by the Judicial Committee of the Privy Council, the local legislation would be modified and adjusted to meet the views there expressed ? Why was not a diplomatic discussion carried on to aid in moulding public opinion, to aid in enlightening the public judgment, in dispelling erroneous views and in allaying public excitement ? The Minister of Justice informed the House, that the provisions of the law required that the proceedings should be judicial in form. I am unable to take that view. I see no reason for it. The inquiry, in its nature, was exactly the same as that of a dispute between two independent states, and those methods of procedure the merits of which are upheld by their universal use, are the methods of procedure that ought, in this case, to have been followed.

Patience in international law means peace, and the principles of diplomacy furnish the rules for the guidance of the two governments in this case. The people of Manitoba ought to have been informed of the legal contentions of this Government. The minority, no less than the majority, owe a duty to the state : and so, without further information, no one here can say, that the exclusive jurisdiction of the province will not be, in respect to education, seriously interfered with by what the Government proposes. There was, Sir, also, a great blunder in fixing a time within which action must be taken. No negotiations have anywhere, in modern times, been carried on upon such conditions. A barbarous state has sometimes been given a few hours to decide between submitting to bombardment and making some reparation for an outrage committed. But it is a novel thing, in a civilized community, that such methods should have been had recourse to for the settlement of a question that more than any other should have followed in the lines of those peaceful and friendly methods which modern states have in so large a degree recourse to. Why has this course not been taken ? Was it because one section of the Ministry refused to trust another section ? Was it because that impatience might generate wrath ? But had not the government of Manitoba its difficulties also ? I say to the Ministry, through you, Sir, that you ought to have remembered, that the government of this country is carried on under popular sanctions, that Ministers in the full possession of their senses do not usually act in defiance of public opinion. On the contrary, they are supposed to rest their conduct upon the support which public opinion gives, and, when a question of public faith is raised, it is indeed a grave matter to adopt such methods as to force the public into sympathy against its observance. This is not likely to happen when there is moderation, and fairness, and patience, and care taken to properly inform the public mind, and in this way to rest your demands upon popular approbation.

The difficulties in the way of the local government are shown by a paragraph in their communication in reply to the remedial order. They say :

> We deem it proper also to call attention to the fact that it is only a few months since the latest decision upon the subject was given by the Judicial Committee of the Privy Council. Previous to that time a majority of the legislative assembly of Manitoba had either expressly or impliedly given pledges to their constituents which they feel loyally in honour bound to fulfil.

This, Sir, was most assuredly an admission that the law, as it then stood, was not in conformity with that decision. It was a declaration, that the public policy which the government had pursued and to which a majority of the members stood pledged, had been based on a wholly different interpretation and construction of the law, and that time would be required to enable the government and the legislature to bring the provincial law into harmony with that judgment. Now, you gave no heed to this very plain hint. You insisted on immediate action, when you were informed that immediate action was impossble, or, at all events, precarious. You pressed on as if the government and legislature of Manitoba were as absolute and as unrestrained in their public conduct as the government of St. Petersburg. When two states are dealing with each other, is no heed given, no account taken by the one of the difficulties which the other is experiencing in taking a certain course ? Was not the paragraph which I have just read a plea for consideration and for delay ? Surely, it was. And, if one civilized government had made such a communication to another, the matter would have for the time been allowed to remain in abeyance. This answer was indeed a very different thing from a refusal to give redress. It shows in a most marked way how highly improper it was for the Government to bind itself, that remedial legislation must be given within a certain short period of time. In ordinary diplomacy unless one state is seeking a pretext for conflict with another, a communication such as the one I have read would have been followed by an action. The facts do not show that Manitoba will not legislate. They show that at the time you commanded her she felt that she could not. She invited you to inquire. She asked you to investigate ; to assist her in moulding public opinion, which was as important to Parliament as it was to the local legislature ; but you absolutely declined to do so. You insisted upon an immediate answer of yes or no, and you forced her into a general election to make clear to your comprehension the obstacle in the way of the government and legislature. Had you negotiated, they would have legislated themselves, and the question would never have been dragged into this Parliament at all.

There is, let me say, a very serious question growing out of your unusual proceedings. This is a right secured to the minority. That minority must speak for themselves. They can no more speak by delegation than they can give their votes at an election in the same way. I do not care how influential those may be who speak in their behalf. The law requires that they should speak for themselves. This is eminently a legal proceeding taken by the political department of Government, under a compact, to secure its fulfilment. Thus, neither the Government nor the Parliament is authorized to take the initiative. Where an ordinary discretion is being exercised, it matters not how limited it may be, if it does not relate to some money appropriation, it may be taken up by any member of this House ; but can any one undertake to deal with this question ? Can the Government, without an appeal, without an ascertainment of the facts, without settling in their own minds that there is a grievance, that rights or privileges have been impaired or taken away, consider the matter at all ? Can this House without such proceedings and without such affirmative findings by the Government, and without a refusal by the local legislature, deal with the matter at all ? All these facts show, that this is not a mere limited discretionary power. It is a public trust to be discharged in the last resort legislatively. The words of the statute would, were it a limited discretion, be :

> That the Parliament of Canada may, in case any right or privilege granted by the local legislature of any province to the Protestant or Roman Catholic minority of the Queen's subjects in that province be taken away by such legislature, restore the same.

But the Parliament of Canada can do nothing except to deal with the matter submitted to it by the Governor General in Council, and based upon information obtained in conformity with the provisions of the statute.

The right of the minority is a collective right and there is no evidence that could be recognized in any court of justice which shows that there was any authority even for taking the initiative. The judgment of the Judicial Committee of the Privy Council is based upon the assumption that the facts submitted to it, hypothetically, for the opinion, are true. They did not pass upon the adequacy of the actual facts. They remain to be ascertained. They were not. Up to this hour neither Ministers nor Parliament have in their possession as a basis of action the complaint that the law calls for. The very first step, then, taken, was taken with extreme carelessness. Surely it was in the power of the Ministers to say that if the minority desire to appeal let the trustees call a meeting of the inhabitants in each section. Let them state their desires. Let the determination of the meeting be signed by the chairman and certified by the trustees with the seal of the corporation. It may be, it is quite probable, that the majority of the minority desire the restoration of the right, but surely a mere guess ought not to be the basis of so important a proceeding. There ought to have been unquestionable evidence from the parents and guardians, the parties whom the law recognizes and with whom the law alone deals, before Government and before Parliament. The manner in which the Ministers representing Quebec have dealt with this question has indeed been an extraordinary one. These hon. gentleman have not left the matter to the only parties that the law knows and can know, the minority in the province of Manitoba. They have invited action all over the country as if in the fulfilment of a compact some extraordinary pressure were required. They have asked the hierarchy of Quebec to recognize their meritorious services in that province, beginning with the election of Verchères. Could there have been a more unwise, a more foolish course taken on the part of the Government ? The boast of triumph over the government of the province has been regarded as a gauntlet thrown down, not to Manitoba alone, but to the whole Protestant population of the Dominion. Could there have been a greater act of folly ? Knowing how easy it is to arouse conflict and how difficult when once aroused it is to allay. The Minister of Public Works has taken every step with a view to party influence and his conduct has been guided solely by party considerations. An attempt has been made to overawe and bulldoze the provincial authorities in Manitoba solely with a view to political effect in the province of Quebec. You have ostentatiously invoked the aid of parties who ought not to have been drawn into a public controversy at all. Prudence required this, and the nature of the proceedings and the character of the question called for it. Had there been greater forbearance, had there been earnest effort at settlement, had the Government shown readiness to aid the local government to escape from the unconstitutional though not illegal position in which they were placed, there would have been no discussion on a Remedial Bill here to-day. The claims of the minority would have been fairly met and no section of the Manitoba population would have been found ranged on the side of legislation that impaired privileges which the constitution intended should continue if the minority desired to retain them.

We are here the judges of circumstances. We have the right to determine for ourselves whether this question is fairly before us and whether there are reasons of state why it should for the present remain in abeyance. I entirely concur in the observations addressed to the local legislature by Sir Oliver Mowat. There is no right whatever given here without full, frank and earnest effort made to secure legislation from the only body that can effectively deal with the subject. That effort has not been made. Those moral and constitutional considerations which alone can give us jurisdiction are wholly wanting. We have not the necessary information and when you have worked the public mind up into a state of intense religious excitement, and are fast dividing the country into two hostile camps on other lines than those which secular questions make, you have a condition of things from which at present the evils that are likely to spring are far greater than those which are endured by the minority even if everything called for to give you jurisdiction existed. You have by the Bill bestowed, or attempted to bestow, outside of rights and privileges powers which you cannot give. If your Bill were carried you give to the minority nothing beyond a lawsuit to every supporter of a separate school. You do not secure to any one by your measure exemption from taxation, nor do you, nor can you, secure to any one of the minority the restoration of the school property which formerly was held by them for school purposes. The chief effect of your measure will be that thirty-five school sections composed of Roman Catholics that are now receiving aid from the local treasury and are giving the religious instruction, by forbearance, which was before given in separate schools, will be deprived of the aid which they at present receive! I confess myself that I am unable to legislate upon the information which I now have. There are many facts which are of very great importance, and it does seem to me that where you can ascertain by inquiry under what circumstances a school is possible in that country and under what circumstances they are not, that such information ought to be in the possession of this House even if it were proper to legislate at the present time. That information you do not possess and you have no right to interfere with the exclusive jurisdiction of the state in securing proper secular education in all schools that receive public aid whether they be wholly secular or whether they be separate. The province representing in this regard the state is entitled to the jurisdiction which the law intended to give it for its own security and on its own behalf, as much so at least as the minority are to give that religious instruction which constitutes their rights, privileges and liberties under the compact. Then, as I have already stated, that in many of these sections there is a very considerable population that does not speak the English language. You have declared that the attainments of the teachers in these separate schools shall be the same as the attainments of the teachers in the ordinary public schools. You have submitted to this House no information upon the subject whether teachers conversant with both languages, English and French, and they certainly require to know both, to give English instruction to French children, can be had, possessing in other regards all the qualifications which are demanded by the ordinary teacher which only require to know English. Now, in this respect you are bound to deal with the material which you have and you cannot make the qualifications other than that material will enable you to establish as a standard. What evidence have you submitted to this House, what information have you given to us, that we may know in this respect that you are not calling upon us to take a leap in the dark? It has been argued several times in Parliament that the effect of our legislation will be that once we legislate here we oust the province of its jurisdiction over the subject. The subject is not wholly free from doubt, but I do not think there is anything in the law to warrant this opinion. The section does not transfer the power from the local legislature to this Parliament. There is power given us as a remedial power only and for a specific and very limited purpose. There is no provision in this section, as there is in that which follows, that if this Parliament exercises jurisdiction and legislates that the power to legislate is thereafter vested here. There is not a word in the section to indicate that there was any intention whatever to interfere with the exclusive jurisdiction of the local legislature over the subject except as a matter of remedy, and once the remedy is effected the local legislature stands to the whole subject of legislation just as it stood before. Our law is rather a local than a Dominion statute and the local legislature may modify or amend or repeal it, as much so and in the same way as if such a statute had been enacted by themselves. The only way that the Dominion legislation can be protected against local amendment or change is by the exercise of the power of veto. By the constitution it is vested in the local legislature, under the constitution it there continues. The schools are where the law puts them, not under our jurisdiction, but under that of the provincial authorities and this Parliament cannot extend its authority by any declaration of its own. Its powers are defined under subsections 2 and 3, and when the power there bestowed is once exercised, being a remedial power and for the discharge of a trust, it is exhausted. There must be a new application on the part of the aggrieved parties in order to create jurisdiction again. The power is made provincial by the constitution and it does not cease to be provincial on account of any remedial action on our part. I regret that the matter has been brought here at all. I do so the more because I know, and know right well, that it was altogether unnecessary. We have in this country differences of race, differences of creeds, and there must be both forbearance and mutual toleration if anything like unity is to be maintained in the country at all. What is now proposed to be done will permanently stand in the way of an enduring and satisfactory settlement, and I earnestly implore Ministers not to attempt to employ the power that the constitution gives them for the purpose of gratifying their hostility, political or personal, towards the government or people of a particular province. To do so is indeed to play a very ignoble part. Let them abandon their Bill, let them master the facts, let them enter upon an earnest and honest effort to negotiate. Let them recognize the condition of things in the province, and they will, if patient, be enabled to secure a settlement of the question which will remove it altogether from the sphere of federal politics. Such a course is the one called for in the interests of a permanent union of these provinces. It is the one called for by all those considerations of public policy which can contribute to the establishment of a British nationality and to the material progress of the Dominion.

Sir CHARLES TUPPER. I am sure the House has listened with very great attention and interest to the elaborate discussion to which we have been treated by the hon. gentleman who has just taken his seat (Mr. Mills). I was deeply impressed by the careful study and investigation which he gave to this question, the result of which he has laid before us to-day. I listened with great interest and great pleasure to that hon. gentleman, as he took up this question, point by point, and dealt with all the legal and constitutional aspects of it. And, Sir, I had the better opportunity of listening to him because he was not interrupted by deafening cheers from the gentlemen who sit behind him. Those gentlemen had the pleasure of listening, as we had on this side, to a statement which, in every point, every question of constitutional law, every result of that elaborate investigation which the hon. gentleman has made into this subject was given, not in favour of his friends on the other side, but in support of the position we have taken. These gentlemen were obliged to listen to a long, an able, and unanswerable argument maintaining every position we have taken and controverting, in the clearest and most unmistakable manner, the arguments that have been addressed in opposition to ours from that side of the House. He dealt with the long and laboured argument of the hon. member for North Simcoe (Mr. McCarthy), and he scattered to the winds the reasoning which that hon. gentleman offered this House. He showed how utterly fallacious were the views and opinions presented by the hon. member for North Simcoe. Why, Sir, there is not a single point in controversy between the two sides of this House which the hon. gentleman has not given in the clearest and most unmistakable manner as evidence and as authority on this important question.

He says that this is not a question of separate schools. In opposition to the contention of the hon. member for North Simcoe, and other hon. gentlemen, he maintained the position that I took at the outset, and that is that the question of separate schools is not an issue at all, and that the efforts which have been made to show that this is a question of whether we should have separate schools in this country or not, are aside and beyond the mark altogether—that, in fact, it is a question, not whether separate schools should be introduced or maintained or changed, but whether the law and the constitution, as expounded by the highest authority in the Empire, is to prevail. It is a purely constitutional question, and not a question touching separate schools at all. The law is plain and unmistakable. The question of separate schools was settled in the Confederation Act. The question of separate schools touching Manitoba is settled in the Manitoba Act; and, having been decided by the highest judicial authority in the Empire, the Judicial Committee of the Queen's Privy Council, no gentleman—unless he was prepared to do, as the hon. gentleman who has just taken his seat said an hon. member on this side was prepared to do, namely, treat with contempt the highest judicial authority in the Empire—could pretend there was a question of separate schools in this matter. But that is not all. The hon. gentleman said that the law, as expounded by the Judicial Committee of the Privy Council, creates and imposes a duty. to carry out the terms of those Acts. Why, it sweeps away the contention of hon. gentlemen opposite, and shows that by the Confederation Act and the Manitoba Act, the duty is created and imposed upon the Government and Parliament of this Dominion to carry out the terms of those Acts. Why, it sweeps away the contention that hon. gentlemen opposite have tried to raise. The whole contention of the Opposition is swept away at one fell swoop by the hon. gentleman when he declares, and declares rightly, that this is not a question of the autonomy of the provinces at all. He shows that, under the Manitoba Act, in the clearest, most distinct, and most emphatic terms, the power of the province to legislate in reference to the question of education has its limitation. What is the limitation? Every province has exclusive power to legislate on this question of education, subject to the condition that it does not take away any privilege, any benefit enjoyed by any denominational schools that existed at the time of the union, or subsequently. That is the position, Sir; and in that way he has swept away by another fell stroke the entire story of the coercion of Manitoba or the interference in the slightest degree with the autonomy of that province. Sir, I listened as I say, not only with interest but with profound admiration as, step by step, laying down the law and giving the authorities in the most clear and conclusive manner, he cut the ground from under the feet of gentlemen opposite until he left them nothing upon which to stand. And then came the time when the hon. gentleman feeling that he must furnish himself and those who are acting with him with some excuse for the position they have taken on this question, turned around and, abandoning the law, abandoning the constitution, abandoning every principle which he had for three mortal hours held up for the approval of this House —he spoke of the political side of the question. Sir, he elicited cheers from the gentlemen behind him, when they found that he was ready, notwithstanding his law, notwithstanding the unanswerable arguments with which he had sustained the views of the Government, to find excuses for himself and those around him for voting down the law and the constitution for which he had asked our approval. The hon. gentleman shows that we are bound by the law and the constitution to take the course we have taken. He swept away the charge that it is the slightest interference with the province, showing that the province instead of having its autonomy interfered with by us affected its autonomy by its own Act, divested itself of it by striking down the privileges of the minority as they existed in Manitoba and as guaranteed by the constitution, and, as I have stated, in opening this discussion and moving this Bill they placed themselves in a position that compelled the Government and the Parliament of Canada, in vindication of the constitution to discharge the duty which they themselves had imposed upon us, instead of us imposing anything upon them. That, Sir, is the position in which that question has been placed in the clearest and most emphatic light possible by the three hours' speech to which we have all listened with pleasure to-day. I trust a verbatim report of that speech will be sent broadcast throughout Canada. I am sure that it will carry conviction, that it will establish unanswerably the soundness of the course the Government has pursued and which has been forced upon them by the violation of treaty rights by the legislature of Manitoba. That, Sir, is the position, and I am not afraid to have it go side by side with the flimsy political argument with which he endeavoured to furnish some standing ground for himself and his associates to vote down this measure that he himself says it is the duty of the Government to propose and of Parliament to pass in order to redress the grievances of the minority of Manitoba.

Now, Sir, I did not intend to do more than glance at this subject for the reason that I wish every word that the hon. gentleman said down to the time when he was seeking some excuse for his action, to sink deep into the minds and hearts of all who are present to-night.

Mr. LISTER. But you want to leave out that part.

Sir CHARLES TUPPER. No: the last part will only throw into bolder relief the truth of the former part. The last part is devoted to the political part of this question, and it shows how little reasoning gentlemen opposite require to have furnished them in vindication of their action. Now, the hon. gentleman said that the disallowance of a provincial Act is the strongest form of interference with provincial rights. What does the hon. leader of the Opposition say to that? The hon. gentleman was a member of a government that disallowed two provincial Acts for every one disallowed in an equally long period by the Liberal-Conservative Government. Why, Sir, the hon. leader of the Opposition is convicted out of the mouth of his supporter of having in the strongest and most emphatic form interfered with provincial rights. I do not say the hon. gentleman did wrong, but I say that if that is the strongest form of interference with provincial rights, then the hon. gentleman will see that when his advice—well, not his advice, because he did not venture to tender it, but his suggestion—that the Government of the country have done wrong in not disallowing the Manitoba School Act of 1890, he has the answer from his own supporter the hon. member from Bothwell that the disallowance of the provincial statute is the strongest and the clearest interference with provincial rights. And while I am upon that subject, I may mention that the hon. leader of the Opposition taunted the Government with having disallowed the Quarantine Act and the Act relating to public companies, while they did not disallow the Manitoba School Act which deprived the Catholic minority of the rights and privileges that they had enjoyed. The answer is plain, and it is, that in the one case there was a clear and unmistakable infringement of the power of the Federal Government by the local legislature, just as there was in cases in which the Government of which the hon. gentleman was a member disallowed certain provincial Acts. The Manitoba School Act of 1890 was not disallowed because of the doubt that existed as to the authority of the local legislature to pass such an Act, a doubt which was justified by the decision of the Judicial Committee of the Queen's Privy Council in England.

I did not rise for the purpose of replying in any measure to the hon. member for Bothwell. But I felt that I could hardly allow this debate to close without a word from me, that it was hardly respectful to the leader of the Opposition for me to allow the speech with which he moved his vote of want of confidence in the Government of Canada, this six months' hoist of a Bill on which this Government has staked its existence, to pass without a few observations. I may say, that I am a great admirer of eloquence, and no person can listen to the leader of the Opposition without being charmed by those eloquently rounded periods that, whatever may have gone before them, naturally evoked the cheers and enthusiastic support of his followers. But, Sir, I never felt, I never recognized on any former occasion the overwhelming power of eloquence so strongly as I did when I heard the leader of the Opposition deliver that speech; and I will tell you why. Any person who will take the trouble to read that speech from beginning to end will find a mass of contradictions and inconsistencies that, probably, were scarcely ever before crowded into the same space. The hon. gentleman propounded statements to this House which called forth a burst of enthusiastic applause from those who listened to his eloquent words; but a few minutes afterwards we found that hon. gentleman taking back, in fact contradicting, in the most emphatic terms that the English language would permit, the very statements, the very sentiments which just before had been cheered; and the contradiction was cheered in the same enthusiastic manner. Now, Sir, I say, that I recognize the transcendent power the hon. gentleman possesses, and one which I frankly admit I greatly envy; but I trust that, even if I possessed that power, I would never use it for purposes for which the hon. gentleman used it, in order to conceal from those around him the inconsistencies through which he was floundering on that occasion. Sir, I will undertake to show the House, that scarcely a single sentence was propounded by the hon. gentleman, that, before he sat down, he did not take back, that he did not contradict, that he did not answer, and answer more ably, probably, than any hon. gentleman in this House could have done. But I admit, Sir, that on that occasion he had an excuse that hon. gentlemen seldom have on such occasions. No person can read that speech—a speech, I venture to say, that the hon. gentleman himself will read with a deeper regret than any gentleman ever felt in reading a speech which he had delivered in the Parliament of his country—I say, no gentleman can read that speech without being able to discover, between the lines, the unfortunate position in which he was placed on that occasion. Why, Sir, he had made a speech in support of the policy which he had propounded and supported all over the country, from one end to the other; the hon. gentleman had made a speech in favour of a commission of inquiry, for the purpose of ascertaining whether those wrongs had been inflicted upon the Manitoba Roman Catholic minority, which they claimed they had suffered. Sir, I believe if the hon. gentleman had had twenty-four hours in which to reflect, he would never have committed himself to such a mass of contradictory statements as those: but, within a few hours, a change of base occurred, the hon. gentleman's hand was forced by gentlemen around him, and he was compelled to adopt a new and desperate policy. With what object ? Why, Sir, with the object of obtaining the alliance of the hon. member for North Simcoe, and bringing to his aid and to his support in this vote gentlemen whom he had denounced, with his eloquent tongue, as men who were unworthy of the confidence of any honest and intelligent citizens of the country. Sir, the hon. gentleman had forgotten, when he was trying to draw to his support the hon. member for North Simcoe (Mr. McCarthy), and his small band of three adherents in this House, the eloquent terms in which he had denounced that gentleman for having sown seeds of discord, for having used his powers—and his legal powers are very considerable—in order to strike down and trample under foot the men of his own race and his own religion. Sir, are any terms of obloquy stronger than those that the hon. member for North Simcoe has showered upon the head of the leader of the Opposition and his compatriots of the same race and religion ? The hon. gentleman knows the peace, the happiness and the contentment which had heretofore prevailed among the people of this country, and the brilliant position which Canada has attained under those conditions ; but he lost sight of the fact, that we had continued a happy and united family from the date of confederation, until, in an evil hour, the hon. member for North Simcoe appeared upon the scene as an agitator. I will not undertake to trace his reasons, I will not undertake to discover what animated the hon. gentleman, whether it was a wild ambition to obtain a position that he had never been able to attain, whether it was wounded feelings, or whether it was because he found that his great talents had not been appreciated by his own party : I will not undertake to fathom the cause that led him to take the course he did ; but I say, that, for whatever reason, in an evil hour for himself and for his country, he used all the powers that he possessed to stir up an agitation on a question that had been buried for twenty years, or from the date of confederation down to a very recent period ; to stir up the fires of discord, to array race against race, and religion against religion, in this country. And, Sir, I may say, that when I witnessed, from across the sea, the futile efforts of that hon. gentleman, and the small results that he was able to accomplish, I felt proud of my country ; I was proud that Protestants and Catholics alike frowned down this desperate, this unworthy attempt to light up the fires of discord in our happy and united country, and to set race against race and religion against religion. But, Sir, I was astonished, I did not believe it possible, that I should ever live to see the time when the leader of the Opposition, forgetting what was due to his race, forgetting what was due to his religion, and, what was more important, forgetting even what was due to our common country, he framed a policy that would draw himself and the member for Simcoe into a close alliance. Sir, it reminds one of the old adage, that misfortunes sometimes makes us acquainted with strange bedfellows. I can understand, that, after eighteen years of incessant and useless struggle to attain power, at last the desire to obtain a majority at his back became so great as to make him forget, that which few men are able to forget, and that is the language and the efforts of the hon. member for Simcoe, in times past, to trample under foot, so far as he was able, the race and the religion to which the hon. leader of the Opposition belongs. I say, Sir, that, in my judgment, when the hon. gentleman was induced, for such a purpose, to change his base for the little support that in that way he might obtain, he took a step which I do not hesitate to say, down to the last hour of his life, he will regret having taken, a step which inflicts a stain on his character that it had never sustained before. There is one statement in the hon. gentleman's speech which he did not take back, there is one statement he allowed to stand, and one statement he did not contradict, I believe the only one, and I propose to ask the indulgence of the House for a few moments while I deal with that statement on the present occasion.

The hon. gentleman came out in the character of an historian. When I was pointing out in my feeble way to hon. gentlemen opposite the condition which Canada occupied before confederation, when I was pointing out the condition to which race and religious antagonism had lowered and sunk Canada, and to the fact that the confederation of the British North American provinces under one Government and into one united country had resulted in wiping out all that trouble and enabled the people of this country, freed from that discord, that antagonism of race and religion which had all but ruined and destroyed Canada, and had brought it into a frightful condition, its trade ruined, its commerce broken down, its revenue destroyed, its credit gone, in fact, brought to a position of a most desperate character—when even the men who had been engaged in that unholy work felt the time had come when they were compelled to take a new and different course, and by the confederation of the British North American provinces free Canada from those desperate evils that had brought it into such a deplorable position. The hon. gentleman said there was a passage in the history of confederation that I had forgotten and he undertook to supply it. But I tell the hon. gentleman that if a historian wishes to obtain consideration from his country or from anybody, there are two qualifications that are absolutely essential. One is knowledge, and the other is an honest desire to do justice to all. I think I will show to the hon. gentleman—I do not say he was intentionally dishonest—that if he ever did a public man an injustice in his life, if ever an unjust statement was made with respect to a public man, the statement the hon. gentleman made in painting this black page of the history of confederation, was that statement. What did he say? It was something much worse than "subterfuge." The hon. gentleman used this language with reference to myself:

> But the hon. gentleman knows that the bitterness of the initiation of confederation, the feeling against the coercion then practised, has never been removed, and never will entirely disappear until it is buried in the grave of the last man of that generation, whose manhood was outraged by the arbitrary proceeding which trampled under foot the dignity and manhood of a proud people.

The hon. gentleman handed that down to history. The hon. gentleman himself will admit that with such a charge as that against me, it is not wrong that I should take up the time of the House for a few moments in vindicating myself as best I can against this charge, which I am certain the hon. gentleman will himself abandon when I have placed the facts before him. That hon. gentleman was no participator in the events of that day. He is of a later period, and that is perhaps the ground for his having been misled by improper information. But, Sir, I will give him the facts. In 1860, when I had the honour to lead the Opposition in the legislature in Nova Scotia, I was invited to deliver an opening lecture at the Mechanics' Institute in St. John, N.B. I chose for my subject on that occasion, "The Political Condition of British North America." I pointed out to the best of my ability the great difficulties under which in the then condition of British North America we laboured, and I suggested and propounded as the remedy for those evils a confederation of the British North American provinces, such as exists to-day. But what more. Hon. Joseph Howe was the leader of the Nova Scotia government at that time, and, in 1861, a year afterwards, he moved in that capacity a resolution in favour of federal union, or otherwise, of British North America. His motion was as follows—I only read the main clause:—

> And whereas, while many advantages may be secured by such a union, either of all these provinces, or any portion of them, many and serious obstacles are presented, which can only be overcome by mutual consultation of the leading men of the colonies and by free communication with the Imperial Government.

When I tell the hon. gentleman that I seconded that resolution, and it was passed unanimously by the legislature of Nova Scotia in 1861, I think he will absolve me from the charge of having pressed a union of the British North American provinces, and brought Nova Scotia into it on terms that would warrant my actions being characterized as the hon. gentleman has characterized them. But what was the action taken? I moved in the legislature of Nova Scotia on 10th April, 1861, my resolution. The general elections took place two years afterwards. Mr. Howe and myself were committed, in the face of the legislature and the country to a policy of the union of the British North American provinces, which proposition received the unanimous assent of the legislature. The elections took place two years afterwards, with the result that I was brought into power at the head of the largest majority that any leader of the Nova Scotia government had had at its back in the history of the country. I was elected, and an overwhelming majority of the members were elected to support me, in the face of my public declaration made in 1860 in favour of a union of the provinces of British North America, and in the face of the fact that I seconded the motion moved by Mr. Howe in 1861 in favour of the like policy. I think the hon. leader of the Opposition could hardly have been aware of those facts when he used the strong expression he did use. That resolution, which I moved in 1866, authorizing the government to send a delegation to the conference at the Westminster Palace Hotel in London for the purpose of arranging the confederation with the other provinces of Canada and New Brunswick, was carried by a majority of no less than 31 to 19 in the House, and in the legislative council it was carried by 13 to 5.

Now, Sir, who has the hon. gentleman (Mr. Laurier) denounced? Not me alone, for his denunciation must apply to all the men of high position in Nova Scotia, who aided and abetted me in what I did. Gentlemen holding high and influential position in the province of Nova Scotia were alike deserving of the strong language used by the leader of the Opposition. I recall to his attention once more the words he used:

> Whose manhood was outraged by the arbitrary proceeding which trampled under foot the dignity and manhood of a proud people.

Whom has he branded as being guilty of that outrage? Sir, he has branded the then Roman Catholic Archbishop of Halifax, the venerable and universally-respected Archbishop Connolly.

Some hon. MEMBERS. Oh, oh.

Sir CHARLES TUPPER. Hon. gentlemen opposite may find it convenient to endeavour to stifle this statement, by which I am convicting the leader of the Opposition of having committed an outrage, and not myself, as he alleges.

Some hon. MEMBERS. Oh, oh.

Sir CHARLES TUPPER. These hon. gentlemen opposite may find it convenient by unseemly laughter, to endeavour to stifle these statements of mine, but, Sir, I tell them they will laugh upon the other side of their mouths before I get through. I hold in my hand a letter addressed to me by Archbishop Connolly, when that battle was over, and when I alone stood returned as the representative from Nova Scotia, in favour of the union. The venerable Archbishop says:

> St. Mary's, Halifax,
> 2nd Sept., 1867.
>
> Dear Doctor:
>
> I hope it is not too soon to congratulate you from the bottom of my heart for the glorious triumph of yourself and the Government, as in every battle we have to mourn over the unnecessary casualties unavoidable on so extensive a battlefield. Yet, on the whole, I think the dead and wounded are not so numerous as you and I had reason to apprehend. Mr. McKeagney deserves well of our side. I call it "ours" for will it or will it not, I am for weal or for woe indissolubly bound up with you.
>
> Ever yours the same.
> THOS. L. CONNOLLY.
>
> Hon. Dr. Tupper.

The Mr. McKeagney referred to in that letter, was one of the Irish Catholics in the legislature of Nova Scotia, a gentleman who had supported me strongly in carrying this measure of confederation. Therefore, Mr. Speaker, the men whom the leader of the Opposition brands as having committed an outrage on an independent people, include among their number, no less a person than a prelate who was universally respected in the province of Nova Scotia, and who was one of my strongest and most fervent supporters in the policy I then advocated. The hon. gentleman (Mr. Laurier) is not only branding the Archbishop, but he is branding every Roman Catholic member in the province of Nova Scotia. Irish, French and Scotch, the name of every Roman Catholic member in that province at the time, will be found recorded on the Journals of the legislature of Nova Scotia, as being guilty, in common with myself, of what the leader of the Opposition says was an outrage upon the manhood of a proud people. Sir, I can give the hon. gentleman their names. John Tobin, Mr. Robichau, the French member for Digby, the Hon. John McKinnon, a brother of Bishop McKinnon, Samuel McDonnell, the Hon. William Miller, at present a Senator, the Hon. Peter Smith, and the Hon. Sir Edward Kenny, who all alike supported me in this effort to bring about that confederation of British North America which every man of every stripe of politics in this country admits saved Canada, rescued her from the humiliating position she occupied up to the time of confederation, and raised this country to that high position, of which every Canadian feels proud. Now, Sir, I have something more to say. Did I violate any constitutional principle in carrying confederation in a legislature elected, with the whole province aware of my views, and the views of the legislature of Nova Scotia, shown by the vote of 1861, previous to the election? Sir, I have to tell the leader of the Opposition that he has not only branded the Archbishop of Nova Scotia, that he has not only branded every man of his own faith who was in the legislature of Nova Scotia, either in the Upper or Lower House, then, but he has branded the leaders of his own party in the province of Canada. He has branded George Brown, Sir Oliver Mowat, the Hon. William Macdougall, the Hon. William Howland; he has branded all these leaders of the Liberals, who were parties to the conference that met in Quebec in 1864, and at which were laid the foundations of this great confederation. And, what did they do at that conference? Why, Sir, in putting this question to the legislature of Nova Scotia I was carrying out the pledge which this conference had exacted from me in relation to this matter. I will give you the evidence of the Right Hon. Sir John A. Macdonald to prove that. This question came up in the Canadian House, and Sir John A. Macdonald was asked, whether it was the intention to refer this question to the people—the same question with reference to which the hon. gentleman (Mr. Laurier) makes this bold, and as he now sees, unfounded statement.

Some hon. MEMBERS. Oh.

Sir CHARLES TUPPER. Well, Sir, if it is not an unfounded statement, if he says that he knew the legislature and the people of Nova Scotia were improperly advised on this question, then I say, Sir, that the hon. gentleman (Mr. Laurier) is guilty to a degree that I should not have thought of holding him responsible for. Sir John Macdonald was asked:

> Do you intend to refer this to the people before you carry confederation out?

And Sir John Macdonald's reply was:

> No. It would be obviously absurd to submit the complicated details of such a measure to the people. It is not proposed to seek their sanction before asking the Imperial Government to introduce a Bill in the British Parliament.

Then, Sir John Macdonald says, in a letter to Sir Leonard Tilley, which will be found in Pope's Life of Sir John Macdonald. The letter is dated October 8th, 1866, and I ask the hon. gentleman (Mr. Laurier) to mark this well. Sir John Macdonald, in that letter, says:

> It was agreed at Quebec that the resolutions then agreed to should be submitted by the several governments to their respective legislatures at the next session, and, if possible, carried en bloc and without alteration, lest any change should create the necessity for a new conference.

The hon. gentleman (Mr. Laurier) sees that in putting this question to the existing legislature of Nova Scotia, and in carrying it there without an appeal to the people, I was carrying out a pledge exacted from me by Brown, and Howlan and Sir Oliver Mowat, who were parties to that conference.

Then, Sir, I have another authority to give to the hon. gentleman (Mr. Laurier). He occasionally tells the country that he is a Liberal of the Liberals, and that he is a Liberal of the English school. Well, Sir, where will he find in the records of the great Empire to which we belong; where will he find in the records of the British Parliament, which we take as our great exemplar in all these questions; where will he find there any authority for the accusation he has made against me.

What did Mr. Cardwell, afterwards Lord Cardwell, Secretary of State for the Colonies, say? You must refer this question to the people before the Imperial Parliament can carry it? Not at all. In his despatch to Lord Monck, the Governor General of Canada, dated 3rd of December, 1861, he says:

> It appears to Her Majesty's Government, therefore, that you should now take immediate measures, in concert with the Lieutenant-Governors of the several provinces, for submitting——

To the people? Not at all.

> —for submitting to the respective legislatures this project of the conference; and if, as I hope, you are able to report that these legislatures sanction and adopt the scheme, Her Majesty's Government will render you all the assistance in their power for carrying it into effect.

Now, what has the hon. gentleman to say? I was not only bound by my pledge to the leaders of the great Liberal party of Canada—I was not only bound by the solemn resolve of that council, of which all those men were members, to submit the project to the existing legislature—but I had the mandate of a Liberal Colonial Minister, one of the most eminent statesmen who have ever filled that high office, Lord Cardwell, who is long now deceased; and I say, in honour of his memory, that Canada will never know to the extent to which, probably, I know, the deep debt of gratitude she owes to that eminent Liberal Colonial Minister for the wise, judicious and steady support he gave to this great project of the confederation of Canada. I give that to the hon. gentleman as the ground for the course I pursued.

Now, Sir, I propose to carry the war into Africa. I have shown that I am not open to the charge. I have given the most unmistakable evidence that a man can have, of the constitutionality of the position I took. But I will show the hon. gentleman what took place in the Parliament of Canada; and he will find that if my character is to be blackened by his black-wash for what took place on that occasion, he is at the same time besmirching the characters of many of the most prominent leaders of the Liberal party in the old Parliament of Canada. When it was proposed to carry out the confederation in the House without an appeal to the people, as suggested by Sir John Macdonald, on the ground that it would be obviously absurd to throw down before the people at a general election, a measure with such details, Hilliard Cameron moved, as will be found in the confederation debates, page 962:

> * * * Will be pleased to direct that a constitutional appeal shall be made to the people before these resolutions are submitted for final action thereon to the consideration of the Imperial Parliament.

Yet the hon. gentleman takes the position that I outraged the manhood of a proud people because I did not throw down that measure before the people, although it had been placed before the country in the most thoroughly constitutional manner before it was taken up. What was said by George Brown, the great light of the Liberal party of that day? He was a great man, probably the most notable and brilliant man in the Liberal party in Canada has ever known; and his indefatigable industry was as great as his ability. But let me say to the hon. gentleman opposite that he made one mistake, the most fatal mistake that any man in any country can make, of devoting his great powers and his great talents to exciting that antagonism of race and religion that brought Canada down into the very dust; and although he lived to repent it, and to retrieve it to some extent, by uniting with his opponents in endeavouring to carry confederation, his memory, which otherwise would have been a great memory, will be marred by that fact: and I say it to hon. gentlemen opposite, on his tombstone may be read the fate of all men in this free, enlightened and intelligent Canada of ours, who attempt to advance party or personal interests by the same means. Well, Sir, what did George Brown say in reference to Hilliard Cameron?

> He protests that on the fate of this measure some of the most vital interests of the province depend, and yet he will not have it until months of valuable time have been lost, until the country has been forced to pass through all the turmoil and confusion and uncertainty of a general election, and until a new Parliament has been summoned and given its sanction to the measure. What would be the verdict of the people may be judged from what has been the vote of their representatives here who are responsible to them?

Now, who does the hon. gentleman suppose voted down this unconstitutional proposal—this proposal to violate the compact made at Quebec, that it should be referred to the existing legislatures? Whose character does he suppose he is blackening when he attempts to blacken mine on the like grounds? Sir, he will be somewhat surprised to find one a little nearer to him than he supposed when he accused me of having outraged the manhood of a proud people in a free province. He will find the names of Brown, Macdougall, Mackenzie, Howland,

and Cartwright. I want to know what he has to say of the action of a former colleague in the Government of this country who voted to prevent this constitutional measure from being carried out?

Well, Sir, the hon. gentleman—and I thank him for it—passed a handsome eulogium upon the characters of some of Nova Scotia's great men. But why did he omit the name of one of the greatest leaders that the Liberal party and the Liberal government ever had in the province of Nova Scotia—the Hon. Sir William Young, the Chief Justice of Nova Scotia? Why was his name omitted from the list?

Mr. LAURIER. I do not think it was omitted.

Sir CHARLES TUPPER. I do not find it in the hon. gentleman's speech. I would suggest that he should still have it put into the revised edition. The only ground on which I can suppose that his name was omitted was that he was an ardent supporter of this confederation, and supported me in carrying it, though he was one of the ablest and most distinguished Liberals in that province. But the hon. gentleman singles out one man as the noblest Roman of them all, that is, Howe. Well, Sir, I am not disposed to dispute that. I say that the Hon. Joseph Howe, in my judgment, was the most eloquent as well as the ablest man that Nova Scotia has ever known, and I agree with the hon. gentleman in saying that his memory will live in the hearts of the people. But great as that hon. gentleman was, he made serious mistakes in his life. He made two of the gravest mistakes that probably any public man in Canada has ever committed, and I will tell the hon. gentleman what they were. In 1857 he adopted the policy which seems to have a wonderful attraction for the hon. leader of the Opposition,—the policy of going in for the majority. There was a great body of Roman Catholics, Irish, French and Scotch, in the province of Nova Scotia, but there was a still greater body of Protestants; and the Hon. Joseph Howe made the fatal mistake of his life when he adopted the policy of assailing the race and religion of the Roman Catholics of that province. And the hon. gentleman probably knows who stood in the breach on that occasion. He probably knows that I——

Some hon. MEMBERS. Oh, oh.

Sir CHARLES TUPPER. I can quite understand why these gentlemen do not wish to have the truth put before them. If anything could bring a blush to the face of a man in the party, it is the statement I will make here to-night, repelling the slanders with which I have been assailed and the language which the hon. gentleman ventured to use with respect to this measure. I am in a position to tell him that although a young man, I took my life in my hands on that occasion. I then represented the county of Cumberland, which I have had the honour of representing for over thirty years, the county in which I was born and bred, and one of the most Protestant counties to be found in Nova Scotia. Almost immediately on my entering the legislature of Nova Scotia, I was entrusted with the important duty of reconstructing and leading the Conservative party. Well, what did I do at that time? I unfurled my banner to the breeze, and on that banner was emblazoned equal rights and equal justice to all, without respect to race or creed. Sir, under that banner I stand to-day; under that banner I have stood from that day nearly forty years ago down to the present hour. From that principle I have never swerved—that cardinal principle which is the very life blood and the very existence of any great country or any great people. I say that the man, I care not who he is, who adopts a different policy, who believes that it is a worthy effort to obtain power by trampling down that principle, who believes that the country can be made great and prosperous by setting race against race, and creed against creed, deludes himself with a belief that will lead him to irretrievable ruin. The Hon. George Brown took that course, and the time came when even he, with all his ability, standing at the head of a great party, was obliged to confess that he had become a governmental impossibility. I commend that to the attention of hon. gentlemen opposite, and I say that although the Protestants may outnumber the Catholics, the man who is willing, for any purpose, to engage in an unholy effort to advance his own interests or the interests of his party, forgetting that in a great country men must stand in the eyes of the law on equal terms, regardless of race or creed, is sure to lose his influence in the end. Well, Sir, I fought the battle, and in 1859 we were defeated by a small majority. I think it was two. The country was excited on this question of anti-Catholicism, and we lost our majority; but we stood to our guns, we maintained our principles. And if the hon. gentleman doubts what the principles of the Liberal party were I will give him the proof. I hold in my hand an editorial which appeared in the "Morning Chronicle," of Halifax, then and now the organ of the Liberal party of Nova Scotia, and I will let the hon. gentleman see what the owner and proprietor and editor of that paper said, and then he will see in what position were the men of his faith in the province of Nova Scotia at that time.

Mr. CASEY. Take it as read.

Sir CHARLES TUPPER. The hon. gentleman would like to take it as read; but I intend to meet the hon. gentleman's—I was going to say unmanly attack—but I will say mistaken attack for I believe the hon. gentleman's statements were made in profoundest ignorance. But the time has come, when, assailed and branded in that manner all over the country by the words of the hon. gentleman. I should make my public vindication and let it go side by side with his attack. In the "Morning Chronicle," after the election of 1859, when we were defeated by an anti-Catholic party by a small majority, in a speech after the election of 1859, which the "Morning Chronicle" published, Mr. Amand who was the proprietor of that paper, declared the policy of his party—the Liberal party of Nova Scotia. Let me invite your attention to the policy of that party; and while doing so, let me also invite your attention to the policy which the hon. member for North Simcoe has put forth as that for which he is fighting to-day. Let me draw your attention to what Mr. Amand, the owner and proprietor of the "Morning Chronicle," said:

> Desirous of maintaining the purity of those constitutional privileges so well understood in this country, it is clear that a Roman Catholic cannot be allowed to hold a seat in the Government. Suppose such an event to happen, who would be sitting in the councils of the country? Would it be John Tobin or Peter Smythe? No; it would be some Popish priest or prelate; and herein would be the danger of admitting to our confidence an insidious and determined foe. The men themselves would not be feared; it would rather be the priestly influence that surrounds them.

That was the policy of the party that opposed confederation and the party that I encountered on that occasion? Let me tell you what was the result of that policy, and I point this out to the hon. gentleman and to other hon. gentlemen in this House, who may think that fundamental principles may be trifled with, under the pressure of temporary excitement in their constituencies. I point them to this important fact, that although struck down by a bare majority, we did not fall until we had planted firmly on the ramparts of our country the flag of equal rights and justice to all. In 1863, three short years later, we were again brought into power by the most overwhelming majority ever known in Nova Scotia. Sir, the Hon. Joseph Howe and the members of his administration were driven out of public life, almost every one of them.

Mr. BORDEN. How about 1867?

Sir CHARLES TUPPER. I will come to that in a moment, if you will indulge me, and I think you will find that you have not much to congratulate yourselves upon in the condition of affairs in 1867. Well, Sir, I have stated that the sober second thought of the country sustained us and that we came back, as the great Liberal-Conservative party in this House will come back, triumphant. Standing upon the same principles, the same noble and undying principles, the only principles that can ever be upheld in any country if it is to attain to anything except the contempt of surrounding countries, the principles of equal rights and justice to all. Now, Sir, Mr. Howe made another mistake. In an evil hour he was induced to turn—and I am afraid the hon. leader of the Opposition has, to a certain extent, adopted his policy—he was induced to turn from the principle which he had propounded and which he had nobly advocated up to that time, and to oppose the confederation of British North America. Well, Sir, he succeeded, and, in 1867, as the hon. member for King's, N.S. (Mr. Borden) has reminded me, Mr. Howe found himself at the head of a powerful party and sustained by eighteen out of nineteen members from the province of Nova Scotia. That was not very encouraging, was it? But, Sir, the union party of Nova Scotia was not dismayed. They believed that in the principles of British North America union, they were committed to sound views that would commend themselves to the judgment of the people. Mr. Howe was trimphant, and with what result? Why, with this result, that he came up to this House—and I call the attention of hon. gentlemen opposite to it, unpleasant as it may be to them to listen to it, and I ask the hon. leader of the Opposition to explain the very remarkable circumstance—when he came up to this House, the enemy of confederation, fresh from the battle-field in Nova Scotia, where he has been denouncing Canada and the Canadians with all the eloquence he possessed, he was received with open arms by gentlemen opposite. But Hon. Joseph Howe, though misled for a time, was a patriot at heart. He was a man who had done more to obtain responsible government for Nova Scotia, and so, indirectly for Canada, than any other man who ever lived, and his memory, had he done nothing else for this country, would live in the affections of his countrymen. The Hon. Joseph Howe laid down his arms when he felt that to contend longer against this united confederation of British North America would be the ruin of his own province, and an injury to the entire country—he laid down his arms and adopted our policy. He said: I am unable to change this; I will enter the Government of Canada and will give all the powers that remain to work out this great project of British North America confederation. What happened then? Why, the Liberal party, these men who were ready then as they are now to take to their bosom and cherish in every possible way every man who endeavoured to defeat and prevent this great confederation, not only turned their backs upon the noble patriot who they say now is to live for ever in the hearts of the people, but down in Nova Scotia their party hounded him to an untimely grave. When he went for his election in the county of Hants as Secretary of State, what happened? Why, they flooded the country with the men who called themselves Liberals, but who were unworthy the name, and when, broken down in the struggle, his exhausted powers failed him and he fell upon the platform, they stood over his prostrate body for hours until his life had nearly fled and his constitution was broken.

Some hon. MEMBERS. Oh. oh.

Sir CHARLES TUPPER. The hon. members laugh at that. I have no doubt that if a similar occurrence were to happen somebody else who is not a thousand miles away. the hon. gentleman would laugh again. When a man laughs at such a tragic circumstance, I pity him for the heart he has in his bosom and the brain. if he has any. in his head. I have the evidence in my hand that this confederation was a matter of life or death to Canada. I will give them the evidence of the Hon. William Macdougall. one of the fathers of confederation. the right hand man of the Hon. George Brown. and one whom he took into the Government with him when he formed the coalition government, a man then in the prime of life, and one of the most able advocates of confederation that ever stood on a platform in Canada.

Mr. MARTIN. I rise to a point of order. Mr. Speaker. I submit that the hon. gentleman has no right——

Some hon. MEMBERS. Order. order.

Mr. MARTIN. I will wait until you get ready to permit me to speak. I submit that the hon. gentleman has no right to go into all the circumstances of confederation. simply because a statement was made as to what he did in Nova Scotia. If he desires to answer that, he has a right to do so. but I submit that these general references to confederation are entirely apart from the question before the House.

Sir CHARLES TUPPER. I may tell the hon. gentleman that I am laying the basis of an appeal that I previously made to the House upon this question, which appeal I intend to reiterate.

Mr. SPEAKER. I think the remarks of the hon. member are relevant to the question. The history of the question from confederation has been discussed throughout the whole of this debate.

Sir CHARLES TUPPER. What did Hon. William Macdougall say ? In a letter to Sir John Macdonald. dated 1865, which will be found in the "Life of Sir John." he said :

> My firm conviction is that if we don't carry confederation——

And I invite the attention of hon. members except the hon. gentleman from Winnipeg (Mr. Martin) to this.

> —it will not be seen by this generation.

That is the point which I wish hon. gentlemen opposite to understand. You have the evidence here that but for the course taken in Nova Scotia, which is denounced, we should be without confederation down to the present hour. and Canada would still be wallowing in the mire of discontent created by the antagonism of race and creed that had existed within its borders. I will only read that single sentence, but I will give you additional authority and that is the Hon. George Brown, who said :

> We cannot go on as we are——

That is, old Canada.

> —it is quite impossible that the state of things which has existed in Canada can continue, there must be a change, and I conceive that what is proposed by this measure is a most desirable change.

That was confederation.

> We have but one of two alternatives, the dissolution of the union or the adoption of the federal principle, and for my part I consider that the dissolution of the union is the last thing to be adopted. and that the federal system is the best remedy that can be applied under our particular circumstances.

Well, the union was carried. and we have the evidence of two of the great leaders of the Liberal party. that the union was necessary, and that there was not an hour to be lost ; that. if it was not obtained at that time and under the circumstances that then existed. it would be a fatal thing. and the greatest misfortune that could happen to Canada. Now. Sir. I appeal to this House. I appeal to every fair-minded man in this country : Is it to be a ground of attack, is it to be a ground of obloquy. against a man. that he played a conspicuous part in accomplishing this great confederation of British North America. at a time when these leaders of the Liberal party in Canada. and every other intelligent man. declared. that it was vital to save Canada from the condition in which she had sunk ? I want those hon. gentlemen to explain to me. why it is. that, from that hour down to the present. they pursue with unqualified and unmitigated hostility the man to whom they owe this confederation—because it could not have been accomplished but for the course which I pursued on that occasion ; and why they embrace with cordiality and warmth every man who fought against it. the very men who went through the province of Nova Scotia, as the hon. member for King's knows, vilifying and traducing Canada and Canadians of every race and of every creed ? Now. the hon. gentleman joins issue with me on the comparative merits of the constitution of the United States and Canada. I understood the hon. gentleman to take exception to the statement I made, that it was a matter of the utmost importance to Canada. that. while we had not copied the American system, by which the sovereign states yielded up a portion of their power to the central government, we. on the other hand. had given to the local governments definite written powers, which they could not exceed, while everything else belonged to the central government. But I said there was another advantage, and that was, that, while they had a Supreme Court of high standing and great character, they had not the advantage Canada possessed of having the highest, the most impartial, the grandest tribunal that is to be found in the civilized world, to whom every issue between province and province, or between province and central government, could be carried, and where they could expect a verdict which would inspire the utmost confidence. Now, Sir, the hon. gentleman asks us to look at the difficulties we have had, see the hot water we have been in; and he enumerates a number of those questions. It is true, we have had all these difficulties, we have had all these struggles between province and central government. It was impossible, in the nature of things, that we could have a confederation arranged by an Act of the Imperial Parliament that would guarantee us against all difficulties and differences between local governments and the central power. But what has happened? Why, Sir, they have all been disposed of. How? By reference to a tribunal respected alike by the provinces and by the central government. Sometimes the verdict, as the hon. gentleman knows, has been in favour of the central government, but more frequently, it has been in favour of the provinces; but, whether for the one or the other, that verdict, given by this grand tribunal, has been accepted, and the questions have absolutely been buried in oblivion. I have under my hand the opinion of Mr. Brown on that point, but it is not necessary that I should read it. It was mentioned by the hon. member for Pictou, that Sir Alexander Galt declared in Edinburgh, in 1883, that the condition of Canada before confederation was practically the condition of the United Kingdom and Ireland. Could a more frightful picture than that be drawn of the condition of Canada? Sir, he accompanied that statement by a still more important statement, that, under this confederation of British North America, all that had been changed, and we now enjoyed peace and harmony where there were disunion and ill-feeling before, and we had a united country, progressing as fast and on a basis as solid as any country in the world, and with a condition of national life of which every Canadian might justly be proud. Now, Sir, I said in my opening address, and I repeat it to-night, that in this country, where we have two great nationalities, where we have a great body of Protestants, and where we have a great body of French Catholics, it is absolutely necessary that these two great races should harmonize, should blend, and should co-operate, as they did co-operate down to the unfortunate hour when the member for North Simcoe lighted the torch of discord and carried it flaming through the country to set race against race and religion against religion. Sir, what does so great a man as Lord Beaconsfield say on this point? Why, he says, and I agree with him:

> The resources of Canada are great and various. It has had the advantages of having been colonized, during a number of centuries, by two of the most distinguished nations of Europe. Canada is, in fact, a reflex of those two powerful races, differing in their manners and even in their religious opinions; and has many of those diverse elements, which tend to change a mere colonial into a national character.

These are the distinguished sentiments of Lord Beaconsfield, an acute observer of men and manners, and of the growth of nations. I believe he was right, when he said, that this Canada of ours has no reason to regret that it is composed of two great races, even though they differ on the important question of religion. Sir, the hon. member for North Simcoe has not only referred in terms of the bitterest obloquy and contempt to the French race in this country, but he has endeavoured to inflame the public mind; I believe he has even gone so far as to say that their existence in Canada was a curse. Now, Sir, let me call his attention to this fact. The burthen of his onslaught throughout Canada has been opposition to the French language and the Roman Catholic religion. Am I right in making that statement? The leader of the Opposition knows that I am right, and yet what is the fact? Why, Sir, the fact is that Sir Etienne Pascal Taché, a distinguished French Canadian, stated, at a public banquet in the city of London, that the last gun that would be fired in British North America in defence of British interests, would be fired by a French Canadian. Sir, I believe it. I believe, that, instead of that race and religion being inimical to the best interests and to the progress of Canada, the very reverse is true. Why, Sir, what is it that causes that feeling, what is it that induces every French Canadian to be ready to sacrifice even life itself in defence of British institutions, for that is the position? Sir, it is the Quebec Act, that guarantee of the Imperial Parliament for the preservation of their laws, their language and their religion, that guarantee which has rendered Canada secure, which has brought all races and parties into a position in which they can stand shoulder to shoulded in defence of British institutions and of their common country. That loyalty rests upon the British Act which gave, on the first acquisition of this country from the French, that solemn guarantee, and the man who would strike it down or take it away, I hold to be the bitterest foe Canada holds within its borders. It is with pride and satisfaction I have found that instead of being able to rally the people of this country to his standard, the hon. gentleman (Mr. McCarthy) occupies a position of the most complete impotence, and furnishes an illustration of impotency in his efforts to arouse that antagonism of race and religion which is so destructive to the best interests of the country.

Under these circumstances, I think I have a right to complain when the leader of Her Majesty's Opposition, the leader of the great Liberal party, in his search for power and in his vain efforts to strike down this Government and break down the Liberal-Conservative party, was ready to embrace within his fold and act with him, an hon. gentleman whose only reputation outside of the courts of law, is as the leader of a party that is organized to incite race against race and religion against religion in this country. The fact of his impotent effort being conspicuous to the whole world is one of the best evidences that Canada is determined she will not part with that magnificent heritage she enjoys under the Act of confederation, the great prosperity that has extended our bounds from sea to sea and enabled us to present ourselves as the owners of half a continent, not less valuable and important than the other half of the continent occupied by the American Republic to the south of us, this country which we intend to develop; and every Canadian knows that we have only to pursue the path of united harmony and co-operation, it matters little whether it is under a Liberal Administration or under a Liberal-Conservative Administration, if there is the union of hearts and sentiment which has characterized the people up to the present hour.

I intended to go through the speech delivered by the leader of the Opposition seriatim, and to contrast sentence by sentence the various statements it contained. I wanted to point out that in one breath the hon. gentleman denounced this Bill before the House as a wrench of the constitution, as an outrageous violation of the constitution, and in another sentence said that under the law as it existed there was a perfect right on the part of the minority to claim the restitution of their schools. But I will briefly summarize these statements in the following manner. He starts off (p. 2819) by saying that the Bill involves "a most violent wrench of the constitution which has been outrageously misinterpreted by the Government in this matter." Yet, a little farther on (p. 2824) he admits that, in regard to this very subject of education, Parliament has full power to interfere and substitute laws for those of the provincial legislature in relation to education; and again, he seeks to explain how it comes that these "extraordinary powers" were "imported into our constitution." Again, after implicitly denying and explicitly affirming the absolute constitutionality of the Government's course, he proceeds to question the propriety of their ever exercising their paramount authority in a vague sentence which may mean anything at all. Then he goes on to say (p. 2825), "experience has taught us that this remedy of interference with local legislation has never been applied, and probably never can be applied, without friction, disturbance and discontent, that you cannot apply that remedy without causing as much dissatisfaction as satisfaction.

Well, Sir, I admit that his appeal to experience is natural. Disallowance of provincial legislation is surely "interference" in its most extreme form. What says the record on this head? During the five years the Liberal Government, of which Mr. Laurier was a member, was in power, they disallowed twenty-one statutes, or an average per year of four and one-fifth. During the twenty-four years the Conservatives have been in power they have vetoed only fifty-three, including the North-west ordinances, or an average per year of two and one-fifth; that is, the Liberal Government, of which Mr. Laurier was a member, disallowed in its short term of office two statutes for every one vetoed by the Conservative Government in an equal period.

Led by the recollection of his own experience in this regard, he passes naturally to indicate his specific for the redress of the grievances of the Manitoba minority. "Why," he insinuates what he has not the courage to say openly, "why did not they disallow the School Act of 1890. They disallowed a Cattle Quarantine Act and a Companies Act, yet they suffered the Schools Act to go into operation." Why? I have only to quote his own words, spoken a few moments before in order to tell him why. Because this remedy of interference must be granted or denied "according as the circumstances of each case require." Because it should not be applied "mechanically." Because it should be applied "after all other means of conciliation have been exhausted, and only as a last resort." Because, in short, each case must be judged by its merits. In the cases of the Quarantine Act and the Companies Act, to which the leader of the Opposition has referred, the power of disallowance was exercised because they were clear invasions of the federal jurisdiction in matters essentially united. They deal with subjects which do not appeal to sentiment, to prejudice or to passion, and which could not be perverted by any demagogue, however skilled in the art of deceiving the people. In short, to use the hon. gentleman's own words (p. 2825), because the natura lremedy could be applied without "friction, disturbance and discontent." There is nothing in common between Acts of this class and a measure such as the Manitoba School Act, devised for the very purpose of causing "friction," and arousing "disturbance and discontent."

And so in the latter case the Government deemed it wiser to refrain from exercising the power of disallowance, and sought by precisely those methods which Mr. Laurier commends to avoid any interference with the provincial legislature.

The speech of the hon. gentleman, while undoubtedly brilliant as an oratorical performance, is a mass of contradictions and inconsistency throughout. There is not a single position taken by him that he does not himself controvert. His leading idea seems to be that only proof of the grievance is wanting to call for the immediate application of remedial legislation, to which his motion, by the way, is a complete 'non sequitur,' for by it he invites the House to refuse the remedy altogether, irrespective of any facts. But he starts with many professions of what he would do should the complaint of the minority be well-founded. He discourses in graceful and well-rounded sentences about "sacred rights" and heaven's immutable laws of justice," etc. (p. 2828), and how right should be done at all hazards. Sir, is there any immutable law of justice known to heaven more sacred than the rights of the Roman Catholic majority of Manitoba ? If the hon. gentleman wants to select a case in which what he calls heaven's immutable law of justice is not impressed on its face, it is a law that compels a man to pay out of his money taxes to support schools to which in his heart and conscience he is unable to send his children. It is a law, that not only compels a man to pay his money for the support of schools which his religious convictions cause him to avoid sending his children to, but, at the same time it taxes him for the support of those schools, while his children are left in ignorance and without that education to which the hon. gentleman (Mr. Laurier) attaches so much importance. Now, as to grievances. They have been formulated and marshalled by the counsel for the minority, and form in the hon. gentleman's opinion "a strong and powerful argument," if they were well founded. His whole argument rests on that little word "if." "If" Mr. Ewart's presentation of the minority's wrongs is sound, these poor people are deserving of our assistance and support. The hon. gentleman (Mr. Laurier) wanted evidence about this in the first instance, but he now admits, that a strong and powerful argument has been made in support of the privileges which have been denied the people of his own race and creed. The hon. gentleman (Mr. Laurier) seems disposed to repeal the evidence, and the affidavits which Mr. Ewart supplied. He seems disposed to treat them as nought, and to take from the counsel of the government of Manitoba, his opinion as to whether the proof has been furnished or not. The hon. gentleman (Mr. Laurier) may tell me that I am not a lawyer. Sir, if being a lawyer narrows a man's mind down to these nice technicalities, when the heart and the conscience is at stake, narrows a man's mind down to the conclusion that it was improper to publish these affidavits when they were withdrawn in order to avoid delay, in doing justice ; if that is the result of legal training and legal knowledge, I am glad, Sir, that I am only a layman. Will it be believed, that the hon. gentleman (Mr. Laurier) on the very next page of the "Hansard," after he made the last assertion which I have quoted, himself admits that "Mr. Ewart supported his contention with proof and affidavit." Yes, Sir, proofs and affidavits which it may be said have been public property for months, and have never been controverted nor seriously denied. He (Mr. Laurier) admits "that the minority have a right to their own schools," yet he pretends not to know, whether these schools have been taken away from them or not, though the fact is notorious. With one breath he condemns us for employing "drastic," and "violent" remedies, and "wrenching the constitution" in our endeavour to restore those schools, by what, in the next breath he styles, "a half hearted and faint measure of compromise and nothing else." How can we be at one and at the same time, "half hearted" and "faint," and "drastic" and "violent." I leave that to the hon. gentleman himself to make out. Sir, what has blinded the perception of the hon. gentleman (Mr. Laurier) ? What prevents him from seeing the naked truth, as plain unsophisticated men can see it ? Sir, it is this idea which occupies the hon. gentleman's mind and thought ; it is the idea that he wants to have a majority in this House ? The hon. gentleman (Mr. Laurier) appeals to his French Canadian friends in Quebec, and he points out to them the reason why he is compelled to leave a suffering, weak, French Roman Catholic minority in the province of Manitoba bereft of their privileges and stripped of their rights, which under the law and the constitution of the country they were entitled to enjoy, and which the compact between Manitoba and the Parliament of Canada pledged itself they should enjoy. When he sees these poor and suffering people bereft of their rights, and compelled, either to send their children to schools, against their conscience, or to leave these children grovelling in ignorance for the want of the means which they have been robbed of, dishonestly robbed of, by the law passed by the Manitoba government which takes their money and applies it to the support of Protestant schools ; what does the hon. gentleman do ? What has rendered the hon. gentleman (Mr. Laurier) incapable of seeing that, which every fair-minded, and honest, and intelligent man in this country cannot fail to see. He turns to his French followers from Quebec and says : You must not forget that my position is a very trying one. I am not here an independent man. I am lifted into a position of grandeur and of great power. I am placed at the head of the great Liberal party, and counting noses, I find that after all, there is a majority of Protestants in Canada. He says further to his followers : If I leave my compatriots, if I leave those of my own race and religion stripped of their privileges, with their wrongs unredressed, with their wrongs crying to Heaven for redress, if I leave my compatriots in that pitiable plight, you must forgive me, because I am after a "majority," and I cannot get that, unless I can rope in even the hon. member for North Simcoe (Mr. McCarthy) who, as you know, is the last man in this country I would like to be associated with. Sir, there is the Liberal party opposite, united in the unholy effort—I do not hesitate to say—of striking a most fatal blow at the progress and prosperity of our country, that it is possible to conceive. There is that Liberal party, teaching nearly half, about 42 per cent of the population of Canada, teaching the Catholics of Canada that this Confederation Act, that for more than a quarter of a century has given equal rights and equal privileges without respect to race or creed, is no longer to be the guiding star of the people of this country. There, is the Liberal party, united in striking a blow at the constitution, and advancing the principle that the Roman Catholic people of the Dominion may cry aloud to Heaven in vain, for the redress of their wrongs, because forsooth there is a Protestant majority in this country to be reckoned with. I tell these hon. gentlemen opposite, I tell the Liberals in this House, that they are doing the greatest injustice to the Protestants of this country if they think that the Protestants of Canada will be a party to such a breach of the constitution, and to the perpetuation of such an injustice on their Catholic fellow-countrymen. In times of excitement, people may be misled to form hasty opinions. But, Sir, these hon. gentlemen opposite do a most profound injustice to the intelligence of the great body of the Protestant people of Canada, if they suppose, that anything can induce them, to long forget, so great, so sacred an obligation as that of rendering justice to every minority, no matter where it may be found in this Dominion.

Sir, the hon. gentleman (Mr. Laurier) wants proof. How many years does he want these people in Manitoba to suffer injustice before he has proof enough to satisfy him.

Mr. LAURIER. Whose fault is it ?

Sir CHARLES TUPPER. For six long years, since 1890, the hon. gentleman has used all the powers that he possessed, to embarrass and obstruct, and make it difficult to obtain a settlement of this question. Does he not know that from 1871 to 1890, the laws, and the constitution of this country, gave the Catholic minority of Manitoba the same rights as others enjoy. Does he not know, that they were deprived of these rights by the government of Manitoba, and that for six long years they have been starving, and crying out against this injustice. What proof does the hon. gentleman want ? I think he suggested that there should be a commission to ascertain what the views of Roman Catholics really were, and he pointed to some English precedent, about a hundred years old, where such a course had been taken in a similar case. Sir, there is no such ignorance in this country as the hon. gentleman seems to suppose. Every man knows, and hon. members have heard from the lips of the great philosopher of Bothwell (Mr. Mills) himself to-night, the important announcement, that this is not a question of separate schools ; and he is right. That is the delusion at this moment pervading the minds of the people of the country. That is the sole cause of the disturbance in the Protestant constituencies of this country. They are misled into the opinion, that this is a question whether separate schools shall be brought into Manitoba. Sir, the sage of Bothwell has put on record—and it will go to the country to-morrow—quite the contrary, as the result of years of study ; for he must have spent, I imagine, the last five years in preparing that admirable lecture. I am glad he took so much time to it, because he has done the work admirably. He will tell them, that it is not a question of separate schools, and not a question of the coercion of Manitoba. He will tell them, that, under the law and the constitution, which he has expounded in the clearest and most emphatic manner, the whole difficulty has been caused by Manitoba's losing the right to the exclusive control of legislation in regard to education by invading the rights which the constitution guaranteed to the minority in that province. Sir, I do not appeal to the French Catholics, or the Catholics of any description. I appeal to the people of Canada. I appeal to this House, independent of race or religion. I appeal to the most ardent Protestants that can be found in this House, not to put themselves to-night on a record—which will be handed down to their children, and which their children and their children's children will blush to read—that they seized the opportunity to refuse to support the Government, at a time when the Government of Canada, compelled by a sense of absolute duty to their country, came forward with this remedial legislation. Because the hon. member for Bothwell, in the admirable lecture to which you have just listened, declares, that this Act is an actual duty imposed on the Government of Canada ; and all he has to say, in excuse for voting against the measure, is, that there has not been quite enough 'suaviter in modo' in dealing with the government of Manitoba. Why, Sir, everybody knows, that the legslation in Manitoba was conceived with the idea of obtaining what the hon. gentleman opposite is looking for, a majority, in order to keep the government in power in Manitoba by trampling down the rights, the most sacred and solemn rights of a small and weak minority.

I regret, Sir, having kept the House so long, but one feels it difficult to leave a question of this kind. I am obliged to differ with my hon. friend on my right (Mr. Foster). You will remember, that he began his remarks by expressing his doubt as to the soundness of the view, that this was a question of overwhelming importance. I said in my previous remarks, and I repeat it now, that, having been for over forty years in public life—and it is nearer forty-one years than forty, since I entered the legislature of my province—during the whole of that period I have never stood face to face with a question to which I attached the deep, vital and overwhelming importance that I do to this question. Not that this handful of suffering people are specially important. It is the principle underlying this question that is important. It is the fact, that, in this great Parliament, this independent council of the nation, any one should be found to say, that the majority should use the powers they possess, and seek to obtain their end by trampling on the rights of a minority, however small or weak.

Mr. McMULLEN. Before the hon. gentleman sits down, I would like to ask him a question. I would like to know, was he not Premier of Nova Scotia in 1864 ? Was he not Secretary of State at that time ? Was it not he himself who introduced into the legislature of Nova Scotia the Bill establishing a national school system in that province, that resulted in wiping out the separate school system then enjoyed by the Catholics of that province ?

Sir CHARLES TUPPER. No, Sir ; the hon. gentleman is entirely mistaken. When I introduced the measure for the support of free schools by taxation in Nova Scotia, the provisions in that Bill were of such an admirable character, guaranteeing, as it did, the rights of the Roman Catholic minority, that I had the support of his Grace the Archbishop and every Roman Catholic member in the legislature ; and that legislation stands to-day, a monument of legislation in regard to schools that is worthy of being recognized and copied by any legislature in the world. Under that School Bill, the Roman Catholic population of the province of Nova Scotia enjoyed the most complete system of schools, in which the tenets of their faith are taught, that is to be found in any part of the world. Now, Sir, I want to say to the hon. gentleman, in conclusion, that I would a thousand times rather fall in defence of the admitted rights of a weak minority of a race and religion not my own, than ride rough-shod into power over the ruins of the constitution of my country and the denial of the just claims of a minority of my own race and faith at the behest of a majority who were trampling their dearest rights under their feet.

THURSDAY, 19th March, 1896.

Mr. WELDON. Mr. Speaker, I had not the pleasure, last night, of hearing my hon. friend the Minister of Railways ; but I learned from those who heard him that he explained the large secession from the ranks of the Liberal-Conservative members by suggesting, that we, who are not prepared to vote for the Bill now before the House, were animated by a spirit of hostility to the Roman Catholics of this country. The hon. member for Cape Breton says, "Quite right." He speaks hastily ; but, if that was a true charge against us, the remarks of the hon. Secretary of State to-night will certainly convince this House, that it is not a true charge against our leader in this House. I have listened with great interest to the spirited reply which the leader of the House made to the very strong charge brought against him by the leader of the Opposition, with reference to the way in which the scheme of confederation had been carried through the Nova Scotia legislature ; but I could not quite discover the motive of the leader of the House in carrying the discussion away back and beyond that to a discussion of that most disreputable page in the history of Nova Scotia, the incident of the Gourley Shanty Riots, of which both Catholic and Protestant people should be most heartily ashamed. What possible connection that has with any charge against the hon. leader of the House (Sir Charles Tupper) or with the question before this House, or what possible object the hon. leader of the House had, except to show that he was, at all events, and had been, from the very first days of his history, the champion of the Catholic cause, I have been unable to discover. So I must ask, if I myself am to be taunted as actuated by Protestant bigotry, that there will be imputed to me for righteousness something of that tolerance and fondness for the Catholics which pertains to the leader of this House. The hon. member for North Wellington (Mr. McMullen) asked the hon. Secretary of State (Sir Charles Tupper) a question concerning the introduction of the present Nova Scotia free school system. I would ask to be allowed to recite to this House a story—I cannot call it more than a legend. It is very like a part of what the Germans call that aftergrowth of legend which gathers quickly around the record of a great man, when he has passed from the active scenes of public affairs. But I have heard this legend, told me by warm and personal friends of the leader of the House, as far back as 1867, for the truth of which I cannot vouch, but which I am sure the House will find interesting and listen to with pleasure. The story runs that the hon. Secretary of State, who was the leader of his party, had pursued, in Nova Scotia, a different course from that which Sir Leonard Tilley—then Mr. Tilley—had pursued in

New Brunswick, and that the Nova Scotian electors, finding that they had not been treated with the same consideration as their neighbours across the Missiquash River, burst forth into a storm of anger, which was given expression to by that great tribune of the people, and unrivalled orator, Joseph Howe, and when the hon. Secretary of State (Sir Charles Tupper) found the rising tide of public anger becoming too strong, the rumour goes that that prelate, who was so much beloved and honoured by both Protestants and Catholics, and who is spoken of with great tenderness to this day in Halifax and throughout Nova Scotia—the rumour runs that Archbishop Connolly, knowing the danger that threatened the political fortune of his old comrade in arms, whispered to him or sent him a message to this effect : Your election will be sure in Halifax, if you will make terms on that School Bill, and give my people separate schools. If you will secure that amendment to the Bill, the chances are you will win your election in Halifax ; but it looks improbable that you will win it in Cumberland. The story runs that a letter containing that suggestion was sent to the Halifax Club, and that Sir Charles Tupper received that letter and read it. He was then thirty years younger. He was never, first or last, the man to be bulldozed by any man on earth, and the legend says that he gave a practical reply to the archbishop by taking the earliest train to Truro, that no dicker was made on the School Bill, that no separate schools were allowed to be grafted on the Bill, and that from 1864 to 1896, Nova Scotia has had a system of public free, non-sectarian schools. If I am wrong in this, I can only say I have received that story from very warm admirers and personal friends of the hon. gentleman.

Mr. LAURIER. By whom was that School Bill introduced ?

Mr. WELDON. I understand it was drafted by Mr. Johnston, and carried through the legislature by Sir Charles Tupper.

Mr. BORDEN. I would like to ask the hon. gentleman whether there is a single provision in the school law of Nova Scotia, which was carried through the legislature by the hon. gentleman who leads this House, which gives any special right to any minority or any religious body in Nova Scotia?

Mr. WELDON. In answer to the hon. member for Queen's, I must say that to the best of my knowledge there is in the law not one single word indicating any such privilege.

Mr. TARTE. Is this possible ?

Mr. MARTIN. I would like to ask the hon. member for Albert whether the Roman Catholics have not by law, under the statute of 1890, in Manitoba, just as much rights as they have by law under the statute of 1864, introduced and passed through the Nova Scotia legislature by the hon. Secretary of State.

Mr. WELDON. I could not answer that question with prefect accuracy. I have read carefully the statute of Manitoba, but I am not really so acquainted with it as I am with the statute of the province where I live. However, I am satisfied that, substantially, the two statutes are alike. The hon. member for Bothwell (Mr. Mills) gave this House very great pleasure by what the leader of the House called his learned essay or lecture with reference to this Manitoba school question, though, for my part, I regret that by the clock he seems to have taken three hours and twenty minutes before addressing his first remark to the Manitoba school question particularly. I believe that in a quiet way I am a little to blame for the hon. gentleman's long discourse. In a spirit of badinage, I taunted the hon. member in this chamber last session with his singular silence, I called him Kathleen Mavourneen, and asked him why he was so silent. Little did I dream that when that musical bird would break the silence, he would sing for so many hours, and it will be a long time before I will throw any such taunt again against the hon. member for Bothwell.

We Liberal-Conservatives who oppose this Remedial Bill are called by the hon. Minister of Trade and Commerce (Mr. Ives) with his customary grace and tact, " irreconcilables,—" bolters " by some of the papers which are giving very close and ardent support to the Administration, and, I think, they are very poor specimens of the mind of the Liberal-Conservative party throughout this country—by the Minister of Finance, " deserters." I am not sure he applied the offensive term deserters to us, though he could well apply it to himself and some of his colleagues who had been running away from the citadel. The hon. Minister of Railways and Canals said that we were " sore-heads," and attributed our want of support of the Administration to the fact that we had not been able to persuade our successive Prime Ministers, during the last three or four years, to take the same estimate of our ability that we ourselves had. I cannot speak for the others, but only for myself, and I do not think it necessary to answer that taunt.

We are reminded by the words which fell from the leader of the House a moment ago that this question is one of overwhelming importance, and in that estimate he said he differed from the Minister of Finance. I have to take back myself some such remark as the Minister of Finance made, which I made last session, namely, that while this was a question of great magnitude, it was not one of colossal magnitude. If I may be allowed to change my mind in twelve months, I will take the view of the hon. Secretary of State that this is a question of colossal magnitude. We have some proof that it is a larger question than I thought ; we have had some remarkable instances since last session. There was the first of these three different volcanic eruptions which have given a new character to the hill on which the Parliament buildings stand. The ex-Minister of Justice (Sir Charles Hibbert Tupper) had been in one of those volcanic eruptions, thrown out through the crater, and after being in the air a few days he came back to his customary place. But that was not very serious. In the summer, another explosion took place, and out went three French Ministers into the upper ether. One disappeared to practice in Montreal his profession as a barrister. But the other two came down and fell back into the very hole out of which they had been shot. But the reason why I have changed my mind is not due to these explosions, because I knew of them when I spoke last summer in the chamber. Having witnessed this tremendous earthquake which occurred in January last, when seven Protestant English-speaking Ministers, after a tremendous upheaval such as this age has hardly witnessed, were thrown so far up that they took thirteen days going up and coming down again. The fallen angels only took nine days in their memorable descent, but these Cabinet Ministers took three or four more. But here is the part that turns from tragedy to pathos. Of these victims, six tumbled down head over heels and fell into the very mouth of the same crater, and more is the pity, they found standing by an aged statesman who had come from the British Isles, across the wide sea through wintry weather, innocently standing by the mouth of the crater, and they pulled him into the hole with them. And he turns up as a member of the Cabinet and Secretary of State. In view of these facts, I take the liberty to say that I have changed my mind and have come to the conclusion that a question that could cause that third tremendous volcanic upheaval cannot be described otherwise than as of colossal magnitude. Besides these preliminary remarks, I may be allowed, before entering upon a consideration of the question before the House, one word for my old and good friend the hon. member for Pictou (Sir Charles Hibbert Tupper). In his speech he referred to me, but the papers reported him so imperfectly that I confess that I could not quite understand the drift of his argument. But he had been hunting up old speeches of mine and with what, perhaps he will permit me to say, is not one of his virtues, but one of his vices—that is the habit of "Hansard"-mongering and proving that he has the right to say "I told you so," proving that a man said differently last year from what he does this year. If I say differently now from what I did in 1893 or 1894, anybody is welcome to prove it. I take the liberty of keeping my mind open and of altering my opinions as I learn more. The only complaint I make against my old and good friend, the ex-Minister of Justice (Sir Charles Hibbert Tupper) is that he made me, in self-defence, read over two of my old speeches, and that is a burden I would not have laid upon my worst enemy.

Now, on the merits of the question, let me address the House and try not to overtax its patience. The hon. member for North Simcoe (Mr. McCarthy said last night that, in his opinion, the one able speech made on the Government side was that made by the Minister of Finance. I entirely agree with the hon. gentleman that the Minister of Finance made a speech of great eloquence and great ability. But, in my judgment, the most effective speech made by any who championed the Bill now before the House was made by the present Minister of Justice, and the best proof of that is found when you come to answer them. Let me touch briefly upon the speech of the hon. Minister of Finance. Its eloquence, its power, I cannot claim to equal. But that speech was, in my opinion, based entirely upon a proposition which cannot be found in the law, which is not founded upon history, which is not founded on fact. And if in my own quiet way, I can tear down the foundation upon which the hon. Minister's whole argument rested, his argument must fall with it. Grant him what he assumed and what he started to prove, and his speech was, in the main, unanswerable. I concede that. But I deny, I controvert, that which he assumed. I say that the law does not contain the proposition he laid down, that history does not contain the statements which he says are there, that the debates of Parliament will not support the view he took of the questions of that time. The true evidence is against him, and the evidence he relied upon is secondary and less worth. These are strong statements; I ask the patience of the House while I strive to prove them.

The Minister of Finance quoted at considerable length—I noticed that by the clock he occupied forty minutes with that part of his argument—from despatches written by the British Minister, Lord Granville, by the Governor General of Canada, by Sir John Macdonald, by Sir George Cartier and others, some addressed to the Government's representative, Sir Donald Smith, others to the Governor of the Hudson Bay Territory, others to the late Archbishop of St. Boniface, who, I believe, at the beginning of the difficulties was at the Ecumenical Council at Rome, all going to show that the Imperial authorities and the Governor General here and his advisers, regarded very seriously these three gentlemen, the Rev. Father Ritchot and Messrs. Scott and Black, who came here from the Red River settlement to treat with the Ministers. That seems to be true. But he founded on that an argument that these letters, these cablegrams, these despatches, seemed to give some emphasis to this view that the people in Winnipeg had asked for, and they in London and at Ottawa had agreed to some arrangement with regard to the separate schools; and, while the hon. Minister did not say so, that was the fallacy to which he led, and which was kicked over as you would kick over a house of cards by a single question by the hon. member for Winnipeg (Mr. Martin), who asked him if the statement of claim laid before the advisers of Her Majesty at Ottawa contained anything about separate schools. The hon. member for Winnipeg knew, what the rest of us know, that unless you can establish the fourth bill of rights the whole claim of the Minister of Finance falls to the ground. And at that point it broke down. The hon. Minister of Finance tried to base an argument upon it. The Minister of Justice was wiser. He threw overboard the argument based upon the treaty. You cannot sustain that argument. It is unhistorical. Therefore, all that is founded upon that part of the contention will have to be abandoned. The thing taken for granted by the hon. Minister of Finance was this—that above all things you must make good to the minority the rights guaranteed to them by the constitution. I agree absolutely with that, absolutely, without reservation. The hon. Minister went further, and said that one great right guaranteed to them is this right that if the legislature in that prairie province granted to these people separate schools, there is no power on this side of the sea that can abolish them, that if the local legislature does abolish them, we must restore them, which means that there is no power except the Imperial power that can really repeal the law establishing separate schools. He says that that was the constitutional right guaranteed to the minority in Manitoba, and upon that he bases an appeal to justice, an appeal to honour, an appeal to good faith, which, if it had been founded in fact, would have had more influence with me than, as a matter of fact, it did have.

Once separate schools, always separate schools—that is his argument. We argued that question last session, and I must not weary the House by making a long speech upon the subject to-night. That is not the meaning of the constitution. And you can not find, in reading the law records or the law periodicals during the years of that discussion one non-political professional opinion in favour of that view. The overwhelming weight of non-political opinion is that there is no arrangement for perpetuity of separate schools in this clause. We are dealing with the powers of Parliament, we are not dealing with the powers of the courts. We have nothing to do with clause 1 of the school section of the constitution. That was dealt with by the august tribunal under the hill here—the Supreme Court: and by that still more august tribunal that holds its sittings in Downing Street. We have to do with that other clause, the second clause, which gives to this Parliament a remedial power. And when you come to that clause you cannot find in it support for any such doctrine as that separate schools once established are established for ever. What a monstrous proposition if this Parliament had ever made such an arrangement. What a stupendous act of folly, how unworthy of the Parliament of Great Britain to pass such an improvident and profligate rule and embodied it in the constitution of any country, and embed it in the constitution of any community. It means what? Was it a proper arrangement that 12,000 people on the Red River, farmers and trappers, French half-breeds many of them, Scotch and English half-breeds, others, light-hearted, merry and worthy people, but not the people who would be chosen as competent to establish wisely and truly the constitution of a great state—was it a proper and common sense arrangement that these people, numbering altogether about as many as the population of an ordinary township of the province of Ontario should settle the question of the educational policy for all time for a commonwealth which may grow from these 12,000 to the present population of our greatest province. Mr. Speaker, it would be a standing and a burning reproach to the English Parliament that ratified the Act, it would be a standing and burning reproach to this Parliament to pass an Act, with such an improvident and dangerous provision, by putting in the hands of any small community of people, had they been much more intelligent and much better lettered than the people along those rivers and prairies, such a preposterous provision: but I say that provision is not there. I did not hear my hon. friend from Bothwell, in his nice argument, in his nice array of principles, and "mays," and "wills," and "shalls," and all that, touch upon this question. But I would like to have heard him balancing his clauses and threading his way through them, make out that there was such a grant. What tricks he played with his intellect in the conclusion he came to, is a puzzle to me. The words of that Act have often been read to us. Am I trespassing upon the patience of the House when I read that clause again, which gives this Parliament power? The words are not many: let us use our own common sense and reason in interpreting them:

> An appeal shall lie to the Governor in Council from any act or decision of the legislature of the province, or of any provincial authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects.

If this Parliament in creating that constitutional enactment, had meant to say that the new legislature should have power to pass these laws, but should have no power to repeal them, or that if they were repealed; they must be restored, why not have drawn the first section wider so as to cover both the rights which the Catholics had before the creation of the province, and the rights which the Catholics acquired after the creation of the province? Simply striking out a few words would have made it perfectly clear that the Catholics had those rights under the first clause drafted; by simply striking out those words "had at the time of the union." The technical argument founded on these words, it seems to me, conclusively shews that no such ground was given, no such purpose was contemplated.

The Minster of Finance pressed another argument, that there were unwritten understandings, and that although they were not happily expressed in the original law, yet if, as men of honour, we find those understandings existed, that the half-breeds so understood them, and that their masters who formed the new province, so understood them, that our Ottawa Ministers so understood them, that all those understandings when reduced to writing were imperfectly reduced to writing, still we ought to correct the writings, and carry out the implied understandings. But we are confined now altogether to clause 2 of this constitution: we have nothing to do with clause 1. It is the courts that rectify any wrong done under clause 1; it is Parliament that rectifies any wrong done under clause 2. The whole argument of the Minister of Finance, in which he quoted members of the House, was as to clause 1. He could have quoted me, for I have frequently stated what he argued as to the import of the decision in the Barrett case; but he goes back to clause 1, which has nothing to do with the action of Parliament. He challenges the interpretation of clause 1; but it has not the slightest connection with my argument. He is simply confusing the minds of the House—I do not say he did it intentionally, but it is confusing the minds of the House, and harking back to a clause of the Act with which this Parliament has nothing to do: and he based conclusions upon views that might be taken by this gentleman or that gentleman, by this barrister or that barrister, as to what is a true and fair reading of clause 1. With reference to clause 2, I argued last lear, and although it is tiresome to repeat the same argument, I apprehend I would be the only one who would remember what I argued last year as to clause 2. If you look at the records of the times, at the debates in Parliament you will find that they will not bear the construction the Minister of Finance sought to put on them, namely, that they contained a guarantee that separate schools once given, should be given in perpetuity. The hour is so late, the debate has lasted so long, the House is so impatient, and I have so many other matters of moment to deal with, that I do not take pleasure in taking you again over the details of this question. But I have in my hand the debates with reference to the Manitoba Act. I have gone over them page by page, and I find that on the first reading, on the second reading, and in committee, the reports of this debate cover 142 pages. And how much of the whole 142 pages, think you, are given to a discussion of the educational clause of the Act? Absolutely not one: about four-fifths of one page not including the names of the division. I went carefully through the speeches of Sir John A. Macdonald, I think I have a record of them here; the speeches of Sir George E. Cartier, and the speeches of Alexander Mackenzie, and these are my conclusions, if I have taken them correctly. In the debate in the first reading, which was on 2nd May, the report of the speech of Sir John A. Macdonald covers eight pages, and there is not one single sentence about the school question. On the second reading, the report of his speech covers six pages, and there is not a whisper of schools. In the debate on the Oliver amendment, he seems to have been silent, but I notice that the present Prime Minister was voting with the Grits; so that I may say to the leaders of the House, and to the members that support the administration, to the Ottawa "Citizen," and the other papers who call us bolters, that if we are bolting, we are bolting as did a man who occupies the highest position in our party, and we are bolting in good company. Coming to Mr. Mackenzie, the report of his speech covers three pages in the first reading, two pages in the second reading, with a brief sentence in committee; and as this is the only speech in the whole record in which I find a single reference, except the short debate on the Oliver amendment, to the school question. I will read that one clause. Mr. Mackenzie is reported to have said:

> These clauses were of too general a character, he would prefer to leave them to be decided by the people of the Territory.

That is, he did not want any constitutional provision. So, you see what importance was attached to this question by these men who were talking about it, who were thinking about it. In our day, however, we see hon. gentlemen setting up this doctrine of a treaty, as if it was something that people were fighting for when this Act was passed, when the whole record shows that the minds of the men and of the people were turned to other questions altogether, to the boundary, to the question whether the province should be more or less French than it was, to language, and other questions. But the very slightest consideration was then given to this school question, that has been discussed in this country the last five years. We have committed the blunder of thinking that it was always exciting as it is to-night, always forgetting that it has only been talked of since 1890. Some hon. gentlemen quote against me, Mr. William Macdougall. Mr. William Macdougall was a distinguished member of this House years ago: but I think the hon. gentleman's memory is somewhat defective, for he is attributing words that are found in the first subsection of the Manitoba educational clause, these words "or practice," to an event that occurred three years afterwards in spite of all the explanations that were made the other night by some hon. gentleman in this House. The statement made the other night was that Mr. King introduced his New Brunswick School Bill in 1869. At that time the Catholic people took alarm, and were afraid that the words "by law" contained in the British North America Act were not wide enough; and so when the Manitoba Act was drafted, they put in the words "or practice." I have made the best inquiries I can. I have gone through the records available to me, and I must throw the burden of proof on the other side. I believe that the theory which refers the words "or practice" to the New Brunswick school difficulty, to be mere fudge. I believe that point was first taken in 1873, in the case of ex-parte Renaud, decided by the Supreme Court of New Brunswick, when they suggested that in the New Brunswick statute, which is like the Manitoba statute, the words "or practice" would have covered the Catholics' claim. But the old Act, the British North America Act, on which the New Brunswick Catholics were claiming, contains simply the words "by law," and this did not redress the grievance which they claimed, that the School Bill, or, rather, Palmer's rider to that Bill, caused. I, therefore, submit, that the theory is a fictitious theory, and is not supported by history and by the fact, and, if I am wrong, I am entitled to ask those gentlemen who claim to put me in the wrong, to explain their position. The Minister of Finance said, that this Government is bound to do its duty to the minority. So I say, and I say it as fully as he does. I cannot say it as eloquently as he did; but I say with him, that whatever the constitution grants to those people in Manitoba in this year of grace 1896, I feel bound to secure for them to the letter, without any mental reservation whatever. The truth, Mr. Speaker, seems to be this, that the position of the province of Manitoba in respect to education, when she entered confederation, is exactly the same as the educational position of New Brunswick, Nova Scotia, afterwards Prince Edward Island, afterwards British Columbia, and not at all the position of the province of Quebec. Against my theory the words "in practice" are quoted. But the explanation is clearly given in the Privy Council judgment in the last case and in the judgment of Chief Justice Taylor in the Barrett case, and the explanation is this, which commends itself to common sense, that no constitution had been acquired by Manitoba, that it had no legislature and no laws, and the statement in a general Act, that such rights as they have "by law" would be preserved, would be of no value to them, as they have no rights by law, for they had no laws, and, therefore, the words "in practice" were inserted to put the settlers on the Red River on exactly the same level with settlers in New Brunswick and in Nova Scotia. Why should they be otherwise? There were French people on the Red River; there were French in New Brunswick; there were French Catholics on the Red River, and there were French Catholics on the Memramcook and on the Baie des Chaleurs, and on the Gulf of St. Lawrence. Why should those men on the prairies of the west be more carefully protected in their rights of conscience than the men of the same race and faith, the French Catholics of New Brunswick and Nova Scotia and afterwards of Prince Edward Island? My argument, therefore, is, that Manitoba's position is identical with that of New Brunswick, and that the question which is Manitoba's to-day, may be, as the hon. member for Queen's (Mr. Davies) said the other night, New Brunswick's question to-morrow. If a minister belonging to one of the political parties should give to the province of New Brunswick separate schools, and the people should rise again, as the people of Manitoba rose years ago, and asked to have separate schools abolished, we would have in New Brunswick precisely the same situation as prevails in Manitoba to-day. And I take the responsibility—and it is a great one for any one who is in politics to take—of placing on record, with the prospect of having to face the statement subsequently, my opinion, and I do it after having considered the subject carefully and with a due sense of responsibility, that, if that event should happen, the position of the people of New Brunswick would be precisely the position of the people of Manitoba to-day.

Mr. Speaker, the following is a fair statement of the distinction between the authority of the province and the authority of the Dominion on the question of education, that any question of free schools, as against schools supported by parents' fees, or of a national system of schools, as against what I call a double-barrelled system, with a public and a separate school contiguous—these are questions of great public polity. Surely, it is common sense to say, that, as regards such questions the province should have the power. When you come to the Dominion power, it is to protect the rights of conscience. There is a tendency for the people to divide into two religious camps. If, therefore, there is an aggrieved minority in Manitoba, if to-day the Catholics come forward and say, that for nineteen years, from 1871 to 1890, we had religion taught in the schools to our children during so many hours in the week, and, if they say, that in many of the homes the mothers are not sufficiently educated and are not capable of doing all that mothers should do in an enlightened home, to be able to teach their children rules of conduct and principles of religion, and, if that duty were thrown upon the schools in a degree, and they asked, that, during certain hours, without interfering with regular instruction, the children should be taught religion and morals, then, for my part, bigoted Protestant though an hon. gentleman has termed me—and I believe he will withdraw that opinion before I conclude my remarks—I would feel it to be my duty to use my influence, if it can be done in Winnipeg, it is best done there, but, if it cannot be done there, it must be done here, to have that concession made, for we possess the federal power to redress wrongs of conscience and must, as a last resort, exercise it. For my part, I am prepared to go on record as saying, and I will take the responsibility of going before my constituents on my position—that, unless the local authorities shall very promptly make provision for teaching, during convenient hours, by such persons as the different churches asking that privilege, may choose to send, be they Catholic, Anglicans, or Kirk churches which feel strongly in that regard, though many of us do not feel strongly, without interfering with secular instruction, these representatives of the different churches may go into the schoolhouse and teach so many hours each week, I would support a federal measure to grant that law.

An hon. MEMBER. Why do you not do that now ?

Mr. WELDON. I will come to a consideration of that very question in a few minutes. I now leave that part of the subject. The Minister of Justice, the Minister of Railways, and, in fact, all hon. members seem to agree, that there is no legal duty embodied in the Acts of Parliament. We must, therefore, say there is no clause in the constitution setting forth that the minority, whether Catholic or Protestant, was to have guaranteed to it in perpetuity separate schools, and I stake my whole case and argument on the soundness of that contention. If that fails, I admit I am wrong, and the Finance Minister is right. Then, hon. gentlemen may ask me, although not bound to restore state-aided separate schools, why not restore them ? Hon. George W. Ross says it is the best solution in a mixed community that has been thought of. Hon. David Mills is quoted as making a similar statement. I understood the Minister of Finance also to make that statement, though I should like him to correct me if I am wrong, because I have not had the opportunity of verifying his statement in "Hansard." That is a most unfortunate statement. Against that statement with all my might and main I protest. That is not the experience of the most enlightened communities in the world. In spite of what hon. gentlemen say, this and this alone is the real question before the House. You can drape it with all the cobwebs that spiders will spin in a night, but, when you tear them away, you find the question before the House in regard to this Bill is : are we in favour of separate schools, or are we opposed to them ? I say, on many grounds, I am opposed to separate schools. They destroy national unity. They create discord among our children. They destroy the effectiveness of the minority schools. They impair the strength of the public schools existing. They weaken the energy of the province, which has not too much energy to devote to such ends. A province carved out of a new country has to deal with many undertakings. It has none too much money for education, even if it is all spent on one system of schools, and, therefore, I say, that, on general principles, I am opposed to separate schools. Those who say, that this is a question as between Catholics and Protestants, are wrong. By no manner of means are Catholics all united in favour of separate schools, and by no manner of means are Protestants unitedly opposed to separate schools. I believe most of the Roman Catholics are in favour of separate schools and most of the Protestants are opposed to separate schools, but I know a large section of the Protestants, especially the clergymen of a certain wing of the Church of England are almost universally in favour of separate schools. And a good many clergymen like the Rev. Principle Grant, clergymen of the old Kirk, favour separate schools. They are fond of an established church. These men, sincere men, no doubt—and I will not challenge their sincerity for one moment—have ideas for this new land, different from those we entertain. They believe in an established church. But the people whom I represent, who are almost all Baptists, have the strongest possible opinions the other way and they do not believe in the propagation of religious opinion by the use of state money. They do not believe that religious teachings were ever better than in those early days, when our Divine Master, with his twelve Apostles, knowing nothing of an established and endowed church, went to and fro through the Galilean fields teaching the new faith. Sir, though I am not a member of the Baptist communion, I heartily share their views in that regard, and I am fully persuaded that I represent, on this question, the views of the people of both political parties in the county of Albert. They see, as I see, that this is purely a question of separate schools. They are opposed to separate schools, because they are opposed, root and branch, to the idea of anything that looks like the giving of state aid, or state money, for the propagation of religious opinion. The late Archbishop of St. Boniface spoke frankly and fairly in this matter, when he stated that, in his mind, the school was a " church for children," and, therefore, a subsidy to the school was a subsidy to the church. That is an idea which we can all understand, and which we can all respect, even though we cannot share in it. But we must be forgiven, and there must not be imputed to us the spirit of malice and the spirit of uncharitableness, if we still take liberty to adhere to our own ideas of what is best for the state, while we, at the same time, say that we, in a degree, quite well understand and sympathize with the views of those who think differently from us. In my judgment, Sir, an endowed, or an established church in this country, whether for children or for adults, is a mistake.

Now, Sir, I may be permitted to answer, for a few moments, my hon. friend from Richmond (Mr. Gillies) who asked from me an expression of my views and reasons for opposing this Bill. Over and above all that I have said, my argument carries me this length: That the constitution does not bind me to restore separate schools in Manitoba. Nothing of the kind was promised in the constitution, nor was it promised in the understandings that are said to have taken place outside of the constitution. Over and above what I say, with reference to the folly of separate schools, I say that I am opposed to this Bill, for the reason that it is offensive to the people of Manitoba. I do not know why this Parliament should give so much of its energy, and why this Administration for many years should give so much of its time to crippling, and quarrelling with, and browbeating the province of Manitoba. Take the matter of the trouble over the railway charters. She passed her laws and we disallowed them, and she renewed her laws and we disallowed them again. Who came on top in that quarrel? Sir, the province of Manitoba did. We backed down and beat an ignominious retreat. We fought a losing fight. I understand, Sir, that the people of Manitoba must feel irritable over those past quarrels. That province, that little child of our own, the one province that this Parliament created, why should we worry, and tease, and irritate her, with this perpetual policy of disallowing her statutes and thwarting her will? I think I see something of the results of that policy in the difficulty we find in dealing with this new school case, which has come to us in later years. If Manitoba is misbehaving, I am sorry, and I do not think that her behaviour has been at all what I would like in this matter, especially during the earlier stages of the dispute. For that I am sorry, but let the past be past.

It is within the memory of the members of this House, who were here during the last Parliament, that we had up here from the legislature of Quebec, a question which caused a great deal of irritation in this House. I refer to what was known as the Jesuits' Estate Act. I was not one of the memorable thirteen who voted to condemn the Government for refusing to disallow that Bill: but I frankly confess that I had the strongest feeling of sympathy with the thirteen members who took that position.

Some hon. MEMBERS. Oh, oh.

Mr. WELDON. My hon. friends need not laugh. Let them wait a moment. I had the strongest feeling of sympathy for the thirteen members who took that position, because that Bill came from the legislature of Quebec, contained recitals which were calculated to wound the pride of every Protestant in Canada. It contained recitals which were not British law. It seemed to put other potentates higher than our own Queen. It seemed to affirm that there could be no valid transfer of property in this country, without the consent of a power which our constitution does not recognize. We swallowed these recitals, which an hon. member (Mr. Colby), a Protestant coming from the province of Quebec, described as "a very bitter pill." We swallowed them in this House, because of the principle that we would let the provinces alone. I say now: Treat Manitoba as you treated Quebec. Give Manitoba fair-play. It was one sect who complained yesterday; it is the other sect who complain to-day. Stand on that basis, stand by that principle, and the people of the country can better understand the course we are taking. In trying to remove a grievance complained of in the province of Manitoba, it is a stupendous folly to create a greater grievance by picking a quarrel with a province that is powerful to-day, and which, before many years, undoubtedly will be one of the greatest provinces in Canada. I heard the pathetic words of the leader of the House (Sir Charles Tupper) when he referred to the Manitoba minority as "crying to heaven for justice." With that magnificent denunciation of which he is so consummate a master, he denounced that gross injustice. He spoke of these people as starving for six long years, and it occurred to me to ask him why it was, that the people were groaning under the burdens of that Greenway law imposed in 1890. Well, Sir, I can answer that. When the constitution gave to his colleagues the power of killing, in five minutes, the power of striking down as swift as lightning, the law that caused that hardship to the minority, his colleagues never used that power conferred on them. There was section 90 in the constitution just as much as section 93. There is an iron hammer which the constitution puts in the hands of honest men who wish to destroy that thing which was distressing this aggrieved minority in Manitoba. Why did not the Cabinet take that iron hammer and smash that Bill, within twelve months of the day that it was received from the Manitoba government by the Secretary of State. What answer did the hon. gentleman (Sir Charles Tupper) give to that? What answer did my hon. friend from Lambton (Mr. Moncrieff) give to that? He gave no answer at all. He said that the Bill was not ultra vires of the province, but, Sir, that has nothing whatever to do with the duty of disallowance. The Secretary of State (Sir Charles Tupper) thanked God that he was not a lawyer, and I regretted that he was not a lawyer, for if he had been a lawyer, he could not have taken the position that he has taken with reference to the power of disallowance. The question of ultra vires is the last question to consider, in the exercise of the power of disallowance. To say that we will disallow every law that we think is ultra vires, is to say, for instance, that the Minister of Justice is a better lawyer than the Attorney General of the province of Ontario. He may be, but he may not be, and there is the arrogant assumption—arrogant always between two men in the profession —that one is right and that the other is wrong. The solution of the dispute, as to ultra vires and intra vires is to let the matter go to an impartial tribunal to settle it, and not to leave it to political departments, either in the Parliament buildings of Toronto, or in the Eastern Block in Ottawa. The Secretary of State has been out of this country for twelve years. He has forgotten how much constitutional law has grown during these twelve years. We are settling down, Mr. Speaker, to a very clear rule about this policy of disallowance. That rule is that we will not attempt to disallow Bills because they are ultra vires, nor will we disallow Bills because we think they are bad for the province, but we will disallow Bills which we conclude may do harm to the whole country, or may create mischief beyond the province, and create mischief in other parts of the Empire. That is a good reason, and it is the best reason that could be advanced for disallowance. And, Sir, if ever there was a case for disallowance, on the part of men who believed as these gentlemen now say they do believe—and I give them credit for sincerity in their statement of that—namely, that the constitution gives to the aggrieved minority a right which the Greenway Bill ruthlessly struck down, then, Sir, this was a case in which they were bound to disallow that Bill. Sir, these gentlemen cannot ride both horses. They must come down from the one or the other. The late Sir John Thompson—and I speak his name with becoming reverence, and I think the House felt honoured by being led by a man who was so consummate a constitutional lawyer—I speak as a Liberal-Conservative, and I say, that from the day this difficulty began until the day that death struck him down, in my judgment, not one single material mistake was made, legal or political, in dealing with this Manitoba school question. Many may not agree with me in this, but I have expressed that view in this House before, and I express it again now. I do not make that remark in order that it may be thought offensive to his successor, Sir Charles Hibbert Tupper, but, Sir, I think that our party interests, as well as the best interests of this country, have been somewhat imperilled by the change from one lawyer to the other in the Department of Justice; deeply as I regret to have that to say. It is the only unkind remark, if it be unkind, that I shall make with reference to the late Minister of Justice. No one has more clearly or more frequently than Sir John Thompson set forth in this House the doctrine which I am setting forth to-night; and therefore I listened without becoming regard and becoming obedience to the leader of this House when he propounded his theory under which disallowance should be exercised.

I am opposed to this Bill because it is unjust to the Roman Catholic minority of Manitoba.

Some hon. MEMBERS. Oh, oh.

Mr. WELDON. Those who laugh last laugh the most wisely. I want to address some arguments to the French Catholic members of my own party, which I hope they will receive in soberness. Is this Bill a final Bill? I will take the opportunity of sitting down for a moment after. I ask the Minister of Justice whether section 74 is final, or whether, if the teachers do not get their salaries out of provincial funds, he proposes to supplement this Bill by a further measure at another session for the purpose of supplying those teachers with their fair share of the public money of Canada.

Some hon. MEMBERS. Answer.

Mr. WELDON. The hon. Minister does not make the statement that such is his intention. I regret that the leader of the House is not here, because I would like to ask him the same question. I will ask the Minister of Finance whether in the event of the expectation held out in section 74 not being fulfilled by the province of Manitoba, that is to say, whether, if the Roman Catholics do not get their share from the provincial treasury, it is the intention of the Government here to implement this Bill by giving them their share of Canadian money.

Some hon. MEMBERS. Answer.

Mr. FOSTER. I shall take my own time and my own place to answer.

Mr. WELDON. I think that is a perfectly fair question; and we have a right, Mr. Speaker, on the eve of a general election to know whether this is a final Bill or only a partial Bill. Above all the French Catholic members of this House, who undoubtedly feel more keenly—and I honour them the more for that—the desire to stand by the men of their own faith and race in Manitoba, have a right to know whether this measure is all there is of it. I do not think my hon. friend from Bagot (Mr. Dupont) will support this Bill if there is evidence that it is a complete measure. He is too strong and clear-headed a man not to have read it for himself, and he knows, if this is to be the last of it, that, in the way of giving relief to the Catholics of Manitoba, it is as empty as last year's birds' nests.

Mr. TISDALE. Will you support the Bill if it is made strong enough ?

Mr. WELDON. The hon. gentleman's question is a plain one, and I will give him a plain answer: I would not support the Bill. But I am making a perfectly fair argument. I say there are two systems of public schools, known in different countries, each carried on with more or less success,—one, the national system, the other, the double-barrelled system. If you choose the latter, in the name of common sense, give the Catholic people fair-play. I do not like the system ; but if you start with it, put it on a common-sense basis, and provide the money necessary to support it, and to make the schools work when they are once begun ; and it is to me a tremendous puzzle how my hon. friends around me who are French Catholics can accept this Bill as a final and satisfactory settlement—how can they be satisfied to see the Protestant teacher in one district get his $150 a year from the provincial treasury, and the Catholic teacher in the neighbouring district, who has as much right to it, get none. If there are ten school-going children in a district, it can have a separate school. If the families there are as large as ours in the east, three or four families would be sufficient to obtain a school. How can three or four families build a school-house, equip it with furniture, and hire a teacher without getting their quota of provincial money ? They cannot do it. It will starve to death : and it is not fair-play to those people to put this Bill forward as a final settlement. I appeal to my French Catholic fellow-members whether in common fairness that is treating those people properly. What I would like to see is the Catholic teachers of Manitoba, like those of Nova Scotia, getting the same pay as the Protestant teachers of the same grade. And why should they not ? Have not the Catholics as much right to their share of public money ? And why has not this Bill given them their right ? Is it because this Parliament has not power to do so ? This Parliament surely has as much right to go to the legislature of Manitoba in reference to that as it has to go to the municipalities for similar purposes. I say that it has power to go to neither. This simply shows how absolutely useless this Bill is—how unworthy it is of able men and of lawyers.

In my judgment, Mr. Speaker, this Bill from beginning to end is beyond the powers of this Parliament. There is clause 2, which provides that the Governor General shall make certain appointments to the separate school board, if the Lieutenant-Governor does not make them, which is surely ultra vires to this Parliament. There is clause 10, which provides that if the municipal council does not do so and so, this Catholic school board shall be empowered to confirm or annul. What in the name of reason has this Parliament to do with municipal institutions, which, under section 92 of our constitution, are assigned to the local legislatures ? I think this is germane to the discussion of this Bill, because if it is unconstitutional, this House is simply wasting its time in dealing with it, and doing itself discredit as well as discrediting its Department of Justice—not the present Minister, who is only technically responsible, but the earlier officers of the department. Then, there is section 23, subsection 7, which provides that it shall be the duty of the council of each municipality to collect by assessment on the whole real and personal property of the Roman Catholics, so much money. What right have we to address that mandate to any section of people in the province of Manitoba ? Has it not been decided by the Privy Council, that by section 92 of the British North America Act, that power belongs exclusively to the provincial legislature, and that we cannot interfere with it ? These are the vital clauses of the Act, and there are some others equally bad. There is clause 2 of section 28, which says that no Roman Catholic shall be bound to pay taxes to the public schools. The province of Manitoba had addressed a mandate ordering them to pay taxes to support the public schools. Will not these people pay attention rather to the mandates of the province which is their own master, which created these schools and can amend or take away, than to the mandate of this House. How can any man seriously argue that this clause, which is the vital clause, can be worked out?

Clause 64 is another one which seems of very doubtful legality, and so is clause 65.

Then take clause 74. There the draughtsman of this Bill acknowledges that his hand is powerless. He acknowledges that he cannot reach his hand out from Ottawa to the treasury at Winnipeg and draw from that treasury money for the separate schools. He asks the people of Manitoba to do it. Does he believe that they will ? Does he not know that unless an amicable settlement be reached, they will do nothing of the kind. Then, if hon. gentlemen will insist on establishing separate schools, why not come down like men and give a grant of Canadian money to the Catholics of Manitoba to support their schools ? I put that question to the hon. member for Ottawa (Mr. Devlin), and I would like to hear him answer it.

Mr. DEVLIN. I think there is an amendment of which notice has been given to that effect, and I have already stated, in the speech I made, that I did not consider the Bill perfect, and that it was my intention to support such a measure.

Mr. WELDON. Perfect is a very extravagant word to apply to a Bill as empty as this.

Mr. DEVLIN. Bad as it is, it is much better than you would give.

Mr. WELDON. I tell my hon. friend what I would give if I had the power. I will put myself on record and say what I would give. I would put the Catholic minority in Manitoba in as good a position as that in which the minority in my province, where we live in peace and happiness and good-will, and where we have made progress the last twenty-five years.

I shall not dwell on a canvass that I heard addressed to members myself, for I am ashamed of it. I have heard this canvas addressed. Let them alone, give them separate schools, and the result will be that these little half-breed children of Indian mothers will simply be for all time hewers of wood and drawers of water.

Some hon. MEMBERS. Name.

Mr. WELDON. I am not speaking of members of Parliament, and I shall not give the names.

Mr. FOSTER. If I understand that the hon. gentleman does not state that such a canvas has been used by any member of Parliament, the disclaimer is quite adequate.

Mr. WELDON. I am not saying it was not made by members of Parliament, but I make no affirmation in that regard. But that argument has been pressed on me time and again, and I say that it is an argument which is most disreputable to Protestants. I am not the only member of this House who has heard that argument made. I say that these little half-breed children, the children of Indian mothers, have as good a right as the children of the wealthiest of this land to the best that the commonwealth can give them. The best is not too good for them. They have no better friends than we are, who are voting against this Bill, and trying to give them something that is better than this Bill.

Mr. GILLIES. What do you give them ?

Mr. WELDON. I have answered my hon. friend.

Mr. GILLIES. I would like to ask the hon. member for Albert how could he propose to put the minority in Manitoba on the same footing as in New Brunswick ?

Mr. WELDON. I would certainly try to do it, if the legislature of Winnipeg will not very promptly do it. You would have to revise your proceedings, but it is a thing which could very quickly be done by this Parliament. You would have to deal with the question of your petition all over again, the question of your hearing before the Governor General in Council, the question of a new hearing on which you could found your legislation, and all that. I may be wrong, but with the assistance of the hon. gentleman himself, who is a very good lawyer, I think we could work it out quickly and promptly.

Mr. GILLIES. My hon. friend said he would put them on the same footing as the people of Nova Scotia and New Brunswick, and I would like to know by what method he would put them in that position, unless by remedial legislation ?

Mr. WELDON. Quite so, and I declare myself most unmistakably in favour of remedial legislation.

Some hon. MEMBRS. Oh, oh.

Mr. WELDON. There is remedial legislation and remedial legislation. I do not declare myself in favour of separate schools in any shape or form. Let us use clear words. I am opposed——

Mr. FOSTER. If my hon. friend will allow me——

Mr. WELDON. My hon. friend will get his chance to speak again. If he likes, I will move an amendment that will give him a chance again, but I would ask to be allowed to go on, as time is running more rapidly than I am. I meant to dwell upon this important fact a moment ago, and that was that every important English-speaking community in that large circle of young commonwealths that has girded this globe, remaining under the English flag, have the system of national schools. I meant to refer to the fact that in New Brunswick, Nova Scotia, Prince Edward Island, British Columbia, Victoria, New South Wales, South Australia, Queensland, Tasmania, and the Cape—that group of young colonies, nations many of them will be by and by, who stand around the English throne like strong sons around their mother, have all had the problem to deal with that we have, have all mixed populations, in some of which there are Catholics in very considerable proportions, and in every one of them except the province of Ontario, the solution they have worked out and steadily adhered to is national schools. I appeal to the common sense of the House and my Catholic friends if it is not fair to accept the solution arrived at in the eastern provinces of Canada, and the far-away provinces I have mentioned, as the quieter and more reasonable one—not the one that the Catholic or Protestant people best like, but the one that stands a compromise between the extreme views on either side. Is it not better to set our face on that as a final solution ? I do not know the politics of Upper and Lower Canada as well as the men from these provinces, but I heard the hon. member for North Simcoe (Mr. McCarthy) say last night that the settlement of 1863, which I think a disastrous settlement—I differ in that from the Hon. Mr. Ross—an unwise settlement, has not given the same public peace, the same good will, between Catholic and Protestant, the same kindly relations between the different communities that has been reached in the provinces by the sea and these Australian provinces.

I may give what we, Protestants, regard as the true solution of the school question. We think it is the duty of fathers and mothers, primarily, to teach their children religion. We supplement that by the Sunday school—to which many of us do not attach very much value—and by the beautiful books and papers that the publishing houses throw in such large numbers into our homes. We take the children with us to church on Sunday, and sometimes to other religious meetings. That is the Protestant idea, in those communions that do not believe in a state church. We know perfectly well that is not the Roman Catholic idea. Now, Mr. Speaker, must I again be charged with being a Protestant bigot and taking an extreme and bigoted view, when I say, that the happiest solution of the school question would be for the party to agree upon some such common ground as soon as we can, and get this unfortunate question out of politics? Our heart goes out in sympathy and pity, when we are reminded that there are children without mothers, and that some mothers are not fit to train them thus, mothers who have not the intelligence or other qualities to enable them to perform the duties properly devolving upon them in the training of their children. We feel heartily for these and are desirous that means should be adopted for their training.

With this broken line of argument I must conclude my remarks very quickly. I do not take a despondent view of the future of Canada. I think that sometimes in this chamber we speak without sufficient candour, Protestant and Catholic, French and English. It will make many of my own personal friends laugh heartily, when "Hansard" goes down to them, and they find that I am charged with being a Protestant bigot. I have dear and intimate friends, Catholics of my own province, whose homes are as open to me as that of my own brother, and I am sure that they, at all events, will laugh —those who know me better than some members of this House seem to.

I do not take a despondent view of the future of this country. Common sense and quiet counsels prevail more widely than many of us are inclined to think. I do not like to pay compliments to the leader of the party opposed to me, but I listened with admiration to the speech with which that distinguished public man, the leader of the Opposition, opened the discussion of this question for his side, and, like the hon. member for South Oxford (Sir Richard Cartwright), I read hope and promise in what followed. I do not think, that he will thank me for this reference to him. But let me say, also, that I, at all events, have been reading history too long not to know the records of the race from which he and his compatriots spring. It seems no mere mutual admiration, it seems no idle boast to say that the two foremost races in the world to-day are the Norman French from which the hon. gentleman and his people come, and the Anglo-Saxon from which we and our people come. And, if you go back to that point to which the hon. member for Bothwell (Mr. Mills) would carry us in the argument of any question, if you go back to the dawn of history tracing these two branches of mankind, you find that they are simply branches of the same stock, that came from one strip of seacoast, rovers, single men, one branch striking westward to marry Celtic women in England, and the other occupying the country further south and marry Celtic women in France. The latter came first into contact with Roman civilization and developed the French tongue. The latter came later in contact with civilization and Christianity and held to their original Anglo-Saxon speech. They are too much alike, they are too near together to be disrespectful to each other. And though the French people in Canada were overshadowed in the early part of our history by the political conquest of the eighteenth century, and though they have been impoverished by the removal of many of their best families who naturally returned to France, we must remember that, forming perhaps no more than one-third of our population, they have enriched our literature and strengthened our national life, enriched the debates of this Parliament to a degree that we in our own province often speak of. Is it not true that the foremost orator in Canada to-day is a French Canadian? Is is not true that the most accomplished man of letters now living in Canada is a French Canadian? Is it not true that the most accomplished writer on the history of Canada is a French Canadian? I believe that all these things are true. Is it not true that in the records of the Royal Society it is shown that the French Canadians give far more than their quota to the valuable transactions of that body. These things we all know. I may be forgiven for saying that for the last two or three weeks I have been reading Matthew Arnold's letters. He was one who knew better and appreciated more highly the thought and feelings of the French than the vast majority of Englishmen do. So highly did he speak of them that it was an old taunt thrown at him that he was not a patriotic Englishman, that he preferred the French to his own countrymen. And I was very much struck with his suggestion, what a calamity it would be in this British Empire if we were all of one race—and it must not be forgotten that he was the brother-in-law of Foster, that very able public man, who was the founder of the Imperial Federation League, a man who grew out of the Little England school and gained wide imperial views. Why cannot we be charitable and forbearing towards each other as "children of the same dear God and heirs of some six feet of sod," who need not distress each other, who need not hate each other, but who can see much in each other to approve. At meetings in my own province where there was not a single French Canadian or a single French Acadian present I have heard the hall ring with applause when the praises of Sir George Cartier were sounded. I know that tears were in the brightest eyes in the city in which I live when the news came of his death, and that those who most deeply mourned were those who well knew his service to the state. The English people are not what many of you French people think us. I hope that more of you will come down to our provinces and see us and learn more of us. We have seen the leader of the Opposition there, the Deputy Speaker has been there, the Minister of Public Works has come amongst us. But more should come to the lower provinces. All who come will get a hearty lower-province welcome, and will surely learn what we English people are not what many of them think us. It is not worthy of the two races in this country to stand as if we were Christians and Saracens. The Protestants and the Catholics have more points of similarity than of contrast, and we make too little of the points in which we are alike. Had I not spoken so long, I would have said a few words about our own party and about the position of myself and others. As to myself, I was born into my politics as much as I was born into my religious faith. I take from my father as much of one as I do the other. I have always held staunchly by my party except for three or four years, the Pacific Scandal, and I am free to say that I was sick and tired of the revelations in the matter. When I heard the hon. member for West Assiniboia say the other day that we belonged to a party which had the instinct and tradition of government, I thought he spoke words of magnificent eloquence and absolute truth. I still believe that the Liberal-Conservative party, with its powerful press, in spite of the follies of a paper here and there, and its enthusiastic young men, has educated its people to large ideas and made them capable of sustaining an Administration of large achievements. I profoundly regret that the Administration of to-day has taken a course on the school question which I cannot follow. I believe they are not reflecting the views of anything like one-half of the electors of the Liberal-Conservative party. That may seem a strange thing to say when I shall see not as many as I would like of the members of this House, rise, as I shall rise, and vote against this Bill. Nevertheless I confidently believe that; and while it will give me no great personal pain to be drummed out of my county, if that event were to happen, or to be drummed out of this House, I shall still remember with pride that I had this night made this speech in favour of national schools.

Mr. COSTIGAN. I do not propose to trespass on your time and on the patience of the House at any great length. I was somewhat struck by the picture drawn by the hon. gentleman who has just taken his seat (Mr. Weldon) in connection with certain facts which transpired and which he painted in vivid colours, as to the difficulties that occurred amongst the members of the present Government, and his closing scene where they disappeared down a vortex, the last to descend being the Secretary of State. Sir, I have always admired the ability of the hon. gentleman; although I might not be able to appreciate, but that would be my fault, his great constitutional powers, his grasp of mind, his broadness of view, and the liberality that he expressed here to-night. These must have charmed every man who listened to him. What constitutes the broad, liberal principles of the hon. gentleman? When he was asked what remedy he proposed for the little minority in Manitoba, why, he says, with a glow of charity on his face, with every apparent evidence of good nature,—why, he says, we put them exactly in the position of the minority in New Brunswick. And he was cheered by hon. gentlemen who, not many years ago, betrayed the minority of New Brunswick. They cheer again. Why? Because they see their political party, as they saw it then, likely to gain advantage, and that was the reason of their betrayal on that occasion. The hon. gentleman thinks that he will be generous to the minority of Manitoba if he places them in the position of the minority in New Brunswick. I have sat here and heard the story oft repeated of the peace and harmony that reigned in New Brunswick, in my own province, on account of the peaceful and happy solution of the school question there. What is the solution? The position of the minority in New Brunswick is this: peace has been restored. Yes, and why? Their rights have been taken away as ruthlessly as the rights were taken away from the minority in Manitoba. Peace is restored. Why? Because the Roman Catholic minority in New Brunswick recognized the circumstances, and they have consented to suffer in silence. We are told that in New Brunswick the system of separate schools is recognized. They are suffered in parts of New Brunswick; their privilege is given as a matter of grace; the Catholics are grateful for that concession to the Government of the day that gave them, and may sweep them away to-morrow. But is that the way to deal with a question of right? The difference between the two cases is simply this. We are prohibited from making any movement to redress our wrongs, to restore the rights that we believe were guaranteed to us honestly, as the same rights were guaranteed to Quebec and Ontario; because the Judicial Committee of the Privy Council have decided that in the interpretation of the Confederation Act, inasmuch as there was no special law establishing those separate schools in that province, they had not equal rights, not constitutional rights, and we were therefore thrown out of court. What is the difference between the two cases ? It is this : the minority in Manitoba are relying upon a guarantee more explicit than ours, more clearly defined than ours, still subject to the fatal doubt that may be raised by these giants of constitutional law. The first judgment shows that even the great Parliament of Canada, with the well known intention of guaranteeing the rights of the minority, failed to pass an Act capable of being so interpreted by the highest tribunal of the land. But I will put against the authority of the hon. gentleman who has just sat down, the authority that he has so complimented and admired, and which I have listened to with such satisfaction to-day, the hon. member for Bothwell (Mr. Mills). The hon. member for Bothwell not only swept away every argument that has been made from the beginning by the hon. member for Simcoe (Mr. McCarthy), and lightly brushed aside the objections raised by the hon. member for Albert (Mr. Weldon); but he did more, he backed up every argument that was made in favour of the position that we have taken ; and though we have had some able speeches on that question from this side of the House, I must say that I was pleased to find that every argument that was advanced from this side of the House in favour of this Bill, was made stronger, and if possible, clearer, by the logical conclusions drawn by that sound authority upon constitutianal law. Sir, I do not want to hear any more of the generosity, this mercy for the little minority in Manitoba, if you are going to give them just exactly what you gave the minority in New Brunswick, and made them so happy. You betrayed the minority in New Brunswick ; their rights were taken away. A pledge was made to restore to them those rights, but that pledge was not kept. There is no means of redress. They have to live, and accept whatever measure of liberality is doled out by the Government of the day. The time came when the government of New Brunswick, feeling that they required to maintain their power, abolished their rights and raised a religious cry in the province, which was the policy of the present Government in Manitoba, and the secret, I believe, of their school legislation. Who in this country believes that the hon. member who sits for Winnipeg (Mr. Martin), or the hon. gentleman who leads the Government in Manitoba to-day, were so devoted to the question of education itself, had such high ideas about it, that they made that the principal plank in their platform in the interests of education when seeking election ? Those who know what took place in that province then will believe me when I say, and I have good reasons for saying it, that they adopted the school policy at a time when they were so discounted throughout the province that they dare not face the electors on an ordinary issue, and so they adopted the policy of dividing the people of that province by raising this issue on the school question. They succeeded, and the minority there paid the penalty. I returned to the beautiful painting which the hon. gentleman presented of my colleagues, no doubt including myself—I was not paying particular attention at the time, but I have no reason to believe that I was excluded from the scene—going down the vortex. The hon. gentleman referred to the Secretary of State, but I have no doubt he included the whole Government. I am glad some were saved. But it struck me at the time that, recognizing the artistic hand, the hon. gentleman himself must have been very close to it at a certain time. Did the hon. gentleman draw back from the vortex in time, or did he hold that if some other course were pursued there would be no vortex.

Mr. WELDON. The hon. gentleman and the Prime Minister were present when the first negotiations took place, and the hon. gentleman knows as much about it as any person in the country.

Mr. TARTE. Hear, hear.

Mr. COSTIGAN. Some hon. member says "Hear, hear."

Mr. TARTE. I think I have a right to say hear, hear.

Mr. COSTIGAN. Certainly. I do not know how far I would be justified in referring to any conversation that took place between the hon. gentleman and the Prime Minister while I was present. It may be a matter that he wishes to be private.

Mr. WELDON. I do not. A number of rumors were afloat, which I am sure the Minister of Marine and Fisheries is too fair-minded a gentleman to have repeated, and therefore I think it is proper to give him a chance to make a statement. I had two interviews with the Prime Minister in regard to entering the Cabinet. The hon. gentleman knows more than any one else, and he is bound to take my word for it.

Mr. COSTIGAN. I am in a difficulty yet. I do not wish to be offensive to the hon. gentleman ; but I see some difficulty in knowing exactly what position he thinks I ought to hold. He says that I know more than anybody else. About what ? He has referred to certain rumours. I have not made any reference to rumours, and I do not wish to do so. I simply said about the vortex and the picture. I do not feel at liberty to mention what took place during the very short time I was present when a conversation took place between the hon. gentleman and the Prime Minister. If the hon. gentleman and the Prime Minister agree that a statement should be made, I shall not have the slightest objection to make it, but I will not make it without consent. The hon. gentleman says I know so much, but I know nothing very important that I can reveal. I have not circulated rumours. The hon. gentleman can reconcile his own dealings with the majority of his colleagues in New Brunswick. I do not know how far he will be successful in satisfying them.

Mr. WELDON. The Prime Minister gave me his sanction.

Mr. COSTIGAN. I will not allude any further to personal matters. I have given my opinion of the value of the deep sympathy expressed for the minority in Manitoba through the remedy proposed by the hon. gentleman, for which he was cheered so heartily by his friends on this side and on the other side of the House, who would be very pleased to see the Government if not in the vortex depicted by the hon. gentleman, in some vortex that would be equally agreeable and favourable to their aspirations. I am not going to enter into the constitutional features of this question, for I am not capable of doing so, and if I were a lawyer, I might do what has already been done, I might add to the confusion. We have had this matter so thoroughly threshed out from the constitutional point of view that laymen are beginning to wonder what is constitutional law as interpreted in this Parliament. We have very different interpretations given of a very simple Act. I cannot conceive how hon. gentlemen belonging to the legal profession can differ so widely with each other. But one thing strikes me as most remarkable, and that is that while the cry has been raised against the Government and hon. gentlemen who support the Government in passing the Remedial Bill on the ground that it is a coercion Act and is even calculated to create rebellion in the North-west, the same hon. gentlemen in the next breath declare that it is perfectly powerless, and on that account is utterly worthless and harmless. The hon. member for Bothwell (Mr. Mills) whose argument all the way through was able, clear and logical and convincing up to the end of the constitutional argument, said, when he began the political part of his speech, that this was a threat against the Protestants of the country. I am sorry he used that expression; there was no call for it, there was no justification for it. Hon. gentlemen opposite have repeated ever since the Bill was introduced that this was a coercive measure and was taking Manitoba by the throat, and in the next sentence they declared to the French Catholics that they should not accept the Bill because there was nothing in it. At the same time hon. gentlemen opposite seek to defeat the Government, and they declare that the passing of a Bill which is so obnoxious and objectionable will create a division in the Conservative party, and will lead to the defeat of the Conservative Government and the Conservative party. But what do those hon. gentlemen say when they seek to condemn us, and at the same time assert that their action is taken in the interest of peace. They affirm that we had an opportunity to arrive at a peaceable solution of the difficulty in 1891, if after the passing of the Manitoba Act we had exercised the power of disallowance and had disallowed that Act. That would have been a peaceable solution.

Mr. WELDON. You could have done it if you had wanted to do it.

Mr. COSTIGAN. The hon. gentleman may be strong on constitutional law, but he is weak in practical common-sense. It would have been in the opinion of some hon. gentlemen, a peaceable solution if we had with that sledge hammer destroyed that law which we know the highest tribunal has pronounced constitutional, and thus destroy the whole public schools of Manitoba and wiped them out. But if you pass this, after doing everything that the constitution requires the Government to do; if you pass this measure of relief to the minority, there is a clause of rebellion.

Mr. WELDON. The hon. gentleman must not put words in my mouth. I did not use the words peaceable solution—some one else must have said that.

Mr. COSTIGAN. Perhaps you did not use the words "peaceable solution." "Sledge-hammer" I think was the word you used. Possibly the words "peaceable solution" were used by somebody else.

Mr. WELDON. You have no right to say that. The hon. gentleman should withdraw it.

Mr. COSTIGAN. Oh, yes; I withdraw the words "peaceable solution."

Mr. WELDON. I did not use the words "peaceable solution" at all.

Mr. COSTIGAN. I am admitting that. I am saying you used the words "sledge-hammer." Now, Mr. Speaker, so far as this argument is concerned, I do not think it has much force, and it ought have no force at all in this Parliament.

Now, Sir, what have we within our own practical knowledge. We know from experience, that conflicts have arisen between the central power and the provincial powers on many occasions. I think from memory, that something like fifty or sixty Bills from different provinces have been disallowed. Without the exercise of the power of disallowance, other issues have arisen by a reference to the courts with regard to these questions, as to whether the power lay in the provincial legislatures or in the Federal Parliament. In some cases, out of the fifty odd cases of disallowance I have referred to, if you will look back you will find that in some cases the Bill was re-enacted in a modified form. You will find in others, that the provinces yielded, and submitted to the decision which recognized the propriety of the exercise of the veto power. You will find again in other cases that it was contested and referred to the courts. But, one thing you will find in every instance that ever occurred in our Canadian history, and that is, that whatever the decision was, whether in favour of the central power or in favour of the provincial power, it was recognized by both, and loyally acted upon. And, Sir, in this one case only, has the authority of the highest judicial tribunal of the land been disputed, and sought to be misinterpreted by hon. gentlemen who ought to know better.

Mr. WELDON. The hon. gentleman has no right to make those offensive remarks.

Mr. COSTIGAN. The hon. gentleman (Mr. Weldon) must not think that he is meant, every time I refer to a member of this House. I speak in general terms. I do not mean to insinuate that he is the sole constitutional authority within the walls of this Chamber. I did not mention the member for Albert (Mr. Weldon) at all.

Mr. WELDON. That is personally very offensive.

Mr. COSTIGAN. The hon. gentleman has no right to say that I am offensive.

Mr. WELDON. I do.

Mr. COSTIGAN. I do not at all mean to be offensive to the hon. gentleman.

Mr. WELDON. When the hon. gentleman (Mr. Costigan) says, that a fellow-member is lacking in common sense, I would like to take your ruling, Mr. Speaker, as to whether that is a Parliamentary term?

Some hon. MEMBERS. Oh, oh.

Mr. COSTIGAN. Mr. Speaker, I will take my seat, as I would like to hear your ruling on that important point.

Mr. SPEAKER. I am afraid that I can hardly be called upon to determine whether hon. members are lacking in common sense or not.

Some hon. MEMBERS. Hear, hear.

Mr. FOSTER. We need not challenge your decision on that, Mr. Speaker.

Mr. COSTIGAN. I was waiting, Mr. Speaker, to see what you would decide upon that serious point of order, because I wished to shape my course according to your ruling. But, as you have given no ruling, and I am consequently unable to rely upon your authority, I will let the matter drop. Sir, one feature of the case has been repeatedly referred to by hon. gentlemen on both sides of this House—what I mean by both sides of the House, is, those hon. gentlemen who are in favour of and those who are opposed to this Bill—they have referred to the "peaceable solution" that might have been obtained, compared with this revolutionary means that has been taken to restore, moderately, the constitutional rights to the minority in Manitoba. I still hold to the view that the policy of the late Sir John Thompson has proved wise. I am sorry to gather from the speeches made by some hon. gentlemen in this House, that I may see now, rising to oppose the second reading of this measure, gentlemen who have supported, and endorsed, and applauded the policy laid down by the late Sir John Thompson, both on the floor of this House and on the public platform of this country These gentlemen will not now support this Bill which is the outcome of the constitutional law laid down on the question by the late Right Hon. Sir John Thompson. Sir, the policy which the Government has pursued is the policy foreshadowed by our late Premier. This Government has kept faith with the people. Hon. gentlemen opposite are uneasy because this Government has undertaken to carry out its pledges: and in order to restore good nature to my hon. friend from Albert (Mr. Weldon) who appeared to be somewhat offended—I trust without reason—I may repeat a little anecdote which I think is applicable just now. A gentleman travelling, called at an inn, one night. Tired and looking forward to a comfortable night's rest, he retired early, but was not long in bed when he heard tramp, tramp, overhead. A gentleman occupied the room above him, and the noise continued, until eventually the weary traveller mounted the stairs and rapped at the door of the disturber's room. He said to him: My friend, I am awfully fatigued and expected a good night's rest, but I cannot sleep if you continue tramping up and down. The man replied: I cannot sleep. I am in misery. And, the traveller having asked him what was wrong, he replied: Well, I signed a note for $5,000, and got one of my best friends to endorse it. It is due to-morrow, and I cannot meet it. My friend is able to, but it will ruin him and embarrass him, and I wish to know from you, is not that enough to keep me awake. Oh, said the traveller, go and lie down, and let the other fellow do the walking about for a little while.

Well, Sir, hon. gentlemen opposite have taunted this side of the House with divisions and dissensions, and during all this session they have gloried in that. It has already been stated, that in a party as old as the Conservative party, as broad as the Conservative party, as numerous and as strong as the Conservative party, it is not to be wondered at, that on some great question there would be found differences of opinion. Not such a difference as would divide the strong Conservative party into two hostile camps, but such, that some few of its members might be unable to follow the party policy on this question. Sir, that was not the trouble with gentlemen on the other side of the House. The division amongst them was more serious. The division amongst us was one that was pretty well understood, and we know, I hope, the extent of it. We know the gentlemen who will support the policy of the Government, and we know the gentlemen that feel that they cannot conscientiously go for the measure that the Government proposes. But the hon. gentlemen opposite are in this position, that it is almost impossible for them, though not entirely, to obey the mandate of the hon. member for North Simcoe ; but there is a higher power, the Toronto "Globe," which is placing them in this position. The Toronto "Globe" has given its command. It has put them in such a position that they are bound to walk around a little while ; and when their walk will end I cannot foretell. Another argument has been used, not in this House, except by one or two speakers, but in the country—that this question of separate schools is so vexatious a question in the eyes of a large portion of the people, that they will not accept any measure which will force these upon Manitoba. It is very well understood by those gentlemen who wish to understand it, that this is not a question of separate schools in principle. That has been made clear as noon-day by the hon. member for Bothwell. He says that if it were a question of separate schools, as against common or national schools, that would be a question of policy, and we would select a system of schools for Manitoba, and would have a right to do so, after discussing the merits of both. But under our constitution we have no right to touch the merits of the question at all, as to whether one system is better than another. But the hon. gentleman said more : if you want to obey the constitution though you may be strongly opposed to separate schools, if the compact shows that separate schools were guaranteed to the minority, you will, if you want to discharge your duty as an honest public man, restore those schools. I heard the argument to-night for the first time from the hon. member for Albert (Mr. Weldon), that this Parliament was deciding as a matter of principle the question of separate schools. I deny it emphatically, and I wonder where his inspiration for such an argument came from. I have never heard that hon. gentleman take that ground before. It is not a question of separate schools in principle. We have no right to decide or discuss what kind of schools they shall have in Manitoba. The only question is that involved in the decision of the Privy Council that certain rights and privileges were taken away, and that they should be restored. If you call them separate schools, or whatever kind of schools they were that were taken from these people, they should be restored.

Mr. McNEILL. Will the hon. gentleman show me where the Judicial Committee of the Privy Council made the statement that the rights which were taken away must be restored ?

Mr. COSTIGAN. I cannot turn it up just now.

Mr. McNEILL. You cannot do it, because it is not there.

Mr. GILLIES. They said a right had been taken away.

Mr. McNEILL. It did not require the Privy Council to tell us that. We all knew that.

Mr. COSTIGAN. I am not a lawyer, but I tell the hon. gentleman that the Judicial Committee of the Privy Council did decide that there were grievances, and laid down exactly what privileges the Catholics had enjoyed before 1890, such as the right to give religious instruction and to manage their own schools ; and those were among the rights which were taken away and which should be restored. They did not say those rights shall be restored ; but the hon. member for Bothwell made the matter as clear as it can be made to those who wish to see it. Another remark I want to make is this. The hon. member for Albert says that there is a strong feeling in the country against separate schools. He says the Catholics of this country as a body are not in favour of separate schools.

Mr. WELDON. I said not all the Catholics were in favour of separate schools. I meant most of the Catholics were, but some were not.

Mr. COSTIGAN. That is what I am saying. He said that the Protestants of the country are largely opposed to separate schools. I know the reason of that—because an agitation was excited many years ago against the very name of Catholic schools. There are men in Canada who oppose Catholic schools, but who would not be able to tell you what a Catholic school meant—who have never been inside of one and do not know the rules observed there, but who are prejudiced against them, by the information conveyed to them, and who honestly believe that those schools are wrong. But if you take the Catholics and the Protestants of this country from Vancouver to Cape Breton, and poll their votes, I am satisfied that you will find at least five-eighths of our whole population will say give us religious instruction in our schools, instead of banishing God from them. What is the great difficulty in settling this question if, as some hon. gentlemen on the other side of the House have said, the Manitoba government have been on their knees begging for a settlement ? We all know what their attitude has been on this question. It has been just the same as that of hon. gentlemen opposite. They could not work more in line with the Opposition in this House than they have been doing if they were occupying benches on the opposite side of this chamber. My impression, arrived at long ago, has always been that if an effort had been made by the leaders of the party opposite, a solution of the difficulty could have been found and would have been found in the provincial legislature itself; and we would not have had the question here. But having been unable to reach that solution, we are obliged to deal with the question here. An effort has been made to create a prejudice against the system of separate schools by the statement that they are controlled by the Catholic clergy. The impression has been created that the Catholic hierarchy desire to control the education of its people for the purpose of keeping them in ignorance, in order that it may govern them the more easily. That is the doctrine preached in many parts of this country, not before intelligent audiences, but in many places, to create prejudice against our people, our schools and our clergy. I say that there is no more dishonest argument, there is no argument which is so utterly at variance with the facts of history, than the argument that the Catholic Church and Catholic influence has ever been hostile to education or averse to affording the greatest amount of facilities for education. Such a statement cannot be made with any effect before any intelligent audience. The history of the past shows that the Catholic church and its clergy have been the strongest advocates of not only the common education but the higher education as well for its people. While the Catholic church is anxious that its people should receive religious instruction, it does not consider its duty finished until they are fitted for the battle of life by means of the higher education. It has done more to place education within the reach of the poor than any other institution. It has done more than the State itself, and if I did not fear to trespass on the time of the House at this hour, I would give statistics to show that it is entitled to the gratitude of the world for what it has done in the past and what it is doing now for the advancement of education in every country. And to-day, where the education is carried on by means of the resources of the Catholic church, that church does more in proportion, makes greater sacrifices and accomplishes more than any other institution. Hon. gentlemen, perhaps, will not blame me if I just read a few extracts to establish that.

Mr. DAVIES (P.E.I.) Do you mean in British speaking countries?

Mr. COSTIGAN. Yes. Take the record of Catholic universities established in Europe before the Reformation:—

France	20
Italy	15
Germany	15
Spain	7
Austria	2
Scotland	3
Switzerland	2
England	2
Portugal	1
Poland	1
Belgium	1
Hungary	1
Sweden	1
Denmark	1
Total	72

Then take Catholic universities established in Europe since the Reformation:

France	8
Italy	8
Spain	6
Austria	4
Germany	9
Hungary	3
Belgium	3
Alsace	2
Portugal	1
Ireland	1
Polish Russia	1
Total	46
	118 in all.)

Then take universities established by Protestants since the Reformation:

Germany	12
Switzerland	4
Holland	4
England	3
Sweden	3
Scotland	2
Ireland	1
Norway	1
Finland	1
Total	31

Take the universities having over 1,000 students:

Protestant universities, old and new	21
Catholic	29

Then if you look at it from the point of view of the highest percentage of university education. Mulhall says:

> The number of university students compared with population is much greater in Spain and Belgium than in other European countries.
>
> In 1889, England with its population of 27,826,798, had 8,802 students in her universities, while Spain with a population of 16,945,786 had 15,787 students in her universities.

Belgium, with a population of 6,000,000 reports 4,252 strictly university students, and has attending the schools of fine arts the following numbers:—

Students in the universities	4,252
Royal Academy of Fine Arts, Antwerp	1,315
Schools of Design	14,565
Royal Conservatories and other schools of music	14,869
	35,001

This is a pretty good showing for Catholic Belgium with its 6,000,000 population—35,001 students receiving a higher education not to tire the House with a multiplication of examples strengthening the proof of the superiority of Catholic nations in this respect, I will content myself with one other:

	Population.	Univer-sities.	Students.
Catholic Italy.....	28,000,000	21	16,922
Protestant Prussia	29,000,000	11	13,483

Then take the universities with both Protestant and Catholic faculties, in Germany. Bonn, Breslau, Tubingen—these universities had 3,640 students. On the other hand, if we take the universities with Catholic faculties, we find they number 71, with 78,251 students, as compared with universities with Protestant faculties, numbering 36, with 45,885 students. This needs no comment, and I commend it to the careful inspection of every fair-minded person. Take the United States. Out of 316 colleges and universities under religious control, 51 have been established and maintained by Roman Catholics, and no one has pretended that these 51 institutions are not quite equal in every respect to any other 51 Protestant institutions of the same kind. It must be remarked, also, that while the Catholic population, according to the census report, is one-ninth of the whole, yet despite their many disadvantages in comparison with Protestants, they have succeeded in establishing one-eighth of all these higher institutions of learning. I could quote the opinions of many eminent authorities to show that the policy of the Catholic church has been in favour of higher education for the masses as well as religious instruction. I said on a former occasion that it was unfair for the hon. member for North Simcoe to charge Catholics of this country with the responsibility of this agitation. I declared that charge to be unjust and unreasonable, because Catholics are not responsible for the guarantees that are found in our constitution. That was denied, but as it has been proved since very thoroughly by the hon. members for Quebec, and the hon. Minister of Trade and Commerce (Mr. Ives), and as it has been pretty well borne out by the speech of the hon. member for Bothwell (Mr. Mills), I shall not refer to it any further. But I shall refer to this part of the hon. member for Simcoe's argument. He said that we were using this argument for the sake of creating prejudice. Well, my only reason for using that argument was not to create prejudice, but to ask for sympathy on grounds on which we are entitled to expect it from every right thinking and proper minded man. No fair-minded man would attribute such a motive to me as that attributed by the hon. member for North Simcoe. The hon. gentleman said shortly afterwards that he was sick and tired of hearing references to the generosity of the people of Quebec towards the minority of the people of Quebec. And he said that there was nothing in this, that there was none of this generosity we heard of. Well, Mr. Speaker, that the Protestants of Quebec have been dealt with in a spirit of generosity and fair-play on all occasions by the Catholic majority cannot be denied, at any rate in the province of Quebec. I have never heard an exception ever mentioned to the uniform kindness and generous treatment which the minority in that province have received at the hands of the majority. But I can understand why the hon. member for North Simcoe is perhaps a little sick and a little tired of hearing these statements and these references to the peace and harmony that exist in the province of Quebec, because that condition of things does not suit the line he has taken. He would rather be able to stand up here and say: Look at my Protestant fellow-citizens in the province of Quebec. See how they are ground down by the Catholic majority. But, thank God, he cannot do this. He, perhaps, is the only gentleman in this Parliament who would take that same line and say he was sick and tired of hearing references made—to what? To the best feelings of humanity, to the fact that in the province of Quebec there is a condition of things which it would be well for this country if it existed in every other portion of it. Then we have been told that we should not interfere at all. And if I had not the authority of the hon. member for Bothwell (Mr. Mills), I should feel rather weak and helpless against these great constitutional lights who tell us: You have the power, but you are not obliged to act. Well, I think I can quote the hon. member for North Simcoe (Mr. McCarthy) himself on that point and that when he was talking of provincial rights. In 1889 he said:

> The worship of what is called local autonomy, which some gentlemen have become addicted to, is fraught, I venture to say, with great evil to this Dominion. Our allegiance is due to the Dominion of Canada. The separation into provinces, the right of local self-government which we possess, is not to make us less citizens of the Dominion, is not to make us less anxious for the promotion of the welfare of the Dominion; and it is no argument to say that because a certain piece of legislation is within the power of a local Parliament, therefore that legislation is not to be disturbed.

So that even where the Acts are admitted to be within the jurisdiction of the provincial legislature, the hon. gentleman wanted this Parliament to interfere. But in this case, although the Judicial Committee of the Privy Council says that rights which previously existed have been taken away, he says that we must not interfere at all. Hon. gentlemen opposite have taken a stand upon this question that it is difficult for me to understand. At first they did their best to educate the people, especially in the province of Quebec to the belief that the Government were not sincere and that there would be no legislation.

Mr. LISTER. Hear, hear.

Mr. COSTIGAN. But we have now introduced that legislation.

Mr. LISTER. You don't intend to go on with it.

Mr. COSTIGAN. These hon. gentlemen called upon us to bring down our Bill. They wanted the Bill at once. And when it was announced that the Bill would be down in a few days, the hon. member for L'Islet (Mr. Tarte) became anxious. He indicated that he would be forced to vote for the Bill. He left it to be understood that it would draw the lines sharply between Quebec and Ontario. I did not think at the time that that would necessarily follow. It is not likely to follow now, judging from the statements of the hon. gentleman. Then again we have been accused of keeping this question before the country for political purposes. No accusation could be made against a party with less foundation than this. No charge could be so wholly wanting in fair-play—I do not speak of justice, but of common fair-play. The Conservative party has done more to build up this country and establish harmony among its different elements than the Liberal party ever did or could do. The hon. gentlemen have done a great deal in the other direction. The Toronto "Globe" seeks to get back to its old ground of a quarter of a century ago, in order to take followers from the other side. But its former experience will be renewed, an experience fatal to any party. Speaking of the hon. member for L'Islet who speaks now of the Liberal party being the friends of peace and unity, I can only say that he did not always entertain that opinion. I have here a quotation from a newspaper in the province of Quebec dealing with the Prime Minister of the province of that day. It reads as follows, as nearly as can be translated :

FATAL DEMAGOGY.

> The imprudence and political indiscretion of Mr. Mercier have already brought many troubles on our province and our race. It was he who provoked the agitation under which French institutions have succumbed in Manitoba, and which has endangered Catholic schools in Ontario. He knows this, and yet, yesterday again, we have him uttering shouts of defiance, appealing to passion and prejudice, and stupidly charging his adversaries with having gone over to the Protestants, and of being in sympathy with Mr. McCarthy, &c.
>
> It is Mr. Mercier's own political friends who are persecuting our co-religionists in Manitoba. It is Mr. Greenway's Liberal Cabinet which has decreed the destruction of our schools and the abolition of our language.
>
> All the fanatics in Canada can find in the First Minister's speech arms wherewith to strike us and reasons for denouncing us.
>
> Within the last two years, through his aggressive and uncalled-for course, we have lost in the Dominion the fruits of the struggles and efforts of a quarter of a century. And now he is beginning his system of provocation over again, in the hope of directing public attention from the gross blunders he has committed in administering the affairs of the country.
>
> We enter our protest against this dangerous and unpatriotic policy.
>
> We call upon all who do not want to see every other race in the country set in battle array against us to put down this demagogy so fraught with the spirit of faction, and leading to fatal consequences.

That paper was "Le Canadien" of May, 1890, J. Israel Tarte, proprietor and editor.

I am sorry to have trespassed upon the time of the House so long at this late hour and I must conclude. I say this, and I say it honestly and I hope that my words will not cause offence to any gentleman in this House or out of it. It has been fairly said that this is a question of the rights of minorities. It happens to be the case of a Roman Catholic minority. To-morrow it may be the case of a Protestant minority. And I repeat that I wish it were a Protestant minority in this case, for I and my fellow Catholics in this House would then feel more enthusiasm and less delicacy in supporting their rights than we do in supporting those of our people of our own faith. I am a Roman Catholic. I have been brought up in that persuasion.

I have been brought up as a Roman Catholic, with a view as broad as our own Dominion, and as boundless as far as true Liberalism is concerned. I despise tyranny, bigotry and prejudice, and because I despise them, I would despise myself if I were capable of distrusting my fellow-men for holding an opposite faith to myself. I believe that a man is not perfect in the eyes of God if he is not able to meet his brother man as God intended he should. I believe when a man allows himself to be swayed by prejudice or narrow-minded views, he shrinks from the full position of manhood. I am a Roman Catholic, and I have stood on the stump side by side with Protestant Canadians, fighting political battles, and I fought as truly for them and the principles we both shared, as if they knelt at the same alter. I am an Irish Catholic, and I have stood on the platform, not only with Protestants, but with gentlemen who belonged to the Orange association. For this I was denounced, but I never made an apology for it. I stood with them, not because they were Orangemen, but because they were Canadians, advocating a Canadian policy. I stood with them because the platform upon which I have always stood is broad enough for every man in Canada, let him be Catholic or Protestant. There is only one line I draw. We have to govern this country by party Government. One of two parties ought to govern this country, one party must be more acceptable to the country than the other, and share to a larger extent its confidence. That is the party that ought to govern the country, and within that party, in this country, there must be Protestants and Catholics, there must be Frenchmen and Englishmen, Irishmen and Scotchmen, and men of all nationalities who dwell in this country. The only dividing line that I recognize in the halls of Parliament, aye, and if justice were done, the interests of this country were to be studied, the only dividing line which any of us should recognize, is that which divides the two great parties of this country in their general policy of administration. Therefore, I hope, that we shall never reach a time when any other line shall be drawn than this one. Now, if that condition of things should be broken into, if it should be strained, it will be from efforts of men misguided in their judgment. I hope, but the breaking in, or the straining, will not sunder the political lines that are laid down strongly, and upon which the future of this country depends. If the day should come that we should depart from these lines, it would be a misfortune. I hope that in my day I will stand in public life, or in private life, on the same lines where I have always stood, side by side with Canadians who agree with me on the public questions of the day, without asking in what church they worship, or to what nationality they belong. But in this school question which has been discussed by speaker after speaker, whether on its constitutional aspect or otherwise, when you wipe away the cobweb, what do you find ? There is a grievance, not a doubt about that. No man dares to say there is not a grievance. There is a power vested in this Parliament to remedy grievances of that nature a power provided by the constitution ; no man has dared to dispute that. The grievance exists to a little minority. We are a powerful Parliament, a powerful people, boasting of our broad views, boasting of our generosity, all extolling the glowing future we look forward to for this country ; and are we to be guided by these giant intellects, these constitutional—I will not use the words I might use, as you might correct me, Mr. Speaker, —I will say, debaters, who split hairs, not with a view of coming to the relief of the minority who plead for protection and generous treatment ; but who split hairs and say : The minority is right, we sympathize with them, but that t never was crossed, the i in that section never was dotted. Let them suffer constitutionally, we must stand by our interpretation of the constitution. In my opinion the interpretation of the constitution is that which has been given by the highest court in the Empire, and it is an interpretation which accords with natural rights. The hon. member for Bothwell has shown that the tribunal to which we have appealed is not a Canadian tribunal it is not even the tribunal for England ; it is the tribunal for Great Britain, for Ireland, for Canada and for every British colony in the world. Its decision has been binding heretofore, and this is the only case in which I have ever heard its decision called in question. Therefore I may fairly ask every hon. gentleman in this House : Why should we not be generous ? I do not ask you to sacrifice one letter of the constitution. But while I would feel justified in asking you for that sacrifice, if it were necessary to do so, with how much more reason have I a right to ask my fellow-members in this House to pass a Bill that does not destroy, or effect or endanger the public schools of Manitoba one iota, but restores to the minority, so far as Parliament can do so, the rights that were taken away, and that we are clothed with the power to restore. I hope the Bill will get that consideration which it is entitled to, which the country will give it when the country is called upon to pronounce ; and when the cobwebs that have been thrown around this question have been swept away, when the people are educated to know what the real facts are, we will be surprised to see how little opposition there is to it, after all.

Mr. EDWARDS. In the discussion of the matter before the House, we have listened to many long and able speeches. Of the hon. gentleman who has just taken his seat (Mr. Costigan) I will say this, that I thoroughly believe in the sentiments he expressed in his closing remarks. I believe he is a man of broad gauge. I have always respected him, and I hope I always shall respect him. Mr. Speaker, the hon. gentleman who opened this debate, the Secretary of State, also made his closing speech to-day, and what did we expect on such an occasion ? We expected some summary of the debate, some argument, and some broad discussion of the question. But after eulogizing the hon. member for Bothwell (Mr. Mills), he devoted himself to the leader of the Opposition, and what did he say ? He said that his speech was eloquent, and he very properly congratulated him on the eloquence of his great speech ; but he said at the same time that it was nothing more or less than a bundle of contradictions from beginning to end. Did he take up that speech, and show wherein the leader of the Opposition was chargeable with one single contradiction ? No, Sir, not at all. He devoted himself to an exultation of his own acts. He also greatly deplored the discord which this debate would create in this country as the result of turning nationalities and creeds against each other. Was there ever a speech delivered in this House more calculated to turn class and creed against each other than the speech of the hon. gentleman ? He is the great I am. According to his own statement, he made in Nova Scotia ; after he made Nova Scotia, he created the Dominion, he is always engaged in the unification of the Empire, and when he has completed that work he is going to tackle the universe. The hon. gentleman claims that in a lecture he delivered as a youth he laid the foundations of confederation. I have always understood that the Hon. Joseph Howe and Sir Alexander Galt were the first men who introduced that question they being followed by Hon. George Brown, and to Mr. Brown more than to any other man confederation is due. I have stated that the speech of the Secretary of State was calculated more than any speech to which I have ever listened to turn creed against creed and nationality against nationality. He has done a great wrong to the country in that regard. But there is a party in this House to whom the country owes a gratitude for the manly position they have taken, I refer to the French Liberals of the province of Quebec. But for them we might have a war of races; owing to their noble conduct, however, they have averted such a disaster. What did the hon. Secretary of State do? He took position after position to show how the Liberal party had been unjust from confederation forward to the Roman Catholic minority. Is the hon. gentleman aware that there is a Conservative party in Ontario? What has been the conduct of that party for many years past? Is that not the party which has attempted to wreck the constitution, to destroy separate schools in that province, to put down the French language. Three successive elections have been run on those lines in Ontario, and the chief of the party who ran the elections in the interest of the Conservatives has received his reward, and is now Chief Justice of the province. From whom has he received his reward? From the very men who are now claiming that they are defending the rights of the Catholic minority. So far as the rights of the Catholic minority are concerned their defence is more largely to be credited to the Liberal party than to any other party in the country. Hon. gentlemen opposite have asserted that the leader of the Opposition was making a great bid for power. The Minister of Finance said the other day that my hon. friend was playing a bold game, he even referred to cards up his sleeves, but the hon. Minister knows more about matters of that kind than I do. The Conservative party to-day, driven into a corner, are making a desperate bid for the entire Roman Catholic vote of the Dominion. But they are not going to obtain it, for the Roman Catholics well know that the present Government have made this school question a political one throughout. They have simply deceived the Roman Catholics, and they in turn do not trust the Government. The Liberal party are a party that will not do more for Roman Catholics than for Protestants, but will mete out equal-handed justice to all. As regards the question before the House I am not afraid, as I have never been afraid, to state my own views and position upon it. My views no doubt differ to a considerable extent from those held by some hon. gentlemen who will vote as I will vote upon this question. From the speech delivered by the Minister of Finance a few days ago, it was evident that a great change had come over the position of certain parties in this country. I was highly amused to hear a Conservative argue exactly on the same lines so far as the rights of the minorities are concerned as we in Ontario have been arguing for many years past. As I understand the question, separate schools are guaranteed to the province of Ontario under confederation; dissentient schools in Quebec are in exactly the same position. I have always understood that the separate school system originated at the instance of the Protestants of Qeubec. I know this from an acquaintance with dissentient schools in Quebec, that the Protestants of that province will not be willing to surrender them; and I further believe that the Roman Catholics in that province have done even-handed justice to the Protestants and will continue to do so. So far as Ontario is concerned, I believe the same conditions will prevail, and to my mind it is not a question as to whether we like separate schools or not, but the question is what has been guaranteed under the constitution to the minorities in those two provinces in that respect. Those conditions we are bound to maintain. So far as I am concerned public schools will satisfy me and I want nothing more; but I am not disposed to ask other men to take my medicine. As I understand it, the only difference between Protestant and Catholic on this question is one of degree. In Quebec, the Protestants want separate schools, and in Ontario the Catholics want separate schools. It is true the Protestants are satisfied with a less degree of religion in their schools, I believe, than the Roman Catholics are, and it is only in this respect that they differ.

Now, Mr. Speaker, my views on this question are as follows: In so far as the maritime provinces are concerned, I do not think that the Dominion Government would have any right at all to interfere. These provinces had their legislatures before confederation, and no change was made at that time. I believe, that in so far as these provinces are concerned, it is within their own jurisdiction to continue their school affairs as they please. In so far as the provinces of Ontario and Quebec are concerned, we have the separate schools as a fixture, and I do not believe that they will, or can be, changed. Now, then, in so far as Manitoba is concerned, and in so far as any provinces that may in the future come into confederation are concerned, I believe that the same rights should be extended to these new provinces as exist in the province of Ontario and Quebec. In so far as the minority in the province of Manitoba are concerned, I am perfectly willing that they should have well regulated separate schools. I believe that a grievance exists, and I believe that that grievance should be remedied. But, Mr. Speaker, I am not prepared to vote for a law that coerces Manitoba. I believe that that question can be settled in a far quicker way than by a resort to such means. I believe in the proposition of the hon. leader of the Opposition.

An hon. MEMBER. Of course you do.

Mr. EDWARDS. Some hon. gentleman says "of course you do." Well, whether my leader propounded that doctrine or not, I would certainly believe in it. I have said, Sir, that a grievance exists, and that that grievance should be remedied. But, Mr. Speaker, I further believe, that the Government have been playing with this question for the last six years. I am not a lawyer, and I do not pretend to know anything about constitutional law, but there is one thing which appears very strange indeed to me, and that is, that this very Government which allowed the Manitoba School Act to become law, asks us to-day to wipe out that Act by legislation in this House. Why did they ever allow the Act to go into force, when they could exercise the veto power. So far as I am concerned, their course seems to me to be devoid of reason and common sense. It seems to me perfectly absurd, that this Government which allowed the Act to go into force, and who put themselves under the shadow of the courts of the land, until finally they are driven into a corner on the question, should come and ask this Parliament to restore the school laws of Manitoba which existed before 1890, and which they themselves allowed to be abolished. Although I do not believe in disallowance generally, I do believe that this Act of 1890 should have been disallowed. Strongly as I believe in restoring their rights to the minority of Manitoba, I am not prepared to vote to-day for this Bill, because I believe that a joint commission appointed by this Government and by the Manitoba government, would arrive at a solution of the question, and would settle it in a manner far more satisfactory to the country than by making it a political question as has been done. Mr. Speaker, I will not delay the House any longer. There are several other gentlemen who wish to speak. I have expressed my views upon the subject and I have nothing more to say.

Mr. FLINT. Mr. Speaker, with the very excellent sentiments expressed by the Minister of Marine in the closing passages of his speech, I think we must all agree. He referred to the spirit in which a question of this kind should be approached, and I am certain that no one could take any exception to his language in that regard. We all agree, that in connection with a matter of such far-reaching importance, a matter which affects so profoundly the feelings of almost all the people of Canada, every hon. gentleman in this House should approach such a question with a calm, impartial and open mind. But, I think, even on the part of the hon. gentleman to whose speech I have referred, there has been a disposition to depart from his own rule of action. I could see from his observations, from the manner in which he introduced the name of the Toronto "Globe," and from the manner in which he alluded to the hon. member for Simcoe (Mr. McCarthy) in connection with the leader of the Opposition, that there was an absence of that very laudable spirit which he professed a desire to encourage. I think furthermore, that in the allusion the hon. gentleman (Mr. Costigan) made to the circumstances under which the Manitoba School Act of 1890 was passed, he showed a partisan feeling which is not entirely commendable. His attack was not solely upon the spirit which he deemed to have actuated those who passed the Act of 1890, but his attack was upon the Liberal party of the province of Manitoba, as the instigators and promoters of bad legislation. Now, Sir, I think that a reference of this kind was not called for, nor was it justified by the history of this case. It is known to be a matter of record, that as regards the school legislation of Manitoba, the Conservatives of that province were as thoroughly devoted to its principles as were their Liberal opponents. In fact, Sir, if ever the people and public men of Manitoba were united upon any one question, they are and have been united upon this question, as to the best means of administering and legislating as to education. The hon. Minister of Marine, referring to the exercise of the power of disallowance, and to the various pretexts given by different administrations for exercising that power, said that this was the only case in which the authority of the highest tribunal in the Empire had been disputed. Now, I meet that statement by asking gentlemen to look back through the whole course of this very important, very able and very interesting debate, and they will find that every gentleman who has spoken on either side of the House has referred to the decision of the Imperial Privy Council with the greatest respect and deference. This discussion has shown us to be united in accord with the decision of the judges of the Imperial Privy Council, in showing the greatest respect to their judgment, according to it the highest possible authority. In fact, we are all appealing to the constitution. When one side of the House undertake to represent that they alone are the champions of the constitution, and that those who dispute with them as to the details of this measure, or as to the best methods of dealing with it, are antagonistic to any part of the constitution, they are making statements that are not warranted by any remarks that have been made during this discussion. This debate, Sir, is no doubt, destined to be historical, not only on account of the importance and interest of the questions that have been discussed, but on account of the large number of experienced and able public men who have participated in it. One incident of great interest, and not without some dramatic force, was that of the hon. leader of the Government (Sir Charles Tupper) addressing himself a second time to such features of this question as appeared to him important. With the exception of a few days ago, when the hon. gentleman entered this House, the last time that I had the privilege of seeing or hearing him, although we come from the same province,and not a large province in area either. was no less than thirty years ago. The hon. gentleman was then in the prime of manhood. and in the full exercise of his great physical and mental powers. I had the privilege as one of a group of young men of attending a meeting at the county seat of the county of Cumberland. With a great deal of curiosity and the natural interest pertaining to youth. we listened to the speech of the then leader of the Nova Scotia government. Although that was thirty years ago. I had not the pleasure of again hearing that distinguished gentleman until he entered this House as leader of the Government here. I can well recollect the vigour and the fervour of the sentiments of the speech delivered by that gentleman on that occasion. The burden of that speech. which I greatly admired. and which. so far as the local politics of Nova Scotia was concerned. was one of great value. was the advantages of the public school law which through his efforts had been placed on the statute-book of the province. He very properly won my regard. as the champion of a system of school legislation. which is almost precisely similar to the legislation in the province of Manitoba which to-day he has so vigorously denounced. The claim which the hon. gentleman then made to fame. and to the support and esteem of the people of Nova Scotia. was that he had the courage to join with his political opponents and had swept out of existence the old system of public school education. and had established in its place the admirable system which up to the present day we enjoy. There is no doubt as a historical fact that the action in the school matters taken by the Nova Scotia government of 1864 was not favoured by the Roman Catholic citizens of that province : and when the hon. gentleman undertakes to tell this House that his action did meet with the favour and support of the Roman Catholic citizens of Nova Scotia, I think he is not fairly representing the history of that question. The purport of the observations made by the hon. gentleman at that time was that the school reform had been eminently successful : that he was surprised and gratified ; that. notwithstanding the prejudices which had been evoked by that attempt at school reform and notwithstanding the evidences of feeling in certain quarters, he was pleased to observe that. in the main throughout the province of Nova Scotia the change from the old system of denominational schools. separate schools and voluntary schools. assisted by the state in various ways. to the free school system we at present enjoy. had met with a very large measure of support and encouragement. And he indicated further the quarters from which he had still met some little opposition. The quarter from which he had most opposition was the county of Antigonish. and we know. as a matter of fact, that the Roman Catholic people disapproved, to a very large degree. the sweeping nature of that reform. and did endeavour. properly and reasonably considering their views on the subject of education. to have a modification made in the school law of 1864. At any rate. that measure has been eminently successful. and although from the first time I attempted to exercise any political influence. down to this hour, I have been politically opposed to the hon. Secretary of State. I do give him a large amount of my respect for his share in establishing the school law of the province of Nova Scotia. I am not inclined, nor are the people of Nova Scotia generally inclined, to attribute to the hon. gentleman the full amount of praise which he claims for himself. but we do admit that he deserves credit for having taken up this question and settling it with the assistance of those politically opposed to him. As showing the feeling of the Roman Catholic people of Nova Scotia towards the Conservative party generally. I will read a short extract from a letter. under the signature of a gentleman who subsequently became very prominent in the public life of this country. The Conservative party to-day claim to be the special and peculiar friends of the Roman Catholic people. and while I make no charges against them. yet I do think that the signs are apparent everywhere, throughout the speeches of the Secretary of State and of other hon. gentlemen on that side, that they do intend to pose as the special champion of our Roman Catholic friends. In the province of Nova Scotia, about the year 1877. a certain able gentleman in the city of Halifax was solicited to enter political life for one of the most important counties of Nova Scotia. It was the seat of an Episcopal See, it contained a large number of the most intelligent Roman Catholic citizens in the Dominion. and this gentleman expressed to one of the leading persons who were endeavouring to induce him to enter on the career in which he afterwards became highly distinguished. his opinion as to the feeling of the Roman Catholic people towards the Conservative party in these terms :

Halifax, 29th Oct., 1877.

My Dear Sir,

Your letter of the 23rd has just been received, and is very gratifying indeed. The arguments contained in yours of the 18th were quite convincing, and since my telegram, I have not modified my resolution to go ahead. let the consequences be what they may. Your last letter removed all apprehensions of defeat, but even if defeat were certain, I am quite ready for the contest, if my friends and the party think (as they do) that I should go ahead. The future movements I leave entirely in the hands of his lordship and yourself, and my other friends, holding myself in readiness to obey at any time. If you have any suggestions to make, I will be glad to have them ; until they come, I presume, I am to remain passive.

If this matter should result in my getting into public life, I sincerely hope that I shall be able to prove to Bishop Cameron that his trust has not been misplaced, although his opinion of my capacity may have been too high. You are aware that nearly all the difficulties with which Catholics have had to contend in matters of local legislation, (education, for example), have come from members of our party. That is the great cause of our being unable to carry sufficient Catholic support to make the seats in Halifax secure. I flatter myself if I obtain a seat in the House I can effect a considerable change in that respect, and the obligation to do so, I shall regard as more sacred than any other. The promises of a candidate do not count for much, but if I get the opportunity, I will make mine good.

With renewed thanks to Bishop Cameron and yourself.

I remain, yours, etc.,
(Sd.) JNO. S. D. THOMPSON.

The Hon'ble W. Miller.

Now, that letter is a fair, moderate and candid statement of the actual situation. And I think that it does not come with very good grace from the hon. Secretary of State to demand that that whole question should be opened up in this House, and that there should be an effort made to controvert the notion which he desires to spread abroad, that he is and always has been, peculiarly, and above all other public men from the province of Nova Scotia and in the Dominion of Canada, the friend and the champion of the Roman Catholics. The insinuation is not correct. There is not the slightest foundation for it. In fact it has been the interest of all public men of Nova Scotia, as it is the interest of every public man in the Dominion, to stand well and be popular with his fellow-Canadians of the Roman Catholic faith. And we are perfectly aware that any man who is so narrow, one-sided and apparently hostile to the feelings of interest of that class of people deservedly does not receive that amount of support which he otherwise would and ought to receive. Consequently I think that the length to which the Secretary of State dragged this question into debate was certainly uncalled for by anything in the Nova Scotian portion of his career. He took up a great deal of time in an indignant repudiation of the remarks made by the hon. leader of the Opposition with reference to his conduct and the negotiations which led to the bringing of Nova Scotia into this union. I do not propose to follow that hon. gentleman through his defence. I think that every hon. gentleman in this House must agree with me that the extent of his defence and the long historical references he made to all the public men of that day, and the indignant warmth with which he undertook to repudiate the few remarks of the leader of the Opposition, were entirely uncalled for. I might quote from the debates of the province of Nova Scotia in 1864, a speech which is a perfect transcript of that which the hon. gentleman delivered to-night. He commenced with the lecture on confederation which he delivered at St. John, when a young medical student, and went into a long and elaborate defence of his conduct. I am willing to admit that, as a mere quotation of legislative resolutions, the hon. gentleman made out a fairly good case. It is only when we go behind the official record to ascertain the facts that we know that the charge made by the leader of the Opposition is correct, and that the elaborate defence of the hon. gentleman, although perhaps in some particulars historically accurate, does not fairly represent the true conditions of the case. The point made by the leader of the Opposition was this—that though your powers may be exercised legally and constitutionally, they may be so exercised that the worst effects may follow. The constitutionality of the manner in which Nova Scotia was brought into the union has never been seriously disputed, but that the manner of it impaired the usefulness of confederation so far as Nova Scotia was concerned for many years, the fact that it led many patriotic and devoted Nova Scotians to entertain a feeling, if not of antagonism, of less warm affection for the Dominion of Canada, is indisputable. The hon. Secretary of State, though he may have proceeded constitutionally, though he may show that he was attempting to carry out the pledges made to Hon. George Brown and Sir John Macdonald, and though he may have been backed by the Secretary of State in England, still the people whom he should have asked to back him, and to whom he should have given pledges, and who would have backed him had he left the question to them as Tilley did in New Brunswick, objected to his treatment of them and, as he admitted this afternoon, swept his party out of existence for the time being. When the Secretary of State brings in names of a number of prominent and reverèd Roman Catholic bishops, clergymen, and citizens and insinuates that the leader of the Opposition by making the charge he did was reflecting upon these gentlemen, we all can see the purpose for which he makes that insinuation. A man may have honestly supported the hon. Secretary of State in the course he took, as many did, but the feelings roused in Nova Scotia by his course was one of indignation in which men of all political parties joined. The hon. gentleman's whole speech seemed to me devoted to two things—first, a long and painfully elaborate defence of himself against this charge, in which he did not succeed as well as his friends must have desired, and second, a carefully planned and systematic effort to arouse racial and religious prejudices. It is much to be deprecated that a gentleman of his eminence and political experience should join together the names of the leader of the Opposition and the member for North Simcoe (Mr. McCarthy) to show that the Opposition leader was playing a second to the hon. gentleman from Simcoe and should, without the slightest particle of evidence and, in fact, against the evidence actually insinuates that the motion of the leader of the Opposition was inspired by the hon. member for Simcoe after conference between the two. That was characteristic of the hon. gentleman. Then, Sir, when he thought of the feelings of the minority, the English language seemed to be too weak to express his bursting indignation. The man who carried successfully the school law of Nova Scotia ruthlessly striking at the prejudices of Roman Catholics and who boasted of it for many years afterwards, stands in this House to-day wringing his hands and almost wailing because the rights of the minority in Manitoba have been taken away by precisely similar legislation. Not content with exaggerating the extent of the grievance, he lengthens out the time of the minority's suffering, and charges the whole of it to the Opposition in the House of Commons who have had nothing to say in these negotiations and no control over legislation, and who have had nothing to do with this question until it became of such an acute character that they were called upon to take part in the discussion. It is another case of the wolf and the lamb. Hon. gentlemen opposite have roused these prejudices, they have mismanaged and bungled this question, and now they are laying the blame for their difficulties upon the leader of the Opposition and those who support him. Do hon. gentlemen suppose that the people are so ignorant of the history of this question, so illogical in forming conclusions as not to know where the blame lies and understand who are responsible for its proper solution? The hon. Secretary of State was charged with the introduction of this Bill into the House. And we certainly expected from him a far different speech from that he delivered on the 3rd March. From the fact that he was not a lawyer and from the further fact that he had come into the discussion at a time when it was comparatively late in its history, he would be open to censure for attempting to introduce a measure which he himself declared was of the most transcendent importance with the small degree of knowledge and the small degree of preparation which he seems to have given it. We certainly learn nothing new in the historical account which he gave of the inception of the confederation scheme, and the part played in the settlement of the terms of that contract, by the school question in the province of Quebec and Ontario. The hon. gentleman's whole argument was that had not that precise agreement been made, had not that compromise been made between Ontario and Quebec with regard to the school question, we would have had no confederation of these British American colonies. Why, Sir, the same might be said of any other question which was settled in the London or Quebec conference. I fancy that, that if the delegates had not been able to agree upon financial arrangements which were satisfactory to the provinces, the confederation scheme would have failed: I fancy that if the delegates had disagreed as to the proper distribution of local and federal powers, there would have been no confederation. But the fact that they did agree upon all these questions, is after all, entirely beside the question, because the Ontario and Quebec school compromise has nothing whatever to do with the Manitoba school question. This has been solemnly decided by the Privy Council, to which decision we all bow, and from which we all quote. A great deal has been said by the Secretary of State and by the Minister of Marine and Fisheries, in commendation of the very able address made to us to-day by the hon. member for Bothwell (Mr. Mills). When that address is published, I have no doubt that the students of this question will read it with great interest and benefit. But, Sir, substantially we have all agreed on the principles laid down by him, and although we have not all been able to reach that conclusion as the results of the same depth of research, as a result of the same wealth of illustration, as a result of the same amount of legal and constitutional knowledge, yet the general consensus of opinion on both sides of the House is substantially the same as that of the hon. member for Bothwell; and his able address will tend to crystallize and strengthen the opinions which have, perhaps, been more hastily formed by others. After all, what does his address substantially amount to? That the powers of legislation upon this question was, under certain circumstances, thrown upon this Parliament, and that in consequence of the decision of the Privy Council, in consequence of the remedial order, and in consequence of the declination of the Manitoba government to obey that order as literally as it was given to them, this Parliament was vested with jurisdiction. But when the hon. gentleman reached the real question at issue, when he came to the question on which we were longing to obtain his advice, did he not fully support the stand taken by the Liberal leader in this House, and did he not oppose the whole proceedings of the hon. gentlemen who are endeavouring to force this Bill upon Manitoba? His contention was that although the power and the jurisdiction lay here, although a constitutional duty was thrown upon us to act in the premises, yet that the Government, by the manner in which they had done their part, had not placed this House in proper position to legislate intelligently upon one of the most important subjects ever committed to our trust. Now, Sir, during this whole discussion, we must have noticed a disposition on the part of hon. gentlemen opposite, from the Finance Minister down to his less experienced supporters and colleagues, to drag in and utilize the very spirit they profess so loudly to condemn. We know that the public men in Ontario are divided into more than one camp in regard to their treatment of the school question, and in regard to questions which concern our Roman Catholic fellow-citizens. We know that some of those public men have built up their political position largely upon agitations of this kind. We know that one political party has utilized to an unwarranted degree, a certain prejudice in Ontario, in order to support and uphold their political opinions and certain men, on account of their great talents and their extensive popularity, have achieved an eminence in the province of Ontario which have rendered them very unpopular in the neighbouring province of Quebec. No one questions their patriotism, nor their ability, but owing to the stand they have taken, no doubt conscientiously, they have created prejudices against them among the public men and the public spirited people of the province of Quebec, who have not sympathized with their views in regard to the designs, the policy, and the objects of the Roman Catholic Church. But utilizing that feeling, there has been shown by the occupants of the treasury benches and their supporters, a studied artifice to connect the names of prominent leaders of the Liberal party with the name of the grand sovereign of the Orange Order, and the name of the hon. member for Simcoe (Mr. McCarthy). They have utilized religious prejudices in order to enlist the feeling of the people in one portion of the country against the action which the leader of the Opposition may take. And they showed with great glee and with a large pretense of humour the apparent inconsistency of hon. gentlemen on this side of the House, and some hon. gentlemen on the other side who seemed to be united in supporting the six months' hoist of the Remedial Bill. The Minister of Finance indulged very largely in this style of discussion. He sneeringly intimated that there was something passing strange in the temporary union of the hon. member for North Simcoe (Mr. McCarthy) and the leader of the Orange Order with the leader of the Opposition and many of the French Liberal representatives, utterly oblivious of the fact that there was the same inconsistency as regards hon. gentlemen opposite supporting this measure. For example, there are such men as the leading whip of the Conservative party, and the hon. member for Ottawa (Mr. Devlin), and the hon. member for Berthier (Mr. Beausoleil) supporting and joining, as they probably will in a short time, with prominent members of the so-called Protestant party of Ontario to oppose the six months' hoist. But there is nothing logical or reasonable in that line of argument. It has the appearance of plausibility, it tends to create prejudice, but it is utterly illogical as a self-contained argument. Let us assume, as we have a right to assume, that the hon. member for L'Islet (Mr. Tarte) is opposed to this measure because it is utterly inadequate to effect the remedy called for. Let us suppose that the hon. member for Arthabaska (Mr. Lavergne), one of the most eminent lawyers in the province of Quebec, and the hon. member for Quebec Centre would oppose this Bill because they believe it to be utterly unconstitutional. Let us suppose that other hon. members on this side of the House would oppose it because it is too weak to be of any value, and they desire to strengthen it if it can possibly be done. Let us suppose that one hon. member opposes the Bill because he is opposed to separate schools altogether, another because he does not believe in interfering with Manitoba, another because he does not believe any substantial grievance exists in the province of Manitoba, it is not an argument against the Bill to oppose it, because one hon. member is opposed to interfering with Manitoba, another is opposed to separate schools, another thinks the grievance amounts to nothing, another the Bill is utterly inadequate, another because the Bill is unconstitutional and unworkable. It is consistent and logical to oppose the Bill on the particular ground which strikes his judgment as proper. The insinuation is utterly absurd and fallacious, and I am surprised to find hon. gentlemen who pretend to be public men undertaking to pursue such a line of argument. The hon. member for East Durham (Mr. Craig) in a very moderate speech in opposition to the Bill, speaking as a strong Conservative regretted very much to part with his political associates on this question, concluded by giving four reasons why he opposed the Bill. These reasons were: 1. He did not deem the grievance one calling for intervention; 2. he thought there would be great difficulty in enforcing the Bill; 3. there would be no real benefit accruing to the minority; 4. because being a true Conservative, he thought it was not Conservative politics to undertake the line of legislation which the Government have pursued. If it is perfectly consistent and logical for one fair-minded and intellectual gentleman to oppose the Bill on these four grounds, certainly it is logical, consistent and proper that twenty, thirty or forty or more members should combine to oppose the Bill on grounds on which they might differ individually, but upon which they could combine as an active body to destroy that which they consider unwise and disastrous. The Minister of Finance has made a speech which I think has received more encomiums than it legitimately deserves. We are all aware the hon. gentleman possesses the gift of language, that he has a very fluent expression, a supple intellect and is distinguished among his fellow-members for facility of expression and the order and sequence in the arrangement of his thoughts which make him a very pleasing and interesting debater on any question he chooses to discuss. But when we listened to him the other day, and we subsequently analyse carefully the speech he addressed to the House, I think the feeling will be that "all was false and hollow." The hon. gentleman could just as easily have given the House an able and eloquent speech on the other side of the question if he had seen fit, and if it had suited his political or personal interests to do so. His harangue reminded me of a story told of a gentleman residing in the county of Carleton, N.B., who, speaking at a religious meeting on one occasion, describing the circumstances of his conversion to Christianity. He said: "Dear friends, I was converted under the preaching of the Reverend Jonathan Smith. Ah! he was a sounding brass and tinkling cymbal." I think his Conservative colleagues who were converted by the speech of the Finance Minister might say that he was truly a sounding brass and tinkling cymbal. The hon. gentleman after stating that he disagreed with the Secretary of State as to this being an important and difficult question, and remarking that it is not an important and difficult question, but a very plain and simple one, took two hours and a half in showing the House how plain and simple it was. After claiming that all side issues should be excluded, that separate schools should not be considered, that the term Catholic and Protestant should not enter into the discussion, that provincial rights had no place in it, he proceeded to occupy the time of the House by discussing all these points at great length and quoting from a vast number of authorities. He went through the whole history of the Quebec and Ontario school question; he went through the whole history of the question in Manitoba at the time the provincial Senate was abolished there, and he led up to the Manitoba Act of 1870, the meaning of a clause of which is the only question before the House. He said: that this question was not raised by the Conservative party, but raised by a segment of a hostile party. He told us that it was the Liberal party that unchained the demon of discord in this country, utterly ignoring the fact, that it was not the Liberal party in Manitoba, but a combination of the Liberal and Conservative party there which had passed this Act. He seemed to be oblivious of the fact that the great obstacle in the way of the Premier and the government of Manitoba dealing with this question, is, that they are faced by a Conservative opposition in the legislature, and by the Conservative minority among the people of that province, who will be the first to jump upon them if they make a move to comply with the demand of the Conservative Government at Ottawa. I do not accuse the Conservatives of Manitoba of playing a part, but if any persons are playing a part in this matter, they are Conservatives at Ottawa, who while pressing upon the Liberals of Manitoba to move back upon a policy which is common to Conservatives and Liberals alike have not one word of censure for their Conservative friends there. I believe, Sir, that the observations made against the Liberal Premier and government of Manitoba, should have been reserved for their Conservative opponents who are supporting them upon this school measure. I believe that some of the severe language from hon. gentlemen opposite should just as well be applied to the Conservatives as to the Liberals of that province. The hon. gentleman (Mr. Foster) then spoke of good faith, and after quoting the constitution, and the alleged compacts, and referring to bills of rights, he pleaded in eloquent language for the observance of good faith. That came with very ill grace from one, whose career has not been eminently identified with good faith, who at any rate has been complained of, for his want of good faith, in many of the transactions of his somewhat checkered political career. The hon. gentleman did not keep as good faith with the prohibition element in this country, as they would like him to do. He admits that it was in a moment of weakness he departed from the straight line he had taken, in his callow days of enthusiastic and heartfelt sympathy for the struggling part of our population, who are endeavouring to remedy the evils which this country labours under in the traffic in intoxicating liquors. The hon. gentleman has not been conspicuous for observing good faith in connection with the leader of the Government, or in connection with his colleagues in the Administration. It is upon the records of this House that he entered the Administration with many misgivings; that although he took the oath of fealty to the Prime Minister with misgivings, that during the whole period up to the first day of January, 1896, these misgivings and these feelings of want of confidence continued to grow, and yet, he remained in the Administration. He left himself open to the observation of the Prime Minister: that he was one of a nest of traitors who were conspiring to cut the throat of their leader. I think, Sir, that this dwelling upon the question of good faith, on the part of that hon. gentleman, was singularly ill-timed. Yet, Sir, upon this very question before the House, I think it can be easily shown that he and some of his colleagues have not kept good faith with the Catholic people, whom they are now so noisily pretending to champion. I have the opinion of the late hon. Minister of Agriculture (Mr. Angers), as to the faith which this hon. gentleman (Mr. Foster), and some of his colleagues have kept with him, and with his Catholic fellow members in the Cabinet. I think, Sir, you will find, that Mr. Angers' opinion is, that had it not been for circumstances over which some of these hon. gentlemen had no control, they would have been only too happy to have this whole question shelved for all time to come. I will read what the Hon. Mr. Angers said of his colleagues in the Cabinet, and we will see what his opinion must have been of the good faith of some of the members of the Cabinet who are now violently championing this remedial legislation :

Mr. Angers on the Situation.

> Quebec, Dec. 11.—The Cartier-Macdonald Club held a general meeting on Monday night at which the Hon. A. R. Angers was present and at which an address was presented to him by the president, which is extremely significant of the attitude of this important Conservative club towards the present Ottawa Government, one paragraph of the document distinctly stating that the members of the organization firmly believed that the whole province was with him in the stand that he had taken in the Manitoba school question, which they heartily approved. In his reply Mr. Angers declared, among other things, that he hoped to be mistaken, but he saw, unfortunately, nothing which presaged that the rights of the Manitoba minority were likely to be more protected now than they were when he left the Government ; that there was still an utter lack of unanimity in the Cabinet on the head of remedial legislation as evidenced by recent speeches in the Ontario by-elections. In this connection he also remarked how singular it was to see those who were honestly in favour of remedial legislation go out of the Cabinet, while those who were opposed to it remained.

This is the opinion of a gentleman who knew what was going on in the Cabinet, who knew the sentiments of the gentlemen who went out and of those who stayed in. He (Mr. Angers) tells us, and confirms the impression which had gone abroad from all the collateral circumstances of this case : that the section of the Cabinet of which the hon. Finance Minister was one, was opposed to remedial legislation, while another section, of which he was a member, was strongly in favour of remedial legislation. So, we know that this war which has now spread through the country, was going on within the Cabinet, and that the gentlemen who are championing the British constitution, the men who are pleading for good faith now, were fighting in the Cabinet in order to keep this remedial legislation out of Parliament, if possible. I think, Sir, that we must agree that those who call upon us to observe good faith, should at least be conspicuous examples of the same virtue. But, Sir, as another illustration of the strong feeling that hon. gentlemen opposite entertain as to the compelling character, upon them of the decision of the Privy Council, as to the fact that they are bound loyally to uphold the constitution, and by their oaths of office bound to carry this remedial legislation through this Parliament ; let us consider the situation as developed in the attitude and conduct of the ex-Minister of Justice (Sir Charles Hibbert Tupper). It is no secret whatever that his plan was to pass the remedial order, and then to go at once to the country. It is no secret, that that plan met the approval—perhaps not of a majority of the Cabinet, but of a large number of the Cabinet ; and that in so far as remedial legislation was concerned, the suffering minority of Manitoba could go to the winds for all they cared. They were going to pass the remedial order, dissolve the House, and go to the country. Upon what ? Upon remedial legislation ? No, Sir, but upon the false and hollow declarations of the remedial order. While one section of the Cabinet could take that order in their hands in the province of Quebec, and in counties like Antigonish, and holding it up as the policy of the Government to demand votes of their Catholic fellow-citizens, another section of the Cabinet, with the same remedial order in their hands, could say in another part of the country : "This remedial order is a matter of no consequence ; it is a mere official declaration of the decision of the Privy Council, which we pass on to the Manitoba government to deal with as they see fit." Thus we see the champions of the constitution, these champions of good faith and of the suffering minority, doing all that lay in their power to prevent that minority obtaining any redress. A great point made by the hon. Minister of Finance, by the hon. member for Richmond (Mr. Gillies), and by other hon. gentlemen, has been that this Government have done all that could be reasonably asked of them in the way of attempts at conciliation. They point out the various steps taken towards bringing this matter before Parliament to be dealt with legislatively ; and they say they have carried out to the fullest extent the policy laid down by the leader of the Opposition in that respect. Let us examine a little into this, because a great many persons have felt that it was a legitimate argument, and that the utmost efforts at conciliating the province of Manitoba should be made, not so much to give this Parliament jurisdiction as to give us a moral claim to act on that jurisdiction, and to challenge public support upon that action. And here comes in the force of the observations of the hon. member for Bothwell (Mr. Mills). It is as important, nay, more important, in a freely-governed country like this, that you should convince people at large, that you should have their good-will for any important measure, than that you should have the jurisdiction over that measure. Has it not been urged here, on the temperance question, as well as on other questions that although you can make a clear and logical argument on the question, though you may have jurisdiction, you must have, as a fundamental preliminary to legislation, a large, overwhelming popular sentiment in favour of it. What steps have the Government or their supporters taken in connection with this embarrassing, difficult and painful question, to conquer public sentiment throughout Canada or throughout Manitoba, and to obtain popular endorsement of the action of Parliament, in undertaking to pass a coercive Bill. In one case the Government have acted as a court, in the other case as a sheriff's officer. In no case have they acted with a due regard to the sentiments of the people who are chiefly concerned in the settlement of this question. Can they suppose that by any order or declarations of theirs, or by any legislation they may obtain in this House, they can within a few weeks or a few months change the feelings and the policy of the people of a large province—an intelligent people and a young and progressive province in this Dominion—or that they can change the sentiments of the people throughout the whole Dominion ? It cannot be successfully denied, in regard to the last communications, that passed between the Dominion Government and the government of Manitoba, that there were conciliatory replies from the government of Manitoba ; and hon. gentlemen opposite have been forced to go back to what they call their conciliatory order of July 26th, 1894, in order to find a pretext for demanding legislation now. The Manitoba government have certainly intimated that they might look into this matter : they have agreed that an inquiry would be of some value and have promised cheerfully to assist in such an inquiry. That cannot be denied, because it is a part of the record But hon. gentlemen go back to July, 1894, and say : "The Dominion Government sent a communication to the government of Manitoba, which was treated with contempt ; it was not laid before the legislature : and therefore are we not justified in taking hold of them with a firm hand, and acting up to the full of our jurisdiction." Now, let us see what this pretended offer of conciliation was, and the circumstances under which it was issued. The Order in Council of July, 26th, 1894, was passed in consequence of a petition to the Government of Canada by the bishops and clergy, asking them to disallow the Act of Manitoba of 1394, and to make such provisions and give such relief to the Roman Catholics as the Government might see fit, and to communicate with the Lieutenant-Governor, in order that, by amendments, redress should be given to the Catholics. This was a petition to the Government to disallow a certain Act of Manitoba and to make provision for the relief of the Catholics. The Government then issued their conciliation Order in Council. They did not accede to the prayer of the petition, which asked for disallowance. These men, who saw the suffering, struggling, starving minority, and had received this initial petition, transmitted the petition and the order to the authorities in Manitoba. They simply made a rough copy or analysis of the petition, and passed it on to the government of Manitoba, with some goody-goody observations as to the benefits of fair legislation. I would like to say that this order did not make any request to Manitoba at all. It was simply an Order in Council which was transmitted to the province of Manitoba. There was no request to the people of Manitoba to do anything to remedy the grievance of the minority. This is all they said :

> The committee beg to observe to Your Excellency that the statements which are contained in this memorial are matter of deep concern and solicitude in the interests of the Dominion at large, and that it is a matter of the utmost importance to the people of Canada that the laws which prevail in any portion of the Dominion should not be such as to occasion complaint of oppression or injustice to any class or portion of the people, but should be recognized as establishing perfect freedom and equality, especially in all matters relating to religion and religious belief and practice : and the committee therefore humbly advise that Your Excellency may join with them in expressing the most earnest hope that the legislatures of Manitoba and of the North-west Territories respectively, may take into consideration at the earliest possible moment the complaints which are set forth in this petition, and which are said to create dissatisfaction among Roman Catholics, not only in Manitoba and the North-west Territories, but likewise throughout Canada, and may take speedy measures to give redress in all the matters in relation to which any well-founded complaint or grievance be ascertained to exist.

It was simply a general statement without any special request or argument. What did the government of Manitoba do with that request ? They ignored the uncourteous manner in which it was sent to them, and courteously replied to it by a lengthy argument, in which, in the first place, they made flat denials of the alleged fact stated in the order, and then entered into a lengthy argument to controvert the intimations contained in that so-called conciliatory communication. They did not refuse to carry out the recommendations made in the order, because there were none of a definite nature made. They combatted the statement of facts, and defended their position in a very clear and able manner. What was the situation of the question when this pretended letter of conciliation was sent to Manitoba? At that time the whole question was sub judice. After the Privy Council had decided that the Act of 1890 was perfectly constitutional and did not infringe on any legal right of any persons in Manitoba, there was a judgment of the Supreme Court of Canada to the effect that no appeal lay from the Manitoba Act. That decision was afterwards reversed by the Privy Council of England, but at the time this conciliatory order, upon which so much emphasis was laid, was sent to Manitoba, all the decisions of the courts were in favour of the government of Manitoba. Was that the time to demand of the people of a free province, to demand of a free legislature, that they should reverse a law which had been held legally binding and justifiable, and from which the Supreme Court of Canada had decided that no appeal lay. The Privy Council of England had not yet given its decision. The conciliatory letter was sent before the argument was had in London, and the reply of the Manitoba government was in the hands of the Ottawa Government before the judgment of the Privy Council was rendered. Consequently, I contend, that the so-called attempt at conciliation number one was a piece of pure impertinence on the part of the Dominion Government. It had no call whatever at that time, to demand the legislature of Manitoba to reverse its action. The contention, therefore, that Manitoba refused to do anything conciliatory falls to the ground, because the Government had no right or standing to send any such request to the Manitoba legislature. It was only after the decision of the Privy Council was given, reversing the decision of the Supreme Court, that this Government had any locus standi to approach the Government of Manitoba.

We have the dates at which these various transactions took place. The judgment was rendered the end of January, 1894. The Privy Council held its session here, I believe, before a final copy of the judgment had reached Ottawa. Manitoba was summoned on the 19th of February, 1895, to the bar of the Privy Council at Ottawa—a sovereign province summoned in that manner, at that time, with its legislature in session, to the Bar at Ottawa. Scarcely any delay was allowed their counsel to make due preparation for argument. The affidavits of the minority, on which the argument might have been based, were withdrawn on the ground that there was not time for the proper answers to be made to them, and the Government proceeded, after hearing the argument, to render this remedial order number one. If that was rendered solely for the purpose of obtaining jurisdiction, there might possibly have been some excuse for it, but the whole course taken by the Government immediately upon the issuing of the order, shows an ulterior design. At any rate when the members of the Government from Quebec had thwarted the conspiracy by which their wishes were to be overruled, when they had brought the Government to time and prevented a dissolution which would have wiped out their chances of obtaining remedial legislation, then the Government began to negotiate more in earnest. After issuing this drastic order, they issued a modified order telling Manitoba it need not mind the remedial order, but that a very small concession would satisfy. To this the Manitoba government made a reply, which has frequently been quoted here, and which was courteous and conciliatory. It expressed the desire for a reasonable inquiry into the facts. Then, at a subsequent period, we have the declaration made in this House that if Manitoba did not come to time within a certain period, remedial legislation would be introduced. The consequences of that conduct were pointed out to the Manitoba government. A threat was held over the legislature and government of Manitoba under this pretended effort at conciliation. They were told of the fearful consequences that would ensue if the Parliament had to take action. They were told, quite correctly, according to the opinion of many legal gentleman in this House, that the legislation passed would probably be a fixture and could not be repealed or amended. Throughout the whole of these negotiations the Government of Manitoba has displayed great ability, and has shown a conciliatory disposition which ought to have been received with greater gratitude and greater appreciation by this Government and their supporters. The crisis has at last arrived. The Government, refusing the reasonable offers of Manitoba to look into the grievances, overlooking their declaration that they only wanted investigation and would cheerfully remedy any grievance that could be pointed out, has introduced this measure and is insisting upon Parliament adopting it. And this brings us to the consideration which many hon. gentlemen occupy in regard to it. If hon. gentlemen opposite find inconsistencies among gentlemen on this side who for various motives join in opposing the Bill and in voting for the six months' hoist, I think there are worse exhibitions on the other side. As typical of these I consider the position taken by a representative gentleman, a representative of the Orangemen of the province of Ontario and of the political views of hon. gentlemen opposite, the hon. member for South Leeds (Mr. Taylor). He is the party whip. He represents the sentiments of a large number of gentlemen who belong to the Orange organization. Not long since I looked up the "Mail" of 19th March, 1895. I had some curiosity to find how the hon. gentleman had declared himself in regard to this question at that time before his fellow Orangemen. There was a meeting of the Orange organization in the town in which he resides. There was a banquet at which were other distinguished gentlemen now on the other side of the House. A part of his speech is as follows:—

> If the Government interfered with Manitoba, he would feel it his duty to oppose them on that question. The subject was for Manitoba to settle.

That was the opinion of that hon. gentleman one short year ago to-day. He said also that:

> He had notified his leaders that he could not support them if they introduced legislation to override Manitoba.

Speaking in this House he said that it was the duty of every Orangeman, it was the duty of every member of the House, to uphold the constitution. He insisted that he was no constitution breaker, and asserted that it was his duty to stand by the constitution. And this is how he proposes to stand by the constitution and remedy the grievance which the decision of the Privy Council shows exists in the province of Manitoba. He thinks the requirements of the constitution would be met if the Bill is read a second time, and then, in committee, is amended so as to destroy separate schools altogether. He reiterated this statement over and over again in various ways. He said he was going to vote for the Bill so as to stand by the constitution and by Her Majesty's Order, and when it got into committee, hang the constitution, hang the decision of the Privy Council—he would do his utmost to destroy the Bill and render it inoperative. If poetry might be applied to the hon. gentleman, it would surely be something like this :

> For ways that are dark and tricks that are vain
> The heathen Chinee is peculiar.

The hon. member for South Leeds differs from the hon. Minister of Finance. The hon. Minister says that the man who wants the refined gold will not kick the nugget aside but will take it and, with the help of the refiner try to get the pure gold out of it. And he adds :

> The man who is in favour of remedial legislation accepts that Bill and does his best in committee to make it as effective as he can according to his views. * * * * If you are against remedial legislation say so and show it by your vote. If you are honestly in favour of remedial legislation, adopt the principle of this Bill and then go to work and make it as effective as possible.

There is reason in the declaration of the Minister of Finance, but it is a severe rebuke to his supporter from Gananoque (Mr. Taylor). He says that he is going to vote for the Remedial Bill, but that he believes it is the very worst thing that can be put upon the statute-book. The hon. Minister says : If you are in favour of remedial legislation adopt the Bill, and go to work and make it effective ; but the hon. member for Leeds (Mr. Taylor) says he is opposed to the Bill, but still he will vote for it, and when it gets into committee, he is going to despise the advice of the Minister of Finance, and do all he can to wreck the Bill, and destroy the chances of the minority. Then the hon. gentleman congratulates himself that he is not a Conservative bigot. There are Conservative bigots, he intimates, but he is not one of them. He reminds me of a story told of a townsman of mine, who, like a great many people in the world, while at home in a temperance community, was a very stout teetotaller. But when abroad, on one occasion, he was seen to be partaking of the social glass, and he remarked to a friend that he was a teetotaller, but he was not a bigoted one. I think the hon. gentleman from Leeds, when he says he is not a bigot, reflects rather severely upon such hon. gentlemen as the member for East Grey (Mr. Sproule) and the member for York (Mr. Maclean), and many other hon. members who take a different view of their duty on this question than he does. Now, there was a declaration made by another hon. gentleman on that side whom I have reason to suspect will not carry out the promises he made. I think he will take the attitude assumed by the other hon. gentleman to whom I have just referred, but that he will not stand firmly where he told the people of Gananoque, on March 18th, 1895, he stood. At an Orange banquet at Gananoque I read that Mr. Hughes, M.P., was present, and he is reported in the "Mail and Empire" as having said that if legislation was introduced to interfere with Manitoba, he would not hesitate a second to vote against the Government. The position of the member for Victoria (Mr. Hughes) is that of the member for Leeds. The former gentleman has placed upon the Order Paper a notice of motion which will carry out his view if the Government gets this Bill into committee ; for he is going to propose a motion which will kill the bill. When we consider the positions of these two gentlemen, we feel satisfied that there are some men who keep the word of promise to the ear and break it to the hope, but there are other gentlemen who will not only make the promise to the ear, but will keep it when the time for action arrives. This, Sir, is a critical moment for many hon. gentlemen upon the other side of the House, particularly for those who have done so much for the last ten or fifteen years to arouse that sentiment in Ontario which is antagonistic to the remedy which the Government pretend they are desirous of applying. Those hon. gentlemen are now brought face to face with their declarations of a lifetime, and I hope they will not disappoint the people who have trusted them, but that they will vote with hon. gentlemen on this side of the House who believe the Bill to be worthless, a mockery and a snare, an unconstitutional piece of legislation, and that, though acting from different motives, they will combine with us for the purpose of dsetroying it. Sir, we have two policies here contrasting, and we have very soon to decide upon which we shall adopt. The policy laid down by the eloquent leader from Quebec has been rejected by the Government, but there are indications that even at this late hour the Government are inclined to adopt that policy, although for the sake of preserving a false dignity, they may desire to carry the second reading of the Bill.

But they have thrown out an intimation that they are willing to meet the Government of Manitoba and talk this question over, and are ready to assume the position they should have assumed a long time ago. Now, I have this advice to give them. There is talk in the papers, I do not know what foundation there is for it, that they would invite the government of Manitoba to a conference, and intimations have been given that for the sake of destroying the party aspect of this question, the leader of the Opposition in this House might be invited to that conference. So far so good. But let me say this to them: If you are going to have a conference, if you are going to invite the leader of the Opposition to that conference you should also invite the Conservative party of Manitoba to send a representative to that conference. You have no right to draw the Liberal party of Manitoba into this compromise and leave the Conservative party in Manitoba free to stab the Liberal government in the back, and use their powerful influence to destroy any result which might be achieved by such a conference. If we are to have a compromise, which I certainly advocate, if there is to be a sincere effort towards conciliation, let all parties be represented. Let the Manitoba Conservatives be represented, let the Manitoba government be represented, and if the Government wishes, and I see nothing unreasonable in it, to have the Opposition in this House represented by their able, patriotic and eloquent leader, then I think we may hope for some peaceful and satisfactory solution of this question. Let us not have a war of litigation, a war of bad feeling, going on between the people of Manitoba and of the rest of the Dominion. You are only at the threshold of the trouble after you pass this Bill. Every hon. gentleman in this House knows that the Bill is not worth the paper it is written on; that if you adopt this legislation you have only begun a career of litigation, an era of bad feeling, which, if it does not rend this country into fragments, at any rate will create passions and intensify antagonisms, which will have a very disastrous effect upon the welfare of this country. I think if we look back upon the record of the leader of the Opposition on this question from the beginning, we shall find that he has never failed to strike a true note from the first time he spoke on it until now. Take his speech in 1893, and you will find that he then adopted the very policy which he now advocates in this House. He then advocated a settlement of this question by Manitoba upon broad and conciliatory lines. He is a representative man, a representative of a great province, of a noble race, and of a great party; and I think that when the people of this country sum up his attitude on this question, and sum up his character as a public man, they will be inclined to adopt the eulogy which was made of another great statesman in the motherland:

Statesman yet friend to truth, of soul sincere,
In action faithful and in honour clear,
Who broke no promise, served no private end,
Who gained no title and who lost no friend.

And who, as a result of his patriotism and ability:

Will live to clutch the golden keys,
To mould a mighty state's decrees,
And shape the whisper of the Throne.

If my hon. friend had been in power with the spirit with which he has approached this question, we would have had no Manitoba school question to-day to agitate this country from one end to the other. It would have been settled long ago upon lines consonant with the dignity and honour and prosperity of the province of Manitoba, and consonant with due regard for the constitution of our country and regard for the truest welfare of the people of this whole Dominion.

Mr. COCKBURN. I do not rise, Mr. Speaker, to discuss the propriety or impropriety of separate schools, or their comparative advantages or disadvantages: that is not exactly the question now before this House. What we are called upon to determine, I take it to be, is whether we are constitutionally and in honour bound, after having heard the appeal of the Catholic minority in Manitoba, to practically restore to them certain educational rights or privileges of which they claim they have been unjustly deprived. No one in this House denies that the legislative assembly of Manitoba was acting strictly within its powers, when it abolished the separate school system, and substituted therefor the public school system as now established since 1890. But it is held that there was a compact made between the Roman Catholics of Manitoba and the Crown of England, as represented by the Government of Canada, in reference to their schools, and that under this compact, embodied in the constitution of Manitoba, relying upon its provisions, that province consented to become part of the Dominion.

I confess that after a fair investigation of the facts, I am unable to see that any such compact was entered into. It is held that though the action of the Manitoba government in the abolition of these schools may be strictly legal, yet that we, the supreme power, the ultimate court of appeal, are in honour bound to interfere and remedy the alleged grievances. Many hon. members seem to argue that because under the constitution, the appeal of the minority must be heard, therefore the terms proposed by such an appeal must be granted. It is a very serious matter, however, to interfere with the principle of provincial autonomy, and it becomes all the more so when such interference is in matters pertaining to religion or education. In such cases religious and racial animosities are readily excited, and it becomes correspondingly difficult to bring a fair, calm, and dispassionate judgment to bear on the question.

Now, this is not a question that appertains peculiarly to the principles of the Liberal-Conservative party. It is a question which chance has forced upon them, or upon their consideration. They did not incorporate it as a plank in their political platform, as they did the National Policy. They are not enamoured of it. They are ready to transfer it to our friends in Manitoba.

Now, what are the facts of the case ? The province of Manitoba after 19 years' experience of the separate school system abolished it and substituted for it a public school system, a system declared by the Judicial Committee of the Privy Council, the highest court in the empire, to be strictly nonsectarian, a system which during 6 years' experience has been twice ratified by overwhelming majorities. The Judicial Committee of the Privy Council tells us, after a most careful investigation, that the legislation of 1890 was quite within the powers of the Manitoba parliament. But it seems that such action created a legal grievance in the abolition of a privilege enjoyed for nineteen years, and that the minority had a constitutional right to be heard before the Governor in Council. They have been so heard, but surely no one will maintain that because a man has a grievance and has the right to have it laid before the Governor in Council, therefore the request contained therein must be granted. We have, it is said, a certain remedial power to so far restore these rights or privileges to the Roman Catholic minority, and by such a Bill as that before us to legislate accordingly, but, surely it does not follow that because we have such powers that we are either constitutionally or in honour bound to do so. There is no such obligation. We must be careful to follow the words of the Manitoba Act, which are that the Parliament of Canada may make remedial laws as far only as the circumstances of each case may require. I can readily understand that in a young and rapidly growing country like Manitoba, the term of twenty years is virtually equivalent to, perhaps, a couple of generations in older and more settled countries where civilization is now hoary with age, and precedents handed down from generation to generation. It needs no prophetic eye to look into the future of our great western inheritance, and to call up before our delighted vision, thousands and tens of thousands of acres, smiling beneath the weight of the golden harvest—the rich reward of the toil of the hardy husbandman. We can conjure up many a stately city, fit rivals to Montreal, Toronto, Halifax or St. John, studding that smiling land, and we can picture it to ourselves as the happy home of millions yet unborn, but who, like ourselves, must tread the world's stage and play their part therein. When I pass such a vision before my inward eye, I feel assured that any attempt to bind such a people with an iron hand must result in failure. Why, Sir, the sons of Manitoba are our own children, bone of our bone, flesh of our flesh, and they would be unworthy of their sires, unworthy of the blood that courses in their veins, if they allowed an agreement made with a few ignorant half-breeds and hunters, and a government, self-constituted, and established in rebellion, a government established without the sanction of our Most Gracious Queen, to dictate for ever regardless of circumstances, the political or educational policy of untold millions of men, as good, as brave, as fearless, as religious and as intelligent as ourselves.

No, Mr. Speaker, in dealing with Manitoba do not let us forget that we are really dealing with the young, vigorous, independent offspring of the great proivnce of Ontario, and that if we try to force upon an unwilling majority, constituting 90 per cent of the entire population, this piece of legislation, we shall foment and keep up bitter religious and racial animosities, and we shall enter upon a struggle, which will certainly alienate from us that young giant province, a struggle too of which no man can see the end, and which all prudent and moderate men will carefully avoid. Sir, it is not the future of Manitoba only that is concerned. The Manitobans and the men of Ontario realize that the question now before us is the future of the great North-west —from Winnipeg to Vancouver, the future of a mighty continent. I am ready to admit the right of an appeal by the minority, be it Protestant or Catholic ; but I say that the country is so far developed, as already to have necessitated the action taken in 1890 by the Manitoba government, even had a constitutional compact existed. The Manitoba constitution is founded as is the constitution of this Dominion, on that of England. Men, in a country, are not made for the constitution, but the constitution is made for them, and if they find that the constitution is a serious hindrance to the national development, if they find that the national welfare, the peace, safety and prosperity of the people demand a change in the constitution, or a part of it to be left, temporarily or permanently, in abeyance, then their wishes must ultimately be obeyed. The supreme law in every country is the safety, peace and prosperity of the people—ultima lex, suprema salus republicæ. It is in obebedience to this principle that, as the member for East York (Mr. Maclean) ably expressed it the other evening, the privileges, though embodied in the constitution, enjoyed by the nobles, the clergy, the guilds, the great universities, and other corporations, were gradually abolished, though each of these parties had a legitimate grievance and right of appeal. Why, Sir, when the union between England and Ireland was effected in 1801, the Church of England was solemnly declared by the constitution to have been established "in full force, to be an essential and fundamental part of the union for ever"—in secula seculorum—but when the welfare and peace of that island seemed to require the abolition of the state church, it was abolished ; so too in the United States, where there was a written constitution, slavery had been solemnly engrafted on the constitution, but with the growth of freedom and the enlargement of our ideas as to human rights, that system was ruthlessly swept out of existence, with no Remedial Bill to make amends for the loss sustained, even by those slave states which had remained faithful to the union, and had shed their blood freely in its behalf. So also, in the case of the Land Act in Ireland, and of our own Clergy Reserves and Seigniorial Tenure Act, we see so many illustrations of the fact that the constitution is ever widening and expanding, and that it must be constantly modified and adapted to the necessities and growth of the age in which we live. Privileges and rights established and embodied in the constitution must cease to be held, when they paralyze the energies and development of the people endangering their peace and happiness.

Even if it were the desire of the Parliament of Canada to redress the alleged grievance of the Catholic minority in Manitoba, such redress might have been found otherwise than by the passage of a Bill which establishes separate schools and proclaims such a system to be a plank in the platform of the great Liberal-Conservative party. The redress might have been based on the system successfully pursued in New Brunswick and Nova Scotia, in which this House, though hard pressed, refused to interfere.

Then, too, I greatly fear that if this plank of separate schools is once adopted by the Liberal-Conservative party, we shall bring a sea of troubles upon our heads, and cause an agitation to spring up, not only in our North-west Territories, as they each blossom into separate provinces, but even in the province of British Columbia, Nova Scotia, New Brunswick and Prince Edward Island. We know not the day nor the hour when religious fanaticism may be aroused and a feeble government may in its hour of trial and peril, in a moment of weakness, so to say, be induced to grant special religious, educational privileges, which once granted cannot be recalled. I hope such a contingency may never occur, but it is our duty not to shut our eyes to the possibilty of it. We must do nothing to facilitate or invite it.

Mr. Speaker, let us leave the settlement of this question to Manitoba, she alone can satisfactorily deal with it. We cannot in truth enforce the provisions of this Bill. We can safely leave the settlement of this question to the good sense and good feeling of our brethren in Manitoba. They are the sons of fathers, who, both in Ontario and Quebec, have proved by their liberality of sentiment, that they know how to deal fairly with minorities. It has been admitted on the floor of this House by the representatives of the Protestant minorities in Quebec and of the Catholic minorities in Ontario, that these minorities have been fairly treated and the same admission has been made by the representatives of the maritime provinces. We have thus the guarantee that the Protestant majority will deal in a fair and liberal spirit with this question, if it is left entirely to them, but if we attempt to use coercion in any way, such a spirit of opposition will be aroused, that our Catholic brethren will not only not secure the privileges they ask for, but perhaps amid the turmoil of civil, religious and racial strife, they may endanger the very liberties they now possess.

Sir, the people of Manitoba, as they tell us, labour under great and peculiar difficulties in maintaining an efficient system of primary education, and the school taxes bear heavily upon them, however willing they may be to make the sacrifice. The large amount of land which is free from school taxes, and the great extent of territory over which the small population is spread present no mean obstacles to efficiency and progress. I fear, greatly, that separate schools in such a poor and sparsely settled population, labouring under these special disadvantages, would prove a most disastrous boon to the Catholic or any minority, and would practically condemn them to hopeless illiteracy, especially too, in view of the important fact that no share in the legislative school grants can be made to them by us, and no part of the public funds of the province can be made available for the support of separate schools, unless by the voluntary act of the legislature of Manitoba.

I question also the right of any man to withdraw his educational contributions from the common school fund, and to devote it to the separate education of his own children. I have no children to educate, but in view of the fact that illiteracy is dangerous, especially to a people where the franchise is all but universal, I am willing and ready to contribute my quota of taxation for educational purposes ; but if I do so, I have the right to demand that that contribution of mine shall be used to the best advantage, and that no one be allowed practically to nulify it by withdrawing or withholding his proportion, especially when by so doing, in a sparsely settled country like Manitoba, he may by his act really starve and close the public school in my district. It would certainly be no compensation to me to feel that under such circumstances both Catholic and Protestant children would grow up hopelessly illiterate.

Then, too, this Bill is not even offered as a final settlement, nor is it so regarded by the supporters of the minority themselves: for already in the Order Paper of this House, notices have been given by them of their intention to extend the provisions of the Bill, and in this Bill itself the final clause reserves to the Parliament of Canada the power to make such further and other remedial laws as the provision of section 22, c. 3, 1870, and the decision of the Governor in Council may require.

I fail to see any necessity for further investigation and information. Nothing is to be gained by such a course, but on the contrary it is attended by very grave danger. I desire to see the question settled now and for ever, and I think, like men, we should now assume the responsibility of our action before our constituents. I re-affirm my statement of last session that I am opposed to the proposed settlement, based as it is, on the remedial order. I admit that the minority had the right to appeal and to lay their case fully before the Governor in Council, who is in duty bound to hear it, but I emphatically deny that they had thereby established any right to have their appeal granted. The Judicial Committee of the Privy Council determined merely the question of law, viz., whether the Governor General had the power under the circumstances to interfere, not whether he should interfere. That, Sir, is a question of public policy, and if the Government thought the circumstances warranted relief, then it had the power to advise relief, but we members of this House occupy precisely the same position and must determine whether or not to grant it, and in so doing we must be guided by the paramount consideration as to whether the public welfare, peace and prosperity demand such relief. The highest court of the realm did not remit a policy to the Government, only an opinion on a point of law. We all agree that the people in Manitoba themselves are in the best position to settle this question, and if after nineteen years' experience of a system of separate schools, they calmly determined in 1890 to abolish it in the public interest, and if since that time they have twice reaffirmed that decision by overwhelming majorities, I am not prepared to ruthlessly over-ride their decision, which after all, said and done, still leaves the minority the right to educate their children as they see fit, but only does not allow them to withdraw their contribution to the public schools, and thus to emasculate, weaken, and in many cases destroy them, and that too, in the face of the solemn declaration of the Judicial Committee of the Privy Council, that these public schools are not Protestant but purely non-sectarian.

I shall therefore vote against the Bill: Firstly, because I am opposed to one institution of separate schools in Manitoba; Secondly, because the alleged grievance does not call for out interference, and it would be difficult, nay impossible, to enforce the provisions of this Bill. Lastly, because I believe that no real injustice has been done to our Catholic brethren, and that no benefit would accrue to them from the passage of this Bill, but that in the futile hope of appeasing a small minority of ten per cent of our population, it would create greater grievances to the vast majority, and would stir up strife and endless litigation between the Dominion and Manitoba, and that too at a time when all the provinces should be united, peaceful, and ready to aid in the defence of the Dominion and of the motherland, to which we are all deeply attached. Let us be done with this Bill, and let us proceed with the business of the country, which, apart from this Bill, is, I feel confident, heart and soul with the great Liberal-Conservative party, which in the past 18 years has done so much for its welfare, and which in the next 18 years will do still more.

Mr. BRUNEAU. (Translation.) I shall not undertake to discuss the questions raised by the hon. member for Toronto Centre (Mr. Cockburn). I shall not for the moment go into the details of the Remedial Bill now before the House, which the hon. gentleman has dealt with, and I may venture to say, that I call in question, more or less, his sincerity in the position which he has taken. I may remind the hon. gentleman that he was one of those who heaped the most abuse upon the late Mr. Mercier, and who put forth the greatest exertions to stir up public opinion against that political man. Later on, we understood the reason why the hon. member had shown himself so rabid in his attacks against that political man; we understood, I say, the grounds upon which he had displayed so much ill-feeling, when we saw him appointed by the Federal Government one of the Canadian Commissioners at the World's Fair in Chicago. We understood the animus he had displayed, when we learnt the amount of his expenses, which may be said to have been in quite a princely style, so much so that he did not stop even at drawing from the public treasury twenty-five cents for his boot-black.

Mr. SPEAKER. Surely the hon. gentleman must know that he is out of order in speaking of the expenses of the Chicago Exhibition.

Mr. BRUNEAU. (Translation.) Possibly I may be out of order, Sir, but I cannot help calling the attention of the House to the fact that it was the hon. member for Toronto Centre who most outrageously attacked the Hon. Mr. Mercier. We understand now and appreciate the motives by which he was actuated under those circumstances, and we are thereby enabled to have an insight into the reasons by which he is now actuated. The hon. member for East Lambton (Mr. Moncrieff), when replying the other day to the hon. member for Quebec Centre (Mr. Langelier), who had addressed the House in the French language, stated that he had never realized so fully the necessity either that the French language should be abolished or that he should understand the sweet language of "la belle France." The hon. member for East Lambton (Mr. Moncrieff), as many other out and out Tories, fails to see in the Remedial Bill which is now before the House a separate school question, but only a question of constitutional law. Let him allow me to draw his attention to the fact that the right of using the French language in this House is inscribed on the very frontispiece of our constitution, and that had not that right been formally recognized by the constitution of 1791, and subsequently been re-affirmed, after its subsequent abolition under the constitution of 1840, never would the province of Quebec have agreed to enter confederation. The hon. member may as well forsake that empty hope and make up his mind to follow in the footsteps of scientists in Europe, and learn the language of Racine and Victor Hugo, in order the better to understand our national aspirations.

Mr. LaRIVIERE. (Translation.) I think, in justice to the hon. member for East Lambton, the hon. member for Richelieu ought to read the last portion of the hon. member's remarks bearing upon the French language.

Mr. GUAY. (Translation.) Read them yourself.

Mr. LaRIVIERE. (Translation.) The hon. member for East Lambton said that never before had he so well realized the necessity either that the French language should be abolished or that he should understand it. The last portion of his speech puts on his words a construction altogether different from that given them by the hon. member for Richelieu.

Mr. BRUNEAU. (Translation.) I would be very happy that the hon. member for East Lambton should learn the French language ; and if I gave his words a construction foreign to them, I beg to apologize to the hon. member. Let the hon. member take a lesson from us ; for, previous to my coming into this House I had never spoken a word of English, and I have since taken the trouble to learn it. The hon. Secretary of State and the hon. member for Three Rivers have reviewed the circumstances under which confederation took place. Both the hon. gentlemen have overlooked one of the most important pages of our history. In 1865, the French Canadians, being uneasy and apprehensive less the establishment of confederation should result into disastrous consequences for their religious and political rights, the Conservative chieftains at the time, Sir George E. Cartier and Sir Hector Langevin said :

> The province of Quebec will remain French ; and being situated in the centre and in the very heart of confederation, she will be in a position to protect the French inhabitants scattered through the length and breadth of the land, and if ever one of her own race were persecuted in the remotest corner of the country, she will be able to make her powerful voice heard and to crush down the oppressor.

Sir Antoine Aimé Dorion and the Hon. Mr. Joly contended that through the establishment of confederation, French Canadians would be placed in a dilemma, and that the English majority in the country would wield an enormous power. Both these political men, as also many other French Canadians, thus pointed out the dangers lurking in the confederation. They said : We French Canadians will be a nonentity in confederation, wielding no influence, and should the English wish to annihilate us, they could do so, because they have representation by population. What answer did they offer to that objection ? Here is the answer, fallen from the hon. member for Richelieu (Mr. Perreault), which will be found on page 629 of the Debates on Confederation :

> We are told the French Canadian section would resign should the Federal Executive choose to commit any injustice to the prejudice of its fellow-countrymen. Well, Sir, I am quite willing to suppose that it would resign, and that it would not find any successors (which is still more improbable) ; but I should like to know where such resignation would lead us to and what kind of remedy that would bring to our humiliating position ?

Now, the position defined by Mr. Perreault in 1867 was exactly that taken by our French Canadian Ministers in 1895. As they were unable to secure for the Manitoba minority the rights and privileges enjoyed by them up to 1890, they actually resigned their portfolios, as foreshadowed in 1867 ; but, after three days spent in the cold, understanding that other French Canadian members were ready to succeed them, they came back to the fold.

The French Canadians were told that they had no other alternative left but to follow Sir George Cartier. Mr. Perreault, member for Richelieu, a constituency which I have the honour to represent here, then asked, as I do now, that his fellow-countrymen and co-religionists should be fairly and justly dealt with. To-day, as member for Richelieu, I stand up in this House and do ask that justice be meted out to the Catholic minority, and that their grievances be redressed. But I am apprehensive lest I should not succeed any more than Mr. Perreault did in 1867, in safeguarding the rights of his fellow-countrymen. I rise to-night before this House, and before the province of Quebec ; I freely stand up here, and as one of the youngest members of this House, I say that had I lived in 1867, never would I, as a French Canadian and as a Catholic, have adhered to the scheme of confederation. Had I lived in 1867, I would have with might and main opposed the French Canadian people being swallowed up, as they are now, in confederation. I say further, Sir, that I would have opposed the scheme of confederation upon the very grounds alleged by Sir A. A. Dorion, that distinguished Liberal chieftain, because justice had not been meted out to our nationality under the federal constitution. If there is one thing more than another which evinces the false position which the French Canadians and the Catholics occupy in confederation, it is the fact that we are now under the necessity of discussing the Manitoba school question in this House. We now realize how well-grounded and warranted were the fears entertained by the Liberal party in 1867. From the very fact that we are called upon to debate a Bill like the one now before the House, a Bill, the object of which is to protect our compatriots in Manitoba, but which does not actually secure to them a single atom of the rights, pledges and privileges taken away from them : from such a fact, I say, does it not follow that the fears and apprehensions given expression to by the French Liberal party in 1868 were well grounded ?

From 1867, the framers of the federal compact had foreseen the entrance of the province of Manitoba into the confederation, since it was enacted that it should be lawful for Canada to admit other provinces into the union, particularly that of Manitoba. It was subsequently to a rebellion which had thrown the population into a violent agitation, stirred up creed and racial prejudices, and resulted into great disorders, that the Federal Government interfered and gave a constitution to Manitoba, in order to restore peace and concord in the country. Under section 146 of the British North America Act, the Federal Government, as I said, could admit other provinces or colonies into the union, and particularly Rupert's Land, now Manitoba. If you read together the clauses of the constitution of Manitoba, particularly section 22 of chapter 3, with clause 93 of the British North America Act, it will clearly be seen that the intent of the legislators at the time was evidently to grant to Manitoba as to the other provinces, a system of separate schools. The bill of rights laid before Parliament in 1870 by the delegates from Manitoba, the speeches delivered before the House by the hon. Messrs. Chauveau, McDougall and Cartier, corroborate this opinion. Such action was truly a wise one, because at that time the Catholic and Protestant population was almost evenly divided. Such a course was so much the more statesmanlike as the contests on educational matters in Upper Canada had just been brought to an end, as all the hon. gentlemen know, the result of those troubles having been the passage of the School Act of 1863, through which peace and harmony were restored. That view is still more strengthened from the fact that, for a period of twenty years, the separate schools in Manitoba remained in operation, up to 1890, when the government, under the School Act of 1890, wiped away the Catholic Board of Education and the office of Superintendent of the Catholic schools. One might be led to think that in the face of such an outrageous infringement of a solemn compact, the Federal Government should forthwith have stood by the downtrodden minority ; and that the central power which was to be, in the words of the Conservative chieftains of 1867, the jealous guardian, the unflinching protector of oppressed minorities, should have interfered, in order to redress the wrong inflicted upon the minority. But, their utter forsaking of the rights of the New Brunswick Catholics in 1873 should have caused the Manitoba Catholics to open their eyes, in 1890. Instead of interfering, and applying a remedy, either by imposing their veto or otherwise, the Tory Government advised the Catholic minority to appeal to the judicial tribunals, in order to have their wrongs redressed and their rights recognized. The law of 1890 was declared 'intra vires' by the judgment of the Imperial Privy Council, and the Manitoba Catholics again wended their way towards Ottawa. They had well-defined grievances, formulated by men in authority. But instead of listening to their complaints, the Government politely showed them to the door, with the promise of the Order in Council of the 21st March, 1891, and referred to the courts the case, whether the Government, under the constitution, had jurisdiction to hear the minority, to adjudge upon their grievances and to take action in their behalf. Contrary to the expectation of the Government, who were relying upon the first judgment of the Privy Council, the latter tribunal decided in the last resort ; however, not that they should but that they could interfere, and redress the wrongs of the minority. The appeal had been taken to the Privy Council of Canada, without there being any evidence produced as to the grievances of the Catholic minority. On the 21st March, 1895, on the eve of four by-elections, three of which were held in constituencies the overwhelming majority of which are Catholic, the Government passed an Order in Council enjoining the Manitoba government to restore to the Manitoba Catholics their rights, as follows :—

> (a.) The right to build, maintain, equip, manage, conduct and support Roman Catholic schools in the manner provided for by the said statutes, which were repealed by the two Acts of 1890 aforesaid.
>
> (b.) The right to share proportionately in any grant made out of the public funds for the purposes of education.
>
> (c.) The right of exemption of such Roman Catholics as contribute to Roman Catholic schools from all payment or contribution to the support of any other schools.

Eminent jurists, actuated by a single desire to do justice to the Catholic minority of

Manitoba, contend, on plausible grounds, that the present Bill, receding from the terms of the remedial order of March last, is utterly invalid. The reasons given in support of their opinion are set forth in the following editorial from "La Vérité," a Quebec clerical organ, which, beyond any doubt, reflects the views of the majority of the secular and regular clergy of the province of Quebec. This article appeared in the issue of the "Vérité" of the 7th March, 1896, and runs as follows:—

> A LAST WORD.
>
> The parliamentary correspondent of the "Trifluvien" is of opinion that this is not the proper time to discuss the merits of the Remedial Bill. We think it far better to scrutinize the Bill now, when it can, in theory at least, be modified, rather than wait till it be carried, only to find out its defects when it is too late. If the Bill be defective, we are told it may be subsequently amended by legislation. Let us beware of illusions. As the law is passed, so it will remain. Never will Parliament be prevailed upon twice to legislate upon that question. If one pays attention to what is going on now at Ottawa, one will be satisfied that the position we take here is right.
>
> If the law be not modified so as to make it absolutely similar to the remedial order of March last, it may be impugned as invalid. For, the Dominion Parliament has the right to legislate upon the school question only in as much as the Manitoba legislature have declined to do so. Now, the remedial order of March, 1895, stated that the minority had (a) the right to build, maintain, equip, manage, conduct and support Roman Catholic schools; (b) The right to share proportionately in any grant made out of the public funds for educational purposes; (c) The right to exemption of such Roman Catholic schools from all payment or contribution to the support of any other schools. It was those rights (a, b, c,) that the Government ordered the legislature to restore; and it was those same rights (a, b, c,) which the Manitoba legislature declined to restore. It is therefore a, b, c, which the Dominion Government, under the constitution, have a right to restore. But under the Bill now before the House, the Government invites Parliament to grant only a and c; for, say what you like, clause 74 is not the same as b, that is to say, it does not give the minority the right to share proportionately in any grant made out of the public funds for educational purposes. Winnipeg might then say: I have declined to grant a, b, c, but I did not refuse to grant a, c. You have therefore the right to legislate on a, b, c, by reason of my refusal; but you have no right to legislate on a, c, because you have not beforehand, called upon me to legislate on a, c, only.
>
> It is no use doing like the ostrich which hides its head in the sand believing itself safe. If clause 74 is not modified so as to grant also b, the law shall probably be declared invalid.
>
> A parting word now, in reply to the "Courier du Canada." Our contemporary ought to understand that there is infinitely less danger for the Manitoba Catholics to have the law enforced by the Ottawa Government than to leave it to the tender mercies of the Winnipeg government. Mr. McCarthy, our confrere adds, might come into power at Ottawa. That may be. But what is certain is that Greenway is in power in Manitoba. We thus incur a certain risk to avoid a probable danger. Is there any wisdom in such a course?

That opinion is equally shared in by the "Moniteur de Lévis," edited by the Hon. Mr. Landry, and which is looked upon as the Hon. Mr. Anger's organ. I may further say that the hon. member for Winnipeg (Mr. Martin) fully endorses that view of the question, and it will easily be seen thereby what serious dangers, if we pass the Remedial Bill as it stands, the Manitoba Catholic minority would incur. Now, one would be inclined to think that the Bill has been framed with a view to having the minority incur the "alea" of protracted and costly trials and all the chances of a series of endless litigations. Let me, in addition to the previous opinion, quote that of a distinguished Catholic member of the Senate, the Hon. Mr. Powell, who, in a pamphlet that has just been issued, delivers himself as follows on that question of overwhelming importance:

> By the Bill, an attempt is made to restore (*a*). The right to build, maintain, equip, manage, conduct and support Catholic schools is not in itself a very valuable one, and could be exercised without any remedial legislation; and the Bill, while it attempts to restore this right as it existed before the passing of the Provincial Acts of 1890, as a matter of fact, fails to do so.
>
> No serious effort is made to restore (*b*); and as to that most important right, the Catholic minority will, should the Bill become law, be practically in the same condition as they are in at present, where they do not work under the existing law of the province.
>
> An ineffectual attempt is made to restore (*c*); but if successful at all, it would succeed only after a prolonged and harassing struggle in the courts.

From the above extracts, I think I am entitled to draw the inference that, if the Bill as it stands were turned into law, the Manitoba minority would incur the risk of protracted and costly proceedings before the courts, for, it is likely, and it may certainly be assumed, that the Manitoba government will test the validity of the Bill before the courts. Let us now suppose that the investigation proposed by the hon. leader of the Opposition, and suggested by Archbishop Taché in 1894—for, beyond all doubt, and no hon. member in this House will gainsay it, Archbishop Taché was in favour of an investigation——

Mr. LaRIVIERE. (Translation.) Would the hon. member give his authority for making that statement?

Mr. BRUNEAU. (Translation.) Certainly. It was previous to the Privy Council judgment, but Archbishop Taché's position was this: We, the French-speaking Catholics, did enter into a compact with the English-speaking Protestants. Let an investigation be held on the matter and it will be shown that I am perfectly right. Such was Archbishop's Taché's contention, and as the hon. member for Provencher calls in question the truth of my statement, I am going to produce my evidence and refer to the pamphlet itself.

Mr. LaRIVIERE. (Translation.) I do not call in question the statement made by the hon. gentleman, but I merely put the question to elicit information.

Mr. BRUNEAU. (Translation.) Very well. I am going to quote from the pamphlet published by Archbishop Taché in 1894. But rather let me refer him to the speech of the hon. member for Lotbinière (Mr. Rinfret), who quoted the passage in question. The Conservative papers in the province of Quebec have been anxious to know what are the facts into which an inquiry ought to be made. Supposing the investigation suggested by the hon. leader of the Opposition to be the proper parliamentary proceeding, and the hon. member for Provencher belongs to the legal profession——

Mr. LaRIVIERE. (Translation.) Thanks be to God, I am no lawyer.

Mr. BRUNEAU. (Translation.) The hon. member for Provencher has no right to thank Heaven that he is no lawyer. I do not know what profession he belongs to, but I may say that our greatest men belong to that profession.

Mr. LaRIVIERE. (Translation.) I do not pretend to be classed among the great men of the country.

Mr. BRUNEAU. (Translation.) That champion of the rights of the Catholic minority in Manitoba, for such is the title the hon. gentleman assumes——

Mr. LaRIVIERE. (Translation.) I never asked for that title.

Mr. BRUNEAU. (Translation.) The hon. member, who does not belong to the legal profession, has proved a traitor to the interests of the Catholic minority, just as the Conservatives of the province of Quebec.

Mr. LaRIVIERE. (Translation.) I call upon the hon. gentleman to show how I have been a traitor to the Catholic interests, and if he cannot substantiate his statements, to withdraw it.

Mr. BRUNEAU. (Translation.) I suppose now, Mr. Speaker.

Mr. DEPUTY SPEAKER. (Translation.) The hon. member has no right to say that an hon. member of this House has betrayed either the interests of his constituents or of his country. I hope he will withdraw his statement.

Mr. BRUNEAU. (Translation.) I am quite ready to admit that, and to say that the hon. member for Provencher always championed the Catholic interests in this House. On the other hand, I cannot help saying that he has not invariably followed a course calculated to protect the Catholic interests and the interests of the country.

Mr. LaRIVIERE. (Translation.) I do not know that I am called upon to protect, more than any hon. gentleman in this House, the Catholic interests. I fail to see what the hon. gentleman means.

Mr. BRUNEAU. (Translation.) The hon. member for Provencher has many a time sought to elicit the approval of the House, by stating that Archbishop Taché and Archbishop Langevin favoured his views on the matter. The hon. gentleman may now, if he likes, put himself under cover and resort to denials; he may flinch and quail, but the province of Quebec will say that the hon. member for Provencher does not represent nor reflect the views of Archbishop Taché or Archbishop Langevin. I was then about saying, Sir, before the hon. member interrupted me, that the law under discussion is not in the terms of the remedial order of the 21st March, that it is utterly at variance with that Order in Council, in the opinion of Senator Landry, as published in "Le Moniteur de Lévis," and according to the views expressed by the hon. member for Winnipeg (Mr. Martin). Supposing that the Government had neglected to make an inquiry into the complaints of the Catholic minority, as they were bound to do, and as suggested by Archbishop Taché himself, previous to rendering their decision ; supposing the Government did not follow the strict parliamentary proceedings, does it not occur to the hon. gentlemen that the judicial tribunals would see in such a course a real abuse, an outrageous wrong perpetrated upon the Manitoba majority ? Does it not occur to the hon. gentleman that that would be an additional reason for the courts to declare the course followed by the Government "ultra vires," and to have the remedial order annulled ? I submit, with all due deference, that view of the case to my hon. colleagues in this House, and I call the attention of my Catholic colleagues to it. In my opinion, Sir, it would have been better that the law had not been liable to such a construction. The Government should also not only have enacted the law, but reserved to themselves the right to enforce it, instead of leaving its enforcement in the hands of the Manitoba government. We are invested with such a power. That is, in my view, one of the capital deficiencies of the law, because we entirely leave the minority to the tender mercies of a hostile government, and of still more hostile municipalities. What is the position occupied by the hon. members of the Quebec wing of the Conservative party, who support that law ? What, I ask, is now the position occupied by the hon. member for Chicoutimi (Mr. Belley) and by the hon. member for Three Rivers (Sir Hector Langevin) ? Now, what do the hon. gentlemen opposite say ? They support a Bill which does not give an adequate measure of relief to the Catholics of Manitoba. But they deny it ; does the hon. member for Chicoutimi deny that ? I may remind him of what he said, last session : He did not want to grant the Government six months' delay, he would not allow them to go on bended knees to Winnipeg. But to-day, the hon. gentleman echoes the opinion of such papers as "Le Temps" and "Le Canada," and approves of the scheme of a conference or a commission of arbitration proposed by the Government, in order to come to an understanding with the Manitoba legislature in connection with the Remedial Bill. The hon. member for Chicoutimi gives a dissenting nod. Wherefore then are we called upon now to legislate instead of the Manitoba legislature? We were told the other day by the hon. members for Mégantic (Mr. Fréchette) and for Two Mountains (Mr. Girouard), that we were called upon now to legislate, because the Manitoba government had declined passing a law in favour of the Catholic minority, in compliance with the Privy Council judgment. But, Sir, it is that very government that are going to be intrusted with the charge of enforcing and sanctioning the Bill now before the House. The hon. member for Chicoutimi (Mr. Belley) may laugh, but before long he will find out that this is no laughing matter; for, within a few weeks, events will show that I am right, and he will find out that the Orange Tory Government that he now supports, lack sincerity in their declarations. The hon. gentlemen say further that the Manitoba government, having declined to pass a remedial law, we are bound to enact a Bill here. Where is that Bill? We have no Bill as yet; for, to use the words fallen from the hon. Secretary of State and the hon. Minister of Finance, we are now merely inviting the Manitoba government to take action and pass a law. Such are the means resorted to in order to sweep the Liberal party out of existence in the province of Quebec, under the pretense that we are voting against the principle of federal interference, while Sir Charles Tupper himself has all along been telling the House that it is not proposed that the Government of Canada should take action under even this Bill. Let us hear what the hon. leader of the House says:

> I may say that in framing this Bill the Government, while doing substantial justice to the rights of the minority, have been careful to encroach as little as possible upon the local government. No person can read this Bill without seeing on the very face of it that it is not proposed that the Government of Canada should take action under even this Bill, by the appointment of a board, the appointment of the superintendents, the guarantee that the schools shall be of the same high character as that of the other schools in Manitoba, for, before all that is done, this Bill provides, first, to invite the government of the province of Manitoba to take action.

Thus, the Bill merely invites the Manitoba government to take action; it is, therefore, according to Sir Charles Tupper, only a demand in due form of law, or, in other words, the Bill is only a compromise, and not a Remedial Bill. Some hon. gentlemen laugh. We are here face to face, but I would like the hon. members to face the great council of the nation.

Some hon. MEMBERS. No! no!

Mr. BRUNEAU. (Translation.) You say, "No, no." The hon. gentleman for Chicoutimi ought to be ashamed, for he is ready to approve the Government in their negotiations with the Manitoba government, while six months ago he was ready to condemn them. The hon. gentleman may laugh, but his sneers will fall back upon his own nose.

Mr. BELLEY. (Translation.) That is too low.

Mr. BRUNEAU. (Translation.) Yes, I think so; because your sentiments are as low as your nose. Gentlemen, let us see the record of the hon. gentlemen who interrupt me; the record of men, Sir, like the hon. member for Chicoutimi, who voted last year against the Government, because they postponed their legislation six months, and on the ground that it would never pass this House, as another session would have to be held in order to amend the School Lands Act and provide for a subsidy in favour of separate schools. They may talk of their record, men like the hon. member for Laprairie (Mr. Pelletier), who voted against the reference of the case to the judicial tribunals in 1892 by the Government; men like the hon. member for L'Assomption (Mr. Jeannotte), who is ever ready to interrupt, but never able to give a plausible answer when called to reply to those whom he interrupts. These gentlemen, who voted with us in 1893 and 1895, are going to vote against us to-morrow, I shall not say against their conscience, but in opposition to their past utterances in this House, and to the votes they have given.

The first objection urged against the Bill is that it is ultra vires; the second is that it does not involve a direct, positive and peremptory interference, but, to use the words fallen from the hon. Secretary of State: "The Bill provides, first, to invite the Government of the province of Manitoba to take action." To put it in other words, the Bill is a compromise, and not a remedial law.

Supposing that all patriotic men in this House should support the Remedial Bill as it stands. I may say, Sir, I, for one, that on national and religious issues I never make any concession. The hon. members for Ottawa (Mr. Robillard) and for St. Maurice (Mr. Desaulniers) seem to call in question the sincerity of my statement; but I may tell them that I have been brought up in quite a different school from theirs, that I have been brought up in the great Liberal school which admits of no compromise when the national or religious rights of our compatriots are at stake. Should I have to struggle for twenty, thirty years, like our fellow-countrymen did previous to 1837, to secure the redress of their grievances which were later on redressed through the constitution, I shall never give up fighting the good fight in favour of the rights of our Manitoba co-religionists, and I will endeavour by all the means in my power to restore to them the rights they enjoyed previous to 1890. I quite understand that the hon. member for Ottawa——

Mr. ROBILLARD. (Translation.) Oh, yes, we know you are a great fighter.

Mr. BRUNEAU. (Translation.) I am a fighter; but I know perfectly well that the hon. member for Ottawa is no fighter. He has not been brought up in the Liberal school of patriotism. The hon. gentleman is no fighter and his record is pretty well known. He is no fighter, and he will never be one. He is and always will be a bolter.

Before passing to another point, Sir, I will tackle another question. But I must confess that I allow myself to be carried away by a religious and national spirit, in debating those creed and racial issues, but I never allow myself to be swayed by party spirit. On the other hand, as far as the hon. member for Ottawa is concerned it may be taken for granted that with him party spirit overrides everything else.

The Bill which is now before us is so bulky and of such overwhelming importance, that it would be next to impossible to review one by one all the clauses. I shall merely content myself with giving the grounds on which I rest my determination to vote against the measure now under consideration. Mr. Speaker, through my professional career as a lawyer, these ten years past, never have I met with such a flagrant and manifest contradiction as that evinced by the course pursued by the hon. French Canadian-Conservative and Catholic members of this House, who are going to support this so-called Remedial Bill. Under the Bill now under discussion, it is provided that the Lieutenant-Governor of Manitoba is entrusted with its enforcement. Is the hon. member for Provencher (Mr. LaRivière) ready to disclaim the position I take? Are the hon. members for Chicoutimi (Mr. Belly) and for Laprairie (Mr. Pelletier) ready to disprove that? I repeat it, the enforcement of the Bill remains with the Lieutenant-Governor of Manitoba. That is a glaring contradiction, a strange illusion on the part of the French Canadian members who contend that the law should pass on the ground that the Manitoba government decline to do justice to our co-religionists and who, meanwhile, entrust to the same government the enforcement of the same Bill. All the hon. members admit that the Manitoba government are hostile to our interests, labouring under prejudices and determined beforehand not to mete out justice, and yet that is the very government to whom you want to entrust the enforcement of the Bill which we are about to pass, should the wishes of the hon. gentlemen become a reality. Is that true or not? The hon. member for Provencher (Mr. LaRivière) has not got the spirit to stand up and protest against such a legislation.

Mr. LaRIVIERE. (Translation.) I am not as low-minded as the hon. gentleman. I ask that the hon. gentleman be called to order.

Mr. BRUNEAU. (Translation.) I may be out of order and I am going to withdraw the word "spirit." But the hon. gentleman should also withdraw the unfortunate expression he has used. I agree, Sir, that this subject shoud be approached in a spirit of conciliation, which I am ready to do. The Conservative party or rather the hon. gentlemen who support the Government have so roundly abused those hon. members who are unwilling to vote with them that we could not help feeling keenly the insults heaped upon us in the public sheets in general and those of the province of Quebec in particular. We have been branded as traitors to the Catholic interests; we have been charged with being hostile to those interests. While we point out to the hon. gentlemen that they are in flagrant contradiction, and inconsistent with themselves, they rise and give us the lie. When we show them that we are not false Catholics, traitors to our creed, to our nationality and that, on the contrary, it is the members of the Government who, through their whole course, have evinced a lack of sincerity, they remain mum. The hon. Ministers of Justice and of Finance who are now in their seats, do not understand the French language, but the hon. Minister of Trade and Commerce and the Minister of Fisheries understand it, and reply nothing to the arguments urged against the Bill. The hon. Minister of Marine and Fisheries, who spoke for two hours and who could well afford to speak for weeks, has not adduced any solid reasons in support of their measure. The hon. member for Bellechasse (Mr. Amyot) has particularly insisted upon the ill-will displayed by the Manitoba government, in order to show how necessary it was to vote in favour of the Remedial Bill under consideration, and he told us that the Dominion Government were bound to protect the interests of the Manitoba minority and to interfere in their favour, a course which they failed to pursue, as I am going to show, Sir, from the speeches of the hon. Ministers on the question at issue. The Government claim the right and the power to pass a Remedial Bill. That right and that power the hon. Secretary of State has fully admitted their existence in his speech of the 3rd March instant, but at the same time, in order not to frighten his Ontario followers, he took care to add that the Government had not yet made use of that power, that they did not take action under the present Bill, that the measure was but a demand in due form of law made upon Manitoba. Those statements are involved in the following extracts from his speech:

> As the Act itself provides, the Manitoba legislature may exclusively make laws in relation to education, subject and according to the following provisions:—
>
> Nothing in such law shall prejudicially affect any right or privilege with respect to denominational

> schools, which any class of persons have by law or practice in the province at the union.
>
> An appeal shall lie to the Governor General in Council from any act or decision of the legislature of the province, or of any provincial authority, affecting any right or privilege of the Protestant or Catholic Roman minority of the Queen's subjects in relation to education.
>
> In case of any such provincial law, as from time to time seems to the Governor General requisite for the due execution of the provisions of this section, is not made, or in case any decision of the Governor General in Council, on any appeal under this section, is not duly executed by the proper provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor General in Council under this section.
>
> I think it would be impossible to find any terms in the English language that would more thoroughly establish the position that the right exclusively of the province of Quebec, or the province of Ontario, or the province of Manitoba to legislate in reference to education is not confined to the case in which they have not taken away any of the rights enjoyed by any one of these provinces at the time they entered confederation: that is to say, that if it can be shown that any right enjoyed by any province at the time it entered confederation has been infringed upon, if it be shown that the privileges that were enjoyed under that right, whether by Roman Catholics or Protestants, have been interfered with and removed, the moment that took place, under the Imperial Act of Confederation, uner the law as it stands upon the statute-book, the right is transferred 'ipso facto' from the local legislature, because the local legislature hold that exclusive right, subject to the fact that they shall not invade the privileges of the minority, to the Parliament of the Dominion. And holding that under these circumstances, the moment it can be shown that the provincial legislature have invaded that right and have used the power entrusted to them contrary to the spirit of the Act of Union, the Imperial Act of 1867, and to the law under which Manitoba came into the confederation—the moment it can be shown that the rights and privileges enjoyed have been infringed, that moment their power to legislate exclusively in regard to the question ceases and is transferred 'ipso facto' to the Parliament of Canada.

He further said :

> And no man, I hold, whether legal or layman, can read therein the emphatic statements made by the Lords of the Judicial Committee of the Privy Council without arriving at the conclusion that the responsibility and the duty were transferred from the legislature and government of Manitoba and imposed on the central Government of the Dominion and on the Parliament of the Dominion to legislate in respect to this case.

And further :

> I may say that in framing this Bill the Government, while doing substantial justice to the rights of the minority, have been careful to encroach as little as possible upon the local government. No person can read this Bill without seeing on the very face of it that it is not proposed that the Government of Canada should take action under even this Bill, by the appointment of a board, the appointment of the superintendents, the guarantee that the schools shall be of the same high character as that of the other schools in Manitoba, for, before all that is done, this Bill provides, first, to invite the government of the province of Manitoba to take action; and it is only when they refuse, and when the unpleasant and disagreeable duty is forced by the Act of the Imperial Parliament upon the Dominion of Canada, that this Government proposes, in the least degree, to interfere with this matter.

That, I think, shows pretty conclusively that I was right in stating that this Bill is but a demand in due form of law. Hon gentlemen would be mistaken if they thought that the defects of the Bill had nothing to do with the present debate. They are so numerous and of such overwhelming importance that I cannot help minutely pointing them out to the attention of this House. The first objection urged against this Bill is that, as I just said, the enforcement of the Bill is left with the local government. Yet, strange to say, and it evinces a very sad illusion on the part of our Catholic Conservative colleagues—all admit that the local government are unfriendly to our cause, prejudiced and determined at any cost to override this Bill; and that is the very government to whom is entrusted the enforcement of the law. So far, all the Ministers and the Conservative members have insisted upon the facts evincing the ill-will of the Manitoba government. Let me quote a few extracts from their speeches, and let us first hear the statement made by the Minister of Justice :

> In July, 1894, this Government had approached the Manitoba government in regard to this matter; and I will read the last section of the Order in Council then adopted :
>
> The committee beg to observe to Your Excellency that the statements which are contained in this memorial are matter of deep concern and solicitude in the interests of the Dominion at large, and that it is a matter of the utmost importance to the people of Canada that the laws which prevail in any portion of the Dominion should not be such as to occasion complaint of oppression or injustice to any class or portion of the people, but should be recognized as establishing perfect freedom and equality, especially in all matters relating to religion and religious belief and practice; and the committee, therefore, humbly advise that Your Excellency may join with them in expressing the most earnest hopes that the legislatures of Manitoba and the North-west Territories respectively, may take into consideration at the earliest possible moment the complaints which are set forth in this petition, and which are said to create dissatisfaction among Roman Catholics, not only in Manitoba and the North-west Territories, but likewise throughout Canada, and may take speedy measures to give redress in all the matters in relation to which any well-founded complaint or grievance be ascertained to exist.
>
> To that the Manitoba government made a reply, categorically refusing to recognize any grievance at all. In their reply, made in October, 1894, they say :
>
> The questions which are raised by the report now under consideration have been the subject of most voluminous discussion in the legislature of Manitoba during the past four years All of the statements made in the memorial addressed to His Excellency the Governor General, and many others, have been repeatedly made to and considered by the legislature. That body has advisedly enacted educational legislation which gives to every citizen equal rights and equal privileges, and makes no distinction respecting nationality and religion. After a harassing legal contest, the highest court in the British dominions has decided that the legislature, in enacting the law

of 1890, was within its constitutional powers, and that the subject of education is one committed to the charge of the provincial legislature. Under these circumstances, the executive of the province see no reason for recommending the legislature to alter the principles of the legislation complained of. It has been made clear that there is no grievance, except it be a grievance that the legislature refuses to subsidize particular creeds out of the public funds, and the legislature can hardly be held to be responsible for the fact that their refusal to violate what seems to be a sound and just principle of government creates, in the words of the report, dissatisfaction amongst Roman Catholics, not only in Manitoba and the North-west Territories, but likewise throughout Canada.

And further on, he said :

So that it seems to me that the Manitoba government entirely misread the order which was sent to them, when they insisted that it meant re-enacting the old law or re-establishing the old system in toto. It is perfectly true that to take the *a*, *b*, *c* paragraphs, adjudicating the rights, there is some foundation for that contention.

The hon. Postmaster General, Sir A. P. Caron, who represents the French race and the Catholic religion in the bad Government of the day, spoke in the English language, and in very creditable English, too, as follows :—

But I hope to be able to show before I resume my seat, that every thing that could be done by this Government to induce the Manitoba legislature to take into its own hands the application of that remedy, was done by this Government. I hope also before I resume my seat to be able to show by an analysis of the Orders in Council which were passed, that if to-day we have before this Parliament a debate the most important and the most momentous which has ever been heard within the walls of this House since confederation, it is because the legislature of Manitoba would not hearken to the voice of those of her citizens, within her jurisdiction, who were asking her to remedy the evils from which they were suffering, and to restore to them the rights which the Privy Council of England had declared should not have been taken away from them.

An hon. MEMBER. That is it.

Mr. BRUNEAU. (Translation.) The hon. member says : "That is it." He probably does not understand French, for if he understood it, he would understand the flagrant contradiction existing between the statement made by the Postmaster General and the present Bill. He would make out the difference between the Government saying : We are bound to interfere, and the leader of the House stating : We do not take action. Allow me, Sir, to quote in the same connection the eloquent and burning words fallen from the hon. member for Bellechasse (Mr. Amyot) :

But, Sir, so long as the Manitoba government will be led by friends of the Liberal party in this House, unless we go there with an army, unless we go there with force, unless we go there as a nation equipped for war in order to obtain that justice, which the constitution says is ours, I do not see any human way of forcing Manitoba to give us justice.

The hon. member for Bellechasse could hardly be more indignant and more explicit than he has been ; still he fails to see the difference between his words and the vote he is about to give on that question. If, as the hon. member for Bellechasse puts it, the Government are obliged to send an army to Manitoba to have the law obeyed, I would advise them, in the interest of our fellow-countrymen, to entrust the command of the expedition to the hon. Minister of Public Works (Mr. Ouimet) and the hon. member for Bellechasse could take charge of the provisions, while the hon. member for Montmorency (Mr. Turcotte), whose record is still vivid within our recollection, would no doubt undertake with great pleasure to supply the Canadian army with provisions. But let us return to our study of the deficiencies of the Bill. Let my hon. Conservative friends rest assured that I do not intend to have them drain the cup of humiliation to the very last dregs. Then, whenever they will be tempted to call us traitors to our race and creed, they will remember that the traitors are on their side, as they have been too mean to secure to our compatriots their rights and privileges as they existed prior to 1890. As to the hon. member for L'Assomption (Mr. Jeannotte) who now occupies the seat of the Orange Grand Master, and as to the hon. member for Chicoutimi (Mr. Belley) whom I see in his seat, I may tell those hon. gentlemen that they ought to admit, that the Bill does not render justice to the Manitoba minority. They may rest as much as they like upon Archbishop Langevin's testimony ; for my part, I rose in my seat, to say this : Here is a law, the validity of which is justly called in question. I am as good a judge of the merits of the Bill, if not a better judge than Archbishop Langevin is. I respect the Archbishop's opinion, but in matters of this kind, I am perfectly entitled to differ of opinion from him. Before leaving that part of my subject, I may tell the hon. member for Ottawa County (Mr. Devlin) who now belongs to the Conservative party, a party, which has speculated upon religion for over twenty years in the province of Quebec, what are my views and those of the Liberal party in connection with the Bill. I am now going to review the clauses of the Bill against which Catholic members from the province of Quebec are not only free to urge objection, but are in duty bound to do so :

1. The Lieutenant-Governor in Council of the province of Manitoba shall appoint, to form and constitute the Separate School Board of Education for the province of Manitoba, a certain number of persons not exceeding nine, all of whom shall be Roman Catholics.

Subsection 2 of the same clause enacts :

2. Three of such members, recorded at the foot of the list of the members of the board as entered in the minute book of the Executive council of the province of Manitoba, shall retire and cease to hold office at the end of each year, which for the purposes of this Act shall be held and taken to be the second day of October annually, and the names of the members appointed in their stead shall be placed at the head of the list, and the three members so retiring in rotation and annually may be eligible for reappointment.

The above power conferred upon the Manitoba government by section 1 of the Bill may render it illusory and inoperative. Suppose now that the Manitoba government should actually appoint five Catholic members opposed to the separate school system ; for, it is no use disguising the fact that there are in the province of Manitoba Catholics, like Mr. O'Donohue, who are opposed to the separate school system, and, judging from my own experience, I may say that the same state of things prevails in the province of Ontario, as also in the United States, where Catholics will be found opposed to the separate school system ; supposing then that the Manitoba government, who are adverse to us, should appoint as members of the board, Catholics who are opposed to the separate schools. I call upon the hon. members for Ottawa (Mr. Robillard), of Two Mountains (Mr. Girouard), of Laprairie (Mr. Pelletier), to tell me whether the system set up by this Bill could be operative, the more so as there is no provision in the Bill making it binding upon the local government to take action, in case they should decline to comply with the Bill, or even try to violate the intent of the law. I challenge the hon. gentlemen to stand up and give reply to the question I have put to them. Wherefore then entrust to the Manitoba government the appointment of the members of the Board of Public Instruction ? I repeat it again : the enforcement of the law being entrusted to the local government, I fail to see in it any guarantee for the Manitoba Catholics. Nay, more, I see dangers and rocks ahead, if that principle were going to prevail. Clause 3, subsection 2, says :

> 2. The Department of Education may also make from time to time such regulations as they may think fit for the general organization of the separate schools.

Mr. LECLAIR. (Translation.) Why do you not read clause 2 of the Bill ? You do not understand what you are reading.

Mr. BRUNEAU. (Translation.) The hon. member for Terrebonne evidently does not understand my argument. Clause 2, mentioned by the hon. member, provides that if the Manitoba government does not within three months make appointments to the Separate School Board, the Federal Government shall make them. That is out of the question for the present. Supposing, Sir, that the local government should appoint to the board five members in hostility to the separate schools, what would be the outcome ? We should not forget that the board is composed of nine members in all, and that five, therefore, constitute a majority. Let me remark, by the way, that the hon. member for Bagot (Mr. Dupont), who represents a constituency next to the one I represent here, and who took away from the county of Richelieu the parish of St. Marcel, has also robbed me of an amendment, and among the amendments which he proposes to move, is to be found one relating to subsection 2 of clause 3. Why does the hon. member propose to have that subsection struck out ? For the very reason which I adduced previously : Because the Department of Public Instruction, the members of which are appointed by the local government, should not have, in the opinion of my hon. friend, the right entrusted to them under that subsection. From a council composed of a majority of members adverse to the separate school system, you cannot expect to secure any proper regulations for the organization of separate schools. That is to my mind a serious objection. The Bill which is now before us contains another clause which is perhaps the most important of all, clause 23. I do not wish to take the time of the House, in quoting in full that clause, which is a very lengthy one. I will only sum it up. That clause provides for the school assessments. Here are the remarks it elicited from Senator Power :

> Clause 23 deals with the annual school assessment on each municipality, and provides how the Catholic supporters of separate schools shall be assessed for what is known as the municipal levy. The clause is a somewhat complicated one, consisting of seven sub-clauses, and would probably give rise to difficulty and litigation in case an attempt were made to operate it. For example, the first six sub-clauses assume, what is most unlikely, that the municipal authorities will help to carry out the separate school law : while the seventh undertakes to provide for the case of their neglect or refusal. This seventh sub-clause does provide for the assessment and collection of the tax, but makes no provision for the disposal and apportionment of the moneys thus realized, and does not substitute any authority for the council or local inspector to whom important duties are assigned by the preceding sub-clauses. Clause 24, which deals with the district tax, is perhaps less open to serious objection than clause 23, but yet is liable to cause complications and litigation when an attempt is made to work under it.

As I have mentioned Senator Power's name, I may be allowed, Sir, to say that the hon. Senator is a Catholic whom the church ought to feel proud of. He is as good a Catholic as either the hon. member for Chicoutimi (Mr. Belley), or the hon. member for Ottawa (Mr. Robillard), and the hon. member for Two Mountains (Mr. Girouard). I may further add, Sir, that Senator Power is a Catholic who receives Holy Communion every morning. The hon. member for Chicoutimi (Mr. Belley) is merry upon the matter. When will the hon. gentleman stop making merry with religious matters ? Does he not belong to that Conservative party, which claims to be the champion and the only upholder of religion ? Hon. Senator Power is not one of those easy-going Catholics, whose conduct is at variance with their public professions. I take now clause 28, one of those which are open to the most serious objections. Whether that clause is consistent with the law as it stood previous to 1890, is more than I can say. But one thing is certain, and it is that, Archbishop

Langevin declared, from the pulpit of Notre Dame church in Montreal, that he was asking for nothing more than the rights of the Catholic minority, as they existed previous to 1890, and that he would not be satisfied with picking up the crumbs from the table, when the Protestant majority were seated at the banquet table. I would like to know whether, under the law, as it stood previous to 1890, religious, benevolent and educational corporations were liable to be assessed for the support of separate schools, as enacted under the present Bill ? In the province of Quebec, where more justice prevails, we do not tax religious or benevolent corporations for school purposes. Let us now see how that clause 28 reads :

> 28. The Roman Catholic ratepayers of a school district, including religious, benevolent and educational corporations, shall be liable to be assessed for the support of the separate schools in the district.
>
> 2. No Roman Catholic who is assessed for the support of a separate school shall be liable to be assessed, taxed or required in any way to contribute for the erection, maintenance or support of any other school, whether by provincial law or otherwise ; nor shall any of his property in respect of which he shall have been so assessed be so liable.
>
> 3. But any Roman Catholic who is possessed of property liable to assessment, within a separate school district, which is also within the limits of some public school district, established by or under the provisions of the legislature of the province of Manitoba, may at his option, require that such property shall not be levied upon for support of separate schools, by giving to the secretary-treasurer of the separate school district and the clerk of the municipality a written notice to that effect at any time prior to the completion of the assessment roll, and thereafter such property shall be liable to be assessed for the support of said public schools until such option be withdrawn which may be done by written notice of such withdrawal given by said Roman Catholic owner to the officials before mentioned. No such notice whether of an option to support public schools or of withdrawal from such support shall in any way affect the liability of the persons giving the notice or of the property for any amount assessed or levied thereupon previously to such notice for the support either of separate or public schools, as the case may be. Such person, while his property is not levied upon for support of separate schools as aforesaid, shall not enjoy any of the privileges, nor shall he be eligible to vote, or liable to perform any of the duties provided by this Act.

The objection urged against subsection 2 arises from the fact as to whether such provision is constitutional. The Manitoba government contend that it is not. Possibly it may be "intra vires," but there is one thing certain, and it is that it will be necessary to refer the case again to the courts, to ascertain whether it is legal or valid. There is no mistaking it. The Manitoba government, in their reply to the Order in Council, say :

> It may be held that the power to collect taxes for school purposes conferred upon school boards by our former educational statutes was conferred by virtue of the provisions of subsection (2) of section 92 of the British North American Act, and not by virtue of the provisions of section 22 of the Manitoba Act. If this view be well founded, then that portion of the Act of 1890 which abolished the said right to collect taxes is not subject to appeal to Your Excellency in Council, and the Remedial Order and any subsequent legislative act of the Parliament of Canada (in so far as they may purport to restore the said right) will be *ultra vires.*

Again, in the reply of the provincial government of the 21st December last, we read :

> It has been held by the Judicial Committee of the Privy Council, that the present educational statutes of Manitoba are constitutionally valid. The more recent decision of the same court, in no way weakens or impairs the force of the former decision which stands as an authoritative declaration that the said statutes which abolished separate schools, are constitutional, and therefore that such separate schools are not guaranteed to the minority by the constitution.
>
> The legislative assembly of the province has repeatedly declared itself to be resolute in its determination to maintain the principle of the present educational law.
>
> The people of the province, in the general election held during the year 1892, were expressly asked to pronounce upon the same principle, with the result that all parties joined in declarations of their determination to uphold it.

Under subsection 2, our fellow-countrymen will be placed in a state of inferiority, because they will be under the necessity of bearing the cost of further litigation as to whether such provision is constitutional or not.

Under subsection 3, Roman Catholics are given the option between separate schools and public schools. I do not believe, for my part, that the hierarchy will accept such a doctrine. Quite the contrary. And the "Minerve" of March 10th foreseeing the objection that would be urged against that subsection, admitted that it was well-founded, endeavouring meanwhile, through a false comparison which it institutes between the present law and the educational laws of Ontario and Quebec, to impair the strength and the scope of the objection. Here is the editorial in question :

> An Objection.
>
> Under the third subsection of the 28th clause of the Remedial Bill, it is enacted that any Roman Catholic ratepayer may, at his option, support the schools of the majority and that his property may be assessed or levied upon for the support of such schools. Under a much more prolix phraseology, the framers of the Bill evidently had the intention to copy section 47 of the Ontario Separate School Law, which enacts that :
>
> "Any Roman Catholic who wishes to withdraw his support from a separate school shall give notice of it to the clerk of the municipality, previous to the second Friday of January in each year, in default of which he will be deemed to still adhere to such separate school."
>
> Article 1996 (Revised Statutes) of the Act concerning public instruction in the province of Quebec enacts that :
>
> Any person belonging to the religious minority may at any time become a dissentient, and any dissentient may, in like manner, declare his

> intention of ceasing to be a dissentient, subject, however, in either case to the restrictions of Article 1988.
>
> The receipt by the chairman of the commissioners and the trustees of the declaration made, in either of the above-mentioned cases, is sufficient to place the persons so making the said declaration under the control of the commissioners or trustees, as the case may be. Need we add that the wording of that section is the only one that we approve of from a Catholic standpoint.
>
> But, as the Ontario Separate School Law was framed by a Protestant majority in favour of a Catholic minority, so likewise the Remedial Bill, while it restores to the Manitoba Catholic minority their material rights, is far from being perfect, in certain respects.
>
> Therefore, its acceptance by Catholics is subject to certain necessary restrictions which they are bound to offer, in order to reconcile the prerogatives of the state with their conscientious obligations. Shall our friends have it in their power to perfect the Bill and make it stronger, is more than we can say. That problem is both a question of prudence and one of law, and is not one of the less intricate problems which Parliament will be called upon to solve.

Under section 69 of the Bill, which has been styled on good ground "a hoax," it is enacted :

> 69. The Board of Education shall have power to appoint inspectors subject to the approval of the Lieutenant-Governor in Council (who may within one month after the notification of the appointment disapprove it, whereupon the office shall become vacant) who shall hold office subject to such disapproval, during the pleasure of the board and of the Lieutenant-Governor in Council, to define their duties and to provide for their remuneration ; and such inspectors shall visit the schools and report thereon at least twice a year.

And should the Lieutenant-Governor disapprove of or delay such appointments, what will happen ? There is no sanction to that clause. And, I ask, shall not the judicial tribunals declare that law ultra vires on the very ground that it lacks sanction ? With such a law, the main deficiencies of which I have pointed out, the Catholics of Manitoba, I dare say, will have cause to thank the government for the crumbs they are allowed to pick up, while, to use Archbishop Langevin's words, the Protestants are seated at the festive board. There is a capital defect in this Bill, and it is to be found in clause 74 which reads as follows :—

> "74. The right to share proportionately, in any grant made out of the public funds for the purposes of education having been decided to be and being now one of the rights and privileges of the said Roman Catholic minority of Her Majesty's subjects in the province of Manitoba, any sum granted by the legislature of Manitoba and appropriated for the separate schools shall be placed to the credit of the Board of Education in accounts to be opened in the books of the Treasury Department and in the Audit Office."

I could hardly be brought to believe that the above clause has not received from our Catholic representatives in the Cabinet the proper attention. That clause does not recognize that the local government are bound to grant a subsidy to support schools, and you could not find within the four corners of that clause a basis upon which to reckon the share in the public grant to which the Catholic minority are entitled. One sure thing about which are all agreed is that the Manitoba government will vote no grant of money to Catholic schools ; and in case of neglect or refusal on the part of that government to do so, no provision is made to force them to comply with that enactment. And yet, while the public schools are subsidized by the State, and Catholic schools are not, the latter, under subsection 6 of clause 75 shall not be deemed entitled to receive their share of the legislative grant, if they are not conducted on as good and efficient a basis as the public schools. Can there be found a more drastic clause than this enactment is, with respect to the minority ? I do not see the hon. Minister of Public Works in his seat, but the hon. Minister of Marine and Fisheries is here, and the hon. gentleman, who is a Catholic like me, also understands the French language. He has constituted himself the champion of the Manitoba Catholics. Why did not the hon. gentleman protect the interests of the minority and insist upon a more favourable clause being framed, in connection with the legislative grants ? I am going to keep the hon. gentleman on hot coals and show him that he did not, as he was bound to do, uphold the interests of those whose self-constituted champion he is. I see the hon. Minister of Public Works is back in his seat, and I ask him also to tell the House why he did not protect the interests of the Catholic minority and insist upon a better wording of clause 74 ? I charge the hon. gentlemen with having lacked energy in not insisting, as they ought to have done, upon the rights of the Catholic minority in Manitoba being recognized in this respect. Should the Manitoba legislature decline to make an appropriation for the separate schools, there is no provision made in the Bill to force them to appropriate any sum of money for the support and maintenance of those schools. More than that, not only does the vice I have mentioned exist in the Bill, but, as we were told by the hon. Minister of Justice, on the 11th of February last, we have nothing to expect from the Federal Government. Here are the very words fallen from the hon. Minister :

> The subject of a legislative grant was one of very grave difficulty, and the constitutionality of the provisions relating to that will, I have no doubt, be the subject of discussion in the House. But, so far as the Bill is concerned, the attempt that was made by the Government was this. There were two aspects of the question. The sharing of the legislative grant was one of the rights adjudged particularly to the Roman Catholic minority in Manitoba in the Privy Council decisions in England and Canada. That, therefore, was one of the rights to which they were particularly

> entitled. On the other hand, it was felt that for this Parliament to attempt to interfere directly with supply granted by the province of Manitoba would lead to enormous practical difficulty, besides being of a very highly offensive character, if I may use that term—to the local authorities. The government did not feel that this House had any constitutional authority to deal practically with the question of the legislative grant, and, so far as the difficulty was considered possible of solution, it is solved in the Bill which I propose to introduce, by adjudicating that the right to share in the legislative grant be one of the rights and privileges of the Catholic minority in the province of Manitoba, taking it for granted—as I think later discussion will show, we have a right to do—that the province of Manitoba itself, will after the system is established, supply that fund to the separate schools. That, of course, will be a matter of discussion later on. I do not know that I can say anything further just now as to the financial aspect of the case.

So, the hon. Minister declares that the Bill cannot be altered in the direction of the amendment proposed by the hon. member for Bagot (Mr. Dupont). In view of those facts, Sir, I feel it my duty to stand up and arraign the Ministers before the House and the country and to tell them : "Gentlemen, you are fooling, humbugging the country ; your Bill is not worth the parchment it is written on. You were to give us a law framed on the lines of the remedial order of the 21st March, 1895, which was passed on the eve of four by-elections which were to be held in four constituencies, in three of which there was an overwhelming Catholic majority, Verchères, Antigonish and Quebec West. You have pledged your word that you would give us a law framed on the lines of the remedial order, and you did not keep your word. During those by-elections, you declared, gentlemen, that the Federal Government would interfere to settle this school trouble, and mete out justice to our co-religionists. Those were the statements which you made in the Catholic constituencies, but in Haldimand, a Protestant and Orange county, you stated the very contrary. In the columns of the salaried and hide-bound partisan press of the province of Quebec, Catholics were told : Vote for the Government candidates, if you want justice to be dealt to the Manitoba minority : and meanwhile, the Orangemen were told : Never fear, we will never interfere with Manitoba. I repeat it, you are a lot of humbugs ! Now, Sir, I may say that I have scrutinized all the sections of the Bill now before the House, and I have no hesitation in stating that it fails to redeem the pledges given to the Manitoba Catholics ; you cannot help agreeing with me on that point, and the hon. member for l'Assomption (Mr. Jeannotte), who is interrupting me, dare not gainsay my statements. Could there be found, I ask, anything more unjust than such a legislation ? It gives nothing, absolutely nothing, not even a cent to the Catholic schools, while something like five hundred dollars is given to each public school. And yet, the hon. member for Provencher will stand up and tell us that he is ready to endorse such a legislation.

Some hon. **MEMBERS.** Shame, shame !

Mr. **BRUNEAU.** (Translation.) Yes, shame on the hon. gentlemen who make their duty, and their patriotism, subservient to the interests of a corrupt Government like the one we have now. The financial question was the main claim put forth by Archbishop Taché and by the Manitoba Catholics in 1892. They wanted to have their share in the public grant ; they insisted upon having the same grant as they had previous to 1890, and they were certainly right. Allow me, Sir, to read an extract from a Conservative paper, which reflected the views of the whole Conservative press at that time. In its issue of 5th December, 1892, "Le Sorellois" said :

> The public school law, passed by the Manitoba legislature in 1890 having been declared constitutional by the highest judicial tribunal in the Empire, and such decision being irrevocable and final, we have no other sheet-anchor left but interference by the Federal Government, provided for by subsection 3 of section 93 of the British North American Act.

It is, therefore, to the maintenance, by federal interference, of the Manitoba separate schools, that is to say, to the redress of the wrong perpetrated by the Greenway government to the prejudice of such schools, through depriving them of their legitimate share of the legislative grant, that all our efforts should be directed. Now, to all the objections which are being urged, the only reply made is that given in section 112 of the Bill, which I am going to read. But the Government forgot to tell us that it is doubtful whether they have the right to amend the present Bill, should it ever get through the House and be turned into law. The Government themselves granted that such was the case, in their report on the remedial order :

> 112. Power is hereby reserved to the Parliament of Canada to make such further and other remedial laws as the provisions of the said section twenty-two, of chapter three, of the statutes of 1870, and of the decision of the Governor in Council thereunder may require.

What can be expected from the Government in the future ? After five long years of waiting, after all the delays, and the dilly-dallying and the references to the courts that took place, Catholics ought to be on their guard. In presence of defections of members of the Cabinet, in presence of the opposition offered to the Bill by friends of the Government, what confidence, I ask, can we rely in a Government composed of all the groups of extremists in religious matters ? For over twenty years the Government is Orange-Protestant in Ontario and Catholic in Quebec. The Government is like the god of war, the two-faced Janus, with one face turned to the east and the other face to the west—one looking towards peace, and the other towards war. Such is the Government to whom are entrusted the destinies of the country. But granting that the Government should decide that the Bill now before us can be amended, may we possibly, I ask, in the presence of the opposition offered to the measure by their own friends, rely any confidence in their policy ? The hon. member for Lotbinière (Mr. Rinfret) who stands in no need of eulogium from me, has very well pointed out the other day, that the late Archbishop Taché was in favour of an investigation about the facts alleged in his petitions. The hon. member for Provencher cannot dispute the accuracy of my statement. Relying on the strength of his position, the venerable archbishop entertained no apprehension as to the result or the outcome of such an inquiry. And had the Government lent a favourable ear to his prayers —for it is a well-known fact that during five years the Government turned a deaf ear to his petitions—this vexed question would have been settled long ago. Allow me, Sir, to quote another extract from " La Presse " of the 25th February last, in order to show what were the facts to be investigated :

> If you eliminate all intricacies from the question, there is but one issue left : have the Government in 1869, given their pledge to Archbishop Taché, on behalf of the Queen, to grant separate schools to the Manitoba Catholics, should that province agree to enter confederation ? The statute evinces that that agreement was discussed and decided upon ; but, if the wording of the statute is not clear enough, let the eye-witnesses be questioned and examined. They are not all dead. Sir Hector Langevin, the Hon. Messrs. Mitchell and Howland are still full of life and able to state whether that was the exact intent of the clause, which Sir A. T. Galt framed himself and wrote out with his own hand.
>
> Once that basis is well laid, there will be nothing left to loyal citizens but to have the pledge of their sovereign respected. The men who will not respect that pledge will then be looked upon as demagogues.

If the Government in 1869 gave a pledge to Archbishop Taché, to grant separate schools to the Manitoba Catholics ; if the province of Manitoba entered confederation under that guarantee, are we not bound, says " La Presse " to have that pledge respected ? I have run over all the books and pamphlets which have been published on the Manitoba school question. I am a lawyer and I have given the question as much care and attention as the hon. member for Provencher (Mr. LaRivière) bestowed upon it, and I challenge the hon. gentleman to tell me in what book or pamphlet is to be found the inquiry made by the Government? On the grounds which I have just mentioned, I shall be glad to vote for the amendment of the hon. leader of the Opposition. But, Sir, there are other motives which impel me to cast my vote in favour of that amendment, and it is that the Government, at the last minute, have simply adopted the policy pursued by the leader of the Opposition. Less you should have forgotten what happened on the 11th July last, I shall refresh your memory, Sir, and refer to the magnificent speeches delivered on that occasion by the hon. member for Chicoutimi (Mr. Belley), and by the hon. member for Provencher and Gaspé. I shall also refer not to the stirring address of the hon. member for L'Assomption, but simply to the speech of that hon. gentleman. In referring to these speeches, it will easily be seen that the hon. gentleman kicked against the Government on the plea that the latter had decided to grant a delay of six months to Manitoba to settle the question herself. Those hon. gentlemen, as also the hon. member for Laprairie, all belonging to the Conservative party, voted with the Opposition, on the 11th July last, and covered their face because the Government had declared that they would further negotiate with the Greenway Cabinet. Now, however, if any credit is to be given to the rumours, they are willing to support the Government who propose to open further negotiations. The hon. member for Chicoutimi and Saguenay endorses the scheme of a conference between the Federal Government and the Greenway Cabinet. The hon. members for Ottawa, for Gaspé and all the Conservative members endorse the Government's action in opening further negotiations, and crawling on all fours to Winnipeg. How inconsistent, forsooth, is the course pursued by the hon. gentlemen. How can we possibly take any stock in the sincerity of the hon. gentlemen, when their hypocrisy is evident by such acts as those which I have just mentioned ? Allow me now, Sir, to quote an extract from a Conservative journal, the Montreal " Presse " to show in what light he considered the contemplated conference with Mr. Greenway. In its issue of February 21st, it said :

> As could easily be foreseen, Sir Donald Smith's mission was a complete failure. The old knight has lost his time and money, and Mr. Bowell has met with another rebuff. The course pursued by the Government is not unlike that of those unlucky lovers who, after having been shown the door over twenty times by a fickle-hearted belle, always hope against all hope, to obtain another sweet smile as the price of further obsessions ; but there is a limit to human endurance and we hope that this action of the Government is the last one taken in that direction.

On the 22nd of February, the " Presse " said again :

> Sir Donald Smith, after having found out the utter impossibility of bringing about a rapproachement between the wolves and the lambs, is on his way back to Ottawa. Some newspapers try to deny that such was the object of his mission, but people are not so credulous and cannot be fooled into believing that such was not his mission ; for, on what other ground, would an old man like Sir Donald Smith, have undertaken such a journey, at this season of the year ? Wherefore should he have invited to dinner to-

gether Mr. Greenway and Archbishop Langevin, who usually do not see much of each other ? No, it is better to speak the truth. Sir Donald Smith has made a last and final attempt, previous to the introduction of the Remedial Bill in the House of Commons and tried to prevail upon the local government to amend their own law and bring it within the provisions of the constitution, according to the construction put upon it by the Imperial Privy Council.

Sir Donald Smith never had the least chance of succeeding in his mission, but should he have had any, the ill-timed letter of Father Lacombe would have been enough to annihilate all hope of success.

On the 29th of February the hon. Secretary of State (Sir Charles Tupper) happened to be in Montreal. I may remark, by the way, that the hon. gentleman is not the demi-god we fancied he was. We, the younger members of this House, were awe-struck by the fame of the hon. gentleman, which had preceded his return to the country, so that I fancied that the war-horse of Cumberland would fall upon Parliament as a thunderbolt. But, for the last two months I have grown familiar with his face, and I do not now fear him at all, and the hon. leader of the Opposition is still less afraid of him. Dealing with the remedial law, here is what the hon. Secretary of State said to a correspondent of "La Presse" :

> Sir Charles is of opinion that the debate will be of short duration.
>
> As to the rumours concerning Mr. Greenway's coming to Ottawa, the Secretary of State states that they are utterly groundless.
>
> Besides, the Government have made no proposal to him. Sir Donald Smith had no mission from the Federal Government, when visiting Winnipeg, of late.
>
> Should Mr. Greenway wish to spare us the trouble of legislating in his stead, he need only say so and introduce in the Manitoba assembly now sitting, a law similar to that which is now before Parliament.
>
> Let him, of his own accord, render justice to the minority, and the House of Commons will be only too glad not to interfere with Manitoba.
>
> Sir Charles Tupper further said this : It is Mr. Greenway's turn now to come to Ottawa, and not ours to go to Winnipeg.

I was told that the Secretary of State was a bold and reckless man, and I see a proof of it in the statements made to-day before the House by the hon. gentleman. On the 29th February, he said : "It is Mr. Greenway's turn to come to Ottawa, and it is Sir Charles Tupper who will go to Winnipeg." When I see the Government pursuing such a double-faced policy on the school question, I have a right to ask whether I should, as a Frenchman and a Catholic, vote in favour of the Bill now before the House. I cannot conscientiously do so. That is the reason why I shall vote with pleasure for the amendment of the hon. leader of the Opposition. Moreover, the hon. Postmaster General should not delude himself. It seems that, for some days past, the hon. gentleman and his colleague, the Minister of Public Works, have kicked a good deal. They are adverse to any further proposal of negotiations with Greenway. I may tell the hon. Postmaster General that his best friends in the province of Quebec are abandoning him. It is not the Liberals now who are the traitors, but men of the hon. Minister's stamp, because they are in favour of further negotiations being entered into with the Greenway government. Allow me, Sir, to quote an extract from a non-Liberal source. The "Moniteur de Lévis," in its issue of the 14th March instant, said :

> Any compromise, under the circumstances, would be rank treason. It is important that this should be well understood, and we rise in protest against the obnoxious doctrine advocated by Mr. Joncas in "L'Evénement," when he states that "all those conversant with that vexed question are of opinion that it would be better that justice should be done to the Manitoba minority through the action of the legislature."
>
> That is a position unsound as it is fraught with danger. And we invite all the interested parties to be on their guard against any possible compromise. Why in the world should we call everything in question, compromise everything, while reconstituting for the Greenway government a new jurisdiction which would enable them to demolish to-morrow the structure which is is sought now to be raised upon the lines of a compromise.

And further on :

> It is quite evident that it is not Mr. Joncas who is at the helm of the Ministerial ship. Not only does he not sit at the helm, but he is humbugged by the men who steer the ship. The rumour was afloat for two or three weeks that, yielding to the entreaties of Sir Donald Smith, the Government was about to invite Mr. Greenway to Ottawa, to try a compromise. The member for Gaspé was puzzled by those rumours which were assuming some consistence and spreading alarm in the public mind. He now states, on what seems to be reliable authority, that the Government have made no such attempt at compromising matters.
>
> The very same day on which that information was elicited, Sir Charles Tupper declared that Mr. Greenway was coming to Ottawa, at the request of the Government, and that the latter were trying to bring about an understanding with the former.

Now, after relating Mr. Greenway's arrival in Ottawa, the "Moniteur" adds : "We freely confess that all that smacks of comedy." Such are the views given expression to by Mr. Landry's and Mr. Angers' organ. Allow me, Sir, to quote from another paper, "La Vérité," which is another Conservative organ, which is subscribed to by all the parish priests in the province of Quebec, and which may be looked upon as the organ of the hierarchy. In the issue of that journal, of the 14th February, 1896, I find an editorial under the heading "Treason," in which appear the following comments in connection with the scheme of a contemplated conference between the Federal Government and the Manitoba Cabinet :

> The Government organs charge Mr. Laurier with betraying the cause of the Catholic schools. The position taken by the leader of the Opposition is no doubt a deplorable one ; but as Mr. Laurier never pretended to champion that cause, he cannot be charged with betraying it.
>
> But the Government have constituted themselves the champions of the Manitoba minority, and they are just taking steps to betray that minority. For some weeks past, Sir Donald Smith has been moving heaven and earth to prevail upon the Federal Government to enter into further negotiations with the Greenway government, with a view to coming to a compromise. He has at last succeeded.

Here, the "Vérité" quotes a telegram from Mr. Greenway, and the statement made by the Secretary of State, coupled with the following remarks :

> The Government, therefore, yield to the threats made by the "World," and by Messrs. Wallace, McCarthy, Sproule, Craig and other foes to the Manitoba minority. They accept a compromise with Mr. Greenway. Now, such a conference would be a huge joke, were it not the gravity of the question at issue. In this case, it is nothing less than a treason that is in progress.
>
> Should the conference result in bringing about a compromise, the Manitoba Catholics will get but a bit of justice ; they will fall under the hostile jurisdiction of Mr. Greenway who, next year, will take away from them the pittance which he makes a show of granting them.
>
> Should the governments reach no agreement, then a precious time will have been lost and the fate of the Remedial Bill will probably have been hopelessly compromised.
>
> The future, therefore, is more ominous than ever. Recent events but too fully justify Hon. Mr. Angers's fears.

How then could I, a simple member of the Opposition, place any confidence in a Government who are ready to betray us at any moment ? Now, What did the hon. member for Chicoutimi, for Bagot, for Provencher, for Gaspé and for Berthier say ? Let us for one moment turn our attention to these hon. gentlemen and busy ourselves with their utterances in this House, at the time of the crisis of the 11th July, 1896. You no doubt remember, Sir, that the hon. member for Bagot at that time, charged the Government with crawling on all fours before the Greenway government. To-day the Government are prostrate to the ground before the same government, and the hon. member for Chicoutimi (Mr. Belley), the hon. member for Gaspé (Mr. Joneas), and all the Conservative members on the other side, shout themselves hoarse singing the praises of the present Administration. I may be allowed now, Sir, to invite attention to the utterances of the hon. member for Bagot (Mr. Dupont), on the 11th July, 1895, which are to be found on page 4200 of "Hansard" :

> I say further that, after receiving from the Manitoba government such a reply as the one they received, there is no other path open to them, with a view to bringing any further negotiations to a successful issue, but to crawl from Ottawa to Winnipeg, and beg on their knees from the Greenway government to rid them of this legislation.
>
> Some hon. MEMBERS. On all fours.
>
> Mr. DUPONT. (Translation.) I am sorry to see at the head of this procession my hon. friends the Minister of Public Works and the Postmaster General. I say, Sir, that it is below the dignity of this Government to be under the necessity of crawling on all fours to Winnipeg, after having met with so flat a denial as the one they have received.

That was on the 11th July, 1895 ; the Government were allowed by the House a delay of six months, in order to frame a Remedial Bill, should the Greenway government meanwhile, take no action. Parliament was to be called together, as it actually was, on the 2nd of January last, in order to pass that legislation. But instead of being brought in at the outset of the session, that Bill was brought forward only on the 11th February and put off for its second reading until the 3rd March. After such a delay, I may say, in the words of my hon. colleague from Bagot (Mr. Dupont) that I see with regret that the hon. Minister of Public Works and the Postmaster General endorse the proposition of opening further negotiations with the Greenway government. If the Government are in earnest in proposing such a scheme, why call a division on the second reading of a Bill which, to-morrow, may be a dead letter ? If the Government are not in earnest, wherefore have they called together here the members, drawing them away from their business, for over three months, to pass a Remedial Bill in favour of our fellow-countrymen ? The hon. member for Chicoutimi (Mr. Belley) thus delivered himself upon that occasion, as follows :—

> Now, they want to enter into negotiations with the Manitoba government ; with a political body which has no right to refuse and therefore to give jurisdiction to this Parliament. What right has the Manitoba government to say to the Government at Ottawa that it will settle the school question with the Catholics ? The question is as to the removal of an unjust law. The Manitoba government has no such right ; it exclusively belongs to the legislature. Propositions in view of a settlement may be made to it, but not to the Manitoba government. It is stated in the Ministerial declaration that a communication will be addressed to the Manitoba government, not to the legislature, in order to try to come to an amicable settlement. But if our Ministers make new propositions, they renounce thereby to the remedial order. When making new propositions, I presume the intention will be to receive either an approval or a refusal. To do that, the Manitoba legislature will have to be called together. Now, it can only be called on the advice of the Ministers of Manitoba, and as they are opposed to any arrangement, one has only to read the speeches delivered in the course of the debate which ended by a refusal to be satisfied in this respect—they will not call the House together.

Later on, on the 15th of July, the hon. member spoke as follows :—

> And, Sir, what will be, in the future, the outcome of this unsettled policy of the Government ?

> The consequence will be to make it impossible for this House to enact such legislation as would afford a full measure of relief to the minority, in case such a legislation should be introduced at the next session of Parliament. This legislation, Mr. Speaker, would be incomplete and could afford inadequate relief and redress ; and that is the reason why I say the Government should have introduced this very session, their legislation, so as to press it to a conclusion and perfect it at the next session of Parliament, to be called in January next. The Government themselves must agree that the legislation which is to be introduced at the next session cannot be but incomplete and inadequate ; because the Bill then introduced will contain no special enactment as to the proportionate shares of provincial moneys to be granted by the Manitoba legislature for the support of separate schools. I hold that the Manitoba government will give no share of the provincial grants to the Catholic minority. The Bill in contemplation ought therefore to contain an enactment providing the means of reaching that end, in case the Manitoba legislature should decline granting any share of the provincial moneys to the minority. I give utterance to that view now, and I have no hesitation in saying that there lurks a very serious danger in that direction. I hold that the legislation to be introduced at the next session should contain an enactment governing those legislative grants ; and hence follows the necessity of another session being held, in order to perfect that legislation by adding to it the provision I have just referred to, an enactment which I look upon as necessary in order to secure for the minority the rights guaranteed to it by the constitution.

Now, you will see how the hon. member is going to vote. He is going to vote in favour of the second reading of the Bill, and give the lie to his declarations of the 11h July last. But the hon. member cares very little about that, as he is sure to be defeated at the polls at the next elections. Why then should the Government re-open further negotiations with the Greenway government ? The hon. member for Chicoutimi was satisfied last year that it was a dangerous action to take, from a Catholic standpoint. If he were still of the same mind, wherefore is the hon. member ready to vote for the second reading of the Bill, approving meanwhile of the scheme of a conference ? As will be seen from the extracts which I have quoted, the hon. member for Chicoutimi stated last year that, in order that this Parliament should be authorized to interfere, it was necessary beforehand for the Greenway government to have declined to comply with the remedial order. I might equally quote the utterances of the hon. members for Gaspé and L'Assomption under those circumstances made memorable by the resignation of the three French Ministers. But let me refer to the authority of the hon. member for Berthier (Mr. Beausoleil) :

> He said to the voters of that province that should Manitoba refuse to act, this Parliament would give relief to the wronged minority. On the other hand—and I am referring now to what I know—I have seen and heard the hon. the Minister of Public Works going in the county of Verchères, from church door to church door, from one parish to another, stating that the Government had taken measures for the relief of the Catholic minority, and that should Manitoba refuse to comply to the remedial order, the Federal Parliament would do its duty. On nomination day, the hon. Minister stated, in the presence of Mr. Geoffrion and of thousands of voters, that the Government would propose a remedial legislation at the next session, legislation based upon, and drafted in the very terms of, the remedial order they had just passed.

Did the hon. Minister of Public Works redeem his pledge to the effect that the Catholics would be granted whatever was involved in the remedial order of the 21st March, 1895 ? None of the hon. members will dare answer yes, because I might then throw to their face clause 74 of the Bill. Alas for the false pledge and the policy of deception ! The hon. the Minister of Marine and Fisheries was not there, but later on he visited the province of Quebec and spoke to my fellow-countrymen in the same strain. The hon. gentleman was at Lachine, during the electoral contest in Jacques Cartier, and he declared there that, at the present session of Parliament, the Government would pass a Bill framed on the lines and in the very terms of the remedial order. The hon. Minister of Public Works stated last year, in Verchères, that such a law would be introduced. The hon. member for Berthier made a similar statement, in his speech before the House, and this year he is going to vote with the majority, under the plea that the law renders justice to the minority. Let me refer again to the speech of the hon. member for Berthier (Mr. Beausoleil), of the 11th July, 1895 :

> In my humble opinion, the Government are trying to slip out of their promises made to Parliament. They have not now, nor ever had, the intention of introducing a remedial legislation. Finding themselves driven into a corner, they are now looking for a back door, and as the hon. member for Gaspé (Mr. Joncas) so nicely put it, the other day, in his paper, the delay now asked for is but a subterfuge, or means devised to escape ministerial responsibility, and to gain time, in order to get rid of Parliament.

The Conservative papers, with the bad faith and the barefacedness which characterize them, stated that it was Mr. Greenway himself who had caused the Federal Government to invite him to enter into negotiations. I need scarcely add that the facts before the House give the lie to such a statement, and that it was the corrupt and moribund Government of the day who were seeking for some back door to escape from their own responsibility. They cause the Bill to go through its second reading, in order to be able to tell the electors in Quebec : "We voted for the principle of interference in favour of the separate schools ;" and to the Ontario Protestants : "We did not pass the law, and we shall never pass it." The Minister of Marine and Fisheries, just like the Postmaster General, is going to resort to that manoeuvre, and why so? First, because before all, the party must be kept in power. It affords me a genuine pleasure to quote another extract from the speech of the hon. member for Berthier, for whom the hon. members opposite have been so lavish of their praises and encomiums, these few days past. Here are his very words:

> And when those hon. gentlemen will be closeted in the Privy Council chamber, whether the hon. Minister of Public Works or the hon. Postmaster General be willing or not, the majority of their Protestant colleagues will readily find out a pretext for dissolving Parliament and holding a general election, without calling another session.

There is only one word to be changed in the above extract for the prediction of the hon. gentleman to be fulfilled: it would then read thus: On the 25th April next, let the Minister of Public Works and the Postmaster General be willing or not, the majority of their colleagues will find a pretext for proroguing Parliament and bringing on the general elections without giving a sanction to the school law.

Mr. AMYOT. (Translation.) But we have that sanction; it is the Bill itself.

Mr. BRUNEAU. (Translation.) The hon. member for Bellechasse (Mr. Amyot) says that we have the sanction in the Bill itself. Does the hon. gentleman remember having stood up in this House, a few days ago, and having told us that it would require an army to have justice meted out to our Manitoba fellow-countrymen?

Mr. AMYOT. (Translation.) If the hon. member allows me, I will tell him that we have now a Remedial Bill which gives justice to the minority, and that the anti-remedialists are found among the hon. gentlemen opposite. You have been wasting the time of the House these three hours past, and we will let your electors know.

Mr. BRUNEAU. (Translation.) The hon. member for Bellechasse (Mr. Amyot) is not in earnest. If the hon. gentleman wishes to meet me in my constituency, I am ready to meet him: I invite him to come. I am the representative here of an electoral division, the population of which is overwhelmingly French Canadian and Catholic. I represent here 20,000 French Canadians, and I say before Parliament that this Remedial Bill is not worth the parchment it is written on. I know that what I say now is not relished by hon. gentlemen opposite; but, as we say in common parlance, it is better to take the bull by the horns, and so I speak out what I think. The hon. member for Bellechasse ought to be ashamed, under the circumstances, to come here and try to show that the traitors are to be found in the ranks of the French Liberal party, when those traitors are actually found among the French Conservatives, if we view this Bill from a Catholic and French standpoint. It is the hon. gentlemen opposite who have for several years past, and the more so since 1895, sacrificed the rights of our fellow-countrymen in Manitoba, allowing them to run the gauntlet of the tribunals, instead of coming to their relief at a time when, under the constitution, they had authority to interfere. Do you want to know where the traitors are? The traitors are those people who, like the hon. member for Bellechasse and his friends, are satisfied with picking up the crumbs fallen from the table, when in the province of Quebec, the English are seated at the festive board.

Mr. DEPUTY SPEAKER. (Translation.) The hon. member ought to know that this is out of order, when applying the word "traitor" to an hon. colleague.

Mr. CHOQUETTE. (Translation.) The hon. member is giving the reply to the member for Bellechasse.

Mr. BRUNEAU. (Translation.) I may be out of order, and I am ready to obey your ruling, Sir, for I do not want to depart from the rules of parliamentary etiquette. If, however, I have departed from those rules, I have only followed in the footsteps of the Conservative members. Therefore, in order to set a good example, and teach a lesson to the Secretary of State, who declined to take back a word, I withdraw the word "traitor" which I applied to the hon. member, and I hope we won't be worse friends for all that. But while I am dealing with this topic, let me remind the hon. gentleman that his acts are inconsistent with his utterances. He told us that he was going to vote for the second reading of the Bill in order to have justice meted out to our compatriots by the Greenway government, but that if the latter refused to comply with the law, it would then be time for the Government to send a whole army to secure the enforcement of the law. If it were requisite to send battalions to Winnipeg to have justice done to our fellow-countrymen, how is it that the hon. member is ready to entrust the enforcement of the Bill to that very government who are adverse to us and unwilling to obey the law? Let the Minister of Militia here allow me to give him a piece of advice. If ever it became necessary to send an army to Manitoba, I would suggest, as I said, to entrust the command of that army to the hon. Minister of Public Works, and the hon. member for Bellechasse could have charge of the provisions, while the hon. member for Montmorency (Mr. Turcotte) could supply the army with the necessary provisions.

Mr. AMYOT. (Translation.) Go on, go on; you are a credit to your nationality.

Mr. BRUNEAU. (Translation.) I heard the hon. member for Berthier (Mr. Beausoleil) offer to the House in 1896 an opinion which he advocated in 1895. For a few days past, the hon. member for Berthier has become the standard-bearer of the Conservative party in the province of Quebec, or, rather the hon. member for Berthier has been spoken of in the province of Quebec as a man of genius. When one reflects that the former editor of the "Bien Public," Cléophas Beausoleil, has been praised by the "Minerve!" But when I find the "Minerve" singing the praises of the member for Berthier I am tempted to exclaim: "Timeo Danaos, et dona ferentes." It is a well-known fact that the hon. member said that he would abandon the Liberal party on the school question, because the hon. leader of the Opposition had never defined his policy on the matter. He said that the leader of the Opposition had declared that the school question was not a party question. Let the Government, he said, introduce a Bill to settle the question, and I am ready to support such a measure, if it be just and operative. To my mind it is a matter of opinion: I do not believe the Bill to be just and operative. I would like to know now what stand the hon. Minister of Public Works takes on the question at issue. Is he in favour of the Remedial Bill or of a conference with Mr. Greenway? Are the two propositions equally good? The hon. Minister does not vouchsafe any reply: he is afraid to commit himself. If he were to speak out, it might elicit a reply which he did not like. Poor Minister, how hounded how persecuted he has been from the day when he made himself the champion, the standard-bearer of religion outraged by the Liberals. I am French to the very core: I am a Catholic, not because my father was a Catholic, but because of the training which I have received: and when I see the Orange-Tory Government trying to make use of religion against our national and political convictions, I say: You are a lot of humbugs and comedians, and no matter what appeals you make to the race and creed prejudices of my fellow-countrymen, when I return in their midst, I shall say to them: Here are the men who have traduced you, who have betrayed our Manitoba brothers: here are the men who have voted for the second reading of the Bill, but who have not had the necessary pluck to carry it through the third reading: and the French and Catholic voters in the province of Quebec will follow the example set last year by Montreal Centre, Jacques Cartier and Charlevoix.

Dealing with the projected conference, the "Presse," in its issue of yesterday, said: "To our mind, that scheme does not bode well to us." I was bound to give to the country and to my constituents the grounds on which I rest my determination to vote against the Bill. Allow me now, Sir, to give you the objections raised, because we vote against the Bill. We are told: you are voting against the separate school principle. Such an objection is absolutely groundless. I am in favour of separate schools, and so is the leader of the Opposition. It is not right to say that we vote against the principle of separate schools, and that on the following grounds: because, first, the Liberal party in Ontario passed the Act of 1863 granting separate schools to the Catholic minority; because, further, that same Liberal party—and the hon. Minister of Public Works cannot gainsay it—has constituted itself, for these ten years past, the champion of the constitution and of separate schools in the province of Ontario against the rabid attacks of the Conservative party under the leadership of Mr. Meredith. No, Sir, we are not opposed to the principle of separate schools, but, unlike the Minister of Public Works, we want a complete law, a law that will be operative and that will give full satisfaction to the Catholic minority in Manitoba. I repeat it again, so that the stand I take on the question may be clearly understood: I am in favour of separate schools. Had I lived previous to 1837, I would have insisted upon Great Britain fully recognizing in all their integrity the rights of French Canadians. Now we have to deal with the Catholic minority in Manitoba, and I wish to secure for that minority the full recognition of their constitutional rights. But, if the hon. gentlemen opposite are in earnest, how is it that they vote with people who contend that the Bill does not deal with separate schools, but is simply a question as to whether the constitution will be obeyed or not. It follows, therefore, that in voting against this Bill, we do not vote against the principle of separate schools. In the second place we are told by the Conservative members and the Conservative press: your duty is to interfere, in order to bring about the triumph of French and Catholic influence on this continent. It is very strange that French Conservative members opposite cannot better agree among themselves. Among the Government followers opposite, some are in favour of interference, others are adverse to it. The hon. Minister of Public Works cannot gainsay the fact: if he attempted to contradict my statement, I could quote the words fallen from the hon. member for Leeds (Mr. Taylor), as also the statements made by several other members on the other side. If the hon. leader of the Opposition came into power, he could give to that school question a much better solution than that now proposed. We are not opposed to federal interference, but we disapprove of the manner in which the Govment propose to interfere. We oppose with might and main this Bill because it does not involve a single provision calculated to deal full justice to our fellow-countrymen out west. The hon. Minister of Public Works is probably going to pay us a visit in Richelieu during the coming campaign, and I cordially invite him. He well knows what a cordial reception we always extend to him. He will probably tell my electors that we are opposed to federal interference, that the French Liberal party did not uphold the Catholic interests and have taken a stand against intervention. But we are not opposed to intervention, in voting against this Bill, since, according to the leader of the House, no such principle is involved in the Bill. We insist upon an investigation being made, and if our fellow-countrymen and co-religionists in Manitoba are right, they have no reason to fear the results of the inquiry. On the contrary, they must insist upon it, in order to silence the voice of the Orangemen who, although they support the present Government, are constantly denouncing Catholics and stating that they have no grievances. I for one, am in favour of an investigation, in order to fully vindicate the claims of Archbishop Taché who, in 1869, contended that the Red River inhabitants had obtained securities in connection with the maintenance of their separate schools in the province. Another reason which the Conservative party will not fail to urge is that the interested parties accept this Bill, that Archbishop Langevin accepts it. That argument will be largely resorted to in the next electoral campaign in the province of Quebec. For over twenty years, the Conservative party have always tried to speculate upon the Catholic religion for the benefit of a tortuous and bad policy. Those hypocrites, now driven to their last entrenchment, and threatened from every quarter because of the robberies which have signalized their administration of public affairs, now will try to intrench themselves behind the wall of religion, in order to hide their turpitude and their wrong-doing.

Mr. TURCOTTE. (Translation.) Just like Mr. Mercier.

Mr. BRUNEAU. (Translation.) My electors know that I always disapproved of the course followed by Mr. Mercier when pandering to the clergy, for the benefit of his policy. I regret, as a French Canadian and a Catholic, to see the French Ministers trying to take advantage of the clergy, for the benefit of their obnoxious policy. I respect Archbishop Langevin's opinion. I respect the opinion of our priests, but I contend that, when we are called upon to judge as to the validity of a law, of its operativeness, of its construction, my opinion is worth that of Bishop Langevin's or of any other priest. Now, it was the bishops themselves, who, in 1872, at the time of the debate on the New Brunswick school question, established that doctrine. I am French and Catholic, and if the hierarchy had told me that I could not conscientiously vote in favour of the Bill now before the House, I would have bowed down with respect, but I received no letter, I am not aware of any pastoral having been issued on the matter, and I am satisfied that, in voting against the second reading of the Bill, I am going to do a good office to my fellow-countrymen. I certainly respect the opinions of those Liberals and Conservatives who are going to cast their vote in favour of the Bill: but I claim the same respect for the opinion which I entertain. The hon. members for Berthier and for Ottawa do not abandon the Liberal party, from the fact that they are going to vote against the amendment and for the second reading of the Bill. It is quite possible that the Government are throwing dust in the eyes of the hon. gentlemen and deluding them—they have deluded so many others—but, for my part, all the dust they could throw in my eyes would not blind me to the defects of their Remedial Bill. The Government cannot be in earnest, and their whole course in this matter evinces it. They referred the question to the tribunals, in order to escape responsibility; so much so, that the hon. members for Laprairie, for Montcalm and for L'Assomption voted against the Government in 1893, on the ground that the Government referred the matter to the tribunals. For all that the Government did not read those four members out of the party. I ask of the Liberal party to adopt the same policy towards their own followers. The Government are not in earnest. I want no other proof of it than their novel attitude, in asking the Greenway government to settle themselves the school difficulty; in declining to answer the question put by my hon. friend from Quebec Centre who inquired, the other day, whether that Bill was a beginning of justice and whether they were going to perfect it, they also refused to answer the question which I put yesterday in relation to the amendments of which the hon. member for Bagot (Mr. Dupont) has given notice. At any rate, we shall never have the third reading of this Bill. I may, however, tell the hon. Minister of Public Works who is now in his seat, that if the Bill be amended so as to eliminate from it the abuses and injustices which I have pointed out, I shall vote with pleasure, not only for the amendments but for the law itself. One word more and I am done. The hon. member for Berthier, whose desertion, or rather whose attitude on the school question I regret more than any one else, told us that the leader of the Opposition had never made a party question of it; that at the time of the great Liberal convention held in Ottawa in 1893, the school question had not been included in the programme, and that hence we were free to act as we thought best. I beg the hon. member for Berthier to remember that the following resolution was passed at that convention, and was published in the issue of the "Canada" of the 26th July, 1893. At that time, that journal had not yet been sold to the Government:

> We were of opinion that the convention ought to pronounce upon the school question. Our opinion prevailed. Could the Liberal party more outspokenly declare themselves in favour of our fellow-countrymen in Manitoba, than by ratifying the statement made by their own leader? Decidedly not.

> A resolution was therefore framed to that effect, and was carried in the midst of the greatest enthusiasm. Here it is :
>
> That this convention desires to express its entire confidence in the leadership of the Hon. Wilfrid Laurier, and its admiration of his brilliant eloquence, his endearing personal qualities, and his broad and statesmanlike utterances upon the public questions of the day.
>
> Here is the irrefutable proof that the Liberal party, without being entrusted with the responsibility of power, without one dissentient voice, ratified the statement made by their leader in relation to the school question.

I was one of those who attended the convention with the delegates from the county of Richelieu. I applauded that resolution. The hon. member for Berthier was also in attendance. There is therefore a striking contradiction between the course followed to-day by the hon. member and the statement made in the resolution which he himself endorsed and voted for. I respect all opinions, but I believe that the hon. members for Berthier (Mr. Beausoleil), and for Ottawa (Mr. Devlin) allow themselves to be blinded by the declarations of the Government, who are not in earnest. On the 11th July last, the member for Berthier thus delivered himself :

> I hope the result of the popular verdict which is to be rendered at the next election will be the consolidation and not the disruption of confederation. I hope, then, we shall have seen the last of the race and creed wrangles, of that war of races, and that far from being intensified, our dissentions will gradually die away ; if not, then, we must forego all hopes of ever becoming a great and prosperous people. It is still within our power, as I said, to escape those evils which would precipitate the ruin of confederation, if we only make up our minds to get rid of the clique that now governs the country and in putting the reins of government in the hands of men to whom the people repose confidence.

I hope my hon. friend from Berthier will not be offended, if I have called up to his recollection the eloquent utterances I have just quoted. In concluding my remarks, Sir, I declare that I shall vote against the Bill, because I believe it to be ultra vires ; because it would prove to be a source of litigation for the Catholic minority ; because it is incomplete and does not render justice to our fellow-countrymen, but causes them to lose the rights which they enjoyed previous to 1890 ; because admittedly it is not a direct interference by this Parliament ; because it is inoperative in its main provisions ; the sanction being left to a hostile government, because, with a view to a settlement of this question, I have more confidence in the patriotic and wise course pursued by the hon. leader of the Opposition.

Mr. BELLEY. (Translation.) Mr. Speaker, I must state to the House that I do not intend to answer at this hour of the night the incoherent nonsense of the speech which we have just heard. If I am to judge by the debate which has now been going on for several days, it is useless to deceive oneself as to the seriousness of the situation which results from the Manitoba school question. The Government is, perhaps, to-day risking the heaviest stake of its long and creditable career, while the Opposition think they can reach power in this hour of trouble and anxiety by strewing the course with all sorts of obstacles. And in the Conservative party, on the one hand, and in the Liberal party on the other, we vainly look for such unity of action as makes the strength of a government party, or gives a constitutional opposition its raison d'être, public utility. Factions in the Liberal party, factions in the Conservative party, an almost complete breaking of the old ties—such is, Mr. Speaker, the strange and painful spectacle offered by this House. And, in the meanwhile, the country in rankling with intestine broils. Where is the evil, and who will remedy it ? If your arm is diseased your whole body suffers. Medicine and common sense teach us that, in such a case, what you must treat and cure is the suffering limb, in order to bring back health to the rest of the body. Well, allow me to say that if our confederation is convulsed by a political and social crisis, it is because one of its limbs is diseased, and the trouble will only cease when the malady is cured. The nation's ailments always come from the violation of some great principle of freedom and justice. Give back to the minority the rights of which it was despoiled, give it back its freedom and justice, then the disease will be cured, and in the whole country we may then enjoy rest, peace and harmony. For five years we have been agitating this question of the Manitoba schools. An appeal was taken under the constitution of the province. The Government, in view of the difficulties which were to result from the law of 1890, thought it was prudent to obtain the opinion of the highest tribunal of the Empire on the question of whether the Parliament of this country has a right to legislate on the matter. By its decision the Privy Council recognized our jurisdiction, after having declared that the rights and privileges of the minority had been violated by the law of 1890. What are the rights and privileges which were violated and which are claimed by the minority ? The first and principal—I might say the only one, for the others are only auxiliary—is their right to separate schools. This right is the object of the Catholics' appeal, such as set forth in their petition presented to the Governor General in Council. This petition is contained in the sessional papers of 1891, and is found again quoted in 1892 by the counsel for the minority. The principal points of the petition are found in paragraphs 9, 10 and 11. The other paragraphs are but a preliminary statement of the question and a statement of a right, the recognition of which is sought. Let us see what is the purport of these paragraphs 9, 10 and 11. I read :

> 9. Ever since the said legislation and until the last session of the legislative assembly, no attempt was made to encroach upon the rights of the Roman Catholics so confirmed to them as above mentioned, but during said session statutes were passed (53 Vic., caps. 37 and 38), the effect of which was to deprive the Roman Catholics altogether of their separate condition in regard to education; to merge their schools with those of the Protestant denominations, and to require all members of the community whether Roman Catholic or Protestant to contribute through taxation to the support of what are therein called public schools, but which are in reality a continuation of the Protestant schools.
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> 10. There is a provision in the said Act for the appointment and election of an Advisory Board and also for the election in each municipality of school trustees. There is also a provision that the said Advisory Board may prescribe religious exercises for use in schools and that the said school trustees may, if they think fit, direct such religious exercises to be adopted in the schools in their respective districts. No further or other provision is made with reference to religious exercises, and there is none with reference to religious training.
>
> 11. Roman Catholics regard such schools as unfit for the purposes of education, and the children of Roman Catholic parents cannot and will not attend any such schools. Rather than countenance such schools, Roman Catholics will revert to the voluntary system in operation previous to the Manitoba Act, and will, at their own private expense establish, support and maintain schools in accordance with their principles and their faith, although by so doing they will have in addition thereto to contribute to the expense of the so-called public schools.

As will be seen, paragraph 9 of this petition, which embodies the appeal, and in which originates the jurisdiction of this Parliament, is not, of course, the statement of a fact as a ground for the conclusions of the petition, it is rather the setting forth of the law complained of. The statements containing the facts on which the minority take their stand are contained in paragraphs 10 and 11. Paragraph 10 complains of the provisions for the appointment of an advisory board and for the election of school trustees. Under the law of 1890, the advisory board may be composed altogether of Protestants; it is appointed by the Lieutenant-Governor in Council, the university board and the teachers of the province. No guarantee is given that the choice of the minority will be respected, or that there will be any representatives of the minority on this board. It is evident that this board may be exclusively Protestant. The advisory board has also the choice of the books, and shall regulate the religious exercises to be practised in the schools. Now, if the advisory board may be exclusively Protestant, the religious exercises, as well as the school books, may also be exclusively Protestant. No guarantee is, therefore, given to the Catholics. Paragraph 11 of the petition states that the schools are unfit for Catholic children. It is clear that if the advisory board has the right to prescribe the religious exercises, as it has the right to choose the books to be used, the teaching and the religious exercises must necessarily be Protestant, and, consequently, contrary to the Catholic doctrine; and it is clear also that the Catholic children cannot attend such schools. To justify the conclusion of the petition it is enough to show that the advisory board is under the law, and not as a matter of fact, entirely Protestant. I say that there is no necessity to establish that this board is entirely Protestant in fact. I will call the attention to the fact that the appeal in question is not taken on the ground of the operation of the law, but on the ground of the law itself. That is to say, we have not to wait, before interposing, that the law be put in operation. In fact, what does the constitution of Manitoba say on the question of appeal? Section 22 reads as follows:—

> An appeal shall lie to the Governor General in Council from any Act or decision of the legislature of the province, or of any provincial authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

The constitution does not say that an appeal will lie from the operation of an Act, but from the Act itself. Then, this undeniable principle being laid, it must follow that the moment the law is unjust there lies an appeal as a protection for the minority. Is the law just or unjust; that is the question. It will be unjust if it changes the provisions of the former law; if it changes or curtails the guarantees given the minorities by the Act of 1871. Does it change the former laws so as to deprive the Catholics of rights and guarantees which they enjoyed before? It will be enough to read the Act of 1890 to see that it does change the dispositions of the former laws and take away from the Catholics guarantees which they had before. What does the Act of 1890 say? It says that the advisory board may be exclusively Protestant, while the former laws gave the Catholics the right of having Catholics on the board of education by which the school books were chosen. This control is now entirely in the hands of the Protestants. Consequently, the schools must necessarily undergo a Protestant direction. It seems to me, therefore, that the facts of the petition are sufficiently established, and that the object of the complaint is well grounded, as the appeal lies from the Act and not from its application. Why should an appeal lie from the Act simply? It is not to be believed that this has been put in the constitution without an object in view. Evidently the rights of the minority were intended to be protected. The authors of the constitution have wanted an appeal to lie from the law itself, in order to give the minority a means of protecting themselves, and even forestall the evil, if possible. This remedy would, therefore, be delusive and absurd if, before appealing from an unjust school law, the Catholics were obliged to wait till this law be put in operation, and that the injustice be consummated. Now, is a commission necessary, that we may know these facts ? Is a commission necessary that we may know what are the powers of the advisory board under the Act of 1890, and what were the guarantees enjoyed by the Catholics before 1890 ? A commission is no more necessary to establish these facts, than one would be to show the difference existing between the British North America Act and the Act of Union of 1840. It is sufficient to open one's eyes and compare the provisions of the Act of 1890 with those of the law formally in existence in relation to education. Who are those who are asking to-day for a commission ? They are the very ones who for the last five years have been denouncing the Government for what they called their cowardice in not interfering in the matter of the Manitoba schools. They are the ones who pretend that the Bill does not go far enough. Well, I will say this to these gentlemen. They either know the facts or do not know them. If they know them, they need no inquiry ; if they do not know them, they show poor sense when they pretend that the Bill is not full enough. Among those whose eyes are most clouded, the one who shows the greatest need of an inquiry by a commission is certainly the hon. leader of the Opposition. A few days ago, he said in his speech :

> What I would investigate is precisely what is alleged in the petition of the Roman Catholic minority. Among the things that are alleged in this petition are these : first, that there was a compact made between the Roman Catholics of Manitoba and the Crown of England, as represented by the Government of Canada, whereby their schools were guaranteed to them ; second, that the system of common schools is repugnant to their consciences ; third, that the schools established in Manitoba, though nominally public schools, are in reality Protestant schools.

The hon. leader of the Opposition, according to the excerpt which I have just read from his speech, wants that the allegations on which the Catholic minority have based their appeal, be proved before interposing. Now, Mr. Speaker, let us examine the first proposition, that relating to a compact made between the Catholics of Manitoba and the Crown, as represented by the Government of Canada. The hon. leader of the Opposition, in the statement of this proposition, falls into a gross error of facts. The Catholic minority have never alleged in their petition the existence of this compact as a ground for its appeal to the Government for relief. I ask the hon. members of this House to examine the petition of the Catholics, and I defy them to prove that the compact in question was alleged in that petition as a ground for intervention. There is nothing like it. I do not say that such a fact has not its importance ; on the contrary, I contend that it constitutes a powerful argument, which we should set forth in this House, but, I repeat it, as an argument only. The Catholics had no need of alleging the existence of this fact to justify their appeal. They claimed federal intervention, not on account of this compact, but of rights which were conferred upon them by legislation in 1871, and maintained until 1890. Such also is the statement of the Judiciary Committee of the Privy Council of England. It is, consequently, evident that it is not essential to prove the existence of such a compact between the Crown and the Catholic minority of Manitoba, in order to justify the appeal and obtain the intervention of the federal power.

Mr. RINFRET. (Translation.) If the hon. member will allow me I will refer him to the petition of the Catholics. This petition does mention the existence of that compact.

Mr. BELLEY. (Translation.) I do not deny it, but I say that the petition of the Catholics does not state it as one of the facts on which they rest their appeal.

Mr. RINFRET. (Translation.) Mgr. Taché's petition, dated May 5th, 1890, asked for the disallowance, and alleged the existence of the compact.

Mr. BELLEY. (Translation.) But this does not refute my statement. The hon. member for Lotbinière (Mr. Rinfret) should know that the petition of appeal is not from Mgr. Taché alone. It was signed by the Catholics of Manitoba to the number of 4,250 and more. The hon. member, before interrupting me in the consideration of a subject so important as that now before us, should learn the facts. The hon. leader of the Opposition, in committing this gross error, laid himself open to the charge of having made an unpardonable mistake. In a matter of such scope, of such keen import, as this, I believe that a man, occupying the position he occupies, should avoid such a mistake. If the hon. member for Lotbinière wants to learn the facts, and it is his duty to be informed, I will refer him to the sessional papers of 1891, concerning the question of the abolition of the separate schools in Manitoba. The hon. leader of the Opposition says next in his speech : The system of common schools is repugnant to the conscience of the Catholics. Now, there is no such allegation in the petition. It is not stated there that in itself the system of common schools is repugnant to their conscience. Here are the very words of paragraph 11 of the petition : "The Catholics regard such schools as unfit for the purposes of education, and children of Roman Catholic parents can not and will not attend any such schools." It is not stated that the system of common schools is repugnant to the conscience of the minority. The petition does not speak of the system of common schools. It only complains of the particular schools created by the law of 1890, and it declares them unfit for the education of the Catholic children. The hon. leader of the Opposition speaks of the abstract principle of common schools. His proposition is too vague and does not go far enough. The system of common schools in itself is not absolutely bad. The Catholics may in conscience attend common schools when nothing contrary to the doctrine of their religion is taught there. The danger of such schools does not absolutely come from the system itself, but from circumstances of places and persons which almost always accompany the operation of such schools. If such schools are established in a Catholic country, the danger is not great ; but it is quite otherwise if such schools are established in a Protestant country. In such a case the control becomes Protestant and the direction given the schools is entirely Protestant. Such is the case in Manitoba. We do not complain of the Act of 1890, on account of its being based on the common school system, but we complain that the law puts in the hands of Protestants the absolute control and the external and internal administration of the schools. Who needs a commission to find out that the control exists in the law itself ? What Catholic will need a commission to find out that under such a control the schools are unfit for the education of the children ? The Protestants need no commission either, no more than they would need one to judge that, if their schools were controlled by Catholics, the faith of their children would be in great danger. The third point which the hon. leader of the Opposition would investigate is : Are the public schools in reality Protestant schools ? If such a fact needed to be proved, it seems to me that the task of proving it would not be a hard one. I would only need to refer to the evidence given by Mgr. Taché, Mr. Ewart, and the hon. member for Winnipeg (Mr. Martin) himself. Whatever be the importance of this fact to justify our intervention, I say that it is not in issue, and need not be proved. I say that we do not even need to prove that these schools are Protestant to justify our intervention. The appeal lies from the Act itself, and not from the operation of the law. When it is contended that the schools are Protestant, it is the operation of the law which is arraigned. So, Mr. Speaker, when the hon. leader of the Opposition states his third proposition as a matter essential to justify our intervention, I say that he puts aside all the principles which are to guide us in this matter.

Mr. MONET. (Translation.) Will the hon. member allow me to put him a question. He stated a moment ago that the establishment of common schools, in the abstract, is not condemned by the church. Would he tell us whether he has on this point the opinion of any theologian, or whether he is simply giving us his personal opinion ?

Mr. BELLEY. (Translation.) I will tell the hon. member for Napierville that he is putting the facts under a false light. I did not say that this doctrine was condemned by the church.

Mr. MONET. (Translation.) I am asking you if, when you state that it is not condemned by the Church, you state the opinion of any theologian on the subject ?

Mr. BELLEY. (Translation.) I do not have the opinion of a theologian. The opinion might be wrong and not be condemned by the church. I speak of the principle, and I say that it is not absolutely to be condemned. Now, the facts are absolutely established. We have proved by the very provisions of the statute that the Catholics had the control of their schools before 1890. We find that at that date they lost this control. The duty of the Government was, therefore, plain ; it was to hear the appeal of the Catholics, and to demand that the Manitoba Government impair the injustice committed. The Manitoba authorities refused to do so. They have thereby renounced their exclusive right to legislate in the matter. They have thereby handed over to us the right and duty to pass the present Bill. Therefore, let us do it. We are told : Are we bound to interpose ? There is no power which forces us to interfere. I am mistaken. There is one power which commands intervention, the power of our conscience, our duty to do what is right. What was the power that forced the English Parliament to pass the Bill for the emancipation of the Catholics ? What forced the United States to abolish slavery ? Will it be contended that the English Parliament or the government of the United States were forced to interfere ? No, there was nothing but the public conscience to force them to do so. Well, it is the same power which impels us to-day. Injustice exists in Manitoba ; the government of that province refuse to remove it in spite of public opinion, in spite of the hon. leader of the Opposition himself, it seems. Who must make reparation, then, if not Parliament, which alone has the right and duty to do so. Shall we leave any longer the yoke of persecution weigh upon the shoulders of the Manitoba minority ? I do not believe so. In past years, in order to protect the freedom of the Roman citizen, Roman armies were sent to the world's confines. Well, the British people is as jealous of the freedom of the British subject, and it is not deterred from protecting it by the sacrifices which that entails. We all remember the fact recalled by Mr. Chauncey M. Depew before the American congress. A British subject having been outraged, an expedition of several thousand soldiers was sent to his rescue. This expedition in far off lands cost the life of several British subjects and hundreds of thousands of pounds, but freedom and honour were safe. There is in

Manitoba an oppressed minority. Will this Parliament have the courage and energy of raising its hand and oppose strength to persecution and outrage ? I prefer to believe that it will. But we are told : If you interfere there will be agitation in the country. Well, if we do not interfere, do you think that there will be no agitation ? In the former case you will at least have rendered justice ; you will have caused the constitution to be respected, and maintained the bonds of confederation ; in the latter, the agitation will be all the more intense and lasting as you will have been afraid of doing justice. The nation then will have the feeling that the minorities can no longer depend upon the guarantees which have been given them, and from this feeling a movement of disintegration will be borne which will unavoidably bring about the ruin of the confederation. We are preached conciliation ! What is there in the Bill which is anything but conciliation ? Those who contend that the Bill does not go far enough, contend thereby that it is too conciliatory. Why, trouble, uneasiness have invaded all the classes of society ! Here is a province for which we have spent millions and millions, for which we have opened our very veins, and which revolts, or threatens to revolt, against the authority of the law, which tramples under foot the most solemn engagements, the most elementary principles of freedom, of justice, of Christian charity ; and we, the Parliament of this country, who have the right and the power to put an end to this, we would remain dumb in face of such a state of things ! I do not understand the aberration of certain men who council conciliation, when all the conciliatory means have been exhausted ; who advise us to wait a little while longer before rendering justice, to keep quiet, not to hurt the feelings of the persecutors ; in a word, who wantonly advise us to abandon the only means that remains to succour the oppressed, which is federal intervention. I repeat it, I cannot conceive such aberration. No, this policy of conciliation is a policy of dupery, of cheat, of falsehood, intended to capture the vote, and then relegate the question to the background.

Some hon. MEMBERS. Order, order.

Mr. BELLEY. (Translation.) It seems to me that I have the right to qualify the policy of the Liberal party as it deserves to be. Your policy of conciliation means capitulation ; it is the cowardly abandonment of the cause of the minority ; it is the guilty weakness of the central power in the face of outrage and revolt ; it is the ignominious admission that the Parliament of this country is not equal to the enforcing of respect for the constitution of which it is the supreme guardian. It is pusillanimity ; it is the policy of cowards, of poltroons. I reject this your policy, because I deem it humiliating and dangerous ; humiliating, because it lowers the authority of this Parliament to the level of the violators of the law : dangerous, because it is the negation of the right which this Parliament has, to make the laws which peace and justice demand. Certain members of the Opposition, who intend to vote against the principle of this Bill, have evoked the question of disallowance. Thus, the hon. member for Quebec Centre (Mr. Langelier), and of Lotbinière (Mr. Rinfret), have invoked this pretext to save themselves from doing justice to the Manitoba minority, and to vote against federal intervention, as consecrated by the second reading of this Bill. I ask you, Mr. Speaker, what has this question of disallowance to do here ? The exercise of the right of disallowance has absolutely nothing to do with this Bill. If we were to discuss to-day this question of disallowance, it could only be as a matter of historical interest ; for the time for disallowance has long since passed. Suppose it could be proved that the Government was wrong, or right, in not disallowing the law of 1890, what would that have to do with the Bill now before the House ? The time for exercising this right of disallowance has passed, and discussion over this point could bring no practical result. If the hon. members I have referred to are convinced that the disallowance should have been exercised, as they contend to-day, and if they were so convinced in 1891 and 1892, why did they not say so then ? Never, to my knowledge, did we hear the hon. members for Lotbinière and Quebec Centre, move a vote of censure against the Government, and proclaim that they were wrong in not disallowing the Manitoba school law of 1890. Why did they not do so then ? Why did they not, as to-day, charge the Government with weakness for not having disallowed the Greenway law ? On the contrary, Mr. Speaker, the Opposition was very careful not to do so, and these two hon. gentlemen likewise. Never did the Opposition ask this House to vote non-confidence in the Government in connection with disallowance. Look over the debates of all the sessions since 1891, and, Mr. Speaker, nothing of the kind will be found. Why did they not do so ? Why did they not rise in this House and censure the Government ? They argue that disallowance was the only remedy to meet the injustice of the Greenway law, and yet for five years, for five consecutive sessions, no one among these gentlemen of the Opposition had the courage to bring the question before the House. They are always very lavish of motions of censure against the Government, but it is astonishing to see with what prudence and reserve they have acted upon this question of disallowance, while it was so easy for them to publicly censure the Government for not having done what it should have done, according to them. They remained dumb as the dog in the gospel. Such is the truth, and nothing can destroy it. But, Mr.

Speaker, I will go further, and say that these gentlemen of the Opposition were opposed to the exercise of the right of disallowance. Indeed, let us recall the events and the dates. It was in 1891, in the month of March, that the delay for disallowance expired. Now, in 1887, the Liberal party had held a grand conference in Quebec, and at this conference, where all the strong minds of the party were gathered, the question of disallowance had been discussed. And what conclusion had been reached ? The conclusion that the exercise of disallowance was an infringement upon provincial liberties. The Liberals in this House have approved this decision of the interprovincial conference of 1887, and they are responsible for what took place there. They are responsible for the speeches delivered there by Hon. Mr. Mercier, by Hon. Mr. Gagnon, and other Liberal chiefs. All vied in the contention that the exercise of that right was the most odious offence that could be committed against the constitutional liberties of the provincial legislatures. These gentlemen who censure the abstention of the Federal Government, who to-day arraign the Government for not having disallowed the School Law of 1890, applauded then the violent denunciations of the opponents of federal disallowance, and I do not know that they have changed their minds since. The hon. leader of the Opposition himself, who to-day speaks of disallowance, never censured the Government for not having exercised it, either in 1891 or 1892. He never moved a vote of non-confidence, as he couuld have done, to secure the sense of the House in the matter. He never asked this House to declare that the Government had been in fault in not disallowing the school law of 1890. All these very brave fellows have remained dumb ; none of them have arisen to denounce the Government. Then can they be regarded as sincere to-day, when they arraign the Government for not disallowing this law ? Besides, what are these attacks worth to-day, when it is known now that disallowance would not have been a remedy for the evils complained of, and that the interested parties themselves have not asked for it ?

Mr. MONET. (Translation.) On the contrary, Mgr. Taché has asked for the disallowance.

Mr. BELLEY. (Translation.) Yes, but he waived it afterwards.

Mr. BRODEUR. (Translation.) All the bishops asked for the disallowance of the law of 1894.

Mr. BELLEY. (Translation.) I am not referring to that law. But I will go further and examine the question on its merits. I say that it was good policy not to disallow the law, for if the law of 1890 really did injustice to the minority, it was just for nineteen-twentieths of the population. It is still just for the immense majority of the population of Manitoba. I do not fear to say that, had there been no other means than disallowance, to wipe out the existing injustice, the Federal Government should not have hesitated a single moment to apply it. But granting that the law was just for the nineteen-twentieths of the population, would it have been reasonable to set the whole law at naught, for the Protestants as well as the Catholics, when there was another way to remedy the grievances ? Surely no. I understand that the process of appeal was slower, but it was also wiser, more in accordance with the doctrine of provincial autonomy, and withal more conciliatory, which should please the hon. gentlemen on the left. This fuss over the disallowance, is but the veil under which a cowardly abandonment of the Catholic cause strives to hide itself. But the veil is not thick enough. All can see the odious role which is now being played by the Liberal party in this House. All will understand it, as it was understood by several hon. members on the left, who have thought proper to abandon the hon. leader of the Opposition on this question. I understand that the hon. member for Napierville (Mr. Monet) read them out of the party ; for instance, the members for Berthier (Mr. Beausoleil), and for Ottawa (Mr. Devlin), whom he chased out through a hole. He said that it would not be the passage of these gentlemen which would make the hole bigger.

Mr. MONET. (Translation.) I have noted, it is true, that these two gentlemen have detached themselves from the Liberal party on that question. I have noted the thing, and regretted to see it.

Mr. BELLEY. (Translation.) That is what I understand. The hon. member has chased them out through what he called a hole, and said that their passage would make the hole no larger. I agree with him. The passage of these gentlemen has made the hole no larger, because it was already large, so large that other members will follow without widening it. Other members also will go through the hole, for the hon. member for Napierville has forgotten to plug it. But at the next election the hon. member will, perhaps, find himself in another kind of a hole. And while I am giving my attention to the hon. member for Napierville, who, as I have just said, has turned out two of the principal, two of the strongest members of his party, I must add that I did not think that in his majesty he would read a lecture to all the bishops in the province of Quebec. He spoke to us of the religious spirit which should exist in the schools. He taught us, poor mortals, how to follow the bishops, to be good Catholics. The bishops, according to him, do not lead in the right direction. But he does. Will the House be obliged to follow ? It is possible that in a few years he may wear the mitre. Then it will be said of him : -Dominique

Monet, bishop, it partibus infidelium. These are the remarks that I wished to offer the House. They are the expression of profound convictions, the token of my attachment to the institutions of the country. I have for a long time believed that on this school question all good citizens would unite their voice and their efforts in a movement of patriotic fervour, to resist the lawless, as one resists a national danger. I have for a long time believed that upon this question, Parliament, at a given moment, would rise, without distinction of party, creed or race, and offer to the weak and oppressed the succour of its strength and its authority. Vain delusion all this. This grand constitutional question has now degenerated, for the Opposition, into a mean party question, and, in order to give back to the minority the privileges of which it has been despoiled, the Government and the Conservative party must depend upon their own forces, upon the independence of certain Liberal members, and on the good sense of the people of Canada.

Mr. ANGERS. (Translation.) Mr. Speaker, I believe that the reverses which the Government met with in the constituencies of Jacques Cartier, Montreal Centre and elsewhere had made them diffident. The electors evinced by far too much fierceness to the taste of the hon. gentlemen, against the candidates who were shouldering the responsibility of the transgressions of the men in power for seventeen years past. After a great deal of vacillation and wavering, they had to face the music and to go through the ordeal of holding an election at Charlevoix. But it was thought prudent to change tactics. The Government candidate put on the disguise of a Liberal candidate, and to the last day of the contest, my opponent strongly condemned the fiscal and administrative policy of the present Government. And it was truly an amusing and comical spectacle to see the Ottawa and the Quebec governments concentrating and putting forth all their strength to bring about the return of their candidate, a so-called opponent of the Government. In order to put public opinion on the wrong scent, they endeavoured to concentrate the attention of the electors upon a single question—the Manitoba school question. My antagonist was to be the saviour, and I was the enemy. Still, my platform was quite acceptable. I told the electors this, and I did not fail to substantiate my statements : the Government will not do us justice, but if, against all appearances, a Bill were introduced fully doing us justice, I shall support it. I further told the voters that, in my opinion, the only man who could bring about a fair settlement of the question was the hon. leader of the Opposition. The Bishop of Chicoutimi, who laboured under the false impression that my programme was adverse to the restoration of separate schools, sent a telegram, three days before polling day, to all the parish priests in my constituency, directing them to warn the electors that they were in duty bound to give their support to none but candidates who would formally and positively pledge themselves to support, at the present session, a remedial law as approved of by the hierarchy. It was therefore a matter of regret to me, Sir, to be unable, under the circumstances, to comply with that peremptory and tardy injunction. I was wholly devoted to the cause of the Catholic minority, but it hardly seemed fair to me, that I should beforehand pledge myself to support a law which I might perhaps personally disapprove. The majority of the electors were of opinion that, although I was not so lavish in promises as my adversary, still I could better protect the interests of the minority and I was returned as member for Charlevoix. I now come to the question under discussion. And, at the outset, I must declare that, in my opinion, the Manitoba government, when they abolished the separate schools in 1890, perpetrated an injustice and an act of oppression prejudicial to the interests of the country. I said an injustice and an act of oppression, because thereby the Manitoba Catholics were deprived of their right to their separate schools, in opposition to the spirit if not to the letter of the compact passed in 1870 ; because it imposed upon the minority, in contradiction with the pledges and the guarantees given, a system of public schools practically Protestant, which were entirely repugnant to the conscience of Catholics. I said further : prejudicial to the interests of the country, because that infringement of the given pledge has stirred up to the highest degree racial and creed prejudices ; it has proved the fruitful source of profitless strife and occasioned the waste of a valuable time which could have been better devoted to promote the general interests of the country. Now, the course pursued by the government of Manitoba is still more open to censure, when we get an insight into the real grounds of their action. For, through such a course, they aimed at nothing less but applying the anti-French and anti-Catholic programme defined by the hon. member for North Simcoe (Mr. McCarthy) at Barrie and at Portage la Prairie, as early as 1889, when he said : That the French language and the denominational schools were a drawback and a danger to the future of Canada. Next, they aimed at rousing creed and racial antipathies and thereby securing a majority which might enable the Greenway government to remain in power, which they had obtained with the help of the Catholic voters to whom they had promised to maintain their separate schools. I am aware that, in formulating his programme, the hon. member for North Simcoe contends that the denominational schools should be unsectarian and that as such unobjectionable to Catholics. The hon. member either forgets or ignores that Catholics cannot divorce secular teaching from religious teaching, for, in their eyes, this is not merely a matter of tradition, but a positive law. They cannot approve of an educational system divorced from the Catholic faith and emancipated from all church control, and whose main object is the imparting of purely secular sciences. Religious and secular teaching must go hand in hand, the former tending to form the conscience and the heart of the child, and the latter, its intelligence ; and that joint action results into securing an adequate education. Now, in order to justify an opposition to godless schools, we may invoke the authority of past centuries ; and with that end in view, let us hear what a writer says on the matter :

> The object of education, says Plato, is to give the body the necessary strength, and the soul the perfection it is capable of. Plato does not confine himself to define the object of education ; he also gives the grounds for it, and he insists that children should be, as soon as possible, initiated to the knowledge of the Divinity by means of " fables, tragedy, odes and epic poetry." The popular feeling asserts itself with a lugubrious and heart-rending intensity in the cruel death of Socrates. On the mere suspicion that he had attacked in his lessons the gods of the land, his fellow-countrymen sentenced him to death. Plutarch says : A good education is the main spring and the root of a righteous life. If the schools, says Quintillian, while imparting education, were to corrupt morals, I have no hesitation in saying that righteousness ought to be preferred to science. " In the teaching of those masters of pagan science are reflected the morals and the ideas of their times." Pythagoras and Xenophon, Zoraster and Boudha, the Phœnicians and the Egyptians, the Persians and the Hindoos, all deify virtue and the main objects of education. Give man everything except virtue, cries out Plato, and you will have done nothing for his happiness. From the first periods of Roman history, men were so much impressed with the necessity of divine intervention in all the acts of the young, that, in the popular belief, two goddesses accompanied the child, when going out of his home, and two others when he came in. Sparta wished to recede from these traditions, but Plato upbraided her as follows : Your young men are like a herd of colts who are taken to pasture together in the prairie under a common guardian.

Sir, I could multiply those extracts in order the more fully to point out the error which certain advocates of modern theories about education labour under, who would banish religious teaching from the school. I could, for instance, adduce the testimony of Protestants, like Guizot, Jules Simon and many others. As I am under the impression that their opinion may carry greater weight with the hon. member for North Simcoe (Mr. McCarthy), should he do me the honour of reading my speech, I shall confine myself to quoting the opinion of Lord Salisbury :

> Numbers of persons have invented what I may call a patent compressible religion, which can be forced into all consciences with a very little squeezing ; and they wish to insist that this should be the only religion taught throughout the schools of the nation. What I want to impress upon you is, that, if you admit this conception, you are entering upon a religious war of which you will not see the end. There is only one sound principle in religious education to which you should cling, which you should relentlessly enforce against all the conveniences and experiences of official men, and that is, that a parent, unless he has forfeited the right by criminal acts, has the inalienable right to determine the teaching which the child shall receive upon the holiest and most momentous of subjects. That is a right which no expediency can negative, which no state necessity ought to allow you to sweep away ; and, therefore, I ask you to give your attention to this question of denominational education. It is full of danger and of difficulty ; but you will only meet the danger by marching straight up to it and declaring that the prerogative of the parent, unless he be convicted of criminality, must not be taken away by the state.

And Lord Derby :

> Public education should be considered as inseparable with religion.

Mr. Gladstone :

> Every system which places religious education in the background is pernicious.

The Hon. Edward Blake, in the House of Commons, May 29th, 1872, said :

> Although the system of denominational schools was not actually established by law, still denominational teaching in the public schools was practically acknowledged ; and he (Mr. Blake) deeply regretted the course pursued by the legislature of New Brunswick, in inserting in the new school Act a clause providing that every school under that Act shall be non sectarian ...
>
> The change in the law as it operated upon Roman Catholics was a harsh change, and was not necessary to satisfy the scruples of Protestants.

The Hon. Mr. Laurier, in the House of Commons, July 17th, 1895, ("Hansard," p. 1701) said :

> If the schools are Protestant, every Protestant will say the Government should interfere by all means and stop the outrage. If the schools are not Protestant, but are common, they are still offensive to the Catholics. Why? Because it is part of the Catholic doctrine that the children should have both secular and religious education. It may be said that it is prejudice ; that it should not be considered : that Catholics should be satisfied to have secular education in the schools—the teaching of reading, of history, of geography, and so on. But if their conscientious conviction is that their children should be taught those religious truths which they deem essential and necessary who can object so seriously ?

His Lordship the Archbishop of Rupert's Land, in his address to the Synod, in 1889, previous to the abolition of the separate schools in Manitoba, thus expressed himself :

> Under proper restrictions, I see a measure of justice, and no injustice, in separate schools, and I do not think that it should be easy to do away with them. However, the Roman Catholic authorities may approve of the subjects of religious teaching that Protestants would agree upon, they will accept no teachers but their own. The great majority of Roman Catholic children will therefore, be sent to their own private schools, however inferior, rather than to state schools not under Roman Catholic instructors, whether there

> be religious teaching or not. If there is no religious teaching there will be but the stronger expression of dislike. The day will come when one, if not both political parties, will discover that it is undesirable for the state to have this inferior secular instruction, and unjust to the Roman Catholic section of the community, that while getting no state aid for its private schools, it should have to contribute to the support of the state schools. And the separate schools will reappear—possibly in an objectionable form.

Mr. Somerset, superintendent of Protestant schools, in 1888, under the Greenway government, said :

> In connection with its working during the last seventeen years, it may be pointed out that the schools of the province have been managed without a particle of the denominational friction that has caused disturbance and bitterness in other Provinces of the Dominion. . . . . The past history of the province encourages the hope that perfect justice to each interest shall result in a continuance of the harmony that now exists.

Dr. Goldwin Smith, in his letter to the Winnipeg "Tribune," August 22nd, 1894, wrote as follows :—

> It is every man's duty to provide education, as well as food and clothing, for the children whom by his own act he brings into the world. It is every man's right and duty to have his own children educated in the way that he conscientiously deems best. These seem two plain propositions. But our system of public schools, in pursuit of what its framers and advocates deem a higher policy, sets them both aside; and hence the present troubles arise.
>
> You may say, let the man who conscientiously dissents from our system set up a voluntary school for himself. But then you could hardly justify yourself in compelling him also to pay the school tax. By forcing him to pay the tax, you take from him the means of obtaining his voluntary school, besides doing violence to his principles by making him support an educational system which he disapproves. If the Roman Catholic tells us that he desires the education of his children to have a moral basis, is he unreasonable? If he tells us that our public school system lacks a moral basis, can we easily prove that he is wrong?

The hon. member for North Simcoe will admit, therefore, that from a Catholic standpoint, the very fact of endeavouring to impose upon the Catholics neutral schools, constitues an intolerable grievance. I heard, the other day, the hon. member exclaiming, while addressing the House : where are the grievances ? The grievances, Sir, I find them in the very fact of depriving a Catholic population of the schools to which they are entitled, in the fact that their children are obliged to attend schools where religious teaching is either Protestant or neutral. Moreover, the Lords of the Privy Council have declared that those grievances were well founded, when they said :

> It is true that the religious exercises prescribed for public schools are not to be distinctly Protestant, for they are to be "non-sectarian," and any parent may withdraw his child from them. There may be many, too, who share the view expressed in one of the affidavits in Barrett's case, that there should not be any conscientious objections on the part of Roman Catholics to attend such schools, if adequate means be provided elsewhere of giving such moral and religious training as may be desired. But all this is to no purpose. As a matter of fact, the objection of Roman Catholics to schools such as alone receive state aid under the Act of 1890 is conscientious and deep-rooted.

I am glad to be able to point out to the hon. member for North Simcoe, through those numerous authorities, that his theories stand condemned, as unsound and unjust not only by the ancients but by the modern authors and even by the Protestant Judges of the Privy Council. Now, in the hope of bringing back, the hon. member through interested motives perhaps, to move tolerant views, which he ought never to have forsaken, I may here put on record the opinion of Sir John Macdonald, whom he admires and wishes to imitate in his role of great leader of men :

> At no time in his career, says Mr. Pope had he any sympathy with that fierce intolerance of anything French or Roman Catholic which at the present time is abroad in the province of Ontario.

Were the hon. member for North Simcoe to adopt the tactics of Sir John A. Macdonald in that respect, that would evince on the part of the hon. member a breadth of views more worthy of a statesman, and better calculated to enable him to realize those hopes which have been disappointed so far, but which are probably still living in his breast. It seems to me, Sir, that, when reviewing this school question, it is important to inquire, at the outset, as to whether, in the framing of the Manitoba Act and in the preliminary negotiations, the intent was to give Catholics a guarantee as to their separate schools. It cannot be denied that previous to 1870, the Catholics enjoyed their own separate schools and that delegates insisted upon preserving them. And in support of my contention, let me refer to the reasoned opinion formulated by the Hon. Justice Fournier, in the Supreme Court, on the case of appeal to the Governor General in Council :

> What was the existing state of things in the territory then being formed into the province of Manitoba ? A rebellion, as I have already stated in the case of Barrett vs. Winnipeg, had thrown the people into a strong and fierce agitation, inflamed religious and national passions, caused the greatest disorder, which rendered necessary the intervention of the federal government.
>
> As matters then stood, on the 2nd March, 1870, the government of Assiniboia, in order to pacify the inhabitants, appointed the Rev. Mr. Ritchot and Messrs. Black and Scott as joint delegates to confer with the Government at Ottawa and negotiate the terms and conditions upon which the inhabitants of Assiniboia would consent to enter confederation with the provinces of Canada.
>
> Mr. Ritchot was instructed to immediately leave with Messrs. Black and Scott for Ottawa in view

of opening negotiations on the subject of their mission with the Government at Ottawa.

When they arrived at Ottawa, the three delegates, Messrs. Ritchot, Black and Scott received, on the 25th April, 1870, from the Hon. Mr. Howe, the then Secretary of State for the Dominion of Canada, a letter informing them that the Hon. Sir John A. Macdonald and Sir George Cartier had been authorized by the Government of Canada to confer with them on the subject of their mission, and that they were ready to meet them.

The Rev. Mr. Ritchot was the bearer of the conditions upon which they were authorized to consent for the inhabitants of Assiniboia to enter confederation as a separate province. These facts appear in exhibit L, Sessional Papers of Canada, 1893, 33d, and in exhibit N of the same Sessional Paper, we see that the following conditions, articles 5 and 7, read as follows :

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

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

Now, after negotiations had been going on, and despatches and instructions from the Imperial Government to the Government of Canada on the subject of the entrance of the province of Manitoba into the confederation had been received, the Manitoba Constitutional Act was prepared and section 22 inserted as a satisfactory guarantee for their rights and privileges in relation to matters of education as claimed by the above articles 5 and 7. And, until 1890, the inhabitants of the province of Manitoba enjoyed these rights and privileges under the authority of this section and local statutes passed in conformity therewith.

Now, from the decision of the Judicial Committee of the Privy Council in the case of Barrett vs. the City of Winnipeg, it would appear that, although the North-west delegates and the Parliament of Canada were under the impression that the inhabitants of Assiniboia enjoyed, previous to the union, certain rights and privileges as to their separate schools,—as, under subsection 1 of section 22, it is expressly enacted that "nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have, by law or practice, in the province at the union,"—still, as a matter of fact, those inhabitants had, by law or practice, in the matter of denominational schools, no such right or privilege, and, therefore, that subsection is, so to say, blotted out of the charter of Manitoba, by judicial authority. Section 22 of the Manitoba Act enacts as follows :

Section 22.—In and for the province the said legislature may exclusively make laws in relation to education, subject and according to the following provisions :

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

2. An appeal shall lie to the Governor General in Council from any act or decision of the legislature of the province, or of any provincial authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

I abstain from going into any further details in connection with the evidence and facts alleged by several hon. members who spoke before me, in support of the construction of the statute to which I adhere. I will only add this : that public opinion was, at that time, stirred up by the New Brunswick school question, and that the rights of Catholics were imperilled, owing to the fact that in 1867, the separate schools in that province existed only de facto, and that the Confederation Act safeguarded only the rights or privileges which they had by law at the union. It seems, therefore, most probable that, in the light of the difference which had just arisen, it was intended to protect and guarantee such Catholic and Protestant schools as existed by practice in Manitoba, by adding to the words : "by law, or by practice." I may quote in that connection, from "Hansard" an extract of the debate upon the Manitoba Act in Parliament, as reported in the "Globe"

Mr. Oliver moved that the education clause be struck out.

Hon. Mr. Chauveau moved the amendment would not be carried. It was desirable to protect the minority in Manitoba from the great evil of religious dissentions on education. Their could be no better model to follow in that case than the Union Act, which gave full protection to minorities. It was impossible to say who would form a majority there, Protestant or Catholic. If the population were to come from over the seas, then the Protestants would be in a majority. If, as had been asserted, Manitoba was to be a French preserve, then the Catholics would be in a majority. He did not care which, because he desired only to see the new province freed from discussion, which had done so much injury to the old province of Canada. They presented a problem to the whole world, and the question was, could two Christian bodies, almost equally balanced, be held together under the British constitution. He believed that problem could be worked out successfully.

Hon. Mr. McDougall said the effect of the clause, if not struck out, would be to fix laws which the local legislature could not alter in future, and that it would be better to leave the matter to local authorities to decide as in the other provinces. He quite agreed with his hon. friend in giving the same powers to this province as the others, and it was for that reason that he desired to strike out the clause.

Sir George Etienne Cartier referred to the manner in which the Red River country had been settled, and grants of lands which had been made to the clergy for the purpose of education.

Mr. Mackenzie was prepared to leave the matter to be settled exclusively by the local legislature. The British North America Act gave all the protection necessary for minorities : and local authorities understood their own local wants better than the general legislature. It was his earnest desire to avoid introducing into the new province those detrimental discussions which had operated so unhappily on their own country, and he therefore hoped the amendment would be carried.

After a long discussion a division was taken on the amendment—Yeas, 30 ; Nays, 81.

Evidently, therefore, the intent of the legislators, agreeably to the agreement entered into between the Red River delegates and the representatives of the Dominion Government, was that a satisfactory guarantee should be given as to the maintenance of the separate schools. And further to substantiate my statement that such was the construction generally put upon the provisions of the Manitoba Act, I may refer to an article that appeared in the "New Nation," a paper published at Fort Garry, in its issue of 10th January, 1870:

> The Act constituting the new province has been created.

And reviewing the various sections of the Act, it goes on to say:

> It is specially enacted that no law shall be passed by the provincial legislature, injuriously affecting in any way denominational schools, either Protestant or Catholic. An appeal against any Educational Act, that infringes upon this proviso, will be to the Governor General in Council, and if powers are required to enforce his decisions the Parliament of Canada may be invoked to compel due compliance by an Act for the purpose.

On the 24th June, 1870, the Manitoba legislature relying upon the pledges given, agreed to enter confederation. Finally, the Imperial Privy Council of England, through the Lord Chancellor, declared that such was the intention of the legislators. The Lord Chancellor said:

> It was not doubted that the object of the first subsection of section 22 was to afford protection to denominational schools, or that it was proper to have regard to the intent of the legislature and the surrounding circumstances in interpreting the enactment.

Still, that judgment does nothing less than abrogating, by judicial authority, subsection 2 of section 22 of the Manitoba Act, which the noble Lords would not have done, had they understood that the words "separate schools," beyond the shadow of a doubt, mean in practise, in fact and in the intent of the legislator, denominational schools. It seems to me, Sir, that all those circumstances, when gathered, form a group of absolutely convincing proofs and presumptions. Many men have been sent to the scaffold, with less convincing and less concordant proofs of their crime. I am quite aware, that from a strictly legal standpoint, the constitutionality of the laws of 1880 must be admitted; the judgment of the Privy Council is final. But if those laws of 1890 were declared valid only through a faulty wording of the Manitoba Act or through an error in the construction of the statute by the judicial authority, the cry of Manitoba about interference with provincial autonomy rests only upon an apparent constitutionality. And the injustice perpetrated ought to elicit even from extreme advocates of provincial autonomy, an entire sympathy for Manitoba. The party who, by sticking to the letter of a contract, but contrary to its plain spirit, attempted to gain an unjust advantage, would incur contempt. Why should a government deserve more indulgence? Besides, supposing the laws of 1890 to have been equitably declared valid, the intervention claimed by the minority, would in no way interfere with provincial autonomy. The principles which underlie that autonomy are to be found, Sir, in the Confederation Act; and in the same Act you will find that provision enacted in article 22 of the Manitoba Act, under which the central power is authorized to interfere, in order to restore to the minority the privileges acquired under the law of 1871. But we are told by those who wish to extenuate the wrongdoing of the Manitoba government, that such a reform was necessary as a matter of public policy; on the ground that the Catholic schools were below the standard. It is not to be wondered at, Sir, if in a new country with limited resources, with a population scattered over an immense territory, those schools were not on an excellent footing. All the same, there has been considerable exaggeration and I am going to adduce evidence of it. I find it in Mr. Ewart's pamphlet, in answer to Mr. Wade:

> (1) In 1883 (seven years before the Act abolishing the separate schools), at an exhibition held at Portage la Prairie, the Catholics obtained very marked approbation of the excellence of their school work, and were awarded both prizes and diplomas.
>
> (2) In 1886, at the Indian and Colonial Exhibition, held at London, England, the Catholics again displayed the results of their labours, and the excellence of their work received high praise. *The Canadian Gazette* (4th Nov., 1886) said that the provincial exhibit denoted that "there exists a school system which, although respecting the faith and religious convictions of the population, offers to every one an education capable of fitting for the highest rank in society, the child who is placed under its care."

The Hon. Senator Bernier, who was superintendent of Catholic schools in Manitoba, said in the Senate, on the 25th of June, 1895:

> Never, before the Manitoba government had announced its policy on this matter in 1889, never was any remark made to us about the alleged inefficiency of our schools; never was a suggestion thrown out to us; never was blame cast upon us; never was a hint given us as to any drawback that was supposed to exist, or as to any improvement that could have been desired.

Mr. Morrison, an Orangeman, who was for some time inspector of Protestant schools in Manitoba, makes the following statement:—

> Throughout all these years, from 1871 to 1888, no complaint was ever made with the workings of the separate school system.

Now, last but not least comes a testimony which is in no degree open to suspicion, that of the hon. member for Winnipeg (Mr. Martin), the Attorney General in the Manitoba government, who, when introducing in the legislature the Bill doing away with the separate schools, said:

> The government considers that they are under a very great deal of obligation to those gentlemen who

had from time to time for many years past assisted in controlling and shaping the educational affairs, as members of the Board of Education. Their labours, thus willingly given, had resulted in great good. The government's action had not been determined because they were dissatisfied with the manner in which the affairs of the department are conducted under the system, but because they are dissatisfied with the system itself. (*Free Press*, 5th March, 1890.)

Let us now contrast the Catholic schools, maintained in 1872 by poor ratepayers paying two taxes, with the common schools which were to make such rapid strides in the way of progress and which were so generously subsidized by the state. In 1892, the Greenway government appointed Mr. A. L. Young inspector of Catholic schools. His report was looked upon by Catholics as very unfair: and undoubtedly, it did not favour them. Here are a few extracts from Mr. Young's pamphlet:

I beg to submit the following report of the schools visited by me during the latter part of the year 1892:—

During the past three months I visited over fifty districts, the majority of these being in the French settlements along the Red, Assiniboine, Seine and Rat Rivers, and formerly under the jurisdiction of the Catholic section of the Board of Education.

The seating accommodation in many of the schools is insufficient; a few are provided with patent desks, but the greater part still use the home-made desks and benches.

As a rule the blackboards used are much too small, and in many cases of poor quality. With only two or three exceptions, all the schools visited by me were well supplied with a sufficient number of good maps.

Five schools are claimed to be conducted according to the Public Schools Act of 1890, in regard to religious exercises. Of these, three are in charge of teachers holding first-class certificates, one is in charge of a teacher having a second-class, and one in charge of a teacher having a third-class certificate; of the total number of teachers seen by me, about fifty per cent hold first-class certificates, twenty per cent hold second-class, and ten per cent have third-class certificates. About twenty per cent are teaching without certificates, these being young lady graduates of the various convents who have begun teaching since the closing of the St. Boniface Normal School.

Of the schools visited by me six were in charge of male teachers. The salaries paid are in all cases very low.

There is an average enrolment of over thirty pupils to each school, some of the larger schools having from one hundred to one hundred and fifty pupils."

With remarkably few exceptions, English is taught in all the schools. The parents and trustees recognize the desirability of having their children study English, consequently those teachers who have sufficient knowledge of the English language to teach it successfully are in much greater demand and receive higher wages than those who understand the French language only. As a rule the scholars read and translate English in a very creditable manner.

In St. Anne's Convent, where through the courtesy of the Rev. Father Giroux and the Sisters in charge I was given every opportunity to examine the school work, I found the higher classes remarkably well advanced in English, their pronunciation being exceptionally good.

In regard to French reading, there is room for considerable improvement in expression.

A good share of attention is given to arithmetic; this subject, however, could be more successfully taught if the schools were provided with a more liberal supply of blackboards.

Very creditable work is done by many of the more advanced pupils in composition, written translations from French to English, letter writing, &c. As a rule the books used for this purpose are kept extremely neat, and reflect credit on both teachers and pupils.

In teaching geography good use is made of a liberal supply of maps with which the majority of the schools are supplied.

A noticeable feature of these schools is the very limited number of boys in the higher divisions.

Now, let us see the reports of the inspectors of public schools for 1894. I take Mr. McCalman's reports, from which I quote the following extract:—

The irregularity of attendance in the majority of schools is a deplorable fact.

Of the one hundred and forty teachers of the division, nineteen held first-class certificates, seventy-five held second-class certificates, thirty-nine held third-class certificates, and seven held permits.

Twenty-five teachers—about eighteen per cent of the total number—were without any previous experience, or professional training whatever.

In advanced classes too little attention is given to the mechanics of reading, and indistinct articulation, and lack of clearness of enunciation are too common.

Writing does not receive that faithful attention it demands, and results are almost uniformly poor.

In the subject of geography teachers are handicapped by the lack of reference books.

In music, notwithstanding that the subject has formed the part of the course of instruction at the provincial and local normal schools for the past two years, the teaching is somewhat spasmodic.

From the report of Mr. S. E. Lang, inspector for the North-west section, I gather the following:—

It would perhaps be correct to say that about *two-thirds of the teachers* are doing work which may be described *as fair*. Of the remainder about one-half are doing very good work, while the others must be classed as *unmistakably poor—very poor in some cases.*

The *meagre results in arithmetic* are probably due to a misapprehension of the nature of the science of number.

It is not surprising to find the *advanced work in arithmetic poorly done* in many cases when it rests on a weak foundation of elementary training.

In the subjects of history and geography *the dependence of some teachers upon the text books is still painfully apparent.*

In this district there were *but four teachers holding first-class certificates*; fifty-eight with second-class, and *sixty-eight with third*; and *eighteen without any certificates at all.*

From the report of 1893, from the same Mr. Lang, I quote the following:

In nearly every school in this division a test was made to discover how many of the pupils above second standard could use correctly the following words:—done, did; seen, saw; set, sit. It was found that *about ninety per cent* of the pupils "done" their exercises; "seen" the cows; "set" in their seats; and were in the habit of "laying" down.

Mr. Best, inspector for the south district, makes the following statement:

It is to be regretted that an unfavourable report is due on the state of school yards and school environments.

The supply of apparatus for primary work is deficient, and reference books for advanced classes are

> not well supplied. The remedy in most cases lies in the hands of the teachers.
>
> The teachers in charge held all grades of certificates, and represented all stages of proficiency, from the very highest standard of moral and professional excellence, down to those who had neither training, experience nor aptitude."
>
> The reading done in the schools is largely unsatisfactory.

Mr. Rose, inspector for the south-west district, says:

> There is a most regrettable indifference on the part of trustees and ratepayers in the matter of caring for school property. Irregularity of attendance is a most discouraging feature in rural schools. Many children are actually growing up without receiving even the rudiments of a public school education. I visited one school in which there had not been a single pupil for six weeks. The teacher who was in the habit of visiting the school each morning, was in receipt of a salary of $40 per month. I do most earnestly trust that the time has now fully come when the practice of allowing persons without professional training, and without experience, to engage in teaching, may with safety be discontinued. . . In any case, it would be infinitely better that, in the event of a scarcity, the certificates of trained and experienced teachers should be extended, than that girls of sixteen and youths of eighteen, with neither training nor experience, and possessing only the scanty scholarship necessary to pass the third class non-professional examination, should be turned loose upon the public to draw their salary, and to waste the "precious morning hours" of the children who are so unfortunate as to be placed under their control. The cases are rare in which the closing of the school would not be preferable to the employment of such teachers.

I fear I have trespassed upon the indulgence of the House in quoting so many extracts bearing upon that point: my only excuse is a desire to vindicate the character of those schools, which, after they had been abolished were said to be so inefficient. These quotations seem to me timely, from the fact that I heard several members stating in the House that the maintenance of public or common schools would result in securing for children a much better education. Now, I ask, was it worth the trouble to perpetrate so crying an injustice, to stir up prejudices, to imperil national peace and harmony throughout Canada, in order to reach such meagre results? And with a view to show that it is not enough to banish religious teaching from the schools, to insure their success, allow me to refer to what happened in France, where, I regret to say, they have succeeded in secularizing education. The statistics which I am going to quote are taken from a Protestant journal, "The Church Review," which, in 1890, said:

> Out of 339 pupils who were awarded medals of honour at the Paris Exposition in 1878, 242 were pupils of the Christian Brothers.
>
> From 1847 to 1877 the Christian Brothers came out ahead in 11,145 expositions, out of 14,447. However, the pupils from the public schools were more numerous, and those schools were state-aided, the yearly subsidy being 40,000,000 francs.

Before leaving that part of my subject, I think it my duty to vindicate the character of the schools of my province, which an hon. member has deemed fit to attack.

Mr. GIROUARD. (Translation.) What is the name of that member?

Mr. ANGERS. (Translation.) I know that teaching in our schools is far from being perfect, and that there is room yet for a good deal of progress, but I think it is but fair that we should make allowance for the difficult and unpromising circumstances in the midst of which the province of Quebec had to develop itself. The emigration of so many professional men, provoked by the cession of the country to England, all the struggles which we had to go through in order to escape being absorbed into the English nationality, and to obtain responsible government; the impediments placed in our way by a hostile government, in order to block our progress; the absence of any efficient school organization up to 1842: the lack of capital, such are the causes which might account for a still less enviable situation. Allowance must also be made for the apathy which prevails in many rural centres in educational matters, but which tends to die away. The best evidence that we have made headway is found in the census of 1871, 1881 and 1891. It is the province of Quebec which is making the most headway. From 1871 to 1891, we have made a progress of 6·29 per cent in the number of persons able to read and write, whilst Ontario gained only 0·85 per cent; Nova Scotia, 3·03 per cent, and New Brunswick lost 0·54 per cent. In 1891 the proportion of children under 10 years of age, unable to read and to write, was 71·64 per cent for Ontario; 80·11 per cent for Quebec; 78·38 per cent for Nova Scotia. Our educational system was attacked here by an hon. member. I differ in opinion from that gentleman. I say that the system, as a whole, is good and needs only to be somewhat modified. I may be allowed to say a few words about the success scored by our schools at the World's Fair at Chicago. I notice that the 55 yearly reports of the Superintendent of Public Instruction have been awarded a prize, as containing most useful information. On the 22nd August, 1893, Mr. Serrurier, the representative of the French government at the exhibition, wrote to the President of the section of Public Instruction of the province of Quebec:

> I am bound to express to you the great satisfaction I felt when visiting your school display. * * * Your books are the only ones, I think, that are headed in a full, definite and clear way with indications showing the name of the school, the class, the number and age of pupils, etc. Your methods are ours, so much so that, at first, I thought I was in France.

The correspondent of the "Daily Sun," a journal published in St. John, N.B., in its issue of the 29th August, paid us the same eulogy:

> As to drawing, penmanship, as regards the tuition of the blind and of the deaf and dumb, and in general all that concerns the progress of a country in educational matters, the Quebec schools now stand second to none.

Let us now come to the opinion of Mr. Morton, who was charged with the whole department of education of Canada by the Dominion Government:

> It is the general opinion here that the province of Quebec made a very good display, especially as regards the every-day practical work in the classes. The exhibits of the Brothers' schools, particularly in penmanship, drawing and in the commercial branch, are much admired. The display of the Sisters' schools attracts a great many admirers, men and women. All the educationalists who visited this section are never tired with praising the exhibits they saw. The province of Quebec has good ground to be proud of her exhibits.

The "Catholic Journal," of Chicago, made the following remarks:—

> The province of Quebec has a fine display, thanks to her private and separate schools. Beyond all dispute, the Catholic schools have the lion's share. Their contributions are not only numerous but varied, and in many cases very creditable. In the exhibits from the convents, we would recommend for neatness and accuracy the Quebec Ursulines' Convent; for style and variety, the Stanstead Convent, whilst for highly finished work we would give the palm to the Notre-Dame Congregation of Montreal. A truly characteristic display is that of the Deaf and Dumb Girls' Institute, under the management of the Sisters of Charity, near Montreal. It contains several samples of intellectual and manual work taught in the various departments.

Further on, the same journal said:

> The Canadian provinces have very remarkable exhibits in each one of the great industrial palaces, but none show to better advantage the progress made by the people than their educational system.

And the "Civilta Catholica," in its issue of November, 1893:

> One of the characteristical features noticeable in the department of the province of Quebec are the pupils' exercises with corrections made by the teachers. Several tables were covered with those interesting productions. The Montreal Catholic school trustees exhibited in that way the exercises of the whole academic year. The Polytechnical School of the same city had done the same, as well as the Sherbrooke College, which is under the direction of secular priests, and the small seminary of the same town. The Quebec Normal, Quebec, holds the place of honour. Tuition in that institution is entrusted to lay professors under the high supervision of a priest who bears the title of principal; the female pupils are under the direction of the Ursuline Nuns, and they also attend the classes of the Normal School teachers. The exhibits of the Christian Brothers lack neither variety nor merit, chiefly in penmanship, in ornamental characters for diplomas and in designs for engineers and book-keeping. The display made by the Brothers of the Holy Cross, the Brothers of the Patronage of St. Vincent de Paul, of Quebec, the Marist Brothers, the Brothers of St. Gabriel, the Brothers of the Sacred Heart, strike us with astonishment by the wonderful multiplicity of their graduated exhibits and productions, which evince an abundance of pedagogic power, only equalled by the inexhaustible catalogue of the convents' exhibits.
>
> I may say, further, that the Catholic schools of Canada have taken the palm over all our schools of the United States for industrial exhibits.

I might quote other extracts, in addition to the above quotations, but it would be useless. It seems to me, that, after all those eulogistic and disinterested testimonials, it would be most unfair to contend that the educational system of the province of Quebec is backward and unprogressive. In 1850, in England, a wealthy and so-called progressive country, there was fifty per cent of the population who were unable to read and to write, and the following table shows that there is still plenty of room for progress. The following statistics are taken from the British Cyclopœdia, Vol. VIII., page 711:—

Country.	Catholics.	Protestants.	Pupils per 1,000 inhabitants
Switzerland	1,084,400	1,577.700	155
German Empire.....	14,867.500	25,630,700	152
Luxembourg	197,000	400	142
Norway	350	1.704.800	138
Sweden	600	4,203.800	138
Holland	1.313.000	2.198,000	136
Denmark	1.900	1.865.000	135
France	35,388.000	610.800	131
Belgium	4,980.000	15.000	123
Austria	27.904.300	3.571.000	100
Great Britain.......	5.500.000	25,900,000	83
Spain	16.500.000	....	82
Italy	26.750,000	35,000	70

It is noteworthy that Switzerland, with a mixed population like that of Canada, heads the list, and that Luxembourg, France and Belgium, which are Catholic countries, are far ahead of England. The Act of 1890, having been declared ultra vires, the minority had no other resource left but to appeal to the Governor General in Council, in pursuance of subsection 2 of the Manitoba Act, to have their rights and privileges restored to them. The hon. Ministers deemed it their duty to impose upon the Catholic minority the delay of an appeal to the Privy Council, in order to have that rights of appeal determined. Finally, the appeal was heard, and on the 21st March, 1895, a remedial order was enacted. It reads as follows:—

> His Excellency the Governor in Council was pleased to adjudge and declare, and it is hereby adjudged and declared that by the two Acts passed by the legislature of the province of Manitoba, on the first day of May, 1890, intituled respectively "An Act respeceting the Department of Education," and "An Act respecting Public Schools," the rights and privileges of the Roman Catholic minority of the said province in relation to education, prior to the first day of May, 1890, have been affected by depriving the Roman Catholic minority of the following

> rights and privileges which, previous to and until the first day of May, 1890, such minority had, viz. :—
>
> (a.) The right to build, maintain, equip, manage, conduct and support Roman Catholic schools, in the manner provided for by the said statutes which were repealed by the two Acts of 1890, aforesaid.
>
> (b.) The right to share proportionally in any grant made out of the public funds for the purposes of education.
>
> (c.) The right of exemption of such Roman Catholics as contribute to Roman Catholic schools from all payment or contribution to the support of any other schools.
>
> And His Excellency the Governor General in Council was further pleased to declare and decide, as is hereby declared that it seems requisite that the system of education embodied in the two Acts of 1890, aforesaid, shall be supplemented by a provincial Act or Acts which will restore to the Roman Catholic minority the said rights and privileges of which such minority has been so deprived as aforesaid, and which will modify the said Acts of 1890, so far and so far only as may be necessary to give effect to the provisions restoring the rights and privileges in paragraphs (a), (b), (c), hereinbefore mentioned.
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> Whereof the Lieutenant-Governor of the province of Manitoba for the time being, and the legislature of the said province, and all persons whom it may concern, are to take notice and govern themselves accordingly.

The remedial order was passed on to the Manitoba government. But before proceeding any further, I have several grievances to formulate against the Government. I hold them responsible for the deep agitation which has prevailed in the country, and to a large extent, for the wrong inflicted upon the Manitoba minority, as I am going to show. In 1870, the Catholics were a majority in Manitoba, and all the friends of the French Canadian element cherished the reasonable hope that the province would remain French in character. Why have those hopes been frustrated ? For a very obvious reason. To the anti-Canadian and improvident policy of the Government must be ascribed that misfortune. Instead of directing towards the new province so full of promise, the French Canadians, who were leaving by thousands the province of Quebec, and encouraging them by proper inducements to settle in Manitoba, the Government have spent over $3,000,000 within the twelve last years to help the Mennonites and others to migrate to that province, which was to remain French in character. And I may further state that a great many of those immigrants after availing themselves of the premiums and advantages offered crossed over to the United States. The Government, moreover, unjustly declined to yield to the urgent prayers of the Catholic minority, by exercising their power of disallowance. Disallowance was a peremptory means of redressing the wrongs complained of : wherefore did they not exercise that right ? Was it through fear of creating an agitation in the country ? Why, they did not hesitate, in order to protect the Canadian Pacific Railway Company, to bring the province within an inch of revolution, by twice disallowing the Bill concerning the Red River Valley Railway. Four Bills were passed at the session of the Manitoba legislature in 1890 : the school law under discussion, a Bill unjustly and illegally doing away with the official use of the French language, a Bill establishing quarantine regulations for cattle, and a Bill concerning corporations. Two of those Bills, not to mention the outrageous wrong which they entailed upon the minority, could, through the principle involved in them, jeopardize the peace of the country and the very existence of confederation. Of course, it was but fair to presume that the Government, with a view to the protection of a weak minority, would have vetoed the two former Bills. But far from it, it was the two latter which they disallowed, evincing thereby that they cared more for the cattle of the North-west than for Catholics. It is but right to think that, had the Canadian Pacific Railway Company asked for disallowance, it would have been unmercifully exercised. Beyond the shadow of a doubt, the Government did commit an egregious mistake, by not exercising their right of disallowance. Supposing even that a Remedial Bill could be passed, would thereby all the rights taken away from the minority be restored to them ? Certainly not. The hon. member for Chicoutimi (Mr. Belley) said, a little while ago, that the Government were perfectly justifiable in not having disallowed the school law of 1890, on the ground that it was beneficial to nine-tenths of the population. I believe that the hon. member, in perfect good faith, has exaggerated the proportion of those who are benefited by the law ; but whether those statistics be correct or not, the fact remains that the hon. member has resorted to a very poor argument. The question at issue is this : Was anybody wronged by the law? If so, then an injustice has been done, and how beneficial the law may be to the majority. In equity, the Government were bound to redress the wrong complained of. It is also contended that a motion was made by Mr. Blake, suggesting the passage of a law enabling the Government to refer certain questions of law or fact to the Supreme Court, in educational matters. That motion simply aimed at creating an enabling power, but it cannot be said that reference to the court is binding upon the Government. But, let us take the position such as represented by the Government supporters, presuming that the Government were warranted in referring the question to the court before disallowing the law, the Ministers should not have lost sight that the minority were suffering, that a solemn compact had been infringed ; and, acting upon Mr. Blake's suggestion, if it were deemed sound and wise, they ought to have forthwith passed a law enabling them to refer the case to the judicial tribunals, in order to be ready to take action before the delay fixed for disallowance had expired, in March, 1891. I say that there was enough time left during the session of 1890 to enable the Government to pass a law authorizing them to refer the question to the Supreme Court. I say that the course pursued by the Government, under the circumstances, evinces culpable neglect. And I say further, that the Government are open to censure for their negligence, so much the more so as they are now bringing in a Bill which, to say the least, is decidedly inefficient. Now, we are warranted in telling the Ministers: You are responsible for the actual state of things, which you say you cannot any longer control, and for which we will arraign you before the electors. The ground of that neglect is that they relegated justice into the background. The party interests, such was their policy; no matter whether the minority were groaning under the yoke of oppression, if only the Government could come out victorious from the electoral contest. And they hurried on the elections of 1891, before the time for disallowance had expired, thus killing two birds with one stone, through those desperate tactics, snatching the Catholic vote, by extending the hope of disallowance to Catholic voters, and the Protestant vote, by the assurance given of non-interference. Once they had come out victorious at the polls, the Remedial Bill was promised as a panacea. But, previous to the Privy Council rendering their judgment, by which the right of appeal to the Governor General in Council was recognized, the Government once more evinced their settled determination not to provide any remedy to the grievances of the minority by their refusal to disallow the laws of 1891, in spite of so many petitions and requests. However, disallowance could be evoked upon two special grounds. The Privy Council had, contrary to all expectation, declared valid the law of 1890, and it was then open to serious doubt whether the law of 1894, not mentioned in the appeal before the Governor General in Council, could be nullified by a remedial law. As the Greenway government persistently declined taking action upon the remedial order, a session was called together in July last, and strong differences of opinion prevailed in the Cabinet, as some members were opposed to the Remedial Bill. The Minister of Agriculture, the Minister of Public Works and the Postmaster General, in sheer disgust, threw up their portfolios to the winds. Three days later, the Minister of Public Works and the Postmaster General came back to the Cabinet, stating that they had received additional pledges. For my part, I believe that those additional guarantees have since been taken away. The Hon. Mr. Angers, being satisfied that there was no more justice to expect, and prompted by motives of disinterestedness which are highly creditable to him, declined to resume his seat in the Cabinet. And from that day, many friends of the minority realized that the element in the Cabinet adverse to the rights of that minority, had it all their way in the Cabinet. However, the hon. Minister of Finance stated on behalf of the Government: "That a session of the present Parliament will be called together to meet not later than the first Thursday of January," and further: "That the Dominion Government will be prepared to introduce and press to a conclusion such legislation as will afford an adequate measure of relief to the minority, based upon the lines of the judgment of the Privy Council, and the remedial order of the 21st March, 1895. By that declaration, the honour of the Crown and of the Cabinet was pledged anew. On the 2nd January, the Speech from the Throne was read, and the Remedial Bill was again promised. On the proposition of the Government, the House was adjourned to the 7th January. Then it was that broke out in all its violence the opposition to the policy in favour of redressing the wrongs of the minority. Seven Ministers, bent upon politically killing their leader, and giving the finishing blow to remedial legislation, resigned their portfolios. The Premier, without exaggeration, qualified his colleagues as traitors to their oath of office and to their duty. The "Moniteur de Lévis," whose chief editor is a prominent member of the other House, and which is considered as faithfully reflecting the opinions of the Hon. Mr. Angers, stated that the Conservative party in the province of Quebec was betrayed by those who had been its allies for over forty years, and that the rights of the minority were being sacrificed. In its issue of the 18th January, 1896, under the heading "Our Allies," that paper said:

> The desertion of Messrs. Foster, Haggart, Montague and their colleagues is too important a fact for us to allow to pass by without adding a word to what our parliamentary correspondent says on the matter. The fact is that we are confronted by a very serious state of things. Through the treason of the Ontario Tory party, the Quebec Conservatives are left without any allies in the House. Our friends of forty years standing forsake us at the very moment when we stand in need of their help to have the constitution respected and to secure the triumph of the rights of the minority. They desert us and their desertion assumes the features of a cowardly treason. We did not desert them, but they are the very men who break asunder the ties that bound us to them. Shall history repeat itself? We know not. But we know this, that the Conservative party has been shamefully deserted, outrageously betrayed by its allies from the other provinces.

A few days later, the love of power proved stronger in them than their regard for parliamentary etiquette or even the rules of decorum, and they came back to the Cabinet and resumed their seats on the Treasury benches. Their return to the fold was not by any means calculated to reassure the friends of the Catholic minority. The electoral contest in my constituency was then in full swing, and I had the opportunity of relating before the electors several circumstances connected with the facts which I have just mentioned. I noticed that those honest and straightforward men, little acquainted with the tricks of politics, and with the degrading alliance of interest and fanaticism, evinced their utter surprise at the return of our Ministers to the fold and were little inclined to think that all that scheming would result favourably to the Catholic interests. Finally, Sir, after two months of session utterly lost as far as the school question is concerned, that often promised and long-expected Remedial Bill was introduced. Owing to the evolution brought about by some unknown influence, the Ministers who were ready to do justice and those opposed to it were reconciled. As to the law itself, I do not want to speak of it with too much severity. Born in the midst of so much wrangling and wavering and being the offspring of so many alarms, it is not quite so bad as some would lead us into believing, and much less perfect than its framers would have us think it is. To tell you the truth, if the hon. Ministers were anxious, as they have so emphatically professed to be, to see the Catholics reinstated in their rights, they cannot be entirely satisfied with the Bill which they have framed. Procreated under the empire of fear,—the dread of the electorate—that Bill awards justice so stingily that it renders it inoperative and exposes it to the risk of being declared invalid. Without going into all the details and the weak points of the measure, which may later on be done in committee, I will merely draw attention to the fact that the remedial order contained three distinct pledges, and that those pledges were renewed in July last by the hon. Minister of Finance, speaking on behalf of the Crown and the Government. And yet, there are only two pledges redeemed by the Remedial Bill ; although the remedial order recognizes "the rights of the minority to have their proportionate share in any grant made out of the public funds for the purposes of education." Such an omission is so much the more extraordinary as it involves a serious injustice and an invalidity. I say an invalidity, because the remedial law must be in the very terms of the remedial order ; and I said an injustice, because it does not grant to the Catholic minority that share of the public moneys to which they are entitled, and which they were promised. The Bill does not even declare that they will be entitled to have their proportionate share in any grant made by the Manitoba legislature, for educational purposes. Section 74 of the Bill simply means this : Should the Manitoba government make an appropriation for separate schools, the Catholics may accept it and carry it to the credit of the educational board. That is an exceedingly important omission, a fatal gap. I believe that the Government were bound, by their pledges, to provide for that grant, and such an omission can hardly be accounted for. Such an omission is so much the more to be regretted as the clause of the Bill allowing the Catholics, merely by giving notice of their option, to withdraw their support from separate schools, may kill the Bill. Such option, allowing them to escape the payment of onerous taxes may soon prove a cause of temptation which will drive them towards the public schools. Therefore, section 74 ought to be amended so as to secure to Catholics, out of the proceeds of the sale of school lands, their proportionate share for their schools, in case the Manitoba government should persist in their refusal. Such an amendment offers no difficulty, as the interest on the proceeds of the sale of those school lands is yearly paid by the Dominion to the Manitoba government. An hon. member has given notice to the House that he will move such an amendment. The hon. Ministers should not object to such an amendment, any more than they should oppose those which may be deemed necessary in order to make the Bill as effective as possible. I am aware that the hon. Ministers who are in favour of a fair settlement of the school question will accept those amendments, but what about the other hon. gentlemen, who, scarcely two months ago, did not stop at an infamy : shall they accept it ? For several days past, the hon. gentlemen have been singing, with a pathetic harmony, a pæan to justice. Emphatic statements are not sufficient, when a minority is being made a holocaust to the fanaticism of a few individuals. Shall we redress the wrong perpetrated as fully as the constitution enables us to do ? The amendments which will be moved by the hon. member for Bagot (Mr. Dupont) will supply the hon. gentleman with an excellent opportunity of evincing their earnestness. If not, we will be quite warranted in believing, with some hon. gentlemen, that we are being treated to a mere theatrical performance, a dismal comedy which will have cost the country in the neighbourhood of $600,000. And if it were shown that all this performance is but a farce, we would be warranted in the belief that their denial of justice was coupled with the most profound hypocrisy. The hon. Minister of Finance with an air of satisfaction, queried, the other day : "Does the Bill not involve a principle ?" It does surely, Sir ; but in order to draw from that principle the practical applications which it involves, you must supply what is wanting to the Bill—money. For my part, however, I am going to give credit to the Ministers until I am satisfied that I was wrong in relying confidence in their statements. I may perhaps be told that by virtue of clause 112, the deficiencies of the Bill may later on be remedied, in case Manitoba should not yield assent. That objection does not hold good. When the law is passed, Parliament will no longer have any jurisdiction, and the minority will have to resort again to an appeal, and to agitate again, without being sure whether the refusal of Manitoba to grant a subsidy will be a further grievance, calling for federal interference. And supposing, which God forbid, that the hon. gentlemen were given another lease of power for five years, many of them, the danger being over, would perhaps overlook the principles of justice which they now so eloquently advocate. For my part, Sir, fully reserving my right to judge the Bill on its merits on the third reading, I declare that I shall vote that the Bill be now read a second time, on the following grounds : I shall vote for the Bill, because I pledged myself before my constituents to support a Remedial Bill, and I believe that my course would imply contradiction, were I to reject from the committee where it may be perfected, a Bill which, however incomplete it may be, does not the less involve the principle of federal interference, beneficial in some respects to Catholics. I vote for the Bill on the further ground that I endorse the move of interference through a remedial legislation, provided it may be completed and made operative. A further ground for my voting in favour of the second reading is that later on we may force the Government to redeem their pledge and agree to the amendments necessary to complete the law. Another reason why I vote for the Bill is that, by bringing about the passage of a good Remedial Bill, we will teach a good and useful lesson to the Manitoba government, so overbearing, autocratic and unjust in their conduct. The last ground for voting in favour of the Bill is that it is important that this vexed question should be settled and removed as soon as possible from the arena of active politics. The hon. Minister of Finance in concluding his remarks, said : "Let us do justice to that weak and patient minority." Yes, let us do justice, but let that justice be complete, and bountiful so as to show that the fact of confederation is no snare, that the minorities may find shelter and protection, and fair-play under the Canadian flag ; let not that justice merely be "the gold in the nugget," in the words of the hon. Minister, which may perhaps give indication of the secret wishes of several hon. members. I am truly sorry to be under the necessity of withdrawing my support from the leader of the Opposition, under the circumstances and of differing in opinion from most of my political friends. But I realize that this school question is no political issue, that it forms no plank of the Liberal platform. But, my confidence in my leader is not impaired for all that, and I willingly pay homage to the uprightness of his intentions, and to his devotion to the interests of the Manitoba minority. I know that the position taken by the hon. leader of the Opposition, in connection with a Bill which he thinks will prove inefficient and practically inoperative, is severely commented upon by many. But it is only fair to say here, that as the leader of a great political party, the hon. gentleman would perhaps have committed a fault, to the detriment of Catholic interests, by giving his support to a Remedial Bill which our allies, the English Liberals look upon as premature, the more so as those allies have for a long time been the devoted champions of Catholic interests and may still be so in the future. It is a matter of regret that the hon. leader of the Opposition has not been at the head of affairs since 1890, for I am confident that he would have better understood the interests of the Catholic minority, he would have better adapted himself to this extraordinary emergency, and with the fair play which distinguishes him, as even his opponents admit, he would have better realized the exigencies of the situation and the importance of diplomacy and conciliation, from the outset. Now, should the hon. gentlemen who sit on the Treasury benches, decline to do justice ; should they neglect to pass a remedial law with the proper amendments ; should the interests of the Catholic minority be entrusted to the hon. leader of the Opposition, called upon to take the reins of power, then I say, Sir, that I would think of the future with confidence, being satisfied that the hon. gentleman would, with the support of his party, protect the Catholic interests. In bringing to a close these lengthy remarks, allow me, Sir, to thank the hon. gentlemen for their kind attention and their indulgence in hearing me throughout with so much patience.

Mr. LEGRIS. (Translation.) Mr. Speaker, taking into consideration the fact that this debate has been going on for several weeks, and taking also into view the fact that we have been continuously sitting since yesterday, and that the hon. members are tired and long to reach a vote on the question at issue, I do not intend to inflict upon the House any lengthened speech, and I merely wish to confine myself to a few remarks which I will make as short as possible. I may say, Sir, that I listened with intense interest to the many speeches which have been delivered in connection with the question before the House, and I noticed with pleasure that, for the most part, the hon. gentlemen who rose to participate in this debate have vied with each other in championing the rights of the Manitoba Catholic minority, and in evincing their feelings of goodwill towards the same. In presence of that almost unanimous concert, it seems to me that the remedying of the grievances complained of by the minority should prove an easy task. The Government followers have displayed considerable zeal in the matter, but they have taken precious good care not to expatiate upon the merits of the Bill and the efficaciousness of the remedy which is offered to the aggrieved minority. The hon. ministers have kept silent on the Bill which their organs would lead the country into accepting as a masterpiece of legislation. The same remark applies to the supporters of the hon. gentleman. Now, Sir, far from a solution being brought to the question, which has been agitating the country ever since they declined to apply the proper remedy, that is disallowance, the Government are actually confronted by much more serious difficulties than what we have so far seen. And if we take into consideration all the evils which the exercise of the right of disallowance by the Government would have saved the country, we cannot but come to the conclusion that the Government cannot be too severely arraigned and condemned at the hands of the people for neglecting to apply such a remedy in the proper time. It cannot be urged that the Catholics did not ask for disallowance, for we all know that the Catholics, in 1890, through Archbishop Taché, the Hon. Senators Bernier and Girard, and the hon. member for Provencher (Mr. LaRivière) urged the Government to disallow the law which infringed upon the rights of the Catholic minority. But, as remarked by the hon. gentleman who has just addressed the House, the Government, having made up their minds not to do justice, hurried on the elections in 1891, before the delay for the exercise of the power of disallowance had expired. The Government followers were thus enabled to tell the Catholic voters that the delay for the exercise of the power of disallowance had not yet expired. I know, from my personal experience during the electoral contest that this objection was urged by our adversaries. I was satisfied that the Government were betraying the interests of the Catholic minority. I urged that this remedy would not be applied, and I was met with this invariable answer: You have no right to complain, because there is still time left for disallowance. That argument was plausible enough. But they acted with cunning under the circumstances; so, the Catholic voters were told that disallowance would be applied, and the opponents of separate schools were assured that the Government would not interfere. It was with such promises that the Catholic population were fooled into supporting the Government; and when the law of 1894 was passed by the Manitoba legislature, the Federal Government were again urged to disallow that law. The plea for disallowance was still stronger and more peremptory. I venture to say that on no previous occasion was there ever placed in the hands of the Executive so weighty and important a document as the one which was then sent to the Ministers. We then actually saw all the bishops of Canada, without a single dissentient voice, beseeching on their knees the men who occupy the Treasury benches to afford protection to the minority, and to disallow the recent legislation which so harshly interfered with the rights of the minority. And no action was taken. More than that, Sir, petitions were circulated throughout the breadth and length of the province of Quebec, from parish to parish, petitions which all Catholics were requested to sign, and they were asked to join with the hierarchy of the Dominion in asking the Government to disallow the recent law passed to the detriment of the Manitoba minority; they were asked, I say, to join with the bishops, in order to give greater strength to their petition, so as to secure a more favourable hearing and a readier application of the remedy best calculated to redress the grievances complained of: and, I ask, what became of all those petitions? Those petitions, signed both by the bishops and by thousands of Catholics, were thrown into the waste-basket, practically at least. I cannot let this opportunity pass by without reaffirming before the House my disapproval of the course pursued by the Government under those circumstances. They would now lead us into believing that, when they allowed that robbery to be perpetrated, when they allowed the property of Catholics to be confiscated, they intended to remedy later on the evil. Prevention is always the better cure, and the Government have now to shoulder part of the responsibility for the evils which have befallen the Manitoba Catholics. I arraign now the Government, as I have done previously, under the circumstances. I charge them, before the country with being responsible for all the wrong-doing which has been perpetrated since that law was passed. They are responsible for the litigation which has taken place, and for the fact that the minority have run the gauntlet of the judicial tribunals, from our Canadian courts to the highest judicial tribunal in the Empire. They are responsible for all the wrangling and disputes which are the inevitable result of such a state of things. They are responsible for the sufferings entailed upon the Catholic minority. They are responsible for the creed and racial hatreds which have assumed in this country such frightful proportions. They are further responsible for another matter which, to the eyes of many, may seem of secondary importance, but which is still worthy of consideration; they are responsible, I say, for the fact that we are now holding a sixth session of this Parliament, an extraordinary session simply called for the purpose of passing a remedial Bill, and which will entail upon the country an expenditure approximately of $500,000. Is it possible, I ask, for us not to remember who is responsible for that expenditure, for all the above enumerated facts, in presence of the Bill now under discussion in this House? In the judgment of the most competent men in the matter, the enforcement of this Bill is utterly impracticable. This Bill, which is probably ultra vires in several of its provisions, does not restore to the persecuted minority the rights which have been taken away from them. This Bill now before us, should it be turned into law—a contingency, the accomplishment of which, I think is very remote, as the validity of the Bill is open to doubt—this Bill, I say, will result into bringing about further litigation and will constitute the denouement of the comedy which has been going on these five years past, a comedy which has been acted at the cost of the Catholic minority of Manitoba. Under this Bill, the whole management of the schools is indirectly placed in the hands of the local government, who are openly proclaiming their hostility to separate schools ; and certain rights of the minority are handed over to that hostile government, among others, the right to appoint members of the Board of Education. The local government are thus enabled to appoint men adverse to the separate school system, as such men are to be found among Catholics. Supposing that the Manitoba government, prompted by their hostility, should make appointments under the first section of the Bill, and select opponents of those schools, would not the separate school system thereby be made inoperative ? And supposing again that in opposition to the wishes of the great majority of the Catholic population, such men were selected, what benefit would accrue to the Manitoba minority from this Remedial Bill ? A closer study of the Bill evinces the fact that the Manitoba government are invested with the power of making appointments, through the Educational Department and of making regulations for the organization of separate schools. Wherefore does the Bill give to the local authorities the right to make regulations for the organization of separate schools ? If you leave in the hands of the local government the management of those schools, what is the use of passing this Bill ? Is not the fact another evidence of the impracticable character of this Bill, and the further proof that it is nothing but a child's play, devised to divert public opinion ? Under clause 7, it is enacted that the Lieutenant-Governor in Council shall appoint one of the members of the Separate School Board of Education to the charge of superintendent for the separate schools. We know perfectly well, Sir, that the superintendent is an important officer in the machinery of those schools. Now, under clause 7, the government are free to appoint that officer. But in default by the local government to appoint a superintendent, the same clause provides that he shall be appointed by the board. But should the local government neglect to appoint him, and should the board also decline to make the appointment, nobody can force them to act. In that case, there would be no superintendent, although the machinery of the Bill is to a large extent set in motion by that officer. In both cases, therefore, the superintendent, should there be one appointed, will be appointed either by the provincial government or by their tools. The local government will have most to do with the appointment of that officer, and that provision alone suffices to make the law illusory. More than that, Sir, there is no provision made for its practical enforcement, and no funds are provided for, out of which may be defrayed the cost of the working of the Bill. While provision is made for the appointment of the indispensible officers, the fact has been overlooked that those functionaries are public officers, and as such must be paid by the state. Who will pay the superintendent ? Who will pay the travelling expenses of the members of the separate school board ? Who will supply the premises or the office where are to be held the meetings of the board ? For it is not to be presumed that they will hold their sittings in the streets of Winnipeg. As the hon. members know, Sir, the cold is very sharp on certain days of the winter in Winnipeg ; and how will those members of the board manage to brave the rigours of the season ? As I said, there is no provision made for the necessary funds to face that expenditure. I may also here remark that the schools of the Catholic minority were only indirectly abolished, as under the law the Catholics are free to have their own schools, provided that they pay for their maintenance. There is nothing in the law of 1890 precluding Catholics from having their own schools. All they have to do is to levy the necessary taxes for their maintenance, and the government cannot forbid Catholic children to attend those schools. Those schools have no longer any share in the legislative grant ; such is the primary reason why they were practically abolished ; but with the Bill now under discussion, there is not the least atom of chance left the Catholics to have their share in the legislative grant, and, therfore, the schools which may be established under the present Bill without any money being appropriated to that purpose, will not work any better than those which were abolished. That conclusion is self-evident, and it cannot possibly have escaped the attention of the Ministers, and, therefore, they cannot be said to have provided for the means of remedying the evil. Then, the remedy offered by the Bill is quite insufficient, and, should any attempt be made to apply it, would prove inoperative. The only redeeming feature of the Bill is the exemption of Catholics from paying any taxes for the support of public schools. I do not deny that relief is given Catholics to that small extent. But, if I may use the words fallen from a high dignitary of the church, I would say with Archbishop Langevin : We do not want to pick up the crumbs fallen from the table. What the Government give the Catholics here is only a crumb, and a partial exemption from taxation. For it is an actual fact that, every year, the Manitoba government appropriate large sums of money for educational purposes. Now Catholics contribute their share to the moneys voted for public schools. Therefore, the statement that under this Bill Catholics are exempted from contributing towards the support of public schools is at variance with the facts. This Bill contains many other provisions which are obnoxious to the minority whom it intends to protect. But it is easy to understand that the Government have no intention to perfect this Bill. Evidently that Bill was brought to light in the midst of great travail and much wrangling among the Ministers. Mutual concessions were made, so that it might be said that a Remedial Bill would be introduced. Even if this Bill were amended in the direction of the amendments of which the hon. member for Bagot (Mr. Dupont) gave notice, there would still be left most serious drawbacks, and its validity would still be open to serious doubts. Several hon. members, and among others the hon. member for Quebec Centre (Mr. Langelier) put a question the other day to one of the French ministers. He asked him whether it was the intention of the Government to make any changes in the law. He even went to the length of stating that he would vote in favour of the Bill if the Minister were willing to state that such changes would be made. The Minister declined to give any answer. Well, I put again the same question, and I directly appeal to the hon. Minister of Marine (Mr. Costigan), who, as a Catholic, must have at heart the interests of the Catholic minority, to tell us whether it is the intention of the Government to amend clause 74 so as to make provision for the funds wherewith the separate schools may be maintained. Should the hon. Minister declare that the Government are willing to accept the amendments of the hon. member for Bagot, I declare that I shall vote for the Bill under discussion. I wish for an answer. The leader of the House is in his seat. Several ministers, those from the province of Quebec, are before me, and if I am not given an answer, I will conclude positively that such is not the intention of the Government. I will conclude that their contention is to deceive the House and to deceive the public. For the last five years we have been daily deceived on this school question. For the last five years, the ministers, lacking the necessary qualification of firmness and ability to sail the ship of state, seek on the one hand to capture the confidence of the Catholics by alluring promises, while on the other hand they similarly endeavour to gain the votes of the opponents of separate schools by promises quite the reverse. I say that there can be no mistake on the present situation. The time for promises must have come to an end, and what is happening around us at this moment is of a nature to force upon us the conviction that the Government is still trying, by the means of a tangent, to escape the terrible responsibility which they have assumed in the course of the last few years. I think I need not state that I am in favour of separate schools where they can possibly be maintained; but above all I want schools. However, I must say, that the Bill, as it is before us, and as I understand it, is the best way to prevent the establishment of separate schools for the minority, when children will grow up, too many of them, in complete ignorance. The Government, feeling, I have no doubt, the falseness of their position, are trying now to end where they ought to have begun, I believe that the Manitoba minority is placed under such conditions in certain localities that it is impossible to give them an efficient system of separate schools. The only means to reach a solution of the difficulty which would be satisfactory to those, interested, is conciliation, notwithstanding what the hon. member for Chicoutimi and Saguenay (Mr. Belley) said about it. Conciliation is the broad way to success in the matter, and no other way as safe and advantageous could be taken. And now that the Conservative members and ministers have derided this policy, we see them trying to regain the confidence of the public by would-be attempts at conciliation.

Mr. BELLEY. (Translation.) You are the ones who talk of conciliation.

Mr. LEGRIS. (Translation.) I do not intend to blame the Government for trying, in the interest of justice, to do now what they should have done years ago. But the hon. member knows that the suggestion made by the hon. leader of the Opposition has now been adopted by the Government. As long as that policy was solely that of the Opposition, the supporters of the Government found no reason or practicability in it, but now they accept it because the ministers wish to try their hands at carrying it out. No later than yesterday, they were telling us that it was useless to appeal to the provincial government of Manitoba, as that government wanted to do nothing for the Catholic minority, and to-day they cheer over the project of a conference. By the means of conciliation we can hope for an understanding with the Manitoba government, and I hope that it may lead to justice being rendered to the Manitoba minority. I say that such a policy will be productive of the greatest good of the country in general and of the minority in particular. It is desirable that this minority should come to an understanding with the provincial authorities. But I say, moreover, that it is in the general interest of the Dominion of Canada that the hon. leader of the Opposition should attain power and become the Prime Minister of the country, for he alone, in my opinion, can bring about the most advantageous understanding that every one wishes in the interest of the minority. I have heard several hon. members friendly to the Bill now before us admit that it will bring no relief to the Catholic minority ; but they invoke the question of principles, they say that in voting for the second reading of the Bill they proclaim the principle of separate schools. Mr. Speaker, in my opinion the principle of separate schools has been recognized and proclaimed by the highest tribunal of the Empire, and nobody can deny this principle, which is binding to all. But what is wanted now ? It is the application of this principle that is wanted, and your legislation does not apply it at all. The hon. ministers will give you no hope. They will not say if their intention is to amend the Bill so as to give it an efficiency which it has not now. The ministers make sport of the House. For my part, I repeat it again, if the members of the Government will declare that it is their intention to accept the amendments that have been offered by the hon. member for Bagot (Mr. Dupont), or if they will declare that they are ready to take any other means to make the law efficient, I am ready to state that I will vote for the Bill, whatever be its present defects. But if they refuse to do so, if they do not clearly express their opinion, I will believe it my duty to vote for the amendment moved by the hon. leader of the Opposition. We are told that the Bill may be amended in Committee of the Whole ; but this is only an excuse to allow the Government to shirk its responsibility. Driven to the wall, and obliged to make some show of sincerity, the Government presented this Bill, which was announced last spring. This session was to take place to pass a Remedial Bill, and what happened, Mr. Speaker? Instead of having a Bill ready to be presented to the House at the beginning of the session, nothing was done. The hon. gentlemen knew that they had to prepare their measure, and consequently it should have been ready for the House, when they called Parliament for that object. Instead of introducing their remedial measure, what did we see the ministers do? On this occasion, again, the Government gave us a new proof of its weakness, of its lack of the unity necessary to efficiently carry on the business of the country. The ministers quarrelled together. Was it purposely to delay the introduction of the Bill ? I do not know. I cannot make out what their intention was. However that may be, their broils made us lose those two long months. Parliament, which had been called together to pass a remedial law, only saw it brought forth about two months after the meeting of the Houses. Now we are about on the eve of the inevitable end of the life of the present Parliament, and the measure for the passage of which we were convened will probably not have time to be passed. If I am to believe rumours and statements, confirmed by some friends of the ministers, by gentlemen close to the members of the Government, rumours and assertions which are positively confirmed by statements from other sources, it would seem that the remedial law is not intended to be ultimately adopted by this Parliament. What statements do we find in Conservative newspapers, in the most authorized organs of the Cabinet, in the Montreal "Gazette" for instance ? We are told by these papers that the Remedial Bill will never become law, and that nothing will be done after the second reading. This means, Mr. Speaker, that we have been convened here, at the expense of the country, to help in the consummation of the comedy, of the farce, which has been played for the last five years. I will not say more about this, as I have made known my views on the question. I call this Bill a fraudulent comedy. In the mind of its authors it is to be an election trap, and they want Parliament to endorse this sham. I again ask the Ministers, who by this time must know what they intend to do, to state to the House whether they will accept the amendments offered by the hon. member for Bagot (Mr. Dupont), or other amendments to the same effect. I see the hon. Minister of Marine (Mr. Costigan) in his seat. He speaks French as well as I do, and consequently he understands what I am saying at this moment in that language. I am ready to take my seat in order to allow him to answer my question. Let him tell me whether the Government is ready to amend this Bill in Committee of the Whole, and to render it satisfactory, by securing for the schools of the minority the share of money grants, without which they can neither be established nor maintained.

Mr. LANGELIER. (Translation.) He does not answer.

Mr. LEGRIS. (Translation.) The Government refuse to promise to accept these amendments or any other to the same effect. Let them say that they will amend this Bill, and I will vote for its second reading. Otherwise, I will find it my duty to vote for the amendment moved by the hon. leader of the Opposition.

Mr. STUBBS. If we are to disbelieve the hon. Finance Minister (Mr. Foster) and acquiesce in the views of the hon. Secretary of State (Sir Charles Tupper), this is a Bill of the greatest importance. This question was the only one at issue in Cardwell during the contest in that constituency some three months ago ; and as I was elected in that constituency on this question alone, I feel it is my duty, on this occasion, to express, not only my own views, but those of the constituency I have the honour to represent. Now, I have always been a Conservative, I have been identified with the Conservative party in Cardwell ever since I gave my first vote. Ever since then I have been closely connected with and worked in the interests of that party ; and during my early education in political matters, I was taught that no great measure could be passed except through the influence and medium of party opinion and party organization and that our country could only be governed through the same medium. Now, while I still maintain that I am a Conservative, yet I claim that even in party politics there is room for independent action, and for the exercise of a calm unbiassed judgment, lifted above the atmosphere of political passion. I believe that extremes can be avoided, that extravagance on either side can be checked, and that the bent of controversy can be somewhat moderated and harmony made to exist between the representatives of various opinions, rather by not giving a slavish submission to those influences than by abjectly yielding to them. I was very well pleased the other day to hear the remarks that fell from the hon. member for East Grey (Mr. Sproule), who truly stated that the Conservative party in Ontario were not willing to be dragged through the mire by the present leaders of the Parliament in this House. He also truly stated that the great Conservative press throughout the province of Ontario, with the exception of that subsidized opinion given expression to by the "Mail and Empire," condemned the leaders of the Government for their action on the Manitoba school question. I cordially agree with him; and as evidence of the accuracy of his opinion and mine, I will take the liberty of reading the views of a Conservative organ which fairly expresses the opinions of Conservatives throughout the province of Ontario, so far as I am aware of them. The first article I propose to read is taken from the Toronto "Star," dated 31st January :

> The seventh Parliament of Canada has been an extraordinary one.
>
> During its existence, four Premiers have been at the head of the Government, and before it closes we are likely to have a fifth. It is now in its sixth session, and it was stated the other day in the House of Commons that it is the only Parliament under the British constitution that has ever held that many sessions.
>
> The constitution, precedents and everything else connected with parliamentary government have been strained to the utmost limit.
>
> The disorganized Government, with its fourth Premier, who has barely escaped political assassination at the hands of his colleagues, at the end of the sixth session, which never should have been called, are preparing to do the most extraordinary thing in the history of this extraordinary Parliament.
>
> At the last general elections Sir John Macdonald was Premier. The main, if not the only, point at issue was the trade policy. The Conservative party was united and triumphant ; the leader of the Government was a dictator, wise and experienced, as well as the idol of his party.
>
> Since then Sir John Macdonald and two of his successors have been buried. Times have changed ; the electorate has largely changed ; according to the by-elections the desires of the people have changed ; the policy of the Government has changed ; the fiscal policy is no longer the main issue ; remedial legislation overshadows everything else.
>
> Yet the electors have not been consulted either in a general election or a convention of the supporters of the Government.
>
> Yet this dying Parliament, which should have been dead months ago, having been long estranged from the people, with a Premier who is politically dying, and would have been officially dead weeks ago, if his Cabinet could have killed him off, is about to coerce one of the seven provinces of the Dominion, though the electors of that province have almost unanimously refused even to consider, let alone accept, the coercive Bill.
>
> Such legislation as is proposed is not of the ordinary, but of the most extraordinary sort. It is not the class of legislation for which Parliaments ordinarily meet, and if this seventh Parliament had just come from the electors, the majority thoroughly instructed to make such a law as is proposed, it might well pause and consider whether, for once, the people had not been wrong.
>
> A dying Parliament has no business to consider extraordinary legislation, no matter whether it is good or bad. Beaconsfield declared such conduct to be politically immoral and refused to legislate on a very much less important matter without first consulting the people.
>
> The seventh Parliament of Canada is pursuing the opposite course. It is holding an extra session around its own death-bed, with a deliberate intention of violating the wishes of the electors that it dare not face.
>
> Its conduct is not only indecent and dishonest, but it is tyrannical, scandalous and strikes at the very root of constitutional government.
>
> This is not responsible government. Since Sir John A. Macdonald died the Government has been degenerating, until it no longer has even the semblance of pretending to care for the people or to follow constitutional usage.
>
> Unhindered by any fear, except the rebellion of his mercenary Ministers, the Premier of Canada, who is not the choice of the electors, but the accident of a funeral, is a dictator holding the life, property and liberties of the Canadian people as completely in his hand as if he had the powers of the Czar of Russia.
>
> Though Canadians are being treated as if they were serfs, when an opportunity occurs they will show the present Government, if it persists in its course, that the people of this country are too well educated and too long accustomed to the rights of British subjects to tolerate any such tyranny.

In another article the same paper states :

> Ontario members are very much mistaken if they imagine this province will accept any alleged excellence in detail as an excuse for their support of a Bill which is wrong in principle.
>
> What Canada wants is not the modification, but the annihilation, of the Remedial Bill. If the measure is not to be annihilated, it should not be modified.
>
> Let it be as drastic as possible. Sir Mackenzie Bowell and the Ministers associated with him are trafficking in the liberties of Manitoba in order to win the support of the bishops. His hypocritical pretenses of respect for the constitution deceives nobody. His respect for the constitution is as strong as his love for Protestant principles. He loved Orange principles for votes, and he respects the constitution for the same reason.

> Make the Bill sweeping and strong. The worse its provisions the greater will be Ontario's reason to punish the men who try to fasten such an iniquity upon a free province.
>
> So far as Manitoba is concerned it can take care of itself. If that province thinks it worth while, it can defy the law. And there is no public opinion in Canada strong enough to coerce a province out of its resistance to such a law. The struggle is not to protect Manitoba, but to protect Canada. Manitoba seems better able to defend herself against the effects of remedial legislation, than Canada is able to protect herself against the disgrace which the Dominion Parliament is ready to bring upon the country.

Now, I will admit that these articles fairly represent the views of the people throughout Ontario; and if the Government of the day think that I am not honestly reflecting the views of the people, I will refer them to a little incident that took place not very long ago. I shall not ask to carry them any further than the county of Cardwell, which is the oldest Tory county in Ontario, and which gives 400 of a solid Conservative majority in any election on a straight vote. We know that the election in that county to which I refer was a by-election, we know that the Government covered that county with assistance from all points of Ontario and outside of it almost, and that despite those advantages which work in favour of the Government, the independent electors of Cardwell defeated that Government by a handsome majority. Now, when the Government come to think that the old historic county of Cardwell, which, on every former occasion, elected an ardent supporter of the Conservative leaders, took this independent action, that should teach them a lesson which should make them pause, and cause them to reflect. When we think that the Conservative county of Cardwell which, on so many occasions, sent men of ability and note to adorn this chamber and support the Government, sent, at the last election there, for the first time, one of its own sons to represent it in the legislative halls of the nation, one who has the courage of his convictions, and is not afraid to express them, and the opinions of his constituency on the floor of this House, it is not necessary for me to carry them back any further, because I am satisfied that the salutary lesson taught them on the 24th December last, is sufficient to convince the most sceptical. Now, I can easily understand the difficulty that some members of this House feel in voting against their party. I can understand the difficulty which besets a man, who has been associated with the party for years, and supported it in every measure brought before this House, when called upon to give an independent vote in this matter. I can understand how hard it is for them to rise above the allurement of friendship and party attachment, when measures of truth and justice are involved, and I care not whether that hon. gentleman is the hon. member for North Simcoe or East Grey, or any other hon. gentleman in this House. The man who takes that stand on honour and principle establishes a reputation for the most courageous honesty. Now, is cannot be denied that in parts of this Dominion there has been a strong feeling in reference to the general policy of this country. There has been a movement which might well be called the McCarthy movement, which has assumed considerable proportions. There is another movement which, I am sorry to say, is assuming vast proportions and that is a feeling that there is a power behind the Throne which threatens to override the sovereign will of the people. I am sorry to have that to say, but it is a fact. And I believe that feeling does not exist without some cause. Let me read an extract from the letter of Archbishop Cameron during the campaign in Cape Breton:

LETTER OF BISHOP CAMERON, OF ANTIGONISH, DURING CAPE BRETON ELECTION.

> And yet we meet the appalling spectacle of multitudes of men who are loud in their praise of liberty and justice and religion arrayed against remedial legislation, the only available means under the constitution of redressing that wrong, and then doing all they can to perpetuate the monster evil, subversive of religion, justice and liberty, in order to attain their own selfish ends. In defiance of God and to our shame, among these hell-inspired hypocrites, Catholics are to be found, not a few, who will vote against justice being done to their sorely oppressed co-religionists, and who, to add insult to injury, will move for a commission of investigation instead of remedial legislation, a commission pronounced to be the hollowest sham by the most competent of living judges on the subject.

I will also read a letter that was written by another clerical gentleman, Father Lacombe, to the hon. leader of the Opposition:

> Hon. Wilfrid Laurier, M.P.,
> Ottawa.
>
> My dear Sir,—In this critical time for the question of the Manitoba schools, permit an aged missionary, to-day representing the bishops of our country in this cause, which concerns us all, permit me to say, to appeal to your faith, to your patriotism, and to your spirit of justice, to entreat you to accede to our request. It is in the name of our bishops, of the hierarchy and of Canadian Catholics, that we ask your party, of which you are the so-worthy chief, to assist us in settling this famous question, and to do so by voting with the Government on the Remedial Bill. We do not ask you to vote for the Government, but for the Bill, which will render us our rights; which Bill will be presented to the House in a few days.
>
> I consider, or rather we all consider, that such an act of courage, good-will and sincerity on your part, and from those who follow your policy, will be greatly in the interests of your party, especially in the general elections. I must tell you that we cannot accept your commission of inquiry for any reason and we will do the best to fight it.

> If, which may God not grant, you do not believe it to be your duty to accede to our just demands, and that the Government, which is anxious to give us the promised law, be beaten and overthrown, while keeping firm to the end of the struggle, I inform you with regret that the episcopacy like one man, united to the clergy, will rise to support those who may have fallen to defend us.
>
> Please pardon my frankness which leads me to speak thus. Though I am not your intimate friend, still I may say that we have been on good terms. Always I have deemed you a gentleman, a respectable citizen and a man well able to be at the head of a political party. May Divine Providence keep up your courage and your energy for the good of our common country.
>
> I remain, sincerely and respectfully, honourable sir, your most humble and devoted servant.
>
> (Signed) A. LACOMBE, O.M.I.

I said before I started to read these articles that there is some reason for the prevalence in the country of the opinion I spoke of. I hold that it is the Government's duty to relieve the minds of the people of this suspicion, and they will do it not so much by what they say as by what they do. I hold the only way that they can relieve the minds of the people of that suspicion is to withdraw the Remedial Bill. I would like to ask some of the hon. gentlemen on the Treasury benches how the Rev. Father Lacombe knew the contents of this Bill some time before the representatives of the people were favoured with copies ? They can answer that, and while they are answering the country is listening.

Now, what is the position of the hon. leader of the Opposition ? Surely his position is unique. Of French extraction, a firm believer in the Roman Catholic Church, intimidated, as he was—or as was attempted—with political extinction, what could he do ? The leader of a great party in this country and a statesman, as he proved himself to be, he thought his first duty was to his country, and he so declared. And I hope his second duty was to his family, his home and his church. For the stand this hon. gentleman has taken, I claim that he is entitled to the undivided admiration of every honest man in this country. Now when Parliament was called together in January, we found that there was some confusion and consequent delay, and an adjournment for some time was necessary. When Parliament reassembled on the 7th January, what state of affairs did we find ? We found that the oxen had turned the yoke, and after an attempt at readjustment, which occupied some time and occasioned considerable expense to this country, and some dishonour, I claim, to the parties who bolted, we find that the off ox is still on the nigh side, and in this attitude they are unsuccessfully trying to pull the load built by their own hands and out of their own creation. I would advise these gentlemen to somewhat lighten this burden, and I would recommend them particularly to pull off this Remedial Bill. Even then they will find the load sufficiently weighty, because at best the travelling is not very good. The hon. Secretary of State (Sir Charles Tupper) asks us to pass this Remedial Bill, and thus refuse to countenance a war of races and creeds. I wonder if he is conscientiously honest in that opinion. Does he mean to tell this House that if this Remedial Bill is passed it is going to allay this demon of discontent, which we are told so eloquently by the Finance Minister was rampant in this land? Does he mean to tell this House that if this Bill is passed by a majority, which is not very creditable to this House, and forces it upon an unwilling people in Manitoba, that this demon of discontent will disappear from our midst ? I claim it will not, but I fear that the storm you saw on the surface at the by-elections will stir the very depths of the ocean in the general elections, and I would ask the Government not to provoke the wrath of the people. It is our duty to vote conscientiously, and in the interest of peace and harmony in this country. If we shrink from that duty, we may have reason to regret it. I was pleased—you know we are thankful for even small favours in this House—to see that the views of the constitution expressed by these gentlemen have changed somewhat. I find they are not so arbitrary in their views of this remedial order or of the duty that was forced upon them. During the campaign in Cardwell, which is not so very long ago—and a few of the Ministers of the Crown took an active part in that campaign—it was preached from the housetops that this was the demand upon the House, not only from the highest courts of the realm, but it was a demand from our Sovereign Queen Victoria, and those who failed to obey it were traitors to the country and rebels against the constitution. I see now that that view is somewhat changed. I find one hon. gentleman, on the Treasury benches, to whom I must give credit for honesty. I mean the hon. Minister of Justice (Mr. Dickey). What does he say about the state of affairs ?

> Now, I have no doubt at all, as a lawyer, that this House has ample discretion to act or not to act. I have not the slightest doubt that this House is perfectly competent to reject this Bill, and to refuse absolutely to interfere at all in the affairs of Manitoba. I will go further than that, and I will say that there is no obligation whatever for this House to do anything at any time ; that you could not by any conceivable means bind this House, or bind any future Parliament.

Again he says :

> It is certainly not binding upon us. Legally, we are not bound to accept the opinion of the Privy Council of England. There is no doubt about that at all.

That is an honest opinion. I believe it agrees with the intention of the Act which gives this Parliament power to appeal to the Supreme Court. Sir John A. Macdonald, who was then the leader of the Government, asked Mr. Blake about this point, when the latter brought in the resolution :

> Of course my hon. friend in his resolution has guarded against the suspicion that such a decision is binding upon the executive.

The reply was :

> Such a decision is only for the information of the Government, the executive is not relieved from its responsibility. The answer of the tribunal will be simply for the information of the Government. The Government may dissent from that position.

I fail to find anything in the constitution that gives this Parliament power to conduct any system of education in a province in this Dominion. That being the case, the Government should be very careful before they introduce and force this Remedial Bill on an unwilling people. It is the duty of the provinces to provide for the education of the children, to see to it that the young are properly educated and grow up to be useful and intelligent citizens. Over that subject this Parliament has no control whatever, and it is not justified in passing this Bill. I also claim that the present grievance is not sufficient to warrant this Government in forcing this Remedial Bill on Manitoba at the present time. It was argued throughout the constituency of Cardwell that the Manitoba government had had six years in which to settle the question, and had failed to do so. I deny the truth of that statement. During all this time we know the matters have been in litigation. Only about a year ago the Manitoba Act was declared ultra vires by the courts. Under these circumstances what right had Manitoba to act and remedy a grievance before that time. Since the decision of the Queen's Privy Council it is true Manitoba has had an opportunity to act. What is the fact ? Almost immediately after the official document was sent over from London to Ottawa, Manitoba was summoned to the Bar like a criminal, and the remedial order was forced on the province. Since that time there has been no justification for Manitoba acting, and there is no justification to-day until the remedial order has been withdrawn, and Manitoba is perfectly justified in not acting, because it cannot act along the lines of the grievances covered by the remedial order. What will this Remedial Bill accomplish even if it does pass in this House and is forced on Manitoba ? Why, Mr. Speaker, this Bill is a parody on a legal enactment. I would advise hon. gentlemen on the Government side of the House to have each a copy of the Bill engrossed to be handed down to posterity and kept as an heirloom in the family. The future political historian in this country will not have to ransack the archives to find out the pedigree of our grandfathers and greatgrandfathers, for he will only have to look at the Bill, and he will turn from it in disgust as he thinks of men adopting such a measure pretending to legislate in the interests of the country to which they belong. Instead of this being a measure for the advancement of education in Manitoba, it will be a measure of retrogression as regards educational progress. It cannot assist the educational process in Manitoba, because it is not workable, and yet it will interfere with the public school system, so that children will be compelled to grow up in comparative ignorance while Manitoba and the Dominion are quarrelling over the Remedial Act. I also claim that this House as at present constituted should not under present circumstances deal with this Remedial Bill. Hon. members have no mandate from their constituents to deal with it. I believe I am the only member from Ontario who has a mandate from his constituents on this question. I therefore can speak with authority, and I can tell hon. gentlemen on the Treasury benches that if they force this Bill through the House and enforce it on Manitoba, they will be almost politically wiped out. In 1891 the Government dissolved Parliament before its full time had expired on the excuse that they wanted to consult the people in regard to a reciprocity treaty with the United States. That was a small matter compared with this remedial order. I consider this dispute between Manitoba and the Dominion is of far more importance than the question of reciprocity with the United States. If it was necessary to dissolve this Parliament and consult the people on a question of such small importance as that, surely it is necessary to consult the people over this remedial order and this proposed remedial legislation. But it appears that this Government are not willing to consult the people. Have they consulted anybody except themselves ? They surely have not consulted the people, and I am told they have not consulted their friends. Whom have they consulted ? I am unable to say, except Father Lacombe and Bishop Cameron. I do not want to see a measure of so much importance passed by this House as it is politically constituted. I believe the general feeling pervading the country is that we cannot rely on the political aspect of the House as now constituted. I believe many hon. members are going to vote for this Remedial Bill, who will vote contrary to the wishes of their constituents, and who, if they vote for this Remedial Bill, can bid good-bye to political life, though they may get a softer snap in the future. The strong arm of the people is needed to assert its influence in this House, in order that justice may be done not only to the minority in Manitoba but to the majority as well. Then why should we not keep this question to Manitoba, to which it properly belongs, for it never should have been brought up in the Federal Parliament. We once had an enactment in this country, known as the Clergy Reserves Act, which caused considerable irritation and nearly caused rebellion before it was repealed. It was drafted on our constitution.

An hon. MEMBER. No.

Mr. STUBBS. At all events that law was at length repealed, and we thought he had divorced church and state when that Act was repealed. We find, however, that if the Government force this remedial legislation through Parliament and re-establish separate schools, it will again bring about a union of church and state, and I protest against this Bill on the ground, because in a fair democratic country like this, with the history of the world before us, in this the latter part of the nineteenth century, we do not want a union of church and state in this country. The tendency in all nations is to take education out of the hands of the churches, out of denomination hands, and place it in the hands of the state. We have an illustration of that in France. Not very long ago, well within the memory of every member of this House, at the beginning of the Franco-Prussian war, the education of the French nation was in the hands of the church. The result of that was, that France got pretty well drubbed in that fight.

Some hon. MEMBERS. Oh, oh.

Mr. STUBBS. I want to tell you, Mr. Speaker, and to tell this House, that brains have got to be considered in warfare as well as muscle, and to show you that I am speaking facts, immediately after the war, the French saw their weak point, and for the first time, in my memory at least, they took the control of education out of the hands of the religious bodies, and placed it under a Minister of Education. They have had the advantage of that system of education for some time, and if ever France and Germany come together again, Mr. German will have to look out. Mr. Speaker, I am sorry this measure was ever introduced into this House. However, we have it introduced, and simply because it is introduced, we find men who call themselves statesmen, trying to force this measure through the House, and to force it on an unwilling people. Sir, they do that, giving as their motive what is misnamed honour and patriotism. To continue what was wrong in the commencement, through a motive of selfishness, pride or of party exigencies, is a course of procedure repugnant to reason, and reprobated alike by intelligence and common sense. Now, Mr. Speaker, I feel it my duty to vote for the six months' hoist amendment introduced by the hon. leader of the Opposition. I feel it my duty to oppose this Bill at all and every stage as it comes before this House, and by doing so, I am voicing the opinions of my constituents.

Sir JAMES GRANT. Mr. Speaker, the question at present before this House is probably one of the most important in the history of our country. It strikes at the very root of the constitution, and it is the keynote of our future happiness. I sat in this chamber at the commencement of confederation, and looking around this hall now, I find that here are very few present who took part at that time in the deliberation of the affairs of this country. Having come in contact with the fathers of confederation, and having personally heard their views expressed, I was pleased beyond measure to know the broad and comprehensive, and liberal opinions, which these gentlemen held on all questions connected with religious matters. At that time, some of the ablest men who ever lived in the Dominion of Canada, were met in this House. Need I mention the late Hon. Joseph Howe, who frequently spoke from the opposite side of the chamber, displaying a pure eloquence, and a political erudition such as any man might well feel proud of. Associated with him, was the late Thomas D'Arcy McGee, a man who inherited the intellectual power and genius of many of his predecessors who sprung from that great Emerald Isle, and we had also, Sir George Cartier and Sir John A. Macdonald. These two are names well known in the history of this country. They were men who by their energy, their perseverance, and their ability, contributed in so great a degree to promote the best interests of this Dominion. We have to-day the monuments of these two great Canadians, standing almost side by side in the cool air of the surrounding atmosphere. But, their memories are warm in the hearts of the people of Canada. And why? It is because on every occasion they accorded equal rights and equal privileges to all classes of the community. I am pleased beyond measure to see one of the illustrious fathers of confederation present here with us to-day. Sir Charles Tupper was then on the floor of this House, and although many years have passed over his head, he still appears to maintain the same intellectual activity and physical power that he did in the days of old. I say, Sir, that an honour has been conferred upon him in selecting him as leader of this House; the highest and most distinguished position that can be conferred upon any man, because he has been called to it by the voice of the people of Canada, the voice of the members of this House, and the voice of the Government of the day. I have heard some rather severe criticism on my hon. friend (Sir Charles Tupper) within the last week or two. I am surprised beyond measure that those who should have the good of the country at heart, take such small, microscopic views of matters which are occasionally presented to this House. Sir Charles Tupper has been in parliamentary life for over forty years. In his own province he established a name and a reputation for the advancement of public affairs, and since he came in to the Parliament of the Dominion of Canada, are we not aware, that many of the great questions upon which the happiness the welfare and the prosperity of our people rests, emanated from him, and from the genius of those with whom he was associated. Not only in Canada has the Secretary of State (Sir Charles Tupper) taken an active part in guiding the best interests of this country, but representing us in Great Britain he has come in contact with many of the leading men of the present day, and so energetically and so ably has he represented the cause of our country before them, that to-day, Canada stands in a higher position in the eyes of the world than ever she did before. In making a slight review of the great question of confederation, which has been presented to this House so succinctly by that hon. gentleman, I have no desire to go over the ground again. We know what confederation has accomplished for Canada. It has done much for our people; it has united us into a homogeneous whole, it has brought us together from the Atlantic to the Pacific, and to-day we enjoy cherished privileges under the benign influence of confederation. It is not necessary for me to refer to the political issues connected with confederation. The hon. member for Prince Edward Island (Mr. Davies) a few days ago, wished to go back to some of the little difficulties that sprung up, from what I would call, a mere provincialism which attacked the basis upon which confederation was to rest, merely for some local object and for some local purpose. But, Sir, I am happy to say to-day, that confederation has emerged entirely out of that small sphere of operation, and it is now known everywhere, that through the progressive action of our public men, through the co-operation of our citizens, through the assistance of the leading minds of this portion of the North American continent, we have here, law and order, and we have the extension of those civil rights and civil privileges which have been referred to so ably on this instructive occasion.

The question which we now more particularly have to deal with, has been dwelt upon at length by several of the gentlemen who have spoken, especially by the hon. Minister of Finance (Mr. Foster), by the ex-Minister of Justice (Sir Charles Hibbert Tupper), the present Minister of Justice (Mr. Dickey), by the hon. member for Simcoe (Mr. McCarthy), and by the hon. member for Bothwell (Mr. Mills), whom the late Sir John Macdonald called the Erskine May of this House. I am glad, indeed, to pay that hon. gentleman a compliment, because I know well that to-day there are few men in Canada who understand the laws of this country, and the laws of the world generally, better than he does. He has an associate here in the hon. member for Albert (Mr. Weldon), who is also a law-giver. Yet I was surprised and amazed, Mr. Speaker, to find with all the information they possess, profound as they are, with all the legal acquirements they enjoy, advocating on the floor of this House a course contrary to their own principles, and contrary to their own minds; because, if they are possessed of the ideas of progress, they could not go against a measure like this. I read in a late number of the Ottawa "Citizen" this whole question in a nutshell:

> The question before the country is this: The Manitoba government having refused to modify its legislation so as to permit Roman Catholics to have schools of their own, should the Federal Government interfere? It is trifling with the intelligence of the public to answer by saying: "I am in favour of conciliation!" Every one is in favour of conciliation; but suppose your conciliation does not work. What then? For six years this matter has been the source of a dangerous agitation, but the Greenway government has done nothing to remove the cause of strife.
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> In May, 1894, the Cardinal, Archbishops and Bishops of the Roman Catholic Church petitioned the Governor General in Council to disallow the Manitoba School Act of 1894. By Order in Council of 26th July, 1894, the Privy Council recommended that the petition should be transmitted to the Lieutenant-Governor of Manitoba, and expressed the hope that the legislature of that province should take steps to remove the grievances complained of in the petition.
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> Again, by Order in Council of July 27th, 1895, the Dominion Government invited the Manitoba government to enter into friendly negotiations in order to ascertain how far the latter were prepared to go in meeting the wishes of the minority, so that the Dominion might, if possible, be relieved from the duty of intervening. The provincial authorities paid no attention to the invitation, and it was publicly and triumphantly declared that they had no intention of helping the Federal Government out of a difficulty.

I need not go over all the ground that has been already traversed so well on this important question. There it is in a nutshell; and what are we to do now? This is a question for which the constitution of our country is responsible. We have a confederation by mutual consent. Where is the leader of the Opposition, to-day, with his motion for the six months' hoist? He is precisely in the same position that he has been in with his trade policy. For the last few years he has been wandering about, trying to formulate the principles of a trade policy; and, just like the kaleidoscope, every turn presented a new view, and that was grasped in the hope that something would come out of it. The people of this country are possessed of common sense; they have fixed in their minds the principles of trade and commerce; they know thoroughly what will result from certain lines of policy: they know that that hon. gentleman, in a short space of time, has propounded no less than three distinct lines of trade policy; and what have the public to say? That hon. gentleman has failed to grasp the exact position. Can we go upon one line of trade to-day, and change it to-morrow? Far from it. Who would, under such circumstances, invest in the trade of this country? We must have a definite policy in our trade, such as is carried out by the Liberal-Conservative party; and if the Liberal-Conservative party has achieved success, has built up a name and reputation for itself, and is recognized as one of the great progressive parties on this North American continent, it is because it has eliminated the best policy that could be produced by the master-minds of that great party; and to-day Canada's trade policy stands on a permanent and sure foundation.

Now, the hon. leader of the Opposition, in taking hold of this Manitoba school question, commenced some time ago by telling the Government that they were delaying in bringing it to a final issue. Why were they delaying? He wanted it immediately settled. For whom did he want it settled? He wanted it settled for those whom he was representing; and who it is his pride and privilege to represent to-day. He represents one of the great factors in the prosperity of this country—that great French nationality that, along with the Anglo-Saxons of this country, have built up the name and reputation of Canada—that French nationality, whose history has been written by Garneau and Ferland, who have given us a noble record of the French ancestry—of men, who, in the days of Champlain, managed to paddle their own canoes on the majestic waters of this country, and assisted in laying those foundations of peace, comfort and prosperity that the people of Canada are enjoying to-day. Gentlemen, you have reason to feel proud of your French nationality. In art, in literature and in science it has made a worthy reputation, as was pointed out yesterday by the learned professor from Albert. I was pleased beyond measure to listen to that portion of his able and exhaustive address; but when I considered the other lines of argument he adopted, I came to the conclusion that there was a smallness of idea—a contracted provincial idea, governing his mind. In connection with this great question of the Remedial Bill now before the House, we know what this French nationality has done. We know what Sir George Cartier, Lafontaine, and many other men of that nationality I could name have done for this country. I see on the other side of this Chamber Mr. Bourassa and Sir Hector Langevin, two of those who were present here with me at confederation. Long may they live to enjoy those privileges that have been extended to them. I am sure that if they revert to that time, and think of those men, who by their magnificent intellectual power, their sagacity and their ability to see through the great problems of national life, they will at once say with me that the men who had the distinguished privilege of occupying seats on the floor of this House at the initial stage of confederation, enjoyed a privilege which has been the opportunity of but a few. And if those great men have passed away, they have left a noble record behind them. I might say, with the illustrious poet of the past, that man who now slumbers among the great dead of the American continent:

> Lives of great men all remind us
> We can make our lives sublime,
> And, departing, leave behind us
> Footprints on the sands of time.

I expect that in the discussion of this question, the representatives of that great nationality will leave behind them such a record that the great church that assists them in all the affairs of life, will say to each of them: "Well done, thou good and faithful servant": I am pleased beyond measure that you have adopted the advice and are following the example of the member for Ottawa County (Mr. Devlin). And rely upon it that the brilliancy of intellect is there just as bright as the coruscations of the galvanic battery. He gave this House, only a few days ago, an evidence of his genius, his common sense and his desire to promote what will give prosperity to that great Catholic community from one end of the Dominion to the other.

A great legal light in the province of Quebec has said that he will vote against this Bill because it is not sufficient to meet our demands. Now, that is a remarkable assertion. Have we not got the very highest authority in the country acquiescing in what is done in this Bill? Have we not that Bill endorsed by their letters and telegrams? And yet, although our fathers are pleased, forsooth the sons of judges, who know more than their fathers ever knew, are willing to remain in the background and vote against a measure which gives equal rights and justice to all. Is that the way to maintain their provincial or Dominion influence?

I shall treat the subject now very briefly, because I am very well aware of the fact that it has been discussed so frequently and thoroughly on the floor of this House that there is very little new that I can present to you. But besides having been present at the forming of confederation, I find myself in a somewhat unique position. Therefore, I desire on this interesting occasion to express my views, and I trust you will excuse any egotism of which I may be guilty in presenting them to you. I am at present almost the senior trustee of the chief Protestant university of Ontario, Queen's College, Kingston. And yet, notwithstanding that fact, I have been elected the representative of the chief Catholic University of Ontario, the University of Ottawa, in the councils of Ontario, besides being president of the Catholic Hospital. These are evidences of the liberality and generosity of my Roman Catholic fellow-citizens, and during the forty years that I have been associated with these people, by night and by day. I have never yet seen anything in our relations that was not worthy of the highest possible commendation.

This is a country in which there must be a spirit of toleration. I know very well, that we have a great Orange body in this country, but, if we have, in that body we have men of liberality and generosity. The present Premier of the Dominion (Sir Mackenzie Bowell) is a well-known Orangeman, who has reason to feel proud of the distinguished position he now occupies, as head of this country, and, although he is an Orangeman, we know perfectly well, that on every public or private occasion, whenever the opportunity was afforded him, he has guarded well the rights of Catholics and Protestants in a manner of which any Catholic or Protestant might well be proud. This is the broad spirit of toleration that I wish to see exercised by this House. In the opposition brought against this Remedial Bill, in the various attempts that have been made to thwart the efforts of the Government to carry it to a final and successful issue, I have failed to see exercised that great and grand principle of toleration that ought to exist in the minds of the leaders in the Reform ranks to-day.

I know perfectly well, that Canada has reason to feel proud of her sons. I do not for one moment fancy, that we have all the ability on our side. Very far from it. What did the Hon. Edward Blake, when he occupied a prominent position in this country, say with reference to this subject ? Was he not impressed with its importance ? Did he not seize the first opportunity of formulating his ideas and putting them before this country in a tangible form ? Here is an abstract of the observations he made :

> I suggest that for the peace and good government of Canada, you should take power in the House of Parliament to refer to an impartial and high judicial tribunal the solution of questions which would otherwise tend to the disintegration and confusion of the Canadian people.

Such an expression of opinion from a gentleman who not only held one of the first positions in Canada on account of his great legal ability, but who to-day holds in the councils of Great Britain a distinguished position, and is looked up to as a man who, I am proud to say, has done great credit, by his forensic ability, to this Dominion of ours—should have great weight with us.

The late Sir John Macdonald, when this statement was made by the Hon. Mr. Blake, at once formulated a Bill and presented it to Parliament ; and, as a result, we have this Act of Parliament, by virtue of which this very school question came before our own courts and subsequently went before the Judicial Committee of the Privy Council of England.

In 1893, the hon. leader of the Opposition (Mr. Laurier) concluded that the Government was advocating a policy of delay, and uncertainty, which he considered extremely prejudicial to our national light. What about the powerful agitation that was waged against the Government, if the line of argument that was advocated, not only by the late Sir John Thompson, but also by the present Premier, was not carried out ? Has there been any great agitation in the Dominion since this question came before Parliament ? We had a large meeting in Toronto the other day ; and the very important measure which emanated from this House, and was sent up to the important individuals assembled at that meeting—and, no doubt, they are very important—was merely summed up in a word or two. The hon. member for North York (Mr. Mulock) bore a message to those present from his leader at Ottawa. He told this important meeting, that the hon. leader of the Opposition was in favour of conciliation, rather than coercion.

Mr. MULOCK. What paper are you quoting from ?

Sir JAMES GRANT. The Ottawa "Citizen," which copied the article from the Toronto "Globe," and that, you know, is almost the Bible of Ontario.

Mr. EDGAR. Not copied.

Sir JAMES GRANT. What does this conciliation mean ? Is it a commission ? Is conciliation a six months' hoist—a six months' hoist ! That six months' hoist is, probably one of the most ridiculous propositions ever submitted to this House. The very clergy are told, forsooth, by the leader of the Opposition, that he is not going to give them what they want. He says to them : You must take a back seat ; I know more than you do. It is high time the clergy should learn that I am not going to be dictated to by them. Sir, their opinions are worth listening to. They are men possessed of ability, they have largely contributed to the advancement of the material interests of this country ; and to-day the clergy of Quebec, both Protestant and Catholic, and the clergy of Ontario, occupy positions side by side, agreeing with each other, united with each other, coalescing with each other in the advancement of great measures for the welfare of the people of this country. Now, in 1894, what was the opinion of the leader of the Opposition, who now asks for the six months' hoist ?

> The longer this question is kept before the public, the worse it is for the people of Canada. It is a question upon which there should be an immediate and speedy answer.

Now, this is just what we advocate to-day. The leader of the Opposition is not settled in his ideas, he does not know what to ask for. He cannot agree with the people ; he cannot agree with his church. He does not know what is necessary to maintain the religion and peace of the people of this country any more than he knows how to retain our trade and commerce. A short time ago he contended that this commission was only a subterfuge; yet when he spoke in Montreal it was the chief plank in his platform. Let me say, Sir, that we do not require the cathode rays to see through the chief plank in the plank of the Liberal-Conservative party. Our plank on this school question is transparent, we can see it at first glance. Sir, I look around this chamber and observe the members who come from the province of Ontario, that great province which has contributed largely to the reputation of Canada, a province which has produced magnificent institutions, a province which has turned out great men, and let me say that we have a faithful phalanx in this House to-day, we have got men of integrity, of uprightness, who are able to see correctly through this great problem. No doubt they have considered this question well, and when the time comes for them to give a vote on it, I trust they will consider well what they are doing, and that they will not be content to leave this life without making an excellent record. Sir, the man who is afraid of local interests, who thinks he will not gain his election if he votes for this Bill, is afraid of doing his duty in the interests of this great country, and in the interest of the maintenance of its institutions. Sir, a short time ago, the leader of the Opposition, when he was accompanied by his man Friday, the member for L'Islet (Mr. Tarte), asked what was the policy of the Liberal-Corservative party upon this Manitoba school question, he said: Our position is defined and placed beyond doubt. But where is the leader of the Opposition to-day, with his amendment for the six months' hoist? He says the Conservative party have asked him to give them some information, to formulate a policy for them. What an absurd idea. Did the Conservative Government ever ask the Reformers to formulate a policy for them? No, Sir, far from it. They did not even consult him in drawing up the Remedial Bill, nor did they consult him in some other great measures they have placed before this country. The leader of the Opposition says he wants justice for his countrymen and for the minority in the province of Quebec. I should like to know if the minority in the province of Quebec are not asking to-day for justice to the minority in Manitoba, through the hon. Minister of Trade and Commerce, who represents the Protestant minority of Quebec in this Government? Their interests have been protected by confederation, and in the course they are taking on this question, they are protecting their interests in the future. But is the course of the Reform party on this question likely to benefit the Protestant minority in Quebec? No, they are sowing the seeds of dissension, they are spreading ideas which, if acted upon, will sap the very foundations of confederation, which the fathers of that measure worked so hard to accomplish. The leader of the Opposition says there must be no coercion for Manitoba. Sir, let us consider this question, and reflect upon where it originated, in Manitoba, that new province, which requires all the assistance we can possibly give it in order to promote that prosperity that it is now enjoying: let us remember that it was the hon. member for Winnipeg (Mr. Martin) was one of the prime actors in destroying separate schools, and that the member for Simcoe (Mr. McCarthy) was one of the prime actors in destroying the dual language in that province. When Lord Dufferin was in Canada, some twenty years ago, and when he visited Winnipeg on his way to the Pacific coast, he used these words:

> Manitoba, from its geographical position and its peculiar characteristics may be regarded as the keystone of that mighty arch of sister provinces which spans the continent from the Atlantic to the Pacific.

And to think that this mighty arch is to have the key-stone knocked out of it by the promotion of measures that tend to sap the very fidelity of the people who live in that portion of the Dominion. I am glad to know that they are so well represented as they are by the hon. member of French nationality who sits on the other side of the House (Mr. LaRivière), who has championed so strenuously and ably the cause of education that, rely upon it, so long as he is here looking after their interests they suffer nothing from want of advocacy of their case.

I am embarrassed, not with the meagreness, but with the richness and fulness of this subject. I should like to dwell at greater length upon it, but the ground has been gone over so thoroughly, I have no desire to detain you at any greater length. When I listened to the bright and laconic observations of the hon. Minister of Finance (Mr. Foster), I was pleased beyond measure to observe the broad and statesman-like views he advocated. I would recommend every one, whether in the House or out of it, to read and ponder carefully every line of that admirable address, which is a credit to this chamber and a credit to the public life of Canada, showing that we have growing up in this country a class of men whose attainments mark a progressive development in intellectual capacity which would be a credit to any country. In material progress we have something to show, and we trust to have more. Mixed up and divided as we are, I say it is extremely desirable that all differences of creed and nationality should be put on one side. For it is only by thorough agreement that we can promote those great principles that we inherited when the great principles of confederation were carried out. I feel confident that no country could possibly have a brighter future before it than Canada. Edmund Burke declared that he did not govern himself by abstractions, and maintained that "the possible best is the absolute best." I now feel that the possible best for us, for Canada to-day is peace and good-will, and that peace and good-will is only to be maintained by carrying out the comprehensive measure that is before this House, and that was so thoroughly explained in the able address of the Minister of Justice (Mr. Dickey). Mr. Speaker, in concluding my remarks let me say that I look forward with great interest to the young men of Canada who are now supporting so ably the Conservative party of this country. They know perfectly well that the principles upon which their associations have been based are those that have been laid down by the fathers of confederation. We have a great country, we have a prosperous people, we have a future before us that any nation in the world might look forward to with hope. Let us close up the phalanx ; let there be no blanks. When the vote is taken, as it will be in a few hours, I trust that every Conservative will be able to say : I have done my duty to my people and to my country in demanding that the law propounded by this Government shall be carried out, in order to maintain the peace and happiness of the people who live so prosperously in this Dominion.

Mr. PATERSON (Brant). I shall not detain the House at any length, desiring to offer only a few arguments in reference to this subject. The constitutional question has been very ably discussed by those who are more competent to deal with it than I am. I think it has been made abundantly plain that this Parliament is at perfect liberty to adopt remedial legislation or not as it may see fit. The question for us to consider, then, is whether it is the wisest and best that we should do so at the present time and under the present circumstances. This Bill was introduced by the leader of the House, the hon. Secretary of State, in a speech of considerable length. We had the speech referred to by the hon. leader of the Opposition, who immediately followed. We have had for days a lengthened discussion, participated in by the ablest lawyers in the House. The hon. leader of the House thought it necessary last night that he should speak again in order to make a reply to the hon. leader of the Opposition. To the speech of the hon. leader of the Opposition he took great exception. He praised the hon. gentleman for his eloquence, but said that he was unable to praise him for anything else. If I remember his words aright, he said that the speech was a mass of contradictions. And at the end of his own address he read from a written or printed document, which I could not help thinking had been prepared by some one else, what were considered these apparent contradictions. These were sentences torn from their connections, but even then I could not see that they were so very contradictory. For my own part, I am willing that the speech of the hon. leader of the Opposition should go to the country side by side with that of the hon. leader of the House. The speech of the leader of the Opposition has been scattered throughout the country by the thousands, by the tens of thousands, aye, running up, I believe, over a hundred thousand, not a forced circulation, but one caused by the demand coming from all quarters ; and, though that speech has been read in all sections of the country and by all classes of the community, so far as I am aware, the hon. leader of the House is the first gentleman who has anything but words of the highest praise for it. Contrast it with the speech of the hon. leader of the House. That, Sir, I think, was a reprehensible speech. Now is a time in the history of Canada, if ever, when, instead of endeavouring to incite prejudices and inflame passions, we should do all in our power to promote calmness and deliberation. But I am within the judgment of this House, and of every hon. gentleman who listened to the hon. leader of this House, when I say that while he professed in words to deprecate anything like arousing sectarian or racial strife in this country, his speech, in the greater part, was a deliberate attempt to stir up strife and to bring to his aid, if possible, one of the great religious bodies of this country as a body. Sir, what else did it mean when he was alluding to the illustration that was made use of by the leader of the Opposition, taking that as an excuse for going away back to pre-confederation days and the part he took in the admission of Nova Scotia ? What was his object ? Well, perhaps, partly because, as we observe, since his return to this country he dwells in the past. But he had another reason, as I detected, because when he was bringing in others to share with him the responsibility for the way in which his province had been coerced into this Dominion, whose names did he cite ? Did he cite the names of men who were in active political life ? Why did he go out of his way to mention the name of a distinguished prelate who was not in political life at all in that province ? Why did he single out other distinguished men, and state that they were Roman Catholics ? Why, Sir, he was speaking to arouse national prejudices, and to secure political support from one class of the people. He spoke about the unholy effort to stir up strife and division in this country. He appealed to the leader of the Opposition and reproached him because he, a French Canadian and a Catholic, when the minority in Manitoba were of his nationality and of his faith, refused to grant them relief until he had inquired into all the circumstances, in order to proceed in such a manner as would create the less ill-feeling and disturbance. The Secretary of State denounced him as false to his faith and his nationality, and would give him no credit because, as that leader himself stated, he stood upon a higher plane; and while he earnestly desired that any grievance under which his fellow-countrymen and co-religionists laboured in Manitoba should be removed; he wished that grievance should first be fully investigated, and when that was done, expressed his entire confidence that the spirit of fair-play in the people of Manitoba would cause them to rectify whatever wrong had been done. He spoke about the feeling in the province of Nova Scotia when dealing with the circumstances attending the admission of that province into the union; and in order to justify his own course, he pointed to the fact that the Hon. Joseph Howe had made a great mistake when he opposed the entry of Nova Scotia into the confederation. But, said the Secretary of State, he saw his mistake, and joined the Government, but when he went back for re-election, he found his old Liberal friends opposing him to such an extent that on one occasion, when worn out and fatigued, his Liberal friends allowed him to lie for hours and hours on a railway platform, and none of them came forward to care for him.

Sir CHARLES TUPPER. The hon. gentleman will allow me to correct him. He did not lie upon a railway platform, but on a platform at a public meeting where he was being opposed by a Liberal friend.

Mr. PATERSON (Brant). I spoke from memory, and am glad the hon. gentleman has stated that it was on a public platform, where, by those who had been his friends for a lifetime, he was left alone and uncared for. Sir, we remember that the hon. gentleman took exception to a statement made by the leader of the Opposition in pointing out the danger of coercing Manitoba, saying that it might excite feelings that it would take a generation to wipe out, and he instanced the hon. gentleman's own action in Nova Scotia and the feeling that was aroused in that province. Sir, were the words of the leader of the Opposition that the hon. gentleman attempted to refute, true, or were they not true?

Sir CHARLES TUPPER. They were not true, and for this reason: that in 1872 I came back here with every member from the province of Nova Scotia standing at my back as a member of the Government.

Mr. PATERSON (Brant). I want no better proof of the point I am making as to the danger of coercing a province, when I remember that this great man Joseph Howe, the leader of the Liberal party, a man that was almost idolized by the Liberal party in Nova Scotia, the man with whom they had fought the battle of constitutional liberty, what must have been the feeling aroused in the minds of the people of that province by that coercive act of the hon. gentleman, when they allowed their former idol to lay uncared for upon a public platform for hours? Sir, I give you no further answer than that, the hon. gentleman has furnished it out of his own mouth. A province and a party must have suffered indeed when they could forget their former love and friendship to their leader to such an extent as to desert him in that way. Now, Sir, the hon. gentleman soght to secure favour for himself from a large section in this community by saying that he passed an Educational Act under which his native province enjoyed peace and harmony. He was asked the question whether, in the enactment of that law, he did not do away with any distinction that had existed in the schools, and whether it was not now one uniform system of schools, and the hon. gentleman rose and deliberately stated that such was not the case, but that he had virtually given separate schools to the province of Nova Scotia; and claiming credit for himself, he said they had planted on the ramparts the flag of equal rights and justice to all classes. Well, Sir, he was succeeded by the hon. member for Albert (Mr. Weldon), a gentleman learned in the law, an eminent educationalist, and a professor in a college in Nova Scotia; and he was asked the question whether the Act that had been introduced by the Secretary of State into the Nova Scotia legislature had secured separate schools to the people of that province, and so far as I remember his answer, he said: Not a single one. I place his testimony against the testimony of the leader of the House. When he was asked another question by the hon. member for Winnipeg (Mr. Martin), whether the Act that was passed by the hon. gentleman in Nova Scotia was not the same as the Act that was passed by the Greenway government in Manitoba, his reply was: I am not as conversant with that Manitoba Act as I am with the other; but I have studied it somewhat and looked it over, and I venture to say that substantially they are the same. So this hon. gentleman who introduced this law into Nova Scotia under which he said the people are living in peace and harmony, will be obliged to confess that the Act was substantially on the lines of the law introduced by the Greenway government into Manitoba, and which law the Government are now seeking, without investigation into the facts, and in opposition to the almost unanimous will of the people, to destroy. This is the gentleman who now, without investigation, seeks to pass a Bill of a coercive nature. I think the answer he gave himself as to the peace and harmony that had prevailed under a statute when the people were anxious to administer it in the interest of peace and good-fellowship, is sufficient. Withdraw your Bill, withdraw your remedial order, investigate the matter, approach the local government in a friendly spirit, who state that they are prepared to remedy what is wrong ; and as the people of Nova Scotia made everything right, so no doubt in Manitoba a similar result would be secured.

Mr. LaRIVIERE. Does the hon. member for Brant (Mr. Paterson) contend that by passing that Act in Nova Scotia, any rights or privileges held by the Roman Catholics were wiped out ?

Mr. PATERSON. Yes, I understand from Nova Scotia gentlemen that such was the case, for they had separate schools in Halifax.

Sir CHARLES HIBBERT TUPPER. Not at all.

Mr. PATERSON. I have the Act here, and it is provided that they may appropriate moneys in the city of Halifax for schools, with the proviso that they should all be free schools.

Sir CHARLES TUPPER. Allow me to say, as this is a matter of some moment, that the Free School Act passed by me when head of the government in Nova Scotia, was an Act which had the support of every Roman Catholic member in the House of Assembly and the support of the Roman Catholic Archbishop of Nova Scotia.

Mr. FLINT. I wish to ask the hon. Secretary of State a question. I looked over the debate cursorily last night, and I saw that Mr. Miller, the present member of the Senate, and a Roman Catholic, strongly opposed the Bill on the very ground put forward by the hon. member for Brant.

Sir CHARLES TUPPER. I was speaking from memory, on events which occurred a long time ago, but if there was a single instance of a gentleman opposing the Government on that Bill, it is contrary to my recollection of the fact.

Mr. MULOCK. Allow me to read one subsection of the Act. Subsection 14 of section 18 of the Act, speaking of the powers and duties of certain officers to carry out the Act, provides, among other things, as follows :—

> Their power shall be to aid the superintendent in carrying out and enforcing a uniform system of education, and generally in giving effect to the Act according to the Council of Public Instruction.

Mr. PATERSON. The hon. gentleman will have to make another speech, I am afraid.

Sir CHARLES TUPPER. Will the hon. gentleman allow me to say this, and it must not be forgotten, that the ground on which I had the support of the Roman Catholic body of Nova Scotia, and the most eminent leader of the hierarchy at that time, was, that under that Act, the Council of Public Instruction in Nova Scotia was the executive government, and the executive government contained more than one Roman Catholic member, which was a guarantee to the Roman Catholics that in the administration of that Act they would enjoy every right and privilege which they desired ; and under the administration of the law, which is continued down to the present time, the present Liberal leader in Nova Scotia declared recently on the platform in Montreal that most perfect satisfaction was given both the Catholics and Protestants in the province.

Mr. PATERSON. Yes, the leader of the provincial government does take that ground. As the hon. Secretary of State has quoted the opinion of that gentleman, who must be very conversant with these provincial matters, I will quote from a recent speech made by Premier Fielding. He said:

> It is deplorable to find Sir Charles Tupper figuring as he does in this matter. It is sometimes charged against Sir Charles that he is disposed to claim too much credit for himself in his references to the various public matters with which he has been connected. Too often the part taken by others in the creation of our public school system has received little notice. The great work of Dr. Forrester in promoting educational interests, the stand taken by the Liberals of Nova Scotia, by Howe, and Young, and Archibald, and Annand and others, who refused to make the school question one of party, but were ready to join hands with Sir Charles Tupper in support of the principle of free common schools—these do not always receive as much recognition as they should. But making all allowance for this, there was still due to Sir Charles Tupper a large measure of credit, for he was the Premier of the government which assumed the responsibility of passing our public school law. For no act in his public life has he received more credit,—for no act in his public life was he entitled to more credit. Let us recognize this to-day. But how are the mighty fallen ! What can we say of the position of that gentleman to-day, who, instead of standing up as the champion of a free school system, and resisting those who attack it, scrambles into Parliament through the unfair influence of the Roman Catholic pulpit of the county of Cape Breton, and is now devoting the evening of his life to the work of destroying the free school system of Manitoba and forcing upon that province a system which he would not dare to attempt to force upon the province of Nova Scotia.

I do not know the details of all these matters that have occurred in Nova Scotia. The hon. gentleman has alluded to Mr. Fielding, and I have quoted what Mr. Fielding said on this subject, and I presume his statement on that point is correct. I find the words "uniform system of schools" in the Act introduced by the Secretary of State, but that is beside the question, because I say that if, under a Free School Act, it is possible to secure peace and harmony in Nova Scotia, it is certain that a similar result can be secured in Manitoba. I find that under the religious clause in the Manitoba Act, there are religious exercises, but only at the close of school hours, and children are not required to attend unless their parents desire them to attend. In the Act introduced by the Secretary of State I think the scope is broader than that. Under the heading "duty of teachers," subsection 5 of section 74, it provides for "the inculcation, by precept and example, of respect for religion and for principles of Christian morality." What that would cover, I am not prepared to say; but I say that it goes as far in that direction, as does the Manitoba Act, which does not require any child to remain for religious exercises if the parent does not wish it. In addition, the children are to be taught to cultivate the highest regard for truth, justice, love of country, loyalty, humanity, benevolence, sobriety, chastity, temperance and all the other virtues. The hon. gentleman was, of course, far beyond the period of school days when he passed that Nova Scotian Act, but one of the virtues which it points out should be cultivated is one worthy of the attention of all hon. members—and I could not fail to think so last night when the hon. gentleman received a direct negative to his positive affirmative—regard for truth. The hon. gentleman seemed troubled and annoyed because the leader of the Opposition had moved the six months' hoist. The hon. gentleman who last spoke (Sir James Grant) treated the amendment with ridicule. The hon. member for Pictou (Sir Charles Hibbert Tupper) in an almost violent speech, referred to it. Why should not the leader of the Opposition move the six months' hoist? What is there inconsistent on his part in following up his speech by moving the six months' hoist? What ground does he take? He takes the ground that the Manitoba government, which is one of the parties to this controversy, as much as the minority are, says to the Government here: You have not been informed of all the circumstances of the case, you have gone to work hastily, you summoned us down to Ottawa when our premier was sick and when the legislature was in session; you would not give us delay; you have gone through a little inquiry so hastily that you could not give us time to prepare rebuttal evidence, so that affidavits put in by the other side have been withdrawn; gentlemen, you are improperly informed. And so the Manitoba government, representing the great province, have asked twice, in the most courteous manner, that evidence be taken on this question. They point out to us, that their legislation has been endorsed as constitutional by the highest court of the British Empire, and they ask for fair-play. And, Sir, the leader of the Opposition says: It is right that their requests should be complied with before we go any further, and he believes, that, if full inquiry is had, and a conference arranged, a solution of this difficulty will be found which will be of more value to the minority in that province than any benefit accruing to them from such a Remedial Bill as we have before us. The hon. the leader of the Opposition moved the six months' hoist, because he recognizes, as every one does, that, in order to effect conciliation, and in order to restore the rights and privileges of the minority, if they have been taken away, there should be peace and harmony between the two Governments. The hon. the leader of the Opposition has said to the Government, time and again: Withdraw your remedial order; withdraw your Bill; start anew where you ought to have commenced; have an investigation and a conference with these people in the proper spirit, and a solution will be found that will be of benefit to the minority, and of benefit to the whole province of Manitoba, and which will remove this question that threatens to cause strife amongst us. Sir, exception has been taken because gentlemen on this side of the House and gentlemen on the opposite side of the House are opposed to this Bill for different reasons. I do not hesitate to say here, that you have a Bill that cannot possibly give to the minority anything like the consideration that they might expect to result from investigation and a friendly conference between the two Governments, after this Bill and after this remedial order has been withdrawn. Sir, if there be any gentleman present who ought to vote for that six months' hoist, it is the introducer (Sir Charles Tupper) of this Bill, a gentleman who has told us, that, as soon as it has passed its second reading, he is going, at long last, to seek for a conference with the Manitoba government. According to the statement of that gentleman, we are just on the eve of this conference—if his word may be taken in that respect, and I trust it may, though it may have been shaken by some statements which he has previously made—and, if this be the case, I ask him, if he really desires for the well-being of the minority and the settlement of this question; I ask him, why he has, in such violent terms, denounced the Manitoba government, as cruel, as perfidious, and as guilty of everything that is contrary to what is just and right, in its dealings with the minority of that province? I leave the answer of that question to himself. If he wants a conference, let him withdraw his words, let him make an apology to Manitoba, let him withdraw his remedial order, let him vote for the six months' hoist, and then go and meet the Manitoba government in the same frank and friendly spirit that they have shown, when they have asked for inquiry. Sir, I believe that, by doing that, the hon. gentleman (Sir Charles Tupper) can better secure whatever is due to the suffering minority of that province, and that he can better secure peace and contentment and the uniting of all interests.

Mr. LaRIVIERE. Mr. Speaker, at this stage of the proceedings, and, I might add, at this 22nd hour of our sitting, I may be allowed to say a few words on a question in which I, perhaps, take a deeper interest than most of the members of this honourable House can, on account of the peculiar position that I occupy, being the representative of the largest portion of the minority interested in the question now before this House. I shall be as brief, Sir, as I can afford to be, because this question has been pretty well threshed out during the nine or ten days that we have had it under our consideration, and quite a large number of arguments have been brought forward, in order to defend the views of the respective members who have spoken. It is needless for me to say, Sir, the view that I intend to defend, on account of my being, as I said before, the representative of those who are mostly interested in the matter.

You are all aware, that this question has arisen from the fact, that before Manitoba became a part of the Dominion of Canada, before the colony of Assiniboia on the banks of the Red River entered our Canadian confederation, there existed certain customs, and the people who inhabited that country were enjoying certain privileges, which, when they entered confederation, they expected would be perpetuated to them. I am not going, Sir, to take up the question of the negotiations that took place at the time of the entrance of the province into the Canadian confederation. There are very little differences of opinion as to the merits of the compact that took place on that occasion. It is an admitted fact, by most of those who look upon that question with impartiality, that there was a compact, and that under that compact the minority, whatever that minority might be, in the province of Manitoba, felt secure that the privileges which they enjoyed with regard to education would be protected by the Manitoba Act. The fact of the matter is, that I do not believe, that we should on this occasion go that far back. We have a constitution, and that constitution is the Manitoba Act. We have also a constitution as a province, which is embodied in the British North America Act, and, therefore, I may say, that even if no negotiations had ever taken place, and even if there had been no such compact as the one we claim existed, we have our constitution, and the rights and privileges that are guaranteed to us by that constitution; and it should be sufficient for us to claim the due execution of all that is authorized in that constitution. What interpretation has been given to that constitution? We have had it given by the judges of the several courts to which this question has been submitted. While, on the one hand, the Supreme Court of Canada unanimously decided that the rights and privileges guaranteed to the Roman Catholic minority of Manitoba protected them against the provisions of the Educational Acts that were passed by the local legislature in 1890, and that therefore those Acts were ultra vires, the result of the appeal to the highest tribunal in England, notwithstanding the unanimous decision of the Supreme Court of Canada was that that court decided that the Acts passed by the local legislature in 1890 were intra vires, in so far as they were not considered as affecting the rights and privileges enjoyed by that minority prior to the union.

But, Sir, those rights were protected under another clause of our constitution. The British North America Act says that "whenever, in a province, a system of separate schools as existed prior to the entrance of that province into confederation, or should thereafter be established such rights," &c., &c., ; that is to say, such rights were to be protected. In our case, however, it was decided by the Privy Council that the schools we practically had before our entrance into the Canadian confederation were not protected by the Manitoba Act. I may say that any one who has read the last judgment of the Privy Council on the appeal case, will be struck with the idea that the judges of that high tribunal laboured very hard to reinstate the minority of Manitoba in their rights, of which they had been deprived by their former judgment, and they have decided that we have grievances. If we have grievances, we must have rights. If we have rights, we have the right to come before this Parliament and say: It has been established by the Privy Council that we have grievances, and as those grievances rest upon rights, we ask you to reinstate us in those rights of which we have been deprived."

I shall not deal any further with what may be called the constitutional aspect of the question upon which we have already had very able speeches in this debate. I will now follow some of the hon. gentlemen who have spoken on this subject. I must say, Mr. Speaker, that I was not only surprised, but astonished at the stand taken by the hon. leader of the Opposition on this question. Ever since 1890, it is true, whenever I have brought this question before this House, session after session, I have never heard from that hon. gentleman any word of comfort for the minority of Manitoba. The hon. gentleman was very noncommittal on every occasion he took to speak on the question. When the time was passing within which it was in the power of the Government to disallow the two Acts of 1890, and when I would have willingly accepted such disallowance, I remember the hon. leader of the Opposition denouncing the Government for taking no action, but, at the same time, remarking that he was not prepared to blame them if they did not take that action. That is to say, if he had been a Minister of the Crown, he would not have done any more than was done by the Government. I say I would have willingly accepted a disallowance of those Acts—not because I believed that would have settled the question. No, Sir, a disallowance does not settle the question, because it does not prevent the legislature that has passed an Act that has been disallowed from re-enacting the same law.

Mr. LANGELIER. It can be disallowed again.

Mr. LaRIVIERE. It can de disallowed again ; but I remember that the hon. gentleman, speaking in this House the other day, contended that Acts that were intra vires should not be disallowed, and that Acts that were ultra vires did not need to be disallowed, because the courts would set them aside.

Mr. LANGELIER. I did not say that ; quite the contrary. The hon. gentleman will not find one word in my speech to that effect. I challenge him to quote it from my speech.

Mr. LaRIVIERE. Well, I will deal with the hon. gentleman later on. The leader of the Opposition, in opening his speech on this question a few days ago, said :

> In the name of the constitution, so outrageously misinterpreted by the Government, in the name of peace and harmony in this land, in the name of the minority which this Bill seeks or pretends to help, in the name of this young nation on which so many hopes are centered, I rise to ask this Parliament not to proceed any further with this Bill.

Well, Sir, I cannot understand how the hon. gentleman, speaking in the name of so many people and so many things, could arrive at this conclusion. As I said before, if there is a grievance, there must be a right of redress. The fact that a grievance has been established implies that the right exists to remedy that grievance, and therefore the grievance must be remedied. We know very well that, under the constitution, the only remedy, in case that right is not re-established by the power that has taken it away, is legislation emanating from this Parliament. Now, the contention of the hon. leader of the Opposition is that by passing this legislation, we would exercise coercion. It would be, he said, coercion on Manitoba.

Then, leaving this subject, the hon. gentleman passed to the question of disallowance, and he exclaimed : Why did not the Government disallow those Acts as they disallowed the two other Acts that were passed during the same session ? Well, if these Acts had been disallowed, would not that have been coercion, and coercion under what circumstances ? Under the circumstances that the very Acts disallowed would perhaps have been declared intra vires by the same tribunal as that to which they were referred, and which declared them to be intra vires, and the Government would have appeared to the public of Canada as having disallowed Acts which were perfectly within the jurisdiction of the province. I may say for myself that while I admit the force and the significance of the judgment that was rendered by the Privy Council declaring these Acts intra vires, I do not believe that it was the correct judgment which should have been rendered ; and I know that there are several members opposed to it ; both members who have had nothing to do with that question to this day and members who have had a good deal to do with it, in court and out of court,—who are of the opinion that the first judgment rendered by the Privy Council was a mistake.

The hon. gentleman, after having blamed the Federal Government for not having disallowed the two school Acts as they did the other Acts passed in the same session, went on to say :

> They passed a drastic Order in Council which they sent to Manitoba, and now they ask us, in the name of the minority, to pass this Bill. Though no investigation has ever taken place, they say that, in the name of the minority, they are bound to pass it. I take issue with them, and in the name of the minority of Manitoba I say that their course to-day is unconstitutional, weak and dangerous. The hon. gentleman (Sir Charles Tupper) told us a moment ago that the Government is bound to act mechanically in this matter. Now, I ask Parliament this question : Are we, upon the complaint of the minority, unsupported by evidence, without having made an investigation, to be told that the law of the majority is to be set aside ? Sir, if you tell me this, then I say it was a mere mockery to give to the province of Manitoba the right to legislate upon this question.

Well, this is the most astonishing declaration that I have ever heard, and particularly coming from a gentleman who has always pretended to be the friend of the poor minority in Manitoba, who, on every occasion, when speaking in the province of Quebec, or even when speaking in the province of Manitoba, in the French district, always pretended to be the friend of the poor minority who are oppressed by the majority. And yet that gentleman says in this House :

> Are we, upon the complaint of the minority, unsupported by evidence, without having made any investigation, to be told that the law of the majority is to be set aside. Sir, if you tell me this, then I say it was a mere mockery to give to the province of Manitoba the right to legislate upon this question.

What does the hon. gentleman want to investigate ? He gives it in his speech. He wants to investigate :

> First, whether there was a compact made between the Roman Catholics of Manitoba and the Crown of England, as represented by the Government of Canada, whereby their schools were granted to them ; second, whether the system of common schools is repugnant to their consciences ; third, whether the schools established in Manitoba, though nominally public schools, are in reality Protestant schools. These are the things upon which the Roman Catholic minority have all along been resting their claim.

Well, I tell the hon. gentleman that he is altogether mistaken. Our claim rests upon the words of the constitution.

Sir CHARLES TUPPER. Hear, hear.

Mr. LaRIVIERE. Our claim rests upon the law. No matter whether there was or was not any compact, our claim rests upon the law, as it is in the statute, and as it has been interpreted by the Privy Council of England. There is our claim. We do not claim any privileges, we do not claim any special favours, but we claim a right which has been established by the law, as interpreted by the Privy Council.

Sir CHARLES TUPPER. Hear, hear.

Mr. LaRIVIERE. The hon. gentleman goes on to say that the system of common schools is repugnant to the conscience of the minority. This, Mr. Speaker, is beside the question altogether. The complaint of the minority of Manitoba has nothing to do with the public schools or the common schools that exist in that province, but it is that they had schools of their own and that those schools have been taken away from them. That is their complaint. They had their own schools, which they controlled and conducted according to the tenets of their church, and those schools have been taken away from them, and all they have now is the offer to attend schools which they cannot accept as their own schools, and which are not their own schools. The minority of Manitoba want the schools which they had before to be restored to them because the schools have been taken away from them. They complain that their property, whether it be a real property or a moral property, the vested right that they have, the title and the right that they have to their schools, has been taken away, and they want those schools restored.

The third matter to be investigated falls to the ground after the explanations I have given that the schools in Manitoba, although nominally public schools, are in reality Protestant schools. These we have nothing to do with. Make these schools whatever you like, so long as you do not compel the minority to send their children to attend the teaching and the religious teaching given in these schools. Whether there be any religious teaching, or whether these schools be left as the schools of free-thinkers or godless schools, is immaterial to us, so long as you give us the schools that have been taken away from us. We should be very sorry if they abolished religious teaching in these schools, because of the effect upon the welfare of our fellow-citizens ; but if they wish to have their schools of that character we have no business to interfere, no more business with their schools than we claim they have business to interfere with ours. These are the points that the leader of the Opposition and his followers wish to investigate. Sir, I say there is nothing to investigate. The hon. gentleman has often and often repeated in this House that this was merely a question of fact which could be made clear to the minds of those investigating them. Yes, Mr. Speaker, it is a question of fact, and the facts are as I have already stated them. The facts are that we had schools of our own, that these schools have been taken away from us, that the constitution protects our rights in respect of these schools as decided by the Privy Council ; and, our rights having been unlawfully taken away from us, we ask you to restore them. Now, what is the next complaint of the hon. leader of the Opposition, and upon whose behalf is it made ? The complaint is on behalf of the Manitoba government, which government the hon. gentleman seems to have taken under his protection. He says :

> The government of Manitoba never was approached in a proper spirit upon this point. It was approached with threatening hands.

Is it possible that such an accusation should be hurled at the Government of the day and at those who have so far taken an interest in this question ? What are the facts ? During the session of 1890 petition after petition came before the local legislature, signed by the representatives of the minority, signed by their school trustees, signed by Roman Catholic parents, begging the legislature not to interfere with the vested rights of the minority in their schools. Day after day petitions of that character were read. And what was their fate? They were thrown into the basket, and, regardless of their prayers, the minority were deprived of their rights. The minority were deprived of their schools, and, I may say, of their school property, because, under a provision of the Act, all school property vested in the Roman Catholic minority was transferred and handed over to the Protestant school trustees who were in the same district. Was that the only step that was taken by the interested parties ? No. The legislature was drawing to an end. On the 28th March, 1890, three days before prorogation, three days before these iniquitous Acts were sanctioned by the Lieutenant-Governor, a memorial was placed in the hands of the Lieutenant-Governor. That memorial was signed by Roman Catholic members and representatives of the Roman Catholic minority of the province protesting against the passing of these Acts. And, Sir, what was that document ? :

> Legislative Assembly of the Province
> of Manitoba.
>
> Winnipeg, 28th March, 1890.
>
> Sir,—On behalf of the members for Carillon, Cartier, La Verandrye, Morris and St. Boniface, as well as in my own name, I beg to represent respectfully to your Honour, that the legislative assembly has passed during its present session, amongst others, two Bills, respectively intituled "An Act respecting the Department of Education," and "An Act respecting Public Schools," and to submit most humbly that the said Bills

are ultra vires for reasons more fully set forth in the memorandum herewith enclosed.

I have the honour to be, Sir,
Your most obedient servant,
JAMES E. P. PRENDERGAST,
M.P.P. for Woodlands.

His Honour the Hon. John Schultz,
Lieutenant-Governor, &c., &c., Government House, Winnipeg.

Then, Sir, this memorial sets forth the following reasons why this Bill should not be assented to by his Honour:

(1) They each had their denominational schools, there being in fact then no other schools than denominational schools in the country.

(2) Each denomination (whether by their clergy, laymen, or otherwise) had the privilege of determining the curriculum of the course of the studies to be followed in their respective schools so that the convictions and consciences of the parents were not violated by their children.

(3) The practice, the general practice, was that each denomination supported its own schools.

In spite of this protest, these Acts were assented to on 21st March, 1890. This Bill, according to one of the memorials that was presented at that time by the Hon. Mr. Prendergast, had been voted by the House on the 5th, the 18th and 19th March. There were three votes taken. The first vote on 5th March:

The Order of the Day being read for the House to resume the adjourned debate on the question which was on Tuesday last proposed, that the Bill (No. 12) respecting the Department of Education, be now read a second time, and the question being again proposed the House resumed the said adjourned debate. * * * Then the main question being put, the House divided, and the names being called for they were taken down as follows :—In favour of the Bill : Messrs. Campbell (Souris), Campbell (South Winnipeg), Colcleugh, Crawford, Dickson, Fisher, Graham, Greenway, Harrower, Hettle, Jackson, Jones, Lawrence, McKenzie, McLean, McMillan, Martin (Portage la Prairie), Mickle, Morton, Sifton, Smart, Smith, Thomson (Emerson), Thompson (Norfolk), Winkler, Young.—26.

The nays were : Messrs. Gelley, Gillies, Jerome, Marion, Martin (Morris), Norquay, O'Malley, Prendergast, Roblin, Wood.—10.

All the Liberals voted in favour of the Bill, and all the Conservative members in the House voted against it. Protestants, as well as Roman Catholic Conservatives voted together.

On Tuesday, 18th March, 1890, at the sitting, 7.30 p.m.:

The Hon. Mr. Martin moved, seconded by the Hon. Mr. Greenway, and the question being proposed, That the rules of the House be suspended and the Bill (No. 13) respecting Public Schools be now read a third time, and a debate arising thereupon, and the House having continued to sit till after 12 of the clock on Wednesday morning, 19th March, 1890, the main question being put, the House divided, and the names being called for they were taken down as follows :—

That was on the third reading of that Bill.

Yeas : Messrs. Campbell (Souris), Campbell (South Winnipeg), Colcleugh, Crawford, Dickson, Graham, Greenway, Harrower, Hettle, Jackson, Jones, Lawrence, McKenzie, McLean, McMillan, Martin (Portage la Prairie), Mickle, Morton, Sifton, Smart, Smith, Thomson (Emerson) Thompson (Norfolk), Winkler, Young.—25.

All the Liberals supported the Greenway government.

Nays : Messrs. Gelley, Gillies, Jerome, Lagimovière, Marion, Martin (Morris), Norquay, O'Malley, Prendergast, Roblin, Wood.—11.

Six Roman Catholic and five Protestants, all Conservatives. Well, Sir, another memorial was sent in on 12th April, 1890, by his Grace the late lamented Archbishop Taché, of St. Boniface, which memorial he addressed to His Excellency the Governor General, and in that memorial, which is in the form of a petition, his Grace prayed:

I therefore most respectfully and most earnestly pray that Your Excellency, as the representative of our most beloved Queen, should take such steps that in your wisdom would seem the best remedy against the evils that the above mentioned and recently enacted laws are preparing in this part of Her Majesty's domain.

With most profound respect and fully confident,

I remain,
Your Excellency's humble and obedient servant,
ALEX., Arch. of St. Boniface.

St. Boniface, 12th April, 1890.

Two days afterwards another memorial was forwarded, which was signed by several members of the local legislature, the conclusion of which was as follows :—

That the said Bills violate the sacred and constant rights of Her Majesty's Roman Catholic subjects of the province of Manitoba in relation to education ; and that for reasons more fully set forth in Appendix D hereto attached, the said Bills are ultra vires, and have been passed in defiance of the Imperial Parliament under whose sanction the British North America Act, 1867, and the British North America Act, 1871 (34-35 Vic., Chap. 28) were enacted.

Your petitioners, therefore, humbly pray that Your Excellency may be pleased to take such action and grant such relief and remedy as to Your Excellency may seem meet and just. And your petitioners, as in duty bound, shall ever pray. Thomas Gelley, M.P.P. for Cartier ; William Lagimovière, M.P.P. for La Verandrye ; Ernest J. Wood, M.P.P., for Cypress ; Roger Marion, M.P.P. for St. Boniface ; James Prendergast, M.P.P. for Woodlands ; R. E. O'Malley, M.P.P., for Lorne ; Martin Jerome, M.P.P., for Carillon ; A. F. Martin, M.P.P..for Morris.

This petition was supported by the following persons, under date of April 14th, 1890:—

The undersigned respectively members of the Senate and House of Commons of Canada fully endorse the contents of the present memorial and earnestly join in the prayer therein containd.

A. A. C. LaRIVIERE, M.P. for Provencher.
M. A. GIRARD, Senator.

In August, 1890, another petition was sent in by his Grace the late Archbishop of St. Boniface, and signed by over 4,000 names.

That petition had the following prayer attached to it :—

> That Your Excellency the Governor General in Council may entertain the said appeal and may consider the same, and may make such provisions and give such directions for the hearing and consideration of the said appeal as may be thought proper.
>
> That it may be declared that such provincial law does prejudicially affect the rights and privileges with regard to denominational schools which Roman Catholics had by law or practice in the province at the union.
>
> That such directions may be given and provisions made for the relief of the Roman Catholics of the province of Manitoba as to Your Excellency in Council may seem fit.

After the presentation of that petition, came the Order in Council with respect to the recommendation of the late Sir John Thompson, then Minister of Justice. This petition, the prayer of which I have just read, is the subject-matter of this Order in Council. The conclusions of the report of the Minister of Justice are as follows :—

> An appeal has been asserted, and the case is now before the Supreme Court of Canada, where it will in all probability, be heard in the course of next month.
>
> If the appeal should be successful, these Acts will be annulled by judicial decision ; the Roman Catholic minority of Manitoba will receive protection and redress. The Acts purporting to be repealed by a majority of the legislature will remain in operation, and those whose views have been represented by a majority of the legislature, cannot but recognize that the matter has been disposed of with due regard to the constitutional rights of the province.
>
> If the legal controversy should result in the decision of the Court of Queen's Bench being sustained, the time will come for Your Excellency to consider the petitions which have been presented by and on behalf of the Roman Catholics of Manitoba for redress under subsections 2 and 3 of section 22 of the " Manitoba Act," quoted in the early part of this report, and which are analogous to the provisions made by the British North America Act, in relation to the other provinces.
>
> Those subsections contain, in effect, the provisions which have been made as to all the provinces, and are obviously those under which the constitution intended that the Government of the Dominion should proceed, if it should at any time become necessary that the federal powers should be resorted to for the protection of a Protestant or Roman Catholic minority, against any act or decision of the legislature of the province, or of any provincial authority affecting any " right or privilege " of any such minority " in relation to education."
>
> Respectfully submitted,
>
> JOHN S. D. THOMPSON,
> Minister of Justice.

Well, Sir, this report was followed by a petition, dated 25th December, 1892, from the National Congress, a society which had been organized in St. Boniface just after this trouble arose on the school question. The National Congress, after hearing the result of the decision of the Privy Council in the first case, that is Barrett vs. the City of Winnipeg, sent a petition. After reciting the petition of August, 1890, the Order in Council of 4th April, 1891, this last petition concludes as follows :—

> That a recent decision of the Judicial Committee of the Privy Council in England having sustained the judgment of the Court of Queen's Bench of Manitoba, upholding the validity of the Acts aforesaid, your petitioners most respectfully represent that, as intimated in said report of the hon. the Minister of Justice, the time has now come for Your Excellency to consider the petitions which have been presented by and on behalf of the Roman Catholics of Manitoba for redress, under subsections 2 and 3 of section 22 of the " Manitoba Act."
>
> That your petitioners, notwithstanding such decision of the Judicial Committee of the Privy Council in England, still believe that their rights and privileges in relation to education have been prejudicially affected by said Acts of the provincial legislature.
>
> Therefore, your petitioners most respectfully and most earnestly pray that it may please Your Excellency in Council to take into consideration the petitions above referred to, and to grant the conclusions of said petitions and the relief and protection sought by the same.
>
> And your petitioners will ever pray.
>
> St. Boniface, 20th September, 1892.
>
> Members of the Executive Committee of the National Congress.
>
> T. A. BERNIER, Acting President.
> A. A. C. LaRIVIERE,
> JOSEPH LECOMTE,
> JAMES E. P. PRENDERGAST,
> J. ERNEST CYR,
> THEO. BERTRAND,
> H. F. DESPARS,
> M. A. KEROACK,
> TELESPHORE PELLETIER,
> DR. J. H. O. LAMBERT,
> JOSEPH Z. C. AUGER,
> A. F. MARTIN,
> A. E. VERSAILLES, Secretary,
> ROGER GOULET, Jr. do

On 22nd December, 1892, another petition was forwarded, after the judgment of the Privy Council had been rendered. It was a petition from his Grace the Archbishop, embodying the conclusions of the Order in Council of the 4th April, 1891. The prayer of the petition was as follows :—

> 1. That Your Excellency the Governor General in Council may entertain the appeal of the Roman Catholics of Manitoba, and may consider the same, and may make such provisions and give such directions for the hearing and consideration of the said appeal as may be thought proper.
>
> 2. That such directions may be given and provisions made for the relief of the Roman Catholics of the province of Manitoba as to Your Excellency in Council may seem fit.

In November, 1892, another appeal was made to His Excellency the Governor General in Council by his Grace the Archbishop of St. Boniface. That petition contained the following prayer :—

> 1. That Your Excellency the Governor General in Council may entertain the said appeal, and may consider the same, and may make such provisions and give such directions for the hearing

and consideration of the said appeal as may be thought proper.

2. That it may be declared that such provincial law does prejudicially affect the rights and privileges with regard to denominational schools which Roman Catholics had by law or practice in the province at the union.

3. That such directions may be given and provisions made for the relief of the Roman Catholics of the province of Manitoba as to Your Excellency in Council may seem fit.

Well, Sir, was that all ? No, Sir. In May, 1894, a petition, signed by no less important personage than His Eminence Cardinal Taschereau, of Quebec, and all, or nearly all of the Roman Catholic hierarchy of Canada, was sent to the Governor General in Council, asking him once more to consider the grievances of the Roman Catholic minority in Manitoba. This petition was forwarded by the Governor General to the Lieutenant-Governor of Manitoba for the information of the local government of that province. No action was ever taken by the government of Manitoba on that petition. But I may be told, that all these, or nearly all these, were communications that were forwarded directly to the Governor General in Council, and that, therefore, the government of Manitoba, while they did not ignore all that was going on, still were not bound to take cognizance of those several documents. But, Sir, they had been apprised of the feeling of the Roman Catholic minority in the province by the several petitions that had been forwarded to the legislature during the passing of those obnoxious Acts that are complained of. I have just mentioned the petition of the head of the clergy of the Roman Catholic Church of Canada. Moreover, on the 11th of September, 1894, a deputation, composed of over 500 people, representatives of the Roman Catholic minority, coming from every parish in the province, assembled in the city of Winnipeg, and walked in procession from one of the Roman Catholic school buildings to the government building ; and then and there a petition was presented by the deputation, signed by over 5,000 names ; and what did those people say ? They asked the Hon. Mr. Greenway and his colleagues to consider the following petition :—

To the Honourable the Premier and Members of the Government of Manitoba :

We the undersigned Catholics of the province of Manitoba do respectfully represent :

1st. That we are unable from motives of conscientious convictions, to participate in or derive any benefit from the system of education as now carried on under the Public School Act of 1890 and amendments thereto.

2nd. That the heavy pecuniary sacrifices with which Catholics throughout the province have been burdened in consequence of said laws for the last four years, even through the stringency of the present time, must remove any doubt as to the earnestness of their feelings, and convince your government of the gravity of their grievances.

3rd. That without sharing your petitioners' convictions that the taxation of Catholics for schools, acceptable only to Protestants, is most oppressive and unfair, your government must feel that they could not any longer in their eyes and conscience, legitimately carry on that system, the result of which is injustice and oppression.

4th. Therefore, your petitioners as free-born British subjects wish to enter their firm and solemn protest against this unfair treatment at your hands, and do respectfully and earnestly pray your government to take into serious consideration the grievances of the Catholics of this province and to pass such legislation as may be necessary to remedy such grievances to their full extent and to assure to the said population the full respect of their rights and conscientious feelings, the use of their school taxes, of their legitimate share of the public money voted for educational purposes in this province.

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

What was the result ? Those people came without any ostentation, without making any fuss or noise. They walked through the streets of Winnipeg to the parliament building, and were received there in the legislative chamber. After they had sat down, this petition was read to the Premier, and the Premier said :

After having been informed that nothing else was to be said, he assured the deputation that he appreciated the importance of the matter ; but, as the question was one involving the policy of the Government, he thought that it better, in order that any misapprehension might be avoided, instead of giving a verbal reply, to communicate the answer of the Government in writing. He promised that there would be an early meeting of the Government and that he would lay the memorial before them, and give the deputation their reply.

Sir, here are 500 people, representing about fifty settlements in the province of Manitoba, walking through the streets of Winnipeg, and coming down almost on their knees to the Hon. Mr. Greenway and his fellow cabinet ministers, and asking those gentlemen to take their case into consideration : to restore the schools that have been taken away from them, to relieve them of the burden of dual taxation to support public schools from which they derived no benefit, while they have, at the same time, to support their own schools, which, on conscientious grounds, they feel they are bound to support.

And, Sir, what was the first answer from the Manitoba government ? The answer was : that it was a question involving the policy of the government. That is to say, that instead of looking into this matter from a just and judicial, and I will add, a judicious standpoint, these gentlemen would look upon the claim of the minority of Manitoba, not from the standpoint that that minority should enjoy rights which had been wrested from them, but from the standpoint of the policy of the local government. They made it a political question. If it was in the interest of the government of Manitoba to keep up this agitation for their own welfare ; if it was in the interest of that government to keep that question before the public in order to save their seats and their portfolios ; then the policy of the Manitoba government, being opposed to the restoration of the rights of the minority, that policy would first be taken into consideration, and the claim of the poor Roman Catholics of Manitoba would be thrown to the winds. That is what the Manitoba government replied, but that is not all. On the 3rd October, 1894, a reporter of a newspaper put this question to the Hon. Mr. Sifton, the Attorney General of Manitoba :

> What has become of that petition signed by 5,000 Roman Catholics and carried over to the legislative building by a deputation composed of 500 people from all parts of the province ?

And the Attorney General replied to the reporter :

> The petition did not call for any action on the part of the Government at present. What they desire is a change in the School Act, and the petition amounts to this : The matter will probably be brought before the House in session again this fall.

As a matter of fact, it was never brought before the legislature of Manitoba, no more than was the petition signed by the Roman Catholic episcopate of Canada.

Well, Sir, we have heard a great deal during this debate about the remedial order. What a sensation has been caused by this remedial order, which, after all, is nothing but the outcome of the judgment of the Privy Council. We are told that that remedial order was drastic, and that it was a command to the province of Manitoba. But, Sir, was it unexpected by Manitoba ? Is it for one moment to be supposed that the government of Manitoba did not expect that the remedial order would some day or other fall upon their heads. They were acting exactly in the direction to provoke the issuing of that order. Sir, in the session of 1895, before the issue of that so-called drastic remedial order, what was done by the government of Manitoba ?

Mr. CHOQUETTE. Carried.

Mr. LaRIVIERE. Yes, the Bill will be carried against the wish of my hon. friend (Mr. Choquette). In 1895, the government of Manitoba actually put in the mouth of the Lieutenant-Governor of that province the following words, in the speech at the opening of the session :—

> Whether or not a demand will be made by the Federal Government that that Act should be modified, is not yet known to my government, but it is not the intention of my government in any way, to recede from its determination to uphold the present public school system.

Who was it that made the threat there ? Who was taken by the throat there ? Sir, before the issue of that order which was the natural and legal consequence of all the proceedings that had been conducted in the courts : an order which was provided for by the constitution ; before the issue of that order, the local government dares defy the Federal Government to issue such an order, because, they say : Whether you issue it or not it is immaterial, for we shall not obey it. Yet, Sir, we are told that we have taken the province of Manitoba by the throat, and that we are coercing the province of Manitoba. Sir, if there is any coercion it is coercion by the Manitoba government of the Roman Catholic inhabitants of that province. Forsooth, because we ask a remedy for that grievance, we are accused of wanting to coerce the province of Manitoba.

Sir, I have so far shown that the government and the legislature and the people of Manitoba were fully aware of what was going on through the courts of justice, and therefore nothing else could be done in order to warn them, in order to coax them, or to use the expressions of some hon. gentlemen here, in order to induce them to do justice to this Roman Catholic minority of Manitoba. And, Sir, while the Federal Government is accused of having issued a drastic order, let me call your attention to some of the utterances of some of the members of the local Cabinet in the province of Manitoba. Before the first judgment of the Privy Council was rendered in the school question, and when it was anticipated that the Roman Catholic minority would win their case, what did we see expressed in some of the local papers of that province ? These papers said that whether the judgment would be in favour of the Roman Catholic minority or not, the local legislature would not recede from the position that they had taken. I must tell you, Mr. Speaker, that the judgment which was rendered by the Privy Council was not anticipated. On the contrary, the reverse was expected : so clearly was it in the minds of everybody that we had rights, so clearly was a judgment in our favour expected. But as soon as the judgment was rendered, we saw printed in large letters in the local papers the words : Hands off Manitoba, the Judicial Committee of the Privy Council has decided that the province is right, and there must be no more appeal and no more petitions. Not only the newspapers of our province, but in a good many of the leading newspapers of the province of Ontario, leading papers of both political parties took that position on that occasion. After the judgment which was rendered in the second case, and which reversed in fact the first decision because though it maintained that the schools established by the Act of 1890 were legally established, still it directed this Parliament to pass such legislation as would subtract the majority from the affects of the Act of 1890, and restore its rights and privileges which had been taken away by that Act—after that judgment was rendered what were the statements made by members of the local Cabinet ? Mr. Sifton is reported in one of the Winnipeg newspapers as having said :

> If the Dominion Government undertake to interfere in any way, shape or form, there will be a deadlock.

These people knew very well that the Dominion Government had the right to interfere. They knew that the Dominion Government would sooner or later interfere, they knew that this Parliament would sooner or later interfere : but before waiting the action of the central power, they said : "If the Dominion Government interferes in any way, shape or form, there will be a deadlock." That was a threat, Sir, and a threat which is worse than coercion, because the threat was against the decision of the highest tribunal of the Empire, it was a threat to resist the law and the authority, whereas coercion in this case—if coercion there be—would be only the exercise of a right that is undoubted and admitted by every member of this House to appertain to this Parliament. Now, on another occasion the same Mr. Sifton—who is, in his own opinion, the only legal light that we have in the province of Manitoba—made the following statement :—

> The decision makes no difference to us, the Manitoba government care little whether the Dominion proposes remedial legislation or not, as they have taken their stand, and it was a constitutional one, and they will maintain it.

Another threat. Mr. Speaker, we are told by the leader of the Opposition that those men should have been approached in a mild way, in the sunny ways of patriotism ; we are told that they should have been invited to come here and treat in a mild and friendly way with us ; and yet before this Dominion Government ever made a move, before this Government ever arrived at a decision or uttered a word as to what its future course would be, it was met by declarations from the local government of Manitoba which were nothing else than threats. Those declarations were to the effect : We admit that you have the right to interfere, but we dare you to interfere on your peril.

Another member of that very liberal government of Manitoba made the following statement :—

> The decision does not affect us in the least, the people of Manitoba know what kind of a school system they want.

I suppose he meant the majority of them, because he could not speak in the name of the minority, nor did he speak for all the majortiy.

> The people of Manitoba know what kind of a school system they want, and any attempt on behalf of the Dominion——

Mr. LaRIVIERE. Not the Government this time, but the whole Dominion of Canada.

> —any attempt on the part of the Dominion to override their wishes in the matter of remedial legislation will be so much time thrown away.

Again, another threat—another notice that if this Parliament should ever dare to interfere, then they would be throwing much time away. That is to say, that the government of Manitoba would not obey the laws which we might enact, that they would refuse to obey, not only the decision of the central power, but even the decision of the Parliament of Canada. And yet, Sir, we are told that if these people had been approached in a mild way, if an investigation had been held,—into what ? Into their threats, I suppose, into the warnings they gave us not to interfere,—an amicable settlement would have been arrived at. But in the face of all those protests, in the face of those threats that were made by the local government and by their members, could the Government here have acted otherwise than they did, under the circumstances ? Could they have done otherwise than fulfil their duty as indicated in the constitution, and as indicated more definitely and in a more authoritative manner by the judgment of the Privy Council. I have made notes of some of the utterances of members of the House during the present debate. But I do not wish to prolong this debate, more especially after the tiresome sitting we have had for the last twenty-four hours, and I shall pass over most of these, and touch but lightly upon the others. There was an exceedingly astonishing statement made by the new member for Verchères (Mr. Geoffrion) to the effect that the Bill before us could not be amended and that we had to accept it as it is, or vote for the six months' hoist. Sir, I have yet to learn that any Bill brought before this House cannot be dealt with so as to improve it and adapt it for the purpose for which it is designed.

Mr. CHOQUETTE. The Government have refused to say they will amend it.

Mr. LaRIVIERE. But the Government has never said that the Bill is not to be amended.

Mr. CHOQUETTE. They will not accept any amendments.

Mr. LaRIVIERE. They refused to accept any suggestions from the hon. member (Mr. Choquette), perhaps.

Mr. MARTIN. May I ask the hon. gentleman if this is not the Bill prepared by Mr. Ewart on behalf of the minority ? I understand that this is the Bill offered by Mr. Ewart, and, therefore, so far as the minority is concerned, it does not require any amendment.

Mr. LaRIVIERE. I will agree with the hon. member for Winnipeg (Mr. Martin) that a Bill was prepared by Mr. Ewart and submitted to the Government. But I would say also that the present Bill is not exactly a copy of that Bill prepared by Mr. Ewart. And I will add that the Bill, in its present shape, has been accepted and approved of by Mr. Ewart as the counsel for the minority in Manitoba.

Mr. MARTIN. Does the hon. gentleman say in what respect it ought to be amended, if it is satisfactory to the minority ?

Some hon. MEMBERS. Order, order.

Mr. LaRIVIERE. That is all right, Mr. Speaker, the hon. gentleman has a right to put that question. And I will give the hon. gentleman the information he asks for when the Bill is in committee.

Mr. CHOQUETTE. It will never get to committee.

Mr. LaRIVIERE. It will unless you prevent it.

Mr. CHOQUETTE. We are willing that it should go to committee.

Mr. LaRIVIERE. Yes ; we know the extent of your willingness. I was rather amused in listening to the speech of the hon. member for West Ontario (Mr. Edgar). That hon. gentleman has taken under his protection a so-called Catholic living in the city of Winnipeg. We have heard something with regard to that gentleman before. This is a gentleman named O'Donohue, a cattle dealer, a man whose profession gives him high attainment for the direction of the school system. The hon. member for West Ontario said the Catholics in Manitoba are not a unit on this question. And the reason is because this gentleman, by the name of O'Donohue, who claims to be a Catholic, and who, perhaps, thinks he is one, does not agree with the rest of us. We have been told, again and again, that there were a number who did not agree with the rest, but on every occasion, when we asked for the names, we hear the name of Mr. O'Donohue. Who is this Mr. O'Donohue ?

Mr. McGREGOR. He is a Tory.

Mr. LaRIVIERE. No, Sir.

Mr. McGREGOR. He was a Tory.

Mr. LaRIVIERE. Yes, but like all bad Tories, he became a Grit This Mr. O'Donohue has managed to be elected school trustee for the public schools for the northern portion of Winnipeg, where all the Jews in the city live.

Mr. MARTIN. The hon. gentleman is mistaken. He sits for Ward 3, that is along Portage avenue. There are a great many Icelanders in that ward.

Mr. LaRIVIERE. The Icelanders are nice people. They are good voters. They always vote Grit, I am sorry to say. This Mr. O'Donohue has managed to be elected to the public school board in Winnipeg. The schools to which the Roman Catholics are so kindly invited with the assurance that they will not see anything in those schools that will hurt their conscientious scruples. This Mr. O'Donohue, on the occasion of the inauguration of one of the public schools in Winnipeg suggested that the ceremony should be presided over by the members of one of the lodges, not of Orangemen, but of Freemasons. I do not make any objection to those of my friends who may belong to that order. That is their business. But, in my church, we see in the same light, all secret societies, and, therefore, it could not be expected of us to be pleased to see what is supposed to be a non-sectarian school opened by a lot of gentlemen wearing aprons and having trowels in their hands. We are not used to that kind of a demonstration on such occasions.

Mr. CHOQUETTE. These are very useful things.

Mr. LaRIVIERE. Yes, we can handle mortar with them. But, Sir, that is not all. This Mr. O'Donohue evidently wants to see his name kept before the public. He takes a great deal of interest in the welfare of the great men of Canada, and, lately, when no less an eminent statesman than the hon. member for York (Mr. Wallace) left the Government, Mr. O'Donohue thought it proper for him to send the hon. gentleman a telegram of congratulation. I suppose, that after seeing this telegram, my hon. friend from Montmagny (Mr. Choquette) will not pretend that Mr. O'Donohue is a Tory. This telegram was acknowledged by the hon. member in the following letter :—

> Dear Sir :
>
> I hope you will pardon me for not replying to your congratulatory telegram. I am much pleased to-day to hear that the government of Manitoba are determined to stand by the public school system of that province.
>
> I am, dear Sir,
> Faithfully yours,
> N. CLARKE WALLACE.

The two make a pair. Well, Sir, I am exceedingly sorry not to see my good friend the member for North Simcoe (Mr. McCarthy) in his seat at the present moment, because we have had so many occasions each session during the last five years to exchange amenities, and perhaps, sometimes, compliments, that I waited several hours in this House to listen to his speech the other day, with the intention of giving him my own reflections on the subject that he treated on that occasion. As the rules of the House do not preclude us from referring, in his absence, to what has been said or done by a member, as I do not intend to be personal about it, I shall speak as I intended to do, were he present. The hon. member for North Simcoe said he was not animated with any ill-feeling towards the French or towards the Catholics of this

Dominion, but that he was opposed that they should enjoy any special privileges that were not enjoyed by other nationalities or denominations. But, Sir, while he protested his good-will towards the French Canadians and the Roman Catholics, at the same time, as we see, he objected to their enjoying any privileges not also enjoyed by other nationalities and other creeds. I say, these words ill-become an hon. member who, as has been said by several speakers already in this debate, is himself the principal author of the agitation that has brought this House into its present situation. He himself was the first man to raise the standard of Protestantism, as against Catholicism, of English as against French. I will not venture an idea as to what the hon. gentleman's ambition may have been, because the only result that could follow to him from such an agitation was to be branded with the name of an agitator. That is the only benefit, I believe, that he has derived from his course. But, Sir, what were his motives? Was it revenge? I do not wish to ascribe that spirit to him. I wish only to examine the work that the hon. gentleman has performed, and which I shall criticise. We had a visit from that hon. gentleman in the province of Manitoba. It is a well-known fact, that he attended a meeting at Portage la Prairie, where he met the hon. member for Winnipeg (Mr. Martin), who was then Attorney General for that province. Sir, on that occasion he is reported to have said:

> He was glad to notice that at last the Protestant minority of Quebec had waked up, and at an early date he hoped to have the pleasure of addresing them in Montreal on the question. They all had their hands full. In Ontario they would have to contend with the question of French teaching in the schools. In Manitoba they had the dual language to deal with, and in the North-west they had the same question. As soon as the work had been accomplished, they would then be in a position to master the same difficulties in the province of Quebec.

And, Sir, later on, speaking before a meeting of the Equal Rights Association, in the city of Ottawa, the hon. gentleman said:

> We have a record for eight months, Mr. Chairman—I mean the Equal Rights Association—which no political party would boast of in a decade of years, and if there are men among us now who want to go back to their old political alliance, I say, shame on them! They ought to be satisfied with what we have accomplished in so short a time. What have we accomplished? Go to the province of Manitoba, and what do we see there? Why, that government is going to deal, not only with the dual language question and the iniquitous act which would fasten it upon them, but with separate schools. I had the honour to stand on the same platform at Portage la Prairie with the Attorney General of the province (Mr. Joseph Martin) when he announced his intention, in anticipation of the action of his government, that he would cease to sign the official cheque for the publication of the statutes in the dual language, or cease to be Attorney General. Do you tell me that the Equal Rights Association had nothing to do with that? Of course, the feeling was there, the grievance existed. People's mind had only to be directed to it, and the moment attention was drawn to it, the province of Manitoba rose to a man and said ' We want no dual language, and away with separate schools as well. Let me prove what I say is correct. There ought to be no sympathy between Attorney General Martin and myself, according to old political doctrines. He is a Reformer and I a Conservative; therefore, we should be sworn foes.

We see that on this occasion the sworn foes have united to oppose the restoration of separate schools, which were abolished in the province of Manitoba. I observe the smiling face of the hon. member for North Simcoe (Mr. McCarthy), and I regret that he was not in his seat when I had occasion to address him. After the quotations I have given from the utterances of the hon. member for North Simcoe, I suppose it will not surprise the House if, after such a campaign, we saw in Manitoba and the North-west Territories the result of the agitation that was carried on. It will surprise, however, some hon. members when I read a statement published in one of the local papers there with respect to this question. The Moosomin "Courier," published in Moosomin, which is a nice town near the western boundary of the province of Manitoba, in the district of Eastern Assiniboia, on 5th September, 1889, just when this kettle which has been placed on the fire by the hon. member for North Simcoe, was boiling, published the following:—

> Are they (the Roman Catholics) a superior kind of people from Protestants that they hold themselves aloof, by having separate schools?
>
> To private schools, no one can object, but we must emphatically protest against separate schools being maintained by the Government, for any denomination other than Protestants. Our motto is: One People, One Country, One Religion!

That is the exact programme of the hon. member for North Simcoe—one people, one country, one religion. Of course, we must understand that one people does not mean the French people. As regards the sentiment of one country, we all agree with it. As to one religion, perhaps it was the Roman Catholic religion to which he was referring, but I do not believe so. That hon. gentleman has made reference to Roman Catholic schools, the schools of the minority, schools in which both English and French were taught, and in some of them only the English language, schools that the hon. gentleman contended were inadequate to the wants and requirements of the country, that were so inferior that no good could be expected from them, that were perfectly useless, that no education of any sort or kind was given in them, that, in fact, some of them were inoperative and during half the year were not kept open for the children who should attend them. I was surprised when I heard all these charges made against the system of schools which was abolished six years ago. On hearing those charges from the mouth of the hon. gentleman, I asked who his informant was, what authority he had for making such a statement in regard to those schools which existed prior to 1890, and the hon. gentleman informed me that his information was taken from a pamphlet published by S. C. Wade, a young barrister of Winnipeg, who was entrusted by the provincial government, not to investigate the school question, but to ascertain what might be charged against the Roman Catholic minority of Manitoba in regard to the rights we possessed under the law which was abolished by the Manitoba government. I tell the hon. gentleman that all the accusations contained in that pamphlet are groundless and untrue. I will not undertake at this period of the debate to occupy the time of the House by taking up the accusations, item by item, but I refer any one who wishes to look up this question to a very able answer made to that pamphlet by Mr. Ewart, the counsel for the minority in Manitoba, who, by the by, I admit is a member of the same Christian body as my hon. friend, but does not partake of the same views on this question. There is one fact, however, which I do not desire to allow to pass unnoticed. The hon. gentleman has stated that these Roman Catholic schools were receiving, proportionately, more money than the Protestant schools. It is a fact that they receive more money. But what was the cause of it? It is known by every one who visited the province of Manitoba that the Roman Catholics, who chiefly belong to the French population, are settled around their churches more densely than in the townships, where the new-comers have settled. These districts are most sparsely settled, and, therefore, while they have schools having their needs, they have greater needs than others, and a smaller attendance in the schools. They have multiplied the number of schools in order to provide for the children of school age the education which they require. I repeat that in the Catholic parishes the population are more dense, you see schools there that are attended by a larger number than 150 pupils, a thing that you do not see in any of the other settlements. In the parishes along the Red River and the Assiniboine, as the hon. member for Montreal West (Sir Donald Smith) will bear me out, in these parishes settled by the old settlers, the Catholic population, where the population is dense, they have large schools, attended by a large number of children. Therefore, while the trustees of these schools were receiving a larger amount of money than the others, yet they were not receiving anything out of proportion, because they had more pupils than the amount they were receiving compensation for. Therefore, when it appeared that the Roman Catholic schools were receiving a little larger grant than the other schools, the fact was that the proportion of attendance at the Catholic schools was about twice as large as at the Protestant schools, and the number of the schools being fewer, I therefore hold that they were receiving less in proportion than was the other class of schools.

Now, Sir, I wish to take exception to a statement made by the hon. gentleman (Mr. McCarthy) in regard to my friend Senator Bernier, who was superintendent of the Roman Catholic schools of Manitoba at the time of their abolition. The hon. gentleman (Mr. McCarthy) has conveyed the idea that my friend Senator Bernier had $5,000 or $6,000 a year put into his hands to spend or squander as he thought fit. In fact, the inference from the words of the hon. member (Mr. McCarthy) is that Senator Bernier was putting that money into his pockets. Sir, what are the facts? Not a cent was paid on behalf of the Roman Catholic section of the Board of Education unless the same had been approved of by the auditor of the local government. Every year the Superintendent of Education had to send an estimate of the probable expense for the then current year, and an appropriation would be made for that object, and on the certificate of the Superintendent of Education, the amounts would be paid by the government. All the money expended was expended under the supervision of the auditor of the province. Sir, the only amount that the Superintendent of Education in these days received was the sum of $1,500 a year, and he had to devote the whole of his time to that work. All the payments paid to the schools were controlled by the local government, and if there was anything wrong—which I deny—it is not the Roman Catholic Board of Education, it is not the superintendent of that board that could be accused of wrong-doing, but it is the officials of the government. Sir, I say there was nothing wrong about that expenditure, and I say that everything was perfectly correct. It has been reiterated by Mr. Sifton, and after Mr. Sifton by the hon. member for North Simcoe (Mr. McCarthy), that Mr. Wade, in his pamphlet, has stated that after an examination of all the papers in connection with the schools that had existed prior to 1890—because I must tell you, Mr. Speaker, that Mr. Wade never saw the schools of Manitoba, and never inspected them, and it was five years afterwards that he was entrusted with the preparation of the report on the condition of these schools that had been abolished five years previously—it was reiterated that Mr. Wade had stated, after an examination of the reports and the curriculum and the programme of studies, that to his amazement these schools were conducted by Roman Catholic priests. He was shocked at the idea that these children would be taught the doctrines of the church, and he was shocked at the sight of a crucifix in the school-room of a Roman Catholic school. There was a great deal to do about that, if you please, and Mr. Wade writes about it in his pamphlet. But the hon. member for North Simcoe had the decency not to attach any importance to that discovery. But, Sir, there was something still worse in the eyes of Mr. Wade. He actually found that priests were teaching in some of the schools. Well, I will admit that out of the hundred schools, on two or three exceptional occasions, and in out of the way districts where the people were too poor to pay for a teacher, the priest would sometimes step into the school-room and devote himself to the education of these poor children. That was only on two or three occasions, and when I mention this fact I speak of what I know. Prior to my entering into the cabinet of the local government, I was for four years Superintendent of the Roman Catholic schools in Manitoba, and I know in what condition these schools were. I say, Sir, that the standard of these schools was equal, if not superior, to that of the Protestant schools of the province. And, Sir, when this statement was denied by some members in this House, a quotation was given from the speech of the hon. member for Winnipeg (Mr. Martin), who, when introducing the School Act of 1890, stated that the schools had been well conducted, that he thanked the members of the Roman Catholic Board of Education for keeping up the standard of those schools, and for giving their time towards the maintenance of that standard. There was no question about the inefficiency of these schools when they were abolished; not in the least. It was only five years afterwards that the government of Manitoba, for the sake of making a case, one day thought that that point might be investigated. But there was no reason for investigating it. Supposing for the sake of argument, that the schools had been inefficient, some of them, was that a reason for abolishing them ? Is it a reason for abolishing anything, that it is not satisfactory ? Should you kill your child because he is not of the frame of mind you would like him to be ? Because he does not answer your desire, will you kill him, or will you not try to correct him and bring him up according to your desire ? There was no reason at all ; in fact, no reason was ever adduced for abolishing those schools.

Now, my hon. friends from Ontario are very proud, and, I believe, rightly so, of the standard of the schools in their own province, some of them thinking that nothing is good unless it comes from the province of Ontario. Well, Sir, there is a public school system in the province of Ontario, and I ask, have we ever investigated into the efficiency of the schools under that system ? Some people have ; and, as a result of that investigation, I will read an extract from an article published in the "Week," of the city of Toronto, on 2nd September, 1892, as follows :—

DOES OUR EDUCATION EDUCATE ?

The recent controversy concerning the Ontario examination for teachers and others will have accomplished some good if it is a means of directing attention to the practical results of our present system of education. We are in the habit of congratulating ourselves that we have in Canada a very excellent system of education, and in some respects we undoubtedly have. But is it, as a matter of fact, doing all that it should accomplish ? A recent experience has caused me to wonder whether, after all, our educational methods do not fail in really educating, whether they do not result in turning out a large number of pupils and teachers possessed, perhaps, of a certain amount of book knowledge, but destitute of nearly all the other attributes of true education. It also serves to demonstrate that our official means of testing the educational qualifications of pupils and teachers must be sadly deficient ; that is, in the words of the "Week," that "examination by writing is unreliable as the sole test of the results of a prolonged course of study or of the mental acquirements of a given student."

The experience I have referred to was not, by any means, an unique one. It was merely looking through the applications of a number of teachers for vacant teacherships. The positions applied for were the head mastership of the high school and the principalship of the common school in the largest and most important town in the North-west. For these positions there were over sixty applicants. All the applicants possessed at least second-class certificates, a large number were university graduates, the great majority of them had secured their qualifications in Ontario, and, for the most part, they had been actively engaged in the teaching profession. The positions and the salaries attached were such as should have secured applications from the highest class of teachers, and I have no reason for supposing that the large number of applicants who offered their services did not represent a fair average of the teachers who considered themselves able to fill and hold the necessary government qualifications to occupy the higher positions in their profession.

In such a class one would naturally look for some of the best results of our higher education. It would be taken as a matter of course that those competent to take charge of the education of our youth should at least be able to write, to spell, and to use the Queen's English correctly ; and it would not unreasonably be expected that they should exhibit some evidence of that good sense, sound judgment, culture and refinement which the best education is expected to produce and which, unless possessed by himself, a teacher cannot impart to those placed under his control. In these qualities, however, as well as in the elementary attainments first mentioned, the applications in question showed a large number of the applicants to be lamentably deficient. Full seventy-five per cent of them could be passed over without a second reading—many of them without being read through at all —and of the remainder it did not take long to discard all but half a dozen.

In the first place, the writing of most of the applications was bad ; and the badness was not of that order which, because of its character, is often condoned in the writing of scholars and geniuses. A number were written in those large, irregular and clumsy characters which one is accustomed to find in the exercise books of young scholars. A still larger number were written in a prim, copy-book hand, some fairly good of its kind, some rather shaky, particularly in the flourishes, but all quite characterless so much so that it was generally impossible to distinguish the sex of the applicant until the end of the letter was reached. The spelling was somewhat better than the writing, but mistakes in that were numerous. One applicant, for instance, announces that she is a "gold medalist" of some educational institution. Another, who states he holds both Ontario and North-west Territory second-class certificates, spells the capital of the Territories "Reginna," not once but several times. One makes "through" a word of two syllables and divides it thus, "throu—gh"; one divides "reasons" into two syllables thus, "re—asons"; another divides "application" "applicat—ion"; another "furthering" in this way, "furtheri—ng." The applications containing these latter mistakes were not type-written, or one might be inclined to excuse the errors, nor do the mistakes appear to have been rendered imperative by great lack of space at the end of a line. The Queen's English suffers rather severely at the hands of these its guardians. One who holds an Ontario first-class professional certificate and states he has "taught English with good success," write thus: "Having noticed your advertisement for a principal to take charge of your public school, I wish to apply for the same." This gentleman's specialty, according to his own statement, is mathematics, but it does not appear that his study of the exact sciences has taught him to avoid ambiguity of expression. It is not clear whether he is applying for an "advertisement," a "principal," or a "public school." An awkward arrangement of words such as the following is by no means infrequent:—"Sir, Would be pleased to accept the situation you advertise as principal of the common school at a salary, &c." It is not uncommon for an applicant to state he encloses a "recommend," and tautological expressions such as "gave good satisfaction," "taught with good success" abound, not only in the applications themselves, but also in the "recommend" of school inspectors and others. Punctuation is apparently considered to be of very little importance.

Besides defects such as the foregoing, one finds in connection with a considerable proportion of the applications some gaucherie giving evidence of boorishness and lack of judgment which it is difficult to imagine a highly-educated person being guilty of. One sends his application written on a big sheet of thick blue paper (10 in. x 14 in.), ruled in blue and red, evidently torn from some register, dirty withal, and folded fearfully and wonderfully. Another young man uses small sheets of thin, sea-green tinted paper, very suitable perhaps for billets d'amour to some village Amanda, but hardly calculated to win the favour of an urban school board. One begins with the confidential "My dear Sir," and concludes with he ulra-formal "I have the honour to be, Sir, your obedient servant," and some original souls, scorning conventionalities, place their "Dear Sir" at the extreme right instead of at the left of their note paper. An individual may lack wordly wisdom and yet be a genius; but the genius who prefaces his application by censuring his would-be employers for having dismissed their previous principal, courts the treatment genius is but too often accorded by its contemporaries. The country domine who thought it an important point to submit the information that on one occasion he was presented with a "costly ink-stand, graced with the antlered head of a reindeer, a fancy China cup and saucer and elegant fountain pen, a box of finely tinted paper and envelopes and some other articles, accompanied by an address" is no doubt even yet wondering why he failed to secure the desired position. A similar feeling may perhaps be entertained by one who wrote "Should your board, Sir, be pleased to accept my application they may depend upon it that they will not regret their choice." But the serene self-confidence which inspired the following is probably superior to disappointment. "I feel confident should you honour me with the appointment, I shall be able to afford you every satisfaction, and achieve for your school distinguished success." The philosopher whose lengthy application is chiefly a disquisition on the advantages of "experimental psychology," concerning which he has made an "exhaustive study" and some "unique experiments," would appear either to have omitted from his investigations one important class of humanity, viz., practical business men, or to have profited but little from his experiments. And the gentleman who seeks to impress the trustees with the splendour of his intellectual attainments by informing them that he is a "graduate of the American Institute of Phrenology" has apparently not a very high estimate of western intelligences. Many of the applicants think—and, it may be, rightly—that to be a Methodist, or a Presbyterian, or a member of some other denomination, is a very important recommendation; but one appears to base his claims almost entirely on the following qualifications:—"I am a member of the Methodist Church, the Christian Endeavour, and the Royal Templars of temperance, have never used tobacco in any form, and can supply references from those who know me showing my character to be blameless." It is indeed sad to think one so excessively immaculate should have to content himself with the reflection that virtue is its own—and often is only—reward. The lack of intelligence shown by some applicants in submitting "recommends" and testimonials is indeed surprising. One is not impressed favourably with an applicant's past experience by looking through a dirty, greasy package of letters, some in red ink, some in violet ink, some in black ink and some in pencil, execrably written and spelled, certifying to the opinion held by the school trustees of some obscure township as to the holder's abilities. I cannot forbear quoting one of this class of testimonials. "We the undersigned trustees for——— school district, do hereby certify that they have known for a number of years in the capacity as school teacher and that he is thoroughly competent to teach a graded school according to the laws of the School Act for the Dominion of Canada, and we take great pleasure in recommending him to any community in want of a teacher. Yours very truly." Unless assured that the applicant who relied on a testimonial such as this held a second-class teachers' certificate, one would not suspect that his intelligence had been expanded and elevated by high education. One cannot but tremble for the interests of education in a community where such trustees have the management of school affairs. Some of the applicants send printed copies of their testimonials, but apparently they do not realize that this creates the inference either that they are so often applying for situations as to render copying their recommendations in each case too great an undertaking, or that they are displaying vanity and bad taste. One individual has not only his testimonials printed, but prints even his application itself, blanks being left for dates, salary, &c., the whole being surrounded with a very fancy border; and he evidently intends to make use of the application elsewhere if unsuccessful, for he concludes: "Return this pamphlet (sic) if my application is rejected."

It is, of course, not possible to cite every instance of lack of knowledge, culture and intelligence, but enough has been said to indicate what a large proportion of the sixty applications in question gave evidence of these defects in the applicants. And it must be remembered in making an application for a situation the applicant naturally endeavours to present himself in every way in the most favourable light. When so much is gathered from merely letters of application, what would be the result of a more complete and searching examination into the applicant's abilities and characters? As I have said, these teachers are, or should be, the best results of our advanced education, and it is they who are conducting the education of the rising generation. Under the circumstances a doubt as to the practical results of our educational methods cannot but arise. I do not at present attempt to assign a cause for what I can only regard as a failure somewhere or to suggest a remedy. I merely call attention to the serious fact.

F. H. TURNOCH.

I am sorry to have occupied the time of the House by reading this document, but I thought it was an apt commentary on some of the criticisms we have heard in this debate. Here are the comments of the same newspaper, the "Week," on this correspondence:

The facts given in the article under the heading "Does our education educate?" in our last number, challenge the thoughtful consideration of every intelligent Canadian. Let no one suppose that Mr. Turnoch's experience is exceptional. We have no doubt that almost every solecism he instances could be paralleled by many of those among our readers who may at any time have had a similar duty to perform. Mr. Turnoch has done a service in putting the facts so well before the public. No attitude of mind is more inimical to true progress than self-complacency. Our much bepraised educational system is not yet producing, nor is it at present capable of producing anything like ideal results. We are not sure that we may not have in that well-worn word "system" itself a hint of one fruitful cause of such disappointing facts as those unveiled by our correspondent. The very rididly of the system tends to make such failures possible, if not inevitable. In saying this we are not decrying "system" or denying that rigidity may be to a certain extent necessary. It may be the less of two evils. But how can the system have the effect indicated? In various ways. In the first place, it tends to destroy individuality and spontaneity in the profession, and to foster dull, mechanical uniformity. This is, we think, too evident to need illustration or argument. In the second place it tends to shut out of the professions a class of men and women of culture and refinement—just the kind of teachers whose influence would do much to counteract the lack of good taste and perception of what is proper and appropriate which was so strikingly displayed in some of the documents described. There are, we dare say, many of this class, of both sexes who would be glad to teach, and would have been eligible under former conditions, who are now barred out. They would fail to solve the mathematical and other puzzles which from time to time appear in the examination papers. One result of the system has been to replace all such with a class of teachers who have been trained for the profession, or rather who have been helped into it by the shortest possible cut, by dint of special cramming for the examinations, but who are necessarily destitute of the culture possessed by many to whom these examinations would prove an insuperable barrier. Of course, mere general culture cannot supply the place of accurate and specific scholarship any more than text-book acquaintance with algebra and Euclid can atone for the lack of literary culture. What is needed is some means by which a fair admixture of both may be secured. Can any one think the culture less essential than the scholarship in the training of young minds?

Closely connected with the subject of the preceding paragraph are other causes incident to a young country and colonial conditions. Every one knows that the social environment in childhood and youth is a most potent factor in determining educational results. Not one in ten of Canadian teachers, it is safe to say, has had the great advantage of being brought up amidst people of education and refinement. The great majority have thus been deprived of that unconscious training which is by no means the least important element in education. This means much more than a merely negative loss. It means the formation of faulty habits of manner, thought and speech, which the utmost diligence in after life can never wholly eradicate. Then, the young men and women who enter the teaching profession under such disadvantages are not, as a rule, translated into social circles which afford them the best opportunities for overcoming these deficiencies. In many cases they do not even become conscious of them, and so continue to lack the essential condition of all successful effort in self-improvement. They may rarely have occasion to use the pen—perhaps the most potent of all educational instruments—to the extent of writing even a business letter. Hence the stiff penmanship and glaring defects in form and style. In this respect they fail to receive a valuable species of training which is enjoyed even by the clerk in a business house. Add to all this the fact that the level of the profession is prevented from rising so rapidly as it otherwise might, by the constant loss, through a kind of natural selection, of many of its most promising members, who are drafted off into other professions.

Notwithstanding these facts, we are glad to believe that a marked improvement is taking place in the quality of teachers and teaching in Ontario. In one respect, at least, the standard of preparation and qualification has been very materially advanced within the last few years. The reading of English literature has been given a much more prominent place than hitherto. This is a change which cannot fail to have a most salutory effect, not only upon the students in training, but upon the teachers who have to oversee this reading. But there is room for still further improvement in this di-

> rection. The goal should be a state of things in which the pupil, from the day he enters the primary department until the very end of his school career, be that in high school or college, shall be brought into acquaintance with good literature so continuously and under such conditions in respect to its intelligent study, that he or she can hardly fail to become possessed of some genuine taste for it, even before the third-class teacher stage is reached. Need we doubt that this is quite possible of attainment, under right conditions and influences ? This of itself would go far to make such productions as Mr. Turnoch describes impossible. Again, it surely is not too much to say that the Education Department should be able to prevent the giving of certificates to candidates so lacking in cultivated good sense and in knowledge of English as most of the candidates whose applications are described must have been. Why should it not, for instance, be made an invariable condition of the granting of even a third-class license, to say nothing of seconds and first and university degrees that the candidate must prove himself able to write a letter and an essay on a given theme, with substantial correctness in form and some modern degree of merit in style and thought. We have no doubt that this test faithfully applied would be far more valuable from the most practical point of view, than any degree of readiness in solving problems or reproducing text-book facts. As for the rest it is clear that parents and the public have duties to perform which cannot be delegated even to teachers, before we can hope to see the profession approximate to any ideal standard. Largely increased remuneration and more cordial social recognition are among the most potent of influences to this end.

In quoting this, I do not wish to make any reflection on the school system of the province of Ontario, because that is a matter which concerns alone that province ; but I wished merely to point out, that, if—which is a contention I do not admit—the schools of the minority in the province of Manitoba were properly abolished on the ground of inefficiency—which likewise I do not admit—I would ask my Ontario friends, whether the Ontario legislature is going to abolish their public school system because it produced such results as those shown by this correspondent, and because the system of education adopted in those schools does not educate. As I have said, I did not intend any reflection on these schools, but merely desired to give an illustration to show, that, if one wants to criticise even a system which is considered to be one of the highest standard and character—and I believe that there is a good system of education in Ontario, as far as common schools are concerned, just as good as it can be made—one can always find ample scope for criticism. I also merely desired to point out, that, when the Manitoba government appointed a barrister of the city of Winnipeg, who has never seen the schools which were abolished five years previous to his appointment—when the Manitoba government appointed him for the express purpose of depreciating schools of which he never had a knowledge, they can hardly lay claim to have acted in any spirit of fairness and with any desire for the public good.

There are several other matters which I intended to treat of in my remarks, but I shall confine myself to the arguments that I have made ; and I repeat, that the minority of Manitoba never for a moment wished to interfere with the public school system of the province of Manitoba, inasmuch as that system may continue to exist, and would not necessarily be interfered with by the minority being given back their own separate schools, which were taken away from them. It is mentioned occasionally, that the present system of public schools in Manitoba are not acceptable by the minority of that province because they are in reality Protestant schools, and this was put in some of the documents that were presented. It does not appear in any one of the petitions, but in some of the other documents, and it is only mentioned to show one of the results of the change. We do not want to interfere with that. But we say, if you close our schools, those other schools are the only ones left to us, and are not acceptable, because of the condition in which they are, but we do not want you to infer, that we have any objection to their remaining as they are. All we ask is, that we be given back our own schools, which you have taken away. Is an investigation required to find that out ? The hon. leader of the Opposition would like us to investigate as to whether these other schools are Protestant or schools in which no religious teaching is given. But we do not require any such investigation. I repeat again, that our claim is just restricted to this fact, that we had schools of our own, that we enjoyed them nineteen years, under a statute of the province of Manitoba, and that that statute has been repealed, in violation of the provisions of the constitution, as contained in the British North America Act and the Manitoba Act, that that statute has been repealed against the provision of the constitutional Act of the Dominion and the province, that the Privy Council has decided that our appeal was to be received by the Federal Government, that our complaint being justifiable as we had a grievance. But, Sir, I will repeat once more then if we have a grievance, we must have rights. The right we have is the right to have our own schools, to conduct them according to the tenets of our church, those schools being no part of the business of the rest of the community, except that when we receive provincial grants for our schools we admit that the Government may call upon us to maintain a standard in these schools at least equal to that of the public schools. I am ready to promise and to bind the Roman Catholic minority of Manitoba, that if our schools are restored to us, in no case will the standard in any of those schools thus re-established be lower than that of the public schools. Year after year ever since this question has come before the House I have stated that the question for members to decide is not whether they favour or oppose a separate school system. We have heard much, especially from our Quebec friends on your left, about the liberality of Sir Oliver Mowat in maintaining separate schools in Ontario. There is something in that, except that helped on by his friend Mr. Laurier, he has on that subject come down a little. But I call attention to the fact that every time the question of separate schools has been discussed in the legislature Sir Oliver Mowat has come forward and said : I am opposed to separate schools on principle. but the constitution guarantees the Roman Catholic minority certain immunities with regard to these schools, and I respect the constitution. Sir Oliver Mowat is right. He obeys the constitution, and, in that respect gives us an example that we ought to follow. Are we, the highest and most important body of this Dominion to take a lesson in liberality from the Premier of the province of Ontario ? What are we asking for ? We, the small Roman Catholic minority in Manitoba are asking nothing but justice, nothing but what we are entitled to under the constitution as interpreted by the Privy Council. But, Sir, these gentlemen on both sides say : The Privy Council have declared that you have a grievance, they define some means whereby the Parliament of Canada can remedy that grievance. But there is no order from them that we shall remedy that grievance, there is no order that we shall render justice, we are perfectly at liberty to act or not to act. I ask, Mr. Speaker, is that justice ? It is admitted by those who favour the Bill as well as those who favour the six months' hoist that the judgment of the Privy Council declares that we have a grievance, but, because there is no order from Her Majesty the Queen to this Parliament to act and remove this grievance, we are not to act. Sir, I have too much faith in the liberality and large-mindedness of the majority of this House to believe that such a view will prevail. I believe that before we part we shall have restored to the twenty thousand Roman Catholics of Manitoba the schools that have been taken away from them, that we shall have restored to them their property, that we shall have so acted as to meet their conscientious scruples and render justice to them. And if that is the result, as it will be, the majority of this House, no matter from which side it may come, will have deserved the gratitude of the minority in the province of Manitoba.

Mr. PRIOR. Mr. Speaker, at this late stage of the debate I will only ask the House to listen to me for a few minutes. I rise with no idea that it is in my power to shed new light on the subject before the House or that any argument that I may make use of will change one single vote in the House. Nor is it necessary for me to talk to "Hansard," because the electors in my district know my views on this question. I rise simply because I am one of the few members of this House who, since this question came prominently before the public, have had to face their constituents and ask for re-election. Now, Sir, when I came before the electors of the city I have the honour to represent, my opponents saw fit to make this Manitoba school question almost the only issue of that campaign. They were not willing to cross swords on the two trade policies of the two parties, or rather I should say, of the trade policy of the Conservative party, and the half dozen or so-called policies of the Opposition ; but they made up their minds that the Manitoba school question was the only one on which they would fight it out. I may say that they used every means in their power, both fair and unfair, to inflame the minds of the electorate, to place the Government in false positions before them. Although I knew a little about the question, still, neither I nor my friends were in the position that we are today. The hon. leader of the Opposition, speaking in the beginning of this debate, said that the demon of discord was abroad in the land, and that the winds of strife were blowing from one corner of this Dominion to the other. He said, also, that the policy of the present Government was the cause of this discord. Now, I think there is great divergence of opinion on that matter in this House. But let us see, for a moment, what the state of public feeling was in British Columbia. When, eighteen months ago, the leader of the Opposition and some of his lieutenants visited that province, I find that in a speech he made at a settlement called Saanich, in Victoria, in speaking to the electorate, he said .

> Now, Sir, I have seen many things to admire in British Columbia, your unique scenery, your resources in minerals, fisheries and lumber, as well as your great possibilities in agriculture, but there is one thing that is most to be admired in this province of British Columbia, and that is the perfect state of religious tolerance which you have reached. I have been all over Canada now, from the shores of the Atlantic to the shores of the Pacific—I have visited every province, and I am proud to tell you that there is not another province in the Dominion of Canada where religious tolerance is better understood and practised than it is in British Columbia.

Again, at Westminster, he said :

> * * * * Yes, in the most westerly province I find more freedom from bigotry and intolerance than in any other province * * No man looks how his fellow worships so long as he discharges his duty to his Creator and his neighbour, and if he fulfils his obligations as a good citizen no other questions are asked. When I return to the eastern provinces I shall be able to point with pride to the good example of British Columbia.

Mr. Speaker, you have heard the opinion the hon. gentleman had of British Columbia in regard to religious matters, and it is quite true. But what were the consequences of that hon. gentleman's presence in that province? Did he and his friends do their best to see that that state of affairs continued? It is true that the people of British Columbia were not living in Arcadian simplicity, but they certainly were, as the leader of the Opposition said they were, tolerant to the very last degree, and cared not what a man's religious opinions were so long as he was a good citizen. Well, when they found that they could make no impression upon the electors, that their free trade as they have it in England policy was not attractive, when they found that their promises of subsidies and the expenditures they would make when they got into power —because one of the chief points they made was that the province of British Columbia was not getting a sufficient expenditure of money—when they found that they could make no impression, their followers commenced at once to bring up this question as a principal issue, and to deride the idea of there being two races or two creeds in the Dominion, and to set brother against brother, and friend against friend, hoping that in that manner they could beat the Conservative candidate in the election. Now, as I said before, the people of British Columbia had never taken any great interest in this Manitoba school question, because they considered that it was not a question that affected them very much. They considered it was a question for Manitoba, if they considered it at all; and if not for Manitoba, it was a question for the Federal Government. British Columbia had no part in it, and needed not to take any trouble about it, because, under the terms of the union by which she entered confederation, there was no such clause as there is in the Manitoba Act, and the federal power has no control whatever, under any circumstances, over her educational system. As I have said, neither I nor my friends had studied this question, and we were pretty hard put to it at first to rebut the statement made by the Opposition. But, Sir, after reading the evidence given by the Supreme Court of this country, and the evidence given before the Privy Council in England, after reading Mr. Ewart's and Mr. Wade's pamphlet, Mr. Fisher's papers and letters, and everything else we could get, we felt that the Government were right, and were doing only what was just and right in bringing down this Bill. Now, Mr. Speaker, I listened with great attention ever since the 3rd of this month, to the speeches that have been delivered by the ablest men in this House, on both sides, in regard to this question, and I may be allowed to say that I do not believe that in any debate that ever took place within these walls, were there finer speeches made than we have heard made on this Manitoba school question. And if I had any misgivings, if my mind was not thoroughly at rest before I heard those speeches, I may say that I am now perfectly satisfied, and have no misgivings whatever. The eloquent and grand vindication of the Government made by the hon. Minister of Finance, and the able speeches made by the Minister of Justice, the ex-Minister of Justice, and several other gentlemen on this side, must, I think, have carried conviction to everybody, both in this House and in the country, who were not dyed-in-the-wool Liberals, or were not very bigoted on this question. Sir, during my election, I made a statement on several hustings that whatever Bill the Government saw fit to bring before this House, I would support. The Opposition tried to make a great deal of capital out of that statement, because, they said, I did not know what the Bill was going to be. However, I stuck to my statement, for I had the utmost confidence that whatever this Government did they would be able to justify it. I also knew at the same time, that if I was elected I should have a voice in framing that Bill. I had no vioce in forming the policy of the Government in bringing that Bill down, but I have had some voice in framing it before it was laid on the Table, and I am willing to take the responsibility of that myself. Now, that Bill is before the House, that Bill has been read by every hon. member present; and I must say that I believe that Bill is a fair Bill, a just Bill, and a moderate Bill. I think the best evidence of that is the fact that some of the minority claim that not sufficient has been done for them, while some of the majority say that it goes too far. Well, I can only say that when these speeches that have been made in this House have been sent to my constituents, and I shall see that they are sent to every elector, if, after they have read these speeches and digested them, they see fit to defeat me at the coming election, I shall retire into private life with the full knowledge and confidence that I have fearlessly done my duty to my country. Now, Mr. Speaker, nobody can look across the House and see the desperate efforts that the leader of the Opposition has been making lately to keep his followers together, without feeling somewhat sorry for a large majority of those gentlemen.

Mr. SOMERVILLE. There has been a good deal of trouble on that side.

Mr. PRIOR. There has been, certainly. If they vote for the amendment, many of them will do so simply because they feel that it is their last ray of hope, that, perhaps, this will enable them to ride into power. If they vote against it, I cannot help saying, that I firmly believe they will outrage the very best and holiest principles in their consciences. I cannot see how any hon. gentleman can vote against this Bill, unless he diametrically opposes what his conscience indicates to be right and just. There are a few hon. members on both sides of the House who will vote against the Government on conscientious principles, and, although I do not agree with them, I certainly have the greatest sympathy for them. They are totally opposed to separate schools in any manner, shape or form. Whether the minority in Manitoba has them bound by a solemn contract or not, they firmly believe it is not for the good of the Dominion of Canada that separate schools should exist. I have the greatest respect for their opinion, the same as I had for the members of the Orange body in my own constituency, who saw fit to vote against me at the last election for the very same reason. In that connection, I might say, it seemed extraordinary to find that an hon. gentleman who sits in this House and still calls himself a Conservative, who still says he belongs to the Conservative party, although he is not in accord with the Government on this question, saw fit to telegraph to the Orange lodges in Victoria, stating, that on no consideration could they vote for me, but they must vote for the Opposition candidate, who was a free trader and a supporter of the leader of the Opposition. What does the leader of the Opposition and most of his followers say ? Can any hon. gentleman point to a single speech the leader has made, in which he has stated that he was opposed to separate schools ? I never have seen such a statement. I should like to see such a statement, if I could, and yet we find him in company with and supporting the hon. member for North Simcoe. Any more incongruous position was never found in the annals of politics. Everywhere in the province of Quebec the hon. gentleman has stated, most emphatically, that he is in favour of separate schools. He has condemned the Government in one place for not pushing forward legislation to give the minority separate schools, and in another place he has condemned them for taking any action, pleading that they should give more time for conciliatory measures to be brought forward and evidence adduced. Sir, the hon. gentleman has, I know, the respect of everybody in Canada, myself included ; but I must say that the quibblings we have seen on the hon. gentleman's part on this question are on a par with his quibblings on the trade policy. The hon. gentleman knows perfectly well, he must know perfectly well, that the minority in Manitoba have the right of appeal to this Parliament, and, having that right of appeal, the Government is doing right to give them what they ask. He knows, also, that those rights, which were taken away from them, should be restored, and that it is not only a question for them, but it is a question for other minorities as well. The hon. gentleman also knows, that, if, through this trouble, he should, unfortunately come into power, the very first act he would be obliged to do would be to take up this question and give the minority their rights. But, because he is not in power, because he and the leader of the Manitoba government pretend that more evidence is necessary, although five years or more have elapsed since the Act was passed taking away those rights, although the hon. gentleman has abused the Government all over this Dominion for the action they have taken and for the action they have not taken, still, we see him here to-day, moving nothing more than the six months' hoist. I think his action in that matter is most extraordinary, to say the least of it. When the leader of the Opposition was in British Columbia, he stated, in a speech he made after looking into this question, as follows :—

> Now, why should I express an opinion on the Bill ? The Government has the responsibility, I have none ; I am not in power. When I am, I will not shirk my duty as they are doing.

Mr. McMULLEN. Hear, hear.

Mr. PRIOR. The hon. member for Wellington says, "Hear, hear." That, to my mind, is a most extraordinary course for any hon. gentleman to take. It seems to me, that the leader of a large party in Canada must be responsible for anything that comes before this House. Surely, no hon. gentleman sits here without having responsibility. Is he not responsible for the Bill, whether it is put through this House or not ? Would it not be much better, if the leader of the Opposition would try and assist the Government, and not wait till they bring in a measure which he thinks would arouse the worst passions in the breasts of the electors of a district or province ? Why does he attack this attitude of the Government ? Simply for one reason, and for what hon. gentlemen opposite consider to be a good reason. They hope, that by the bitter feeelings which have been engendered—and, no doubt, bitter feelings have been engendered—to overcome the Government and cross over to the Treasury benches. I firmly believe, that hon. gentlemen are mistaken in their ideas. I believe the electors of Canada sufficiently love what is right and just, that, although they may be carried away at the present time for a little while by prejudice and want of knowledge of the facts of the case, so soon as they read the speeches delivered on both sides of the House, they will see matters in a very different light, and, when they do that, I think the opinion of the electorate can be trusted. Every day we see that the amendment moved by the leader of the Opposition is—I was going to say a subterfuge, but I saw last night that the word "subterfuge" is not allowed. But, if we want peace and harmony in Canada, this question must be settled, and settled immediately, one way or the other. The Government are a unit on this policy. They are fearless, and have been fearless in the expression of this opinion, and they have been, and are at the present time, unflagging in pressing for the passing of this Bill. If the Bill does not pass, I take it, that the responsibility lies as much on the Opposition as it does on the third party. Whilst the Government have always been most anxious to see, that Manitoba receives justice, and that at the hands of the province of Manitoba, and although they are still anxious that justice should be done to the minority by the province itself, and thus save this Government from the uncongenial task of interfering, yet they have made up their minds that they will, as a last resort, give the minority that justice which they have a right to obtain. My opponents tried, during the late election, to make the electors in my province believe that their case might be the same as that of Manitoba. There is no danger that this question will ever come up in British Columbia, unless the British Columbians send men to their own legislature who will legislate on the educational question. There is nothing in the terms of the union which gives this Government the right to interfere. Now, Sir, only one word more, for I have promised not to detain the House. I am a Protestant, I am the son of a Church of England clergyman, and was always brought up to believe that the Protestant faith was the true faith. But I was brought up also to believe, that there were good people who believed differently from what I do, and that I should revere and respect their religion. I am also proud to say, that I am, and have been for some time past, a member of that grand and patriotic order, the Sons of England. This society, as some hon. gentlemen know, is composed entirely of Protestants. No Roman Catholic, nor the husband of a Roman Catholic wife, is allowed to be a member of that society. Many of the very best men in Canada, merchants, manufacturers, professional men, are members of that association; but, the great number of members is composed of the honest and industrious mechanics and labourers of this country. Sir, that association is bound to be in a short time, a power in this land. A more sturdy and a more independent lot of men, you cannot find, than the men who meet in these lodges. Yet, although they are Protestants to the backbone, and although they have naturally no love for the Roman Catholic church, or the tenets of the same; still, such a keen sense of justice have these men, such a sturdy English love have they for what is right, and for fair-play, that between my nomination and my election, after I had declared my intention of supporting the Government on this Bill, when I had explained this Bill as well as it lay in my humble power to do, they saw fit to pass a resolution unanimously, in Alexandria Lodge, containing a vote of confidence in me, and they pledged themselves to support me at the coming election, as I verily believe they did support me.

Now, Sir, that shows, that although we may have differences of opinion, there is a large body of men, a large body of Protestants in this country, who are tolerant enough and fair enough to believe that the minority in Manitoba should have their just rights. I say, Sir, that while we have plenty of men like that, who can look such a grave question in the face, and bring to bear upon it unbiassed minds; there is no danger in this country for us to fear, either from traitors within or without our gates.

Sir, I am aware that I have added nothing of importance to this debate. I have carefully kept from putting forward any arguments on the legal aspects of this question, because I am not qualified to do so. I am perfectly willing to act on the advice of the Minister of Justice, and of the other legal gentlemen whom I have heard. I simply wanted to place on record my belief, that the Government has acted justly and honestly in bringing this Bill down. I believe they have acted in the interests of the country, and I believe also, that in recording my vote in favour of that Bill—although many of my friends may differ from me, and think my course is wrong—I believe that those friends will live to see the day, when they will acknowledge that my voice was raised, and that my vote was given, in the interest of the peace, harmony, and prosperity of the country we all love so well.

Sir DONALD SMITH. Mr. Speaker, after the many able and eloquent addresses to which you and this House have listened for these many days back, and after the exhaustive discussion which has taken place, it would be entirely out of place for me to suppose that anything I could say, would change one single vote of those who are about to pronounce upon the question now at issue. My friend, the member of the Cabinet, who has just taken his seat (Mr. Prior), has spoken to the same effect, and much more would it be the case with me, a private member of the House.

But, as representing one of the foremost—I might say the foremost constituency of the Dominion—as having some twenty-five years ago this month, taken my seat as the first member from that new country of Manitoba, as having also been a member of the first legislature of Manitoba, and further, as having been intimately connected for many years with that vast and important region of Rupert's Land, before it became a portion of the Dominion, it being my privilege in my capacity as resident governor of the Hudson's Bay Company to officially hand over the territory to Canada; I am sure that hon. gentlemen will indulge me, even at this very late period of the debate, while I say a few words. I do not for a moment propose to enter into the details of the Bill before the House. These have been discussed, and ably discussed, on both sides of the House, but I think I may point to the circumstances under which, as commissioner from the Dominion, I went to the North-west at a very critical period of this country's history.

What were the circumstances of the country, and what were the relations of England

and Canada, to the neighbouring republic at that time ? We all know that there was anything but a friendly feeling, indeed that there was a very bitter feeling between the two countries, for the Alabama difficulty had not yet been disposed of, and the Joint High Commission had not sat as it did one or two years afterwards to dispose of those very important points relating to the two countries which grew out of the civil war in the United States. At that time, unhappily too, we had not the same feeling of cordiality on the part of the mother country towards the colonies, that we have to-day.

The change is indeed a happy one, but as showing the position of the North-west, showing on what the people of the Red River in a great measure depended, namely, the sympathy of those in the neighbouring states of America, when they rose in insurrection against the mother country and against Canada, I may be permitted to read an authority on that point. I have in my hand a newspaper, which will be taken as good authority, I have no doubt, for it is the official organ of the provisional government of that day. It is called " The New Nation." In it we have the following headings :—

> " Consolidation," " The Future of the American Continent," One Flag ! One Empire ! Natural Lines Must Prevail."

And it goes on to say :

> Again we present our readers with the views of the outside world on the Red River struggle for freedom. As the direct result of that struggle, we hear once more, but in louder and more determined tones, an enunciation of that great doctrine of which some of the most illustrious men in this world have been the expounders.
>
> That over all this broad continent—from ocean to ocean—but one flag shall wave—but one Empire be dominant. It is a vision of a grand consolidation of peoples and interests, such as can be paralleled nowhere else among all the kingdoms of the earth. It is a vision the realization of which has always been regarded but as a matter of time, and which is now, we believe, nearer to fulfilment than many suppose. It will be seen that we in Red River are credited with having largely aided in the movement to bring about this golden future ; and that sympathy and best wishes for our success, are ours, from many quarters. At the beginning of the uprising in this colony, it was said,—and truthfully said—that many who saw the beginning of the movement then inaugurated, could not see the end. That end—it will be our business, from time to time, to show our readers—will be the extension of liberty on this continent,—a breaking down of the artificial barriers of diverse nationalities which divide and estrange the dwellers in the new world,—and the creation of a magnificent power, whose influence on the rest of the world shall herald a brighter and better day.
>
> That Red River, the keystone of the confederacy projected by England, will never go under the authority of the Dominion, is now apparent. The keystone having given way, the rest of the fabric will topple speedily ; and in its place, we repeat, will be upreared an unbroken, undivided Empire, such as nature seems to have prepared the way for on this continent. Bearing this in mind, we ask a consideration for the subjoined views.

The first of these subjoined views is the following, from the New York " Sun " :—

> The tendency of events of this North American continent is plainly towards the consolidation of all the people dwelling upon it into one great nation, around the present United States as a nucleus. From the Polar Sea to the Isthmus of Darien there will in time be but one government and one national power. Canada, Rupert's Land, Victoria, Mexico will have but one flag and eventually Cuba and her sister islands will join us. Thus united, we can defy the world and offer a boundless asylum to the oppressed of every clime and country. Who among us can say that ours is not a glorious destiny, or reflect without exultation that he is an American citizen ?

The following is also given from the " Pall Mall Gazette " :—

> The Red River outbreak is one which would be calculated to excite but little interest in this country were it not for the circumstance, that Canada will have to deal with it as best it may. The Red River is (practically) all but inaccessible from Canada. On the other hand, it is very accessible indeed from the contiguous part of the States, and existing railways alone will suffice to connect it, with but little expenditure of time and labour, with the whole of them. Enthusiastic people of the colonial party see no difficulty in all this : Canada has only, in their view, to make a railroad from Lake Superior to Red River, thence across the Rocky Mountains to the Fraser River, and the work is accomplished, and British America bound together with a girdle of iron. To such reasoners as these, distance, climate, and physical obstacles present no embarrassments at all. Those who have reflected a little more on the subject know what speculative patriotism ignores : That there is no forcing colonization or commerce to follow artificial routes, by land or by sea, even if countless millions be devoted to making them. The natural lines must prevail ; Minnesota will always be close to Red River, Canada far from it. Even now, if the Dominion were forced to employ military force against these rough people—a contingency which we conceive to be extremely improbable, but which must needs be borne in mind, Canada, it is said, would have to ask the States for permission to send that force through their territory. And this must be true, unless the two or three hundred roadless miles between Lake Superior and Red River traverses a much more penetrable region than it is commonly represented. It is of no use to shut our eyes to the unpleasant side of questions like this, or to call those unpatriotic who present it to us. Admit the difficulty, and try if courage and ingenuity will find a solution.

It may be thought somewhat out of place for me to refer to these matters ; for it has been said that any promises given to a small people such as those of the North-west at that time, ought not to have an effect on that country, which would be lasting. At that time, as must be known to many, of the 11,000 people settled along the Red River, 6,000, or a majority of 1,000 were Roman Catholics. The Roman Catholics were principally responsible for the insurrection. They were different from the English. They were martial in their habits. They had been disciplined, and had borne arms from their earliest youth; they had been accustomed to go into the prairies for the annual buffalo hunt; and, for their own protection, they had to band themselves together, and to have their commandant, captains and other officers. On the other hand, the English were chiefly farmers—not wanting in courage, but not hunters like the others. Consequently, when this trouble on the Red River commenced, the French-speaking people, or a very large portion of them, took possession of the only fort there at the time—Fort Garry. They had some 700 men under arms, while there were no police, no body of troops, no government force of any kind to cope with them. Under these circumstances, Mr. Macdougall, failing to get entrance into the country, the Government sent up commissioners, one of whom happened to be myself. When we got there we found that it was, indeed, a difficult task we had before us—to explain to those people what was intended for them by the Dominion Government. The Dominion Government had, as I think, very unwisely, sent up some people in advance of the time at which the country was to be given up to Canada, to survey the country, to make roads, to interfere, in short, with the government of the country as it then existed. There can be no doubt that an impression prevailed in the minds of the settlers, not only the French, but the English as well, that they were to be overridden by what were called the new-comers; and they had consequently some justification for the opposition they entertained to Canada. However, as commissioner I did meet the settlers of the Red River in convention, and an explanation was made to them with regard to the intended action of Canada. They were assured that their rights, their privileges, everything they then had, would be retained to them, and that justice would be done in every way. I will not weary you by reading either the proclamation of the Governor General or the commission to myself on that occasion. As the hon. member for Three Rivers (Sir Hector Langevin), then a member of the Government, knows, I was appointed a special commissioner, with powers beyond those of my colleagues. But I think I may be permitted to read one portion of the letter of instructions which I received from the Government, and which was really a commission:

> Also to explain to the inhabitants the principles on which the Government of Canada intends to govern the country, and to remove any misapprehension that may exist on the subject. And also to take such steps, in concert with Mr. McDougall and Governor Mactavish, as may seem most proper for effecting the peaceable transfer of the country and Government from the Hudson Bay authorities to the Government of the Dominion. You will consider this communication as your letter of appointment as Government commissioner.

Then, after referring to some inclosed letters, the instructions say:

> These will enable you to speak authoritatively on the subject of your mission.

Then let me read one more clause:

> As the information received by the Government here is necessarily imperfect and as the circumstances of the Red River are continually changing, it is not considered expedient to hamper you with more specific instructions. You will, therefore, act according to the best of your instructions in concert with Mr. McDougall, and you will keep me fully informed by every mail of the progress of events.

I should say that I had only one opportunity of conferring with Mr. McDougall, but that was some 140 or 150 miles away from the Red River, when he was on his way back from his abortive mission, and that consequently I had to deal with these matters myself. There is also a letter from the Governor General, in his capacity as representating Her Majesty here:

> I learn with satisfaction that you have placed your services at the disposal of the Canadian Government, and that you are proceeding to Red River to give the parties that are at variance the benefit of your experience, influence and mediation.
>
> In my capacity as Her Majesty's representative in the British North America possessions, I have addressed letters to Governor Mactavish, the Protestant Bishop of Rupert's Land, and the Vicar General, who acts in lieu of the Roman Catholic Bishop during his presence in Rome. I have sent them copies of the message received by telegraph from Her Majesty's Secretary of State, which forms the staple of the proclamation addressed to Her subjects in the North-west Territories. You will observe it calls upon all who have any complains to make, or wishes to express, to address themselves to me as Her Majesty's representative. And you may state with the utmost confidence that the Imperial Government has no intention of acting otherwise—or permitting to act otherwise—than in perfect good faith towards the inhabitants of the Red River district of the North-west.
>
> The people may rely upon it that respect and protection will be extended to the different religious persuasions—that titles to every description of property will be perfectly guarded, and that all the franchises which existed, and which the people may prove themselves qualified to exercise, shall be duly continued or liberally conferred.
>
> In declaring the desire and determination of Her Majesty's Cabinet, you may very safely use the terms of the ancient formula, that "right shall be done in all cases."
>
> Wishing you a prosperous journey, and all success in your mission of peace and good will.

There was a letter to the same effect sent to Governor Mactavish, who was then Governor of Assiniboia. I have said that there were great misgivings on the part of the people of the North-west with regard to the treatment they would receive from the Canadian Government, and that they apprehended going into confederation with Canada. But they came together in an open-door meeting on the 19th and 20th January, 1870—very cold days they were, too, with the thermometer twenty-five degrees below zero, rather cold to be standing out for six or eight hours in the open air. But the people of both races, the English and the French, were there in great force. After the explanations given, such as I have read here and others, they determined to form a convention ; and perhaps I will be permitted to read a few lines here in which Mr. Riel, who then assumed the title of President of the Provisional Government, and Mr. Donahoe, his right-hand man, spoke of the proceedings at that meeting. Mr. Riel and Mr. Donahoe both exclaimed : We accept the commission as genuine, and are merely to consider what is to be done under it. And then Mr. Riel said :

> Before the assembly breaks up, I cannot but express my feelings, however briefly. I came here with fear, we are not yet enemies, but we came very nearly being so. As soon as we understood each other, we joined in demanding what our English fellow-subjects, in common with us, believed to be our just rights. I am not afraid to say our rights, for we all have rights. We claim no half rights, mind you, but all the rights we are entitled to. The rights will be set forth by our representatives, and what is more, gentlemen, we will get them.

Following on this, there was a convention of the delegates appointed from all parts of the settlement. There were twenty-four, an equal number from both sides, French and English. They met on January 25th, 1870, and continued in session for fifteen days ; and they brought up, in the first instance, a bill of rights, which had been drawn up by Mr. Riel and his friends. But that was objected to and was not accepted by the convention. Then it was decided that another bill of rights should be framed. This was done by the convention, and I have here an authentic paper showing what it was. It is true that in that bill of rights there was nothing said about separate schools. The only mention that was made of schools at all is this :

> That while the North-west remains a territory, the sum of $25,000 a year be appropriated for schools, roads and bridges.

I may mention, however, that at that time the schools were voluntary, or separate schools—that is, the Roman Catholics had their own schools and the Protestants had theirs, and there were certain grants of money given to each. The Hudson Bay Company, then the governing body, made a grant to the Roman Catholic bishop, the late lamented and reverend Archbishop Taché, and I will say of that prelate—that very great man—that he was revered equally in those days by the English Protestants as he was by his own co-religionists, and well did he deserve it. There was a grant given to the one and to the other—a money grant as well as a grant of land—for school purposes. It is true that not much was said about schools at that time, but it was distinctly understood by the people there, and the promise was made to those people that they would have every privilege, on joining Canada, which they possessed at that time. And such promise I gave as a special commissioner from the Dominion of Canada. That was implemented by Canada. And to show that what was done at that time was approved, I may be permitted to read a few lines, although somewhat personal to myself. This is a letter from the Secretary of State of the Dominion, addressed to myself :

> Sir,—The events which led to your appointment in December, 1869, as a special commissioner for the North-west, are now matter of history. But the Governor General feels that the important services which in that capacity you rendered to the country have not yet received that official recognition to which they are justly entitled.
>
> His Excellency, therefore, now commands me to convey to you the expression of his appreciation of the patriotism with which on that occasion, you placed your services at the disposal of the Government, and at an inclement season of the year cheerfully undertook a long and fatiguing journey to Fort Garry to aid, by your presence and influence, in the repression of the unlooked-for disturbance which had unhappily broken out in the North-west.
>
> In selecting you for the delicate and important mission thus confided to you, His Excellency was influenced by the conviction that your thorough knowledge of the people, and the high estimation in which you were held by all classes there, eminently qualified you to act with effect in disabusing the minds of the misguided people of the settlement of the erroneous opinions they had been led to form of the feelings and intentions of the Government of the Dominion in reference to their country.
>
> Subsequent events have, in His Excellency's opinion, fully justified the wisdom of his selection of a commissioner. For if the serious dangers which then threatened the settlement were happily averted, and law and order peacefully re-established at Fort Garry, His Excellency feels that the result was in no small degree due to the ability, discretion and firmness with which you executed your commission, and to the judicious use of the influence which your character and standing enabled you to exercise over all classes of the community at Red River.
>
> I have the honour to be,
> Your obedient servant,
> JOSEPH HOWE,
> Secretary of State for the provinces.

Mr. MULOCK. What was the date of that letter ?

Sir DONALD SMITH. It is dated the 22nd February, 1872. So that there was plenty of time to reflect.

Mr. MULOCK. And to forget.

Sir DONALD SMITH. I mentioned this to show that the Government accepted what had been done by myself and the promises made by me as being in the right direction, and within the scope of my instructions. I am sorry that I have some difficulty in speaking at this moment, being far from well, but I shall endeavour, during the few minutes I occupy, to make myself clear. The answer to that request in the bill of rights for a grant of a specific amount for schools and roads was given by me in these words :

> In respect to this article, it may be better that I should not speak——

That is with regard to the schools.

> —as to any particular sum ; but I feel quite certain that an amount even exceeding that mentioned, will be appropriated for the purposes referred to. I can give an assurance that this will be done.

Well, I have just said that the Roman Catholics had their own schools, and that the Protestants had their schools, and each body had a grant from the Government of the country at that time. If the convention did not enter minutely and particularly into the description of the separate schools, it was because they thought it all together unnecessary. Any contention about separate schools was never dreamt of by them. As was said by the hon. Minister of Finance in his able address, in the course of this debate, they were a simple-minded people. To show that they really were so and that they went very much on good faith, I may mention how properties were conveyed from one to another. There were no long or written contracts. All that was necessary was that the parties interested should go to the officer of the Hudson Bay Company, who kept the land register, and mention verbally to him that it was desired to make over such and such property to a particular person. That showed, I think, that they were simple-minded, and that they had an idea, a belief, that when word was pledged, it was as good as all the deeds that could be written. So it was with regard to the promises that were made to them at that time. They knew that they had their schools, and they believed that the promises made would be well and faithfully kept, and they did not deem it necessary to have anything of a more binding character with regard to them.

After giving the answers and promises for the Dominion Government with regard to the bill of rights, the commissioner, that is myself addressing the convention, said :

> Having gone through the articles, may I now be permitted to say a few words ? Two hours is but a short time to consider a document which has occupied the time of this convention for a fortnight. Your list is not only long but it contains many things of great importance. In coming here first I had no idea of it, nor had the Canadian Government. However, I am authorized by them, as commissioner, to do what, in my judgment, might appear best in the state of public affairs here. It was thought at the same time that there might be some points raised that I really could not deal with personally with any satisfaction to the people of the country. This being the case I have now, on the part of the Dominion Government, and as authorized by them, to invite a delegation of the residents of Red River to meet and confer with them at Ottawa, a delegation of two or more residents of Red River, as they may think best, the delegation to confer with the Government and legislature and explain the wants and wishes of the Red River people, as well as to discuss and arrange for the representation of the country in Parliament. I felt that this being the case, it was less necessary for me to deal very particularly with these matters. On the part of the Government I am authorized to offer a very cordial reception to the delegates who may be sent from this country to Canada.

Which was received with hearty applause.

> I myself feel very confident that the result will be such as will be entirely satisfactory to the people of the North-west. It is, I know, the desire of the Canadian Government that it should be so.

And to show the spirit in which these remarks were received by the assembly, I will read what Mr. Riel himself said :

> Since we have been met, this may be said, in a certain measure, to be the first work we have accomplished. And it would be too bad to leave it to stand alone, when so much ought really to follow from it. I did not wish to interrupt Mr. Smith, but there was plenty of room for discussing what he had been saying. There is a great deal to be done yet, and I hope the convention will not tire until everything has been done which ought to be done. I cannot but look on the commissioners with great respect, especially on Mr. Smith, who came pretty near to our desires, and has invited a delegation to go to Canada, with the assurance that they would be cordially received, and that they could make a final arrangement when they went there. A great part of our own work, let me again remind you, has to be performed and that is, the establishment of order, peace and security in the country.

I may add, Mr. Speaker, that the invitation to send delegates to Ottawa was accepted, and three gentlemen, Judge Black, Rev. Mr. Ritchot and Mr. Alfred H. Scott were appointed as such.

Now, while very little, indeed, was said here about schools, the people unquestionably had them in their minds, and thought they would enjoy the privilege of having their schools, as before. This is apparent, I think, from what took place in the legislature of Manitoba in 1871, when the school law was passed. It may not be known to a great many of the members here, that many of those who composed the legislature of Manitoba at that time, were members of this very convention, and in deciding that there should be separate schools, they were looking to what had passed in this convention, with it fresh in their minds. Therefore, I certainly think that the people of Red River, then the majority, now the minority, are entitled to all the privileges that are given to the majority at the present day. I think that in one way or another we should insist that they shall have full justice, and that whether in the form of separate schools, or in some other way, still, that substantial justice shall be done, and that faith shall be kept with those people. As

I have said, there were only about 11,000 people there at that time, and many of us at the present day have very little notion of the then circumstances of the country. There was a very great danger at that time—unquestionably it was so—there was an imminent danger of the country being absorbed in the United States. That fact was brought to my recollection, although I had not forgotten it, by a gentleman of high position in Minnesota, whom I met the other day as I passed through that country, who stated that they were ready to place a very large sum of money at the disposal of Mr. Riel and his friends, upwards of half a million dollars, with the view of having the country annexed to the United States. We should also remember that at that time there was much ill-feeling and much bitterness between England and the United States, that without railways, with a trackless wilderness, and some 500 miles to traverse, it was impossible, in less a time than ten months, to send a single soldier to that country, with all the power of Great Britain and Canada; that while the insurrection commenced in October, and Fort Garry was taken possession of in November, it was not until the latter part of August following that it was possible for Field Marshal Wolseley, then Colonel Wolseley, to bring his forces up to Red River. These facts show the great difficulty in which Canada was at that time, and England as well, and should be another inducement for us to do justice to the minority in Manitoba. There was, then, a promise made, made, it is true, to a few thousands of people who have been spoken of here as poor half-breeds, but who, on the whole, I can assure you, were very intelligent men.

Mr. MARTIN. I understood the hon. gentleman to read the bill of rights, and the different articles of the bill of rights, and an account of the convention generally, from some newspaper published at that time. Will the hon. gentleman kindly mention the name of the paper and the date.

Sir DONALD SMITH. The paper is the "New Nation." I have the whole file of the paper, and I brought a portion of it here. The account of the convention began in the issue of February 18th, 1870, and concluded in the issue of February 25th.

Mr. MARTIN. Then I understand the hon. gentleman to say that the account given in the "New Nation" is an account of what really occurred, and sets out the bill of rights, and that the hon. gentleman knows it to be very accurate?

Sir DONALD SMITH. Yes, I believe it to be substantially accurate. The reporter was one of the ablest stenographers of the day. Mr. Caldwell, a man very well known also in Ontario, and a most reliable man. Mr. Speaker, without further dwelling upon the events of that period, in which it was my privilege to have taken a somewhat leading part, I may, without egotism, I hope, be permitted to say that nothing in the course of a long and somewhat busy life, has afforded me greater satisfaction than the reflection that I have rendered some substantial service to the State in bringing about the peaceful union of Rupert's Land with Canada, and so aided in consolidating in our Dominion the various provinces of Great Britain on this continent.

I do not wish to weary the House, but I think I should go on now, again being somewhat personal, and state the circumstances of my second visit to the Red River on a matter of importance apart from my ordinary business, when in February last—and it may be thought to have been presumptuous on my part—I went to Red River with the view of seeing Mr. Greenway and his colleagues. This visit has been discussed a good deal on one side and the other, but I wish to say very distinctly that I did not go at the instance of the Government. It is true that I had the privilege of communicating with His Excellency the Governor General, not so much as Her Majesty's representative here, but as one who, as we all know, has taken a very warm and deep interest in everything that is for the benefit of Canada. Having incidentally had an opportunity of speaking of this very important matter of the Manitoba school question. His Excellency was good enough to express to me his very great desire that it should be satisfactorily settled in one way or the other so as to be agreeable not only to the people of that province, but also to the people of the Dominion as a whole, desiring it should be disposed of outside altogether of party politics, for we know that the Governor General never allows himself to become a partisan, and that he is here as the representative of Her Majesty, to look equally at all sides, and to discriminate against none. I certainly had the privilege of communicating with the Governor General. I myself was greatly impressed with the view that were it possible to dispose of this matter outside of Parliament, it would be for the general good; and I consequently determined to go to Manitoba with the view of seeing Mr. Greenway and some of his colleagues, and of endeavouring to ascertain if there could not be found a satisfactory way out of the difficulty. I may mention that had it not been for the fact that, owing to serious illness, I was unable to leave my house for three or four months, I certainly would have visited Manitoba some time before; but it is never too late to attempt to do what ought to be done, and I must say I was met by Mr. Greenway and his colleagues in a manner that led me to believe they had an honest desire to do what was right in the matter. Of course I am not here to give any particular conversation that passed between us, but it is only justice to those gentlemen to say that they to me appeared to be most anxious to have the matter settled so as to do substantial justice to the minority as well as to the majority. I was permitted to confidentially represent this to the Government here, and I hope, indeed feel very sure that it is their most earnest desire to exhaust all means within their power to have justice done in the way in which I believe it can best be done, and that is through the local government. True, it is within the power of this Parliament to pass a Remedial Bill, and if there is no other way of attaining the end which we are all of opinion ought to be accomplished, that of having equal justice done to the majorty and to the minority, if after every means of obtaining that from what I may be permitted to call the legitimate source, is exhausted, and it is found impossible to get justice for the minority, then I consider that the responsibility rests with this Parliament and that this Parliament ought to apply a remedy. I trust, and I have every confidence, hon. gentlemen opposite will all feel that it is their duty as well as the duty of those on this side of the House to assist in every possible way to bring about a settlement. I cannot see myself that there is any necessity for a commission to inquire into well known facts and circumstances, but I do trust and desire that there may be, at any rate, a personal coming together of the two Governments, that there shall be a conference. I am afraid, while I am sure many efforts in the right direction have been made by the Ministry to effect what they believe would be a satisfactory solution of this matter, they have not personally come together in such a way as to be able to exchange each other's views, wishes and ideas, and so have an opportunity of deciding in that way what can best be done under the circumstances. I will say to the leader of the Opposition—I am sorry he is not in his place at this time, and I regret very much the cause, that he is unwell—I must say to the leader of the Opposition, and I would say to every hon. gentleman on both sides of this House, that I trust they will join heartily and cordially together, and that each will, if possible, endeavour to outdo the other in his desire and in his determination to do justice to all classes in Manitoba, and to do it in the best way. I trust, Sir, that this question shall be taken out altogether from the arena of party politics. I trust, that we all shall look only to the best interests of the country, in the matter. With the assistance of the hon. gentlemen in opposition, I am sure that it could be done in this way, and I think they will agree with the members on this side of the House, that if in the end it is found that justice—a proper measure of justice—cannot be obtained from the province of Manitoba, it will then be the right and ought to be the duty of this House to intervene.

I heard a much-respected prelate of the Episcopal Church, one of the highest authorities in that church, say, that, while his own people were, perhaps, in favour of separate schools, still, he did not desire to see these schools administered by a dual government, and he would desire and wish, above all things, that such arrangements were made, that the schools of the Catholics and of the Protestants should be under the jurisdiction of the local government. Mr. Speaker, I fear, that I have enlarged very much on this subject that I have taken up too much of the time of the House.

Some hon. MEMBERS. No ; go on.

Sir DONALD SMITH. If I have done so, it is solely from my earnest wish and solicitude, that there shall be no religious feuds in this country, that neighbours shall be neighbours indeed, and that they shall feel, that they will do to others as they desire should be done to themselves. That is the Golden Rule.

It has been said here, that some gentlemen, in the votes they are to cast, may be influenced by certain improper considerations. I believe, however, that that language was withdrawn. I do not for a moment suppose, that the gentleman who spoke to that effect, had reference to myself, personally. But I have seen in some newspapers which have been put into my hands, the insinuation that, if I did go to Manitoba, ostensibly for the purpose of aiding in settling this vexed question, that it was no philanthropic idea I had in my head, but that it was for the advantage of a certain corporation with which I happen to be connected, namely, the Canadian Pacific Railway Company. It was said, that there was a question coming up of a demand on the Government, a request to the Government, or the instigation, or the hope, that a very large sum of money would be got by that railway company from the Government, in exchange for a certain portion of their land. I believe it is said, that the sum was twenty or twenty-four millions. It really does not matter for a few millions nowadays. A few millions, a dozen millions, more or less, does not matter, I suppose, and so it was said, that the Canadian Pacific Railway had approached the Government with a view of selling to them their lands. I will say, and I say it without hesitation, that the Canadian Pacific Railway Company have not approached and have no thought of approaching the Government with any idea of selling any of their land, and it is a rumour entirely without foundation in truth.

Once more, Mr. Speaker and hon. gentlemen, I would express the earnest hope that this school question may be settled, and settled to the satisfaction, not only of this House, but of the whole country. I should like, Sir, to see this Remedial Bill pass to its second reading by acclamation. But I do not look upon it. Mr. Speaker, I do not look upon it, that by voting for the second reading of this Bill, gentlemen are necessarily committed to vote for the third reading of the Bill. If there should be a conference in the meantime—and I trust that there may be a conference—I am so hopeful of the result of that conference, that I do trust that there will be no Remedial Bill required from this House.

Mr. MULOCK. Why proceed at all, if you are satisfied that there can be a settlement ?

Sir DONALD SMITH. I think myself, at any rate, having gone so far, it is well that the principle of the Bill shall be affirmed : and it will be for us to determine, upon further consideration afterwards, the subsequent steps to be taken, as circumstances may require. Mr. Speaker, I have to apologize for having detained the House so long, and for having spoken so imperfectly as I have done.

Mr. METCALFE. Mr. Speaker, it is not my intention to take up the time of the House at any great length with a discussion upon this most important question, which is now, not only agitating this Parliament, but all portions of the Dominion. I, Sir, have always had the opinion, since the first passage of the iniquitous Manitoba Act of 1890 by the Greenway government, that it would have finally to be settled in this Parliament. Now, Sir, when we find any great wrong perpetrated on a community, whether it is on a minority or on a majority, there must be some arch-conspirator at work with regard to that wrong. Sir, if we put the microscopic test of common sense to this matter, and look around and try to find the gentleman who perpetrated this wrong upon the minority of Manitoba, it is my humble opinion—and I have no ill-feeling against that gentleman—it is my humble opinion, that the member for Winnipeg (Mr. Martin) is the big toad in the puddle with regard to it. Now, Mr. Speaker and gentlemen, one ounce of fact is worth a thousand pounds of declarations and declamations on behalf of those gentlemen who have brought this turmoil upon this Dominion. Look at how we have been agitated and annoyed, and how the members of this House and their families have been annoyed in so many ways about this matter. When an evil is perpetrated upon a community, the ramifications of the trouble are so great and so strong, that we cannot tell whether it will even end now, I believe it will end in the satisfaction of seeing the gentleman from Winnipeg (Mr. Martin) and his friends in Manitoba coming into the political soup. Mr. Speaker, we find that the representative of Winnipeg made all the trouble and racket he could up there, and then got elected to come down here. How is he acting since elected ? He is not filled with the mighty love that the great Teacher of Christian doctrine on this earth was possessed of. He does not possess that radiant smile that would captivate a little child on the street, just as the great Teacher would captivate it. He has not in his nature that overmastering power of love and affection which wins the heart of a man, such as characterized men like Sir John Thompson or Sir John Macdonald. He was not sent down here on account of his mighty intellect, for no phrenological professor, from O. S. Fowler down to the hon. member for Assiniboia (Mr. Davin)—who is quite a phrenologist—could in him find any traces of it. In fact, if you look over that cranium of the individual who represents Winnipeg in this House, you can not see that great benevolence sticking out of his forehead which characterizes a man who possesses that beautiful characteristic of heavenly development. Now, Mr. Speaker, I want for a moment to draw the attention of this House and the country to the first cause of all this trouble. That is what you want to get at—the first cause. There is a first cause for anything. There is a first cause for the sun rising in the morning. There is a first cause for this Parliament sitting here. There is a first cause for this trouble that is upon this Parliament ; and I claim that beyond any other individual, the hon. gentleman who represents Winnipeg is the man who has the greatest sin to answer for, in connection with this trouble. I say it boldly, and I think the history of Manitoba and the history of Canada will bear me out in the assertion I make. When he comes down here, how is he received ? Do his Reform friends run away from him, saying, "You have made quite a record for us, you are getting us into trouble ?" No ; but they think this thing is going to get the Conservative Government into trouble ; so they take him into their bosoms and fold their arms around him, and say, "Oh, you are a second Sir Oliver Mowat." I said on the floor of the Ontario legislature that if a man wishes to become eminently great or truly pious, he must be willing to remain ignorant of many things that would hurt him politically. The hon. gentleman who has come out of Torres Vedras, and who leads the Opposition in this House, did not look upon him as a dangerous character. He looked upon him as one who had brought the Conservative party into trouble and disrepute in the province of Manitoba. And what did we find when he came here ? He was introduced to this House by the leader of the Opposition. If the hon. gentleman could have looked into the future with a prophetic eye, he would have been sick that day, and would have permitted some of his followers to perform that duty which he was so delighted to perform at the time. Now, Sir, bring this question down to first principles, and what do you find ? You find that this Government are called upon to do justice to a minority. Are they doing it because it is a pleasure for them to do it ? They are doing it, not because it is a pleasure to them, but because it is just and right, and because it is the duty of a Government to protect the smallest portion of the community in any part of the Dominion. Why, Mr. Speaker, away back in the 17th century, when an obscure individual was persecuted and wronged, the Habeas Corpus Act, which we now prize as a charter second of England's liberties, was originated ; and I say it without any malice in my heart, that the member for Winnipeg has brought more trouble upon his Reform friends in the House and in the country than any other representative man I know of in this Dominion. Now, we may look at the gossamer thread of transcendent legal lore as spun by the hon. member for Albert. We may then hop across the House and get the legal lore of the sage from Bothwell. Then may skip back again to the other side of the House and get the wisdom of the hon. member for Centre Toronto with his mighty intellect. And then we may come to that gentleman from Grey who can talk more in five minutes than any other man in Canada. I mean the gentleman who, when he gets talking, can talk at a rapider gait than any horse ever trotted or ran in Canada or in the United States. Take all of them, either on this side or on that, and where do you find one good solid argument why the minority should not get their rights restored ? I was glad to hear the leader of this House say that he thanked God that he was not a lawyer ; and I thank God that I am not a lawyer, if I have to come down to all the little subterfuges and narrow, small ways——

Some hon. MEMBERS. Order.

Mr. METCALFE. I am not making any personal references to gentlemen who have spoken : I am only speaking about their utterances. As I have said, one ounce of fact is worth a ton of declamation. The leader of the Opposition has been in 199 spots in and out of Torres Vedras since this thing happened ; he has been at one spot in Spain at one time, and at another spot at another time ; and where is he going to land ? He is going to land where the member for Winnipeg and all men like him will land—in the political soup, Mr. Speaker. Now, if the member for Winnipeg and all the men who were with him were actuated by the great principles of Christian charity—that is, love—they would act differently. That is what you gentlemen, many of you, have not got. You want more love in this country. You want more love taught in the schools. You want more love in Parliament. What is the cause of all the racket in Parliament and out of it ? Want of love. What brought this iniquitous law in Manitoba into force ? Want of love. A while ago I read a short poem written by a little girl only twelve years old down in Hampden, Massachusetts, which is worth more, for its broad spirit of humanity, than anything that has been said in this House during the present debate.

Some hon. MEMBERS. Give it to us.

Mr. METCALFE. I will. It is on " Faith, Hope and Love," and this is it :

Faith, Hope, and Love ; these three :
  But the greatest of these is love ;
For Faith and Hope will pass away
  When we reach the land above.

When time becomes eternity ;
  For Faith we'll have no need ;
What now we see by Faith alone ;
  We then shall see indeed.

When Hope becomes reality,
  Then Hope will fade away ;
But Love's an attribute divine ;
  And Love must always stay.

God has no need of Faith and Hope,
  But even God must Love,
For life is Love and Heaven is Love ;
  And Love is God above.

Now, Mr. Speaker, you may get up fine sentences ; the Minister of Justice may prepare a learned speech ; the mosaic of the Minister of Finance may be delivered here in the finest eloquence, made up either at the moment or by the oil of the midnight lamp, and given in the best architectural style, but without love they are worthless. Now, Mr. Speaker, study history, and go right back to Adam. Let us get to first principles, Mr. Speaker. Why was Adam put out of the garden of Eden ? If he had loved the woman right and she had loved him right, you would have had a better country than you have, and the race would have been so perfected in human form that you would not be able to find anywhere a man in the shape of the representative for Winnipeg (Mr. Martin). It was the obliteration of love from the human heart, when they were turned out of the garden of Eden, that has been lowering the human race. Sometimes human beings will breed on and you will get good ones from a noble heredity, but they do not have that true development. They are like the queen bees in a hive. Now, love is what is wanting. You want to change and bring in love. I believe that the hon. member for Montreal Centre (Sir Donald Smith) has lots of love in his heart. He went up to Winnipeg out of pure kindness of heart. He went up out of love, to kill the venom that was bred by the Greenway government, and fostered by his Attorney General, to enable him to hide a railway transaction in which he was implicated. We find that the great men of this world have had large love. Why was Sir John Macdonald greater than other men ? They will tell you : Oh, he was a trickster, look out for old John A., he will fool you. But he was greater than other men because he had more love. And to illustrate to you more forcibly that doctrine, I have a selection here which I hope will impress this House with the truth of it. I want this

House to hear it, and this country to read it. Now, you must pay attention, or you will lose some of these valuable sentiments. It is this, Mr. Speaker :

> To be a king in the most absolute sense, was to be a ruler over the heart ; to be a ruler over the heart, it was first necessary that the sovereign should be a subject. He who would win the love of others, must first be dominated by the love of others ; captivity must precede captivation. Inspired by this deep principle of morality, the Master conceived the grand design of establishing a kingdom that could never be moved—a kingdom, not based upon the physical power which was perishable, nor even on the intellectual Platonic power, which could only exist through the ignorance of the many, but on a power whose foundation was the noblest element of humanity itself—the capacity for love. He proposed to conquer the heart of the world, and to conquer it by the exhibition of his own heart. The founders of previous kingdoms had sought to rule by placing in the foreground the display of their personal superiority ; the founder of Christianity resolved to subjugate mankind by the sacrifice of himself. The kings of former times had fought their way to empire by shedding the blood of their enemies ; the aspirant to this new kingdom determined to secure dominion by shedding his own.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. METCALFE. I was about to remark before recess that the Catholic schools of Manitoba, prior to the Bill which took away the rights of the minority, were not inefficient schools as they are charged with having been. I have a report here from Mr. Young on these French schools. In 1892, Mr. Greenway appointed Mr. Young to make an inspection of the Catholic schools. His report is thought by Catholics to be very unfair to them, but, nevertheless, I shall read it, so that the House may see what is the worst that can be said by a gentleman appointed to find fault. Mr. Young's report says :

> I beg to submit the following report of the schools visited by me during the latter part of the year 1892 :
>
> " During the past three months I visited over fifty districts, the majority of these being in the French settlements along the Red, Assiniboine, Seine and Rat Rivers, and formerly under the jurisdiction of the Catholic section of the Board of Education.
>
> " The seating accommodation in many of the schools is insufficient ; a few are provided with patent desks, but the greater part still use the home-made desks and benches.
>
> " As a rule the blackboards used are much too small, and in many cases of poor quality. With only two or three exceptions, all the schools visited by me were well supplied with a sufficient number of good maps.
>
> " Five schools are claimed to be conducted according to the Public Schools Act of 1890, in regard to religious exercises. Of these three are in charge of teachers holding first-class certificates, one is in charge of a teacher having a second-class, and one in charge of a teacher having a third-class certificate ; of the total number of teachers seen by me, about fifty per cent hold first-class certificates, twenty per cent hold second-class, and ten per cent have third class certificates. About twenty per cent are teaching without certificates, these being young lady graduates of the various convents who have begun teaching since the closing of the St. Boniface Normal School.
>
> " Of the schools visited by me six were in charge of male teachers. The salaries paid are in all cases very low.
>
> " There is an average enrollment of over thirty pupils to each school, some of the larger schools having from 100 to 150 pupils.
>
> " With remarkably few exceptions, English is taught in all the schools. The parents and trustees recognize the desirability of having their children study English, consequently those teachers who have a sufficient knowledge of the English language to teach it successfully are in much greater demand and receive higher wages than those who understand the French language only. As a rule the scholars read and translate English in a very creditable manner.
>
> " In Ste. Anne's Convent, where, through the courtesy of the Rev. Father Giroux and the sisters in charge, I was given every opportunity to examine the school work, I found the higher classes remarkably well advanced in English, their pronunciation being exceptionally good.
>
> " In regard to French reading, there is room for considerable improvement in expression.
>
> " A good share of attention is given to arithmetic ; this subject, however, could be more successfully taught if the schools were provided with a more liberal supply of blackboards.
>
> " Very creditable work is done by many of the more advanced pupils in composition, written translations from French to English, letter writing, &c. As a rule the books used for this purpose are kept extremely neat, and reflect credit on both teachers and pupils.
>
> " In teaching geography good use is made of a liberal supply of maps with which the majority of the schools are supplied.
>
> " A noticeable feature of these schools is the very limited number of boys in the higher divisions."

An extract from Mr. Young's report for 1893 may be added, because of the complete answer it gives to Mr. Wade's " anti-British " statements :

> " In all districts visited by me, I found a strong desire on the part of all concerned to make the teaching of the English language a prominent feature of the schools. In one district this idea was carried so far that the teacher was forbidden to make any use of the French language. This I consider to be a mistake."

Mr. Young's reports commenced two years after the Catholic schools had been deprived of the government grant ; and they struggling with financial difficulties, and when it had become important to condemn the Catholic schools. How far does it justify the statement that education in these schools " was farcical to the last degree, a wretched travesty of what education ought to be, and a disgrace to the province of Manitoba." Let me compare the report just quoted with some extracts from reports of the schools for the year 1894—schools under the present system, schools in full enjoyment of public favour and support.

In Mr. McCallum's Report of the Eastern Inspectoral Division, I find the following :—

"The irregularity of attendance in the majority of schools is a deplorable fact."

"Of the one hundred and forty teachers of the division, nineteen held first-class certificates, seventy-five held second-class certificates, thirty-nine held third-class certificates, and seven held permits."

"Twenty-five teachers—about eighteen per cent of the total number—were without any previous experience, or professional training whatever."

"In advanced classes too little attention is given to the mechanics of reading, and indistinct articulation, and lack of clearness of enunciation are too common."

"Writing does not receive that faithful attention it demands, and results are almost uniformly poor."

"In the subject of geography teachers are handicapped by the lack of reference books."

"In music, notwithstanding that the subject has formed a part of the course of instruction at the provincial and local normal schools for the past two years, the teaching is somewhat spasmodic."

In Mr. S. E. Lang's Report of the North-west Inspectoral Division, there is the following :—

"It would perhaps be correct to say that about two-thirds of the teachers are doing work which may be described as fair. Of the remainder about one-half are doing very good work. while the others must be classed as unmistakably poor —very poor in some cases."

"The meagre results in arithmetic are probably due to a misapprehension of the nature of the science of number."

"It is not surprising to find the advanced work in arthmetic poorly done in many cases when it rests on a weak foundation of elementary training."

"In the subjects of history and geography the dependence of some teachers upon the text books is still painfully apparent."

"In this district there were but four teachers holding first-class certificates ; fifty-eight with second-class. and sixty-eight with third ; and eighteen without any certificates at all."

In Mr. Lang's report for 1893 is the following :—

"In nearly every school in this division a test was made to discover how many of the pupils above second standard could use correctly the following words :—'done, did ; seen, saw ; set, sit.' It was found that about ninety per cent of the pupils 'done' their exercises ; 'seen' the cows ; 'set' in their seats ; and were in the habit of 'laying' down.

In Mr. E. E. Best's report of the South Central Division, there is the following :—

"It is to be regretted that an unfavourable report is due on the state of school yards and school environments."

"The supply of apparatus for primary work is deficient, and reference books for advanced classes are not well supplied. The remedy in most cases lies in the hands of the teachers."

"The teachers in charge held all grades of certificates, and represented all stages of proficiency. from the very highest standard of moral and professional excellence. down to those who had neither training, experience nor aptitude."

"The reading done in the schools is largely unsatisfactory."

In Mr. A. S. Rose's report of the South-west Inspectoral Division, there is the following :—

"There is a most regrettable indifference on the part of trustees and ratepayers in the matter of caring for school property."

"Irregularity of attendance is a most discouraging feature in rural schools. Many children are actually growing up without receiving even the rudiments of a public school education. I visited one school in which there had not been a single pupil for six weeks. The teacher, who was in the habit of visiting the school each morning, was in receipt of a salary of $40 per month."

"I do most earnestly trust that the time has now fully come when the practice of allowing persons without professional training, and without experience, to engage in teaching, may with safety be discontinued. * * * In any case, it would be infinitely better that, in the event of a scarcity, the certificates of trained and experienced teachers should be extended, than that girls of sixteen and youths of eighteen, with neither training nor experience, and possessing only the scanty scholarship necessary to pass the third-class non-professional examination, should be turned loose upon the public to draw their salary, and to waste the 'precious morning hours' of the children who are so unfortunate as to be placed under their control. The cases are rare in which the closing of the school would not be preferable to the employment of such teachers."

We find that the last state of that arrangement regarding the schools was worse than the first. I may say, that I had the pleasure of visiting several of the schools prior to 1890, and I found those schools in many cases quite as good as the schools of Ontario. I visited one school, the Academy of the Immaculate Conception, in June, 1889. That was prior to the enactment of Greenway's law, when he took away the rights of the minority. The Academy of the Immaculate Conception was one of the best conducted I ever visited in my life. I examined a class in grammar, in parsing and in other branches of grammar, and found the scholars to be very well informed. I examined a class in arithmetic, and found children from eight to thirteen years of age quite as far advanced as I have seen them in Ontario, and I have visited the public schools in most of the large cities of that province. And will say this—that in the subject of geography, you would not find one school in a dozen in Ontario where the children were so well up. And, as to map-drawing, I asked for one of the maps drawn by one of the little girls. I have it here, Mr. Speaker, and you can look at it, and the members of this House can look at it. There is an object possessing these grumblers and growlers against the efficiency of the schools in Manitoba prior to 1890. I have already stated, that the school I have referred to was one of the best conducted schools I have ever visited. And, Mr. Speaker, I have had the pleasure of teaching a fairly good school in Ontario myself, and know something about it. I never was one of these high-flown teachers who could teach everything, from a spade to a steam-engine, but I turned out boys so that they became useful, when they went out into the world. Most of them were Conservative. I did not turn them loose upon the world to vote Grit, if I could help it, though I did not talk to them about politics in school. I represent the city that is called the Derry of Canada. That is where the member for West York (Mr. Wallace) went, when I told him to be as wise as a serpent and as harmless as a dove. You know how harmless or how wise he was. He did not learn the lesson I endeavoured to teach him. How many letters have I received to say: Metcalfe, don't you vote for that iniquitous Bill? I received one solitary letter. And was it written by a man digging in a ditch, or sawing wood, or working in a factory, or carrying on a store? No. The writer was a minister of the gospel. And what did he say? Did he give me any reasons for voting against the Bill? No; he simply said: Vote against the Bill. Stand to your guns. Well, I intend to stand to my guns. I answered him back in this way, saying: There is a golden rule enunciated by the great Teacher whom you represent, and if all the Scriptures, new and old, were lost, you would still have the essence, and pith, and kernel, of those gospels in these words: "Whatsoever ye would that men should do unto you, do ye even so unto them, for this is the law and the prophets." Now Mr. Speaker, this is brimful of love, too. But acting on the principles of kindness and good-nature, I will say this, that the Bill before the House is a good Bill. I think the Bill relieves an oppressed minority. I believe that every word uttered by the leader of this House, was uttered with a good, kind heart, with the intention of doing good. Mr. Speaker, our leader is a good teacher of political economy. He has been a useful man to this Dominion, both on this continent and in the motherland. He, Sir, was the right arm of the great chieftain, Sir John A. Macdonald, and as he lies in Cataraqui, beyond the city which I represent, his right arm is here to-day in the person of that right hon. gentleman. I have stood beside Sir John A. Macdonald when men reviled him in the most miserable epithets that could be hurled against any public man, and who are to-day stating that he was the greatest statesman Canada ever produced. And when the right hon. gentleman who leads the House to-day, shall have been taken away from things terrestrial to things celestial, these very gentlemen will say: Oh, he was a noble man, he was a lovely man. But what is the use of throwing a rope to a man when he is drowning, after he swims to a rock and clings to it himself? He don't ask anything from those gentlemen, he don't want anything from them. The more they belittle him, the more the people of Canada will think of him. It is the greatest encomium that can be passed on a public man in the Conservative party to be derided by these gentlemen. What have they done for Canada? Look at what the right hon. gentleman has done. When an hon. member told him that he should be at home in England, thrusting his arm down into the lungs of cattle, he quite well knew that he looked after all those things when he was there, and put them right, and is ready now to come here and put his knife into the liver of the Grit party. Sir, if I had no text, if I had nothing to talk about, I could talk about the leader of the Government in this House, and against those who deride him, and could make a speech that would keep you here until the cocks crow in the morning. Sir, I know my right hon. friend does not need my poor, weak support, but I can tell the House that if he needs my services in the coming election, I tender them to him to-night. They will hurl at me the charge that I am eating dirt. I do not have to eat dirt. I am going back to my constituency, and can appeal on this Bill to the broad and liberal-minded people, both Catholic and Protestant, in that city. I have been accused of being against Catholics in times past when I was supporting W. R. Meredith in the local house; but I went back to my constituency and appealed to the Roman Catholics on the ground of fair-play, against the influence of priests and bishop, and secured a large majority of the Catholic people of the city of Kingston. If I go back to the city again as a supporter of this Bill, I will come back here to support the hon. gentleman Sir Charles Tupper, when there will be a still smaller Opposition than there is to-day. This question has to be settled, and let us settle it right. You have got to go to first principles. There are some Protestant popes, and I speak this advisedly—Protestant popes—because there is more than the Pope of Rome, there are Protestant popes as well as Roman Catholic popes. Now, Mr. Speaker, Bishop Faber, a distinguished prelate, in speaking of doing right, said:

> Thrice blest is he to whom is given
> The instinct that can tell
> That God is on the field,
> When He is most invisible.
>
> Blest too is he who can discern
> Where real right doth lie:
> And dares to take the course
> That seems wrong to man's outward eye.
>
> For right is right since God is God,
> And right the day must win.
> To doubt would be disloyalty,
> To falter would be sin.

Mr. Speaker, I would call upon men on both sides of this House not to falter, not to be afraid, but to go on and vote for that which their hearts will tell them is right. Be led by no long ago, antiquated philosophers, who will put you on the wrong track, like the hon. member for Albert (Mr. Weldon), or like the hon. member for Bothwell (Mr. Mills), or like other gentlemen who have been leading you through the intricate mazes of interminable logic which no ordinary man can understand. Mr. Speaker, this question has to be settled, and when it is settled, let us settle it right. I hope it will be settled right. As Ella Wheeler Wilcox said :

However the battle is ended,
Though proudly the victor comes
With fluttering flags and prancing nags
And echoing roll of drums,
Still truth proclaims this motto
In letters of living light—
No question is ever settled
Until it is settled right.

Now, Mr. Speaker, is the time for this House to settle it right.

Though the heel of the strong oppressor
May grind the weak in the dust
And the voices of fame with one acclaim
May call him great and just,
Let those who applaud take warning
And keep this motto in sight—
No question is ever settled
Until it is settled right.

Let those who have failed take courage,
Though the enemy seemed to have won,
Though his ranks are strong, if he be in the wrong,
The battle is not yet done,
For, sure as the morning follows
The darkest hour of the night,
No question is ever settled
Until it is settled right.

O man bowed down with labour,
O woman young, yet old,
O heart oppressed in the toiler's breast
And crushed by the power of gold,
Keep on with your weary battle
Against triumphant might,
No question is ever settled
Until it is settled right.

Sir, I cannot find any argument, I have not heard any argument, that has been adduced by any member in this House, in any speech that has been made, or in any paper I have read—and I have read both for and against this Bill—which strikes me forcibly enough to make me vote against this Bill. I believe this Bill is a righteous measure, a measure calculated to promote the peace and prosperity of this Dominion ; and I hope that when the cloud of prejudice and bigotry shall have rolled away, when the vote that will be taken to-night shall make this matter as nearly law as the second reading can make it, it will have the effect of producing peace and harmony in this Dominion, and settle this vexed question.

Mr. McNEILL. I ought really to apologize to this House for proposing to take up any more of its time, or proposing to say one word more in reference to a subject which has been discussed at such great length. But one or two statements have been made in respect to this matter in the course of this discussion which I do not feel at liberty to allow to pass unchallenged, and, therefore, while I would pay all respect to the wishes of an hon. gentleman who suggests that I should sit down because he has been out of bed so long, as we all have been, and although I shall endeavour to be as brief in my observations as possible, yet I venture to ask hon. gentlemen for their attention for a few moments. I entirely agree with what has last fallen from the hon. gentleman (Mr. Metcalfe), who has just addressed the House, and I give him the fullest credit for the most firm and absolute belief that the course he is about to adopt is right. I believe that as he says nothing can be settled unless it is settled right, and it is just because I believe nothing can be truly settled unless it is settled right, that I for my part, feel it to be my duty to raise my voice in humble protest against the course which is being pursued by the Government in respect to this matter. I do not think it right for this Parliament, which is a dying Parliament, which has no mandate from the people to deal with this question, to take advantage of the accidental circumstance that we are holding a sixth session of this Parliament to force a Bill through this House and thereby to deprive the people of this country of the constitutional right they have to be consulted with respect to this question, to force through this House a measure such as this, a measure fraught with such peril to this great Dominion, which we all love so much. It is because I do not think it right that I raise my voice and protest against this course, and I hope hon. gentlemen who sit around me, hon. gentlemen who have acted with me in this House, some of them for fourteen years past, will give me credit at least for the same degree of honesty in the course I take as they would wish to have accorded to themselves. I must say, Mr. Speaker, as I have been drawn aside to make that remark, that I regret some observations which have fallen from hon. members of this House, who, from the position they occupy, would be expected and ought to set a different example in that regard.

Mr. TISDALE. No reflections.

Mr. McNEILL. I say when an hon. gentleman interrupts me by calling out " no reflections," that is just the very matter I am referring to, and I am saying that there should be no reflections on the motives of supporters of the Government in this House, who happen to differ from them, honestly and conscientiously, in the course they have taken, and who regretfully pursue a different course

Mr. TISDALE. I rise to a point of order. I have not heard any reflection cast on any hon. gentleman in this House, either the hon. gentleman or any one else. If the hon. gentleman refers to matters outside the House, they are not pertinent. I object to the statement that reflections have been made on hon. members.

Mr. CHARLTON. Reflections have been made.

Mr. McNEILL. I am somewhat surprised at the remarks which have fallen from the hon. gentleman who has interrupted me. If he did not hear the remarks made——

Mr. TISDALE. Reflections, I said.

Mr. McNEILL. Are not reflections remarks ? If he did not hear the remarks made, I am surprised, and certainly if he had read his "Hansard" he would have found them there. If he will read the report of the speech delivered by the Minister of Railways and Canals he will see if there are any reflections, when that hon. gentleman suggested that members of this party who differ from the Government in regard to the course they have pursued were actuated by motives of this kind, that they thought they had not attained that position in the ranks of the party to which their abilities entitled them, that they had not received that consideration at the hands of the party to which their abilities entitled them, and that that was the reason why they had pursued the course which they felt it to be their duty to pursue. If the hon. gentleman does not think that is an improper reflection, then I can only say I am sorry for the hon. gentleman. I consider it an improper reflection, and I am in the judgment of hon. members on both sides of the House as to whether it be an improper reflection or not. I hope when the hon. gentleman interrupts me in the course of my remarks he will, in future, do so with an interruption a little more relevant.

I was about to say when I was interrupted that we who oppose the Government of the party of which we are members, do so with the most extreme regret. It must always be a matter of extreme regret to any member of a great party, who believes in the principles of that party, who believes that the success of that party is of the utmost importance so far as the well-being and prosperity of the country is concerned, when he feels himself obliged to oppose the leaders of the party on their policy respecting some matter of considerable moment. I wish to say for myself that I consider I am just as sound a Conservative as the hon. gentleman who interrupted me, and I think those hon. members who, like myself, regret to feel obliged to oppose the Government in regard to this matter are just as good Conservatives as the hon. gentleman, or any other hon. member in this House who holds the views he holds. I say, Mr. Speaker, if I have been drawn into making observations perhaps with a somewhat greater degree of heat than they ought to have been made,—because I remember very well the speech addressed to the House by the hon. member for Montreal West just before you left the Chair, Mr. Speaker, at six o'clock,—I attribute it largely to the fact that we have been kept here without rest and without sleep in order to force this measure through the House, in my judgment, in a most improper manner.

Some hon. MEMBERS. Order.

Mr. McNEILL. I think, at all events, I have a right to express my opinion without being interrupted. I say I attribute it largely to the fact that we have been kept in session here since three o'clock of yesterday, without intermission, and it is not unlikely under all the circumstances, that hon. members may not feel as well able to discuss a question of this kind with that degree of calmness they would be able to show under more favourable circumstances. I am regretfully obliged to oppose the Government on this question. I think their course has been, up to very recently, a most unfortunate course. It has been a course, as I have ventured to say in this House before, not such as we would expect to be adopted by men who were guided by British precedents, but it has been a course of force and coercion rather than a course of conciliation and compromise, and, for my part, I am delighted to learn that more reasonable counsels have prevailed, and that now there seems to be some hope of our succeeding in removing this most dangerous question from the arena of Dominion politics. I say, Sir, that no one who listened to the speech that we heard before Six o'clock, no one who heard the broad-minded, statesmanlike utterances of the hon. member for Montreal West (Sir Donald A. Smith), could fail to have been struck with this fact, that, had such a policy as the policy which is now being adopted, been adopted in regard to this matter at an earlier day, the probability is, that all this trouble, that all this difficulty, and all this danger to the Dominion would have been avoided. And, Sir, I wish to say, further, in regard to that hon. gentleman, and I think I will receive the support and the sympathy of every hon. member in this House, and of the people of this country outside of this House, when I say, that the thanks of this Dominion are due to that hon. gentleman (Sir Donald A. Smith) for the course that he has pursued in regard to this matter, and for the energy that he has displayed. And I will go further, and I will say, that, taking into consideration the condition of the hon. gentleman's health, at the time when he undertook his journey to Manitoba, the thanks of the country are due that hon. gentleman for the heroism he has displayed in endeavouring to bring about such a settlement of this question as would redound to the best interests of this Dominion.

Now Sir, for my part, I will say this : that I have never said—and I do not wish to be misunderstood—I have never said, that such a condition of things might not arise as would justify the interference of this Parliament in matters relating to provincial educational legislation. I have never said so, because I do not think so. I think circumstances might arise which would justify the interference of this Parliament in that regard. But I say, that, as a rule, the wise course to pursue is, not to exercise the powers vested in this Parliament by the constitution ; but on the contrary, to leave the matter to the broad-minded liberality which lies at the hearts and is to be found in the sober second thought of the people of Canada, as has been proven in regard to the province of New Brunswick, in regard to the province of Nova Scotia, and in regard to the province of Prince Edward Island. I say, Sir, that only circumstances of an extreme nature would justify us, would justify this Parliament in putting its hands upon any province in this Dominion, and endeavouring to coerce that province and the legislature of that province in the manner proposed by this Act. I say, further, that, so far as this particular matter is concerned, I have the fullest faith and the fullest belief, that, if the Government of this country had dealt with the province of Manitoba in a different manner, if this matter had been left to the good feeling of the people of Manitoba, there would be no need whatever for the interference of this Parliament in connection with the demands of the minority of the province of Manitoba. I believe they would receive the same justice, the same fair-play, the same broad-minded toleration as the Catholics in other parts of this Dominion have received. I think, Sir, it is something more than unfair to the province of Manitoba to assume, gratuitously, that that province would not be willing to deal as fairly with the minority there as any other province of the Dominion would be.

Now, Sir, I wish to call attention to the main argument, and the only argument, really, on which the Government founded their excuse for the course they have pursued. The only argument upon which they base an excuse for their conduct is the argument, that they are compelled by the constitution to do what they have done. And, if this House will excuse me for a moment—weary as it must be in regard to this matter—if the House will have patience with me for a moment, I desire to endeavour to make plain to hon. members present, at least, the reasons which led me to believe, and led me to the firm conclusion, that there is no excuse of that kind which can be fairly urged for the course of the Government.

Now, the only matter which we have to consider, in regard to this alleged compulsion by the constitution, is the construction of one section of the Manitoba Act. That section is divided into two parts, and the Judicial Committee of the Privy Council have told us, that it is only the second of those sections that we have got to consider. Will you allow me, Mr. Speaker, for one moment, just to call the attention of the House to that subsection, and, in order to consider this subsection, I will have to call attention to the first subsection. The first subsection of this clause says that :

> Nothing shall prejudicially affect certain rights.

Now, what are these rights ? Are they all rights that the minority have as to education ? No. If they were all rights, then, it would be fair to say, that these rights, which were granted after the union, were protected and preserved by this constitution, so that the Government of this country would be obliged to preserve them. But that clause does not say, "all the rights." That clause is specially limited. Why was it limited ? Why were the limiting words introduced ? Why is the clause specially limited to "rights which belong to any class of persons at the union ?" If it was intended that these schools which were granted after the union, were to be protected in the way in which it is suggested, and that we were bound to restore them, why were these words "at the union" introduced, guarding the rights which were in existence at the union ?

> Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have, by law or practice, in the province at the union.

Why were those words "at the union" put in ? Why did it not read "nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law or practice" ?

Mr. GILLIES. Why were the words "by practice" inserted ?

Mr. McNEILL. The words "by practice" were put in to secure those rights which by practice they had at the union. But the words "at the union" were put in simply because the framers of the constitution, when they framed that clause, had deliberately made up their minds that it should not apply to rights and privileges that came into existence after the union. What other interpretation can be given to them ? Now, if those separate schools which were granted after the union could be shown to be protected by that clause, it would be perfectly right and fair to say that we would be obliged to put them back again, or rather that they could not have been taken away. But the framers of the constitution deliberately refused to say that; and what did they do? They drew another clause, and they divided the rights which were in existence at the union from the rights that came into existence after the union. With regard to the latter, they provided a perfectly different kind of protection, and why? Because they knew nothing as to what those rights would be. How could they possibly say that rights that were unborn rights, as to the nature of which they could know nothing, rights which might be obtained by a mere snap vote of the legislature, were to be hung about the neck of the province for all time? They did not so stultify themselves. On the contrary, they provided a perfectly different kind of remedy in case of interference for those rights; and what was that remedy? It was this, with regard to those rights: "An appeal shall lie to the Governor General in Council from any Act or decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education." In place of saying, as they had said with regard to the first class of rights, that those rights which come into existence after the union cannot be affected, they contemplate their being affected; and they say, If they are affected, we will provide a tribunal specially to deal with them. And what was that tribunal? That tribunal was composed of the successors of those who framed the constitution—in other words, the Parliament of Canada. This Parliament of Canada was the tribunal which was to deal with those rights—to deal with them as a Parliament—not upon technical considerations of law, but as a Parliament, upon the broadest principles of public polity. Now, Sir, it is endeavoured to be argued that under this section this Parliament is obliged to give these rights back again. It is endeavoured to be shown that the decision of the Judicial Committee of the Privy Council declared that we were obliged to give them back again. What do the judges say in regard to that? Lord Watson says, in as many words, that the Parliament of Canada is certainly under no legal compulsion to act—that they can either act or not as they please. And when it is said that the judges have decided that this Parliament is obliged to act with regard to this matter—when it is said that they have given an opinon as to what we should do in regard to this matter—I wish to call your attention to what the judges really did say in regard to it. The Lord Chancellor says, at page 62:

> There is a case for the jurisdiction of the Governor General, and that is all we have to decide.

At page 38, the Lord Chancellor says:

> All we have to see is what we think the jurisdiction of the Governor General is.
>
> Mr. Blake—The question whether upon the whole, acting in their political capacity, the Privy Council believes that they ought not to act, or to act in what we may consider a lame and half-hearted way, or to go the whole length of our demand, is no part of the question I have to submit to your lordships.

And again, at page 121, Lord Watson says:

> I am prepared to advise the Governor General, and decide on the meaning of this clause, but I am not prepared to relieve him of the duty of considering how far he ought to interfere.
>
> Mr. Haldane—That may be.
>
> Lord Watson—That would be trenching upon very dangerous ground.

Now, Mr. Speaker, after the judges of the highest tribunal in the Empire have in these explicit terms set bounds to their jurisdiction in regard to this case, after they have said in the most explicit terms, "We have a certain question to decide, and to go beyond that would be to trench on very dangerous grounds." I want to know how it can be said with any degree of fairness, and without a blush, that these judges of the highest tribunal in the Empire have deliberately overstepped the bounds which they themselves have laid down, and decided a matter which they themselves said it was not in their jurisdiction to decide.

We are told, that they have overstepped these bounds. We are told, that, in a sentence of their judgment, which, I say, is wrested from its natural meaning, they have told us what we ought to do in order to redress this grievance. And we are told—you have heard it said right and left by speaker after speaker on the Government side—that we are under compulsion, by reason of the decision of the Judicial Committee of the Privy Council, to redress this grievance. Is that so, or is it not? Has it not been stated, ad nauseum, during this debate? If the Judicial Committee of the Privy Council, if judge after judge on that committee have themselves said, that that question was not before them at all, is it to be supposed, that they overstepped the bounds which they themselves say are their limit? In the judgment I find that their lordships declare, that they are not concerned with the policy of these Acts, nor with the reasons which led to their enactment. Now, just listen to this sentence:

> It may be that the population of the province became in proportion more largely Protestant, it was found difficult, especially in sparsely populated districts, to work the system inaugurated in 1871, even with the modifications introduced in later years.

It may be true, that it was found an increasing difficulty—and the difficulty might become an impossibility after a time—to work this system inaugurated in 1871, which was swept away, even with the modifications introduced in latter years. What did the Privy Council say with regard to that? They said: "But whether this be so or not, is immaterial." They were not to consider whether this was a wise, a politic act, a necessary act at all. As they say, in the next sentence :

> The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed has been affected by the legislation of 1890.

They were simply considering the question, whether that right had been affected or not. If it had, then the Governor General had jurisdiction, and that was all. But they say : With the policy of the Manitoba government, whether those Acts were wise, or just, or necessary, they had nothing to do. It is entirely immaterial. Why ? Because they were simply a court of law, deciding a pure question of law, submitted to them, namely, have we a right to deal with this question at all ? That is what the decision of the Judicial Committee of the Privy Council amounts to, and that only.

That being the case, it is open to us to deal with this question in accordance with the decision of the Judicial Committee. How ? As a Parliament, on the broadest grounds of morality, on the broadest ground of public policy. On those grounds it will consider the interests of the minority in Manitoba, the interests of the majority in Manitoba, the interests of the province of Manitoba, and the interests of this whole Dominion. These are the grounds on which we have to consider this question. And, when you are told, that you are forced in any way whatever by the decision of the Privy Council to take one course or the other, you are simply being asked to believe, that the judges of the highest court of the Empire transcended the bounds which they themselves said were their limits, and proceeded to deal with a matter which was not before them at all, proceeded to interfere with the local politics of the Dominion, proceeded to interfere with our jurisdiction as a Parliament in reference to the local politics of the Dominion. Now, I think that any one who has at heart, as we all ought to have, the interests of this Dominion, and the interests of this Empire, ought to be very careful indeed how he throws a slur of that kind upon the judges of this august tribunal. And I, for my part, repudiate here, with all the strength at my command, the imputation which is cast upon the highest tribunal of the Empire by this statement. I say, that these judges were too wise, too able, too experienced, to do what it is alleged they have done. I say, that, for my part, if we had a great Imperial chamber at Westminster composed of representatives drawn from Canada the various parts of this great Empire, and dealing with Imperial affairs—and whether we shall or shall not have such a chamber some day, is something I should hesitate very much to pronounce upon, one way or the other—I say, if we had such an Imperial chamber, I should feel very much aggrieved if that chamber were to interfere with our local affairs in Canada, because the local affairs of the Dominion ought to be left to the Dominion, and no scheme of Imperial union has ever contemplated anything else, than that local parliaments should be supreme in local affairs. If I would resent the interference of the Imperial chamber in our local affairs, how much more would I and would the people of the country have the right to resent the interference of four judges in Westminster in our local affairs, and their adjudication and advice with regard to our local affairs, which were not before them at all ?

Therefore, I say, that we have to consider this question, not from the point of view in which it is placed before you by many of the speakers who have addressed this House on that subject, not from the point of view that the constitution compels you to do one thing or the other with regard to this. The only decision you have with regard to the constitution, is the decision the judges themselves said they were giving, namely, whether you have jurisdiction to deal with the matter at all ; and it is left to this Parliament to deal with it in the way it thinks best. And the question we have to decide is, whether it is best, in the interests of Manitoba, that separate schools should be established there. The proposal is to re-establish separate schools, and it is for this House to say whether it considers, in its wisdom, that it is good or ill to do so. I think, after the argument we heard here the other night, and with the experience we have to-day in reference to separate schools in this Dominion—our experience, that, when separate schools do not exist, there is peace, harmony, good feeling, and good fellowship, and, where they do exist, we have bitterness, and strife, and distrust—that experience alone ought to be sufficient to decide us as to what is the wisest course for us to pursue with reference to this matter. It is said that this is unjust to the minority, because there was an agreement that they should have separate schools. Now, I listened with the very greatest interest to the statement of my hon. friend from Montreal West (Sir Donald A. Smith). I was very much impressed by what he said. But there was nothing that I heard him say which would lead me to suppose that any arrangement was ever made with the minority in Manitoba to the effect that the kind of separate schools that they got after the union were to be preserved to them in perpetuity. On the contrary, as I have already pointed out, the very words of the constitution show that it was not the intention of the framers of the constitution to preserve such rights in perpetuity. For the constitution provides that appeals on violation of these post-union rights shall be referred to this Parliament, while the pre-union rights shall be preserved in perpetuity. Well, after the union an Act was passed establishing separate schools. For nineteen years that system of separate schools was tried and then it was found to be in the interests of the majority, in the interests of the minority, in the interests of the province, that these separate schools should be done away with and a system of national schools established. And we are asked here to-day, with a strong hand to destroy this system of national schools and to set up again this system of separate schools, which, after nineteen years of fair trial were found to be a failure. We are asked to do that, why ? I grant that an arrangement was made before the union with regard to a different kind of separate schools altogether which were in existence before the union, and which are safeguarded by the first clause under which the minority have the right to support their own separate schools, as they did before the union with whatever assistance they had before the union. When we are told that there was a bill of rights guaranteeing in perpetuity these separate schools which came into existence after the union, then, I say, that bill of rights is in direct conflict with the constitution. It could not have been the intention to preserve these separate schools that came into existence after the union, because the second clause distinctly provides a different mode of dealing with them than with the others, and the first clause distinctly precludes the idea that rights coming into existence after the union shall be preserved in perpetuity by limiting the rights to be preserved in perpetuity to those existing at the union. But it is said that the Barrett case, which is the case under which it was decided that only the rights existing at the union were to be preserved was badly decided. Well, now, it does seem to me curious argument in the mouths of gentlemen who are crying out the "constitution" to say : We are not going to be bound by the decision in Barrett's case, because we think that case was badly decided.

Mr. GILLIES. Who ever said that ?

Mr. McNEILL. I have heard it very often said ; I have heard it in this House. An attempt is made to create a certain sympathy in regard to this matter by saying that this was a hard decision, that it was scarcely broad enough.

Mr. GILLIES. It stands there and we are bound by it.

Mr. McNEILL. And, furthermore, I wish to point out that it was in reality a very broad decision. Attention has not been called to this matter as it ought to have been. This appeal in Barrett's case was a very clever and very subtle attempt to get rid of the provisions of the constitution. Now, the constitution, as we have seen, and as I am very glad the Finance Minister in his able speech himself declared, distinctly provides that questions relating to post-union rights shall be brought before Parliament and shall not go to a court of law. Therefore, all such questions are to be decided upon grounds of policy, upon grounds such as may be presented and considered by a legislative assembly. But in Barrett's case, the rights with regard to which appeal was made were not the rights which were sought to be established at all. The right which were sought to be established was the right to post-union separate schools. But, in place of bringing this appeal to this House, as required by the constitution, they got round the constitution by appealing with regard to a right as to which they had very little regard, namely, the right which they possessed to support these pre-union separate schools with their own money. By appealing under the first subsection, they took the case to the courts of law. What they wanted was to get their post-union separate schools re-established. In place of appealing about that which would have brought them to this House, they appealed with regard to the pre-union schools, as to which they cared very little, in order to take the matter to the courts of law, and in order thereby to strike down the legislation of the province 'en bloc.' If the case had been brought to this House, if there had been any provision in the statute which we considered unjust, we could have dealt with it, and we could have ordered the province to restore the right. But by taking it to the courts of law, they asked that the whole Act should be declared ultra vires, and that the whole Act should be struck down, with all it provisions, whether they were just or not. And why ? Because they did not wish to bring this case with regard to the interference of the rights of a province before this House ; they did not wish to bring an appeal to this House, for, on a former occasion, when the same thing had been done with reference to the New Brunswick schools, the House refused to interfere. Therefore, by this side wind—if I may so express it, without desiring to use an offensive term—it was endeavoured to get beyond the provision of the constitution, which declared that the case should come to this House, and to take it into the courts of law, and thus to strike down the legislation of the province altogether. The decision in the Barrett case said, in effect, that courts of law were not the proper tribunal in effect, the decision in the Barrett case said that that appeal was not well founded ; and therefore, broadly speaking, justice was done to the province of Manitoba, because it was thus enabled to have its legislation dealt with by this House in the manner provided by the constitution. Now, Mr. Speaker, at this stage of the debate, I do not feel inclined to weary the House with any lengthy remarks. I think I have talked on this matter of the constitution, probably, too much already. I wish to say, however, that when the hon. member for Montreal West (Sir Donald Smith) appealed to the hon. members of this House to vote for the second reading of this Bill, appealed in those most eloquent words which he employed, and in that most patriotic spirit in which he addressed this House, I think he asked hon. members who are conscientiously opposed to separate schools, to do rather more than it is possible for them to do. I cannot vote for the second reading of this Bill, because, by dong so, I would accept the principle of the Bill, and the principle of this Bill is that this House shall coerce the province of Manitoba to the extent of forcing separate schools upon that province.

Sir CHARLES TUPPER. No, no.

Mr. McNEILL. If any hon. gentleman says no, I should be very glad to be enlightened by him. I know it is not easy to enlighten us—we poor irreconcilables. We were told the other day that it was very difficult indeed to enlighten us, or to give us any information that would be of any service to us. I will see if I can find the words, for I should be sorry, for my part, by any poor paraphrase of mine, to do an injustice to the elegance and the dignity of the diction. I do not wish to do that, and if I have done so, I apologize to this House. But I think I have the words here

> The irreconcilables in this House do not want any information, because if you were to pump information into them for a hundred years, they would still be opposed to separate schools, and would not want anything done.

Well, now, Mr. Speaker, the author of these words is the hon. Minister of Trade and Commerce. The expression, when I come to look at it, seems to be rather a remarkable one—"because if you were to pump information into them for a hundred years." Well, that is a curious expression, I think, a curious simile for the hon. gentleman to employ, likening his speaking to the action of a pump. It seems to me a curious simile. My hon. friend beside me (Mr. Cockburn) suggests that it may have been a dry pump. Well, I do not know; it may have been a force pump. It may have been intended to force some of the recalcitrant irreconcilables back into line. Or it may have been an exhaust pump; that is a kind of implement with which we are not altogether unfamiliar in this House. Or, perhaps, Mr. Speaker, it was the common ordinary pump that was referred to. I do not know whether it was or not. If it was, it is not the first occasion on which a great statesman has been compared to a pump, or rather a pump has been compared to a great statesman. In this case, the modesty of the statesman was such that he did not compare the pump to himself, but compared himself to the pump. But I recollect that on a former occasion a writer of some little note in the early part of this century, did compare a pump to a statesman. The comparison is brought back to my mind. Tom Moore asked: "Why is a pump like Viscount Castlereigh"? and he answered it in this way:

> Because it is a feeble thing of wood,
> That up and down its awkward arm doeth sway,
> And cooly spout, and spout, and spout away,
> In one weak, washy, everlasting flood.

Well, Sir, if that is the kind of implement that was to be employed in an effort to impart information to the irreconcilables, probably it would not have had any very considerable effect upon them. I may, perhaps, be excused for being drawn away to make that remark. I will conclude by saying that if there was any argument required to convince me of the utter indefensibility of the measure which is before this House, if there was any one consideration required to prove to me that I would be most criminal, in my opinion and judgment, if I were to support the second reading of this measure, it is the consideration and the argument that I heard the hon. gentleman who leads this House employ last night, when he told us in terms of glowing eloquence that the Catholic population in the province of Nova Scotia, his own province, enjoyed the fullest liberty of conscience in reference to education; that on all sides it was conceded that no better Act could well be devised than the legislative Act in reference to education which was in operation in his own province and gave there such complete satisfaction; and this further consideration, that that Act is, to all intents and purposes, equivalent to the Act which we are now asked to destroy. If that Act be a good Act in Nova Scotia, if it has worked well for all those years, and is still found to be an Act which can be described in the eloquent terms used by the hon. gentleman last night as being all it ought to be, then I ask what possible justification would there be for me if I deliberately attempted to coerce the province of Manitoba by forcing it to deprive the people of the benefit of such an Act as the one so admirably described only twenty-four hours ago? If any further consideration were necessary to induce me to oppose this measure, that would be sufficient. So far as I am concerned, I will do, as I said in the early part of this session I would do, oppose this measure on every occasion it comes before the House when I have an opportunity of doing so. I believe it to be my duty to do so, and I will do so. There is just one other remark I desire to make, and it is a remark which I had almost overlooked. It is this, that I regret very much the terms in which the ex-Minister of Justice referred to a certain class of the population in this country. We may differ, we do differ, and differ widely in our views; but so far as I am concerned. I give the fullest credit to those who differ from me for honest belief and honest conviction, and I think that at least those who agree with me should have the same consideration, and when I find that the class represented by the ex-Controller of Customs in this House was described as one that could represent no honest opinion in this country, I very much regret that such an expression was made use of. I very much regret that terms of that kind were applied to a class of people in this country who are honest in their convictions, who are just as good and true citizens, who are just as loyal and as valuable inhabitants of this Dominion as any other class of people in the community, and I especially regret that such words should have fallen from the lips of any leader of the Conservative party, because it is very well known that, at all events, in the province from which I come, the Conservative party has had a staunch, a loyal, a strong and solid support from that class of the community for many a long year past.

Mr. DAVIN. This debate, Sir, is remarkable, perhaps in my experience, unique. It is unique in this. As it proceeded light was so cast upon the issue that new standpoints presented themselves, and the question here to-day is wholly different from that which has troubled the mind of the country for something like twelve months. My hon. friend who has just taken his seat (Mr. McNeill) paid a just tribute to a body of men that, whether in Ireland or here, however strong they may hold opinions have yet within their breasts true hearts, and though the brain may be perfervid at times, truer friends to individuals or to party cannot be found, or more loyal citizens. Those gentlemen, and others taking different views, and still others have, in respect to this question up to the time it was brought before Parliament, been able to look at it simply whether legislation on the lines of the remedial order was or was not desirable. The moment this Bill was placed on the Table the question was no longer whether a Bill strictly on the lines of the remedial order was or was not desirable; that question was ipso facto decided in the negative so far as practical politics goes: and when my hon. friend the leader of the Opposition, instead of proposing the motion we all expected, a motion that all the words after "that" should be omitted, and it be resolved that this Bill be not now read the second time, but that a commission be appointed to inquire into certain facts with a view to legislation, placed in your hands the six months' hoist, a wholly different issue and a more complexed issue was presented to the people of Canada, and directly to the members of this House. The issue presented to the members of this House, for judgment and action is this, shall we, especially those of us who are Conservatives, support the Government in their treatment of the question of remedial legislation, or shall we support the leader of the Opposition and his friends in their course? Before we came to this House some of us thought, and I thought myself, that I should here find myself taking part in a battle where two forces would be arranged on either side, one remedial legislators, the other anti-remedial legislators. But what we have now in this House is a large, an overwhelming, number of remedial legislators, differing only in this, as to how and when; and then in a corner of the field there are a few anti-remedial legislators. Therefore, the issue is a very different one. I cannot myself any longer look on the policy of the Government from the simple standpoint I have been accustomed to regard it. I have to consider this in the first place: what advantage, from the standpoint of anti-remedial legislators would be gained if the Government were beaten, and if by voting for the six months' hoist, we were to transfer the leader of the Opposition to this side of the House? What advantage would we gain? Clearly none whatever. The leader of the Opposition (Mr. Laurier) the member for Bothwell (Mr. Mills), the member for Winnipeg (Mr. Martin), the great bulk of the Liberal party, are just as much committed to remedial legislation as Sir Mackenzie Bowell or the Secretary of State. We should pay court, pay deference, bow to the high regard for demeanour of certain hon. gentlemen, because any one who goes over—and you have sat with great patience in your seat, Mr Speaker—this long debate will see this, that the question of questions between the leader of the Opposition and the leader of the Government, between the Opposition in this House and the Conservative party who are supporting the leader of the Government, is simply one of—etiquette.

An hon. MEMBER. Explain.

Mr. DAVIN. I will explain. The charge made is—and it was well put by the hon. member for Bothwell (Mr. Mills), last night, in his eloquent and exhaustive speech—that the Government did not go through the proper formula, that they did not go through the negotiations with sufficient courtliness; that, to use the language of the leader of the Opposition, they did not adopt methods sufficiently sunny. Well, Sir, suppose that to be the case, is that a sufficient reason for saying, that I will go against those men with whom I agree on four or five other questions of great importance? That is the question one has to consider. If you only had to deal with this question simply, you would still have, in all fairness, to ask, if that would be sufficient reason to go against them on this point. And I will tell you why. This, after all, is the exercise of a new power. The Government that issued that remedial order in March, had no precedent to go on, and it was much easier for those of us who had to criticise their conduct after the remedial order was issued to decide, that we might have taken this course or the other, than it was for them, using a power for the first time. Now, Sir, the difference between the leader of the Opposition and the Government is merely one of etiquette. Therefore surely there was another course to take than that he took. The hon. gentleman (Mr. Laurier) referred to a precedent, and he said, that Dr. Doyle was examined before committees of the Lords and Commons, and that the evidence he gave had been found most useful. Sir, the evidence which Dr. Doyle gave was of a character to show, what it was monstrous at any time within the last 200 years should have to be shown to noble lords and hon. gentlemen, namely, that a man might profess the Catholic religion, and yet be a true citizen of Her Majesty the Queen. That was the gist of all the evidence of Dr. Doyle. But, Sir, there was a precedent that the leader of the Opposition might, with more fruitfulness, have referred to. If I may borrow a feather from the plume of the hon. leader of the House, he referred, not, I think, without justice, to the tendency of my hon. friend the leader of the Opposition to pose at certain times as a great admirer of the Liberal leaders in England. The leader of the Opposition sometimes refers to Gladstone, and he is an admirer of Gladstone. I sat in the gallery of the Imperial House of Commons, as a journalist, in 1867, when Mr. Disraeli was Chancellor of the Exchequer ; and he determined to bring in a Reform Bill, and he said that he was going to bring the measure forward by resolutions, and, if these resolutions were carried by the House, he would adopt the principle of each and embody it in a Bill. What example did Mr. Gladstone give to my hon. friend who leads the Opposition, on that occasion ? Sir, he took a course very different from that of the hon. gentleman (Mr. Laurier). My hon. friend (Mr. Laurier) says, he has not the least doubt that this Parliament has jurisdiction in the present case ; he has not the least doubt that there is a grievance, that that grievance has to be remedied, and that every wrong has to be righted, and that heaven-born and heaven-descended justice is to be invoked, and not invoked in vain for every wrong. The leader of the Opposition agrees in all respects with the Government, except in procedure. Why did he not take the precedent of Mr. Gladstone, and, when the hon. baronet brought forward this measure, why did he not rise and say : I agree with you in principle. I will not oppose the principle of this measure, but I will make certain suggestions to you, and, if you are ready to meet me half way, we will settle this matter. That was the only logical course for my hon. friend (Mr. Laurier) to have taken. Instead of that, what did he do ? He did not give us the motion that we might have expected, seeing that he looks for inquiry. But he adopted a motion that would properly belong to my hon. friend from Simcoe (Mr. McCarthy), and he proposed the six months' hoist, which is a denial of the principle that he says he agrees with.

Now, what is the character of the question now ? I do not care how strongly one may have held to the view of anti-remedialism, the question to-day is in such a position in this House and in the country, that no one can any longer practically hold an attitude of uncompromising opposition to the remedial legislation for the minority. I will tell you why. All the leading men, with one or two exceptions, found in both political camps, all the constitutional lawyers, with one or two exceptions, declare, that this House has jurisdiction, that the matter is properly before this House, that there is a grievance, and that the grievance has to be dealt with. But, Sir, however eloquently hon. gentlemen on the Conservative side of the House may have expounded this doctrine, I will say this—and it is not often I can give such invidious praise to the opposite side of the House—I think they have been outdone by the emphasis and the eloquence with which hon. gentlemen on the Reform side of the House have declared that there is jurisdiction, that there is an undoubted grievance, and that the principle of the Bill they oppose is correct, although they differ with the Government because they think the bows to Manitoba were not sufficiently profound. That is, Sir, as though on certain sublime occasions, when the Gentleman Usher of the Black Rod comes here, if he did not bow with sufficient grace to you, Mr. Speaker, when he invited you to the other House, then, because the bows had not been sufficiently at right angles, you should decline to follow him to the Senate chamber. Sir, since I have weighed the arguments in this debate, I may tell you—and I will take you frankly into my confidence—that I have changed my opinion as to the course I ought to take. I changed my opinion, so as to be decisive as to the action and the course to which duty pointed, only after I had heard the speech of my hon. friend for Bothwell (Mr. Mills), and it is, I think, not a weak compliment to pay that hon. gentleman. The speech that I heard from the member for Bothwell (Mr. Mills), clinched whatever influences were at work on my mind, and made it impossible for me to take the course I had determined to take, of resolute opposition at every turn to the policy of the Government in regard to this question. There is the strictly practical question : What is the use of voting against one set of men proposing remedial legislation to let in another set to propose remedial legislation ? And there is the question of principle, on which my judgment has been, I say frankly, greatly influenced by the speech of the member for Bothwell (Mr. Mills).

Now, Sir, I want to call the attention of the House to the speech of my hon. friend the leader of the Opposition. In that opening sentence, which has been rendered immortal by the correspondent of the "Globe," the hon. gentleman (Mr. Laurier) made certain statements. Sir, we have many brilliant correspondents in that press gallery, but, I think, that for laborious eloquence and for pertinacious geniality the correspondent of the "Globe" surpasses any correspondent that we have. He immortalized the opening sentence of my hon. friend the leader of the Opposition. I think he said it contained some thirty or forty lines, that it was one of the longest sentences on record--but he evidently had not read Hazlitt, who could write a sentence of five, or six, or ten pages. However, he said that it was a very long sentence, that it contained all the speech, and above all, in the conclusion, that the leader of the Opposition focussed everything where he said :

> In the name of the constitution, so outrageously misinterpreted by the Government, in the name of peace and harmony in this land, in the name of the minority which this Bill seeks or pretends to help, in the name of this young nation on which so many hopes are centered.

That we were told contained all the speech. Now, what is in all that ? "In the name of the constitution so outrageously misinterpreted by the Government." How is it outrageously misinterpreted, or misinterpreted at all, from the standpoint of the hon. leader of the Opposition ? On the contrary, the leader of the Opposition says, in this very speech, that this House is seized of the question, that it has jurisdiction, that there is an undoubted grievance, that there is a wrong to be righted ; and there is the heaven-born justice that must always be invoked, and that is never invoked in vain. "In the name of peace and harmony in this land." Well, Sir, seeing what the hon. gentleman's own opinions are, seeing that he is a remedial legislator just like the Government, I think myself that peace and harmony would be promoted if he had acted on the principles on which Mr. Gladstone acted, and for the same reason. Mr. Gladstone said that the reason he acted as he did, and waived his dislike of the method of Mr. Disraeli, was to get rid of discord and the blocking of legislation, which had done so much harm. Mr. Gladstone said :

> We cannot afford to go on in this country as we are going. It is time that this discord between classes,—this tendency to discord—this incipient discord—this tendency to separate interests, from indications of which I must say the speech of the right hon. gentleman, in that portion of it in which he referred to the paragraph in the Speech from the Throne, was not altogether free—it is time that all this should cease ; and not till this question of reform has disappeared from among the subjects of controversy can we hope to see the people of England what they once were, and what we ought to be desirous they should continue to be—a united people.

He therefore says : "I will not oppose the method brought forward by the right hon. gentleman, although I am greatly opposed to it, and greatly doubt its utility." And Mr. Gladstone took this course in regard to a question that was in a sense properly his to settle. Now, Sir, the hon. leader of the Opposition, at page 2825 of "Hansard," declares :

> Sir, the power is there, and being there, the aid of the Dominion Government will be sought by the minority.

And he goes on to say how this power is to be exercised :

> But it is not to be exercised until after all means of conciliation have been exhausted, and only as a last resort.

In page 2828, he tells us :

> Are we, upon the complaint of the minority, unsupported by evidence, without having made any investigation—are we to be told that the law of the majority is to be set aside ? Sir, if you tell me this, then I say it was a mere mockery to give to the province of Manitoba the right to legislate upon this question.

He goes on still further to say :

> That the minority of Manitoba alleges and proves a wrong such as the hon. gentleman has described, a wrong which appeals to the heart and mind of every man.

Well, Sir, if the minority prove a wrong which appeals to the heart and mind of every man, the sooner one finds a remedy for it the better. Again, he says, at page 2835 : "The minority have a right to have their own schools, that I admit," and on page 2836 : "The facts are notorious," and a few sentences afterwards he says this is "a half-hearted and faint measure." And so on, from page to page, the hon. gentleman declares that there is a wrong, that there is a remedy, and that this Parliament can apply the remedy. So that no opponent of remedial legislation can exchange leaders with advantage—indeed, it could not be done without disadvantage, because the member for Quebec West (Mr. Laurier) says this Bill does no go far enough. But, Sir, after all, a stronger if coarser personality influenced me in this matter, and that was the hon. member for Winnipeg (Mr. Martin). The hon. member for Winnipeg was the author of the legislation, and what did he say ? I will only make one quotation from his speech, which has four or five sentences of the same spirit. Now, mark the sentence which I am about to quote :

> I believe that if that Bill be withdrawn, and the remedial order of the 21st of March be rescinded, the people of Manitoba, being law-abiding, and understanding the position in which they have been placed by the second decision of

> the Privy Council, will be prepared to do justice in the premises. I am not bound to rely upon my own knowledge of the people of Manitoba in making that statement, because we have it from the government and the legislature of Manitoba, that they recognize their position, that they do not propose to fight the constitution, that their objection to the remedial order and to the Remedial Bill is not that this Government and this Parliament have no jurisdiction in the premises, but that the jurisdiction conferred upon the Governor General in Council, and upon this Parliament, has not been exercised in a manner calculated to bring about a settlement of this question—in a manner calculated to really aid the minority, on whose behalf it is suggested we should pass this law.

In another place he says :

> But I have no hesitation in saying that if the people of Manitoba put themselves in the wrong upon this question, which they have not done——

That is to say, if they put themselves in the wrong by not remedying whatever wrong is there. He declares again and again that if once the legislature of Manitoba puts itself in the wrong, then we in this Parliament have nothing to do but to apply a remedy. Now, how can the legislature put itself in the wrong ? By not legislating so as to redress the grievances of the majority. Therefore, from a practical point of view, there is nothing to be gained in the end by those opposed to remedial legislation, taking the member for Winnipeg (Mr. Martin) rather than the Secretary of State (Sir Charles Tupper) as a guide. Sir, I say that I cannot look at this questoin now in the same way that I looked at it in the North-west. When I said that before, some of my hon. friends cheered ; I think they cheered ironically. But, Sir, if I were tonight to make a violent speech in this House against this Bill I should probably strengthen myself in my constituency. But, Sir, I hold, as I hope most of us hold—and if the sentiment were latent, it could not but have been waked into life and power by the splendid utterance we heard this afternoon from my hon. friend from Montreal West (Sir Donald Smith)—the sentiment I am trying to express, that once I had come to the conclusion to which I had come, that there was a wholly different issue, and that a remedy for grievance was due, there was but one course before an honourable man. Here you have all the most leading men, the most authoritative men in Canada on both sides, declaring that this remedy must if necessary be applied. Therefore, when there is no ground for the anti-remedial legislator to stand on for practical, successful action, a man holding with the general policy of the Government would be false to every instinct of patriotism if he did not express himself at whatever cost, as I have expressed myself here. I know my hon. friend from Albert (Mr. Weldon) and my hon. friend who lately spoke (Mr. McNeill)—two men whom I honour as I have seldom honoured any of my acquaintances, and who are distinguished ornaments of this House, and I know how hard they find it acting on the same motives which impel me—one port aimed at and one compass guiding us though we plough different seas—they will echo what I am about to say—quoting a man who was one of the truest men produced by the republic south of the line :

> Life may be given,

Aye, more than life—the ambitions of life—

> Life may be given in many ways,
> And loyalty to truth be sealed
> As well within this Chamber as on the field,
> So bountiful is fate.

But is there not more even than the practical bearing ? Has there not been new light shed on the core and centre of this disturbing question ? Let me say one word with reference to the speech of my hon. friend from Bothwell (Mr. Mills). My hon. friend's speech was one of the closest, one of the best sustained arguments I ever listened to in my life. Every flaw that was in any of the previous arguments on the same side of the controversy my hon. friend fully supplied. Until he came to the last few minutes, that magnificent argument seemed built up for the purpose of leading him to say, and I expected him to say it : " I regret that I cannot go with my hon. friend from Quebec, who is my leader, in this matter, and I will have to support the Government." But he did not say that. He built up an argument lengthy, grandiose, ably sustained, which seemed to lead to that conclusion ; but instead, he concluded by saying, in a few words, that he disapproved, for some reason, the course taken by the Government. But the conclusion did not hang together with the argument ; and as he is fond of classical allusions and comparisons, and as he is a man of erudition, he will appreciate the compliment, I am sure, when I tell him that the major part of his speech was like a great Corinthian portico, pillar after pillar, crowned with ornate capitals, rising and stretching beautifully away in graceful perspective and stately grandeur, and all ending in—a rat hole.

We have heard this House frequently spoken of, with regard to this matter, as a court. One hon. gentleman, who is not a lawyer, declared that we were sitting here as a court. I do not think we are sitting here as a court, but we may gather an illustration from the procedure of courts, and now, borrowing the language of the courts, what is the burden of the argument of those hon. gentlemen who would persuade me to vote in favour of the six months' hoist ? It is all against the procedure. It is the procedure that annoyed my hon. friend from Winnipeg. It is the procedure only that my hon. friend the leader of the Opposition objects to. It is altogether a question of procedure. Now, ever since the passing of the Common Law

Procedure Act in England or here, if an error creeps into the record or procedure, you can move to amend ; and surely there is nothing to prevent us here, if everything is right but the procedure, moving to amend it, and so get rid of this thing which I, for one, never want to see brought here again. I do not want to see session after session wasted, to use the words which Mr. Gladstone applied to the Reform Bill, and which made him give his support to the leader of the Government in the House of Commons, a great personal enemy of his, and who had not a majority in the House at the time. Disraeli had not a majority in the House of Commons in 1867, yet Mr. Gladstone gave him his support to carry the Reform Bill, in order to get that question out of the way of useful legislation and restore harmony once more to the people of England. I say we will take a lesson from the courts, and remove that. I want to say one thing. One of the cries out with us in the west—and I confess I have known good lawyers to make that cry—I myself was educated as a lawyer, ate my terms in the Middle Temple, and paid my fees to a great pleader, and studied law, nevertheless, I myself have felt the charm, power and suggestion, and what is more the practical value of the cry—"provincial rights." Now, one of the most admirable parts of the argument of the hon. member for Bothwell last night was when he pointed out that there could be no question whatever of provincial rights. That was the most striking and useful part of my hon. friend's speech, where he pointed out that as long as the province acts within its provincial powers, it stands unimpairable and impregnable, and can laugh at and defy all Dominion action, and that it is only when it goes outside that—in other words, when it becomes a trespasser—that this Parliament can interfere. Therefore, that cry of provincial rights is done away with.

Another important contribution which my hon. friend has given this discussion in Parliament is this. Alluding to the fear that the hon. member for York (Mr. Wallace) expressed, and the fear that I may say pervades the North-west Territories—the fear that if this legislation were to go into operation, somehow or other it might be made un point d'appui, a coign of vantage for certain persons to carry out plans they may have with regard to the North-west—my hon. friend from Bothwell—and I am ready to sit at the feet of that Gamaliel—pointed out clearly and conclusively that no advantage can be taken as against the North-west, of any legislation of this sort. I will be perfectly frank and admit that the moment I read the remedial order, I at once gave my opinion that the only legislature which can fruitfully deal with the question of education in the province is the local legislature. That now is not denied by anyone. I have no doubt whatever that when my hon. friends who then composed the Government issued the remedial order, they thought, as they might well have thought, that it would be much easier for them to frame a Bill than they found it when they attempted to frame it. Anybody who has any knowledge of drafting, and any imagination to picture the future, would know at a glance that the attempt to make into a complete Act the provisions of the remedial order, would prove one of the most arduous that any man could undertake, because, at every turn he would be confronted with corners of ultra vires. And when this Government came to offer us a Bill carrying out the remedial order, they found that, and what had they to do? They had themselves to have recourse to the local legislature.

One other point that the member for Bothwell set in a more emphatic light. He showed that the minority in Quebec are precisely in the same position before the constitution as the minority in Manitoba.

Sir, I look forward with the greatest possible hope to the conference that is to take place, and I honour the Government for taking care that such a conference should take place, and I have the utmost confidence in Mr. Greenway and his colleagues, now that they themselves have said that there cannot be the least doubt whatever that, under the constitution, this remedy exists, and now that they have the statement of their friends and especially of the author of the Act, and of the first men in the country that the remedy for any wrongs the minority may suffer from is a remedy that can be put into operation, and that it is their duty to prevent any remedy coming from here—I have the greatest confidence that Mr. Greenway and his colleagues will deal with the matter, and that we shall never see it here again.

Let me say a word with regard to the question that has several times been raised, but by none more frequently than the leader of the Opposition, the question of the facts. Why, Sir, the facts are known. The state of things in Manitoba is notorious. My hon. friend from Simcoe (Mr. McCarthy) quoted reports and census returns indicating the low culture of those attending the schools. I could easily show him that that was misleading. It was a notorious state of things that existed in Manitoba. In 1890 my hon. friend from Winnipeg (Mr. Martin) secured the passage of legislation that we are now familiar with. And, as a fact, what was done was this—all the inspectors, the teachers, the officers who belonged to what were called the Protestant schools, but misleadingly called Protestant schools because no distinctive teaching of Protestantism was taught in them, were allowed to remain, whereas in the Catholic schools which, in some cases were in the same districts, all the Catholic inspectors, teachers and trustees disappeared. Now, what should have been done is this—all should have disappeared and new elections should have taken place, and——

Mr. MARTIN. That is what was done.

Mr. DAVIN. My hon. friend (Mr. Martin), though he was the author of the Act, is not now as well informed on that subject as I am ; I know that that is not what occurred, and I could prove it to the hon. gentleman. I have the proof here under my hand. What should have been done is what I have indicated, and then the trustees of each school should have been allowed to provide religious teaching for, say, an hour after the regular secular teaching ; then a fair inspectorship should have been inaugurated—in fact such a system as we have in the North-west Territories. If such a thing as that had been done there would have been very little cause for complaint. But the facts are known. There is nothing in the cry for facts that should make us pause. And, although I am of course in favour—it would be impossible to exaggerate my determination to lean in that direction—of the local legislatures dealing with matters of education, there is no advantage in appointing certain persons to get information where all the facts are "notorious."

Amongst the incidents of this debate was one which I wish to notice in passing. Invective, as Disraeli said, is a great ornament to debate. But sometimes it may be carried a little too far. And I confess when I heard the hon. member for North Simcoe make the reference he did to the entrance into this chamber of the distinguished man who now leads it, I thought that considerations of the services that had been rendered by that man to this country and the time that he had been in this House, and the fact that they had once been colleagues in a way, and fought side by side, ought to have bridled his tongue when that flippant remark rose to it. But, Sir, I was not sorry that the hon. member for Simcoe was betrayed into that flippancy, because of the result. We had in his old form the Secretary of State (Sir Charles Tupper), with all his old force and fire, his spirit still capable of drinking delight of battle with his peers, and, as I heard him, I was reminded of the closing lines of Tennyson's "Ulysses" :

and tho'
We are not now that strength which in old days
Moved earth and heaven ; that which we are, we are ;
One equal temper of heroic hearts,
Made weak by time and fate, but strong in will
To strive, to seek, to find, and not to yield.

Now, let me say one word with regard to those gentlemen who are called irreconcilables, or, by some, kickers. It is to the credit of any party that men can be part and parcel of the organization and yet think out their honest thoughts and express them. It was, in my opinion, one of the great virtues of Sir John Macdonald, that, though he was a man of imperious will, yet, it was always possible for men of independent mind to work with him. It is well known, I think, that I try to think independently myself ; and I have never found it impossible to do that in the Conservative party. I do not say that it is impossible to do it in the Liberal party. But in the Conservative party there must be always men of strong convictions and independence of thought. A book has been written by Mr. Galton, on Hereditary Genius, and in it is a chapter that should be pondered by all who aspire to be leaders of men and by every citizen of a free country and above all by party managers—a chapter in which he points out that the Inquisition and the tyrannical governments of Europe, by banishing the men of independent thought and energetic brain, although only a few hundreds were sent away every year, demoralized and degraded France and Spain and Italy. Anything in a country or in a party or in a legislature or in a church that in any way tends to suppress mental independence cannot but be injurious in the end. A sieve is formed by which small men and small men only are strained into great places. For myself, I always look upon a man who takes an independent view with a great deal of sympathy.

Referring again to the speech of my hon. friend from Bothwell, there was one very important part in which he showed that separate schools have nothing to do with this question, that this is simply a question of certain rights that were affected by the action of the Manitoba legislature. That is most important because it removes from this controversy one of the inflammable strands that would make it that flaming torch of which the hon. leader of the Opposition spoke. The truth is that when you come to look at this question there is absolutely nothing that should inflame feeling on the part of either Catholic or Protestant. And I repeat that my hon. friend from Bothwell, in his exhaustive speech, by clearing away, by throwing on one side and on the other what was not relevant has done great service to Parliament and to the country, and also, whether he designed it or not, to the Conservative Government. My hon. friend from Montreal West (Sir Donald Smith) made a noble appeal to this House. He appealed to the House that when they came to the question whether we should read the Bill or not, we should read it the second time unanimously with a view not to passing the Bill, but to so affecting future negotiations that these negotiations should be rendered more effective and successful.

For my own part, if I found that my friends on the Reform side were ready to consider it, and to do it, I would certainly be ready to consider taking the same course with them ; and if it led to an effective arrangement by those who will conduct the negotiations, negotiations which it is an honour to the Government to have brought about, it would reflect honour upon the members of the Conservative party and members of the Reform party alike; and it would show that this great council of the Canadian people was able, on occasions, to rise patriotically above party dissensions and party passions; and that in regard to a subject which is calculated to excite religious and racial hatreds and to cause grave difficulties in this Dominion, the leader of the Opposition is able to rise patriotically above partizanship, and to take the honourable course which will not fail of its reward. Sir, that speech of my hon. friend will long remain in my memory; it must have affected other gentlemen as well; and I for one will be most ready to accept his lead in that direction, hoping it may conduct us to such a settlement as he intended. Mr. Speaker, I rose for the purpose of pointing out what I consider is a complete change in the position of this question before the country. The question at the present moment before the country is wholly different from what it was when introduced into this House; it is to the credit of the men who compose this assembly, that by their contributions to the debate from both sides, they have set it in such a light that it now is in a wholly different position from what it occupied when the House met. Sir, let me close as I began. No man can regard it now when we come to vote either on the first or second question, and especially on the question for the six months' hoist—no man can say now that he is voting as to whether he shall be in the battalion fighting against remedial legislation or fighting for it. The question now is between two bodies of men both in favour of remedial legislation, differing as to when and how; one going at it practically with a measure in their hands, whether they are approved by others or not, but who have taken measures already, and who are on the road to settle it; and others wanting an investigation into facts which, to use their own language, are notorious, and which, if notorious, they do not need an inquiry to investigate. Let us rise for once above the mere question of using the great subjects of legislation that come to us here as weapons of partisan warfare, and vote on this question as patriots, determined to do our best for Canada.

Mr. DUPONT. (Translation.) Mr. Speaker, because of the stand taken by me in the month of July last with regard to the Government and because of the crisis which the Canadian people is now undergoing, I feel myself obliged to make certain remarks to this House. A Liberal Government in a Liberal province has taken upon itself to outrage the spirit of the constitution and of our institutions by attacking the rights and privileges of the small French and Catholic minority in Manitoba. In the month of July last I thought it was my duty to separate myself from my friends, and I believe that the events which have since supervened justify the stand taken at that time by myself and some other friends of mine. We thought that it was better to go alone, a little band, in the right road, than to march with the great number in that way which brought the Government and the country to within a hairs-breadth of destruction. I do not wish to weary the House by very lengthy statements, knowing that all arguments have already been brought for or against the support of the Ministerial legislation submitted to our consideration. But I wish to call the attention of my colleagues in this House and above all of my Opposition friends who incessantly reproach the Federal Government with having rudely treated that of the province of Manitoba, which latter has persecuted the small French minority of that province. I wish, I say, to recall here certain historic events. When a Conservative chief, Sir George Etienne Cartier, offered for the deliberation of this House the Constitutional Act which should make Manitoba a province prosperous as she is to-day and an integral part of the Dominion of Canada, he was far from expecting that his political heirs would have to repress the persecutions of the local government in regard to his compatriots and his co-religionists; he was far from expecting that that government would not accord to the Catholic population of Manitoba the liberty which citizens enjoy in the other provinces of confederation. Nevertheless, a Liberal government, as I said a moment ago, has put the Catholic minority in this unfortunate position. I must here repeat to the Liberal French Canadian leaders in this House that they are supporting the policy of him who persecutes our compatriots in the province of Manitoba. I reply immediately to that Opposition argument which would fain pretend that the Federal Administration has exercised with regard to the government of Manitoba draconian measures, by recalling here the facts of the case. Do we not recall any more all the steps taken by the Canadian Government in relation to the government of Manitoba? Do people no longer remember the demands of the entire Catholic hierarchy of the Dominion of Canada, presented in the form of petitions wherein were set forth the grievances of the minority in relation to the school law passed in 1890 by the legislature of Manitoba? This prayer of the Catholic episcopate was forwarded to His Excellency the Governor General in Council and received the attention of the Government of Canada. An Order in Council was made by the Government of Canada and transmitted to that of Manitoba with the humble petitions to redress the legitimate grievances of the Catholic minority. I shall quote, Mr. Speaker, this Order in Council, couched in so kindly a spirit, forwarded by the Government of Canada to the Greenway Cabinet.

These are the conclusions drawn in this Order in Council :

> The committee beg to observe to Your Excellency that the statements which are contained in this memorial are matter of deep concern and solicitude in the interests of the Dominion at large, and that it is a matter of the utmost importance to the people of Canada that the laws which prevail in any portion of the Dominion should not be such as to occasion complaint of oppression or injustice to any class or portion of the people, but should be recognized as establishing perfect freedom and equality, especially in all matters relating to religion and religious belief and practice ; and the committee, therefore, humbly advise that Your Excellency may join with them in expressing the most earnest hopes that the legislatures of Manitoba and the North-west Territories respectively, may take into consideration at the earliest possible moment the complaints which are set forth in this petition, and which are said to create dissatisfaction among Roman Catholics, not only in Manitoba and the North-west Territories, but likewise throughout Canada, and may take speedy measures to give redress in all the matters in relation to which any well-founded complaint or grievance be ascertained to exist.

I do not see that the reproach made by the hon. leader of the Opposition has any foundation whatsoever, when he says that the Canadian Government all at once fell foul of the government and legislature of Manitoba, and by a draconian remedial order commanded that administration to do justice to the Catholic minority. No, it was a humble petition which was addressed to the government of Manitoba, founded on the prayer of the Catholic clergy of the Dominion of Canada, representing over two millions of Her Majesty's subjects. You shall see, Mr. Speaker, the courteous reply made by the protégé of the hon. leader of the Opposition. Then the Greenway government did not say that the Government of Canada should make an investigation, and that at the close of such an investigation the two governments would together decide if the minority had a just cause of grievance. Mr. Greenway and his government, his legislature as well, do not speak of a commission of inquiry to the Government of Canada, but they make an insolent rejoinder to the humble supplications of the Federal Government and of the bishops of the Dominion. This is the conclusion of the reply made by Manitoba government :

> The questions which are raised by the report now under consideration have been the subject of most voluminous discussion in the legislature of Manitoba during the past four years. All of the statements made in the memorial addressed to His Excellency the Governor General, and many others, have been repeatedly made to and condsidered by the legislature. That body has advisedly enacted educational legislation which gives to every citizen equal rights and equal privileges, and makes no distinction respecting nationality and religion. After a harassing legal contest, the highest court in the British dominions has decided that the legislature, in enacting the law of 1890, was within its constitutional powers, and that the subject of education is one committed to the charge of the provincial legislature. Under these circumstances, the executive of the province see no reason for recommending the legislature to alter the principles of the legislation complained of. It has been made clear that there is no grievance, except it be a grievance that the legislature refuses to subsidize particular creeds out of the public funds, and the legislature can hardly be held to be responsible for the fact that their refusal to violate what seems to be a sound and just principle of government creates, in the words of the report, dissatisfaction amongst Roman Catholics, not only in Manitoba and the North-west Territories, but likewise throughout Canada.

Not only Mr. Greenway says in his reply to the Federal Government and to the prayer of the bishops, that he is long since cognizant of these very grievances, but he says also : these grievances have been discussed time and time again, and we are not going to trouble ourselves with them any more. We have had these matters in evidence before the courts, we have gained our suit on every point, and in these circumstances I will not submit even the complaint of the bishops nor your Order in Council to the legislature. I do not want to be troubled with that sort of thing at all. We shall not make any more ado over it, because we have already deliberated too often altogether about this whole affair. In the interval the Catholics who had appealed again to Her Majesty's Privy Council gained their suit. It was decided that the Catholics had grievances ; moreover, that the rights which they enjoyed prior to 1890 were the result of a covenant solemnly concluded between the delegates of the province of Manitoba and the Government of the Dominion of Canada. No doubt at all on that point. Here are the remarks made in this connection by the members of the Privy Council :

> Before these passed into law there existed denominational schools, of which the control and management were in the hands of Roman Catholics, who could select the books to be used and determine the character of the religious teaching. These schools received their proportionate share of the money contributed for school purposes out of the general taxation of the province, and the money raised for these purposes by local assessment was, so far as it fell upon Catholics, applied only toward the support of the Catholic schools. What is the position of the Roman Catholic minority under the Acts of 1890? Schools of their own denomination, conducted according to their views, will receive no aid from the State. They must depend entirely for their support upon the contributions of the Roman Catholic community, while the taxes out of which State aid is granted to the schools provided for by the statute fall alike on Catholics and Protestants. Moreover, while the Catholic inhabitants remain laible to local assessment for school purposes, the proceeds of that assessment are no longer destined to any extent for the support of Catholic schools, but afford the means of maintaining schools which they regard as no more suitable for the education of Catholic children than if they were distinctively Protestant in their character.

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

And further on :

> As a matter of fact, the objection of Roman Catholics to schools such as alone receive State aid under the Act of 1890 is conscientious and deeply rooted. If this had not been so, if there had been a system of public education acceptable to Catholics and Protestants alike, the elaborate enactments which have been the subjects of so much controversy and consideration would have been unnecessary. It is notorious that there were acute differences of opinion between Catholics and Protestants on the education question prior to 1870. This is recognized and emphasized in almost every line of those enactments. There is no doubt either what the points of difference were, and it is in the light of these that the 22nd section of the Manitoba Act of 1870, which was in truth a parliamentary compact, must be read.

The Government, after the appeal of the minority to the Privy Council of England, heard the parties to the suit and the remedial order, as everybody knows, was made by the Governor in Council and transmitted to the government and the legislature of Manitoba, then in session. The Government of Canada had the right to couch the terms of the remedial order in those strictly legal forms which are allowed, because, in the course of the pleading, the counsel of the Manitoba government had brought forward declarations and documents attesting that the government of Manitoba had no idea of abating one jot or tittle of its pretensions, and that it was determined to let the minority lie under the incubus of the law which itself had imposed. In fact, at page 85 of the blue-book about the school question, I find that the hon. member for Simcoe (Mr. McCarthy), representing the government of Manitoba, replied to the members of the Privy Council of Canada as follows :

> Mr. McCARTHY.—I understand that the position of the Manitoba Government is that they will resist by every constitutional means in their power the passage of any remedial order and that they will not obey the order, which is something that they have a perfect right to do.

This is the declaration made by the counsel of the Greenway government before the Privy Council of Canada. Is this not turning into mockery the authority of the Queen's Privy Council for Canada ? And in the face of that there are people who have just told us that the Government of Canada behaved with overmuch severity to the Manitoba administration. This is what Mr. McCarthy, counsel for the Greenway government, added :

> Mr. McCARTHY.—I have the Queen's speech. It says :
>
> "Whether or not a demand will be made by the Federal Government that that act shall be modified is not yet known to my Government. But it is not the intention of my Government in any way to recede from its determination to uphold the present public school system, which, if left to its own operation, would in all probability soon become universal throughout the province."

Thus we see, Mr. Speaker, even before the Canadian Government had passed the remedial order, that Mr. Greenway threatened, in the name of the province of Manitoba, that if the Federal Government passed such a remedial order, the government and the legislature of Manitoba would never obey such an order emanating from the Federal authority. In such circumstances, forsooth, the hon. leader of the Opposition and his friends turn around towards the Federal Government, saying : You it is who have threatened the government of Manitoba, and had you not done so, you would not now be in the position in which you find yourselves. Had you not made these threats, the school question would have been amicably settled, and the Catholic minority of Manitoba would have obtained the redress of its grievances. I did give my cordial and loyal support to the leader of the Canadian government in all this affair, but later events which arose forced me to a change of attitude. After the remedial order had been sent to the Manitoba government, this latter replied with insolence still greater than it had shown to the Order in Council of 1894, and to the petition of the bishops of Canada, praying that the complaints of the Catholics should be taken into consideration. This is the reply of the provincial government to the remedial order :

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

And further on :

> We believe that when the remedial order was made, there was not available then to Your Excellency in Council full and accurate information as to the working of our former system of schools.
>
> We also believe that there was lacking the means of forming a correct judgment as to the effect upon the province of changes in the direction indicated in the order.
>
> Being impressed with this view, we respectfully submit that it is not yet too late to make a full and deliberate investigation of the whole subject.

Thus, the legislature of Manitoba simply invites the Governor in Council to reflect and to take anew into his consideration the conclusions of the remedial order. They even go to the length of saying that when the Canadian Government made that Order in Council, it was done in ignorance of the facts of the case. At the beginning of this session I was astounded to hear the hon. leader of the Opposition say to the Canadian Government : You have made an unjust and draconian remedial order. How ? In what sense draconian ? Why, the language used was exactly the language of all documents of a like nature : the language used was, in fact, rather more moderate than that of Her

Majesty's Privy Council. Indeed, they had copied, as far as might be, the very wording of the judgment of the Judicial Committee of the Privy Council. But the hon. leader of the Opposition does not qualify as insolent the reply of the Manitoba government to the prayer of the hierarchy and of the Federal Administration. The hon. leader of the Opposition has indeed forgotten the violent language of the reply made by the representatives of the Manitoba government before the Privy Council of Canada, when they had the hardihood to say: make an Order in Council if you will, but we laugh at you and never shall we obey that order: the hon. leader of the Opposition, forgetting even the speech put into the mouth of His Honour the Lieutenant-Governor of Manitoba, at the opening of the provincial legislature, accuses the Federal Government saying: you have passed a severe and draconian remedial order, but he does not say that the Manitoba government flouted the Federal Government and the remedial order and that the provincial government continues its persecutions against the French and Catholic minority in that province. I know not wherefore, but these words of the leader of the Opposition and of his colleagues in this House produced on the Government and on the leader of this House an effect which they certainly did not produce in me. The hon. leader of the Opposition in those circumstances allowed himself to give a piece of advice to the Canadian Government and to say that really it should deal with more politeness and more urbanity in its doings with the government of Manitoba than this latter had evinced in its conduct towards the Catholic minority. In the session of 1895 that state of affairs disquieted the friends of the persecuted minority. We did not see the advent of the promised remedial legislation, and for some months we waited in vain, when the rumour reached us that there were dissensions in the very bosom of the Government on the subject of the remedial law. The counsel of the hon. leader of the Opposition had cast division among the members of the Canadian Government. I still recollect, Mr. Speaker, and indeed it seems as if I saw to-day before me the laughing face of Sir John Macdonald and his gibing air when he rose one day to tell the leader of the Opposition, who had taken it on himself to tender some advice: "If I followed your advice," said he, "my duty would be to get ready to abandon my seat and go into opposition, yielding you my place: but the Treasury benches are so comfortable that at my age I prefer not to leave them. You will have them later on." That is the language which the leader of the House should have held in response to the counsel of the leader of the Opposition. The Federal Government, forgetting this so sagacious observation of the veteran of the Conservative party, of that old Canadian statesman, of that so clever politician, suffered itself perhaps to be influenced by the violent statements made in its regard by the leader of the Opposition. All at once, at a given moment, we find out that there is no Remedial Bill in sight and that three Ministers have resigned from the Cabinet. Some days go by, two of the Ministers who had resigned return to the Government, and one remains outside. This last said at the time that if they did not pass a remedial law, the situation would not improve, but that, on the contrary, the further on we went the more it would be difficult to bring about the adoption of such a law, and that he had no hope of a settlement by resuming negotiations with the government of Manitoba. The Government went on and the Remedial Bill was not presented. The Government addressed itself a second time to Manitoba. What sort of reply did it then receive? A stern reply, but I think this time one that was deserved. Here it is. Having enumerated the second Order in Council of the 27th July last, this is what, in conclusion, Greenway says to the Government of Canada, to be quite sure of being no longer importuned:—

> It is, therefore, recommended that so far as the government of Manitoba is concerned, the proposal to establish a system of separate schools in any form be positively and definitely rejected, and that the principle of a uniform non-sectarian public school system be adhered to.

Positively rejected and set aside! There is the affront which the Federal Government brought on itself by re-opening negotiations with Manitoba. And I believe that in such circumstances, instead of gaining prestige, the Government lost it before the country. Mr. Speaker, the ways of history are strewn with the wrecks of constitutions and of governments, and if you ask historians how these disasters happened to nations, they will tell you that when the time to do justice came, governments hesitated and that is what caused their undoing. They will tell you that governments wavered between the plain duty imposed on them and their threatened popularity. Oh! that popularity, that fickle goddess, wicked and faithless, who demands that a sacrifice should be made on the altars of the justice which is due to one's fellow citizens! Whether to court this popularity, or for any other consideration, a certain number of Ministers hesitated before their duty and we know what the consequence was. To reckon from that retreat, the people of this country lost confidence in the Government, and the Government, under the Empire of its own dissensions which lorded over it,—although they cried to the outside world that they were all in perfect harmony,—was even as a man stricken with paralysis who has lost his mental and bodily strength. We have seen the Government opening counties, naming to positions in the public service members of this House, trying to let it be understood that its attitude was sanctioned by the electorate. We know all the disasters which accompanied elections made in these conditions. The Government, as a Government, received the chastisement due to its hardihood and its recoil. Terrified at the vanishing of its popularity, the Ministry seemed to lose its head. Here I should say that there are in the Government a certain number of Ministers who are friends of justice and of the rights of the minority. But the division in a Government paralyses it and a government paralysed is quite the same as a person paralysed. In such circumstances the Government had no business to brave public opinion, inasmuch as it had the intention, inasmuch as it even had made an engagement upon its honour to cause the passage of a remedial law the following session; it should have conserved all the forces which it had in this House, in order to be able to fulfil and to safeguard its own honour and reputation. However, the Government, always like a paralytic who has lost the use of his faculties, made insensate appointments which drew on it the reprobation of the electorate. On this subject I have a statement to make in the name of my compatriots of the province of Quebec. It has been pretended that the French and Catholic electorate was not anxious to have a remedial law. The ministerial organs have told us that if the people of the province of Quebec had been in favour of this law, they would have supported the Government candidates. But it is exactly because they had not confidence in the Government that they did not support the Government candidates: it is precisely because they doubted the sincerity of the Government that they defeated its candidates, who in other circumstances would have been elected. How do they make out that the Government should have had the confidence of the electorate, when precisely while it had to fulfil an engagement contracted upon its honour to cause the adoption of a remedial law, it opened counties, and so exposed itself to the danger of losing control of the House. Going back to the month of January last, the Speech from the Throne was made by His Excellency. This Speech had been, according to the usage in that regard, written by the Canadian Government. A few days afterwards, seven Ministers resigned their position in the Government, without even giving themselves the trouble to get as a preliminary the reply of both Houses to the Speech of His Excellency the Governor General, into whose mouth they had put the words which we all know on the subject of remedial legislation. The hon. First Minister himself was discouraged, and one cannot but admit that there was enough in the situation to discourage no matter what Prime Minister. However that may be, without the great energy that he manifested when more than half of his Government refused to follow his policy, and when they launched murderous thrusts at his very breast, Sir Mackenzie Bowell thought it his duty to, in his turn, offer his resignation. But His Excellency the Governor General did not wish to accept the resignation of his First Minister, for if he had accepted it, he would not only have betrayed the honour of the Government, but the very honour of the Crown itself, which had been pledged to Parliament. That is why His Excellency refused to accept the resignation of the first Minister. Seeing which the seven Ministers who had resigned thought it their duty to enter again into the Government, and now we are told, with emphasis, that we have a remedial Government. Yes, we have a remedial Government, but it is the same as in the comedy of the physician despite himself, this is a remedial Government despite itself, and, thanks to His Excellency the Governor General, who forced the Cabinet to keep the word pledged by the Government to the country. Without that we should not have remedial legislation before Parliament. Events continued to unfold themselves. An important change was made in the personnel of the Ministry, and the Secretary of State was called to a place in the Cabinet, and became the leader of this House. I believe that one can say in all sincerity that if the hon. Secretary of State had been in the country in the month of July last, with the energy which is characteristic of him, the minority would have seen its prayers granted and the remedial law submitted to the Houses last session. On account of all the complications which I have just mentioned, due to the fact that in July last the Government had not done its duty, the Catholic minority was obliged to wait still longer. I sincerely believe that if the hon. baronet had been in the country at that time—and I consider that it was a public calamity that he was not in the midst of us at the time of that crisis—the minority would have obtained justice, Mr. Speaker, with the weight of his authority and of his prestige, he would have secured the triumph of the rights of the Manitoba minority. The hon. Secretary of State, aided by the support of the hon. Mr. Angers, and of his colleagues favourable to remedial legislation, would have caused the adoption of the same last July, and the country would have been saved from the constitutional crisis which it is going through at this moment. I listened to the magnificent speech of the hon. Secretary of State (Sir Charles Tupper), of the hon. the Minister of Marine and Fisheries (Mr. Costigan), and of the hon. the Minister of Finance (Mr. Foster). Above all I remarked the eloquent peroration of the hon. Minister of Finance. He made us behold the dangers which our institutions run at the sight of the demon of discord who walks abroad in the country, and kindles everywhere the fires of national and religious passions. Now, I ask the hon. Minister who put into the hands of the demon of discord the lighted torch which he uses to spread the conflagration everywhere and to enkindle the fire of baleful passions in the Dominion of Canada ? It is the Government of Canada itself which so equipped him on that day when it refused to act, when its duty commanded it to act. If now the torch of the incendiary makes among us ravages so deplorable, it is his old colleague the hon. member for West York (Mr. Wallace) who is responsible for that. Behold the man who has cast the spark and lighted the torch which the demon of discord makes use of to ravage our country. This demon makes use of other instruments : he has at his service the hon. leader of the Opposition, and his lieutenant the hon. member for L'Islet (Mr. Tarte). The ex-Controller of Customs and several of his friends, as well as the hon. member for North Simcoe (Mr. McCarthy), form the phalanx in the service of this demon of discord. The hon. Minister of Finance knew all that, Mr. Speaker, when he refused to act last summer. He was warned that the demon of discord and national hatreds would sow in the path of the Government obstacles which could not, perhaps, be surmounted, or, at all events, which would light up a conflagration that would put in jeopardy our constitutional institutions. I am ready to pardon everything to the Government, but on one single condition : it is that the remedial Bill now before the House be passed during the present session. The Government cannot pretend that it is impossible to secure the passage of this legislation in the session that now is. I will not believe that the Government will willingly lend an ear to the counsels given to it by the Opposition. I hope that those who say that the Government will never do justice to the minority are deceived. I have heard it said by learned jurisconsults, members of the other side of the House, that this Bill, being amended, may become a passable law. It is true that other jurisconsults on this side of the House, distinguished barristers, have pretended that it was not possible to make this Bill acceptable to the minority. There are at the most ten clauses in this Bill which should be re-touched, and it seems to me that it is possible for those who belong to the legal profession to come to an understanding to amend those clauses in a suitable manner. I am not a jurisconsult, but let them give me the Bill to improve, and I say that in less than a day I will make it constitutional. I will make it a law the most perfect and the most acceptable to the minority. Let not the members of the Opposition imagine that they are going to impose upon the people of the province of Quebec by saying that this law cannot be amended. Let them bring forward as much as they please certificates of incapacity and of nullity, the people will not believe them. If this law is not passed, it is because Parliament will not pass it ; that there will be bad faith on its part. The Parliament of Canada will be discredited in the eyes of the people, and the members who will make obstructions or who will seek to hinder the Government from improving the law will be declared guilty of treason towards the small Manitoba minority which they have trampled under foot for the past six years. This is the accusation which all the ingenuity of the Opposition will not be able to refute, when it shall appear before the people its judge. There must be good sense. Meanwhile, there are about ten clauses of the Bill which demand amendments a little bit serious. There are, so to speak, only two clauses which require really serious amendments, and the hon. members of the Opposition seek to create a belief in the country that it is not possible to make this law perfect. I will say to these gentlemen, vote for the principle of the law, and after that you will be able to accuse the Government if it does not wish to improve the law and to make it perfect. Every man of good faith cannot see the matter under any other aspect than this one. Let them not seek to impress the people with the belief that this law is an abomination, that it is worse than no law at all ; that this Bill, if it is carried, will for ever ruin the hopes of the minority as the hon. leader of the Opposition said. I will not delay over the details of the arguments of the hon. members who opposed the Bill save only on two principal points. The hon. leader of the Opposition and his friends who have spoken on this Bill have told us : Why, it is an abomination ; you wish to exercise revolting coercion upon the province of Manitoba. And they even go so far as to say to us : if we were in Manitoba, we would do as the Manitobans, we would resist the law imposed by the Federal Government. At the second step they take in their arguments, they say to us : this law is nothing at all ; it is not worth the paper on which it is written ; it is not even the shadow of a law, as the hon. member for Kamouraska (Mr. Carroll) said the other day ; and five minutes before he had said that it was a law, the most tyrannical, the most odious that could be passed by the Government to do justice to the minority. So it is that the speeches of the hon. members of the Opposition contain precisely a dilemma which destroys from top to bottom the stand which they have taken and which far from justifying the withdrawal of the law will rather bring down on their heads the reprobation of their compatriots. I should avow, Mr. Speaker, that the Government has an irresistible tendency to follow the counsel which drives it to again enter into negotiations with the Government of Manitoba, despite all the proof of bad will which this latter has given. I cannot blame the hon. member for Montreal West (Sir Donald Smith) for the steps which he has taken to bring about an amicable arrangement between the contending parties which will restore to the Manitoba minority that to which it is entitled, its separate schools.

There is no equivalent for the separate schools, for an equivalent could be taken away later, and the minority would fall back into a position worse than that which it occupied previously. It is the separate schools which the government of Manitoba should restore to the minority, and it is upon this principle that a compromise should be made. Still it would be necessary that this law be passed without delay to justify the Government of Canada in making a like compromise. For the minority cannot rely any longer on the government of Manitoba. It is no longer disposed to accept the frivolous promises of the Greenway government which have been already made to it to gain power, and then having attained its end, that government was pleased to inflict on the minority all kinds of bad treatment. It has applied the exorbitant laws passed by it in a fashion the most brutal. This brutality has been attested even here by the ex-member for Winnipeg (Mr. Macdonald). For the minority to consent to-day to accept these promises, it would be necessary that they should be immediately followed by legislation doing it justice. Mr. Speaker, our compatriots of Manitoba have suffered a great wrong and that was to abolish their legislative council.

Sir ADOLPHE CARON. (Translation.) Hear, hear.

Mr. DUPONT. (Translation.) That has been on the part of our compatriots an almost irreparable error. Without giving up the higher chamber, the French minority of Manitoba would not perhaps have been at the mercy of the majority of the legislative assembly. To entrust all the legislative power to a single chamber is always dangerous, and in support of this opinion I will permit myself to quote a professor of Comparative Constitutional Law, Dr. Laboulaye, of the College of France :

> The omnipotence of the legislative power, that is the French principle. I do not hesitate to say that America is right in not admitting it. Whether it is a question of a prince or of an assembly, a people should not abdicate its sovereignty into the hands of anybody. The mandatory should always have a determined mandate. To entrust to anybody whatsoever the liberties which should belong to the country is always to run the risk of having them attacked by an assembly. Whether there are a hundred heads or only one, despotism is always sure to be reprobated.

Mr. Laboulaye in the course of the same work continues his observations on single chambers and gives us still another opinion. He says :

> A single assembly is necessarily a power without counterpoise and without responsibility, if is a despotism of the worst kind, with all the entanglements, all the passions, and all the weaknesses of bad government. A single chamber is a hydra with several heads, a power at once very violent and very feeble. In history there is no record of a single chamber which has not brought the country to revolution, anarchy and despotism, which last is the usual heir of anarchy.

That is an argument which the most ingenious pleasantry cannot shake. In another part of the same work, Mr. Laboulaye adds :

> In every free country a second chamber is necessary. Why ? We have already said why, namely, because a single chamber is a power without limit, and a power without limit is a despotism. It is, generally speaking, an anarchical and unsteady power, a power which is always without any inspiration but its own, and which subordinates the interests of the country to its own interests. There is nothing more unstable than a single chamber, which often goes to the country for re-election. The change of men brings change of opinion, and perpetual changing of the laws. A single chamber is always in a fever, and gives that fever to the country.

The hon. leader of the Opposition who speaks incessantly about conciliation with regard to the government of Manitoba has not employed the same argument with regard to the minority. My hon. friend the member for Ottawa (Mr. Devlin) has noted for him the unjust conduct of the Manitoba government with regard to this minority. The Protestant majority of the province of Manitoba did not bring so many precautions nor any spirit of conciliation when it despoiled the Catholic minority of its rights and of its privileges. All that we are enacting now is legislation supplementing the school law of Manitoba, and that to restore to the French minority the rights which have been snatched away by the legislative assembly of that province. There is no coercion on our part, we wish simply to protect the oppressed minority. It is a remedial law that we enact and not a law of coercion. We wish to cause the disappearance of the coercion practised by the local government on this feeble minority. The hon. leader of the Opposition brings to bear at this moment on his French compatriots who are in this House all the influence at his disposal to hinder them from voting in favour of the Remedial Bill. The other day we heard the hon. member for Napierville (Mr. Monet), assuming the role of high executioner, launching himself against the hon. member for Berthier (Mr. Beausoleil) and attacking him with an extraordinary fury. The hon. member for Ottawa (Mr. Devlin) asked with reason if the hon. member for Napierville had a mission to read them out of the Liberal party. By what right can the hon. member for Napierville exclude from the ranks of the Liberal party these two gentlemen because they did not shrink before their duty ? I know, Mr. Speaker, that the hon. member for Ottawa is not a Conservative. I know also that my hon. friend from Berthier (Mr. Beausoleil) is not a Conservative any more than the other ; I know also that among our political adversaries there are no more vigorous fighters than these two. The hon. member for Napierville has accused my friend the member for Ottawa with yielding to the fear of his constituents. He said that if my hon. friend voted for the Remedial

Bill, it is because he knew that without that vote he would not be re-elected. Together with the hon. member for Berthier he went out by the same hole, he said. In making this sarcasm of very doubtful worth the hon. gentleman is mistaken. I believe, Mr. Speaker, that these two gentlemen have gone out quite easily through the large breach made in the walls of the Liberal fortress. The spirit of party by which the hon. member for Napierville is animated has alone hindered him from seeing this large breach in the ramparts of the Liberal party. To let us see how comfortable to justice is the position taken by the hon. members for Ottawa and for Berthier and those who share their opinion. I will read an extract from an author, professor of history in the University of Oxford. I speak of Mr. Froude. This is what that distinguished man writes :

> The idolators of power, whether they are in power, or whether they desire to obtain it, are never defenders of justice nor friends of liberty. They wish for justice and for liberty, but on condition that their idol does not suffer thereby. Power must live first. Liberty and justice, if they jeojard the government, can no longer be tolerated. The idol of power and the advantages resulting from it haunt their imagination and slay their patriotism. Egoism, the son of the idolatry of power, is the ruin and the curse of peoples.

Mr. Speaker, it is already late and I am going to conclude my remarks, although this subject is almost inexhaustible and demands very lengthy statements. I will say, before stopping, a word on the subject of the value of separate schools. I have heard in this House praises made of public schools or those without religious teaching. I have heard it said that these schools were very superior to denominational schools wherein is taught the religion of the parents of the children who attend them. The hon. member for Charlevoix (Mr. Angers) has cited for us numerous extracts tending to show that what was put forward by the hon. member for L'Islet (Mr. Tarte) in the English province of Ontario with regard to the educational institutions of the province of Quebec is an unadulterated calumny launched against these institutions. Now, to judge of the value of the public or non-denominational schools, I shall quote the opinion of a philosopher and of a statesman who knows about it just as broadly as the hon. member for North Bruce (Mr. McNeill) and as the hon. member for North Simcoe (Mr. McCarthy) on denominational schools or on public schools without religious teaching. Jules Simon, who has been in France one of the apostles of secularization, and who at the French tribune uttered against the religion of his compatriots this blasphemous cry : "I demand for the tribune the right of outraging all religions !" Well, he has seen the working of his system imposed on France. You shall see how he has changed his mind since, and that he finds that the public schools are far from being perfection. He speaks of the lay non-denominational schools :

> The programmes constituting a very extended training, result only in giving an insufficient instruction. Since they began to teach everything in the schools the pupils learn but little. It is a misfortune, from the intellectual and moral point of view, for these ignoramuses are as puffed up with all these fines branches of knowledge which have been taught to them as if they had retained some portion of it ! They wish to be thenceforth treated as persons of consequence. Manual labour being quite below their dignity, society must keep their idleness gratis, or else run the great risk of relying on them for the direction of the different branches of its service. Take care that it is not this very system of education, ostentatious and empty, which has infested Russian society with its Nihilists. It is strange to see a people eager to turn its secondary schools into workshops of people out of their sphere. We do not insist on the blue stockings whom they wish to give us for wives. All this wealth impoverishes us. Far better the modest school which proportions its curriculum to the capacity and to the needs of the pupil, teaching him well the little which it undertook to teach him, and put him in the position of continuing his education all by himself.
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> This evil, we must hope, will not be lasting. It comes from the inexperience of new departures. The tree is too luxuriant ; we must lop off the parasitic branches. For that, rely not on members of the legislature nor on learned men, but on the fathers, and above all on the mothers of families.

I hope, Mr. Speaker, that Canadian statesmen in the negotiations which they are going to enter into with the government of Manitoba, will not avail of the pretext of these negotiations to interrupt here the course of the remedial law for which this session has been called. I hope that the Federal Government will do its duty to the end, and that if the government of Manitoba does not wish to be reasonable in these conditions, when the commissioners return from Manitoba we shall have a remedial law all ready to be applied. If the Government of Canada does not cause the adoption this session by the two Houses of Parliament of a remedial law, or if it does not obtain from the government of Manitoba itself the redress of the grievances of the minority, it will be considered by the French majority of the province of Quebec as a traitor to the interests of the Catholic minority of Manitoba. Mr. Speaker, the fortress is betrayed to the enemy not only by openly giving it up but also it is betrayed, after the fashion of Bazaine, who held parley with the Prussian army when he should have been fighting it. The Government goes parleying to Manitoba ; but let it all the time push on this law so as to be able to say to the country when this Parliament lapses, we have not spent half a million in sheer loss, but we have redressed the grievances of the Manitoba minority. The lawyers in this House appear to multiply the obstaces to the remedial law. They seem to delight in finding imaginary difficulties and in believing that it is impossible for this Parliament to make a complete law. I remember several years ago when Thornton was in the United States War Department, under Grant's administration, they brought from the American west delegates from the Indian tribes with which the government was at war, to treat of peace. The principal chief of the tribe, who was called Red Cloud, was accompanied by two other Indians. When they were come to Washington, the war of secession was just over, and they thought it would be a good thing, in order to frighten them, to make these savages visit all the war material accumulated in the Capitol. They showed them the huge pieces of cannon, the great artillery, the mitrailleuses, the guns of every kind. At every engine of war which they showed the Sioux chiefs these latter gave a cry of wonder. When they had made the round of the American arsenals, one of the two asked Thornton, through his interpreter, if that was all ? "Yes," replied the American minister, "that is all we have in Washington, in point of fact, in the way of war material." "Well," said the savage chief, "my brother has shown me that he has many ways of killing men ; now I should like him to show me the means he has of doing justice." Mr. Speaker, the lawyers of this House have shown the people of Manitoba what they have in their arsenals of subtleties, and of means almost inexhaustible to hinder all remedial legislation. That has been going on a long time. To-day the Manitoba minority turns to the jurisconsults of the House of Commons and asks them what are the means at their disposal for the doing of justice. ?

FRIDAY, 20th March, 1896.

Mr. MULOCK. Mr. Speaker, I will not trespass on the time of the House at any length ; but the importance of the question, perhaps, warrants me in making a few remarks upon it. The hon. member for West Assiniboia (Mr. Davin), true to his character as a member of this House, told us that he came here with one opinion, and that he had abandoned that opinion, and now intended to vote, not as he found the sentiment of his constituency, not as he found the sentiment in the west, but in deference, amongst other influences, to the argument of the member for Bothwell. We do not know what those influences here may be. He attributes his conversion to the speech of the hon. member for Bothwell (Mr. Mills). But remembering his record, remembering that he always speaks one way and votes another, I am afraid his conversion is rather due to his weakness than to convictions of any kind. We have seen him leaving the fold, we have seen him leaving the household of his political godfathers, and returning again. It is the old story. If every time this prodigal returns a fatted calf is killed for him, what must it cost to keep him as a good son ? Mr. Speaker, he favoured us with an extraordinary view of the issue before the House. He said he had found now that the only issue between the parties was one of etiquette, one of procedure. Why, Sir, what is the issue ? What are we called to vote upon to-night ? We are called upon to record our opinions for or against the second reading of this coercion Bill. Is it a mere matter of form ? Is it a substantial measure ? Will the hon. member for Bagot (Mr. Dupont), who has just spoken, admit that we are only going through a form now ? I venture to say that were the Government to announce that, they would lose his support on a division. The member for West Assiniboia says it is a mere procedure. Is it a mere procedure whether this measure is to be dealt with by a coercion Bill at Ottawa, or to be left to the decision of the people of Manitoba ? Sir, was it a mere procedure when the British Government and Parliament, over a hundred years ago, insisted upon forcing their will on the people of the then New England states ? The people of the New England states contended that their will ought to prevail in regard to taxation. The hon. member thinks it was a mere matter of procedure in that the British Government insisted that the legislation should take place in England. Sir, it is no matter of procedure. There is a substantial issue before this House to-night. The issue is whether this Remedial Bill ought to be read a second time, I presume, not as a matter of form, but as a step towards putting that Bill upon the statute-book. Here I might ask the Government, Is it an idle form that we are going through ? Is there anything to be done with this Bill after we read it a second time ? Is it to be thrown on the Table ? Is the Bill to be abandoned, or is it to be proceeded with ? Are we to do with it as the member for Bagot said, proceed with it de die in diem, and have the Bill reported for a third reading, so that in the event of negotiations with Manitoba not turning out sufficiently satisfactory, this Bill shall be ready to be put into law, and in the meantime like the sword of Damocles hang over the head of the negotiators in order to decapitate Manitoba should Manitoba not volunteer to decapitate herself. Sir, the Finance Minister indulged in an extraordinary argument in order to rally his forces in support of this measure. He treated it as a matter of no great importance, except that unless his followers supported the Government the Government might be placed out of office. Why, Sir, the country has come to the conclusion that it is a matter of very considerable importance. There is evidence all around, inside this House and without, as to the importance of the measure. A year ago a member of the Government, who at last has got outside the Government, left the Government, we are told, because of this measure. We are told that the Government halted in the middle of a general election because of this question.

We know that in July three members of the Administration resigned, one permanently and two temporarily, because of this question. Two months ago, seven members of the Cabinet went out, intending to throw this question overboard. They returned to their allegiance only when they learned, that, unless they took that step, the Conservative Government would resign. Is it a matter of no importance, that from one end of this country to the other, the people are excited, as they have been excited on no other question for many years? Is it not true, that this is a matter of great importance and far-reaching consequence, when party lines in this House are destroyed by it? What does it mean, that speech after speech is delivered by faithful followers of the Administration, standing up to-day and yesterday, declaring, that this measure was one of such importance, destroying party lines, that they felt it their duty to place country before party and vote against the Government? Do not those circumstances establish, that this is a question for the moment of immense importance, and, in the light of the past, is calculated if not wisely dealt with, to have far-reaching and disastrous consequences to Canada? There is an issue here that cannot be underestimated, and if the Finance Minister, or any other member of the Government, takes the view, that it is an immaterial issue to-day, he fails to realize the importance of this measure. A quarter of a century ago, at the commencement of confederation, what was the leading influence that caused all the statesmen and all the people of Canada to assent to the distribution of powers under the Confederation Act, as we have it to-day? It has been stated, and stated correctly, by previous speakers, that in the old province of Canada legislation had broken down and that an era of anarchy was at hand, and that, among other causes, education, being a subject to be dealt with by the representatives of the two provinces, had become a disintegrating influence among the people. It had aroused class against class, creed against creed, race against race; and by this new scheme of confederation the subject of education was relegated, as far as possible, to the local legislatures. And yet we have it again, finding its way again into the Parliament of Canada. There are seven provinces in this Dominion, there is territory out of which to carve many more. There is a minority in every province. Shall we to-day, hastily, thoughtlessly and without due consideration, without first exhausting every other means of settlement, legislate as is proposed by this Bill, and place upon our statute-book a statutory invitation to the minority in every province now existing, and every province that may hereafter be carved out of our territory, to appeal to the people's representatives in this Parliament to settle questions that might be better settled, under the spirit of the Confederation Act, by the provinces in which those questions arise? We have been six years dealing with this one issue, six long years, and we are only at the threshold of it yet. Should we place this Act on the statute-book, is there any one gifted with foresight enough to tell us to what end it is going to lead the people of Canada? Is there any one who will venture to state, that it is the ending of serious conflicts on this question, even until it may end in the destruction of Canada itself? I regard the question, at all events, of such importance that it cannot be lightly dealt with, and it should not be dealt with in a narrow, a partisan, or a party spirit, but with one object, and one object only, what is the best, the most wise, way whereby to deal with the question, in the interest of the whole people of Canada. I deplore the speech delivered by the leader of the House, in introducing this measure, not only the manner, but the leading arguments. He told us, that he helped to form confederation. He did. He pointed out the natural advantages of our country, our Imperial connection, our political institutions, and he said, that, with these, he proposed to build a great people. Sir, I would ask the leader of the House: Will mere confederation make a great people here? I value confederation; but confederation itself will not create a great people. I acknowledge that Providence has been bountiful to Canada. Our country is rich in natural resources; but natural resources will not make a great country. I am proud of our Imperial connection; but Imperial connection alone will not make a great country. None of these things alone will make a great people in this country; and, whilst we may differ as to our prospective national greatness, I am within the mark, when I say, that no country can be great unless, in addition to other advantages, it possesses a united people and he who would throw the apple of discord among us, and appeal, like a demagogue, to the prejudices of the people, that man is the worst enemy of Canada. Sir, the country will deplore the speech made by the Secretary of State last night. Already, I doubt not, he regrets those rash, harsh, unpatriotic words that came from his lips yesterday. He, professing to desire a settlement, professing to be negotiating for peace, professing to have had overtures which were about to lead to the desirable end, inaugurates the era of negotiation which he says was big with promise for good, by charging the government of Manitoba, within twenty-four hours from the time I am speaking now, with having committed a robbery of money for a section of the people of the province. Sir, when these words, when that speech is read at the conference, what an ill-timed utterance it will sound, and, if the representatives of the people of Manitoba can, as I trust they will, prove superior to party questions, be superior to the hon. gentleman, and rise equal to the occasion, I trust they will overlook the unfortunate shortcoming of the gentleman leading the House to-day, and, overlooking and forgiving Canada for her temporary misfortune, will, with hearty good will, as I believe they will, seek to solve this problem in the best interests of all. Mr. Speaker, what did the Secretary of State tell us, and this utterance of his gives us the key-note of the whole conduct of the Government since the decision of the Privy Council. For brevity's sake, I will epitomize his remarks, but if I misinterpret them I will read the exact language. The Secretary of State (Sir Charles Tupper) gave his notion of the law, and it was this : That the very moment Manitoba had interfered with any of the privileges of the minority, that moment she forfeited her right to legislate and the duty of legislation was transferred at once to this Parliament, and adding to that the decision of the Privy Council this Government was at once, without any other recourse, bound to introduce legislation and press it to a conclusion. Now, Sir, if that was their view of the law, I ask the Secretary of State now, if they believed that they had to press this Bill to a conclusion, how do they get the law which entitles them to suspend operations in order to try the efficacy of a conference ? Does the Secretary of State still persist in the opinion that the Government had no option except to proceed at once, without any delay of any kind, on the decision of the Privy Council. If that was the obligation on the Government, how comes it that they have delayed a year to carry out the law ? Sir, I do not wish to impart any harshness into the discussion, but I must say that all that has transpired since the judgment of the Privy Council goes to prove that the Government has either unwisely—I do not like to use an undignified word by saying stupidly, and I will not use that word—but may I say, that the Government have wantonly and blindly pursued a course which is calculated, in the judgment of all reasonable men, to be the most unlikely to attain the end that ought to be sought for. When this Government got a judgment of the Privy Council, instead of treating the Manitoba Government as a friendly government, and recognizing the supremacy of the people of Manitoba, or their equality as a friendly people, they issued a peremptory order calling upon the Manitoba government to surrender. What was the answer of the Manitoba government ? In the hope that the statement made to-night by the member for West Montreal (Sir Donald A. Smith) was well founded, I will trouble the House with a short review of the reply of the Greenway government in answer to the imperative order issued by this Government a year ago last March. Instead of the Greenway government replying to that violent and extreme and ill-considered order in language of a like character, they replied as follows:--

> Nothing could be more unfortunate from the standpoint of the Roman Catholic people themselves than any hasty or peremptory action on the part of the Parliament of Canada, because such action would probably produce strained relations, and tend to prevent the possibility of restoring harmony. We respectfully suggest to Your Excellency in Council that all of the above considerations call most strongly for full and careful deliberation and for such a course of action as will avoid irritating complications.
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> We deem it also proper to call attention to the fact that it is only a few months since the latest decision upon the subject was given by the Judicial Committee of the Privy Council. Previous to that time the majority of the members of the legislative assembly of Manitoba had expressly or impliedly given pledges to their constituents which they feel in honour bound loyally to fulfil. We understand that it has been lately suggested that private funds of the Roman Catholic Church and people have been invested in school buildings and land that are now appropriated for public school purposes. No evidence of such fact has ever been laid before us, so far as we can ascertain, but we profess ourselves willing, if any injustice can be established, to make full and fair compensation therefor.

And in another place, in that same reply, the government of Manitoba, overlooking the character of the order from this government, begged of this Government, before taking such a rash step, to open negotiations for friendly adjustment. Well, Sir, the Government received this reply from the legislature of Manitoba that I have read, and then, instead of sheathing this sword, instead of cancelling the remedial order, they sent out another message to Manitoba. It is true it suspended action for a few months, but it suspended it with a threat. They called on Manitoba again, and Manitoba sent a reply and in discussing the wisdom of the action of this Government, they said:

> The remedy sought to be applied——

That is the coercion procedure.

> —the remedy sought to be applied is fraught with great danger to the principle of provincial autonomy. An independent consideration of the subject, as well as the recognized constitutional practice in analogous cases, clearly indicate that it should only be made use of as a last resort and after the clearest possible case had been made out.

Is there anybody in this assembly to-night who will controvert that statement. It seems to be conceded to-day on all hands that that is a correct statement of the position. How unfortunate that the Government did not make that discovery in time. The communication adds :

> It is obvious that so drastic a proceeding as the coercion of a province in order to impose upon it a policy repugnant to the declared wishes of

> its people can only be justified by clear and unmistakable proof of flagrant wrong-doing on the part of the provincial authorities.

Does the Government controvert the accuracy of that statement ? What was their reply ? Did they ever point out any fallacy in that reasoning ? No, Sir, none that we know of. Further on Manitoba proceeds as follows :—

> It is a matter of regret that the invitation extended by the Legislative Assemby to make a proper inquiry into the facts of the case has not been accepted, but that, as before stated the advisers of His Excellency have declared their policy without investigation. It is with all difference submitted that such a course seems to be quite incapable of reasonable justification, and must create the conviction that the educational interests of the people of Manitoba are to be dealt with hostile and peremptory way by a tribunal in whose members have not approached the subject in a judicial spirit or taken the proceedings necessary to enable them to form a proper opinion upon the merits of the question. The inquiry asked for by the reply of the legislature of the remedial order should, in the opinion of the undersigned, be again earnestly invited, and in the event of the invitation being accepted the scope of the inquiry should be sufficiently wide to embrace all available facts relating to the past or present school system.

And further on, the legislature of Manitoba proceeds to say :

> In amending the law from time to time and in administrating the system it is the earnest desire to remedy every well-formed grievance and to remove every appearance of inequality or injustice that may be brought to notice. With the view of so doing the government and the legislature will always be ready to consider any complaint that may be made in a spirit of fairness and conciliation.
>
> It seems therefore most reasonable to conclude that by leaving the question to be so dealt with the truest interest of the minority would be better served than by attempting to establish a system of separate schools by coercive legislation.

Twice Manitoba sent this message of peace ; and can it be credited that from that day to this the Government have not taken the first step towards a satisfactory and friendly settlement by means of friendly negotiations ? We have it to-day, on the statement of the hon. member for Montreal West (Sir Donald Smith) that at last he had to intervene—not because he was asked by the Government. They gave him no authority. They did not seem to desire that mode of settlement. But at last, so far as we can see, he passed by the Administration and ignored them, as His Excellency had to do. The hon. member for Montreal West volunteered his services to His Excellency, and he proceeded to do, self-appointed what the Government, the paid servants of the people, ought to have done months before. Now, Sir, I would like to know whether the course suggested by the hon. member for Montreal West is not the wiser one. We have had references made already to the working of the public school system in other provinces ; and it was a pleasing circumstance to hear the junior member for Halifax from his place in the House two days ago, tell us that the public school system of Nova Scotia is absolutely satisfactory to the minority as to the majority. There are many of the people of Nova Scotia engaged in administering the law in the province of Manitoba. Manitoba is largely made up of people from the maritime provinces and the other older provinces, and the same spirit that has helped to solve this problem in Prince Edward Island, in New Brunswick and in Nova Scotia, each of which provinces has to-day a public school system and a public school system only—the same spirit will be found in Manitoba if the proper means are taken to evoke it. I was surprised, in view of the record of the Secretary of State, to hear him last night posing as the great, practically the only, friend of the Roman Catholic minority in this province. Why, Sir, only a few short years ago he was a member of this Parliament when the question of the New Brunswick school law came up. What was his attitude then ? For several years the minority of New Brunswick applied to this Parliament for relief. Their separate schools had been abolished. They asked Parliament, first, to veto the law. Then resolutions were sought to be passed asking this Parliament to use its influence with the Home authorities, and with the legislature of New Brunswick to grant relief to the minority. The Secretary of State was here then. Does he remember what his action was at that time ? Never once did he raise his voice on behalf of the minority of the province of New Brunswick. Day after day and year after year that question was debated in this House, and yet I cannot find in the record that he ever once opened his lips here on behalf of that minority. What is more, Sir, vote after vote, division after division, was taken, and never once did he record his vote in favour of the minority. Yet, Sir, he tells us that from his early youth until now he has been the champion of the suffering minority. He told us last night that he had placed on the statute-book of Nova Scotia a law so wisely framed, so different in substance from that which is now in force in Manitoba, that it gave entire satisfaction to the minority in Nova Scotia ; and that if the Manitoba Act was as good, he would not be introducing this Bill. He was asked a moment afterwards if he could explain the difference. I ask him now, is there any substantial difference between the two laws. Each of these laws establishes a public school system, common and uniform, and under the control of the people. It is immaterial whether it is under the control of the Government or of a council chosen by the Government. In either case, the machinery is the machinery of the whole people. How then can he say that he is satisfied not to interfere with the Nova Scotia law and yet he will interfere with a like law in another part of this Dominion. I would like to know from him or from any other member of this House, what possible good can come of the Bill now before the House ? Will it accomplish any benefit to the minority ? It will bring nothing but untold trouble on the minority as well as on the majority. I deplore, therefore, that the Government have apparently failed to appreciate the importance of this question or the gravity of the situation, and are apparently seeking to blind the people to their record for the moment by creating a new issue, in the hope that by demagogic appeals to passion, they may, perhaps, secure a temporary verdict at the hands of the people. It cannot be conceived in the interests of the minority alone, because the government of Manitoba have candidly and frankly assured the people that if the matter is left in their hands they will deal with it satisfactorily. No, Mr. Speaker, the unfortunate position is that we are warranted in drawing the conclusion, from what has taken place, that the Administration is not in the interests of the minority, not in the interests of Canada, but in the interests of those who occupy the Treasury benches to-day, are endeavouring to make political capital out of this question for their own private advantage. Sir, a more unworthy object than that could not animate men entrusted with power. And if such be not their object, why can they not now, in the face of the statement by the hon. member for West Montreal (Sir Donald Smith), declare : We abandon our false position, we recede from the position which we should never have assumed, and we propose now to commence where we ought to have commenced the moment the Privy Council delivered its judgment. What did the hon. member for Montreal West tell us a few hours ago ? He said he had been to Manitoba and had interviewed the government. Did he find the government of Manitoba manifesting that cruel spirit which has been attributed to it in connection with this question ? Sir, we all know the cautious character of the hon. member for Montreal West. We know that what he says he believes, and we know that, he being an observant man, a man of great judgment, a man who can read character, a man who has had great experience, political and otherwise, we are entitled to assume that the judgment he has formed as to the good intentions and worthy objects and high aims of the Manitoba government, and their desire to deal with this matter in a fair and satisfactory way, is well founded. What did he tell us ? He said that he had been met by Mr. Greenway in a spirit which showed that the Greenway government had an honest desire to do justice. If they have that honest desire, should not this Government give them the opportunity of putting it into effect ? Did they only develop that desire at that interview ? The communications from which I have read show that that has been their attitude from the beginning. The hon. member for Montreal West went on to say that the government of Manitoba was most anxious to have the matter settled, so as to do substantial justice to the minority, as well as to the majority, that the matter could be best settled by the local government, in the manner and friendly spirit offered by the Manitoba legislature a year ago, and which, in every communication since, that legislature has pressed upon the attention of this Government. Therefore, I think we are entitled to know now whether the Government intend to act upon the advice of the hon. member for Montreal West, and take the Manitoba government at their word. The Manitoba government have manifested an honest desire to deal with this matter in such a way as to do substantial justice to the minority and majority. Then I would like to know what warrant there is for this Government to longer imperil the success of those negotiations by maintaining their hostile attitude and holding over the heads of Manitoba this offensive weapon, the remedial order and coercive Bill. It is the duty now of the Government not to take formal or other votes, but to stand up and declare that they intend to recede from their position and to commence negotiations in a way that gives promise of success. If they do not, then we can have but little confidence in the sincerity of their professions, and if the negotiations fail, the responsibility must fall upon them. Sir, negotiators for peace do not negotiate with weapons in their hands and amid the roar of cannon. For a time, at least, when the flag of truce is shown, hostilities temporarily cease, and if we hope to promote a satisfactory solution of this troublesome question, should we not imitate negotiators on perhaps even more important occasions than the present one, and manifest an earnest desire to meet the other party in a conciliatory spirit. I trust that the Government will, before it is too late, act upon the advice given them by their own colleague from Montreal West and accede to the request, oft repeated, of the Manitoba legislature, and begin these negotiations, as they should have begun them, by the conference suggested by the hon. member for Montreal West ; and if so, I venture to say that success will crown their efforts.

Mr. BECHARD. I think the Manitoba school embroglio can properly be regarded as a most deplorable episode of our political history. Never since the inauguration of confederation has this country been the theatre of an agitation of so dangerous a character as that which has been prevailing during the last few years with regard to this question. I am sure that all good citizens deeply regret this agitation, for in a country like Canada, with a population composed of two distinct nationalities, speaking two different languages, professing divers religious creeds, its prosperity, its progress, its stability require that all men who pretend to love their country ought to endeavour, by all means in their power, to promote the growth of a feeling of reciprocal respect and mutual sympathy between the diverse sections of our population. Sir, at this stage of the question, I have no desire to recriminate against anybody, but, viewing things as they appear to me, I think it is not too much to say that the principle source of this troublous situation is the government and legislature of Manitoba who, by enacting their school law of 1890, ungenerously, not to say unscrupulously, disregarded the rights of the minority. However, I believe that the agitation which followed could have been averted, had the Canadian Government assumed at the outset a firm, resolute and well-defined attitude. But by their policy of delay they contributel to a considerable extent to give rise to that agitation. Sir, after the judgment of the Privy Council declaring that by the enactment of the Manitoba school law of 1890 the minority had been aggrieved, and that the Government and Parliament of Canada had the right to interfere in order to redress their grievance Ministers of the Crown—at least one of them—went to the province of Ontario, and there, in public gatherings declared that the Government of Canada would never interfere, whilst, at the same time, other Ministers went to the province of Quebec, and there, in the most formal terms, declared, that the Government were determined to interfere in order to do justice to the minority. Well, Sir, these double-faced tactics in irritating public feeling considerably contributed to aggravate the situation.

I share the opinion of those who believe, that the Manitoba school law of 1890 ought to have been disallowed. That legislation, in suppressing the separate schools which existed in that province by virtue of provincial legislation enacted in the year 1871, and in accordance with the Manitoba Act of 1870, was a manifest violation of the rights of the minority, and that violation of the rights of the minority, it seems to me, was sufficient reason to justify the disallowance of that legislation. Sir, in my opinion, no man was placed in a better position to advise His Excellency to disallow that law than the late Sir John A. Macdonald, who was then at the head of the Government. He was well acquainted with the circumstances and the facts relating to the subject. He knew perfectly well, that the delegates of the Red River Territory who represented both the Catholic and Protestant elements, in their negotiations with the Government in 1870, made an agreement with that Government, one of the conditions of which was, that the separate schools which then existed in the Red River Territory, should be maintained, and that the maintenance of these schools should be secured by legislation. He knew, also, that in 1870, when Parliament was invited to pass the Manitoba Act, it was its manifest intention that the clause relating to education, should have the effect of securing to the newly organized province of Manitoba the existence of separate schools. I had then the honour, which I have been enjoying ever since, of being a member of Parliament. While the delegates of the Red River Territory were here—and they were here quite a long time—I had opportunities of conversing with them on several occasions, and I distinctly recollect, that, whenever I spoke to them on that subject, they always told me, that the maintenance of the separate schools which then existed in the territory, was one of the conditions of agreement between them and the Government of Canada. Besides, Sir, it was a current report amongst members of Parliament, that such was the case. I see my hon. friend the Minister of Marine and Fisheries (Mr. Costigan) in his seat. He was also at that time a member of Parliament, and he can state, that I have correctly reported the facts which I just referred to. It was the current report among members of Parliament, at that time, that one clause of the agreement was the maintenance of separate schools in the newly-organized province of Manitoba, and I never heard that this statement had been denied by anybody. The hon. member for North Simcoe (Mr. McCarthy), in the course of his very able speech the other night, said, that the first clause in the Manitoba Act with regard to education was found to be meaningless. That may be. But the fact, that it is in the statute is an indication that it was intended to mean something. It is an indication that Parliament knew that separate schools existed by practice in the Red River Territory, and also an indication of the manifest intention of Parliament that the system of separate schools should be secured to Manitoba by legislation. To support my contention, I may mention the fact, that an amendment was moved, when the Bill had reached the third reading, by the late Mr. Oliver. I have the amendment here, but I will not trouble the House with the reading of it. It was to the effect, that the Bill be recommitted to a committee of the Whole House, in order that the clause relating to instruction should be struck out. Surely, Sir, if that clause had not been intended to mean that the existence of separate schools in Manitoba should be secured by legislation, there would have been no reason to move that amendment. Now, besides the knowledge of these facts and circumstances, the late Sir John A. Macdonald possessed great personal advantages to fortify his position, had he been inclined to advise the disallowance of the Manitoba School Act of 1890. His life-long experience in the politics of Canada, his great reputation for statesmanship, his immense personal prestige, the great influence he exercised with the people of this country, gave him all the moral power that he could need in order to assume the responsibility of advising His Excellency to disallow that law. Had that been done, I sincerely believe it would have settled the question at once, and created a precedent full of beneficial teachings for the future. But instead of adopting that resolute and straightforward course, the Government of Canada preferred to resort to the faint-hearted policy of temporization, which has contributed in a large measure to the agitation which is now prevailing, and has led to the present embarrassing situation. I know it is objected that if the power of disallowance had been made use of in that case, it would have been of no avail, because the legislature of Manitoba would have re-enacted the same law, at its following session. Well, Sir, all I can say is that, if after disallowance had taken place, the legislature of Manitoba had had the audacity to re-enact the same legislation, the Government of Canada had power, and it should have had sufficient courage, to disallow it again. Sir, such a course in preventing this iniquitous law from going into operation would have soon compelled the government and legislature of Manitoba to seek some friendly way of having the difficulty settled. Now, I would like to know why, when this power of disallowance is made use of with regard to minor matters, it is to remain an idle instrument when the question to be dealt with is involving interests of the most vital importance. I had always thought that this power of disallowance had been given to the Governor General in Council to protect the constitution of which they are the official guardians, and also the rights of minorities against encroachments on the part of provincial legislatures. Mr. Speaker, after the judgment of the Privy Council, declaring that the minority of Manitoba had a grievance, that they had an appeal to the Governor General in Council, and that the Government and Parliament of Canada had the right to interfere ; after that judgment was rendered, it would have been wise policy on the part of the Government to resort to conciliation. I think that the hon. member for Montreal West (Sir Donald Smith) has indicated to-day the very best mode in which this question can be settled in a satisfactory way. The Government of Canada ought to have invited the government of Manitoba to a joint conference in order to discuss that question from beginning to end, and to ascertain whether, and on what conditions, an arrangement satisfactory to all parties concerned could be arrived at. From the attitude assumed by the Manitoba government after judgment of the Privy Council had declared their school law "intra vires," it ought to have been obvious to everybody that whilst they might yield to persuasion, they would remain deaf to any communication bearing the character of an order, or the lightest shade of a threat. It is admitted to-day that on all occasions when a question arising is involving conflicting interests of a grave nature, diplomatic and conciliatory means are the most proper to lead to a satisfactory solution of the existing difficulty and had the Government followed such a course, I believe that this question would have been settled some time ago. But after the Canadian Government had issued their remedial order of the 21st March, 1895, it seems that a spirit of antagonism took possession of the two governments, and rendered impossible any amicable settlement of the question between them. Now, Sir, we have before us a Bill which is called a Remedial Bill, and which purports to redress the grievance of the minority in Manitoba. Will it be an adequate remedy to the wrongs of the minority ? I do not believe it. Sir, the more I study that Bill, the more I am convinced that it is insufficient, incomplete, and that it will not do justice to the minority of Manitoba. I find in this Bill the machinery for the establishment of a system of separate school in that province, but I fail to find the power whereby this machine can be set in motion. In that Bill, the Manitoba government is invested with power to put it into operation. Well, Sir, when we know, as we know beyond possibility of doubt, that the Manitoba government is hostile to this legislation, I think it would be childish on the part of members of this House to believe that they will accept this Bill and put it in operation. The dispositions of the Bill which say that the Manitoba government shall nominate the members of the Board of Education and the school inspectors, that they will give to the minority their due share of all money grants which might be voted by the legislature for school purposes, are, in my humble opinion, entirely misleading. We know perfectly well that the Manitoba government will pay no attention to this Bill, except, perhaps, with the view of fettering its operation as much as they find it in their power to do so. Sir, I find in that Bill that if the Manitoba government do not nominate members of the Board of Education, after three months have elapsed, those nominations shall be made by the Federal Government ; but I fail to find, in case the Manitoba government do not yield to the minority their due share of all money grants voted by the legislature for school purposes, in what manner this deficiency shall be supplied. Is this Government prepared to declare that they will accept the amendment of which my hon. friend from Bagot (Mr. Dupont), has given notice ? Are they prepared to declare that they will accept at least his amendment relating to clause 74 of this Bill, and which provides that if the Manitoba government do not give to the minority any grants of money, this deficiency shall be supplied by the Federal Government. If the Government are prepared to declare before taking the second reading that they will adopt this amendment, which will make the Bill a workable and acceptable Bill, I am prepared to support it; and without being authorized to speak for any one but myself, I venture to say that the Bill would then be supported by nearly all the Liberal members from the province of Quebec. But, Sir, I do not believe the Government can make such a declaration because the Bill is a compromise. Our eyes are not closed to the fact that within the last six or seven months we have had two ministerial crises with respect to this question, and that the Ministers who resigned on both occasions, in resuming their portfolios must have come to some arrangement with their colleagues, to some compromise, the result of which is this Bill. They cannot accept any amendment, because the acceptance of an amendment would be a breach of the compromise. I find only one commendable feature in the Bill, it is its principle. I like the principle of this Bill, but I tell the Government that when by introducing it they invite Parliament to intervene to protect the rights of the minority in Manitoba, they should have provoked that intervention by a Bill involving by its completeness and efficiency the full application of the principle embodied therein. Since the beginning of the session, I told every one with whom I had an opportunity to converse about this question that I was in favour of remedial legislation. But when I first saw the Bill I met with a deception. However, I thought that after studying it a little more closely, I might perhaps be able to vote for it, but after thoroughly examining it, giving particular attention to its details, I found it was so incomplete and inefficient, and would impose so heavy burdens on the Manitoba minority to raise a revenue for the purpose of paying a superintendent, school inspectors, collectors, teachers, secretary-treasurers and other expenses that would be incurred by the operation of the Bill; and, finding all these expenses would have to be defrayed by taxation on the people, without the assistance of any money grants from the government, I came to the conclusion that this Bill had been derisively called a Remedial Bill and ought to be rejected.

But it is said that the leaders of the minority in Manitoba accept this Bill; that His Grace Archbishop Langevin accepts it. Such is the case, at least apparently. After the language spoken at different places by Archbishop Langevin from the pulpit in the province of Quebec during the last summer, his reported action may cause surprise, for he then stated that he would accept nothing less than the complete restoration of the rights of the minority. However, I can conceive how he is willing to accept this Bill. He accepts it, but as a last resource; he accepts it because he has been persuaded by parties in whom he has confidence that he cannot get anything better. He accepts the Bill, but as the drowning man who, in the last convulsion of despair catches at any floating straw, in the hope it might save him from destruction which threatens him. For my part, I have good reason to believe that better conditions than what is provided for in this Bill can be obtained for the minority, and for these reasons I cannot support it. It has been stated by the hon. member for Bagot (Mr. Dupont) that the government of Manitoba, which deprived the minority of their rights, is a Liberal government. Well, Sir, whilst I am prepared to vote against this Bill on account of its inefficiency, I do not wish to create the impression that I am hostile to separate schools and to the maintenance of the rights of the minority, or that I have any sympathy with the action of the so-called Liberal government of Manitoba. Mr. Speaker, I am a Liberal, but I can have no sympathy for the deeds of any government, be it Liberal or Conservative, when I am convinced that they have committed a grievous wrong and an unpardonable injustice. I am a Liberal in every fibre of my being, but at the same time, I have much respect and reverence for the eternal principles of justice and equity. I am a Liberal, not of yesterday, but of old date, counting more than twenty-eight years standing, as a member of this House, and all the time in the ranks of the Liberal party, but I believe I understand Liberalism, otherwise than the Manitoba government. Liberalism, as I understand it, is something which is inaccessible to the baneful suggestions of bigotry and intolerance. As I understand it, it is the noble expression of voluntary, wise and rational toleration. Liberalism, as I understand it, recognizes the natural right of the parent to determine what education his children shall receive. Liberalism, as I understand it will not impose on a part of the community under the form of taxation useless sacrifices, practically resulting in the exclusive benefit of the other part. Sir, true Liberalism respects the rights of minorities, whilst bigotry and intolerance absorb and annihilate them. True liberalism has in view the respect of man and of his inherent rights, whilst intolerance, in all its aspects, is the contempt of the rights of others carried to its highest degree. Sir, I can understand Liberalism, as generally practiced in the province of Quebec, but I confess I cannot understand it, as it is presently practiced in Manitoba. My sympathies therefore are not for the strong, but for the weak, not for the oppressor but for the oppressed. There exists such a thing in this country as the rights of minorities. These rights have been acknowledged by our best statesmen in both political parties, as being as sacred, and as much entitled to the respect and the consideration of all men, as those of majorities. Such were the liberal views of the statesmen who framed the constitution which rules this country and who are called to-day the fathers of confederation. Amongst those rights which are called the rights of minorities is the right for any minority to procure for their children, under the protection of the law, an education in accordance with their wishes, their wants, and the dictates of their conscience. That, after all, Sir, is nothing more than the natural right of the parent to determine what sort of education his children shall receive. That right of the parent I hold to be as sacred and as unalienable as the right to his own existence, and, although the state may have the legal power, it has not the moral right to take it away from him. Sir, if there is a right dearer than another to the heart of any man, it is that which leaves him the full enjoyment of his liberty in matters affecting his conscience, and the least attempt to restrict that right will be bitterly resented by those, who are effected thereby and provoke, on their part a disposition to resistance. Sir, to coerce a people, as the minority of Manitoba have been coerced for the last six years, to compel a people to pay taxes for the support of schools to which they cannot send their children, because the education given in these schools is not at all the education which parents feel in conscience bound to procure for their children, is, in my humble opinion, one of the most odious forms which tyranny can assume. It is an act of not mere injustice, but of odious oppression which is dishonouring the character of free British institutions. Is it not most deplorable, at this period of our history, when education and knowledge are spreading through the different classes of our people, that we, in Parliament, have to confront a piece of legislation which, by its oppressive character on a part of the community, threatens to array race against race, creed against creed, and to convulse this country, from one end of it to the other ? Sir it is obvious, that my opposition to this Bill is for reasons quite different from those which have been urged by certain members of this House. From what has been said, since the beginning of this debate, I think, that the opponents of this Bill can be classified in three categories : First, those gentlemen who, like myself, oppose this Bill because they find it incomplete, inefficient, and unworkable. Second, those members of the House who would not suppress separate schools, who tolerate them, but are reluctant at the interference of Parliament, because they regard such interference as an act of coercion against the province and as an invasion of provincial rights. Third, those gentlemen who are opposed entirely to the existence of separate schools, and who pretend that we should have only one system of schools, a system of public schools with merely secular teaching and free from all religious influence. Sir, I cannot, for my part, regard the interference of Parliament as an act of coercion against the province of Manitoba. Common sense tells me, that it would be simply the exercise by Parliament of a constitutional right, not to coerce any one, but to relieve the minority from the coercion to which they have been subjected for some time. Nor can I think that such legislation is an interference with provincial rights, because our provinces exercise only delegated rights, and they exercise no rights as being inherent to sovereignty, for they are not sovereign. They exercise certain delegated rights within certain prescribed limits, which they cannot exceed. Amongst the rights which have been delegated to provincial legislatures, is the right to legislate with regard to education, but that right, it is well known, has been delegated only with certain restrictions which act like bulwarks and like safeguards protecting the rights of minorities against any encroachment on the part of majorities.

Now, passing to another aspect of the question, I call the attention of the House to the fact that the minority in Manitoba number about 20,000 souls, and of that number, more than 11,000 are French Canadians. It has been said that if separate schools were granted to the Catholic minority, the Icelanders and Mennonites would be entitled to the same privilege. I would like to remind hon. gentlemen that French Canadians are not strangers in Canada. They are not immigrants who have come from foreign countries to settle on our lands. Their ancestors were the discoverers of this country from one end of it to the other. They were the first pioneers who, led by their devoted and intrepid missionaries, went into the wilderness and there sowed the first seeds of civilization. French Canadians have inherent rights, which have been guaranteed by treaty and legislation, and which cannot be ignored. They claim no favour, no privilege, but they claim the right to stand in their country, with regard to the exercise of certain franchises and rights, on a footing of equality with the other subjects of Her Majesty. There could not be found any where on this vast globe, a more intelligent, industrious, peaceable and hospitable people. They love their country very dearly, and they are loyal in the full acceptation of the word. No man could have any reason to suspect their loyalty, which they have proved as nobly and as efficiently as the people of any other part of the colonial empire of Great Britain. I need not refer to those two memorable occasions when temptations being in their way, they firmly resisted its allurements and remained faithful to duty. They courageously shed their blood to preserve this country to the British Crown, to which they clung with something more than filial devotion. Now, Sir, I am convinced that my words will receive at least the tacit assent of this House when I say that for their unshaken and persevering fidelity, for the great services which they rendered to this country, the French Canadians deserve better reward than the unfriendly treatment whereby their brethren in Manitoba have been placed, with regard to the exercise of certain rights, in a position of inferiority. Inferiority means inequality, and, in the eloquent language of Mr. Gladstone, the stamp of inequality is the brand of degradation. Mr. Speaker, my main reason for opposing the Bill now before the House is that it leaves the minority in Manitoba branded with the stamp of inferiority.

There are gentlemen in this House who oppose this Bill because they are entirely opposed to separate schools—because they contend that a system of public schools, with purely secular teaching, is the best system. There are no doubt a large number of people who prefer that system to any other. But, it must be borne in mind that there are also a very large number of persons, not only Catholics but Protestants also, who do not like that system, and who prefer that the education of their children be somewhat immersed in religion. They prefer that their children should receive an education which would develop in their young minds and hearts the love of religion, and of those principles of morality which may have an influence upon their future life. A couple of those gentlemen have referred to the fact that some European countries have done away entirely with religious education, and have secularized the teaching in the schools. But I believe it cannot be doubted that there are to-day in those countries a very large number of persons who, after having been favourable to that system have come to regret it, when they contemplate the numerous subversive doctrines that prevail in some European societies, and which are feeders of socialism. Sir, let me quote the words of a celebrated French writer, Mr. Jules Simon, who has been, all his life, a free thinker. In an article which he published about a year ago, I do not remember in what review, he uttered these words :

> When I was Minister of Public Instruction more than twenty years ago, I did all that I could to secularize the teaching in the schools. I did not succeed, I thank God for it. Others who came after me have succeeded. I regret it ; it is a misfortune. I regret it, since I saw boys twenty years old throwing dynamite bombs on the heads of our representatives in Parliament.

Sir, the men who would establish in this country a system of public schools, with mere secular teaching, are the men who say openly that minorities have no rights other than those which they enjoy in common with the rest of their countrymen. They are the men who told us no longer than a couple of days ago, by the mouth of their most illustrious leader, that they do not want to disturb the separate schools in Ontario. Then, they must be repentant sinners, for they are the same men who, during the last two electoral campaigns in Ontario, for the election of members to the legislature of that province, did not hesitate to proclaim, as the first article in their programme, the suppression of separate schools, and who, on that ground, assaulted the position so gloriously defended by one of Canada's best statesmen and most illustrious sons, Sir Oliver Mowat. I say, honour—honour to the veteran statesman who, on those two occasions, fought for the constitution of his country, for the maintenance of the rights of the minority, and triumphantly succeeded in hurling back the wave of bigotry and intolerance which threatened to overflow his province. Those gentlemen to whom I have been referring, have a policy of their own. It is offered to the acceptance of the people of this country under the captious name of equal rights. It is a new platform erected in our political field. Since confederation, I had never heard of it until a few years ago, when it first attempted to take ground in our political domain. Possibly, the doctrine of equal rights is not altogether new in Canada ; but I believe, that the name under which it is now travelling in Ontario and Manitoba, is of recent coinage. However that may be, the most important thing is to know its real meaning. So far as I could understand it, such as expounded in speeches delivered within the last few years at different places in Ontario, it consists in the suppression of the separate schools and the official use of the French language, wherever they exist in this Dominion, except, perhaps, in the province of Quebec. That policy can be resumed in the following formula : One school, one language. Sir, I say, that, in a country like Canada, with a population composed of two distinct elements, speaking two different languages, professing divers religious creeds, such a policy, must, of necessity, be unsound and impracticable. It is a policy calculated to throw a ferment of discord among the citizens of this country ; it is a policy which is bound to lead to strife, disturbance and disunion. By far wiser and more patriotic is the policy which was adopted by the fathers of confederation, who, in framing our federal constitution, embodied in it the great principle of equality of rights before the law, but the law so understood and framed on such a wide basis that it could meet the views, wishes and wants of all the elements composing our population. Sir, it is the equal right for each element, each race and creed, to enjoy certain franchises and rights, in the enjoyment of which the law will protect them. It is for them the right to exercise those franchises and rights to the best advantage, for their own benefit and advancement, limited, however, by the requirement that they must not infringe on the rights of others. This, I believe, to be sound doctrine for a country like Canada. I believe the observance of that doctrine would make

Canadians a united people. It is a doctrine of peace and concord. It is a doctrine which will promote harmony between the different classes of our people. I believe it to be eminently social and, at the same time, eminently Christian. I venture to say, that it is in perfect accord with the precepts of the Divine Law-giver, when he said: Do unto others as you would have them do unto you. Surely, everybody admires the sublimity of the doctrine contained in that scriptural quotation. It is the most perfect teaching ever given to mankind. It is preaching the great principle of toleration, and, I dare say, is underlying true Liberalism. It is a doctrine of peace, of charity, and of fraternity amongst men, preaching equality of rights for all, and which was brought on earth from heaven for the guidance and benefit of all men of good will. Let that doctrine prevail, and it will produce such beneficial results and such blessings as can possibly be bestowed upon a nation. These gentlemen who believe in public schools with merely secular teaching, do not find, apparently, that the Manitoba government and legislature committed an injustice to the minority, when they deprived them of their separate schools; but, if it is just, if it is fair and right for the majority in Manitoba to deprive the minority of the official use of their language and of their separate schools, does it not occur to you, that it would be equally fair, right and just for the majority in Quebec to do the same thing? Sir, I cannot see the difference between the two cases, so far as the moral right to perpetrate such an injustice is concerned. Suppose for a moment, that some day the majority in Quebec would become so ill-advised, so misguided, as to deprive the minority of the official use of their language and of their separate schools, both of which are institutions they prize very dearly, what do you suppose would occur? Every gentleman in this House can see, at this very moment, what would occur. A burst of indignation and anger would suddenly resound from one end of the country to the other, the wildest appeals would be made to popular passions and prejudice, popular masses would be roused, a legion of agitators, fulminating their most terrible anathemas against the majority in Quebec would be seen swarming in every direction, and, to complete this picture, you would see the champions of equal rights taking the lead, holding indignation meetings here and there, principally in Ontario and Manitoba—and proposing what? Nothing less extreme, nothing less extravagant, than the conquest of the province of Quebec by the Ontario boys, and the complete extermination of the French Canadians. Sir, I could not better illustrate the peculiar taste of the champions of equal rights for the French Canadian people than by indulging for a moment in an historical reminiscence. In pursuing the history of the old Roman empire, one finds that Emperor Caligula, who reigned towards the middle of the first century of the Christian era, was often heard to exclaim in the midst of the horrible cruelties whereby he was constantly overawing the world: Oh, that the Roman people had but one head that I might cut it off with a single blow. Far be it from me, Sir, to attribute to any member of this House, or to any man in Canada, the brutal and bloodthirsty instincts which animated that historical monster; but I cannot refrain from thinking that if the French Canadians had only one head, or if all the heads of the French Canadians could be placed upon a single neck, every one of the equal rightists would be seriously exposed to yield to the temptation to get rid of the whole race by a single stroke of his hand. Thank God, Sir, no mortal man shall ever be exposed to such temptation. The French Canadians have more than one head. They count to-day nearly two millions of heads, and they multiply, to the deep chagrin of the equal rightists, with wonderful rapidity. At all events, the French Canadians, notwithstanding the illtreatment inflicted upon their brethren in Manitoba, notwithstanding that their nationality, their language, their schools, their religious institutions have been the object within the last few years of the violent attacks of a certain press and a few public speakers, they do not dream of vengeance either by retaliation or in any other manner whatsoever. They are determined to defend their rights, but they will do so with the calmness, the dignity and the moderation becoming the defence of a good cause. They will appeal not to violence, but to legal means. They will not appeal to popular passions, but they will appeal to the fairness, to the justice, to the honour, to the generosity of their English-speaking fellow-citizens, convinced that in doing so they will be met with fairness, justice and generosity. Mr. Speaker, the majority in Quebec will never become so ill-advised, so ungenerous, so insane as to ever dream of striking a fratricidal blow at their brethren of the minority, by depriving them of their just and equitable rights which they enjoy with the fullest freedom. In Quebec, we believe the minority have as much right to use their language in our municipal councils, in our courts of justice, and in our legislature, as the majority. We believe the minority have as much right as the majority to give to their children an education in accordance with their views, their wishes, and the dictates of their consciences, and any attempt to disturb that state of things by any man, however distinguished he might be, would be frowned down and discouraged by the majority. Sir, in Quebec it is no discredit for any one to be either an English Canadian or a French Canadian, to be either a Protestant or a Catholic. We all respect one another's nationality and creed and do not lose our time in idle discussions about a matter which, in our province, has received a satisfactory solution. Therefore, you may rest assured, Mr. Speaker, that no association having the motives and professing the principles which are attributed to the P. P. A. could ever take root in Quebec. Thank God, philanthrophy in our province knows further limits than those which are assigned to that unpatriotic association. Sir, in the province of Quebec we believe in the great Liberal principle of toleration which permeates the education of our people. Under its influence the two elements of our population are animated by feelings of reciprocal respect and esteem and maintain relations of the most friendly character. To prove the accuracy of my statement, I could do no better than point out the fact that there are some gentlemen in this House who, notwithstanding the fact that they are of English extraction, and belong to the Protestant faith, represent counties where the French Catholic element is in the large majority. The hon. member for North Simcoe told us the other day that the minority in the province of Quebec had no reason to thank the majority for their generosity. Well, Sir, I answer that hon. gentleman : Show the same measure of unprejudiced feeling, the same measure of impartiality, the same measure of generosity in Ontario, Manitoba and elsewhere in this Dominion, and depend upon it, the concord and harmony which ought to prevail amongst the diverse sections of our people will never be disturbed. Sir, the upholding of the great principle of toleration has been most beneficial to Quebec, and does the greatest honour to the people in that noble province by showing the wholesome character of their education, as its results seem to contrast favourably to-day with what is taking place in some other parts of this country. Sir, I am proud to be a citizen of the province of Quebec ; when I find that she can point with pride to the manner in which she has given a satisfactory solution to a question which seems to be an almost insoluble problem in other parts of this Dominion. But, Sir, I would like to know for what reason, what is right and just for Quebec, could not be equally right and just in Manitoba, in the North-west Territories, and everywhere else within the boundaries of this confederation. Let the great principle of tolerance, which has contributed so much to the development of modern civilization, prevail. Let every man of education, every public speaker, every man having any influence, preach the observance of that principle to his friends ; let no politician, no newspaper writer, appeal to popular passions ; let the people alone about those vexed questions of language and education, or rather, appeal to their generous instincts, and you will soon see a feeling of harmony, of brotherhood, spreading throughout the different sections of this country. If there exists to-day complaints, criminations, violent discussions, if there exists agitation and discontent, it is because the great principle of toleration has been overlooked and disregarded by some, whilst it should have been respected and honoured by all. When the founders of confederation undertook the task of erecting that great work, they resolved to make the principle of toleration one of its corner stones. After much discussion and deliberation, considering the peculiar conditions in which stood some of the provinces to be confederated, they came to the conclusion that that great principle should be embodied in our constitution. When, a few years afterwards, in 1870, the Manitoba Act was adopted, the same principle was embodied in that Act ; and when, in 1875, under the administration of Mr. Mackenzie, the North-west Territories were organized, again the same course was adopted, and the same principle of toleration in regard to language and education, was embodied in the organic Act. Sir, when those statesmen were thus working together to complete and consolidate the edifice of confederation, when they were working with care and solicitude to shelter that great edifice from the reach of political strife, I am sure they little suspected that a quarter of century would hardly elapse before there would be found men who would not hesitate to lay a ruthless hand upon that great political structure, which they considered as the proudest monument of their lives. Most of these statesmen have now passed away, but their names will live for ever in the hearts of every Canadian. They have passed away, but they have left numerous friends in both political parties, who will consider it their duty to devote all their efforts to the maintenance of that great political edifice, and to uphold that great principle of toleration which underlies confederation.

Mr. CHARLTON. I rise to a point of order, on a question rather pertaining to the internal economy of this House, and, if necessary, I will follow what a few words I have to say, with the motion that is always in order. This House has now been in session thirty-five consecutive hours ; the "Hansard" staff have been thirty-five hours without rest. They have reached the verge of collapse, both physically and mentally.

Mr. SPEAKER. Has the hon. member spoken on this question ?

Mr. CHARLTON. I have.

Mr. SPEAKER. If the hon. member has spoken on this question, he is out of order in speaking again.

Mr. CHARLTON. I move, then, that the House do now adjourn.

Mr. SPEAKER. The hon. member cannot move the adjournment after having spoken to the question.

Mr. LISTER. I move that the House adjourn.

Mr. CHARLTON. I wish to say in reference to this motion that the course adopted by the Government in requiring this House to sit for thirty-five consecutive hours, is one that ought not to receive the approval of a member of this House. The question we are discussing is one of sufficient importance to have warranted a demand on the part of this House that the Government should have allowed ample time for its discussion. I consider the treatment of the "Hansard" staff is one that is not justifiable, and I think it would be a disaster to the House if that staff were to break down, or if any number of its members were to break down. The members of this House can take a rest, we can absent ourselves from our seat and take a rest, but these men——

Mr. SPEAKER. I am of the opinion that on a motion to adjourn, the hon. member cannot pursue that line of observations.

Mr. CHARLTON. I am about to come to the point.

Mr. SPEAKER. I must point out to the hon. member that when there is a motion to adjourn before the House, the discussion must have relation to the motion before the House.

Mr. CHARLTON. I submit that the reasons I am assigning for the propriety of the adjournment, on account of the injury and injustice done to the "Hansard" staff, is a sufficient reason for my remarks. If not, I will forbear.

Motion to adjourn negatived.

Mr. McGILLIVRAY. At this early hour in the morning it is not my purpose to take up much time or attention of the House. Indeed, Sir, I would have taken somewhat less had it not been for the extraordinary speech of the hon. member who has just taken his seat, coupled with the addresses made previously by the hon. member for Antigonish (Mr. McIsaac) and the hon. member for Russell (Mr. Edwards). Before going on with my remarks on this question, let me say that I do not believe that such charges as bigotry and fanaticism should ever be applied to any part of the province of Ontario. I have taken part in the discussion of the public questions of the day in that province for many years, and I tell the hon. member for Antigonish that he does not know what he is talking about when he says that there was ever an attempt on the part of the Conservative party in that province to destroy separate schools. Perhaps the hon. member for Antigonish could be excused in part, but how the hon. member for Russell could be excused, I cannot understand. He lives in the province, and he knows that there never was such a cry raised in the province of Ontario by the Liberal-Conservative party, as has been charged to-night on the floor of the House.

Mr. LISTER. Where were you in the Ontario election ?

Mr. McGILLIVRAY. Sir, I will tell the hon. member where I was.

Mr. LISTER. With Margaret L. Sheppard.

Mr. McGILLIVRAY. That may amuse hon. gentlemen, but the man who says that I ever met Margaret L. Sheppard on a platform, says what is untrue.

Mr. LISTER. On a platform ?

Mr. McGILLIVRAY. Or anywhere else. An hon. member who makes use of such language is beneath my notice. That woman's name should not be mentioned in this Parliament at all in this connection. But I will tell the hon. gentleman where I was. I was on many platforms in the province of Ontario, and in nearly every constituency, and I never made use of the language such as has been charged here to-night, nor did I ever hear it used by others. What was the position of the Liberal-Conservative party in those contests. Was it an attempt to destroy the separate schools of the province ?

Mr. LISTER. Yes.

Mr. McGILLIVRAY. The hon. gentleman says "yes," but he knows better. He knows fully what the object was. It was to bring these schools to a level with the other schools of the province, to have them inspected by the same inspectors, to have the same class of school books common to both, not to have any person placed on the high school boards because of his religion, and to allow Catholics the ballot at their elections of separate school trustees. That was the platform of the Liberal-Conservative party at the election, and prior elections. I could excuse any one of the three but the hon. member for Russell for such a statement seeing that they are non-residents of the province. The latter followed up his assertions with an attempt to censure the Government of Sir John Thompson for having appointed our leader, the Hon. Mr. Meredith, to a place upon the Bench, where, as a matter of fact, no purer man ever lived. A man among men, a prince of men, is the Chief Justice of Ontario ; yet we heard last night language of a most unjustifiable character applied to that judge. I do not propose to take up any more time in answering the hon. member for Iberville (Mr. Béchard). The greatest part of his address was not pertinent to the issue in this debate. What I wish to give the House is an explanation of my own position, for which I have been asked by almost every Liberal newspaper during the last three months, and I now inform them, that it is just the same as it was in the local campaign, twelve, eight and four years ago. We have heard tonight Sir Oliver Mowat spoken of in the highest language, and I am not here to detract one iota from the credit due to that gentleman, but, although I am a young man, yet I can remember the time well when Sir Oliver Mowat appealed to the people upon race and religious lines in a manner never heard of at the present day. He told the Orangemen, that he would vote for the Orange Bill until it became law, and his election notices and posters were printed in orange and blue. "No popery" was the cry of him and his party then. When I hear such charges hurled against hon. members on this side of the House as have been made to-night, it appears strange and stranger still, that hon. gentlemen's memories should be so frail and so short. What was my position in the late contest in North Ontario? I have been misrepresented by the hon. member for East Grey. The other night, the hon. gentleman in this connection did the Government great injustice. In the course of his speech, he said:

> Why, they have scarcely gone upon a single platform and dared to say that in the end they were bound to pass remedial legislation, and asked the electorate of this country to endorse it, and where the electorate have endorsed it.

Mr. LISTER. Did you not give a pledge?

Mr. McGILLIVRAY. The hon. gentleman is entitled to an answer, and I tell him here and now, that I did not give a pledge to members of the Government, or to any one else. I am here to-night an unpledged man, and I will vote as I see fit.

Mr. McMULLEN. You will not vote wrong, I think.

Mr. McGILLIVRAY. The hon. gentleman further said:

> When they went into North Ontario and put up their candidate, what were they obliged to do? They were obliged to have their candidate keep from the knowledge of the electorate their intention of passing remedial legislation, as they knew, otherwise, that he could not receive the support of the people.

Mr. SPROULE. That is correct.

Mr. McGILLIVRAY. That is as incorrect as anything could be, for the Government had nothing to do with my attitude on the question in that contest. I took my position myself, and I kept it all through, and that too contrary to the strongly expressed claim of the Government.

Mr. MACDONALD (Huron). What was it?

Mr. McGILLIVRAY. The hon. gentleman asks, what was my attitude. I was appealing to men who had known me a lifetime, they knew they could trust me, and I believe they can, and I further believe they will be satisfied with the vote I shall give on this question. I simply asked them to trust me. That is all I said. I have seen the Bill, and, when hon. gentlemen are ready to poll their votes, yea or nay upon the Bill I shall be found voting, too. I had made up my mind before I left the confines of North Ontario, as to how I would vote on the proposed amendment of the leader of the Opposition, but, when I got here, I found his proposed amendment was no longer thought of.

Mr. FOSTER. He changed too quickly for you.

Mr. McGILLIVRAY. I will tell the hon. member for Lambton (Mr. Lister) how I am going to vote, and I will explain it to him. I am going to vote against the amendment of the leader of the Opposition.

Mr. CHARLTON. It is hardly necessary to tell us that.

Mr. McMULLEN. That is right.

Mr. McGILLIVRAY. Why should I vote against the amendment of the leader of the Opposition?

Mr. McMULLEN. Because you are a Tory.

Mr. McGILLIVRAY. The amendment moved by the leader of the Opposition is the six months' hoist. So far as I am concerned, I am going to give those words their true literal meaning. I care not what construction hon. gentlemen opposite put on them, what their parliamentry meaning may be, as construed by them, because I say here that the parliamentary meaning of the words is cast aside by the leader of the Opposition. He has ruthlessly cast aside the parliamentary meaning of words, and I am going to act as he has done on that matter, but I am going to vote differently. Listen to the hon. gentleman's address the other day. The hon. gentleman told us, that he was in favour of the principle of the Bill, that there was an evil which had to be remedied, and yet the hon. gentleman wound up by moving the six months' hoist, which means a vote of want of confidence in the Government.

Mr. McMULLEN. You will get a twelve months' hoist.

Mr. McGILLIVRAY. The hon. gentleman says I will get a twelve months' hoist. He makes an interruption and then he claps his hands, so he works both with his mouth and hands. Now, Mr. Speaker, these are the very words the hon. gentleman would make use of, if he were assailing the Government upon any other great question. It was simply a want of confidence motion, and, in order to move it he has to do violence to the principles that he ought to enunciate by that very motion. Well, Mr. Speaker, there are other reasons why I should vote against that amendment. Member after member on the Liberal side of the House have gotten up and given their reasons for opposing the Bill. Now, is it enough for me when I see the hon. member for West York (Mr. Wallace) voting for this amendment of the leader of the Opposition (Mr. Laurier). No, Mr. Speaker, I had the assistance of the hon. gentleman (Mr. Wallace) in my riding, in part, and in part I had not. Is it sufficient for me to see the hon. member for North Simcoe (Mr. McCarthy) voting for that motion. No, Mr. Speaker, because I know the large difference there is between the hon. member for York (Mr. Wallace) and the hon. member for Simcoe (Mr. McCarthy) upon nearly every question. I can hardly understand them supporting that amendment of the hon. gentleman (Mr. Laurier) together. Is it sufficient reason for me to know, that the hon. member for L'Islet (Mr. Tarte), is the seconder of that amendment? Is it sufficient reason for me to know that the hon. member for Winnipeg (Mr. Martin) is a supporter of that amendment, and I a Conservative ? Sir, the hon. member for Muskoka (Mr. O'Brien) spoke the other night of the Liberal-Conservative party being raked and torn asunder. Who is doing the attempt at raking and tearing it asunder ? If at any stage of this Bill I may have to vote against friends of mine, I shall do it with regret, because I am in the main in harmony with the principles enunciated by the Liberal-Conservative Governments for the past 25 years. I shall do it with regret, Sir, and not with joy, while the attitude of some members of the party would lead one to think they did oppose their party with feelings of rejoicing. I will give you another reason why I am not going to vote for that amendment of the hon. leader of the Opposition, and I quote the language of the member for Kamouraska (Mr. Carroll), who is one of his leading supporters from Quebec. Listen to what he says :

> We on this side of the House support the principle of remedial legislation, a principle which ought to be put into practice.

And, again, he says:

> I am against the measure because it is not coercive enough to be really beneficial and advantageous to the minority.

And then he goes on to say :

> We are a united party and failing a settlement we want to intervene in this Parliament.

The hon. gentleman (Mr. Carroll) is followed in language such as that, by the hon. member for Arthabaska (Mr. Lavergne) by the hon. member for Verchères (Mr. Geoffrion) by the hon. member for Richelieu (Mr. Brodeur) and by other hon. members on that side of the House. Mr. Speaker, they want something better or worse than this Bill, whichever you like to call it, but that is not going to appeal to me as a reason why I should support the leader of the Opposition. Now, there is another reason. This matter has been before the people of this country for six years, as was called attention to by the hon. member for North York (Mr. Mulock) to-night. I think, Sir, that it is about time that this question was settled, one way or the other. The six months' hoist would mean to throw it upon the political surface of the country for, possibly, another six years, in my judgment. But we will settle the question here and now, by a yea or nay vote, before we close this Parliament, and then we will settle it, I hope, for all time to come.

Mr. LISTER. Do you think this Parliament will last longer than six months ?

Mr. McGILLIVRAY. Mr. Speaker, the Government of this country is getting a good deal of talking done now by making use of the night as well as the day, and, I presume, that if they are sincere in this matter, as I have no doubt they are, we will get the work done. I do not think it would require that the House should last six months in order to get that work done.

Mr. MULOCK. Would the hon. gentleman allow me to ask him a question.

Some hon. MEMBERS. Sit down.

Mr. McGILLIVRAY. All right.

Mr. MULOCK. If I understand the hon. gentleman aright, he proposes to vote against the resolution for the six months' hoist and also against the second reading of the Bill.

Mr. McGILLIVRAY. The hon. member did not hear me say anything of the kind. It is time enough when I come to a second reading to tell him about that.

Mr. MULOCK. Did not the hon. member say that ?

Some hon. MEMBERS. Order.

Mr. SPEAKER. An hon. member has no right to interrupt another hon. member in possession of the floor.

Mr. MULOCK. The hon. member allowed me to ask the question.

Mr. SPEAKER. I may say to the House, that at this stage of the debate, these interruptions are not seemly.

Mr. McGILLIVRAY. I have not said, Mr. Speaker, how I am to vote on the second reading, and it will be time enough for me to say that when the motion is put. I do not propose, Sir, taking up any further the time of this House to-night. Let me say in conclusion, Sir, that our French fellow-members, such as the last who spoke (Mr. Bechard), have no right to hurl such names and epithets as they do at us in the province of Ontario. In every contest for the last twelve years in that province, we have endeavoured, instead of destroying the separate schools, to make them better. Speaking for myself, I would rather have a national school system in its largest and broadest sense. I do not endorse the language of the member for North Simcoe (Mr. McCarthy) when he says he would rather have separate than secular schools. I would rather have the secular than the separate schools. That is my opinion, at least. Why, Sir, in the province of Ontario, before we were disturbed by the two classes of schools, we were all educated in the one school. I am old enough now to carry my mind back to that day, when, in the public schools of the country there was no religious strife. No little Catholic said an unkind thing to a little Protestant, nor a Protestant to a Catholic. We were raised together, and in our own little school in one of the townships in the county in which I now live, we have there the well-known Bishop O'Connor, and there too we had the Rev. Father McBrady, one of the most talented priests of the city of Toronto. We got on well, and I believe our children would still get on in the same way, were the conditions the same. I do not think, that because we Conservatives in the province of Ontario have endeavoured to bring the two classes of schools as nearly together as possible, that we should be spoken of in this House, as we have been, and as the member for Lambton (Mr. Lister) suggested I deserved to be spoken of, in an observation made here to-night. At any rate, Sir, I propose voting against the amendment of the leader of the Opposition.

Mr. CHARBONNEAU. (Translation.) Mr. Speaker, I cannot allow the vote to be taken upon this measure without drawing the attention of the hon. Minister of Justice and of this House to an irregularity in procedure which I consider as serious. This question has now ceased to have in my mind the importance it had up to yesterday, because of the statements which were made to the House in the early part of the present protracted sitting. What took place today convinced me that what we are doing now is nothing but a legislative play. I think it my duty, before the second reading of this Bill, to raise a purely technical point. The jurisdiction of this House covers only a particular and altogether special case. We cannot extend our jurisdiction by a single jot. The jurisdiction which allows us to legislate in this matter, is given us by section 22 of the constitution of Manitoba, which, I think, is very clear, by the way, I may say that I do not see what need there was for the Government to have this clause interpreted by the Judicial Committee of the Privy Council in England. Our jurisdiction is dependent upon an Order in Council summoning the Manitoba government to do a thing which it be in their power to do, and which they refuse to do. Now, I submit to this House as a constitutional point, that there was no Order in Council summoning the Manitoba government to do a thing which it was in its power to do, and consequently, I contend that we cannot have any jurisdiction, and that we very uselessly for the last three months spent our time in shouting abuse at each other. For the last three months this House has been working at a Bill which has no significance. This may seem strong language, but I think it is justified. Let us see first the preamble of the Bill:

> Whereas the Roman Catholic minority of Her Majesty's subjects in the province of Manitoba, appealed to His Excellency the Governor General in Council under the provisions of section twenty-two of chapter three of the Statutes of 1870, intituled: "An Act to amend and continue the Acts thirty-two and thirty-three Victoria, chapter three, and to establish and provide for the government of the province of Manitoba," from certain Acts of the legislature of the province of Manitoba, passed in the fifty-third year of Her Majesty's reign, chapters thirty-seven and thirty-eight- —

I particularly draw the attention of the hon. Minister of Justice and of the former Minister of Justice to this description of the Acts, 53 Victoria, chapters 37 and 38:

> ——affecting the rights or privileges of the said Roman Catholic minority in relation to education, namely: "An Act respecting the Department of Education" and "An Act respecting Public Schools," and whereas such appeal having been duly heard and decided by His Excellency the Governor General in Council, such provincial law as seems to the Governor General in Council requisite for the due execution of the provisions of the said section twenty-two of the first mentioned Act has not been made and the circumstances of the case require that the Parliament of Canada should make a remedial law as hereinafter enacted for the due execution of the provisions of the aforesaid section twenty-two.

Referring now to the Order in Council of March 21st, 1895, upon which our jurisdiction depends, I find the laws in question described in exactly the same terms. First, the petition is recited forming the preamble of the remedial order, as follows:—

> That subsequently in the 53rd year of Her Majesty's reign, two statutes were passed by the legislature of the province of Manitoba relating to education, which statutes came into force on the first day of May, 1890, and are entitled respectively "An Act respecting the Department of Education," and "An Act respecting Public Schools," and that the effect of the two last mentioned statutes was to repeal the previous Acts of the province of Manitoba in relation to education, and to deprive the Roman Catholic minority of the rights and privileges which it had acquired under such previous statutes.

Then comes the enactment, the essential part of the Order in Council:

> And His Excellency the Governor General in Council was pleased to adjudge and declare, and it is hereby adjudged and declared, that by the two Acts passed by the legislature of the province of Manitoba, on the first day of May, 1890, intituled respectively: "An Act respecting the Department of Education," and "An Act respecting Public Schools," the rights and privileges of the Roman Catholic minority of the said province have been affected.
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> His Excellency the Governor General in Council was further pleased to declare and decide, and it is hereby declared that it seems requisite that the system of education embodied in the two Acts of 1890, aforesaid, shall be supplemented by a provincial act or acts which will restore to the Roman Catholic minority the said rights and privileges of which such minority has been so deprived as aforesaid, and which will modify the said Acts of 1890 so far as may be necessary.

If I refer now to the petition of the Catholic minority presented to the Governor General in Council on November 26th, 1892, I again find the Acts with which we are supposed to deal, described in the same terms, viz., the Acts 53 Victoria, chapters 37 and 38. Now, Mr. Speaker, these Acts, 53 Victoria, chapters 37 and 38, at the time the petition of November 26th was presented, had ceased to exist. This assertion will probably be a matter of surprise for the members of this House. It is indeed astonishing enough that such an error should have found its way in bona fide proceedings, and I have frequently asked myself whether really this was not a voluntary blunder. I stated, Mr. Speaker, that on November 26th, 1892, the two Acts, 53 Victoria, chapters 37 and 38, had no existence. Here is the proof. I read in the Manitoba Act, 55 Victoria, chapter 41, section 2 :

> On, from and after the coming into force of this Act, the Acts and parts of Acts set out in the schedule styled schedule A * * * shall be and the same are hereby respectively repealed to the extent set out in the said third column of said schedule.

Now, looking up this schedule A, I read the following :—

> Title of Acts : 53 V., 1890—ch. 37 ; An Act respecting the Department of Education. Extent of repeal : the whole. Ch. 38, The Public Schools Act. Extent of repeal : the whole.

An hon. MEMBER. Carried, carried.

Mr. CHARBONNEAU. (Translation.) You will say carried when I am through with my argument, but not before. The Manitoba Act which I just mentioned, 55 Victoria, chapter 41, was sanctioned on April 20th, 1892. Was I right in saying that, on November 26th, 1892, the date on which the petition was presented, complaining of the Acts 53 Victoria, chapters 37 and 38, and on March 21st, 1895, the date of the remedial order calling upon Manitoba to repeal, amend and supplement in any manner, the Acts 53 Victoria, chapter 37 and 38, these Acts were no more in existence and had been repealed ? I would be curious to know what answer can be made to this. As I said a moment ago, our jurisdiction is under the authority of section 22 of the Manitoba Act, and we cannot go beyond. If there be no Order in Council obliging the province of Manitoba to act, if the province has not refused to do so, we have no jurisdiction and we cannot contend that the province of Manitoba has refused or neglected to amend, repeal or supplement in any manner, the statutes complained of. The Order in Council cited in the preamble does not mention the educational laws or those concerning the Department of Education, but the statutes 53 Victoria, chapters 37 and 38. These statutes having been repealed before the appeal of the minority, the Manitoba government could not be called upon to repeal or amend them. I say that under the circumstances, we have not the shadow of jurisdiction. I see the hon. Minister of Justice wishing to tell me that this law, which was repealed on April 26th, 1892, was re-enacted. But, Mr. Speaker, the law passed on April 26th, 1892, does not bear the same title. The remedial order does not speak of the statutes in any particular way, but mentions the title which I have given, and governs the procedure as far as the appeal is concerned. The statutes upon which the appeal was based not being in operation at the time the appeal was heard before the Governor General in Council, subsequent to which the remedial order was passed, it follows that the appeal as well as the Order in Council passed in consequence are worth nothing. The only Acts existing at that time were chapter 47 and chapter 127 of the Revised Statutes of Manitoba. These were, I repeat it, the only educational laws in force at the time the appeal was taken. Consequently we can only claim jurisdiction after an appeal from these laws and after an Order in Council rendered upon an appeal from laws in force on November 26th, 1892.

An hon. MEMBER. (Translation.) It does not matter.

Mr. CHARBONNEAU. (Translation.) I hear an hon. member say it does not matter. He probably agrees with those who say that there is no question of passing a bona fide law, but purely and simply of asserting a principle. The hon. member for Montreal West (Sir Donald Smith), after having told us that the Bill before the House is not the true constitutional way to a settlement of the question, but that we should rather use the conciliatory means recommended by the hon. leader of the Opposition, concluded his speech by saying : Let us pass the second reading of the Bill in order to sanction its principle. I ask myself what principle we can sanction by debating for three months over a Bill which we have no jurisdiction to deal with. At all events, a paramount principle of any Bill should be its genuineness and its being intended to become a statute. And we are told that what we are debating over now is not meant to become a law ; but that what is wanted, is that we should assert a principle ? What principle ? Is it the principle that the Federal Government has the right to intervene in this question ? Surely no, since this principle is stated in plain letters in the constitution of Manitoba, section 22. And besides, this right of intervention has been clearly declared to exist by the highest tribunal of the Empire. Surely then it cannot be to assert this principle of the right of intervention, that we can be asked to vote the second reading of this Bill. Well, I ask what other principle can be in the Bill. I can see no other. In my opinion this Bill can only be but a wretched Pandora's box, full of all imaginable evils, but at the bottom of which hope even is not to be found. No ; it is but a wretched rag.

Some hon. MEMBERS. Order, order.

Mr. CHARBONNEAU. (Translation.) Call me to order if you please ; this contempt is not for a law that has been adopted ; it applies to a measure under discussion, to a miserable rag of paper, which has been dragged over the land from one bishop's palace to another, begging for a blessing. I can add that the blessing has not yet been given ; and it will not likely be for a while, after the statements made before this House. I hope, Mr. Speaker, that in raising the point I now submit to the House, my position will not be interpreted as showing ill-will on my part towards the Manitoba minority, or as meaning a refusal to render justice to them. I do not deem it necessary, under the circumstances, having to deal with this unconstitutional measure, to make any declaration of sympathies in this relation. However, I may say that if I can by my vote, my influence or my words, help in the slightest way, the Manitoba minority to be reintegrated into its rights I will always be happy to do so.

Some hon. MEMBERS. Oh, oh.

Mr. CHARBONNEAU. (Translation.) My professions are fully worth those of the hon. members who shout oh, oh, on the other side of the House. I will not undertake to show how inefficient, how impracticable and how injurious to the French Canadian minority in Manitoba this Bill is. I only wish to explain the particular reason which prevents me from voting in favour of the Bill now before us. In order to give the hon. Minister of Justice and the Government the opportunity to consider the point which I have just submitted to the House, I move seconded by the hon. member for South Wellington (Mr. McInnes) that the debate be now adjourned.

Mr. FOSTER. I must oppose the adjournment of the debate. The leaders on both sides know why this debate ought not to be adjourned. An understanding was arrived at between them, that this sitting should end this debate. I simply leave the matter to the good sense of the House.

Mr. MULOCK. Mr. Speaker, the hon. gentleman has made a motion to adjourn the debate to enable the Government to consider a point of law. I am not myself familiar with the details of the understanding alluded to by the Minister of Finance, but I am under the impression, that that arrangement had in view the conclusion of the debate at this sitting, and, therefore, I quite agree with him, that, unless by common consent, it might not be regarded as a strict adherence to that arrangement, if the motion were pressed. But the making of the motion enables the members, at all events, to discuss the point of law raised by the hon. member ; and, if there is anything in that point, the opportunity should be given for its discussion. However, with regard to the point made by the Minister of Finance, if it were seriously pressed, I think that even at this late hour, the arrangement should be cancelled. Circumstances have arisen which, I think, would warrant all parties in acquiescing in that proposition. I do not see the whip of our side present, but I am informed that, when the arrangement to conclude the debate at Wednesday's sitting was arrived at, a list of the speakers on the Government side was submitted, and, on the expectation that that list was a complete list, the arrangement was arrived at. Immediately thereafter, members on the Government side, whose names were not on that list, at great length addressed the House. Is that correct ?

Mr. FOSTER. No, it is not correct, as you state it.

Mr. MULOCK. I have not any knowledge of the matter myself, but I understand from our own whip, that that is the case. However, the point taken by the hon. member is one worthy of consideration.

Mr. DICKEY. Would the hon. gentleman state it.

Mr. MULOCK. As I understand the point, it is this. The Manitoba Act allows an appeal to this House, on certain formulas being complied with, namely, where a minority complains of having a grievance, the Government can issue a remedial order, calling upon the provincial legislature to legislate in a certain way, and, in default, jurisdiction accrues to this Parliament. It appears that the Act complained of was a statute of 1890. That Act, the hon. gentleman says, was repealed by the legislature of Manitoba ; the petition on which the Government issued the remedial order was not presented to the Government until the 26th of November, 1892 ; and you have issued a remedial order, calling upon the Manitoba government to reinstate a repealed Act, instead of amending something on the statute-book. Your remedial order, he contends, is a nullity, and, being a nullity, no legislation can be founded upon it. Of course, any mistake in a Bill is amendable, but, if the order itself is a nullity, there can be no legislation, and there cannot be jurisdiction in this House unless there is a valid remedial order. That is the point raised by the hon. gentleman on the motion to adjourn, and the motion of adjournment is, I presume, made to enable gentlemen to address themselves to this point, not to depart from the agreement arrived at.

Some hon. MEMBERS. Question, question.

Mr. LISTER. It is all very well for hon. gentlemen to call "question," but the point raised by the hon. gentleman is a very important one, and goes to the very foundation of the right of this House to interfere with the legislation of Manitoba. It is a point which, I think, should receive proper consideration at the hands of the Minister of Justice. Of course, if the intention of the Government is, as we all suppose, a mere pretense, then, it does not make much difference whether the House votes on this Bill or not; but, if the House intends seriously to legislate upon this grievance of the Manitoba minority, then, the objection raised by the hon. member for Jacques Cartier, is a matter of very considerable moment.

Mr. MULOCK. The Act would be no good.

Mr. LISTER. The Act, as my hon. friend says, would be no good. What do we propose to do ? The remedial order is directed to the statutes of 1890 of the province of Manitoba. It is to remove grievances created by the statute of 1890. The statute of 1890 has been repealed by the Act of 1891. So that the remedial order is a nullity, because there is no statute for it to act upon. That seems perfectly clear ; and that being the case, you have asked the legislature of Manitoba to repeal a statute that is not in existence at all : and, if this legislation is to be valid and forceful, it is necessary that Manitoba should be requested to repeal the legislation of which the minority complain, which is not the legislation of 1890, at all, and, as my hon. friend suggests, there is no complaint against the other statute. So that, as a matter of fact, there is nothing in the province of Manitoba for this House to act upon. That is the position of the matter, and I think, that, before this House is asked to do anything with regard to the Bill now under consideration, the Minister of Justice should investigate the objection taken by the hon. member for Jacques Cartier, and satisfy himself that the objection is baseless before we proceed with the Act. Or if he find that there is something in it, that something prevents our going on at all, and it seems useless and profitless work to go on here voting and discussing a question when the whole work has to be done over again. While I am upon my feet,—I will take occasion to advert very briefly to the argument of my hon. friend and the statement he thought proper to make—the statement that the hon. member for North Ontario (Mr. McGillivray) made in the speech he delivered a few moments ago. My hon. friend in most vigorous, if not violent terms——

Mr. McGILLIVRAY. Not violent.

Mr. LISTER. Vigorous certainly, denied that during the local elections for the present Parliament of Ontario there was any assault made upon the separate school system of that province.

Mr. McGILLIVRAY. I said to destroy the separate school system.

Mr. LISTER. Yes ; to destroy the separate school system of that province. I take issue with my hon. friend, and I say to him that from his leader down, and it was not Mr. Chief Justice Meredith but Mr. Marter, who was the leader when the assault was made upon the separate school system of Ontario.

Mr. McGILLIVRAY. I rise to a point of order. The hon. gentleman is misstating the facts. At the time of the general elections, the Chief Justice of Ontario was our leader and Mr. Marter was not. Now take that back.

Mr. LISTER. It does not make any difference whether it was Chief Justice Meredith or not. I believe Chief Justice Meredith was the leader of the party then, because Mr. Marter succeeded him, and in the by-elections Mr. Marter was the leader. Well, the leader of the party did not go as far as that, but his followers went from one end of the country to the other, and made an assault on the separate schools system and called for its total abolition.

Mr. McGILLIVRAY. That is not so.

Mr. LISTER. They urged that if the province had control over legislation, the province could repeal it. In other words, that the power which created the Ontario system of education could repeal it. The people were told that they were the source of all power, and that if it was their wish, that legislation could be repealed.

Mr. McGILLIVRAY. Does the hon. gentleman say that was the position of the leader of the hon. leader of the Opposition ?

Mr. LISTER. I say it was.

Mr. McGILLIVRAY. It was not or of the party either.

Mr. LISTER. I say, moreover, that never in the history of Ontario was a more bitter fight made by the Conservative party of Ontario than that fight, and that fight was an assault against the Roman Catholic people of Ontario.

Mr. McGILLIVRAY. No.

Mr. LISTER. You brought in to the county the notorious Margaret L. Sheppard.

Mr. McGILLIVRAY. That is not true.

Mr. SPEAKER. I do not see what connection that has with the question before the House.

Mr. LISTER. It is a question of adjourning the debate.

Mr. SPEAKER. I have already ruled that in such a case, the discussion must be relevant to the discussion before the House on which the adjournment of the debate is asked.

Mr. LISTER. If you hold it is not relevant, Mr. Speaker, I bow to your ruling.

Mr. SPEAKER. I cannot discover what Mrs. Sheppard has to do with the Bill before the House.

Mr. LISTER. As objection is taken to the fact of Mrs. Sheppard being in North Ontario——

Mr. McGILLIVRAY. She never was.

Mr. LISTER. She was not ?

Mr. McGILLIVRAY. No.

Mr. LISTER. We will see. Mr. Speaker has ruled that any reference to her is out of order. Then I say that the battle waged at the last elections was the battle of intolerance and bigotry against the Roman Catholic population of Ontario. Every body knows that. Take the speeches delivered from one end of the country to the other, and it becomes perfectly apparent that the Protestant portion of the people of Ontario were excited to a degree that I cannot exaggerate upon the school question —upon what they were pleased to term the so-called Ross Bible and against the Roman Catholic church generally. That was the sole question at the elections. The elections were fought out on that, and for three elections the question of separate schools and the Ross Bible were the questions before the electorate for their consideration. On three occasions were the elections fought out upon those grounds, but the Mowat government was returned to power because there was not and could not be any serious charge against its general administration. My hon. friend says that the grounds upon which the Conservatives of Ontario attacked the Government was that they were not making the schools as good as the public schools of the country.

Mr. McGILLIVRAY. The hon. gentleman mistakes me there too. What I said was that the effect of the Conservative party in that campaign was to give them the same school books, the same inspection and the same class of teachers.

Mr. LISTER. That is the first time we have ever heard of it. Probably the hon. gentleman's constituents in North Ontario will remember whether the statement which he makes now is an accurate statement of the facts. Sir, the legislation which the Mowat government had given, was to make the schools more efficient, and the cry upon the platform was, you have no right to improve these, leave them bad, and by leaving them bad, they will necessarily die. What did Mr. Mowat do ? He improved the separate schools by giving the right to borrow money which other school sections enjoyed. That is the Bill of Mr. Mowat which was complained of and to which Mr. Meredith agreed.

Mr. McGILLIVRAY. It was never complained of.

Mr. LISTER. Another was as to who should be separate school supporters, and Mr. Meredith agreed with that Bill when it came before the local parliament. Yet the hon. gentleman went from one end of the country to the other denouncing the local legislature on those two questions when, as a matter of fact, the leader of the Conservative party was a consenting party to it.

Mr. McGILLIVRAY. It has been changed to our aspect since.

Mr. LISTER. It seems to me that the hon. gentleman is wriggling. He was nominated as a supporter of the present administration, and, although the question of the Manitoba schools was discussed upon the platform——

Mr. FOSTER. I would like to ask you, Mr. Speaker, whether it is in order to take up the discussion of the main question upon this motion to adjourn the debate ? It strikes me that the hon. gentleman was in a position which would not have allowed him very much freedom of discussion upon the main question. The motion is now made to adjourn the debate, and the hon. gentleman takes up the main question and discusses it. If he is in order, I must ask the attention of the House to this, as it certainly appears to me to be a motion for shoving off the main question, which we were supposed to have discussed and finished at this sitting of the House.

Mr. SPEAKER. The hon. member for West Lambton (Mr. Lister) is in order in discussing the main question. But my own opinion is that he is wandering very widely from the question before the House in taking up a discussion pertaining to matters confined to the province of Ontario altogether. The hon. member has a right to speak to the question now before the House, but he must confine himself to that question.

Mr. LISTER. It must not be forgotten that the Secretary of State (Sir Charles Tupper) discussed everything from confedration, and even many years prior to confederation, down to the present time. I think I am not very far afield in answering the hon. gentleman from North Ontario on the statements he has made in connection with the local elections in that province. However, as you, Mr. Speaker, seem to think it is not strictly within the lines, I shall desist from dealing with the statements of my hon. friend as to what took place during that election. There is no doubt that the hon. gentleman is wriggling. He was nominated as the Conservative candidate for North Ontario. Everybody who remembers that election knows that the Manitoba school question was of engrossing interest to the people of North Ontario, as well as to the people of Cardwell and other constituencies in which by-elections were held. The Government was at that time pledged to introduce remedial legislation, and when the hon. gentleman says that the Bill we are considering was not an issue in that contest he is making a statement which one must be very credulous to accept. The hon. gentleman had six or seven Ministers of the Crown in the county speaking in the small schoolhouses and discussing this question. My hon. friend was asked what his views were upon the question, and, with a simplicity which does the hon. gentleman infinite credit and really makes one believe that he has always lived in the back-woods of North Ontario, that he could not tell them what his views were upon that question until he had seen the Bill.

Mr. McGILLIVRAY. He would not tell them.

Mr. LISTER. The hon. gentleman has been in the House for two months, and he has never told us what his peculiar views are upon this Bill, although he has seen it. I ask the hon. gentleman whether he did not tell his electorate that they knew what he was and they could trust him ?

Mr. McGILLIVRAY. Hear, hear.

Mr. LISTER. And did he not tell others the same thing ? He was so well known in that county as an opponent of separate schools that it was unnecessary to tell them where he stood. It was only necessary to give them the wink and say : Don't you know me ? The hon. gentleman has squirmed and twisted and has worked his brain for all it is worth to find a hole to crawl out of. And, with the knowledge of parliamentary practice that does him great credit, he now says he will vote against the amendment of the hon. leader of the Opposition, but does not tell us whether he will vote for or against the Bill.

Mr. McGILLIVRAY. You will find that out in time.

Mr. LISTER. The hon. gentleman is very secretive. Does not he know that by opposing this amendment he is voting for the Bill? Does not he know that the six months' hoist is an amendment against the further prosecution of the Bill this session, and that if he votes against it he affirms its principle? If he does not know that, he must be exceedingly ignorant or innocent. My hon. friend behind me (Mr. Macdonald) says that the ex-Controller of Customs (Mr. Wallace) had a pledge from the hon. gentleman that he would not support the remedial order.

Mr. McGILLIVRAY. Mr. Speaker, I say that is untrue.

Some hon. MEMBERS. Take it back.

Mr. LISTER. I have nothing to take back. I only stated what my hon. friend behind me told me. The hon. gentleman denies it—very well. He says the ex-Controller of Customs backs him up—very well. Then there is nothing at all in the rumour afloat that he had given such a promise to the ex-Controller of Customs.

Mr. WALLACE. The ex-Controller of Customs does not back him up in that statement.

Mr. McGILLIVRAY. I did not hear what the hon. gentleman said.

Mr. LISTER. He does not back you up in that statement.

Mr. McGILLIVRAY. I guess he will not say anything different.

Mr. LISTER. The hon. Controller of Inland Revenue (Mr. Prior) addressed the House to-day upon this question, and deplored that these animosities should be aroused by reason of the introduction of a question of this kind before Parliament, and intimated that the leader of the Opposition in moving his amendment was acting in the interests of the hon. gentleman from North Simcoe (Mr. McCarthy). Does he not know that the amendment which was proposed by the leader of the Opposition, if carried out, would give effect to the policy which the leader of the Opposition has enunciated for months and years, and which this Government to-day has adopted ? Does he not know that this is the effect of the motion : Don't go on with this Bill now, but do as I have suggested ; have a conference with the Manitoba government, or issue a commission for the purpose of ascertaining whether the differences between these two legislatures cannot be settled in an amicable way, so as to leave no heart-burning, and no feeling of unfair treatment on the part of the minority or majority in Manitoba. The hon. gentleman deplores these sectarian differences, these religious animosities. The Minister of Finance, in his own eloquent way, deplores them to. The gentlemen who surround him, and who have spoken on the question, also deplore them. Why, Sir, these are the men who are responsible for the whole thing. If these men were honest in the pretense they make today, if they were honest in wishing to avoid all religious troubles, why was it that in 1891 they did not disallow the Manitoba Act ? There they were acting within their constitutional powers, they had a right to disallow it ; and if they were so tender, if they were so considerate as to the rights of the minority, it was the duty of the Government five years ago to have disallowed the Act of 1890, and kept to the minority the right which they had acquired under the Separate School Act of 1872. These men have trifled with the question. Because they were on the eve of an election they were afraid to disallow that Act. They cowardly declined to do it, and they left it to the courts, feeling reasonably satisfied that the Supreme Court would say that the law was within the power of the Manitoba legislature. That court did so decide, to the gratification of the hon. gentlemen upon the Treasury benches ; and they believed that when the case was sent to the Privy Council the judgment of the Supreme Court would be sustained; but they were mistaken. Now, what did these men do? They did everything that men could do who wished to antagonize and incur the resentment of the people of Manitoba. They issued a remedial order, and summoned that province to appear before the Privy Council of Canada before the judgment of the Privy Council had reached this country. They issued the so-called remedial order, after a hearing which took place before the Privy Council, in terms of the most offensive character, in terms which they now admit they cannot and do not propose to follow. There is no doubt that it was then the intention of the Government to go to the people, but for some reason they did not go to the people. Times were bad, the Government did not see its way clear to succeed at the election. Parliament was called together, and three Ministers of the Crown resigned their portfolios because the Government was not prepared to force through at that session, a Remedial Act. The Government were in a panic, they were ready to do anything to hold office, as they have always been. They coaxed the deserting Ministers, and the upshot was that upon the promise of the Government to call a special session for the purpose of passing remedial legislation, two of the Ministers returned to their portfolios. After the remedial order was issued last year, elections took place in Haldimand. The Government candidate said: We are bound to issue the remedial order, because it is in accordance with the judgment of the Privy Council, but it goes no further. In Verchères the Minister of Public Works called his Maker to witness that the Remedial Act would be passed at the following session. In Antigonish the Minister of Justice would not say for a week whether the legislation was to take place or not, as he knew that the election was going on in Haldimand, and he did not want to prejudice the statement made by the then Secretary of State in the county of Haldimand, and so he postponed a statement as to whether the Government would introduce remedial legislation. Well, Sir, the Secretary of State, in the long speech he made last night, said that the Hon. Joseph Howe had made two mistakes. Joseph Howe made three mistakes, and the last one was in allying himself with the hon. gentleman. From that moment he was a ruined public man. Sir, the Secretary of State would have made an excellent novelist, he is so full of fiction. If you take his speeches and take out the fiction portion of them, there is very little left. The hon. gentleman stated, and repeated what had been stated by gentlemen who had preceded him in this discussion that he deplored a war of race and creed. The speech of the hon. Secretary of State was a deliberate effort to renew intolerance and bigotry and war of race and creed. It was a deliberate bid on his part to get what he considered would be the support of an important body of the electors. The whole question so far as the Government and the Opposition are concerned is not as to the right of appeal, as to the power of this Parliament to afford a remedy, but it is one of policy, as to how and what should be done before Parliament undertakes to exercise the power which the statute gives it. The Opposition claim it was the duty of the Government before they passed this remedial order and undertook to legislate to have conferred with the government of Manitoba. The Opposition claim that the action of this Government has been ill-advised, and the natural result has been to antagonize the people of Manitoba and injuriously affect the rights of the minority in that province. The wisdom of the policy of the leader of the Opposition has been apparent in what has occurred within the last few days. This Government, which passed this extraordinary remedial order and brought down the Remedial Bill, are now adopting the policy advocated by the leader of the Opposition, a policy of conference and of conciliation. We are already told that notwithstanding the pledge made by the Government that they will pass this Remedial Bill, it is now proposed to hang it up after giving it a second reading and a conference between the Governments of Manitoba and the Dominion with a view if possible to end the difficulty. The Minister of Marine and Fisheries waxed eloquent in the direction of keeping down intolerance. He told the House that the Conservative party had ever been the party to keep down intolerance and make the Canadian people one people in order that they may become a nation. He attacked the Liberal party as a party fermenting discord. The Liberal party is not, however, the party that ferments religious strife. During fifteen years the "Globe" has used its great power for the purpose of suppressing religious bigotry and intolerance. The Liberal party does not proclaim that the province of Manitoba is not suffering from a grievance which should be remedied. The Conservative party avows that there is a grievance and that it should be remedied. So practically both parties are agreed on the question of a grievance and the necessity of remedying it. But the difference between the parties is as to how the remedy should be applied. The Conservative party declare that they will force Manitoba without conference or conciliation. The Opposition may say that as there is a grievance and in order that relief may be applied a policy of conference and conciliation should be pursued. That is the difference between the two parties. It is a matter of which the Liberal party may feel proud, that after all the boasting, and after all the extraordinary conduct of this Government, after their threats to the province of Manitoba, and after the cavalier manner in which they treated that province, it is a matter of congratulation to the Liberal party of this country, that the Government has been compelled at last to adopt the policy of the Liberal party, and to apply conciliation rather than force and violence. To show how unreasonable this Government has acted in regard to this question, I would call to your attention, Mr. Speaker, that the judgment of the Privy Council was rendered on the 13th December, 1894, transmitted on the 19th February, 1895, and the proceedings before the Canadian Privy Council began on the 26th February, 1895, before it was possible for the judgment of the English Privy Council to reach Canada. The covering order was on the 19th March. The remedial order was dated on the 21st day of March, and it is perfectly plain that the object of the Government was, that the remedial order should exercise an influence on the elections which they then believed were to take place. No dissolution did take place, but the Government having promised to pass legislation based on the remedial order, they are now compelled to carry out the promises which they have given to their French supporters. I do not believe the Government have any intention of making this Act the law of the land. The hon. member for Montreal West (Sir Donald Smith) tells us to-day, that he went to the province of Manitoba at the instance of the Governor General, not at the instance of the Government nor with the knowledge of the Government, for the purpose of seeing if some settlement of this question could not be come to. Although he was not an emissary of the Government of Canada, we find that telegrams passed between him and the Government with reference to the negotiations about which he went to Winnipeg, and we found that the Government in its distress, without the consent of the member for Montreal West, and without the consent of Mr. Greenway the sender of the message, suppressed the most important part of that telegram in reading it to Parliament, the part which said that it was not the fault of the Manitoba government that a redress of the grievances did not take place. We have the extraordinary spectacle, of a private member of this House stating here that he has taken the settlement of this question out of the hands of the Government, stating what the policy of the Government is, and stating that after its second reading a conference will take place, and it is possible a settlement of the difficulties will be accomplished. I chanllenge hon. gentlemen to say, if they ever saw a more lamentable spectacle than that of the Secretary of State (Sir Charles Tupper) getting up in this House and reading a mutilated telegram bearing on a serious national question. The Government seems to be ready for any expedient for the purpose of getting through their difficulties and retaining their offices and their salaries. They are ready that a conference should take place with Manitoba now, but that conference should have taken place before the remedial order was ever issued. If Mr. Greenway is now willing to meet these hon. gentlemen in conference, he is much more considerate than he has a right to be, taking into consideration the conduct of the Government towards him. Mr. Speaker, I shall vote for the amendment of the leader of the Opposition, because I believe that the policy announced by him is the right policy, and the policy of a statesman. I firmly believe that if his policy had been adopted long ago this question would not be now agitating the people of Canada from one end to the other.

Mr. DAVIES (P.E.I.) I would like the Minister of Justice to say whether he conceives there is anything in the serious objection taken to the proposed legislation by my hon. friend from Jacques Cartier (Mr. Charbonneau. If I understood him correctly, the hon. gentleman objects that the jurisdiction of this Parliament is based entirely on the terms of the remedial order, and the remedial order contemplates a grievance as having been inflicted on the minority in Manitoba by the statutes passed by the province in the year 1890; and he states, if I understood him correctly, that those statutes have been repealed. As my hon. friend stated the point in French, I think it fair that it should be stated in English; because it does appear to me at first blush to be a point of great and grave importance. The remedial order, after reciting the Acts of 1870 and 1871, goes on to say that subsequently two statutes relating to education were passed in the fifty-third year of Her Majesty's reign, which statutes came into force on the first day of May, 1890, and the effect of the two last-named statutes was to repeal certain privileges of the Roman Catholic minority which they had theretofore enjoyed. It goes on further to recite that the said Acts do affect rights and privileges of the minority; and further adjudges and declares that the legislation made by the two Acts of 1890 should be supplemented in a certain way. The whole remedial order is based on the supposition that the two Acts passed in 1890 did in themselves infringe on certain rights and privileges of the minority, and that these two Acts were in existence at the time the remedial order was passed. My hon. friend alleges that that supposition is incorrect—that those Acts were not in existence at the time at all, that they had in themselves been repealed, though the grievance might exist all the same. Whether it does or not, it is not for us to say; but the Acts which caused the grievance were repealed. It is purely a technical point, I admit, because the Acts of 1890 were in substance re-enacted; but that is not the point my hon. friend takes. I understand him to take the technical point that the remedial order adjudges that the Acts of 1890 should be amended in certain particulars, and in nothing else. It does not adjudge that any state of facts created by subsequent Acts should be amended, and he says that inasmuch as those Acts of 1890 were repealed entirely, and did not exist at the time the remedial order was passed. the remedial order itself is substantively defective. The point is strictly a legal and technical one, but it does appear to me to have a great deal of force. Of course, if it has, all the legislation we are considering, and all the time we are spending on it, are simply wasted. I would like to hear what the opinion of the Minister of Justice is on the point before we proceed any further.

Mr. DICKEY. It does not seem to me, with such consideration as I have been able to give to this point, that there is anything in it to justify the House in refusing to read the Bill a second time. It is quite true the Acts of 1890 were displaced by the consolidation of the statutes, before the petition was presented to the Privy Council of Canada: but the consideration of the statutes was not to repeal the Acts of 1890. That was expressively said to be declaratory of those Acts and others, and to continue them in force.

Mr. DAVIES (P.E.I.) I understood my hon. friend from Jacques Cartier to read that. As a matter of fact, the Act of April, 1892, did in express words repeal the Act of 1890, but contained a declaration that that repeal should be read as continuing the former Acts for other purposes. But that they were repealed is beyond a doubt.

Mr. DICKEY. Section 5 says that the said revised statutes shall not be held to operate as new laws, but shall be construed and have effect as consolidation and as declaratory of the laws contained in the Acts of repeal. They are repealed in some sense —technically repealed : but the Act that repeals them says that the new Act shall not be held to be a new law. However, it seems to me that the language of remedial order would be quite sufficient to meet the case, although the Acts of 1890 had been as a matter of fact repealed, assuming that the grievance set up by the enactment of those laws continued. It seems to me at present that the only difficulty that arises, if any, in connection with the point that has been raised, with the recital in the Bill which is before the House, which, I admit, may need examination, although I do not at all say that it does at the present time. But I do not see anything at all in the point raised in my judgment, to justify the House in waiting for any further consideration of it, before voting on the second reading of the Bill.

Mr. WALLACE. Mr. Speaker, before the motion for the adjournment of the debate is put, I desire to take this opportunity to make a few remarks on some statements that were made by the hon. member for Pictou (Sir Charles Hibbert Tupper) the other afternoon during my absence from the House. I was charged by the hon. member with violating those principles which should guide members of the Government, in my opposition to the Government's policy, and with not acting consistently with my position as Controller of Customs of Canada. The language used by the hon. gentleman on that occasion was, in the first place, that I "remained a member of the Government," after the solemn declaration of the leader of the Government referring to Sir John Thompson, "that he would be guided by the judgment of the Privy Council, whether it was for or against the rights of the Catholic minority in Manitoba." I am sorry that the hon. member is not in his place, because I would like to ask him or any of his colleagues who are conversant with the matter, whether Sir John Thompson made that statement. I was with him in his tour through Ontario, I think, at every public meeting, and I never heard him make such statement, and never saw any such statement reported in any of the newspapers as made by him. At that time, meetings held in Shaftsbury Hall, in Toronto, I am quite sure he did not make any such statement.

Mr. MASSON. I heard him make it.

Mr. WALLACE. We all heard him make the speech, but we did not hear him make any such statement, and I challenge the hon. gentleman to produce the report in any newspaper of words used by the hon. member for Pictou or in corroboration of the statement that the hon. gentleman who interrupts me now makes to the House. Every newspaper in Toronto, on that occasion, reported his speech. That report I know was a verbatim report, and I am quite sure that the words quoted here were not the words used by Sir John Thompson on that occasion.

Mr. MASSON. Not the exact words, perhaps, but the meaning is exactly the same.

Mr. WALLACE. I beg to differ. I say that the words he did use were not these words, and the hon. member knows it, and they have not the meaning those words have.

Mr. MASSON. I say they have, and I do not know anything to the contrary, and the hon. gentleman has no right to make such a statement.

Mr. WALLACE. The hon. gentleman has no right to interrupt me, and he should know the rules of the House. He should not get up and make a statement and then have to deny it himself. He made the statement that these words were used, and now he does not know if they were or not. He had better be sure of his ground before making a contradiction. Those words were not used on that occasion. I may say that when I became Controller of Customs, I had a full consultation with Sir John Thompson on this question. He never anticipated that it would come before the Parliament of Canada. He thought that the decision of the Privy Council in the case of Barrett vs. Winnipeg would confirm that of our Supreme Court. There was, therefore, no compact made between us. He said to me: If, unfortunately, this case should come before the Parliament of Canada, it then would become a political question, and it might be necessary then for parties to take sides. But it was not at that time the policy of the Government. I was bound in no way by any considerations with regard to that while I was a member of Sir John Thompson's Government, and the statement, therefore, made by the hon. member for Pictou, in his erroneous version of the speech made by Sir John Thompson, does not apply. I never concealed the position that I took upon this question, when it became a leading one under the Government of the present Premier. At the incipient stages of it, when the Government made that remedial order, I entered my protest as strongly as I could to the Premier. I also protested publicly, on the first occasion I had the opportunity of doing so, and that was on the 12th of July, in the city of Ottawa. Before doing so, I went to the Premier and told him that on the 12th of July I intended to express my sentiments on that question, and that if the views I held were inconsistent with my retaining the position I then occupied, I was quite ready and willing to hand in my resignation. He said it was not necessary for me to do so, but he hoped I would express my views in a moderate way. We do not expect, he said, that that question will come before the Parliament of Canada for consideration at all. We expect that the government of Manitoba will settle the question themselves, and that, therefore, it will not become a live issue in the politics of the Dominion.

Mr. MILLS (Bothwell). That was in July last.

Mr. WALLACE. Yes, under those conditions I remained in the Government. Every member of the Government knew the position and the views I held on that occasion; and when the question, several days after the 12th July, was brought up in the House of Commons by the hon. member for Oxford, who called attention to the statement that I had made on that occasion, the hon. member who attacked me because of the position I then held, was the one who justified the course I then took. I shall trouble the House by reading a portion of the statement made on that occasion. He said:

> The position is this, that a member of the Government, not occupying a seat in the Cabinet, is not supposed to be consulted, as to the initial stage at any rate, in the consideration of questions of public policy by the Cabinet. The Cabinet are supposed to deal with these matters independently of members of the Government who do not sit in the Cabinet; and when the Ministry comes down to the House with a public measure, with an Act of Parliament, and opportunity is given to the outside members of the Cabinet, so to speak,—not necessarily the junior members in the sense to which the hon. gentleman referred to them but in this case the Controllers—to consider the measure fully in all its bearings and in its application, then it is for those gentlemen either to support the measure or retire from the Administration.

No Act of Parliament had been brought down then, the Act was not brought down until this year, but suppose it had been brought down, I could myself—which I would not hesitate to do—resign my position, or the Government could have said to me: Your views are inconsistent with holding your position, and you will have to retire. That contingency had not arisen, and it was, therefore, unfair of the hon. member for Pictou to make the attack that he did upon me on that occasion. He said still further:

> Then the Controller of Customs if he finds he is opposed to that measure will either have to support it or retire from the Government.

That was what I did when I found the course the Government was going to take, when I found they were unalterably committed to it, and that there was no possibility of a settlement with the government of Manitoba. I considered then that I would be doing an injustice to myself if I remained any longer in the Government. But what was the object of this attack on me, taken in conjunction with the speech of the hon. Secretary of State last evening, where the most extraordinary bid ever made in any legislature of Canada was made for the vote of the Roman Catholic Church, and taken in connection with the further statement that the hon. member for Pictou made when he referred to me as the Grand Master of the Orange Association, and when he said still further:

> Can we, members on one side of you, Mr. Speaker, or on the other, attach any great importance to the action or movements of a gentleman of that ilk and that style? I say he represents no honest, sincere, or outspoken opinion in the country.

And when we see that the great Conservative press—and the Liberal press as well, but I refer more particularly to Conservative newspapers—from the Ottawa River to the Pacific are in opposition to the course the Government has taken and are in sympathy with the opinions which I have found it necessary to express. I say that the evidence is against the hon. member for Pictou, so far as concerns his declaration that there is no expression of opinion against the Government to be found in this country. Moreover, I say, that those citizens who choose to disagree with the hon. member for Pictou or the hon. Secretary of State are just as sincere in the expression of their sentiments, are just as patriotic citizens of this country, just as anxious to advance the best interests of Canada as these gentlemen are, and, judging by their records, are less anxious to promote their own interests than the history of the country and of these gentlemen shows them to be. And I say still further that, as the Grand Master of the Orange Association of British America, as one who has received their confidence by re-election for the last eight or nine years, as one who has gone over almost every part of this Dominion and met them in their thousands and their tens of thousands throughout this country, and I can express their opinion and say that as loyal and patriotic a body of men as are to be found in this country are almost a unit in their opposition to this proposed legislation.

An hon. MEMBER. No, no.

Mr. WALLACE. Who says, "No, no." The hon. gentleman had better go back to North Grey if he wants to find out their opinion. But he is afraid to meet his constituents in North Grey, and he is not going back there again. And I can tell him that his successor as the nominee of the Conservative party holds the same views that I do on this question, and, in doing so, he holds the opinions of the Conservative electors in North Grey.

Now, Mr. Speaker, I just wish to refer to one other matter that has been brought up by the hon. member for North Ontario (Mr. McGillivray). The hon. member amused me a little while ago when he denied that Margaret L. Sheppard was in North Ontario. I was in North Ontario assisting in the election of the hon. member in December last, and I certainly heard it stated that Margaret L. Sheppard had been in the town of Bracebridge some time before, and Bracebridge is the place where I addressed a meeting in the interest of the hon. member for North Ontario, and she had been there beyond a doubt. The hon. gentleman cannot deny, though he did deny it when it was stated by the hon. member for West Lambton (Mr. Lister).

Mr. McGILLIVRAY. The hon. member must know——

Mr. WALLACE. Wait a moment till I get through. Then, if there are any explanations you wish to make you can make them. The hon. gentleman may say that Bracebridge is not in North Ontario for the provincial elections. That is quite true. But the hon. gentleman was not running for the local legislature but for the Dominion Parliament.

Mr. McGILLIVRAY. And she never was there during the contest and you know it. Does the hon. gentleman say that she was there during the contest for the Commons ?

Mr. WALLACE. Certainly not. But about a year and a half before that. The statement was made that Margaret L. Sheppard was never in North Ontario, and she was in North Ontario, which the hon. gentleman represents in this House.

Mr. SPEAKER. I will draw the attention of the hon. member to the fact that——

Mr. WALLACE. I am not going to refer to the matter any further, Mr. Speaker. It is quite clear the hon. gentleman was labouring under a mistake. Now as to a further statement of the hon. gentleman. He denies that he every pledged himself to me to oppose remedial legislation. Well, putting it in that way, the hon. gentleman is right. Men do not make pledges to other men ; they are not bound to do it.

Mr. McGILLIVRAY. Hear, hear.

Mr. WALLACE. The statement was made to me in the form of an opinion expressed in plain terms by the hon. member for North Ontario at a meeting of the Conservative Association in Ward No. 6, Toronto—I think it was the annual meeting. The hon. gentleman said : I will never support such remedial legislation ; I am opposed to such remedial legislation.

Mr. MACDONALD (Huron). What do you think of that ?

Mr. McGILLIVRAY. I will answer that.

Mr. WALLACE. I met two gentlemen in Toronto, gentlemen of standing and——

Mr. McGILLIVRAY. Would you mention the names ?

Mr. WALLACE. One was the Rev. Elliot Rowe, a Methodist minister, who used to live in Bracebridge in North Ontario.

Mr. McGILLIVRAY. He will not say it.

Mr. WALLACE. Another is Mr. William J. Parkhill, who is a well known gentleman and a gentleman of reliability.

Mr. McGILLIVRAY. He will not say it.

Mr. WALLACE. The hon. gentleman does not know what I am going to say yet.

Mr. McGILLIVRAY. You told me the other day in the lobby.

Mr. WALLACE. These gentlemen told me in the Walker House in Toronto a couple of weeks ago when I met them there that the hon. member for North Ontario, in conversation with them had expressed his hostility and opposition to the proposed remedial legislation.

Mr. McGILLIVRAY. Hear, hear.

Mr. WALLACE. The hon. gentleman says "hear, hear." On the strength of the opinion he had expressed, these gentlemen supported him in the election.

Mr. McGILLIVRAY. The Rev. Elliot Rowe had not a vote in North Ontario, and did not assist me one iota.

Mr. WALLACE. I would like to ask the hon. member for North Ontario a question.

Mr. McGILLIVRAY. I will answer it.

Mr. WALLACE. Was the Rev. Elliot Rowe a delegate to the convention that nominated the hon. gentleman?

Mr. McGILLIVRAY. Unfortunately he did not get there, or he would have supported me.

Mr. WALLACE. That is not what I am asking. Was he a delegate to the convention?

Mr. McGILLIVRAY. He was not, because he did not get there.

Mr. WALLACE. Was he appointed a delegate?

Mr. McGILLIVRAY. I believe so.

Mr. WALLACE. He was a minister who had lived in the constituency, and used his influence to assist in electing the hon. gentleman. And when he learned the hon. gentleman was experiencing a change of heart he regretted having assisted him. Now, Mr. Speaker, as to the question of the adjournment of the debate, to consider the constitutional question, I am not going to express an opinion. I have not much interest in it, but I have taken this opportunity to put myself right upon two points—first the attack made upon me by the hon. member for Pictou, unjustifiably and incorrectly. As I have said, I have always held one view upon this question from its very inception down to the present day. I have never on any occasion changed my opinion as to the Act itself, or as to the course I should take and did take upon that question.

Mr. McGILLIVRAY. I wish to reply briefly to the hon. member for West York (Mr. Wallace). As to the Rev. Elliot Rowe, he was then a resident of the city of Toronto, and had not a vote in my riding. He was a very strong friend of mine, and is to-day, and I am not any way afraid of seeing such a letter as mentioned by the hon. member for West York, indicating that he had lost confidence in me. Nor did he indicate in any way that there was any change of heart; so far as I know, there is no change of heart yet. As to the hon. member's statement of what took place in Ward No. 6, he was very careful not to say that I pledged myself to him, for neither that hon. gentleman nor any other man could have got a pledge from me. He speaks of some conference. He knows my record; every one in that county knows my record. But he came into North Ontario and spoke at two meetings; but, unfortunately, he left two of my meetings unfilled, and I had to fill them with the Hon. John Costigan, and he filled them very well.

Mr. WALLACE. Will the hon. gentleman permit me to say why I did not fulfil those two meetings? The "Globe" newspaper had a report of a speech that he had delivered at Bracebridge a day or two previously, and I said to him: "Mr. McGillivray, why don't you come out straight in those meetings, instead of twisting and turning in this way?" And he said: "I have wobbled so far in this campaign, and I am going to wobble through to the end." Mr. Speaker, I did not attend any more meetings in that county.

Mr. McGILLIVRAY. I will prove the incorrectness of that statement by saying that the last time I saw the hon. gentleman was at the Severn Bridge meeting, and he afterwards went to Bracebridge, and took a meeting after that. Surely, Mr. Speaker, the hon. member is not trying to make out to this House that while he was a member of a Government he tried to pledge me against that Government.

Mr. WALLACE. I did not ask any pledge from him at all. He made the statement voluntarily to me.

Mr. McGILLIVRAY. I do not know what the hon. member means when he speaks of wobbling. All I know is that at those meetings I arranged with him for two subsequent meetings, and he never appeared at them, and if he had any such reason as that for not appearing, he should have been man enough to have so written to me, and not have left my meetings in that way. Now, as to Mr. Parkhill, I had but one conversation with him, and I really do not remember what we talked about. I know very well he got no pledge of any kind from me.

Motion to adjourn negatived.

Mr. HUGHES. I have waited patiently for the last three or four weeks to speak upon this question of remedial legislation, and I now claim the indulgence of the House for doing so very briefly. In connection with the North Ontario election, I may be permitted to say a word, although it is a matter of very little consequence to this House. I know that my friend from North Ontario (Mr. McGillivray) was charged with having brought Margaret L. Sheppard into that riding in the local fight. That, of course, was denied although the hon. gentleman who made the statement did not retract it. The member for North Ontario, neither directly nor indirectly, was concerned in bringing Margaret L. Sheppard into that riding, and he never saw her. That is for a certainty. Then, as to another statement in regard to the member for North Ontario having pledged himself during his campaign to oppose remedial legislation, I think the Minister of Finance will agree with me that I know probably as much about the details connected with the nomination as any one else, and I here state positively that neither directly nor indirectly, either at the convention or at subsequent meetings during the campaign, did that hon. gentleman pledge himself to support remedial legislation. What he did say was this, that if a Bill was brought in along the lines of the remedial order, that is, restoring the schools as they were previously, then he would under no consideration support that Bill. In the presence of the Minister of Marine and Fisheries, and in the presence of the Minister of the Interior, the member for North Ontario told those gentlemen, on the platform in Sunderland, and in my presence, that he would on no consideration accept such a Bill; but if a moderate Bill were brought in restoring to the Roman Catholic people of Manitoba certain rights in connection with religious instruction in schools, similar to privileges enjoyed by Protestants in that province, he would be willing to grant them that measure of redress. Now, I shall not attempt a discussion of the constitutional aspect of this question, for we are all tired of it. The matter may be simmered down to these issues: Have the Roman Catholics of the province of Manitoba a grievance? Have they a right to appeal to this Parliament? and has this Parliament a right to grant redress? Now, prior to 1890, the schools in Manitoba were not public schools, but they were Roman Catholic schools and Protestant schools, and by the Act of 1890 the schools were all made public. In the first draft of the Act of 1890 the schools were made absolutely secular, and here, to my mind, comes in the kernel of this whole trouble. The first draft of the Bill made the schools secular. The Roman Catholic clergy approached the Manitoba government and asked that they be granted the privilege of giving religious instruction. That request was denied. The Protestant clergy took the matter up and approached the government and demanded the right to give their children religious instruction in the schools. The concession granted to the Protestant clergy appears on the statute-book, and it is in my opinion a matter in regard to which the Roman Catholic minority have a right to express their dissent, for it is a grievance. I will not discuss the aim of the Bill and the object of its introduction here, for these have been pointed out by the hon. member for Kingston (Mr. Metcalfe). In support of the position, that the Roman Catholic minority in Manitoba has a grievance, I will state a few points which present themselves to me. The author of the Manitoba Act of 1890 (Mr. Martin), has on various occasions, publicly in this House and at a large meeting in Toronto and elsewhere, and on two occasions last session, stated that the minority in Manitoba under the Act was subject to "rank tyranny." The Presbyterian Assembly of Manitoba, as reported in the Winnipeg "Free Press," on November 22nd last, also indirectly admitted that the minority had a grievance. At a meeting of the Baptists in Toronto, a motion, moved by Rev. Dr. Rand, and seconded by Prof. Burwash, set out as follows:

> That if and so far as the Manitoba School Act of 1890 involves the compulsory support by our Roman Catholic fellow-citizens of state schools, which are required or expected to teach views of spiritual truth which Roman Catholic parents conscientiously deem erroneous, we consider it as a violation of the principle stated, as a distinct encroachment on the liberty of conscience of the Roman Catholic minority in that province.

That is the view of the Baptists of Toronto. In Winnipeg there had been Protestant and Roman Catholic school boards. By the Act of 1890, one board was provided, the Public School Board. I will quote the opinion expressed by Rev. Dr. King, President of the Manitoba University, on the subject. He said:

> While expressing general approval of the public school system, he thought there had been great absence of wisdom and conciliatoriness; a degree perhaps of injustice of harshness wholly unnecessary in the way in which the change in which, on the whole he approved, had been introduced. If the same kind of indulgence which had been manifested by the authorities in applying a new state of things, had characterized the initiation and introduction of it, we would have heard less of serious difficulties, and in many cases would have made it impossible for the opponents of the system to represent our action in the light in which we have given them some reason to represent it, and we would have taken the edge off some of their severe strictures. In the spring in which the Bill was passed, there was a Protestant school board, also, at the same time, a Roman Catholic school board, in the city of Winnipeg. Some time during the course of early summer the new measure came into operation, and the Protestant board was, by statute, declared to be the public school board of the city. That action had not at least the appearance of justice; it was certainly not, in my opinion, the course which a wise and prudent government would take if the object was to conciliate opposition and win adherents to the new system. He could have imagined that both boards would have been allowed to continue in operation until the time for a new election, and some effort have been made to obtain a school board representative alike of the Roman Catholic and the Protestant people in the city. If that effort had failed and Roman Catholics had refused to have anything to do with the election, how immensely better our position would have been to-day and how much less sympathy they would have had with their aggrieved feeling.

The answer to the statement that the Roman Catholics have not the privilege of giving religious teaching is this, the children are not required to attend religious instruction in the schools. The point lies here, and as one who has fought for years in Ontario for equal laws and rights for all and special privileges for none, I mention that the Roman Catholics of Manitoba, although not obliged to attend, owing to the religious instruction given, have a grievance, in that religious instruction suitable for Protestants has been embodied in the statute, while none acceptable to Roman Catholics has been. Either both should be satisfied; or better still, the schools should be secular, with the privilege to all religious denominations of attending at the close of the school day and teaching their doctrines to those of their own faith who choose to remain. I believe in a peaceful solution of this question, and I rejoice at the words used by the hon. member for Montreal West (Sir Donald Smith). I am very much interested in securing such a solution of the difficulty, and six or seven months ago when I was at Winnipeg. I proposed to see exactly the condition of affairs. I had an idea, which was confirmed on my arrival there, that had the Dominion Government not been standing on its dignity, while the Manitoba government occupied a similar position, the difficulty might have been adjusted. Instead of acting as intelligent bodies of men they were acting more like school boys, and this was especially noticeable when these men were dealing with an educational question which might wreck the foundation of the constitution. I did not hesitate to say in the province of Manitoba that the Greenway government should either have given religious instruction, acceptable to Roman Catholics, or, what would have been better, abolished all religious instruction from the schools. The stand I took was, that there should be no religious instruction interfering with secular instruction, a matter relating to the state, but that religion being a matter concerning the relationship between the individual and his God, religious exercises should not form part of state education. I was willing to meet these parties half-way, and I suggested that at the closing of the school day the clergy of the various denominations could come into the school and be allowed to teach, not only Bible reading, but all forms of religious instruction. It matters not to me how a man worships Almighty God, provided the school gives moral training, and I was perfectly willing to leave the clergy of any denomination to give in the schools such religious education as they pleased. The text books selected should be such as not to prove offensive, either to Protestants or Roman Catholics, and so far as Mr. Sifton, Attorney General of Manitoba is concerned, he was prepared to meet the Roman Catholics and to strike out any objectionable passages in historical or other text books, and a leading citizen of Winnipeg assured me that he declared himself perfectly willing to reprint even a whole history, in order that it might be acceptable for the schools. I take the opportunity of saying here, as did the hon. member for Montreal West, that I was more than pleased at the spirit shown by the government of Manitoba when these matters were fairly placed before them. I will now take the liberty of reading to the House portions of the report of an interview with me published in the Manitoba "Free Press" on that visit as indicating what my views were at that time, and in fact what they have been from the outset.

The following is the report of my remarks to a newspaper interviewer at that time, last October:—

> What do you think should be done?
>
> I think religious exercises of every description should be abolished from the schools, that is as a state requirement. If that were done, I am convinced that all opposition to the national school law would cease. The Government should allow the ministers of each denomination to visit the schools on certain days and instruct the children of their respective denominations in religious matters after regular study hours; but no children should be allowed to attend such exercises unless they present letters from their parents permitting them to do so. Let this be done and we will soon hear the last of the opposition to your school law; and we will hear no more about remedial legislation; in fact under those circumstances no Government at Ottawa would dare attempt to pass remedial legislation, for they would not be supported by the House.
>
> Do you suppose the Manitoba government has not considered this phase of the question?
>
> I know that they have refused to make any concessions to the Catholics while they introduced religious exercises in the schools at the solicitation of the Protestant denominations. This is manifestly unfair. If there is a desire to settle this question quickly and for good, a simple remedy will be found in the abolition of all religious exercises. I am sure that such a step would be satisfactory to both Protestants and Catholics.

I shall not dwell any further on that point, Mr. Speaker. Now the question arises——

Some hon. MEMBERS. Question.

Mr. HUGHES. I am only speaking for about ten minutes and I trust the House will grant the indulgence of listening to me. I listened patiently to the member for Lambton (Mr. Lister) for one hour and a quarter, but I admit that at five o'clock in the morning is not a congenial hour to hold an audience. The question is asked why has not the Manitoba government taken steps to redress the grievances that are known to exist there. Some people pretend to think that it was because of political provincial expediency, and that Mr. Greenway was anxious to secure another term. Others thought that is was owing to the direction of the author of this "rank tyranny" who instructed the Manitoba government that it would form a plank for the Liberals in federal politics by which the Liberal party would get into power at Ottawa at the next election. There are others who say, oh, it is the remedial order that prevented the Greenway government from acting. But that obnoxious remedial order has been only issued for one year and this "rank tyranny" has been in existence for six years. Therefore that cannot be the cause. Others claim that Mr. Greenway is afraid that his followers in Manitoba would not pass any law even though he should be willing. That I do not believe. I am satisfied as the member for Montreal West said to-day that if the Governments meet together and become acquainted with each other and talk over this matter it would be settled to the satisfaction to all concerned. Another point presents itself. Is the Dominion Government justified in the opinion of this assembly in interfering to redress that grievance? It is asserted that the Roman Catholic minority have suffered this "rank tyranny" perpetrated upon them by the member for Winnipeg for five years. It is also stated and not denied that they have the right to appeal under the Act of 1870. It is also stated, and I state this myself, that the principle under which religious education is now carried on in the province of Manitoba is contrary to the spirit of equal rights to all and special privileges to none, for which the Liberal-Conservative party in Ontario have for so many years fought. There is also stated and that is the final clause that the judgment of the Imperial Privy Council declares that there is a right of appeal, that the grievance exists, and it suggests that the grievance be remedied. In this connection I may be permitted to state that the great hope of many people is that the Liberal-Conservative party should be desirous to carry out the decisions of the Judicial Committee of the Privy Council, because the Liberal-Conservative party in this country aims to be an imperial party. The policy of the Liberal-Conservative party of Canada is to upbuild the British Empire. And, Sir, so far as the colonies are concerned I contend that this Judicial Committee of the Imperial Privy Council more than anything else has tended towards the upbuilding of the British Empire. For that reason this decision of the Judicial Committee of the Privy Council should receive recognition from Conservative Canadians. That being the case then why should not one support the Remedial Bill? The objections urged against the working of the Remedial Bill in its present form are these: That by establishing the right of any religious denomination to control text books we are building up a nation within a nation which in itself is objectionable. It also establishes the principle of separate schools and that in itself is objectionable. Others maintain that the tendency of the Bill is to redress a grievance by creating a greater grievance, and others claim that it is wrong policy to enforce upon Manitoba this legislation until all other means have failed. Another aspect of the case is this: The Secretary of State made a motion that the Bill be read the second time and that was followed by the amendment of the leader of the Opposition to the effect that the Bill should not now be read a second time, but it should be read a second time this day six months. We are told by the Toronto "Globe" and by hon. gentlemen opposite, that it is the duty of every one opposed to the Bill in any sense to support the six months' hoist. Sir, I have failed to hear either directly or indirectly any reason why the "six months' hoist" is at all preferable to a straight vote on the motion of the Secretary of State. In the first place the whole speech of the leader of the Opposition favours remedial legislation, and that is the construction placed upon it by his friends in the province of Quebec. It is true that those in the province of Ontario who wish to appeal to the Protestant vote, say: Oh, vote for Laurier's amendment any way, and you will defeat the Bill. On the other hand, our opponents in the province of Quebec say in their press and in this House, vote against the Bill and defeat the Government, and in six months time Mr. Laurier will head this Government and will give you a Bill that will not be half-hearted and weak, but whole-hearted and strong. That is their policy. The speeches of hon. gentlemen on the other side of the House do not attack the principle of the Bill. Therefore, I do not see any reason why I should support this amendment. In fact, all their speeches indicated that they were in favour of the principle of remedial legislation, only they wanted the measure more applicable to the conditions and the locality. In fact, they merely want to postpone the day on which the Bill shall be brought into this House. Let us see what is the difference in effect of carrying the amendment of the leader of the Opposition and defeating the motion of the Secretary of State. If the amendment is carried, what will be the effect? The Government is defeated and an election must be held: but the tendency would be to put the mover of that amendment, the leader of the Opposition, at a little higher premium than I intend placing him. Sir, if the motion of the hon. Secretary of State is defeated, the Government must resign and a new premier be selected who will be a Conservative. Then I maintain that the disposition of the elections will remain in the hands of the Liberal-Conservative party, and I for one deem it my duty, as well as the duty of every Liberal-Conservative, to do our friends as little harm as possible, in a matter of this kind—at all events, not to play into the hands of the enemy. The six months' hoist, according to the highest parliamentary authorities, merely puts off the measure to a more distant date; but on the motion for the second reading of the Bill, you have to attack the principle of the Bill, and that is what these hon. gentlemen have failed to do. Consequently, whether the Bill passes its second reading or does not, they stand before the country with no better policy in the matter of remedial legislation than do the friends of the Conservative policy; in fact, in a much worse position, so far as that policy is concerned. A further reason why I will not support the amendment of the leader of the Opposition is that its success would mean the return to power in the Dominion of Canada of the men who have wrecked the province of Quebec, the Mercierites and the Parti National, with the hon. member for L'Islet (Mr. Tarte), the Pacauds, and such other men. It would mean also the success of men who have inflamed the province of Ontario for years—the men who, in 1871, were offering $5,000 for Riel's head, and at the same time displayed miles of the cord which tied the unfortunate but noble Thomas Scott, who was murdered like a dog in old Fort Garry. It would mean the success of the men who, at the same moment that they were laughing in their sleeves at Protestants, were forming the famous alliance with the Roman Catholic league of Ontario by guaranteeing offices to nominees of the league in return for votes delivered in the elections, whereby shrievalities and county crown attorneyships were sold almost at public auction. It would mean the return of such men as these to power, and I, as a citizen of Ontario, do not want the return of that class of men. It would further mean the endorsement of the system of separate schools; and I am opposed to separate schools. The hon. leader of the Opposition is on record in the "Globe," as having delivered a speech last fall at Montreal, on the occasion of one of the elections there, and, as he was talking in the province of Quebec, he said:

> I am a Roman Catholic. I want to have the schools of Manitoba, and I want to have the Catholics of Manitoba restored to the same privileges that are given to the Protestants of Quebec and to the Catholics of Ontario.

He endorses the principle of separate schools. The success of the amendment of the Opposition leader would mean the bringing into prominence of the hon. member for Winnipeg (Mr. Martin), the author of the Manitoba legislation which he now believes is "rank tyranny," who left the Act on that statute-book for years, and never took any steps to redress the grievances of the minority, and then came to Ottawa and sought to stir up strife on the question here. Were I in the position of that hon. gentleman, I would try and follow the advice given to Joe Hess, the converted bum, in New York. He was holding meetings and trying to convert a Christian audience, when a man who knew him told him that if he was sincere he would return to the dens where he had formerly polluted people, and would try to restore to civilization and decency those whom he had debauched. So I would suggest to my hon. friend from Winnipeg that he should endeavour to restore to the minority of Manitoba the rights they are entitled to. Success to the motion of the hon. leader of the Opposition means success to the hon. member for North Simcoe (Mr. McCarthy), who has said that he prefers separate schools to secular schools, a position which I do not hesitate to oppose. It also means the success of the Reform party in the province of Ontario, who have taken the old separate school law of 1867, which was passed in 1863 by the Macdonald-Sicotte Reform Government, of which Mr. Mowat was a member, eight days after the passage of the Act. It would mean the restoration to power of the men who had passed the objectionable amendments to that Act. It would mean the success of the men who in the province of Quebec say that: Mr. Laurier does not believe in the efficiency of the method proposed; he will adopt another procedure, and will guarantee to gain the cause of the Roman Catholic clergy of that province. It would mean the restoration to power of men in the province of Ontario who will be willing to endorse separate schools, and who in the province of Quebec will be willing to abolish them. It would also mean giving prominence to the men who a few years ago were shouting "hands on" the province of Quebec in regard to the Jesuits' Estates, and who to-day are shouting "hands off Manitoba." It would mean the success of that class of men whom I think it is dangerous to trust in politics. A short time ago there was a crisis—the last crisis in the history of the Liberal-Conservative party, and during that period, while several of the Ministers were out, some of the men who are to-day strongly opposed to this remedial measure were willing to assist in the election of candidates to support the First Minister and his remedial policy, and were willing to accept office in his Cabinet. Therefore, we may well question the sincerity of such men in supporting the six months' hoist proposed by the hon. leader of the Opposition. I have tried to show that there was a grievance, and how it should be redressed. My proposition would be to do away with religious education in connection with the schools of the Dominion. I cannot see, for my part, why the British North America Act and the Manitoba Act cannot be amended by the people of the Dominion, and a state system of schools substituted, leaving the entire control of the schools, so far as their management is concerned, to the provinces, but operating them under a general Dominion law. The matter must be dealt with by the Parliament of Canada. It was my intention to move a resolution, of which I gave notice some two or three weeks ago, but I do not intend pressing it to a conclusion, because about a week after I had given notice of this resolution, the Government announced that they purposed treating for a settlement of the school difficulty with the Greenway government, if the latter were willing to negotiate. The motion, of which I gave notice, reads as follows:—

> Mr. Hughes—On the second reading of Bill (No. 58) "The Remedial Act (Manitoba)," That an humble Address be presented to Her Majesty the Queen, praying that she may be pleased to take such measures in conjunction with the Parliaments of Canada and of the various provinces of Canada as will lead to the repeal of

section 93 of the British North America Act, 1867, and of section 22 of the Manitoba Act of 1870 ; and, instead, lead to the enactment of the following :—

In and for the Dominion of Canada there shall be one system of national education embracing :

(1) The intellectual branches including mathematics, history, geography, English and other languages, literature, the arts and sciences ;

(2) The principles of morality ; and

(3) Political and sanitary science ;

But in and for each province the legislature may exclusively make laws in relation to the same, subject to the following provisions :—

Religious instruction shall not officially form part of the national education ; but nothing in this Act shall prevent those legally controlling school buildings and premises from granting the use thereof for religious purposes to persons of any and every religious faith, after the conclusion of the educational exercises of the day.

As I said, I shall not now move this amendment, my belief being strong that within a couple of weeks the question will be amicably settled by Manitoba itself. I must say, Mr. Speaker, that if I ever cast a vote with the hon. gentlemen opposite, it will be only because I value my convictions on these questions more than I dislike and detest the company I shall find myself in for the moment. The hon. leader of the Opposition has moved a motion in amendment to this Bill. I have stated before to the hon. gentleman and friends on his side that a true settlement of this difficulty rested with him. In my opinion he should have volunteered to help this Government in reaching a solution of this difficulty. If he had extended the right hand to this Government, and offered to assist them in solving this question, I think it would have been settled some time ago. It is not yet too late, and I trust the hon. gentleman will see his way clear to take the step which only he can take to bring about a peaceful solution of this difficulty. I presume he too wants to settle it. But I may tell him, speaking from the point of view of public interest and the upbuilding of Canada, that he might easily have advanced the question toward a settlement instead of hindering it. But, as the hon. member for Kingston (Mr. Metcalfe) says, this is not the time to press recriminations, and to cause any more feeling between the parties. A satisfactory settlement is proposed and is now in sight, and I am satisfied before another week rolls over this House will see itself in a position to be rid of this question, and the people can go on side by side or in opposition on the great trade questions that concern the development of the country.

I cannot conclude without expressing in a word my admiration of the address of the hon. member for Montreal West (Sir Donald Smith) and the noble work he has done for Canada in connection with this question. I believe he deserves the thanks and congratulations of this House and the people of Canada. I may say further that I have every faith in the possibility of a peaceful solution of this question, particularly as we now have the affairs of this Government and the country under the firm and capable management of the present leader, the hon. Secretary of State :

House divided on amendment (Mr. Laurier) :

YEAS :

Messieurs :

Allan,
Bain,
Béchard,
Beith,
Bennett,
Bernier,
Borden,
Boston,
Bourassa,
Bowers,
Bowman,
Brodeur,
Brown,
Bruneau,
Calvin,
Cameron (Huron),
Campbell,
Carroll,
Carscallen,
Cartwright (Sir Rich'd).
Casey,
Charbonneau,
Charlton,
Choquette,
Christie,
Cockburn,
Colter,
Craig,
Davies (P.E.I.),
Dawson,
Edgar,
Edwards,
Fauvel,
Featherston,
Flint,
Forbes,
Fraser,
Geoffrion,
Gibson,
Gillmor,
Godbout,
Grieve,
Guay,
Harwood,
Henderson,
Hodgins,
Innes,
Landerkin,
Langelier,
Laurier,
Lavergne,
Leduc,
Legris,
Lister,
Livingston,
Lowell,
Macdonald (Huron),
Maclean (York),
McCarthy,
McGregor,
McMillan,
McMullen,
McNeill,
McShane,
Martin,
Mignault,
Mills (Bothwell),
Monet,
Mulock,
O'Brien,
Paterson (Brant),
Perry,
Préfontaine,
Proulx,
Rider,
Rinfret,
Rosamond,
Sanborn,
Scriver,
Semple,
Somerville,
Sproule,
Stubbs,
Sutherland,
Tarte,
Tyrwhitt,
Wallace,
Weldon,
Welsh,
Wilson, and
Yeo.—91.

NAYS :

Messieurs

Amyot,
Angers,
Baird,
Barnard,
Beausoleil,
Belley,
Bergeron,
Bergin,
Blanchard,
Boyd,
Boyle,
Burnham,
Cameron (Inverness),
Cargill,
Carignan,
Langevin (Sir Hector),
LaRivière,
Leclair,
Lépine,
Lippé,
Macdonald (King's),
Macdonell (Algoma),
Macdowall,
McAlister,
McDonald (Assiniboia),
McDonald (Victoria),
McDougald (Pictou),
McDougall (Cape Breton).
McGillivray,
McGreevy,

Carling (Sir John),
Carpenter,
Caron (Sir Adolphe),
Chesley,
Cleveland,
Coatsworth,
Cochrane,
Corbould,
Costigan,
Daly,
Davin,
Davis,
Delisle,
Desaulniers,
Devlin,
Dickey,
Dugas,
Dupont,
Dyer,
Earle,
Fairbairn,
Ferguson (Leeds and Grenville),
Ferguson (Renfrew),
Foster,
Fréchette,
Frémont,
Gillies,
Girouard,
Grandbois,
Grant (Sir James),
Guillet,
Haggart,
Haslam,
Hazen,
Hughes,
Hutchins,
Ingram,
Ives,
Jeannotte,
Joncas,
Kaulbach,
Kenny,
Lachapelle,
McInerney,
McIsaac,
McKay,
McLean (King's),
McLennan,
McLeod,
Mara,
Marshall,
Masson,
Metcalfe,
Miller,
Mills (Annapolis),
Moncrieff,
Northrup,
Ouimet,
Patterson (Colchester),
Pelletier,
Pope,
Powell,
Pridham,
Prior,
Putnam,
Reid,
Robillard,
Robinson,
Roome,
Ross (Dundas),
Ross (Lisgar),
Ryckman,
Smith (Ontario),
Stairs,
Stevenson,
Taylor,
Temple,
Tisdale,
Tupper (Sir Charles),
Tupper (Sir Charles Hibbert),
Turcotte,
Vaillancourt,
White (Shelburne),
Wilmot, and
Wood.—115.

Amendment (Mr. Laurier) negatived.

House divided on motion (Sir Charles Tupper):

YEAS :

Messieurs

Amyot,
Angers,
Baird,
Barnard,
Beausoleil,
Belley,
Bergeron,
Bergin,
Blanchard,
Boyd,
Boyle,
Burnham,
Cameron (Inverness),
Cargill,
Carignan,
Carling (Sir John),
Carpenter,
Caron (Sir Adolphe),
Chesley,
Cleveland,
Coatsworth,
Cochrane,
Corbould,
Costigan,
Daly,
Davin,
Davis,
Delisle,
Lachapelle,
Langevin (Sir Hector),
LaRivière,
Leclair,
Lépine,
Lippé,
Macdonald (King's),
Macdonell (Algoma),
Macdowall,
McAlister,
McDonald (Assiniboia),
McDonald (Victoria),
McDougald (Pictou),
McDougall (Cape Breton)
McGreevy,
McInerney,
McIsaac,
McKay,
McLean (King's),
McLennan,
McLeod,
Mara,
Marshall,
Masson,
Metcalfe,
Miller,
Mills (Annapolis),
Moncrieff,
Desaulniers,
Devlin,
Dickey,
Dugas,
Dupont,
Dyer,
Earle,
Fairbairn,
Ferguson (Leeds and Grenville),
Ferguson (Renfrew),
Foster,
Fréchette,
Frémont,
Gillies,
Girouard,
Grandbois,
Grant (Sir James),
Guillet,
Haggart,
Haslam,
Hazen,
Hutchins,
Ingram,
Ives,
Jeannotte,
Joncas,
Kaulbach,
Kenny,
Northrup,
Ouimet,
Patterson (Colchester),
Pelletier,
Pope,
Powell,
Pridham,
Prior,
Putnam,
Reid,
Robillard,
Robinson,
Roome,
Ross (Lisgar),
Ryckman,
Smith (Ontario),
Stairs,
Stevenson,
Taylor,
Temple,
Tisdale,
Tupper (Sir Charles),
Tupper (Sir Charles Hibbert),
Turcotte,
Vaillancourt,
White (Shelburne),
Wilmot, and
Wood.—112.

NAYS :

Messieurs

Allan,
Bain,
Béchard,
Beith,
Bennett,
Bernier,
Borden,
Boston,
Bourassa,
Bowers,
Bowman,
Brodeur,
Brown,
Bruneau,
Calvin,
Cameron (Huron),
Campbell,
Carroll,
Carscallen,
Cartwright (Sir Rich'd),
Casey,
Charbonneau,
Charlton,
Choquette,
Christie,
Cockburn,
Colter,
Craig,
Davies,
Dawson,
Edgar,
Edwards,
Fauvel,
Featherston,
Flint,
Forbes,
Fraser,
Geoffrion,
Gibson,
Gillmor,
Godbout,
Grieve,
Guay,
Harwood,
Henderson,
Hodgins,
Hughes,
Innes,
Landerkin,
Langelier,
Laurier,
Lavergne,
Leduc,
Legris,
Lister,
Livingston,
Lowell,
Macdonald (Huron),
Maclean (York),
McCarthy,
McGillivray,
McGregor,
McMillan,
McMullen,
McNeill,
McShane,
Martin,
Mignault,
Mills (Bothwell),
Monet,
Mulock,
O'Brien,
Paterson (Brant),
Perry,
Préfontaine,
Proulx,
Rider,
Rinfret,
Rosamond,
Ross (Dundas),
Sanborn,
Scriver,
Semple,
Somerville,
Sproule,
Stubbs,
Sutherland,
Tarte,
Tyrwhitt,
Wallace,
Weldon,
Welsh,
Wilson, and
Yeo.—94.

PAIRS :

Ministerial.	**Opposition.**
Smith (Sir Donald),	Rowand,
Montague,	Denison,

Motion agreed to, and Bill read second time.

Mr. SPEAKER. When shall the House go into committee on the said Bill ?

Sir CHARLES TUPPER. Now.

Mr. LAURIER. Surely the hon. gentleman does not intend to proceed with this Bill in committee now ?

Sir CHARLES TUPPER. Not further than simply to go into committee.

Mr. LAURIER. Do you propose that we shall sit all day ?

Sir CHARLES TUPPER. It is merely as a matter of form.

Sir RICHARD CARTWRIGHT. No, no.

Sir CHARLES TUPPER. I presume the hon. gentleman will have no objection that the next stage be now taken merely pro forma.

Mr. LAURIER. Certainly, I have the greatest objection to go into committee on it at six o'clock in the morning to take up such an important Bill after a prolonged sitting of forty hours.

Sir CHARLES TUPPER. That does not make any difference.

Mr. LAURIER. We will take it at the next sitting, if you wish.

Sir CHARLES TUPPER. It will only take five minutes.

Mr. LAURIER. No.

Sir CHARLES TUPPER. Very well, the next sitting.

Sir CHARLES TUPPER moved the adjournment of the House.

Motion agreed to, and House adjourned at 6 a.m. (Friday).

HOUSE OF COMMONS.

FRIDAY, 20th March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPORT.

Report of the Board of Civil Service Examiners for year ended 31st December, 1895.—(Sir Charles Tupper.)

FIRST READING.

Bill (No. 85) to incorporate the Montreal and Province Line Railway Company.—(Mr. Desaulniers.)

MONTREAL HARBOUR COMMISSIONERS.

Mr. FOSTER moved that the House do, on Tuesday next, resolve itself into Committee of the Whole to consider the following proposed resolution :—

That it is expedient to provide that the Governor in Council may advance to the Harbour Commissioners of Montreal, a sum not exceeding two million dollars, for the redemption of certain debentures issued by the commissioners, and the payment of certain loans and advances made to them, and for the construction of certain works in the harbour of Montreal, the commissioners thereupon depositing with the Minister of Finance their debentures to an amount equal in par value to the advance so made by the Governor in Council, repayable within twenty-five years from the 1st of July, 1896, and bearing interest at the rate of 3½ per cent per annum, payable half-yearly.

Sir RICHARD CARTWRIGHT. I would like to have a little more information as to the policy of the Government in this matter, and it had better be given now. As I understand, there is more than $2,000,000 due by the company. What do the Government propose to do ? Are they virtually going to guarantee or advance the entire sum required for the harbour of Montreal to these commissioners ?

Mr. FOSTER. I would rather make the full statement when I move the House into Committee of the Whole ; this is merely the notice of such. But I may say to my hon. friend that the amounts which are due at the present time by the harbour to the Government are to be paid, and are included in this amount. In brief, the amount we propose to advance anew to the Harbour Commission, is in the vicinity of $1,000,000. That we propose to advance, taking debentures, and charging them at the current rate of interest.

Motion agreed to.

BUSINESS OF THE HOUSE.

Sir CHARLES TUPPER moved that after Friday, the 20th instant, for the remainder of the session, Government orders shall have precedence on Mondays, after Private Bills and questions, and on Thursdays after questions.

Sir RICHARD CARTWRIGHT. I trust the Government do not propose to proceed with this motion. As I understand this is in distinct contravention to an arrangement which was entered into by my hon. friend the leader of the Opposition and the late leader of the House, the Finance Minister. I was informed by my hon. friend that when the Government asked to obtain all the days in the week except Monday, it was distinctly understood and agreed that for at least two Thursdays the House should be left alone, and that no attempt would be made to deprive them of those days. Now, I must remind the House that the Government have practically consumed all the time of the House since the 2nd of January. They had, in the first place, the debate on the Address, and certain interruptions to that debate for which the Opposition were in no respect responsible. Thereafter, the debate on the Address, as is usual, proceeded 'de die in diem.' Then all the days except Monday and Wednesday were given up to the debate on the Budget. Then all the days except Monday were given up to the discussion on the Remedial Bill ; and the consequence is that to all intents and purposes, I think, to the best of my recollection, we have only had one, or, at the outside, two Thursdays at our disposal since the House met. Now, under these circumstances, it appears to me, entirely irrespective of the agreement which I am informed was entered into between the leader of the Opposition and the hon. gentleman who was acting as leader of the House, in the absence of the Secretary of State—wholly apart from that, it appears to me most unreasonable that the Government should now attempt to take all the days except one. I do not think that the thing ought to be proposed by the Government at present at all. I trust that the Government will reconsider the question, and will not attempt to compel us to debate and oppose this motion, which we would rather not do, under the circumstances ; but which, of course, if compelled to, we must.

Sir CHARLES TUPPER. I can easily understand, under ordinary circumstances, the force of the objections which are raised by the hon. member for South Oxford. But that hon. gentleman, and every other hon. gentleman in this House will recognize that we are in a very peculiar position in regard to public business, owing to the fact of the expiry of this Parliament at no distant date ; and I think the House will see the absolute necessity of giving to the public business the time that is required. My hon. friend the Minister of Finance will explain the understanding that he had with the hon. gentleman who leads the Opposition. But, apart from that altogether, which I suppose practically extended to the time at which we have now arrived, the hon. gentleman will see that all the time up to the present, since the introduction of the Remedial Bill, has necessarily been devoted to the motion of want of confidence moved by the hon. leader of the Opposition, and which, from its very nature, involved the absolute necessity of proceeding 'de die in diem' until it was brought to a conclusion.

Mr. McCARTHY. What motion is that ?

Sir RICHARD CARTWRIGHT.

Sir CHARLES TUPPER. The six months' hoist, which is the strongest possible form that a motion of want of confidence can assume, and which virtually suspended the functions of the Government in regard to the business of this House, excepting the necessary conduct of public business. I can hardly think that, under the circumstances that we all are aware of as to the duration of the session, the proposal which I now ask the House to adopt, can be regarded as at all unusual, or one that is not absolutely demanded, if public business is to be successfully dealt with.

Mr. CHARLTON. Mr. Speaker, my hon. friend the Secretary of States makes allusion to the end of the session. Now, if the House could understand at what time the Government believe the session would end, it would be in a better position to give its decision as to the motion made by the Government. If the Government assumes that the life of this Parliament ends on the 25th of April next, there is more ground for the Government asking for all the time for Government business than would be the case if the Government assume that the life of Parliament continues until a later period. I think that the House, in discussing this matter is entitled to be taken into the confidence of the members of the Government as to this very important subject. If the life of Parliament ends in a little more than four weeks from this day, I must admit there was reason for the request made by the Government. I must admit that in that time there would be little opportunity for carrying through their last stages, many of the orders under the head of Public Bills and Orders. If, on the contrary, the life of this Parliament continues longer, then members having in their charge important Bills might reasonably ask that an opportunity should be given them to press the measures standing in their names. There are upon the list of public Bills and orders thirty-one orders. Now, I will admit that most of these orders must fall to the ground for want of time to press them if the life of Parliament ends when we suppose it does. But if it is to continue its life for six weeks longer than that time, there is opportunity to put these Bills through. I rise for the purpose of asking the Government, in order that the House may intelligently decide this question, at what time do the Government suppose dissolution will take place.

Mr. McMULLEN. It does appear singular that the Government are disposed to press upon the House a motion of this kind at this juncture. Parliament has been a considerable time in session, and there has been a good deal of the time wasted, for which the Government and not the Opposition are responsible. Private members of this House have rights, and I have no doubt that they consider the responsibility resting upon them just as grave as the Government do those resting upon them. A great many measures have been introduced by private members of the House who desire an opportunity of discussing, and, if possible, of crystallizing into law the provision of the measures they have proposed. The course of the Government in introducing this motion must provoke comment. I do not think it is treating the House properly, nor is it in the interest of the country generally that such hasty action should be taken as is now proposed. Parliament is not here simply for the purpose of registering the will of the Government. The Opposition have duties to perform and the country look to them for a proper performance of those duties. We must be answerable to our constituency for the advocacy of measures which seems to us in the public interest, and it is in the interest of the country that we should have the opportunity to present those measures to the House. I think it is hardly treating the Opposition fairly for the Government to introduce a resolution of this kind at this moment. It must be known to the leader of the House that, owing to the long and wearisome sitting, the leader of the Opposition and many others are much indisposed. The leader of the Opposition is not able to be in his place to-day, and it seems that hon. gentlemen opposite wish to take advantage of his absence to force from the House a consent to the Government monopolizing the time of the House. If the business of the House is to be conducted in this manner, of what use is it for members to place on the paper notices of motion for returns with regard to important matters upon which they have a right to information in the country's interest ? Of what use is it to appoint a Public Accounts Committee if the entire time of the House is to be occupied by the Government ? I suppose the Minister of Finance will say : We are not going to take the mornings, during which time committees are supposed to sit. True, but if the time of members is occupied here until late at night with Government business, they cannot efficiently discharge their duties as members of the committee. The history of the country shows that it is absolutely necessary that there should be opportunity to examine thoroughly the transactions of the Government. Year after year we have put in our time in exposing the transactions of gentlemen opposite. If we had a Cabinet that would conduct the affairs of the country honestly the Opposition would not have such laborious duties to perform. Every session the Opposition have been hard worked, they have been driven to their wits' end to expose to the public the rascality which characterizes the conduct of public affairs. I suppose that the Secretary of States fancied that on his return to Parliament to take the dignified and onerous position as leader of this House, the Opposition would be frightened into submission. We want the hon. gentleman to understand that we, as members of this House, claim that we have rights and we are not going to allow him to trample upon those rights. We had an exhibition last night of the peculiar weakness of the Cabinet at this time. We had an admission on the floor of this chamber that was one of the most humiliating exhibitions I ever witnessed——

Mr. SPEAKER. Order. If the hon. member is referring to a former debate, he is out of order.

Mr. McMULLEN. I am not alluding to a past debate. I am alluding to an incident in this House that does not include a past debate. We had a statement made by an hon. member of this House of the course he felt it his duty to pursue——

Mr. SPEAKER. Order. The hon. member is clearly referring to a past debate.

Mr. McMULLEN. Mr. Speaker, I must submit. I will keep within the rule, but I shall endeavour by illustration to present to the House what I was going to say. We will suppose that a Cabinet were called upon to discharge the executive duties of the Government of this Dominion. We will suppose that they were discharging these duties, and we will suppose that they were under the guidance of a Governor General or a Lieutenant-Governor, and suppose the Governor or Lieutenant-Governor felt that the course that was being adopted by his advisers was likely to result in absolute want of success. Then he sends for a gentleman whom he thinks in all probability could render very material service, and he calls in that outside aid without the advice of his responsible advisers. Now, Sir, if I were a member of such Cabinet, I would feel, under those circumstances, that the Governor General had not much confidence in my ability and statesmanship. That is what we have seen recently in connection with this Government.

Mr. SPEAKER. The hon. gentleman is evidently referring to the action of the Governor General. The rule with regard to references to the Governor General in this House is as follows :—

> It is expressly forbidden to speak disrespectfully of Her Majesty or of her representative in this country, or of any member of the Royal Family. Neither is it permitted to introduce the name of the Sovereign or of her representative, in debate, so as to interefer with the freedom of discussion, or for the purpose of influencing the determination of the House or the votes of members with respect to any matter pending in Parliamnt.

Some hon. MEMBERS. Take it back.

Mr. McMULLEN. I have nothing to take back. I have not used His Excellency's name disrespectfully. I have not, in any shape or way thrown any reflection either upon his conduct or his course. I always have endeavoured to be a loyal subject in this country. During the many years I have sat in this House, I have never for one moment cast a single reflection on the Governor General.

Mr. SPEAKER. I would call the hon. gentleman's attention especially to the last part of the rule with reference to introducing the name of His Excellency :

> For the purpose of influencing determination of the House or the votes of members with respect to any matter pending in Parliament.

It seemed to me evident, that that was the object of the hon. gentleman.

Mr. McMULLEN. I have no hope of being able to influence hon. gentlemen opposite, and it was not for that purpose I was drawing attention to the course that had been adopted. I am quite willing to abide by your ruling, Sir. Coming back to the motion before the House, I contend, Sir, that private members have some rights here which ought to be respected. We have a great many Bills on the Order paper, which have received very little consideration. For instance, my Bill on superannuation should be discussed by hon. gentlemen. I do not think that the superannuation system, as existing in this Dominion——

Mr. SPEAKER. I am afraid the hon. gentleman is getting out of order again.

Mr. McMULLEN. Very well. I shall not discuss the Bill. I can say honestly, that I am expressing the general sentiment throughout the country, when I say the superannuation system is exceedingly unpopular and objectionable. Then again, Sir, it would be in the interest of the country, if we could discuss this Insolvency Act and a great many other Bills on the Order paper. We should have time to consider those public measures before we are forced, day after day, to discuss this Remedial Bill, important though it may be. I think the Government are not treating the Opposition fairly in attempting to monopolize the entire time of this session up to the time this Parliament ends. Out of courtesy to the hon. leader of the Opposition, they should at least withdraw this motion and take the question up some day next week.

Mr. LAVERGNE. (Translation.) Mr. Speaker, I would like to know whether the Government are prepared to tell us whether this Parliament will end on the 25th April next. For my part, I would not oppose the motion made by the hon. Secretary of State. If the hon. Ministers who understand French are willing to give an answer as to this, and tell me that the House will be prorogued on the 25th April next, I will not oppose the motion that has just been made.

I will state in English that if hon. gentlemen are ready to tell us that this session will close by the 25th of April, I will certainly consent to this motion for my part ; but so long as they keep us in ignorance of their view on that question, I think we should oppose the motion.

As the hon. Ministers keep silent, I find they have not made up their minds to give me the information. We have reason to believe, according to the opinion expressed by the hon. Minister of Justice (Mr. Dickey), and that of the ex-Minister of Justice (Sir Charles Hibbert Tupper), these gentlemen may not possibly expect this session to close by the 25th of April. On the contrary, should the opinion of the ex-Minister of Justice prevail, the session would last till June 3rd. Under these circumstances, I say the Government have no right to make such a motion as this. We have indeed an extraordinary Government. We are always kept in a state of uncertainty. It is quite impossible to get information with respect to matters which are looked upon by common people as very ordinary and very simple matters. We have in this House members whose parliamentary experience extends over twenty-five or thirty years ; we have a Minister of Justice and an ex-Minister of Justice ; the Cabinet is in majority composed of gentlemen belonging to the legal profession, all of them qualified to consider and determine whether this Parliament ought to come to an end on the 25th of April next. We cannot get their opinion on this very simple point. If the Government are willing to tell us that this session will close by the 25th of April, I will not oppose the motion made by the hon. Secretary of State. I will go further, and I will say that the Liberal members will even help the Government to pass the measures now before this House. Referring to the Orders of the Day, I find that a great many measures still claim the attention of the House. We have yet to receive several reports of the Minister of Finance ; prominent amongst all, we have the Remedial Bill, and for my part, I would not like a single moment to be lost, as regards the considering of this measure. I was opposed to the second reading of the Bill, but I am not going to oppose its passing by uselessly protracting the debates. Under the motion made by the Government, and which reads as follows :—

> That after Friday, the 20th instant, for the remainder of the session, Government Orders shall have precedence on Mondays, after Private Bills and Questions, and on Thursdays, after Questions.

There will only remain one day in the week, Wednesday, for the measures introduced by private members. Now, if the Government intend to extend the life of Parliament to June 3rd, I say there is no need for the House hurrying to take away from the members the days that, by right, belong to them. The members of this House have so far been dealt with rather severely. It is true that, through an agreement between the leaders of both parties, we have been for the last three weeks exclusively discussing the second reading of the Remedial Bill. I know for a fact that many of my colleagues on this side of the House, being anixous that this Bill should be speedily proceeded with, refrained from taking part in the debate; many of my friends, especially those from the province of Quebec, would have been desirous to explain to the House the position they assumed in connection with this Bill, but, as I just stated, in order to expedite the business, and that it should not come into the minds of the members of this House—especially those from the province of Quebec—that business was delayed, I may say that at least fifteen of my friends refrained from speaking, and most of those who took part in the debate had to spend two sleepless nights waiting for their turn. We have been dealt with almost cruelly. Why should the Government have waited so long before introducing their measures? For, according to the general opinion, this session ought to come to an end four or five weeks hence. Apart from the Remedial Bill, which has taken so much of the time of this House, and will still engage it in the future, I am aware that the Government have several important measures upon the Order paper. They propose to amend the Act concerning the subsidies to trans-oceanic steamers by providing that the Governor General in Council may enter into a contract for a term not exceeding five years for the performance of a fortnightly steamship service between a port or ports in Canada and ports in France and Belgium, on such terms and conditions as the Governor General in Council deems expedient for a subsidy not exceeding $50,000 per annum. It is a most important measure, and one which greatly interests all those who are in favour of the measure relating to the commercial treaty with France. The House will remember what time it took to have this treaty ratified, which was sneeringly called the "little" treaty with France. It is well known that this treaty can hardly be carried out with any benefit to us unless there be a line of steamers plying between Canada and France, and this line of steamers cannot be established without the aid the Government ask from this House. Without this subsidy the establishment of such a line of steamers will be an impossibility.

Mr. SPEAKER. The hon. gentleman, I think, is out of order in speaking on this subject.

Mr. LAVERGNE. (Translation.) May be, Mr. Speaker, I am out of order, influenced as I am by the interest I take in this measure. But to come back to the question now before the House, I may say, without going into the details of this measure, that we all wish to see it passed and that, as several others put on the Order paper, it is a most important one. I again find that we are called upon to consider certain resolutions concerning the raising by way of loan of a sum of three million dollars, for the purposes of the defence of the Dominion. This is also a measure of the utmost importance. We are all agreed on both sides of the House on the statement that it is in the interest of the country that we should more efficiently provide for the defence of Canada. In consequence of the events that have threatened the peace, we sent a message to the Queen assuring her of our co-operation and our loyalty. We all know, Mr. Speaker, the position assumed by the neighbouring republic, after an exchange of correspondence between the government of Great Britain and that of the United States, and that we have been threatened with war. We wished to show that we were loyal and ready to defend our territory should it ever be attacked. Our country was then threatened with becoming the battle field of these two nations, upon which their opposing forces would have fought for victory. We thought it our duty to make professions of our loyalty to Her Majesty the Queen and to tell her that we were ready to do all that lay in our power as patriots and citizens to defend our territory. It is therefore a most important measure and one in which we are all interested. The Government also propose to amend the Act concerning the Supreme Court and the Exchequer Court. That Bill has come to us from the Senate. To say nothing now of the character of this legislation, I may say, however, that professional men and the Bar are greatly interested in it. If the session should last only four weeks more, that is to say if the Government should state that this Parliament will end on the 25th April next, I would be willing to give away to them the Mondays and Thursdays, and even every day of the week. We want the Government to have all the time required to pass their Remedial Bill, although we are not satisfied with the Bill as it is insufficient. At all events, this is why we have had a sixth session of this Parliament. The Government intended this sixth session to be an ordinary session, and they ask the House to vote the subsidies required to meet the public expenditure up to June, 30th, 1897. If we are to vote these subsidies and pass these Bills and measures which are before the House, the Government ought to give us their opinion as to the time of the legal ending of this Parliament and state whether they think as we do, that it comes to an end on the 25th April next. We cannot be charged with ill-will. Is it through any fault of ours that the Manitoba Catholics are claiming for the redress of certain grievances caused by the passing of certain laws by the Manitoba legislature? Is it through any fault of ours that the Government have waited till a few weeks before the end of the Parliament to try and have us pass a Remedial Bill? Is it through any fault of ours that the Government have been waiting for five years without taking any practical step to remedy these grievances? The Government alone are responsible and they cannot throw on the Opposition the responsibility that is incumbent upon them in this matter. Their course is quite unjust. So far, the Government have done all they could so as to pass no Remedial Bill. Instead of construing the constitution as they should properly construe it, they had recourse to the courts. Instead of reading in the ordinary way a clause of the law, the meaning of which was quite easy to understand, they deemed it their duty to adopt every kind of put-offs, so as to do nothing with respect to this question. It is only at the sixth session, and almost in its last days, that is to say, about six weeks before the end of the session, that they have introduced this Remedial Bill, the second reading of which was agreed to last night, thanks to the good will of my friends on this side of the House, and because they wished to hasten the decision of Parliament in connection with the second reading of the Bill. Had the Government been earnest, had they not always held a most unfair course as regards this Bill, it would have been brought up long ago. Why have not the Government in the months of July last, almost ten months before the end of this Parliament, urged the passing of this Bill? And when they have wasted two months of this session, it does not seem proper to me that the Government should come and ask the members to put aside those measures in which they are interested to favour those of the Government. I think the Opposition have made more than their share of concessions. They have always been at the disposal of the Government. We are here since January 2nd, in an almost extraordinary session, during which the Government were to introduce the great measure known as the Remedial Bill. On arriving here, we found part of the Cabinet were on strike. There was, so to say, no Government; we were in a state of anarchy. It was impossible to proceed with the business of the House. Hence an adjournment for a week; and once come back, another week was wasted, nothing being done. Was it through any fault of the members? Surely no. We have helped the despatch of the business by allowing the Government to proceed from day to day with the Address; we did the same as concerns the Budget debate and the Remedial Bill. Since the Government are unwilling to state when the session will end, I must oppose, to my utmost extent, this motion. I quite understand the Government are driven to their last intrenchment; should they, at least, tell us that they have only four or five weeks more to expedite their business, we could perhaps be charged with making obstruction; but, since they are unwilling to inform us as to the lasting of this session, they will have to assume the responsibility of their course. So, on the ground of the opinion of the Minister of Justice, which is rather like that of the ex-Minister of Justice on this point, I cannot see why we should consent to this motion being agreed to until such time as we are told when the session will end.

Mr. TARTE. (Translation.) When I last addressed the House, Sir, the hon. the Finance Minister, who is a skilled linguist, almost upbraided me for not speaking in the French language. In order, therefore, to show the hon. gentleman the high esteem which I entertain for his person, both as a public speaker and as a distinguished elocutionist, I am going to speak in the language which seems dear to his heart. We have no intention, Sir, on this side of the House, to be obstructionists, but I may well inquire from the Minister of Finance, if he will give me his attention for a minute or two,—what are the intentions of the Government? We are asked to give up two additional days. I believe that we are entitled to know what use they intend to make of them. We are asked to-day practically to allow them to take up all the days: and that being so, I would like to ask the leader of the House and the hon. Minister of Finance, who seemingly are both alternately leader of the House,—or perhaps of the coteries which they represent—whether the hon. gentlemen are ready to declare that they intend to take those days from the private business of members, in order to go on the more rapidly with the debate on the Remedial Bill? I do not know whether I made my meaning clear to the Finance Minister, for, if I speak in the French language, it is only through deference to his own desire, for, I could just as well express myself in the English language. I wish to know whether the Finance Minister understands exactly what I mean, and I am going to repeat the question I put: Do the Government intend, in taking all the time of the House, to proceed more rapidly with the Remedial Bill?

Mr. FOSTER. The Government have no desire to do anything in the way of coercing the House, and I wish to state frankly the position in which the Government stand. We have been discussing the Budget and the Remedial Bill for a good many weeks. On February 4th, during the Budget debate, I made a motion that we should take Thursday. We discussed that pretty thoroughly, and at the end an agreement was come to that we should go on with the Budget debate de die in diem, and that after the Budget debate was concluded, one day at least, but not more than two days —Thursdays—should be given for the business of private members. That is exactly what was talked over, and was the agreement reached between Mr. Laurier and myself.

Some hon. MEMBERS. No.

Mr. FOSTER. That is exactly what took place. I am sorry the hon. leader of the Opposition is not here. The words used were one Thursday at least, and probably two. If the leader of the Opposition insisted on two days after the Budget debate was ended, he should have them; but that was the ultimate limit. We finished the Budget debate, and then came the Remedial Bill, which, in the opinion of the whole House was the measure the consideration of which should have precedence over all other business. Before the time came for the House to say whether one Thursday or two Thursdays should be given, the House decided that we should take up the Remedial Bill on a certain day and go on with it de die in diem until it was read a second time. It is my view that when the leader of the Opposition and the leader of the House agreed to that, the day or the two days were then given up.

Some hon. MEMBERS. No.

Mr. FOSTER. That is my view—other business being superseded by the paramount importance of the remedial measure, which it was agreed on all sides of the House should be taken up and pressed forward to the exclusion of other business. On the contention of hon. gentlemen opposite, how does the matter stand? From the very first day after we came here, we were asked when the remedial measure would be brought down. Hon. gentlemen opposite positively refused to go on with the Estimates until it was. They said: You have brought us here to pass that Bill; that is the reason the session was called; and we ought to have the measure before us. There was a good deal of force in that. On that ground we were refused facility in getting the supplies. We are now met with another contention from the other side of the House, which is concurred in by all the legal gentlemen on that side who have spoken on the subject, that the time of this Parliament ends on the 25th of April. The Government are considering that question; and on Monday, when we meet again, I think we shall be able to take the House into our confidence as to what the view of the Government is. But on the view of the Opposition, unanimously expressed by them the other night, this House ends on the 25th of next month. That leaves us only four weeks to finish the important business of the session, and surely the two chief items of that important business, in order of precedence, are, first, the Remedial Bill, and, second, the Estimates for the services of the country. Therefore, we ask the House to give the Government the facility for carrying through the measure for which, chiefly, we have been called to meet this session. We have shown that we are in earnest in passing this Bill. We have had a struggle almost if not wholly unprecedented in this Parliament, to get that Bill read a second time. The Government now ask the House to give them the facility to carry the measure through committee and to a conclusion, and we will do that even to the exclusion of the Estimates; but the country also wishes its services to be carried on, and expects the House to grant the necessary money for that purpose. I put it to the fair-minded men on both sides if the time that remains is too much to accomplish these two objects. The Government are pledged to the remedial measure, and we do not propose to go back one iota on that pledge, but to press the measure to a conclusion in every way we can. One day in the week will still remain for private business. Look over the Order paper and see if that business is so important that it should cut out the two important matters of which I have spoken. That is for the House to consider. I know I could appeal to the leader of the Opposition if he were here, and I appeal to the House to give us the facility for passing the Remedial Bill through committee, which is the main object of this session.

Sir RICHARD CARTWRIGHT. I would suggest that the far better course would be to wait until Monday.

Sir CHARLES TUPPER. I think that probably is reasonable. We will be prepared on Monday to state the view of the Government.

Mr. MILLS (Bothwell). I am quite sure that the hon. Minister is stating what he thinks is the understanding between him and the leader of the Opposition, but he is mistaken as to the time most assuredly.

Mr. FOSTER. I would suggest that as nothing can come of the hon. gentleman and myself discussing what took place between myself and the leader of the Opposition, that any discussion on it be left over until Monday.

Mr. MILLS (Bothwell). The understanding was that there should be at least two days and possibly three days. The hon. gentleman stated across the House the understanding, but it was not put in form because the time was not definitely settled. It is an unusual course, without any agreement or conference with the leader of the Opposition, to propose that the House should adopt a certain course. The proper course would have been, as a matter of courtesy to the leader of the Opposition, for the hon. gentleman to have discussed this question with the leader of the Opposition before he put any notice on the paper.

Mr. McCARTHY. I think that these understandings arrived at between the leaders, while they may be very convenient, are not always fair to the House. At all events all such understandings ought to be communicated to the House. We have had very long sittings which reflect no credit upon this deliberative assembly. The idea that for thirty-nine hours the House should remain in one continuous session, without the excuse that there was any attempted obstruction or delay of business, is in itself an absurdity. It is only possible because there had been some arrangement come to between the leaders. I am bound to say that I was informed of it and assented to it so long as it was agreed to by the leaders, and I could not help myself very well. For the future any arrangement of that kind ought to be made known to the House, and we ought to be allowed to say whether we assent to or dissent to the proposition.

Mr. FOSTER. This was stated to the House. The leader of the Opposition asked the question and I answered it.

Mr. McCARTHY. On two different occasions, first with regard to the giving up of members' private days, and secondly, with regard to the Remedial Bill, these understandings were arrived at, not on the floor of Parliament, but outside, and only communicated to the House after they were agreed to. While it is very important that we should know what the views of the Government are on the duration of Parliament, I do not think that should altogether determine this question. I have no hesitation in saying that I do not think there is a shadow of doubt that the life of Parliament expires on the 24th of April. We have got the information now that the writs were made returnable on the 25th of April, 1891. The British North America Act says that Parliament shall last for a term of five years from the return of the writs. That certainly means the technical return of the writs and not the day when any particular writ may be returned, first or last. That will be found to have been the practice of the Imperial Parliament for half a century back, and the third section of our Election Act says:

> Every writ for the election of a member of the House of Commons shall be dated and be returnable on such days as the Governor General determines.

Turn to the form of the writ in the schedule of the Act, which makes provision for that return day:

> Whereas by the advice of the Privy Council of Canada we have ordered a Parliament to be holden at Ottawa on the day of next. (Omit this preamble except in the case of a general election.)

There was an order made for the summoning of Parliament on the 25th April. To suppose that the life of Parliament did not begin on the day the Governor General summoned it to meet seems to me utter absurdity. When you come to look at the Election Act itself, it is perfectly apparent that in some of the elections the writs cannot or may not be returned before the day named. For instance, the death of a candidate, after nomination and before polling, puts the whole matter at large again, so that a new date has to be fixed by the returning officer for the holding of the election. Again, a recount in circumstances where the lists were not completed, the return is delayed until the appeal is finally determined. Many accidents may happen, as did happen in Algoma, where the returning officer was not able to complete his return within the time mentioned in the writ. It is clear as noonday that the return day mentioned in the British North America Act fixing the commencement of Parliament, is the technical date mentioned in the statute for the return of the writs. If there were any doubt, the proper way would be to appoint a committee of the House as this is not a party question, but one in which the House as a whole is interested. If we sit beyond our time, everything we should do would be simply null and void. We cannot lengthen our own days, and if there is any question, it is not a matter that ought to be determined by the Government, but by a committee of the House. The session will last, in any event, nearly four months, and, if from the unfortunate differences in the Cabinet, delay occurred in the early part of the session, if from the difficulties which beset the Government in framing this Bill, notwithstanding the fact, that they had six months in which to make up their minds in respect to it, and bring it down, delay arose in the prosecution of public business, private members are not, therefore, to be deprived of the days which belong to them by right for the discussion of questions which they have thought fit to place on the Order paper. If private members' days are thus to be taken away by the Government, we might as well surrender all our days at once. It is a perfect farce, that private members should take the trouble of preparing Bills under such circumstances. There are thirty Bills on the Order paper, and yet the Government on some pretext or other seeks to take away all private days. There is not one public Bill, except the Remedial Bill, on the paper, not a piece of legislation suggested. I have standing in my own name a matter which should be disposed of before the elections, and that is with respect to the election law. This subject should be taken up by the Government and be dealt with, as it is necessary that the election laws should be amended before the general elections take place. I protest most strenuously against this motion, and object to private members' days being taken away on any pretext. It is important to know whether the Government have yet been able to make up their minds as to the duration of Parliament, and the present motion might be allowed to stand over until the next Government day, when we shall probably hear from the Government on that point.

Mr. MARTIN. The Bill of the hon. member for West Assiniboia (Mr. Davin), respecting the representation of the North-west Territories, should be placed on Government orders. I have introduced a Bill on the same subject, but, if my hon. friend's Bill was amended by introducing a clause which has been omitted and carried, I should be satisfied. It is most important that this Bill should be passed before the elections; otherwise, only a small portion of the people will have their names on the voters' lists, and the Government might as well take power to name representatives of the four North-west constituencies. I also draw attention to the fact, that the change made in the law was not made by this House, but by the Senate; and, while it was agreed to by this House, it never was discussed here, and, with the exception of the Minister of the Interior, not a single member was aware of the change made in 1894. My hon. friend's Bill is No. 13 on the list of Public Bills and Orders, and will probably not be reached in the ordinary course.

Mr. DAVIN. It is most important that the subject which my Bill deals with, should be dealt with this session. The North-west members have had a conference with the Minister of the Interior on the subject, and he has promised to make my Bill a Government measure, or introduce a Government Bill to deal with the question, framed substantially on the same lines.

Mr. CHOQUETTE. (Translation.) The hon. Minister, speaking on behalf of the Government, told us that it was his intention to press through the House with all possible speed the Remedial Bill. We are delighted to hear the hon. gentleman make that statement, and we will lend him our assistance. In order to show that we are anxious to help him to prove to the House and to the country that he is in earnest in his statement, I intend to move an amendment to the motion now before the House. I understood that the hon. leader of the House meant to put off his motion till Monday. I have no objection to that, and my amendment will share the fate of the main motion, and come up for consideration on Monday next. I move in amendment, seconded by Mr. Brodeur:

> That the words "Government orders" be struck out and the following substituted: "The Order of the House that the House go into committee on the Remedial Act (Manitoba)."

Sir CHARLES TUPPER. With the consent of hon. gentlemen opposite, I propose to ask leave to withdraw this motion, with the understanding, that it will be taken up on Monday, when the Government will be prepared to make the statement suggested. I think I have a right to ask hon. gentlemen opposite, by consent, to allow this matter to be brought up on Monday.

Sir RICHARD CARTWRIGHT. I think the suggestion of the leader of the House is a reasonable one, under the circumstances, on the understanding, that the Government will then state their decision as to the duration of Parliament. Under these circumstances, I will ask the hon. member for Montmagny (Mr. Choquette) to withdraw his amendment.

Mr. McNEILL. I am interested in the suggestion made, because I have a resolution on the paper. If there be an understanding that, in case Monday be largely consumed in the discussion of this question, the Government will give me another day, I will be perfectly satisfied.

Sir CHARLES TUPPER. I do not expect any difficulty to arise. I will take care that the hon. gentleman shall have an opportunity of bringing up that question, which is a very important one.

Mr. McCARTHY. I ask you, Mr. Speaker, whether the motion to bring this matter up on Monday can be carried without the consent of all hon. members?

Mr. SPEAKER. With regard to the question asked by the hon. member for Simcoe (Mr. McCarthy), it can only be by consent that this matter can be taken up on Monday.

Mr. McCARTHY. I will not consent. So the matter can stand till Tuesday.

Sir CHARLES TUPPER. I propose to ask the House to deal with the motion that is now before it.

Mr. DICKEY. It is, of course, of considerable importance that, in view of the approaching elections, the hon. member for Simcoe (Mr. McCarthy) should desire his Bill to be taken up. I had my attention directed to the matter before, with a view of seeing whether it would not be desirable to make the provisions of that Bill part of the election law. I am not at present able to say that the Government would adopt all, or any of its provisions, but I can assure the hon. gentleman (Mr. McCarthy) that I will look at the Bill more carefully, and if I consider the provisions are such as should be necessary for the purposes of the general elections, I should be very glad indeed to put them on the Government orders.

Mr. McCARTHY. Hear, hear.

Mr. DICKEY. The matter referred to by the member from Winnipeg (Mr. Martin) is being dealt with, I believe. I think, Sir, that the House would hardly be wise in tying its hands as proposed by the hon. member for Montmagny (Mr. Choquette). The proposition of the Government, as understood by the House, is that the consideration of the Remedial Bill shall go forward continuously. But it is quite another matter to make that a standing order, so that no other business of any kind could be taken up. If the course of the Government in prosecuting the Remedial Bill is not satisfactory to the House, the attention of the House can be called to it in many ways that are quite proper. In the meantime, it seems to me that it would be premature for the House to agree to the amendment of the hon. member (Mr. Choquette). The Government has stated what its intention is, and it asks for these extra days in order to carry out that intention.

Mr. DAVIES (P.E.I.) We have arrived at a stage of the debate when surely an arrangement can be come to by both sides. It does appear to me not unreasonable that the Government should ask for a little time to consider this question of the duration of Parliament, and to make a declaration to the House. Let the matter come up on Monday. I would suggest to the hon. members for Simcoe (Mr. McCarthy) and Montmagny (Mr. Choquette) if it would not be better to withdraw their amendments, in the same manner as the leader of the House withdraws his motion. After the declaration on Monday we will be able to discuss the matter better, when we know definitely what the position of the Government is.

Mr. McCARTHY. I have not the slightest objection to delay, but I have decided objection to rendering Monday, which is probably the last private day we will have. I do not see what urgent reason there is for taking this up on Monday instead of Tuesday.

Mr. DAVIES (P.E.I.) I must confess that neither do I see any urgent reason for it. However, the Government seems to think it necessary, and in view of the declaration made, it does seem to me imprudent to press the amendment.

Mr. CHOQUETTE. Let the motion of the Government stand until Tuesday instead of Monday.

Sir CHARLES TUPPER. That cannot be done.

Mr. SUTHERLAND. It does seem to me that there is not a very great deal of difference between the gentlemen leading on both sides of this House with regard to this matter I believe, however, that the leader of the House (Sir Charles Tupper) takes a somewhat peculiar view of the rights and privileges of the members of this House. There seems to be a desire, as it were, to coerce private members. I hope I have not used too strong a word, but I am expressing my own feeling, and no doubt the feelings of members on both sides of the House. This I explained to the hon. gentleman (Sir Charles Tupper) the other day in conversation. There seems to be no justification for trying to force away the rights of private members. We have during the past few days gone through what appears to me an unreasonable course, and members on both sides have a right to protection. There might be no objection if the leader of the House could advance the very strongest public reasons in support of his course, but he has given no argument yet which would appeal to the common sense of any member of this House. I say to the hon. gentleman, and I say to this House, that hon. members have the same rights and privileges as the most prominent of the leaders in this Parliament. It is not unreasonable that we should ask for one day's delay in the debate. What was the result last night. I went to four, at least, of the most prominent members of this side of the House, and at my request they forebore making speeches which they intended to deliver on this question. Even in view of that, my hon. friend who was leading the House at the time, and in my absence, at least by insinuation, made out that there was a breach of faith. Sir, there was not the slightest foundation for that statement. I felt annoyed, and I had reason to feel very sore about it. Who was it that took up the time of the House ? My hon. friend from Victoria (Mr. Hughes) had a perfect right to address the House, and I take this opportunity to express my regret, as I did privately last night, that there should be any interruption when any member desires to lay his views before the House. If the hour was unreasonable he was not to blame for that. It is unreasonable to try to force the House to accept the views of one or two individuals. I appeal to the leader of the House to accept the reasonable suggestion that has been made. When members of this House desire to bring up matters which they consider of importance to the country, or of interest to their constituencies, it is not right that they should be accused of a desire to obstruct ; and when a reasonable proposition is made to the leader of the House, I think it ought to receive his favourable consideration.

Sir CHARLES TUPPER. I am the last man in the House who would desire in the slightest degree to interfere unnecessarily with the rights of private members. I recognize most fully the importance, for the wise dealing with the questions that come before this House, that the greatest possible consideration should be given to the views of hon. gentlemen on both sides, especially to private members who may be interested in certain measures before the House. I am quite willing, also, to acknowledge the great courtesy I have received from the hon. gentleman who has just taken his seat, and I should regret extremely that if he or any other member should have the idea that there was a desire to coerce the House, or to use any improper means of pressing the views of the Government on the House. I fully concur in every word the hon. gentleman has used. But he will remember that the suggestion that this motion should be postponed until Monday came, not from the Government, but from his own side of the House ; and I met the suggestion made by the hon. member for South Oxford as a reasonable one, for the reason given, which I think the hon. member recognizes as a sufficient reason for taking the additional time—that is, on the assumption of the opinion expressed uniformly on the other side of the House, and by a very high authority on this side as to the time this session would absolutely terminate. I may say, also, to the hon. gentleman who has moved this amendment that the most important reason why the Government are promptly asking that the additional time be placed at their disposal is for the purpose of pressing to as steady and rapid a conclusion as possible, the Remedial Bill. The Government attach the utmost importance, the gravest importance, to that measure being promptly proceeded with and completed. Under these circumstances, the object which the hon. mover of the amendment seems to have, entirely accords with the view of the Government, and is one of their main reasons for asking from the House these additional days.

Mr. MILLS (Bothwell). Then, the Government have abandoned, I suppose, all idea of negotiation.

Sir CHARLES TUPPER. It is not necessary for the hon. gentleman to assume that. The Government have not abandoned the idea of negotiation. On the contrary, I think I may venture to say to the House the Government propose to proceed with those negotiations immediately; but the House will see that while they are proceeding it is absolutely necessary, unless this remedial legislation is to be abandoned, that the measure be as steadily and rapidly as possible proceeded with, in order to be in a position to become law in case of the failure of the negotiations. I have no objection to take the House into the confidence of the Government in regard to the position of that question. I state frankly that I thought the proposal of the hon. member for South Oxford a very reasonable proposal that this motion should be withdrawn—it cannot, I am informed, stand over, according to the rules of the House—and be taken up on Monday, when the Government will be in a position to announce their view with regard to the question of the duration of Parliament.

Mr. SUTHERLAND. There are a number of members who object to taking it up on Monday, and who say that it should be postponed till Tuesday. Why not, instead of wasting time, which seems to be inevitable otherwise, wait till Tuesday? That would settle the whole matter.

Sir CHARLES TUPPER. Well, I think we will go a step further to meet the hon. gentleman's suggestion, and withdraw this motion, on the understanding that it will be the first order on Tuesday.

Mr. CHOQUETTE. As I do not desire to embarrass the Government, I am willing to withdraw my motion, in order that the suggestion just made may be carried out.

Mr. OUIMET. I think the hon. gentleman is to be congratulated on his change of opinion. Yesterday he wanted the Bill to be left for six months, while to-day——

Some hon. MEMBERS. Order.

Mr. OUIMET. What is the point of order?

Mr. DAVIES (P.E.I.) You are referring to a previous debate.

Mr. OUIMET. I am not referring to debate. I am referring to a decision of the House, an accomplished fact, to which we can now refer. I was not referring to any of the hon. gentleman's reasons for his opinion, but I am entitled to refer to his vote, and I congratulate him upon the very great and very important change in his opinion.

Mr. CHOQUETTE. I have not changed my mind, but I am in favour of this delay in order to assist the conference taking place.

Motion and amendment withdrawn.

VISIT OF SIR DONALD SMITH TO WINNIPEG.

Sir RICHARD CARTWRIGHT. Before the Orders of the Day are called, I want to call the attention of the House and the two gentlemen opposite me, in particular, to certain statements which were made in the House some little time ago. On the 2nd March, the hon. member for North Simcoe asked the following question:—

> 1. Was Sir Donald Smith authorized on behalf of the Government to negotiate with the Premier or administration of the province of Manitoba with reference to or on the subject of the school law of that province?

There were two other questions put, which it is not necessary that I should read. To this the leader of the House replied:

> I beg to say, in reply to the hon. member, that the answer to the first portion of the question is, No. In response to the remainder of the question, I have to say, that the only communication that has taken place between Sir Mackenzie Bowell and Sir Donald Smith was of a purely personal character, no report having been made.

Now, I am informed, on the very highest possible authority, that when the hon. gentleman from Montreal West (Sir Donald Smith) did proceed to Winnipeg, he proceeded there, having had communication with, and, as I understand, having been authorized by the Governor General of Canada. Under these circumstances, I can form no conclusion but this, that the Governor General of Canada, acting on the advice of His Excellency's advisers, had authorized, consented to, or agreed with, the hon.

member for Montreal West to proceed to Winnipeg and enter into these negotiations. That being so, it appears to me impossible to reconcile the information we have obtained with the answer given by the hon. leader of the House. I recognize, as everybody does, the extreme desirability of avoiding to the uttermost any reference to His Excellency here, but these references were not made by me. They have been publicly made. I draw no distinction between what His Excellency may do, in his capacity of Governor General, and in his private capacity. He must be assumed to have been advised by his Ministers in all the steps he took, or else responsible government in Canada would become a farce. Under those circumstances, I call upon the leader of the House to explain how it came to pass that His Excellency communicated, with the consent of his advisers, no doubt, with the hon. member for Montreal West, and how, that being done, the leader of the House deemed it within his right to tell the hon. member for Simcoe (Mr. McCarthy), that Sir Donald Smith was not authorized on behalf of the Government to negotiate with the Premier or administration of Manitoba with reference to, or on the subject of, the school laws of the province. I need waste no words, I hope, in pointing out to this or any other constitutional assembly the imperative necessity of maintaining our rule, that His Excellency can only act by and with the advice of his responsible officers. That being so, I maintain, that the hon. member for Montreal West was authorized by the Government to open negotiations with the government of Manitoba, and, therefore, that this information given to the House was misleading in a very high degree. I think it is the duty of the Government, and, more particularly, the leader of the House, who is the person who made this statement, to inform us of everything that transpired with respect to these negotiations, and more particularly how such an extraordinary statement as that came to be made to the House; and, in view of the very grave importance of the question which underlies this matter, I move the House do now adjourn.

Sir CHARLES TUPPER. I have no objection at all to state, in the most frank and full manner, to the House, the position of this question. The hon. gentleman has correctly stated the question that I put to him, and the answer that we got; and I hope I need not say to the House, that that answer was strictly accurate. I was asked the question, whether Sir Donald's Smith's visit to Winnipeg was of an official character, in fact, whether he had gone at the instance of the Government. I stated, in the frankest and fullest manner, that it was not. I stated, that the Government had not been consulted, in any shape or form, with reference to his visit to Winnipeg, and that the hon. gentleman, so far as I was aware, acted entirely in his personal capacity. I had not the pleasure of hearing the speech of my hon. friend from Montreal yesterday in the House, but, I believe, he himself made a similar statement—that he had not authority from the Government to open up any negotiations whatever. I understand, from that hon. gentleman, that anything that passed between His Excellency and himself, was the expression of a personal feeling and a personal opinion. I am not aware, nor was the Government aware, of any communication between the hon. member for Montreal West and His Excellency the Governor General. They were not parties, directly or indirectly——

Mr. MILLS (Bothwell). Constitutionally, that cannot be. Constitutionally, the Government cannot repudiate responsibility, and are responsible.

Sir CHARLES TUPPER. I do not wish to make nice distinctions, but it is the facts I want to give, and those are, that any communication which took place between His Excellency and Sir Donald Smith, was not at the instance of, nor in connection with, the Government, or any members of the Government. The first occasion on which the hon. member acted in an official capacity, was in the message which he sent, at the instance of the Prime Minister, to Mr. Greenway, the answer to which was submitted to the House.

Mr. MARTIN. Part of the answer.

Sir CHARLES TUPPER. I will take this opportunity of saying, that the attempt to make it appear that there was interference—

Mr. MARTIN. Garbling.

Sir CHARLES TUPPER. Not garbling. That slander, I think, can be disposed of by a single word, and that was, that all which was considered by me pertinent to the case, was laid before the House, and, in the form in which I laid the answer before the House, it was transmitted by telegraph the same day to the Governor of Manitoba, to be placed in the hands of the gentleman who sent the message. It is not customary for persons to be charged with garbling and misstating, when they submit a message in the form in which they thought they were warranted in using it, and in the form in which they sent it back into the hands of the sender. The hon. gentleman is not warranted in taking that view.

Mr. MARTIN. Mr. Greenway took that view that very afternoon.

Sir CHARLES TUPPER. I have already expressed my great regret that Mr. Greenway took that view, and that, under the circumstances, there should be any cause of complaint in any way whatever. I cannot do more than that, but I call the attention of the House to the fact, that this message, in the form in which I considered it necessary to lay it before the House, was, the same day, placed in the hands of Mr. Greenway in the same form, by being transmitted to the Governor for that purpose. Now, Sir, I say that was the first communication of an official character in any shape or form between the Premier and the hon. member for Montreal West, and the moment that took place, as I have already stated, it was submitted for the consideration of the House. I am quite sure that no hon. member on the other side of the House would limit the Governor General of this country, would prevent him privately and personally expressing his opinions to a private member of this House on any question of public importance in which he took a great interest. I do not understand the hon. member for Montreal West to have gone to Winnipeg at all at the instance of the Governor General.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman permit me to read the words the hon. member for Montreal West is reported to have stated—with the consent of the House——

Sir CHARLES TUPPER. Certainly.

Sir RICHARD CARTWRIGHT—because I think, after what the leader of the House has stated, these words should be read. What the hon. member for Montreal West is reported to have said is this :

> It is true that I had the privilege of communicating with His Excellency the Governor General, not so much as Her Majesty's representative here, but as one who, as we all know, has taken a very deep interest in everything that is for the benefit of Canada. Having incidentally had an opportunity of speaking of this very important matter of the Manitoba schools, His Excellency was good enough to express to me his very great desire that it should be satisfactorily settled in one way or the other, so as to be agreeable not only to the people of that province, but also to the people of the Dominion as a whole, desiring that it should be settled outside altogether of party politics, for we know that the Governor General never allows himself to become a partisan, but he is accustomed to look equally at all sides and to discriminate against none. I myself was greatly impressed with the view that were it possible to dispose of this matter outside of this Parliament, it would be for the general good, and I consequently determined to go to Manitoba with the view of seeing Mr. Greenway and some of his colleagues and of endeavouring to find if there could not be found a satisfactory way out of the difficulty.

Sir CHARLES TUPPER. I do not see anything inconsistent with the statement I have made in what the hon. gentleman has read.

Mr. MILLS (Bothwell). Will the hon. gentleman permit me, in view of the extraordinary proposition he has laid down, to ask this question : On the question of practical politics and one of prime importance to the Government, may the representative of the Crown have a policy of his own independent of that which arises from the advice he has received from his Ministers ?

Sir CHARLES TUPPER. I can only say, Mr. Speaker, that I have never said anything of that kind or anything that would bear being tortured, by any misconstruction, into meaning what the hon. gentleman has said. I have frankly stated the facts to the House, and I hardly think that, under the circumstances as they stand, any hon. gentleman would feel that there was any sufficient ground for raising this question in the mode in which it is raised here to-day.

Mr. EDGAR. I am sure that never since the days of the early Georges have there been such extraordinary ideas of responsible government propounded in any free assembly. Why, Sir, the idea that the leader of the House will try to persuade this House that it is constitutional for the advisers of the Governor General to shirk the responsibility for his acts in connection with a matter of the highest importance before this country——

Sir CHARLES TUPPER. I must rise to a question of order. I think, Mr. Speaker, that the rule you have read to the House to-day shows this discussion to be a most extraordinary one. After the rule has been read to the House to-day, here is an hon. gentleman rising and charging His Excellency the Governor General——

Some hon. MEMBERS. No, no.

Sir CHARLES TUPPER. Yes—charging His Excellency the Governor General with having a policy different——

Some hon. MEMBERS. No, no.

Sir CHARLES TUPPER. That is the charge, Sir. I say it is a grave charge, in view of the statement which I have made to the House, a grave charge which can reflect only upon the Governor General. I raise that question of order.

Sir RICHARD CARTWRIGHT. On the question of order, I suppose we may all be permitted to express an opinion. The position of my hon. friend (Mr. Edgar) is not that he reflects upon the Governor General in the slightest degree, but that he lays down this proposition, which ought, I think, to meet with universal acceptance—that the advisers of His Excellency are responsible for all that His Excellency does and must accept that responsibility, that they cannot under any condition of things, be permitted to screen themselves from the consequences of their acts by seeking to throw upon His Excellency a responsibility which belongs strictly to them.

Mr. EDGAR. On the point of order——

Sir CHARLES TUPPER. I ask your ruling on the point of order, Mr. Speaker.

Mr. SPEAKER. The point of order is being discussed, I believe. Is the hon. member discussing the question of order ?

Mr. EDGAR. Yes, Mr. Speaker. I am not discussing the personal action of His Excellency the Governor General, because it would be unconstitutional for us to do so, just as I claim that it is unconstitutional for the Ministers of the Crown to shirk responsibility for the acts of the Governor. I am assuming that the acts of His Excellency are the acts of his Ministers who sit in Parliament and are responsible to this House for those acts. Therefore, I contend, we have the right to discuss them.

Mr. McCARTHY. On the question of order, I would say, it surely must be open to the House to ascertain the facts. What is charged here is, taking the answer that has been given by the leader of the House, that it appears as a matter of fact, if that answer is to be assumed to be correct, that His Excellency the Governor General has a policy for which the Government have not assumed and do not assume the responsibility.

Some hon. MEMBERS. No, no.

Mr. McCARTHY. That is a question we have a right to discuss. We are not bringing in any question as to the position of the Governor General. But what is called in question is whether the Governor General has or has not acted upon the advice of his Ministers, or, to put it in another way, whether the Ministers are assuming the responsibility for the acts of His Excellency.

Sir CHARLES TUPPER. What acts ?

Mr. McCARTHY. I am not discussing the question before the House. The hon. gentleman will hear from me before this debate closes in regard to it. I am at present speaking on the question of order. If we are to be told that we must not name His Excellency, how are we to discuss these questions ?

Mr. MILLS (Bothwell) The rule the hon. gentleman has quoted for the purpose of putting an end to legitimate discussion is one which has no applicability whatever to this case. That rule was intended to prevent the name of the Crown being used in Parliament for the purpose of influencing discussion in Parliament. My hon. friend (Mr. Edgar) has not used the name of His Excellency for any such purpose. The hon. gentleman was pointing out that a communication was made to the House yesterday by the hon. member for Montreal West, which follows after statements made by the leader of the House some time ago. And we are pointing out that the statement of the leader of the House is necessarily an inaccurate statement, because the Crown is a corporation sole, the Crown cannot act except through the instrumentality of some parties or other, and those parties, under our constitution, are the responsible advisers of the Crown. Now, if the Minister is not prepared to accept the responsibility of that act, he should retire.

Sir CHARLES TUPPER. What act ?

Mr. MILLS (Bothwell). Why, Sir, does the hon. gentleman pretend to say that the act of His Excellency in approving or recommending the member for Montreal West to go to Winnipeg to discuss this question with Mr. Greenway with the object of securing a settlement, is not an important act in connection with a matter that is now before this House ?

Sir CHARLES TUPPER. No, it is an important fallacy, for no such thing has occurred.

Mr. MILLS (Bothwell). The hon. member will remember that after the Government of Mr. Granville was compelled to retire, Mr. Perceval undertook to escape responsibility, but it was pointed out that he could not do so in coming into office, although he was not a party to the act of the Crown at all, but in coming into office after that act, he assumed the responsibility of it ; and so Sir Robert Peel assumed the responsibility for the dismissal of the Melbourne Government, although he was in Italy at the time that government was dismissed. So the hon. gentleman cannot escape responsibility in this matter, he is responsible, for whatever His Excellency has done in connection with any act or transaction relating to any matter of public policy, is a matter for which the Government is responsible, and the responsibility of which the Government ought to have had the courage at once to assume.

Mr. OUIMET. I understand the charge made by the hon. gentleman arises from what was said yesterday by the member for Montreal West. It was stated that in private conversation with His Excellency, His Excellency expressed a very strong desire that this vexed question should be settled where, in the opinion of every one who loves this country, it should be settled. That was the very earnest desire expressed by His Excellency ; and the hon. member for Montreal West very naturally thought that if he could do anything in his personal capacity, considering the great interest he had in the North-west, and the great influence he wields there, he might do something in the direction of accomplishing the desire expressed by His Excellency, and there was nothing else than a desire. And, Mr. Speaker, can it be charged that His Excellency has a policy different from the policy of the Government ? Has it not been stated here again and again that it was the policy of the Government to have that question settled in Manitoba instead of here ? Now, directing my argument to the question of order, I say there is no foundation at all for making the grave charge that His Excellency has expressed anything that could lead the public or this House to believe that he has a policy different from the policy of his advisers. If the facts are, as I have stated, the hon. gentleman is himself violating a rule that has been laid down by you, Mr. Speaker, a few minutes ago, namely, that His Excellency's name cannot be brought here on charges which are not founded in fact, when the only result will be to prejudice public opinion against His Excellency, and in order to influence this House in the disposal of the question which is now before us. I say that the question of order has been correctly raised. Besides, Mr. Speaker, and in saying this I admit that I am not in order, you will observe that the whole of this debate is taking place without anything before the Chair.

Sir RICHARD CARTWRIGHT. There is a motion to adjourn.

Mr. SPEAKER. Yes, there is a motion to adjourn before the House, and I would invite an expression of opinion on the question which has been raised in connection with it.

Mr. DAVIES (P.E.I.) As you have invited an expression of opinion from hon. members on this point, it is because you attach great importance to it. I myself see that the matter is one of the greatest importance. The constitutional position assumed by my hon. friend from Bothwell would appear to me to be absolutely unquestionable. He says at present the House cannot assume, the House is precluded from assuming, that any policy can be followed or recommended to His Excellency except that policy is the policy of his advisers. The Governor General cannot have a policy distinct and apart from that of his advisers. If the Governor General adopts any policy, whether directly or indirectly, for the settlement of a great public question, his advisers must assume all responsibility for it. If they decline to assume such responsibility, they must retire, and their successors must be prepared to assume such responsibility for His Excellency's action. That is perfectly plain, and the best constitutional writers to-day contend that there cannot be any public action taken by the Queen or her representative for which the advisers of the Crown cannot be held responsible to Parliament. Therefore, when His Excellency took the position that the member for Montreal West says he did, and when that hon. gentleman went on a mission that His Excellency sanctioned, this House is bound to assume that every step taken in that connection was taken with the full concurrence and advice of His Excellency's advisers; and they are precluded, while they remain advisers, from saying that there is not a certain responsibility. They are violating the constitution if they do say it. If they are not in thorough unison with, and prepared to adopt and defend, the course taken by His Excellency, they are bound, by all constitutional rule, to put their resignations in His Excellency's hands, and then His Excellency will find somebody who will take the responsibility for his action. I will say that if the Government were to resign on this occasion, and if the leader of the Opposition were called upon to form a Government, he would have to assume responsibility for the action of His Excellency. Now, a statement was made in this House by the leader of the House as to the connection, and knowledge, and responsibility, the Government chose to assume for this mission of Sir Donald Smith to the west, and the member for South Oxford points out that the statement made last night was at variance with the statement made by the leader of the House as to the position the Government took. Then we are discussing, necessarily and properly, how far the Government ought to be held responsible, and is it possible to discuss that question without introducing His Excellency's name? I opine, from reading Bourinot and other authorities on this subject, that it is perfectly proper to refer to His Excellency, and to use his name in all matters in connection with the affairs of state, except we use it for the purpose of interfering with the freedom of discussion, or influencing the determination of the House, or the vote of members. Subject to these limitations, it is perfectly proper and in order to refer to His Excellency's name. When we say that His Excellency did so and so, we mean to say that he did it by the advice of his advisers, and on their responsibility. Unless it can be shown that my hon. friend is introducing His Excellency's name for the purpose of influencing or interfering with the freedom of discussion, or influencing any member of the House, then he is perfectly in order in discussing this great question, and the responsibility that should be attached to the Government.

Sir CHARLES HIBBERT TUPPER. I would like to say one word on the point of order, and perhaps, Mr. Speaker, you may think that it would come in more properly on the main subject of discussion. Where it seems to me we are out of order in discussing the case as put by the hon. member for South Oxford (Sir Richard Cartwright) to-day is here, that in order to make his point and raise this subject for discussion, he had of necessity to refer to a statement which the leader of the House says he did not hear, a statement of which the Government officially have no notice whatever, a statement made in a previous debate from the lips of the hon. member for Montreal West. Without disputing in the slightest degree the accuracy of that hon. gentleman in regard to the conversation which he said he had with His Excellency, it seems to me that you can neither hold the

Government responsible for what is said to have occurred on that occasion, nor is it seemly that what occurred on that occasion should be discussed in this House until the Government have had proper opportunity of stating, of course with His Excellency's authority, the official version of what did take place. Then the Government can quite understand the gravity of the question and the importance of its solution. I submit we have not reached the stage when it is either in order or respectful to His Excellency to consider this question, for a hypothetical case has to be assumed in connection with His Excellency's conduct.

Mr. COCKBURN. It is unfortunate that this subject has been brought before the House immediately after a discussion which was continued about forty-eight hours. I hold that the question with respect to any responsibility assumed by the Government as regards the Governor General is not before the House. It will be an evil day for us if a Governor General cannot express to a private gentleman the hope that trouble in the North-west or in any part of Canada should be amicably settled. So far as I understand it, there was no intention or thought on the part of the Governor General to instruct the hon. member for Montreal West (Sir Donald Smith) to go to Manitoba to try and settle the difficulty there. So far as I can understand, the statement given by the hon. gentleman I understand to be simply this. That two gentlemen were sitting together, perhaps over their nuts and wine, and the Governor General expressed the opinion that he would be very glad to see this question settled. It may have been very wicked to have expressed such an opinion. Apparently some hon. gentlemen opposite think so, but I believe public opinion will bear out the hon. member for Montreal West in his having felt so strongly that it was desirable to follow up the suggestion of the Governor General, that on his own responsibility he determined to go to the North-west and see what could be done there by his personal influence. I think it would have been well if hon. gentlemen opposite manifested a similar conciliatory spirit. The hon. member for Bothwell (Mr. Mills) points to this side of the House. I can assure the hon. gentleman that while perhaps the principle of Christian brotherhood may not prevail to the full extent on this side of the House, I do not think it prevails to a larger extent in the ranks of hon. gentlemen opposite, and any remarks in regard to exercising a conciliatory spirit in this matter could be well omitted by hon. gentlemen opposite, for there can be little of that conciliatory spirit exercised when so much is made by hon. gentlemen opposite of the fact that a gentleman in his private capacity proceeded to the North-west to see what he could do for the good of the country. Party spirit runs away with hon. gentlemen opposite, when on an attempt being made to settle in a private and amicable way this difficulty, they object because it was not done in a strictly regular manner. I should be only too glad if half the members of the Opposition would take a trip to Winnipeg and see what they could individually do to effect a settlement. I am sure when they arrived at Winnipeg they would be met with more open arms and a more generous embrace than hon. members on this side of the House.

Mr. DICKEY. In speaking to the point of order only, I think if the question is what the hon. member for North Simcoe (Mr. McCarthy) takes it to be, there can be no doubt that this discussion is entirely out of order. The hon. member for Simcoe states the question before the House to be as to whether the Governor General has a policy distinct from the policy of his advisers. I cannot fancy any question which could be more objectionable to discuss than a question of that kind. Suppose any supporter of the Government who thought the Government policy was right is to be held to be at liberty here to rise and justify the Government by assuming and arguing that the Governor General is personally carrying out from some different policy from that of the Government, nothing could be more indecent than that.

Mr. MILLS (Bothwell). The leader of the House gave an answer to that.

Mr. DICKEY. I am discussing the question of order on principle only. What I submit is this, that it seems to me impossible that the discussion can proceed on the lines which it has taken with respect to the personal actions of the Governor General, without violating the well-understood rule, that the Sovereign cannot be made the subject of debate in this House, and that the actions of the Sovereign can only be discussed through the Ministers.

Mr. McCARTHY. Will the hon. gentleman answer this question? Suppose the Governor General did interfere without the authority of his Ministers. Is this House not to refer to that fact? Surely, the rule does not go that length. I am not saying that this is the case; but, supposing the fact that the Governor General did interfere, and was interfering without the advice of his Ministers, are we not, in this Commons chamber, to direct attention to the rule with respect to the responsibility of the Government, to the fact that the rules with respect to the responsibility of the Government are being practically violated? We cannot do so without mentioning the name of His Excellency.

Mr. DICKEY. I do not think it is ever in order to discuss the personal action of the Governor General. The Governor General is responsible here through his advisers, who are responsible for his acts.

Mr. MULOCK. They repudiate them.

Mr. DICKEY. I am not discussing the constitutional question. It is not now before the House; I am discussing simply the question of order. I submit that this discussion cannot fail to be ruled out of order, because it involves the consideration of the personal action of the Governor General.

Mr. MARTIN. I desire to confine my remarks strictly to the point of order. Let us see where we are. The hon. member for South Oxford has moved the adjournment and brought up the question now under consideration. With regard to the objection of the hon. member for Pictou (Sir Charles Hibbert Tupper), that all the facts are not before the House, we have the facts admitted by the Secretary of State, and any attempt to shut them out cannot now succeed.

Sir CHARLES HIBBERT TUPPER. We have not the statement from any one, that His Excellency or his advisers were acquainted with the statement of the hon. member for Montreal West.

Sir RICHARD CARTWRIGHT. We must accept the statement of the hon. member for Montreal West.

Mr. MARTIN. The hon. member for South Oxford (Sir Richard Cartwright) has pointed out, that an answer was made to the hon. member for North Simcoe (Mr. McCarthy), as to the mission of the hon. member for Montreal West to Winnipeg, and that that answer involves a contradiction of what the member for Montreal West himself has said. Then, the Government take this position in answer to the charge of the hon. member for South Oxford (Sir Richard Cartwright), that the hon. member for Montreal West did not go to Winnipeg at their instance, but at the instance of the Governor General.

Sir DONALD SMITH. No.

Mr. MARTIN. I will make my statement, and it can be answered. If the hon. member for Montreal West went to Winnipeg with the consent of the Government, then, the answer which the Secretary of State gave to the hon. member for Oxford cannot be supported. What is the answer that the Secretary of State gave? He said, that his answer to the member for North Simcoe (Mr. McCarthy) was correct, and that the hon. member for Montreal (Sir Donald Smith) did not go to Winnipeg at the instance of the Government.

Sir CHARLES TUPPER. Hear, hear.

Mr. MARTIN. Now, we know that Sir Donald Smith did go to Winnipeg, and we know that the Government did know that he went to Winnipeg, because they have put before this House officially the result of the hon. gentleman's mission. How did the hon. member for Montreal West (Sir Donald A. Smith) go to Winnipeg.

Some hon. MEMBERS. By train; by the Canadian Pacific Railway.

Mr. MARTIN. We know very well, that he went by private car, as he had a right to, but that is not material. Under what circumstances did he go there? Was the going there of the hon. gentleman a public act of the Government? If it were, then, the hon. gentleman (Mr. Edgar) is quite in order in alluding to the Governor General as he has done, because it is laid down in Todd's "Parliamentary Government and Colonial Institutions":

> Constitutional usage will not permit of any attempt to affix upon the Governor General, or the Queen, by either branch of a colonial legislature, a direct personal responsibility for public acts of Government.

Is this a public act of the Government? Is not every act between the government of Manitoba and this Government, in regard to this question, a public act of government? I say, Sir, that it is. Todd continues:

> All such responsibility should be assumed by his Ministers.

Sir, according to every constitutional authority, it is quite impossible for the Governor General, as suggested by the member for Toronto Centre (Mr. Cockburn), to take a personal interest in this matter, or to do anything personal whatever with regard to it. It is beyond doubt, that it is not open in any way for His Excellency the Governor General, constitutionally, to take the slightest action, personally, with regard to this matter. Everything that he does must be done at the instance of his advisers. It has not been proposed by any gentleman on this side of the House to affix to the Governor General any personal responsibility for what he has done in this matter. We repudiate that. We say, that it is not possible under the constitution to affix any personal responsibility upon him, but I do say, that the answer of the Secretary of State (Sir Charles Tupper) to the member for South Oxford (Sir Richard Cartwright) is an attempt to affix personal responsibility on the Governor General. Surely, Sir, if the House of Commons of Canada—for the reason that we cannot mention the Governor General's name—bring into this House a great public question of that kind, it would be absurd. Rule 13 of the Rules of Order says:

> No person shall speak disrespectfully of Her Majesty the Queen, nor of any person administering the Government of Canada.

Sir, there has not been an offensive word used towards the Governor General during this debate. The hon. member (Mr. Edgar) was not referring to the Governor General in any disrespectful way. Was he not, rather, doing it for the purpose of endeavouring to convict the Secretary of State of an inconsistent and inaccurate statement, and an evasion of his responsibility ? It is a pity, that it should ever become necessary to draw the attention of the House to the delinquencies of the Secretary of State, but it has frequently been necessary in the past, and it may be necessary in the future. This rule of order has been made for another purpose altogether, and is it to be used now to prevent our referring to the conduct of the Secretary of State ? I say, Sir, that no more important question can come before this House for consideration, than the question: Whether the Governor General can be presumed to have done anything whatever in this matter on his personal responsibility ? That is the only question before the House.

Mr. CASEY. Speaking to the point of order, and not to the motion to adjourn, I must entirely agree with the constitutional view taken by my hon. friend from Winnipeg (Mr. Martin). This point of order has been raised, not to avert unseemly discussion of the conduct of the Governor General, but to avert well-merited censure on the conduct of the Secretary of State. It is simply absurd, as you, Sir, or any other old parliamentarian, must know, to say, that we must not mention the name of the Governor General. We know that His Excellency must not be spoken of disrespectfully, and that his name must not be used to influence debate or the decision of the House. But, Sir, the person who has broken the rule in this case, is not the hon. gentleman (Mr. Edgar) who has been called to order, but the Secretary of State himself. He has been telling us, that it was the Governor General who sent this ambassador to Winnipeg, and that the Governor General is to blame for it, if anybody is to blame.

Some hon. MEMBERS. The Secretary of State never said that.

Mr. CASEY. He has said, that, if there is any responsibility for the matter, it does not rest upon the Government, because it was not by their authority, but by a personal act of the Governor General, that Sir Donald A. Smith carried on these negotiations. Sir, I charge, that it is the Secretary of State who has violently and flagrantly broken all the fundamental rules of this House, in trying to shirk responsibility for the conduct of the Government, and to place it upon shoulders where it cannot be, constitutionally, placed. When we discuss the conduct of the Governor General in this House, we discuss his conduct as a constitutional Governor, and, therefore, we are discussing the conduct of his Ministry. His Ministers are responsible for everything he has done. If they knew of this conference and these negotiations before they were entered into, then, they must have advised them. And, if they have only become aware of the matter since, and have not resigned, they are still equally responsible. Sir, they have not only recognized these negotiations, but they have used in this House, to influence debate, documents connected with this matter. They have brought the whole of these negotiations before the House.

Mr. LISTER. No.

Mr. CASEY. I admit that they have not given us all the particulars of the negotiations, but they have brought the whole matter before the House, so as to make it open for discussion, by introducing a mutilated telegram in connection with the negotiations. By so doing they have made themselves responsible for them, if they were not responsible already by constitutional rule.

The hon. member for Pictou (Sir Charles Hibbert Tupper), in his natural zeal for the family, urges us to leave this matter alone, because the Governor General has, as yet, had no official notification from his advisers, or otherwise, of what was said by the hon. member for Montreal West (Sir Donald Smith). That is not the question at all. It does not matter whether the Governor General has heard of it or not. The question is whether the Government, his advisers, have heard the statement made by the hon. member for Montreal West. They sat here and heard it ; they have not repudiated it ; they have substantiated it ; and the question has reference to their conduct in the matter, as the persons responsible for these negotiations. It does not matter whether the Governor personally has heard of it or not.

The hon. member for Toronto Centre (Mr. Cockburn) has approached the matter in a simple and child-like spirit—in the same simple and child-like spirit with which he formerly approached the public of the universe assembled at Chicago. He is sorry that certain other members did not go to Winnipeg on their own responsibility to endeavour to settle this question. He said that the hon. member for Montreal West was asked to go there by the Governor General merely as a private individual.

Mr. COCKBURN. I did not say anything of the kind. I said that one gentleman as a private individual might talk to another gentleman as a private individual. I never for a moment suggested that the Governor General, or any one else had suggested it to the hon. member for Montreal West.

Mr. CASEY. That is what the hon. gentleman said. If he did not mean by it that the Governor General had made that suggestion to the hon. member for Montreal West, there was no sense in what he said. The suggestion certainly was that the Governor, as a private individual, had suggested to the hon. member for Montreal West, as a private individual, to go and talk this thing over in Winnipeg, and that he had done so. That is all I have to say on the question of order. Other matters have been raised by the hon. member for Centre Toronto which

I shall discuss in the place where they more properly belong.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. SPEAKER. The question before the House at six o'clock was the point of order raised by the hon. leader of the House.

Mr. MULOCK. Mr. Speaker, I did not know the discussion was concluded at six o'clock.

Mr. SPEAKER. That is the question before the House. Does the hon. member wish to address the House ?

Mr. MULOCK. Yes. Mr. Speaker, the point of order was raised on some remarks that fell from the hon. member for West Ontario (Mr. Edgar), although the debate appears to have taken a wider range ; and I would like to know now whether the point of order has reference simply to the utterance of the hon. member for West Ontario or to the larger question involved in the discussion which was raised by the hon. member for South Oxford.

Mr. SPEAKER. The discussion at six o'clock was confined to the point of order.

Mr. MULOCK. The point of order was raised in the middle of the remarks of the hon. member for West Ontario, wherein he had referred to the contention of the Government, and described it in language which was regarded as extreme, observing that this was presenting parliamentary government in a light that had not been recognized since the time of the early Georges. However, if the point of order is to go on the whole question as to whether or not we can refer to His Excellency here, let me put a supposititious case. The Government, we will say, on a certain matter has a policy of coercion. We will say that the Opposition have another policy upon the question—that they suggest a policy of negotiation. Here are two policies on a great public question, the Government taking their stand upon one, and the other great political party taking their stand upon the other. The Government allow one of their supporters on the floor of Parliament to represent that His Excellency favours a policy opposed to theirs, and the Government themselves profess to acquiesce in that policy, and their willingness to endeavour to carry it out. It is a policy which they have opposed, which is antagonistic to their own recognized policy, and yet it is alleged, we will suppose, that the other policy has the imprimatur, the endorsement, and the sympathy of His Excellency, and that, at the same time, the Government profess their desire to take advantage of His Excellency's attitude. Under these circumstances, is it possible that no one can be responsible ? What must be the duty of the Government under such circumstances ? While one might be willing to concede a certain degree of individual opinion to the responsible representative of Her Majesty, yet should we concede for a moment that His Excellency could maintain a view on a great public question, and should advocate that view, and endeavour to bring it into effect—a view conflicting with that of his Government—it appears to me that the Government must either adopt the view of His Excellency, or resign.

Mr. DAVIN. I rise to a point of order. My hon. friend is discussing the alleged policy of His Excellency, and we have no evidence whatever that there is any policy of His Excellency before us.

Mr. SPEAKER. I think the hon. gentleman was discussing the constitutional question and not the point of order. He must confine himself to the point of order.

Mr. MULOCK. I was endeavouring to do so, and I was basing my remarks solely upon recent events and upon a supposititious case, which would enable us to arrive at a conclusion as to what ought to be the attitude of the Government under such a supposititious state of things.

Mr. SPEAKER. The question of order raised was as to whether the Governor General's name could be introduced into this discussion with propriety. That is the point on which I have been asked to rule and I should be glad to hear the opinion of hon. gentlemen with regard to it. The constitutional question is an entirely different one.

Mr. MULOCK. Even the determination of that point can scarcely be dealt with satisfactorily without regard to what has led to it. And what led to it is this, that the hon. Secretary of State informed the House that the Government had communicated to the Greenway administration their willingness to take part in a conference, in consequence of certain action taken by the hon. gentleman for Montreal West, on the advice of His Excellency the Governor General, and without the advice of the Government. I believe we have that statement before us. Technically, there is no way by which Parliament can ascertain what communications passed of a verbal character between His Excellency and the Government ; the Government are masters of the situation ; they may make their communications to us, but they are the source of information. We cannot put His Excellency in the witness-box, we cannot ascertain his connection with the proceedings, and so the question arises : Can we assume for a moment that what has taken place had not his imprimatur and authority. We must assume, under responsible government, that when the Government adopts a course of conduct advised, recommended and brought about by His

Excellency, they adopt it and become responsible for it from the beginning, and therefore it is an administrative act of the Government, for which they are wholly responsible. Therefore, it appears to me that the Government cannot, at this stage, repudiate or disassociate their responsibility for what has taken place.

Mr. DICKEY. Keep to the point of order.

Mr. MULOCK. That is the point of order, and I maintain that the reference to His Excellency is this, that His Excellency has spoken and acted through the Administration, and that the Administration are responsible, and that by alluding to His Excellency, we are placing the responsibility where it should be placed, upon the Government, and that the Government are estopped from seeking to transfer responsibility to His Excellency, and that we are here advocating responsible government and protecing His Excellency against the disloyalty on the part of the Administration towards him. It is not questioning His Excellency's advice, but endeavouring to secure for His Excellency that constitutional endorsement and responsibility to which he is entitled. Not questioning what he has done, but debating the recognized theory that within the scope of his authority, he cannot do wrong, that he can do nothing of himself, and has acted throughout on the advice of his responsible Ministers.

Mr. MARA. The argument of the hon. gentleman, as well as the supposititious case which he presented to the House, is based on the assumption that the Government disclaim all responsibility for the action taken by His Excellency and repudiate his action. I have not so understood the Government, and I think it would be perhaps better if the Government would state whether they accept or repudiate the responsibility. If they accept the responsibility of His Excellency's action, then it is certainly not desirable to use the language just now used by the hon. gentleman opposite, when he stated that the Government desired to take advantage of His Excellency's interview with the hon. member for Montreal West and spoke of His Excellency being called to account by this House. These words are entirely disrespectful, and, so far as the point of order is concerned, I think it is very well taken. But the point is this—do the Government accept responsibility, or do they not ? I they do accept responsibility, then the hon. gentlemen should not drag His Excellency's name into the debate as they have done.

Sir CHARLES TUPPER. When the hon. member for South Oxford (Sir Richard Cartwright) brought this question up today and read the answer which I gave to the House in response to the question of the hon. member for North Simcoe (Mr. McCarthy), I stated to the House that the answer to that question was undoubtedly correct, that the Government had taken no part whatever in the mission of the hon. member for Montreal West to Winnipeg. The Government were not aware, as I had not been in the House, and had not had the pleasure either of hearing or reading the statement made by the hon. member for Montreal West, as I stated to the House at the time, it was impossible for me to say more than I had stated on a previous occasion—and that was that the visit of the hon. member for Montreal West to Winnipeg was spontaneously undertaken, and we had no lot or part in it, but that we were only too glad to have any gentleman occupying any position, either in Parliament or out of it, do anything that would tend to a conciliatory settlement of this very vexed question. That mission has been spontaneously undertaken so far as we were aware, and the first time that the matter assumed a different condition was when the hon. member for Montreal West placed in the hands of the Prime Minister, Sir Mackenzie Bowell, the answer which he had received to a message from Mr. Greenway. Then the Government took that communication into consideration, and on that they addressed a telegram to the Lieutenant-Governor of Manitoba, to be laid before Mr. Greenway, as I had stated to the House. That is a plain simple narrative of the position, so far as it was within the knowledge of the Government. I said that any communication previous to that had taken place between the Prime Minister and the hon. member for Montreal West was of a personal and private character, and until the message to which I have just referred which led to an answer from Mr. Greenway which was placed in the hands of the Government and upon which they took action. That is a very simple, a very plain and a very straightforward position of things. I have since had the opportunity of reading the statement made to this House by the hon. member for Montreal West, and I have it now under my hand. As I said, I was, unfortunately, engaged in receiving a deputation at the time the hon. gentleman was speaking yesterday, and so was not able to be present in the House, and did not know what had been said. Since the House rose I have had an opportunity of learning what that statement was, and I will read it to the House. This is what the hon. gentleman is reported to have said, and I assume that it is a correct report :

> I wish to state very distinctly that I did not act at the instance of the Government.

Nothing could be clearer than that.

> It is true that I had the privilege of communicating with His Excellency the Governor General, not so much as Her Majesty's representative here, but as one who, as we all know, has taken a very deep interest in everything that is for the benefit of Canada. Having incidentally had an opportunity of speaking of this very important matter of the Manitoba schools, His Excellency

> was good enough to express to me his very great desire that it should be satisfactorily settled in one way or the other, so as to be agreeable not only to the people of that province, but also to the people of the Dominion as a whole, desiring that it should be settled outside altogether of party politics, for we know that the Governor General never allows himself to become a partisan, but is accustomed to look equally at all sides and to discriminate against none. I myself was greatly impressed with the view that were it possible to dispose of this matter outside of this Parliament, it would be for the general good, and I consequently determined to go to Manitoba with the view of seeing Mr. Greenway and some of his colleagues and of endeavouring to find if there could not be found a satisfactory way out of the difficulty.

Having had an opportunity, Mr. Speaker, of learning what the statement was that was made by the hon. member for Montreal West, I have no hesitation at all in saying that the Government are quite prepared to assume the entire responsibility of that transaction as stated by the hon. member for Montreal West.

Mr. SPEAKER. I am prepared to make a statement in reference to the point of order raised by the hon. Secretary of State, and, if it is the desire of the House, I will give the opinion I have arrived at. But it may not be necessary, the Government having assumed the responsibility for the action of the Governor General.

Some hon. **MEMBERS.** Read.

Mr. SPEAKER. The point raised by the hon. Secretary of State is as to whether the name of His Excellency the Governor General could be introduced with propriety into a discussion of the character of that which arose here this afternoon. I hope I may be pardoned if I take occasion to state the circumstances under which this discussion was brought up. In the first place, the hon. member for South Oxford (Sir Richard Cartwright) referred to the answer which was given by the Government to the following question :—

> Was Sir Donald Smith authorized on behalf of the Government to negotiate with the Premier or administration of the province of Manitoba with reference to or on the subject of the school law of that province ?

The answer to that question was that Sir Donald Smith was not so authorized. In the debate of yesterday, the hon. member for Montreal West made a statement which has just been read by the hon. the Secretary of State. Upon these two statements, the hon. member for South Oxford based an attack, as I understand it, upon the Government, on the ground that they had evaded responsibility for the act of the Governor General. However, the statement that has just been made by the leader of the House, I think, gets rid of that imputation. So far as the introduction of the name of the Governor General into this House is concerned, the rules, I think, are explicit and plain. The rule is that it is out of order to introduce the sovereign's name or the name of the Governor General to influence debate. It is also stated in this book which I hold in my hand :

> By the indulgence of the House, the Sovereign's name may be introduced in respect to a statement of fact, and not meant to influence the judgment of the House.

The facts in reference to this matter, it seems to me, have rendered it necessary to introduce the name of the Governor General, the hon. member for Montreal West having stated that he had had communication with the Governor General before he went to Winnipeg. With the nature of that communication, we have nothing whatever to do. Whether the matter was a public matter of sufficient importance to justify the inference, that the Governor General had improperly interfered, is another matter altogether. If that was the object of the hon. gentleman in introducing this matter to-day, that is to say, if he intended to cast any aspersion upon the Governor General because of his action, that, I think, would be an impropriety ; I do not think it would be a proper reference to make to His Excellency in regard to a matter of that nature. But I see great difficulty in ruling, that the name of His Excellency cannot be introduced under any circumstances into a discussion in this House, because, as was pointed out by one hon. member to-day, the Government might shirk their responsibility altogether by shielding themselves behind the action of the Governor General ; and so I say, that I can hardly come to the conclusion that the Governor General's name cannot be introduced under any circumstances in this House. But I may point out further, that I think that the name of the Governor General ought to be introduced with very great reticence, and that it should never be introduced unless it is absolutely necessary to the elucidation of arguments which hon. gentlemen are presenting to this House. I may say, further, that, in reading the debate which brought up the question of order, it seems to me, that the member for West Ontario (Mr. Edgar) was not referring to the name of the Governor General in terms that would savour of impropriety. What he said was this :

> I may say that never since the days of the early Georges have there been such extraordinary idea of responsible government propounded in any free assembly. Why, Sir, the idea of the leader of the House trying to persuade this House that it is constitutional for the advisers of the Governor General to shirk their responsibility for his acts in connection with a matter of the highest importance to this country.

That seems to be rather an attack upon the Government than upon the Governor General. I may state frankly—I express my opinion upon this question with a good deal of diffidence, and I am greatly indebted to the legal members of this House for the information which I have been able to obtain during the course of this debate—that I cannot come to any other conclusion than that which I have already stated, and that I cannot rule that it is not proper, under any circumstances, that the Governor General's name should be introduced into a discussion in this House. But I would further emphasize the statement I already made, that it ought to be introduced with very great reticence, and only under conditions that render it absolutely necessary for the elucidation of arguments that are being presented.

Sir RICHARD CARTWRIGHT. In reference to a remark made by you, Mr. Speaker, just now, I may call attention to the fact, that I most expressly disclaimed, in my opening remarks, any intention to reflect on His Excellency at all ; my charge was only directed against His Excellency's advisers.

Sir DONALD SMITH. Nothing could have been further from my thought, nothing did I expect less, than that anything arising out of the little speech, the short, plain statement of facts I made yesterday, would have given rise to the debate on which you, Sir, have given your ruling. It is not often that I speak in this House, and I generally refrain from speaking when I have not some knowledge of the subject that I am treating ; and I think, if the outcome of any of my remarks were at all times to be such as this discussion now taking place, the House ought to be under a debt of gratitude to me that I do not speak often. As to what I did say, I wish to emphasize the fact, which I have already stated, that I did not go to Winnipeg at the request or the instance of the Government.

Mr. McCARTHY. Or their knowledge ?

Sir DONALD SMITH. My hon. friend from North Simcoe says, "Or their knowledge ?" Perhaps, Sir, as I took you and the House into my confidence a little more than it may possibly have been proper for me to do in mentioning at all His Excellency's name, I may go a little further, and, in confidence, state, that just within half an hour of leaving for Winnipeg, I happened to be with the Prime Minister, or should I say, Sir Mackenzie Bowell, as, possibly, although I have been so long in this House, I know so little of parliamentary proprieties in addressing the House, that I may be wrong even in referring to the Prime Minister. But it happens, at any rate, that, within half an hour of taking the train for Winnipeg, I was with the Prime Minister, and I think I did say to him, that I intended to take a trip by and by to Winnipeg, instead of going to Florida, where I had been recommended to go by my doctor. And I think you will see at once how much he knew of the object of my going to Winnipeg, when I tell you, that he was good enough to ask me to go with him at that moment to take luncheon, when I had to leave within half an hour, or less, for Winnipeg. It is true, I did see His Excellency, and, possibly, being more accustomed to ordinary business matters than to those of a political character, I may not always use that exact language which will preclude me from being misunderstood by any one. But I certainly had the privilege and the honour of meeting His Excellency the Governor General ; and, as I say, I took the House into my confidence before, and I told them of a conversation which had taken place between, as I considered, two gentlemen in their private capacity. I mentioned that, incidentally, this vexed question, the school question of Manitoba, had been referred to, that His Excellency did say that he sincerely hoped it might be settled in a satisfactory way for the whole people of the Dominion, as well as for those in the provinces, as in Manitoba ; but I did not say that His Excellency had requested me to go to Winnipeg, nor did I say that he recommended, or that he even suggested to me that I should go. Also, I think it very likely indeed, that a nobleman, a gentleman who has shown such a very great interest in everything that is for the welfare of this country, one who, as we all admit, fills admirably the high position he now holds—I think it very likely, indeed, that he would not at all object to the inference being drawn from what I did say—if any hon. gentleman chooses so to consider it—that he was of opinion, that no private individual would be out of order, or doing that which is wrong, by going to Winnipeg for that purpose. I did so certainly. I spoke to His Excellency as one who takes very great interest in everything that could tend to the well being of the province. Had it not been that Her Excellency happened to be here at the moment I spoke in the House, I think it very likely I should have included her name in that remark as well ; but perhaps speaking of Her Excellency might have been quite unconstitutional. In short I made a mistake, perhaps, in speaking of His Excellency the Governor General instead of referring to the Earl of Aberdeen. Well, Sir, I certainly did go to Winnipeg. But, as has been said by the Secretary of State, the communication I made to the Government of a telegram from Mr. Greenway and mine to Mr. Greenway, to which his was a reply, given in confidence to the Government, was the first time on which it could be considered that anything even approaching to an official knowledge of my having gone to Winnipeg and having had interviews with Mr. Greenway, could have been assumed. I would repeat what I have already said with respect to my conversation with the Governor General, and I trust that in any and every communication I may have the honour of having with a gentleman in the high position he holds or any other gentleman the outcome of it will not be that I have said anything other than would be befitting with that which is in accordance with the instincts of a gentleman.

Mr. MARTIN. Now that the constitutional aspect of this matter has been cleared up, I desire to say a few words more in the direction indicated by the hon. member who moved this motion. I think we must admit that the question was certainly more or less mixed, and I might say this with respect to the observations of the hon. member for Montreal West, that surely it was most unfortunate that any public act of the Government—for after what has been said we must call this a public act of government, it being so according to Todd—should be communicated to this House not by His Excellency's advisers, who are responsible to this House for public acts of government, but by a private member of this House. Surely that shows what little appreciation the Government has had of their responsibility in this connection, that they should allow a public act of government, for which now they assume, after being practically forced to assume after the discussion in this House, full responsibility to be so brought forward. I take it, after what the Secretary of State has said this evening, that the facts of this case now are clear. His Excellency the Governor General in Council, not alluding to His Excellency personally but to the Government, despatched the hon. member for Montreal West——

Some hon. MEMBERS. No, no.

Sir DONALD SMITH. No. I beg to say to the hon. member for Winnipeg (Mr. Martin) that I never made any such statement—entirely to the contrary.

Mr. MARTIN. I certainly did not say that the hon. member for Montreal West stated so; he did not state so, but the Secretary of State did. He said he assumed full responsibility for the action of the Governor General in sending——

Some hon. MEMBERS. No.

Mr. MARTIN—the hon. member for Montreal West to Winnipeg.

Sir CHARLES TUPPER. No. That is an incorrect statement of what was said. The hon. gentleman has just stated that I said the Government assumed entire responsibility for the Governor General having sent the hon. member for Montreal West to Winnipeg. You, Mr. Speaker, and every hon. member knows, that that is entirely contrary to the statement I have made. I read the statement which the hon. member for Montreal West had made to the House yesterday, in which he said the very reverse, and I said the Government were prepared to assume the entire responsibility for what had occurred as stated by the hon. member for Montreal West yesterday.

Mr. MARTIN. Well, what was it that occurred? We are thrown back to that again, for we must have this matter cleared up. The hon. member for Montreal West stated that he had not gone to Winnipeg at the request of the Government, but that he had gone to Winnipeg at the request of His Excellency the Governor General.

Sir CHARLES TUPPER. No.

Mr. MARTIN I heard it. I should like to ask the hon. member for Montreal West what he did say with respect to that matter. The hon. gentleman, as I understand him, said he went to Winnipeg with the sanction and approval, not of the Government, but of the Governor General.

Sir DONALD SMITH. I beg pardon, I did not. Shall I read again for the hon. gentleman's information?

Mr. MARTIN. I have the hon. gentleman's remarks as taken down by "Hansard," and if they are not correct the hon. gentleman may correct them. The hon. gentleman is reported to have said:

> I wish to say very distinctly that I did not go at the instance of the Government. It is true that I had the privilege of communicating with His Excellency the Governor General, not so much as Her Majesty's representative here, but as one who, as we all know, has taken a very warm and deep interest in everything that is for the benefit of Canada. Having incidentally had an opportunity of speaking of this very important matter of the Manitoba school question, His Excellency was good enough to express to me his very great desire that it should be satisfactorily settled in one way or the other, so as to be agreeable not only to the people of that province, but also to the people of the Dominion as a whole, desiring it should be settled outside altogether of party politics, for we know that the Governor General never allows himself to become a partisan, and that he is here as the representative of Her Majesty, to look equally at all sides, and to discriminate against none. I certainly had the privilege of communicating with the Governor General. I myself was greatly impressed with the view that were it possible to dispose of this matter outside of Parliament, it would be for the general good; and I consequently determined to go to Manitoba with the view of seeing Mr. Greenway and some of his colleagues, and of endeavouring to find if there could not be found a satisfactory way out of the difficulty.

The Secretary of State has declared that he accepted responsibility for that. For what? For the interview which took place between His Excellency and the member for Montreal West, the result of which was that in order to settle the Manitoba school question, this very important matter that should be settled in one way or the other, so as to be agreeable not only to that province, but to the people of the Dominion as a whole, the hon. member for Montreal West went to Winnipeg and had a conference with Mr. Greenway's government. As has been pointed out in this discussion, either the Governor General, not as His Excellency the Governor General, but as one whom we all know "has taken a very warm and deep interest," &c. ; either he did it that way personally on his own behalf, had this interview as a result of which the hon. gentleman (Sir Donald A. Smith) went to Winnipeg, or, His Excellency as Her Majesty's representative here had that interview, the result of which was that the hon. gentleman (Sir Donald A. Smith) went up. The hon. member for Montreal West clings to the idea that His Excellency did this on his own personal responsibility. It has been abundantly shown here that that is altogether impossible under our constitution, and when it was brought to the notice of the Government the Government solved the difficulty at once by saying that they took full responsibility for what His Excellency the Governor General did at that time. So I say we had that fact settled. We have no more to do with it. It was the Government who did it. His Excellency the Governor General did not undertake in any way to act personally, apart from his representative character. He could not do so, and he did not do so. But he, acting with the advice of his Ministers, called in another adviser, for what reason it is hard to imagine. We have got seventeen or eighteen Ministers of the Crown, and none of them appear to have had the necessary ability to have taken this matter in hand, and they advised His Excellency to apply to the hon. member for Montreal West (Sir Donald A. Smith), who had diplomatic qualities, who had ability of some kind or another, who had experience in negotiations, and who had contributed very largely to settle a previous trouble in Manitoba, many, many years ago. So the Government applied in this emergency for the help of the hon. member for Montreal West. He went to Winnipeg. More than that, it was announced in all the newspapers that the hon. gentleman had gone there for the purpose of holding a conference with the Manitoba government. The hon. member for North Simcoe (Mr. McCarthy), observing this report in the newspapers, asked the Government about the matter, as follows :—

> Was Sir Donald Smith authorized on behalf of the Government to negotiate with the Premier or administration of the province of Manitoba in reference to or on the subject of the school law of that province ?

And Sir Charles Tupper replied :

> I beg to say in answer to the hon. member, that the answer to the first portion of the question is, "No."

Now, Mr. Speaker, how can we reconcile that with the position of the Government to-night. To-night the Secretary of State does, as he must do, unless he is prepared to resign his position : he accepts full responsibility for what the Governor General did, as detailed to us by the hon. member for Montreal West (Sir Donald Smith) last night.

Sir DONALD SMITH. Might I ask the hon. member (Mr. Martin) what is generally understood by the word "incidentally" ?

Mr. MARTIN. Well, it means casually. It is pretty clear what it means, I suppose.

Sir DONALD SMITH. Perhaps the hon. member (Mr. Martin) will kindly give me the exact meaning of it. How is the word "incidentally" generally understood ?

Mr. MARTIN. I scarcely think it is a fair interruption. I was returned to this House for another purpose rather than to act as a dictionary. I would be glad to inform the hon. gentleman, but surely he understands the meaning of the word as well as I do.

Mr. DALY. He thinks you do not know the meaning of it.

Sir DONALD SMITH. The reason I say so is, that I find here, and I believe I said so yesterday, that I had the privilege of communicating or of seeing His Excellency the Governor General, not so much as Her Majesty's representative here, but as one who, as we all know, has taken a very deep interest in everything that is for the benefit of Canada. And then I continued :

> Having incidentally had the opportunity of speaking of the very important matter of the Manitoba schools.

Surely that shows that I was not called there for the purpose of discussing this matter. I really thought I was sufficiently exact in my statement.

Mr. MARTIN. It is perfectly unimportant whether the hon. gentleman was sent for for that purpose, or happened to be there, if he should require to be sent for.

Some hon. MEMBERS. No.

Mr. MARTIN. We all agree as to what was done when he was there. And now, who was responsible for what was done. What was done ? The hon. gentleman (Sir Donald Smith) don't deny, and he has made it more emphatic by his declaration in this debate. He says he does not think for a moment that His Excellency the Governor General would object to its being inferred from his remarks that he desired him to go to Manitoba. Can there be any doubt at all as to what the hon. gentleman meant when he made his statement yesterday ? It was clear as daylight that he intended to say, and did say, that the Governor General, in his private capacity, arranged for him to go up there.

Several hon. MEMBERS. No.

Sir DONALD SMITH. No, no.

Mr. MARTIN. This is what the hon. gentleman said :

> I certainly had the privilege of communicating with the Governor General. I myself was greatly

> impressed with the view, that if it were possible to dispose of this matter outside of Parliament, it would be for the general good, and I consequently determined to go to Manitoba.

Two things occurred. First:

> I had the privilege of communicating with the Governor General.

Then, as to the hon. gentleman himself:

> I myself felt that I desired to have the question settled.

And because of those two reasons, he consequently determined to go to Manitoba with a view of seeing Mr. Greenway and some of his colleagues, and endeavoured to see if there could not be found a way out of the difficulty. Now, I say that the Government have accepted the full responsibility for that. Let us see what has occurred? The hon. member for North Simcoe (Mr. McCarthy) asked a question, an answer to which was given directly contrary to that position, saying that the hon. gentleman (Sir Donald Smith) was not sent up by the Government. Now, they cannot disassociate the two. The discussion and the judgment of the Speaker on the point of order make it too clear for argument; if there was any doubt about it before, except what was expressed by the Secretary of State—for apart from the leader of the House, I do not think there was any doubt upon the constitutional question. I say that on the 2nd of March the hon. gentleman (Sir Charles Tupper) deliberately informed this House that Sir Donald Smith was not sent up by the Government. Now we have the fact that he was sent up there.

Some hon. MEMBERS. No.

Mr. DAVIN. May I ask the hon. gentleman a question? Does he contend that the hon. member for Montreal West was sent up directly by the Government or constructively?

Mr. MARTIN. I had purposely avoided that aspect of the case, and, I think, for good reason. If we are to assume, as the hon. member for West Assiniboia (Mr. Davin) assumes, that the Governor General did this of his own accord, that he disregarded the advice of his Ministers——

Mr. DAVIN. I assume that the Governor General did nothing at all.

Mr. MARTIN. What, then, does constructively mean?

Mr. DAVIN. I ask the hon. member whether he was contending that the hon. member for Montreal West was sent up directly by the Government or constructively? I understood him to argue that the Government sent the hon. member for Montreal West, because the hon. Secretary of State said a few moments ago that for certain proceedings that have recently taken place, the Government assume responsibility.

Mr. MARTIN. Then I understand the hon. gentleman to allude to the question whether or not the Government had knowledge of what His Excellency did with regard to this matter at the time. Is that so?

Mr. DAVIN. No. That would assume that I say the Governor General did something. I do not say anything of the kind. The hon. gentleman states that the Government of Canada sent a member of this House on a certain mission, whereas there is no evidence whatever before this House that the Government did anything of the kind; and what I want to know is whether my hon. friend is making a positive statement on a merely constructive basis.

Mr. MARTIN. The hon. Secretary of State assumed responsibility for something. What was it he assumed responsibility for? He assumed responsibility for His Excellency's conduct as detailed to us in the speech of the hon. member for Montreal West. That has been made clearer by the speech of the hon. member for Montreal West to-day.

Mr. DAVIN. No.

Mr. MARTIN. Yes, because he said to-day that he was sure that His Excellency would not object to the inference being drawn from his remarks of yesterday that it was His Excellency's desire that he should go to Winnipeg for the purpose of bringing about a settlement of this question.

Some hon. MEMBERS. No.

Sir DONALD SMITH. I did not use the word sure. I could not be sure. I said I thought very likely His Excellency would not take exception to such an inference.

Mr. MARTIN. I do not know that that makes it any different. It is very clear to me. Now, the hon. gentleman went to Winnipeg, and had certain confidential—and I wish to lay particular stress on the word confidential—communications with the local government—with Mr. Greenway and some of his colleagues—upon this very subject. The hon. gentleman returned to Ottawa and had a communication with the Premier as to his mission to Winnipeg. The hon. member for North Simcoe obtained that information from the hon. Secretary of State, because the hon. Secretary of State said:

> I have to say that the only communication that has taken place between Sir Mackenzie Bowell and Sir Donald A. Smith was of a purely personal character, no report having been made.

That is to say, that no report in writing was made; but a personal communication took place between those two gentlemen. Now, on the 2nd day of March, the very day on which these answers were given—answers which I charge to be entirely inaccurate and entirely misleading—showing no appreciation by the hon. Secretary of State of the responsibility which he assumes as Minister of the Crown—showing an entire ignorance of his relations with His Excellency the Governor General—on that very day, in pursuance of this public act of government, a telegram was received from Mr. Greenway by the hon. member for Montreal West. That was received in answer to a previous telegram which had been sent by the hon. member for Montreal West, after he had seen the Premier, and after he had reported to him the result of this public act which he had been engaged in on behalf—not of the Governor General, and not privately, as a private member of this House or as a citizen of Canada—but as the messenger, the ambassador of the Government of Canada—after he had made his report, not in writing, but verbally to the Premier of this Dominion. Then, presumably on instructions from Sir Mackenzie Bowell, the hon. member for Montreal West sent a telegram to Mr. Greenway, which we are told comprised a hundred words. In answer to that telegram, Mr. Greenway transmitted a telegram to the hon. member for Montreal West, a portion of which telegram was read to us by the hon. Secretary of State. The hon. Secretary of State being pressed for the telegram to Mr. Greenway, in order that the House might understand the significance of Mr. Greenway's reply, stated that these communications between the hon. member for Montreal West and the Manitoba government were confidential, and that the hon. member for Montreal West would not allow him to give the House the telegram to Mr. Greenway without Mr. Greenway's consent. Incidentally I may allude at this stage to a most unfortunate circumstance that then occurred, that is, that the hon. Secretary of State not only committed the gross impropriety of reading to this House a telegram which was a private and confidential communication between the two gentlemen whose names were appended to the telegram, but deliberately left out an important sentence from that telegram. He has given us his reasons for so doing. He said he did not think it mattered and that it was all right, anyway, because he had immediately telegraphed to the Lieutenant-Governor of Manitoba what he had laid before this House, and that was shown to Mr. Greenway. We are not complaining on Mr. Greenway's behalf but that the hon. gentleman misled us. No doubt it was scandalously unfair to Mr. Greenway to leave out a whole sentence of that kind in his telegram, but that is not the offence with which we are charging the hon. gentleman, and no communication by him to Mr. Greenway could absolve him from the charge that he had deceived this House.

Mr. OUIMET. I rise to a point of order. The debate has arisen on the responsibility of the Government for any action by His Excellency the Governor General, and the fact that the hon. Secretary of State read a telegram or omitted to read any portion of a telegram from Mr. Greenway to the hon. member for Montreal West is outside the question altogether. The hon. gentleman is also out of order in referring to a past debate.

Mr. MARTIN. I am referring to a former announcement by the Government. There was nothing before the House. The hon. Secretary of State announced that he had received a telegram from Mr. Greenway, and it is to that I am referring and not to a past debate. Then my remarks referred to the question brought up by the hon. member for South Oxford, which was: Did the hon. Secretary of State gave a truthful answer to the hon. member for North Simcoe (Mr. McCarthy). The hon. member for South Oxford contends he did not, and I am endeavouring, by alluding to the circumstances in connection with the visit of the hon. member for Montreal West to Winnipeg, to throw light upon the question.

Mr. SPEAKER. The point raised by the hon. Minister of Public Works (Mr. Ouimet) is that the reference to the telegram read by the hon. Secretary of State in the House is not relevant to the subject under discussion, because the telegram itself is not relevant and because it is a former debate. As regards the question of relevancy, I am inclined to think that the telegram is relevant to the question raised by the hon. member for South Oxford, which I understood to be an attack on the Government for having shirked responsibility for something that took place, with the consent and knowledge of the Governor General, in relation to a public matter. With regard to the other question, as to whether the statement made by the hon. Secretary of State and his reading of the telegram was in the nature of a past debate, I am inclined to think it was not. But I may go somewhat further, and say that a great deal of this discussion has had reference to a past debate and therefore is not in order. The debate of yesterday is a past debate.

Mr. MARTIN. I shall make no further reference to the question, although I had the opinion that answers to questions would hardly be considered as debates.

Mr. SPEAKER. I have the authority of the English House of Commons on this point. Mr. Brand says:

> An hon. member cannot refer to a late debate, and the same rule applies to a question as to a debate.

Mr. MARTIN. Well, Mr. Speaker, I was referring to the conduct of the hon. Secretary of State, in giving to this House a portion of a private and confidential correspondence between the hon. member for Montreal West and the Premier of Manitoba; and I was alluding to the fact, that in that communication, the hon. gentleman, for purposes of his own, which are quite transparent, left out a sentence in that telegram. I was alluding to the further fact, that the hon. gentleman seeks to excuse himself for what is, to my mind, an unpardonable offence against this House, by saying that he communicated to Mr. Greenway the fact that he had done it, and, therefore, it was all right. Now my point, Mr. Speaker, is, that no communication to Mr. Greenway could condone the offence the hon. gentleman was guilty of towards this House. I have hinted that the hon. gentleman had a most palpable motive in leaving out this sentence from this telegram. What was that motive ? What was the sentence that was omitted ? I have not the exact words, but it was to this effect : "We do not consider ourselves at all to blame for the situation of the Manitoba school question." Now, the hon. gentleman introduced that telegram into this House for the purpose of leading this House to believe that that telegram was an offer from Mr. Greenway of a compromise, or something of that kind. Mr. Greenway's statement, that he did not consider himself to blame, would detract from that meaning, and, therefore, the hon. gentleman deliberately left out that important sentence. I say, it was unpardonable for him to do so. It was conduct entirely unbecoming a Minister of the Crown, especially unbecoming that Minister of the Crown who leads this House, and, therefore, has peculiar responsibilities to this House. Where are we to be, Mr. Speaker, if we cannot believe implicitly every word that drops from the lips of the hon. gentleman who holds the chief place in this House ? Where are we to be, if, when any document is read to this House by that hon. gentleman, we cannot be sure that the real document is read to the House, and not only a portion of it ? If the hon. gentleman thought this sentence was not important, why did he not say to the House : Here is a portion of a telegram to Mr. Greenway ? It might have been, that the telegram contained a lot of matter having nothing to do with the question; and, if so, it would not have been out of place for the hon. Secretary of State to have announced that he had received a telegram from Mr. Greenway, a portion of which he would read, the remainder being immaterial. It would then have been open for any member of the House who wished to dispute the immateriality of the remainder of the telegram, to have asked, and pressed the hon. gentleman to make it known to the House. Had it not been for Mr. Greenway, members of this House and the people of the country would never have known but that the hon. gentleman had given, as he purported to do, the whole telegram, and not merely a portion of it. Mr. Greenway might have had some reason for not giving that information to the public, and, if that had been the case, the people would have remained in ignorance of the facts, because we would have relied upon the statement of the leader of the House, as we have a right to do, that he was reading to us what he said he was reading. The hon. gentleman said he was reading a telegram from Mr. Greenway, and he read only a portion of that telegram. We must not forget the purpose for which that telegram was produced in this House. A burning question was being discussed here, a question which divided parties and threatened the existence of the Government of which the hon. gentleman is the head. That telegram was produced for the purpose of holding together, if possible, the hon. gentleman's following in this House, by the suggestion, that at last the Manitoba government had come to time, at last they had seen the error of their ways, at last, after holding out since the passing of the remedial order in March last, they had come to their knees and were ready to go down on their knees to this Government rather than have remedial legislation passed. That was the object of bringing this telegram before the House. If I am right in that, the sentence which the hon. gentleman deliberately left out, was a most important one, for it would have prevented any such inference being drawn as the hon. gentleman desired the House and the country to draw from the garbled copy of that telegram which he produced here. The inference, that Manitoba had reconsidered her action, and was yielding, was possible from the telegram which was read to this House, and the hon. gentleman's object was to produce that impression. There could have been no other possible object, for the hon. gentleman was not announcing then that a conference was proposed. He was announcing nothing whatever, except the telegram. He did not say : In view of that telegram, we have asked Mr. Greenway to hold a conference, but he brought the telegram in here, and merely announced: We have transmitted to the Lieutenant-Governor of Manitoba the statement I am making here to-day, and we intend to go on with the Bill to the second reading, 'de die in diem,' thus hinting that it was possible an offer for a conference would be made. It was not for the purpose of announcing in this House, that they intended to have a conference with Mr. Greenway, it was for the sole purpose of making this House believe that Mr. Greenway's telegram meant that Manitoba had altered her position.

No doubt at all, when Mr. Greenway indicted this telegram, he saw himself that the first part of the telegram would give that inference ; he saw himself that the telegram, as read to us here, would lead the Government here, and lead any one who perused it, to believe possibly that Manitoba was weakening, that Manitoba had changed her mind ; and for the express purpose of preventing any such inference, Mr. Greenway answered plainly and distinctly : "We do not consider ourselves in any way to blame for the situation as it is to-day." And yet the hon. gentleman comes here and tells us that he thought those words were immaterial. The hon. gentleman's misstatement to this House would never have been known had not Mr. Greenway considered it most important to Manitoba's position that he should at once repudiate the inference which the hon. gentleman desired to draw from his telegram. I may also say that Mr. Greenway did not get his knowledge of the hon. gentleman's statement in this House from the telegram sent to the Lieutenant-Governor, but he got it from the newspapers, because in making his announcement to the legislature of Manitoba the next day he said: Of course, I cannot say whether the despatches in the newspapers are correct, but if they are, then the Secretary of State has not read the whole telegram as I sent it. But in reading the morning papers in Winnipeg, and learning that the Secretary of State had made this announcement, he at once rose in his own legislature, and stated that this most material and important statement was deliberately left out by the hon. gentleman. Then the leader of the Opposition, or the member for South Oxford, naturally inquired for the telegram to which this was an answer, and the hon. gentleman was forced to make the humiliating confession that he had obtained the telegram from Mr. Greenway improperly, that he had obtained it in confidence from the member for Montreal West, that he had deliberately violated that confidence; and that when he applied to the member for Montreal West for permission to read his telegram to Mr. Greenway, he learned for the first time the view that the member for Montreal West took, and he informed us that he was not able to read to the House the telegram to Mr. Greenway without Mr. Greenway's consent. Now, Sir, we have never yet had that telegram, and as we were informed by the Secretary of State that permission had been asked from Mr. Greenway to give that telegram to the House, I think we can infer that Mr. Greenway has refused his permission, for we have not been told anything about it. I think we may naturally infer that Mr. Greenway has refused his permission, and we can well imagine why. I would like to say that in mentioning these matters, I do not pretend to any knowledge myself. I am merely inferring, as any other hon. gentleman might from what has occurred, what has likely influenced Mr. Greenway in refusing permission, if he has so refused it. We must remember that all those communications were confidential, we must remember that not only these telegrams, but all the negotiations which had proceeded, were entirely confidential, and it may be that Mr. Greenway felt that it would not be fair to him or to his government to give his assent to the promulgation to the public of the telegram from the member for Montreal West to him, without having all the negotiations from beginning to end disclosed. It may well be that the public could not understand fully the import of those two telegrams without having explained to them all of these negotiations. Now, Sir, if I am correct in that, how great is the magnitude of the offence which the Secretary of State has committed in this matter, that is, the offence of deliberately, for political purposes, in order to save his Government from danger of defeat, taking advantage of the hon. member for Montreal West and giving us this telegram. What explanation has he had to offer for it? An apology, he says he is sorry. Will that help us any? I say it is a most unfortunate thing that we should be, as a House, as a component part of the Parliament of Canada, placed in the humiliating position that we cannot take for granted that the statements made by the Secretary of State are true. Am I warranted in making that statement? Am I warranted from the facts which I have been relating to this House, in saying that after what has occurred in regard to this telegram, and with regard to the answer that was made to the hon. member for North Simcoe, we cannot take for granted that what the hon. gentleman communicates to this House is accurate? If we are placed in that position is it not a most humiliating one. Hon. gentlemen opposite have complained from time to time that they have not been treated by the Opposition as a Government in the English Parliament would be treated. Can any member of this House imagine for a moment a member of the English Government deliberately doing what the hon. gentleman confesses to have done, and for which he asks for pardon? Can any one imagine Mr. Gladstone, or Mr. Balfour, or any other English statesman coming down to the House and admitting that he had ingratiated himself into the confidence of a member of the House, that he had obtained, under pledge of confidence, a telegram or telegrams that might be useful to him for political purposes, and that having obtained one of those telegrams, he deliberately, in violation of confidence, read it to the House of Commons, and in doing so deliberately left out, without informing the House of the omission, the most material part of that communication? Can any member of this House imagine Mr. Balfour or Mr. Gladstone doing such a thing? If they did such a thing, what would be demanded of them? Immediate departure from public life. Such a course of conduct would not be tolerated by the great Conservative party of England on the part of any one of their chiefs. If a chief of either of the great political parties in England had to place himself in the humiliating position of asking the pardon of the House, the pardon of an hon. member of the House for deliberately abusing confidence, revealing confidential communications, and in the revelation committing the further offence of deliberately garbling that communication for political purposes, what would happen to him ? If he were in the Conservative party, his resignation would be demanded by every great organ of that party. If he were in the Liberal party, the same course would be pursued. He would be ostracised as a public man, because in England if one thing more than another is required of a public man, a leader of one of the great parties, it is the nicest sense of honour, and when that feeling is lost the usefulness of that man is gone. Mr. Speaker, it is our pride, it is our ambition to model our conduct in this House, as far as we possibly can, upon the House of Commons of England, of which this is as far as it is possible to be, a copy. Do the same sentiments which actuate public men in the House of Commons in England actuate the public men in this House ? Are the facts that I have stated correct ? Can they be denied ? Am I putting the case more strongly than circumstances deserve ? Is it true or not that this was a confidential communication, the hon. gentleman knew it ? He has not pretended he did not know it. He has admitted that he was under the strongest bonds of honour to the hon. member for Montreal West not to use these communications in any way except for his own personal knowledge and information. Was it done inadvertently, or was it done with deliberate purpose, for the purpose of gaining political capital in an emergency in this House ? Then are my statements as to the leaving out of that sentence correct, or not ? Was it material, bearing in mind the circumstances under which the telegram was brought forward and the purpose for which it was used ? Was that a sentence which entirely destroyed the inference which the hon. gentleman desires us to adopt from the telegram, or was it not ? If my facts are right, if my charges are fair, then in England a public man putting himself into that position would not escape the consequence of his acts by doing as this gentleman has done, getting down on his knees to the House in which he committed the offence and asking the pardon of that House. Will that be done here ? Will the great Conservative party in the country follow their representatives in this House in condemning an action of that kind ? Have we in Canada been successful in endeavouring to carry on our public affairs on the same high plane on which public affairs are conducted in the old country ? If we have, then public sentiment must condemn the hon. gentleman, and it is most unfortunate that this offence should occur on the part of one who has lived at our expense for many years right in the city where this great House of Commons to which I have alluded holds its sittings, who has had exceptional advantages of learning the principles upon which public affairs are there conducted, who as the representative of this great colony has mixed with kings, with emperors, with premiers, with members of the House of Lords, with members of the House of Commons, who has had every opportunity of learning what is decent and what is right and what is honourable from an English standpoint, and yet here we are after having had for about twelve years that gentleman, at an expense to this country of some $20,000 to $30,000 per annum in order that he may be educated in habits of decency and habits of honesty, in a school where that education can be obtained. But we know that if certain children are sent to school they are so bad at heart that the very best professors cannot instil in them the principles of morality, that a long course of study at the knees of the best teachers leaves them still as bad as they ever were. This is the case with the great statesman we sent from Canada twelve years ago to represent us at the Court of St. James ; while there he mixed with distinguished people of all classes, and yet he comes back here to take out of the hands of an old imbecile of the great Conservative party——

Some hon. MEMBERS. Order.

Mr. MARTIN. I must admit that that is a most unfortunate expression. I am very sorry to have to use it, but I understand that the Finance Minister applied it to Sir Mackenzie Bowell. I know I am quite at liberty so far as the rules of this House are concerned, to call Sir Mackenzie Bowell anything I like. I have, however, respect for the position which that gentleman occupies, and I certainly would not dare myself to apply that epithet to him, no matter how much I might think it ; but when the Finance Minister tells this House in a solemn statement as ex-leader of the House that he and his friends had bolted because this gentleman had not mental capacity sufficient to lead the party, in other words he was afflicted with imbecility, then I must take the estimate of that gentleman from a member of the House who has been a colleague for so many years. I say, then, the hon. gentleman, High Commissioner, was sent to London to be educated in morality at our expense for so many years, for it was charged the High Commissioner when in Canada that he had need of education in morality. It has been charged against him——

Mr. SPEAKER. I think the hon. member is exceeding the bounds of parliamentary license.

Mr. MARTIN. I will keep myself within parliamentary rules. But when we are dealing with a matter of this kind, are we to refer to it in the term that it deserves, or is it parliamentary to do so. Is it unparliamentary for me to express, as I have, my utter abhorrence of the conduct of the Secretary of State in those matters to which I have referred. If strong expressions have to be used, is it my fault, or is it the fault rather of the offenders whom it is my duty and my right to attack in this House. The hon. gentleman has been over there. He has had these rare opportunities. Can he imagine for a moment a member of the Government for the House of Commons in England, in the first place committing the offences, and then making the admission with regard to this matter which that hon. gentleman has been obliged to make here. He was guilty of deliberately violating confidences, as I have said. I do not know what the hon. member for Montreal West (Sir Donald A. Smith) thinks about it. We had a very excellent speech from the hon. gentleman (Sir Donald A. Smith) yesterday. We listened to it with great attention. We have had another from him to-day, although I cannot say that his utterances to-day were exactly in the same direction as yesterday. He seemed to be trying to explain the situation from an entirely different standpoint from what the situation had become by the action of the Government. But the hon. gentleman (Sir Donald A. Smith) having at last after some five years become an active member of this House, I would be very glad indeed, to hear his view of the conduct of the Secretary of State (Sir Charles Tupper) in this matter. I would be glad to know, whether the hon. member for Montreal West treated this negotiation with Manitoba as a confidential matter ? I would like to know whether the hon. member for Montreal West would feel justified in giving to the public, without the consent of Mr. Greenway, what was said by Mr. Greenway or his colleagues at the conference in Winnipeg. I would like to know whether the hon. gentleman would feel that it was fair to repeat what his Grace the Archbishop of St. Boniface said to him, and what he said to his Grace in Winnipeg, or what his Grace said to Mr. Greenway, and so on. I notice that the hon. gentleman very properly brought these people together in Winnipeg. Was it, as I have alleged, a confidential matter, or was it not ? If it was a confidential matter, can it be disputed that the hon. gentleman distinctly told Sir Mackenzie Bowell and other members of the Government. We know very well that when he came back here he was interviewed by members of the Government, including the Secretary of State. And, we may take it for granted that what occurred in Manitoba was very fully reported to members of the Government, including the Secretary of State. I think that follows from the answer we are discussing here. Then, what does the hon. member for Montreal West think of the using of that telegram ? The hon. member for Montreal West has not expressed an opinion to this House, but we know what his opinion is, because we are told by the hon. Secretary of State, that the hon. member for Montreal West (Sir Donald A. Smith) would not give him that other telegram. For what reason ? It was because it was confidential, and could not be used without Mr. Greenway's consent. Now, if the telegram to Mr. Greenway, for which Mr. Greenway was not responsible at all, cannot be used without Mr. Greenway's consent, how much more must that apply to the telegram from Mr. Greenway, and for which Mr. Greenway was responsible, being used. The Secretary of State has not attempted to tell us that he did not know this was confidential. All he has done is to apologize for it, and to regret that Mr. Greenway regarded the leaving out of the sentence as unfortunate. He expects the House and the country to accept him as a fit leader of a great party to which he is attached, with a charge like this admitted by him, and proved against him. Well, Mr. Speaker, I have used strong language to-day. I have made strong observations as to the Secretary of State (Sir Charles Tupper), and as to the nature of his conduct in this matter. Are my statements justified ?

Some hon. MEMBERS. No.

Mr. MARTIN. Are my statements true ?

Some hon. MEMBERS. No.

Mr. MARTIN. Will hon. gentlemen on that side show where they are not true. Do hon. gentlemen propose to condone these offences because the hon. gentleman is the leader ? Does that not rather heighten the effect ? It would be bad enough for an ordinary private member of the House to be guilty of offences of this kind, but for a Minister of the Crown—nay, a leading Minister of the Crown in this House, having become a Minister of the Crown under very special circumstances, having been brought over from a high position in order to lead his party, as it is hoped by them, to victory at the polls soon.

Some hon. MEMBERS. Hear, hear.

Mr. PRIOR. That is what we want.

Mr. MARTIN. I suppose so. In order that the Secretary of State may be able to do that, are you willing to condone these offences ? Do you put him forward as the kind of man that the law-abiding, honourable electors of the Dominion of Canada should vote for as the first citizen of the state. Would it be an honour to Canada for the next five years, to have at the head of affairs a man who knows no more of honour——

Some hon. MEMBERS. Order.

Mr. DAVIN. I rise to a point of order.

Mr. FRECHETTE. Let him go on. Nobody minds what he says.

Mr. SPEAKER. The hon. member has cast an imputation on the honour of the Secretary of State. That is not in order.

Mr. FRECHETTE. He does not know what he is saying.

Mr. MARTIN. I wish to cast no imputation upon the Secretary of State at all, but

I wish to hold the Secretary of State strictly responsible for what he has done.

Some hon. MEMBERS. Order. Take it back.

Mr. MARTIN. I desire to withdraw.

Mr. SPEAKER. The hon. gentleman (Mr. Martin) may assail the Secretary of State, but it must be done within parliamentary bounds. To cast an imputation upon the honour of the Secretary of State is, in my opinion, not parliamentary.

Mr. MARTIN. Mr. Speaker, of course, I bow to your decision ; but it seems to me, that I am precluded, under that decision, from alluding to the circumstance to which I have been alluding. I am desirous of expressing my reprehension of the conduct of the Secretary of State in violating the confidence reposed in him by the hon. member for Montreal West, for that conveys an imputation upon the hon. gentleman's honour, which I certainly must refrain from doing.

Mr. SPEAKER. The hon. member went a little further than that. He made a direct imputation upon the hon. Secretary of State. Of course, the hon. member may characterize the conduct of the hon. Secretary of State in as strong language as he chooses, provided he keeps within parliamentary bounds.

Some hon. MEMBERS. Withdraw.

Mr. MARTIN. Well, I can follow the example of the hon. leader of the House, so far as withdrawing is concerned, and say, that for the words "an imputation upon the hon. gentleman's honour," I substitute the words, "an unfortunate occurrence." Following that hon. gentleman's withdrawal, which, I suppose, is a precedent on which we are to act, I will substitute the statement that it is a most unfortunate occurrence, that the coming Premier of the Dominion—because, I suppose, we cannot prevent him being Premier for the short time between now and the elections, if the party so decides—should have been guilty of what, to my mind, is the grossest offence that could be perpetrated against the rules of decency and parliamentary propriety. Now, I may not have made myself clear in what I charge against the hon. gentleman ; but, to my mind, the situation is extremely clear. I would have thought, that my statement was clear and definite, had it not been for the statement made by hon. gentlemen opposite, that it was not so, that I was not correct in supposing, that these circumstances show the hon. gentleman to be entirely unfit for the position in which they propose to place him—that he has not the moral qualifications which are required of the leader of the House. I suppose it is quite fair, Mr. Speaker, to say, that the people of Canada require from the gentleman who is to be the Premier of Canada certain political, certain business, certain moral qualifications. Now, I regard this particular incident as throwing light upon the hon. Secretary of State's moral qualifications for the high position which he expects to assume. What can be worse than the feeling, which we must have in this House, that, when the hon. gentleman is reading to us a telegram, or a letter, or a report, or is conveying any documentary matter to this House, he will, if necessary, leave out a part without telling us, that he has left it out—that, if he thinks it is going to help him in an emergency, he will deliberately take a confidential communication, which he knows to be such, and use it in violation of the confidence that has been reposed in him with regard to it ? Now, Mr. Speaker, I regret, and, I think, every member of this House must regret, that it becomes necessary to discuss actions of this kind in the House. But they have occurred ; they are there. We must either repudiate them, or we must coincide with them and confirm them. Speaking for myself, I have no hesitation in saying, that, to my mind, the hon. gentleman's apology for committing these offences is only a stronger reason why he should not continue to be the leader of this House. It may make things better between him and the hon. member for Montreal West, that he should apologize for what he has done. We are not concerned with that. But, in this House, we are concerned with the character of the gentleman who undertakes to lead the House. In many respects he represents the House. In the conduct of debate, in communications from the Government to the House, in all important matters of that kind, he represents the House, and he represents the Government ; and it is a sorry thing to me to think, that we must hesitate and weigh the words that fall from his lips, and consider whether he can have any reason to desire not to communicate to us what he pretends to communicate to us. I say, it is most unfortunate, Mr. Speaker, and for that reason I must express my obligations to the hon. member for South Oxford (Sir Richard Cartwright) for having given me an opportunity for expressing my sentiments with regard to these matters.

Mr. TARTE. Mr. Speaker, the House has listened with attention——

Some hon. MEMBERS. Oh, no.

Mr. TARTE.—If hon. gentlemen will allow me. The House has listened, I say it again, with attention to the statements of the hon. member for Montreal West.

Some hon. MEMBERS. Hear, hear.

Mr. TARTE. The facts of the case which we are now discussing, some of them, at any rate, are pretty clear. In a debate, the hon. member for Montreal West used the name of His Excellency. To our knowledge, Sir, members of this Parliament have stated that, in the vote they were going to give, they have been influenced by the use of His Excellency's name. The leader of the House has assumed the responsibility of the relations in this matter between His Excellency and the hon. member for Montreal West. The hon. gentleman could not help doing so. He was bound to do so. If he remembers what took place three or four days ago, he had already done so. On the 13th March, he said :

> I feel it due to myself to make this straightforward explanation to the House as to why a telegram which I regard as virtually a communication to the Government from Mr. Greenway was used to which I thought there could be no possible objection.

As I have said, the leader of the House had accepted the responsiblity of the relations which took place between His Excellency and the hon. member for Montreal West. What these relations were we do not know precisely. You have ruled, Sir, rightly that the name of His Excellency cannot be brought into the debate without grave reasons, but I may be permitted to allude to this fact, that it is not the first time in the knowledge of the House that His Excellency has been obliged to resort to outside advice. In the Shortis case, for instance, His Excellency was obliged to do so, as he did in this case. But if he did, he should not be blamed. What is the rule ? It is this :

> It is true that by usage and the constitution Cabinet Ministers are alone empowered to advise upon affairs of state, and that they alone are ordinarily held responsible to their subjects and Parliament for the government of the country, yet it is quite conceivable that circumstances might arise which would render it expedient for the King, in the interests of the constitution itself, to call for aid and counsel apart from his Cabinet.

The hon. member for Montreal West is here and he has, I must say, a great command of language. He knows what has taken place between His Excellency and himself better than any of us. I do not say that he is obliged to tell us everything, but he knows to what extent his advice has been sought. The country will not reproach him for what he has done, but what the country has a right to reproach the Government with is this : We have responsible government, and is it possible that His Excellency, in difficult circumstances, has had to resort to outside advice ? The hon. leader of the House has assumed the responsibility of the relations which have taken place between His Excellency and the hon. member for Montreal West, but that does not preclude us from knowing the fact that His Excellency had a conversation with the hon. gentleman and that, after that conversation, the hon. gentleman proceeded to the city of Winnipeg. And did what ? Did an act of state, Sir, for this was no private act. I beg to differ from some of my hon. friends who have spoken on this question. Surely negotiating on such a question as this with the province of Manitoba—I do not say at the request, because that would not be fair or true—but with the full knowledge of the Governor General of Canada cannot be considered a private act. Then it is admitted by everybody that the hon. member for Montreal West, with the full knowledge of His Excellency, went to Winnipeg and there had interviews with members of the provincial government. The statement that the hon. gentleman has made to-night is even more important than the one he made yesterday. He told us that before proceeding, he met the Prime Minister, and he was good enough to tell us that he was ready to take the House into his confidence. Well, I would like to ask him if, in that conversation, the hon. gentleman stated to the Prime Minister the reason why he was going to Winnipeg ?

Sir DONALD SMITH. Not one word regarding it. I had not one word to say, and did not say one word to the Prime Minister about the case or the reason why I intended going to Winnipeg.

Mr. TARTE. I thank the hon. gentleman for his statement. I think that the House and the country are greatly interested in knowing all the details of this most extraordinary case. The hon. gentleman, I am sure, will have no objection to tell us whether on his return from Winnipeg he reported immediately to the Prime Minister the result. He has told us that he had been permitted to communicate to the Government the result of his negotiations. Are we to understand that he was permitted by Mr. Greenway or by His Excellency ? I think that is an important question, and I should be glad to have his answer. If he is not in a position to reply, I shall not insist. Very well, the hon. gentleman shakes his head, and I understand he is not in a position to say by whom he is authorized to communicate with the Prime Minister.

Sir DONALD SMITH. In the way of being very frank—I will tell the hon. gentleman that in the conversations I had with the Hon. Mr. Greenway, I gave him to understand, in the most explicit way, that I was not there in any official capacity.

Mr. TARTE. If the hon. gentleman will allow me, I must say that this is not a very plain answer, but, at any rate, we must take his answers as they are. The facts are clear. The hon. gentleman proceeded to Winnipeg and tried to render a great service to his country. Now, what are going to be the results of his visit and the statements that followed ? He has told us that he thinks that by means of a conference now, we can arrive at a settlement. I saw the great effect upon the House of that important statement ; but now it seems to me that it has no longer any importance, because the Ministers are going on as if nothing had happened. They are responsible for what he has done and must be responsible for the statement that he has made. Have they got any confidence in those statements ? Are they in a position to tell us that those statements are no more of any value, that they are not deserving of an confidence, or are they prepared to say that the negotiations, for which they have assumed all the responsibility that they were bound to assume, will amount to nothing ? At any rate, Sir, I think that the House must be thankful to the hon. gentleman from Montreal West for the trouble he has taken in carrying on these negotiations ; but I do not think that the House should thank the Government for the attitude they are now taking. They have hesitated a great deal before saying that they were responsible for these negotiations, though assuredly, in view of the statements of the hon. leader of the House on the 13th March, they had held themselves responsible before. Now, Sir, I say it again, are these statements of the hon. gentlemen going to pass as if they had not been made ? If so, let us know it. If I am not mistaken, there are still two currents in the Government, one going in one direction and the other going in the opposite direction. I think that the hon. gentleman from Montreal West represents to a large extent the best current. He is for peace, he is for a conference, he is for a settlement that he feels sure can be had. There is another current, the representatives of which do not want any settlement, but want disunion and trouble for party purposes. We do not yet know in what current the hon. gentleman who leads this House is swimming. He will allow me as one who in my younger days, in my inexperienced days, it may be, have admired him, to make an appeal to him to-night. He has had great experience ; he has seen many things and many men. It seems to me that if he were to put aside, perhaps, some party interests, or what have been represented to him as party interests, but which he may find later have been brought before him in a wrong light, he would join hands with the hon. member for Montreal West. As I have said, he has not stated in which current he is swimming. Why does he not take the House into his confidence as the hon. member for Montreal West has done ? I know it will be said that as the leader of a party he has grave responsibility, but he is old enough and experienced enough to know that above party interests are the interests of the country.

Mr. McCARTHY. I desire to draw the attention of the House to a matter which, although it did not escape the attention of the hon. gentleman from Winnipeg (Mr. Martin) has not been sufficiently dealt with, if I am at all right in the importance I attach to it. It is now, Sir, pretty clear what did take place with regard to these negotiations with Manitoba. It is clear that my hon. friend on my right (Sir Donald Smith) very properly, at all events quite within his right, having had an interview with His Excellency the Governor General, in which a visit or negotiation or the possibility of a settlement between the Dominion Government and the province of Manitoba was referred to, in consequence, if I am to judge of that interview, undertook upon his own responsibility to visit Winnipeg for the purpose of entering upon that negotiation. My hon. friend (Sir Donald Smith) says : Not necessarily as a consequence of that, and, for my part, I do not desire to press the sequitur, nor does it appear to me to make any difference as to the view I am going to present to the House on this question. Now, I wish it to be distinctly understood that I cast no reflection, in any respect, upon the part His Excellency had in this matter. On the contrary, it appears to me in the highest degree creditable, if I may venture to say so, in His Excellency to have interested himself in any matter of government. I might venture, perhaps, to go further, and say that it would have been his duty to give his Cabinet any assistance in his power in any matter in which, as a Government, it is interested. There is no question, it appears to me, as to that. But, Sir, I venture also to think that if His Excellency had, directly or indirectly, without the knowledge of his Ministers, delegated to a private member of Parliament or a private individual the duty or the right to enter upon negotiations with Mr. Greenway, under these circumstances, it would hardly have been within the scope of His Excellency's responsibilities. We can easily see how embarrassing that might be to the Government. They, of course, are supposed to know their own business best. They are supposed to keep His Excellency advised of all that they are doing with reference to transactions of this kind ; and to have the Governor General interfering upon his own responsibility without their knowledge might be exceedingly embarrassing, to say the least of it, and might lead to very unpleasant results. Now, in this case nothing of the kind appears to have happened. I judge from what the hon. member from Montreal West has told us that His Excellency might well have inferred that he was going to Winnipeg for the purpose of endeavouring to bring about this settlement, which, in his view, was very desirable. I judge further that before he started for Winnipeg he saw the Prime Minister. It was a short interview, but I rather gather from his words, reticent though they have been on that point, that the Prime Minister understood he was going to Winnipeg, and generally the object of that visit.

Sir DONALD SMITH. Quite otherwise, I may say to my hon. friend. I did not speak to him at all of the object for which I was going to Winnipeg.

Mr. McCARTHY. I misunderstood that, and of course I accept what the hon. gentleman says. But when he said in answer to my question that the Prime Minister was aware of the object he had in going to Winnipeg, and when he said that he had seen the Prime Minister about half an hour before he started, I thought the matter must have been mentioned in their interview. But he says it is not so, and I accept the statement Then he went to Winnipeg, if I understand it, the Governor General having reason to think he might have gone, but without the knowledge of the Prime Minister; although he had seen the Prime Minister, he did not think to communicate to him the object and purpose of the visit. Now, so far, I do not know that there is anything much to be said about it. But I want to draw the attention of the House to the manner in which subsequently this House has been dealt with. That visit to Winnipeg was some time about 20th February. I see from a despatch which I have before me in one of the papers, that it was upon the 20th February. He had frequent interviews with Mr. Greenway and with the archbishop. I think, in point of fact, as we know, he was interesting himself with the view of endeavouring to bring about some settlement of this vexed question. I gather from the information I have here, that after spending some time in Winnipeg, having given Mr. Greenway to understand that he was not a delegate of the Government, he returns here and arrives in Ottawa. I am taking this now from a statement I find in a paper of 24th February, and the dates, I think, are important. He then saw the Prime Minister if he did not see the Secretary of State, it is not doubted that he saw the Prime Minister. I think we may gather that he communicated to the Prime Minister what had taken place between him and Mr. Greenway, and the result of the Winnipeg negotiation. Well, what happened next? And here now, I ask the attention of the House. The next thing that was done was to send a despatch to Winnipeg, sent by my hon. friend here (Sir Donald Smith), acknowledged to-day by the Secretary of State to have been the first official despatch, which was answered upon 2nd March, and which must have been sent some days before, probably some time towards the latter part of February, which despatch was a private and confidential document, as we are given to understand, and was answered by a private and confidential document on 2nd March. Now, I would ask the hon. Secretary of State—because I desire to make no misstatement in this matter—whether I correctly understood him to-day to say that that despatch was the first official document which the Government felt themselves responsible for. If I am wrong about that, I would like to be corrected now. I so took it down.

Sir CHARLES TUPPER. Does the hon. gentleman ask about the despatch sent or the despatch received?

Mr. McCARTHY. The despatch sent.

Sir CHARLES TUPPER. Then I may say that I regard the despatch sent as a continuation of the private and confidential communication between Sir Donald Smith and Mr. Greenway; and the answer which was communicated by Sir Donald Smith to the Government as the first official despatch.

Mr. McCARTHY. It seems hardly possible that the answer would have been received and that the despatch itself, to which the answer of 2nd March is a reply——

Sir CHARLES TUPPER. I would like to make myself plain. The thing I think is susceptible of being quite plainly understood. As I stated to the House in answer to the member for North Simcoe, the communications that took place were regarded as private and personal communications between Sir Mackenzie Bowell and the member for Montreal West. The hon. gentleman has my answer which I gave to this question, and that was that Sir Donald Smith's mission to Winnipeg was not at the instance of the Government; and, in the second place, that he had made no report, and that any communications that had taken place between Sir Mackenzie Bowell and Sir Donald Smith down to 2nd March, down to the time of answering that question, were personal and private communications. That was the condition of things down to that period. In the course of those communications, the hon. member for Montreal West, carrying on his relations with Mr. Greenway, sent a message. The answer to that message, I regard as an official communication, because he put it in the hands of the Government, with the message, for the purpose of showing the Government that Mr. Greenway was open to negotiation; and that I regard as the first official communication, and that is the statement that was made by me to the House.

Sir DONALD SMITH. And which was, I may add, of course, like every such communication, of a confidential character.

Sir CHARLES TUPPER. And I may say that I regard the answer to Mr. Greenway communicated by the member for Montreal West, as the first official communication. I regard it as an official communication, because it was distinctly intended to be communicated to the Government. And as I stated to the House before, I would have been very glad to lay upon the Table the message from the member for Montreal West, and endeavoured to obtain it for that purpose, in order that it might show exactly the position of the question.

Mr. McCARTHY. Perhaps the matter is not very clear yet. But I will state it now as I understand it, subject to correction. I understand that this despatch from Ottawa sent by the member for Montreal West, was sent with the knowledge and authority of the Prime Minister; I understand that that was a confidential despatch between the hon. member and Mr. Greenway, as was the answer thereto. Now, I have no doubt that the hon. member on my right (Sir Donald Smith) will disclaim having done anything improper or dishonourable with reference to these documents; but if they were confidential as between him and Mr. Greenway, then it is difficult to understand how he communicated them to the Prime Minister. If, on the other hand, they were written officially—of course, I use the word in a modified sense—if they were written officially or despatched officially—and I take it that was the position my hon. friend here will take—of course, there was nothing wrong in the delegate reporting to his principals the communications that were passing between them. Now, if that is so, these were official documents, confidential, it is true, sent by the hon. member for Montreal West with the knowledge and authority of the Government, sent some time in the latter part of February, and answered on 2nd March. Now, I ask attention to the answer that I got in the House. Surely, Sir, when we ask questions here of the Government, we have a right to get accurate answers. The Government have a right to say that their negotiations are such that in the public interest they will not mention them. That is their privilege and that is their right. But there is no right in a member of the Government to mislead this House, and to make statements to the House which are not in accordance with the facts. I ask attention to the words of that answer, which I questioned very much at the time, but which, according to the rules of the House, I had to accept. I ask attention to the answer to see whether, with the knowledge we now have, that statement was a fair or candid statement given to this House. The first answer may be strictly and technically accurate, but it was not very candid. You will find it on page 2735:

Mr. McCARTHY asked:

1. Was Sir Donald Smith authorized on behalf of the Government to negotiate with the Premier or administration of the province of Manitoba with reference to or on the subject of the school law of that province?

2. If yea, has Sir Donald Smith made any report with respect to such negotiation?

3. Or did Sir Donald Smith voluntarily or otherwise undertake to act as mediator between the Government of Canada and the government of Manitoba, or to negotiate with the said last mentioned government on the subject referred to in the first preceding question?

4. If yea, has Sir Donald Smith made any report in respect of such mediation or negotiation?

5. And what, in either of the supposed cases, was the substance of Sir Donald Smith's report?

Sir CHARLES TUPPER. I beg to say, in reply to the hon. member, that the answer to the first portion of the question is, No. In response to the remainder of the question, I have to say, that the only communication that has taken place between Sir Mackenzie Bowell and Sir Donald Smith, was of a purely personal character, no report having been made.

Now, how is it possible to reconcile that answer with the knowledge we have here. My hon. friend having gone as a volunteer delegate for the purpose of bringing about a settlement, endeavouring, personally, as he said, to keep it out of party politics, purposely endeavouring to free the Government from responsibility, having achieved a certain measure of success in that negotiation, comes back to Ottawa, reports what has taken place, is accepted as the delegate and the agent, and a communication, which I think I am not wrong in saying was approved here by the head of the Government, if not by the other members of it, was sent off, a reply to that is received; and when the question is asked in this House, we are told that nothing but personal matters had passed between the Prime Minister and my hon. friend. Was that an answer, under those circumstances, which should have been made to the House? I do not say at that time it was necessary for the Government to disclose to this House the particulars of those negotiations; but I do say, that, if hon. members are entitled to ask for information, I consider they should get truthful answers to questions put to the Government, and the Government were bound to say: Negotiations are pending, but at this time it is not in the public interest that the particulars of the negotiations should be disclosed. I deem this matter of sufficient importance, notwithstanding the time taken up in the discussion, to draw particular attention to it, because this is not the first time, by any manner of means, we have been put off by evasive answers. This answer was actually written down, deliberately concocted in Council, and read to the House; it is not an impromptu statement of an hon. gentleman who was called upon unexpectedly to make a reply, but having had time for consideration, this statement of which the House is quite capable of forming an opinion without my expressing anything as to its character, was the result we got by our inquiry. I discovered the result from the subsequent statement that was made on a later day. On a later day, when it became the interest of the Government, in their own opinion, to make a partial disclosure, we have the mutilated telegram read to the House, and then it appeared, from this mutilated telegram, that, undoubtedly, there was some official correspondence, that there was a communication from my hon. friend which was not given to us, that, although the Ministry and the leader of the House thought fit to violate the confidence which Mr. Greenway was reposing in my hon. friend, and gave one part of the correspondence, to this day they have never given the other portion; that, so soon as it was in the interest of the Government, they brought down this partial correspondence, and they pretend to say, that they are prohibited by my hon. friend from bringing down the balance.

An hon. MEMBER. By whom?

Mr. McCARTHY. It is difficult to understand that. I can understand, that neither communication should have been brought down; but I am unable to conceive why the Government should assume the right—they evidently treated the hon. gentleman as their delegate and their agent, and the Government were the principals—to communicate to this House one document, or part of one document, and withhold, until they should get Mr. Greenway's authority and my hon. friend's authority, to communicate the other document, which we would like very much to see, and without which we are unable to form an opinon as to the terms on which the negotiations were to take place. One word more, and I think the House will see the necessity of a little care being exercised on our part with respect to these matters. Last year, Sir, a similar negotiation took place. You remember, Sir, that Mr. Greenway and the Attorney General of the province paid a visit to Ottawa, and we learned from the newspapers, that they had several interviews with His Excellency the Governor General. I ventured to ask, at that time, about those negotiations. There were negotiations carried on by His Excellency with the representatives of that province, presumably and according to all the information we had, on this important question; and I asked then, and it is reported:

> 1. Whether it is the fact that negotiations have recently taken place between His Excellency the Governor General and the Honourbale Messrs. Greenway and Sifton, Premier and Attorney General of Manitoba, on the subject of or in relation to the action of the legislature of that province on the remedial order passed by the Governor General in Council on the subject of the Public Schools Act of the province, or in connection therewith? 2. Was the Governor General in these negotiations acting on the advice of the Privy Council, or in what capacity? 3. Have the negotiations been concluded? 4. Is it the intention of the Government to bring down to the House the history and result of the negotiations, and if not, why not?

How was I answered? In answering the question, the leader of the House said:

> Nothing which could be called "negotiations," in the proper acceptation of that word, have taken place recently between His Excellency the Governor General and the Hon. Messrs. Greenway and Sifton, &c., &c. But, the Governor General has had some communication with these gentlemen at Ottawa. In these negotiations—if the question is a question of fact—the answer to it is: That the Governor General was not acting on the advice of the Privy Council. The negotiations,—as I have said, in the former reply there was nothing that could be called negotiations—I believe the communications have been concluded. There is nothing to bring down to the House as to the history.

Here it is stated definitely, in answer to the question, that His Excellency the Governor General had had communications—and I do not know whether the distinction is drawn between negotiations and communications—with the Prime Minister and Attorney General of Manitoba about the school question, and these negotiations were not conducted upon the advice, or, apparently, with the authority of the Privy Council. Was that a strictly accurate statement? The information I have is,—and the hon. gentleman who made the statement, is here, and will be able to correct me, if I am wrong—that, in all these negotiations, communications were made by His Excellency, at the close of each interview, and that the Government had full knowledge of all that was going on. I make that statement on what I think is good authority. The Finance Minister, who answered me, can deny it, if it is not so. I think we are entitled to know, whether this country is really governed under the rules of responsible government or not; whether, in other words, His Excellency is made use of as a shield, whether he is put forward to negotiate in such a way that those hon. gentlemen are willing to accept any advantage that may result, and disclaim any responsibility that may happen to them, because, if so, that is really a most unfortunate position in which to place His Excellency the Governor General, and I think this House ought to know exactly how the system of responsible government is carried on by His Excellency's present advisers. I have tried to make good my two points. I think the answer I got to the question with respect to the communications was not of that fair, candid character, to say the least, that an hon. member was entitled to receive; and that this discussion on the motion to adjourn the House was certainly well justified, because what happened a year ago, it was quite possible might have happened again on this occasion.

Sir CHARLES TUPPER. If I may be permitted again to restate the case, which appears to be singularly plain and clear and not susceptible of any misconception, it is this. The answer given to the hon. gentleman on the first occasion, I regard as a strictly accurate answer, and as the only answer I was able to give. The hon. gentleman asked:

> 1. Was Sir Donald Smith authorized on behalf of the Government to negotiate with the Premier or administration of the province of Manitoba with reference to or on the subject of the school law of that province?
>
> 2. If yea, has Sir Donald Smith made any report with respect to such negotiation?
>
> 3. Or did Sir Donald Smith voluntarily or otherwise undertake to act as mediator between the Government of Canada and the Government of Manitoba, or to negotiate with the said last

mentioned government on the subject referred to in the first preceding question ?

4. If yea, has Sir Donald Smith made any report in respect of such mediation or negotiation ?

5. And what, in either of the supposed cases, was the substance of Sir Donald Smith's report ?

That was the question that I had to answer. My answer was as follows :—

I beg to say in reply to the hon. member, that the answer to the first question is "No."

You have not only my statement, Sir, but you have the statement of the hon. gentleman from West Montreal (Sir Donald Smith) ; that that is strictly accurate and correct, and that he went to Manitoba of his own motion, without any communication with the Government as to the object of his mission, but with a view to use the best endeavour in his power to bring about a negotiation for the settlement of this question. The hon. gentleman (Mr. McCarthy) therefore, must see that I could not do otherwise, without stating what was not true to the House.

Mr. McCARTHY. I do not object to that at all.

Sir CHARLES TUPPER. The hon. gentleman accepts that. Then the hon. gentleman asked me: whether Sir Donald Smith made a report and I said : No, there is no report. In response to the remainder of the question, I add :

I have to say that the only communication that has taken place between Sir Mackenzie Bowell and Sir Donald Smith was of a purely personal character, no report having been made.

Now, what were the facts. The facts were, that the hon. member for Montreal West having gone, of his own motion, to Manitoba—animated as every member of this House, I believe will admit—by a sincere desire to contribute to a wise and advantageous settlement of this difficult question ; the hon. member on his return had communication with the Prime Minister. He made no report, but he explained the position of the question to some extent I presume. Any communication that he made to the Prime Minister, he made as a private and personal communication, just as I have stated in this answer ; and a communication which could not be treated as official in any shape or form whatever.

But, the question having arisen as to what view Mr. Greenway took in this question, the member for Montreal West, of his own motion, sent a further telegram to Mr. Greenway which elicited the answer that I laid before the House.

Mr. MARTIN. Partially.

Sir CHARLES TUPPER. The hon. gentleman says "partially." I think that subject has been sufficiently exhausted. I left a portion of the telegram out, that I considered had no relation to the subject matter that was under consideration, and, that it was only a matter of opinion on the part of Mr. Greenway, that could be answered by a different opinion from somebody else ; and which was raising altogether a different and outside question, and that was, as to who was to blame for the condition of things. It had no bearing on the question, which was : Is Mr. Greenway ready to open negotiations with the Government of Canada on this subject ? I may say to the House, and I say it in answer to the hon. gentleman opposite (Mr. Tarte) who has made an appeal to me on the subject, and wants to know what current I am swimming in ; I say, that from the first hour I have had anything to do with this question I have been animated by the highest desire to avail myself if I could, or the Government if it could, of any means of communication, private or personal, directly or indirectly or otherwise, with the government of Manitoba, to lead to a negotiation that would produce a favourable settlement of this question, and remove it from the arena of Dominion politics altogether. I shall tell that to the hon. gentleman in all frankness. I have never held any other view, and I confess that I was gratified in the extreme when it was rumoured in the newspapers at Winnipeg, that negotiations were being had between the member for Montreal West, on his own account, and the government of Manitoba. I was extremely glad, and I hoped—and I sincerely hoped—that that private and persoanl negotiation volunteered by the hon. member for Montreal West, from motives that every gentleman in this House must appreciate as of the purest and highest kind, would result in bringing about a favourable arrangement. Now, when the message, sent on his own account by the hon. member for Montreal West, resulted in the answer which I laid before the House, I was gratified in the highest degree to find, that at last—and it was the first intimation that the Government had had in any form that the government of Manitoba were willing to have negotiations with the Government of Canada for the purpose of settling this question—I say I was gratified to find, that that was the case, and I regarded that as an official communication, because no person can read it without seeing that it could have no raison d'être, no object in the world, except to be placed in the hands of the Government. That was the first communication whatever, that I regarded as not of a personal and private character. It was placed, confidentially I admit, in the hands of the Premier, by the hon. member for Montreal West (Sir Donald Smith), and would not have been used without his consent but for the unfortunate circumstance that he was absent in New York and the Government had not his address. As I was anxious that the House and the country should have the earliest possible intimation of the fact that the question was open for negotiation, I took the responsibility for which I have since expressed my regret of laying it before the House, and notwithstanding all the taunts of the member for Winnipeg (Mr. Martin) I do not think it a dishonourable act, or that it reflects any dishonour on a gentleman, when he finds that the course he has taken, in the belief that he is acting in the public interest and that he is violating no confidence whatever, was not so regarded by Mr. Greenway. I regarded it is a communication from one government to another, for an avowed purpose. I do not feel that it reflects any discredit on any hon. gentleman that he should express regret when he finds that the parties concerned have taken a different view from him. I have expressed regret, and I should not hesitate to do so on any similar occasion. I believe there are few men whose minds are so constituted, that they can base, upon a circumstance of that kind, a charge against any hon. gentleman in this House.

Now, Sir, let me come to the other point. The hon. gentleman (Mr. McCarthy) wants to know : Why the telegram sent by the hon. member for Montreal West, and to which that was a reply, has not been laid before this House. Sir, the hon. gentleman does not require to be told, for the House has already been told why. They have been told that I was most anxious, that the Government were most anxious, to lay that telegram upon the Table of the House ; but, that the hon. member for Montreal West (Sir Donald Smith) to whom they applied to obtain it for the purpose of laying it before the House, communicated with Mr. Greenway, and did not obtain his permission to make that telegram public. We were all anxious, I was most anxious, I am most anxious now, that that telegram should be before the House, and I took every means that I could take for the purpose. The only reason is, that we were not able to obtain the consent of the party to whom that message was sent. I do not think it is necessary for me to say more, than that from beginning to end, this matter has been treated, so far as I am concerned, in the most open and frank manner with the House, and with a desire of laying all the information upon this subject which was in my possession before the House. I regret extremely, that there should have been any misapprehension in regard to the confidential nature of the telegram, and it was only because that telegram, for the first time, was the first official communication as I regarded it between the government of Manitoba and this Government, through the intermediary action of the member for Montreal West, that it was treated as a public telegram. That gave Mr. Greenway an opportunity of which he availed himself, very properly, of supplying the portion that had been eliminated as not pertaining to the subject matter in issue, and of presenting it in the light in which he himself viewed it. It is not necessary that I should take up the time of the House ; but I deemed it necessary that I should make this frank statement, clear and unmistakable ; and I trust that if the House feels that any error has been committed in dealing with this subject, so far as I am concerned, in the communications which I have made to the House, it certainly has not been intentional on my part. I have always endeavoured to deal in the frankest possible spirit with these matters, and I regret that any person should have any misapprehension in regard to this matter.

Mr. McCARTHY. Let me say a word of explanation. The hon. gentleman says that I knew perfectly well why that telegram to Mr. Greenway had not been placed on the Table of the House.

Sir CHARLES TUPPER. I had stated it to the House before.

Mr. McCARTHY. What the hon. gentleman said before was that he had not got Mr. Greenway's consent. That any applications had been made to Mr. Greenway for his consent I never heard before.

Mr. CASEY. The hon. Secretary of State says that he has given us a frank statement of his acts. The most valuable information he has given us was involved in the statement that he does not yet see any impropriety in the course he has pursued with regard to these telegrams. It is extremely important that the House should know from that hon. gentleman what his sense of propriety or of gentlemanly conduct is, in dealing with matters of this kind. Though I cannot say that we are very glad to know, it is very important that we should know, that he still believes that he dealt in a proper, decent and gentlemanly manner with these telegrams. It enables us to estimate the hon. gentleman at his true value. He tells us that nobody could be charged with garbling a telegram who at once sent it on in the same garbled shape to the person who had sent the telegram. That is a very extraordinary statement to make—that it is perfectly correct and consistent with the conduct of a gentleman to bring down a mutilated despatch to this House as being the only despatch, because he afterwards told the man whose telegram he had mutilated that he had done so. I leave that statement to the judgment of the House.

He told us why he had mutilated it. He said it was because he thought the concluding sentence had no bearing on the question at issue—whether Mr. Greenway was willing to negotiate—and that Mr. Greenway's opinion as to whose fault caused the present condition of affairs, had nothing to do with that. In the first place, Mr. Greenway had officially and formally notified this Government of the readiness of his government to consider this whole case by means of a commission or otherwise—to go into all the facts bearing on it—and see what was best to be done. So that there was no question of Mr. Greenway's willingness to negotiate. It was known officially that he was. In the second place, if it was for the reason alleged that the sentence in question was cut off, why was the other sentence left in—"I appreciate your very kind offices in this matter"? This was the sentence addressed by Mr. Greenway to the hon. member for Montreal West (Sir Donald Smith), a very proper sentence, but surely with no more bearing on Mr. Greenway's willingness to negotiate than the sentence that was cut out. The reason one was cut out and the other left in, was, that the one excised implied a censure on this Government and the other did not.

The hon. Secretary of State has told us further that the strain of propriety, as he confessed it, was a strain of propriety, in bringing down this telegram, was for the reason that the hon. member for Montreal West was not here at the time, and his consent could not be obtained. Now, it is on record that the telegram came to the hon. member for Montreal West on the 2nd of March; that that telegram was laid before the House on the 9th of March, and that between those dates the hon. member for Montreal West was here, or in Montreal, and his consent could have been obtained; but they waited until he was in New York before they strained propriety and submitted the telegram to the House. That, the hon. Secretary of State considers a perfectly proper method of dealing with the question.

Again, he says that he regarded this telegram, which was only one of a series, as an official communication of the Manitoba Government to this government. It is very strange, seeing that all the telegrams were exchanged between the Manitoba government and a private person who went up as a private negotiator, that only one of the whole series should be considered official, and all the others private. I say it is very strange that that should be urged, but I should rather say that it is very absurd and silly. The simple fact is that all these telegrams between Mr. Greenway and the hon. member for Montreal West were either all confidential, or all official. If they were all confidential, it was indecent and improper to publish a part of the correspondence, without the consent, and in the absence of the hon. gentleman to whom it was addressed. The circumstances would indicate that the Government had sought a time when that gentleman was absent to produce this telegram, for fear he would forbid its production if he were present. The subsequent confession of the Secretary of State is that he has, since that gentleman's return, failed to obtain his consent to the production of the rest of the correspondence.

The inference from that is—and the hon. member for Montreal West nods his head to it, that he has not given his consent to the publication of the rest of the correspondence—the inference is he would not have consented to the publication of a mutilated portion of it, if his consent had been asked, and that the opportunity was not afforded him of preventing the production of that mutilated portion. It is for the House and the country to judge of such conduct on the part of a responsible Minister. If, as the hon. Secretary of State has said, the communication he gave the House was official, the whole series were official, and the hon. Secretary of State is entitled to produce the whole of the communications, without asking the consent of the hon. member for Montreal West, or anyone else. He has either violated personal confidence, and done what he says no gentleman would do, or else he has refused to bring down those portions of an official correspondence which tell against the Government, while selecting portions that he thought would suit his purpose. Either horn of the dilemma will be a very uncomfortable resting place for the hon. gentleman.

Mr. DAVIES (P.E.I.) There is a point in connection with these explanations by which the hon. Secretary of State has managed to mystify the House to-night, which requires clearing up. It is admitted on all sides that the hon. member for Montreal West went on his own account to Manitoba, and that the Government is not responsible for his mission, in which case we need not discuss those anterior proceedings at all. But there came a time when that hon. gentleman returned to Ottawa and reported his proceedings to the First Minister, acting on behalf of the Government. If he made his report to the First Minister, and, according to the language of the hon. Secretary of State this afternoon, at the request of the Finance Minister, and if, as the agent of the First Minister, he sent a telegram of 100 words to Mr. Greenway, that telegram was an official act. The Government spoke to Mr. Greenway by an accredited agent of their own; they sent through him an official telegram; and in response to that official telegram, sent at the instance of the First Minister, Mr. Greenway sent his message, a mutilated copy of which was put before the House. The House is asked to believe that that was not a reply to an official telegram which had been sent to the Manitoba Government, but a reply to some private communication sent by the hon. member for Montreal West, on his own account. Well, it is well to understand that that is not true, that the House was not dealt with honestly or fairly, that it was not dealt with in that open manner which the hon. Secretary of State led us to believe it was, and that there has been shown a disposition, as regards the House of Commons which, in my humble judgment, well deserves the censure which is being heaped upon the Government to-night.

Mr. DICKEY. I cannot take up the time of the House by going over all the details of this matter, but I think the hon. Secretary of State has completely cleared up the subject to any hon. gentleman who cares to have any light thrown upon it whatever. On my own behalf, I repudiate the statement of the hon. member for Queen's (Mr. Davies) that any disposition has been shown to deceive the House in any way with reference to these negotiations. It is quite true that their exceptional character, arising from the exceptional circumstances of the case, has given hon. gentlemen who desire it, an opportunity to make, at one time, one use, and at another time, another use, of them, as the particular circumstances give them an opportunity to make speeches which please them a good deal, but it will not convince anybody that any substantial wrong has been committed by the Government. The case is tolerably plain. The Government has been attacked on two lines. It has been attacked, first, by the hon. member for Simcoe for having suppressed an official despatch of 100 words sent by the hon. member for Montreal West to Mr. Greenway, and the hon. member for Queen's seems to reiterate that charge. Another party in the House attacks the hon. Secretary of State for having given to this House the message he did give, on the ground that it was a private, confidential telegram which should not have been communicated at all. So that there are absolutely two inconsistent lines of attack.

Mr. McCARTHY. Not at all.

Mr. DICKEY. The fact of the matter is that the Government, rightly or wrongly, have viewed the communication which the hon. member for Montreal West sent to Mr. Greenway as a matter over which that hon. gentleman and Mr. Greenway have absolute control.

Mr. MARTIN. Does not the reply come in the same category ?

Mr. DICKEY. They have taken the position that it was unfair to these gentlemen to say that the public interests required the telegram which the Secretary of State read should be laid before the House, and they take that position in spite of the fact that they desire very strongly the House should see the telegram which was sent to Mr. Greenway. The hon. member for Winnipeg has said that that one part only of the telegram from Mr. Greenway was given, and that a sentence was left out. That is quite true, but it has been explained over and over again. The hon. leader of the House was probably wrong in giving that telegram at the time he did. Possibly he may have been wrong, but if he were, he certainly cannot be asked now to produce a despatch to which it was an answer. Unless you give up the charge of wrong-doing in publishing the last despatch you cannot insist on his giving the one to which it was a reply. The two contentions are entirely inconsistent. The hon. member for Simcoe has made a very strong and broad charge, based on a statement which was absolutely incorrect. The hon. leader of the House said that Mr. Greenway had not consented to that telegram being brought down, and the hon. member for Simcoe undertook to say that such a statement had never been made by him. If he will look at page 3548 of "Hansard," he will find that the hon. Secretary of State made the following statement in reply to Mr. Martin :

> Mr. MARTIN. I would like to ask the hon. Secretary of State if the Government have applied for permission from Mr. Greenway to lay before the House the telegrams and other communications that have passed between the hon. member for Montreal West (Sir Donald Smith) and Mr. Greenway's government ?
>
> Sir CHARLES TUPPER. The hon. member for Montreal West did communicate with Mr. Greenway on the subject of asking his permission, or asking whether he was willing that the telegram from the hon. member for Montreal West to Mr. Greenway, to which that laid before the House was a reply, should be laid before the House and I have just stated to the House that consent has not been obtained from Mr. Greenway for that purpose.

That is the position in which the matter stands. It seems to me, Mr. Speaker, there is nothing of any great importance in it at all, that it has all arisen from the peculiar circumstances of the case, and from the use which hon. gentlemen opposite think it necessary they should make of those circumstances.

Mr. WELDON. I think it is a matter of great satisfaction to every member of this House who is thoroughly in earnest when he says, that he desires, above all things, a solution of this school difficulty by the authorities most competent to solve it, namely, the legislature at Winnipeg, that all parties who to-night have been at one time or other attacked in this regard, have done so much in the direction of a local settlement. His Excellency first, the Administration second, and the hon. member for Montreal West third, in their several ways, have endeavoured—and I believe they have all done something—to favour this local solution of the question. They deserve the thanks and good-will of this House and this country. In the warmth with which hon. members opposite pressed their motion this afternoon, I discovered some justification for the taunt which members of the Liberal-Conservative party have thrown at members of the Liberal party, that they are not sincere in the declaration they make, that they desire a local solution of the difficulty. The taunt has been thrown out by Conservative members of this House and by the press of the Conservative party, that the members of the Liberal party are dealing with this question with the hope of dividing and wrecking our party, and I must say, as a bystander, who has watched the run of the discussion this afternoon, listening carefully to what was said, that the whole tone of the discussion and of those who have spoken—perhaps not all, but very strongly was that the tone of the hon. member for Winnipeg—goes to show that these gentlemen fear that there is now a reasonable hope of a provincial solution of this almost insoluble difficulty. And, therefore, Mr. Speaker, in the strongest way—though, perhaps, it is not very good form to speak in praise of the Governor General—I claim the thanks of the country for His Excellency. I never could subscribe to the view many gentlemen on the other side seem to hold, which would prevent a Governor General from getting information from any public man or any other man with whom he desires to converse, with whom he has the right to converse. I cannot see any possible harm in the Governor General taking these methods of informing himself upon public matters. I do not see that anything but good can come from the Governor General furnishing his mind with all possible information. We all say, and I think most of us with sincerity, that it distresses us to find five or six years of public energy wasted in dealing with a difficulty like this—the energy of the Government wasted and the time of Parliament mainly occupied with this question, preventing progress in those large questions of commerce and development to which we would like to give attention. I thank the member for Montreal West for his action. I think he has acted the part of a patriot. And I thank the Government still more, for I heartily accept their statement, that they desire a settlement. From what little I know—I am not at liberty to speak of matters that are half confidential—but I am free to make a general reference to the fact that approval was expressed by a number of members of my own party, when first word came that there was a possible hope of settlement by the local legislature in Manitoba and the local leaders, whom I blame, deeply blame—though I do not wish to press this matter, at the present condition of affairs. I believe that at the bar of history these gentlemen will be held responsible. There is no fault in that regard that can possibly be found with our Administration. They have had to deal with the question. But, so far as I understand, the difficulty is due primarily to the treachery of these men. I do not pretend to be fully cognizant of the facts, but I have heard the statement of the Minister of the Interior on this side, and I have heard the statement of the hon. member for Ottawa (Mr. Devlin) on the other side, and I have heard also the very inadequate answer of the hon. member for Winnipeg (Mr. Martin). I myself do not know, and cannot know, the full evidence, but, as a bystander, I say again, that the weight of evidence is strongly against those gentlemen. If that be true, I can readily understand the irritation of the Catholic people, who felt that good faith had been broken, who felt that they had defeated one party and put another in power only to have faith broken to their disadvantage. I have always felt sympathy with the Roman Catholics who felt that this measure was born in perfidy and in a breach of faith and honour. While I regretted the position that the Ministry took last year, I think they showed the courage not of little men, but of great men, and, if they have in a certain sense waived or abandoned nice points of etiquette, it has been because there was some light from the west, and they have taken this way of solving the difficulty. I believe that they have acted with courage and good faith, and that they hoped for and are working at a solution of that difficulty by the province of Manitoba; and I wish them, for my part, God-speed in their efforts, and I trust that this solution may be worked out, to the great relief of this distracted and unhappy country.

Mr. DAVIN. I wish to say a word or two on this subject, as it relates to a province so near the territories from which I come. Complaint is made because an eminent man of this House went up to Winnipeg in his private capacity, and the Government of Canada was availing itself of his good offices there. It seems to have been forgotten that in a celebrated case, where there was the greatest possible excitement in England, namely, on the trade relations between France and England, Mr. Cobden went over to Paris, in his private capacity, and actually negotiated a treaty of trade with the Emperor of the French. And, when, in the House of Commons, the question was asked, whether a private person was conducting negotiations on behalf of the Government, Lord Palmerston, for what reason, the House can draw its own conclusions, treated the question, though elaborately put by a prominent member of the House, with silence. Subsequently, late in the autumn of that year, another gentleman asked a question, and then Lord Palmerston replied, that they were availing themselves of the services of Mr. Cobden. And you will find it in the life of Mr. Gladstone, how Mr. Cobden had gone as a private person, an eminent man, and had commenced and carried out to completion these negotiations. Now, the hon. member for Winnipeg (Mr. Martin) and other hon. gentlemen on the opposite side, in this debate, complain of the action of an eminent personage, which is not shown to have taken place, and which the hon. member for Montreal West (Sir Donald Smith) does not say took place. He has not said that His Excellency took any initiative in his going to Winnipeg. What the hon. member has told us is, that he incidentally had a conversation with His Excellency. It seems to be forgotten that, when Mr. Mackenzie was Prime Minister, and sat in the seat now occupied by the Secretary of State, Lord Dufferin, one of the most eminent Governors General we have had, and certainly not the least useful to Canada, went to British Columbia, and, while there, of his own motion —the Secretary of State will know it, Sir John Macdonald told me of it many a time; he was fond of talking of Lord Dufferin and of how loyal and serviceable he had been to Mr. Mackenzie—he almost strained his position to do service to the Government of the day and to Canada. Sir, I do not take the view that the position in our constitution of Her Majesty the Queen, or her representative in Canada, the Governor General, taken by some hon. members in this House. If the view taken here by certain gentlemen were correct the Governor General would be reduced to a position of almost a dummy, even in his private life. Sir, there is nothing to estop a Governor General who takes a deep interest in Canadian affairs, conversing with any member of this House. I remember that Lord Dufferin was accustomed to meet in his office, in the eastern block, members of Parliament of both parties, and discuss political questions with them. And how would it be possible for a man in his august position fully to discharge his duties, unless, by conversation with eminent men, he made himself familiar with the events of the day? And what would be the object of such communications unless he were free, not to suggest policies or advise schemes of political action, but to express his opinion on the events of the day, and on great questions such as this? Why, Sir, you limit greatly the usefulness of those eminent men who, from time to time, come here as Governors General, if you take any such miserable view of their position as has been taken by some hon. gentlemen. An attempt has been made to strain an incidental allusion made yesterday by the member for Montreal West, and to make out that in some way His Excellency had taken a very positive action, and that the Government of Canada wanted to try to escape from responsibility therefor. Sir, if I were to characterize the language, for instance, of the hon. member for Winnipeg (Mr. Martin) who has descended below the level of anybody, including himself, that I have ever known in this House—if I were to characterize it properly, I might strain the possibilities of parliamentary demeanour, and so I will not do so. Hon. gentlemen have been blaming the Secretary of State because he did not place before the House certain documents which they declared to be official. That was their contention at first, but the bare fact that he could not lay them before the House, and so stated, was the best possible proof that the member for Montreal West was acting in his private capacity. How could the member for Montreal West refuse to give his consent to the production of certain telegrams, if he had been an official agent of the Government and not acting in his private capacity? Sir, I listened with great pleaure to the language that fell from my hon. friend from Albert (Mr. Weldon), and I say that what has been stated by him is thoroughly justified by what we have seen here to-night. What we have seen on the Opposition side of the House to-night stamps with insincerity all their professions of a desire to have the great question that now troubles this country, settled by the local legislature of Manitoba. Sir, I listened to the speech of the member for Winnipeg with perfect shame; and I will go further than that now in reference to the management of our political affairs. It is part and parcel of an oraganized effort, that is already baffled, to try and countervail the weight and influence that is felt to be in the Conservative party to-day, in consequence of the introduction of the hon. Secretary of State into this House. Sir, I stated some time ago that the hon. member for South Oxford greatly feared him. I stated that the whole party feared his coming to the House, and that fear has now been made abundantly manifest. I say this organized attempt to make a mountain out of a mole hill, is a manifestation to all Canada of their efforts to countervail the influence of that hon. gentleman. I say that if the hon. Secretary of State had only come into the House and sat silent in that seat, and only gave his great weight of experience and force of character to the Conservative party, that alone would have made a great difference. But, Sir, it has made all the difference in the world that he is not only there with his experience, but there with all his old force, and all his old fire; and it is felt already among the Opposition. I think I may say to the member for Winnipeg and others, that they may as well give up this sort of tactics, because they belong to that order of human action that the moment they are known, and seen, and discovered, all their strength evaporates. They are like thunder-clouds, very thick and lowering, but they carry with them the elements of their own dispersion, and soon pass away.

Mr. FLINT. I think the observations of the last speaker, as well as those of the hon. member for Albert (Mr. Weldon), were quite uncalled for in consequence of anything that has been said on this side of the House in connection with the matter that has just been discussed. Sir, not one word has been said by any hon. gentleman on this side of the House reflecting upon the conduct or upon the position of the Governor General. Hon. gentlemen in warmly assuming to defend the Governor General from supposed attacks, are simply putting up a man of straw of their own imagination, and violently knocking it down for the delight of the by-standers. There is not one syllable uttered by any hon. gentleman who has criticised the conduct of the Government, reflecting in the slightest degree upon the public spirit or upon the dignity of the position of the Governor General. An attempt has been made to indicate that hon. gentlemen on this side of the House have attacked the propriety of the conduct of the hon. member for Montreal West (Sir Donald Smith) in his public spirited endeavours to lead on to a solution of this very embarrassing school question. I challenge the recollection of hon. gentlemen who have listened to what has been said and ask them to look over "Hansard" to-morrow, and I believe they will not be able to find one sentence in condemnation of the attitude assumed by the distinguished gentleman representing Montreal West. We all appreciate the motives which induced him to assist the Government in this very difficult question, we all appreciate the care with which he undertook to conduct a series of very delicate negotiations, and the whole of the animadversions have been as to the conduct of the Government with respect to its relations to the House and these negotiations. We have contended, whether correctly or not, we leave those who peruse this debate to judge, that the Government has pursued a shifting and evasive policy, that it has not taken the House into its confidence as it should have done, from the day that the Secretary of State read a portion, and only a portion, of the correspondence which has taken place between the hon. member for Montreal West and the representatives of the Manitoba government. This is precisely the situation. We can easily see, when the tactics of the Administration were exposed by the discussion, that on the one hand they were endeavouring to show their followers that they were pursuing a strong and vigorous course, and on the other hand were endeavouring to convince other followers that they were pursuing a conciliatory policy, and were negotiating for a settlement on the lines adopted by the leader of the Opposition. If the Government pursued an honest, fair, reasonable and manly effort to negotiate with the Manitoba government for the adjustment of this serious difficulty and remove it from party politics, they would have the sincere sympathy of every Liberal in the House. This has been the declared policy of hon. members on this side of the House since the difficulty commenced. In attempting to carry out negotiations and to arrive at an amicable settlement with the Manitoba government, hon. gentlemen opposite would have the support of the Liberals in Parliament and out of Parliament. It is not a fair representation of the character of the remarks made by hon. members who have criticised the conduct of the Government and animadverted on the manner in which the Secretary of State has brought up the matter, to intimate that any blame in any way has been laid on His Excellency and on the distinguished member for Montreal West. The discussion has shown more clearly than ever that the negotiations were really intended to be brought to naught. I believe the Liberals are prepared to say that if the Government will go forward sincerely and frankly to carry the negotiations with the Manitoba government to a successful issue, they will have their support.

Motion for adjournment of House negatived.

THE REMEDIAL ACT (MANITOBA).

Sir CHARLES TUPPER moved:

That the House resolve itself into committee on Bill (No. 58) the Remedial Act (Manitoba).

Mr. McCARTHY. I propose to move an amendment on this subject which will take some little time in discussing, and I would suggest that we now adjourn.

Sir CHARLES TUPPER. No.

Mr. McCARTHY. If we are to go on, I suppose we will go on, but I do not think it is at all to the credit of the Government that they force the discussion in this untimely and unsuitable way. It is now twelve o'clock. We have been sitting two nights all night, and it is hardly to be expected that members of the House are in a fit condition to discharge their duties properly and continue the discussion night after night.

Sir RICHARD CARTWRIGHT. I must remind the leader of the House that we sat until six o'clock this morning after a forty-eight or fifty hours' session, and I do not suppose to repeat the operation will be conducive to our health. If my hon. friend moves a resolution which will involve a long discussion, it is simply absurd to commence at midnight.

Sir CHARLES TUPPER. I may say in reply to the hon. gentleman that he must not forget the statement made by the hon. member for North Simcoe (Mr. McCarthy) during the discussion in this House, and that was that the Government would not be able to get this Bill through committee. I take it that every hon. member who has been present in this House to-day cannot have failed to observe an organized and determined obstruction, designed to waste the time of the House. We have been called upon to listen to long tirades and to hon. gentlemen repeating themselves over and over again, and every one must have recognized the fact that there is a determination on the part of certain hon. members that this great measure demanded in the interest of the country, shall, if possible, be prevented passing into law. I say, under these circumstances, I will call upon the supporters of this measure to stay here day and night if necessary. Not only this House, but the people of the country will resent this attempt at organized opposition to defeat this great measure.

Sir RICHARD CARTWRIGHT. I tell the Secretary of State that I think he is making a great mistake in his own interest. He will find it utterly impossible to bulldoze this House into considering an important measure in the way he proposes. Of course he obtained his division this morning by a number of hon. members, at my special request, I may tell him, abstaining from speaking, on the ground that it was expedient to bring the discussion to a close in view of the arrangement made. Under these circumstances, the attempt to resume the discussion at midnight is to pursue the extraordinary system of bulldozing the House which was initiated during the last two days, and which will only lead to extreme inconvenience to the hon. gentleman and other parties.

He is an old member of this House, as well as myself, and I just put it to him, did he ever know of an attempt of that kind to lead to any success? Let him look back over his thirty or forty years, and his experience, I am sure, will confirm my statement, that any such attempt, of necessity, defeats itself. He knows perfectly well that there are ample resources and means, if we wish to use them, for obstruction, but we have not tried any of them. He knows very well that the discussion which took place to-day was on a most important constitutional question, and he knows perfectly well that it would have been within our power to prolong it to any extent we pleased. Now he attempts to choke off discussion on this question at a time when it is utterly impossible for us to do otherwise than discuss the Bill, although it is perfectly easy to go on to twelve o'clock, or till any time he pleases to-morrow night.

Mr. MILLS (Bothwell). I remember the hon. gentleman (Sir Charles Tupper) himself, a few years ago, charging the hon. the leader of the House with trying to kill the members off, by keeping them sitting after a certain hour. I am not, however, saying, that the hon. gentleman is trying to do anything of that kind. But the hon. gentleman will remember, that we sat through two days and two nights, and members who have been without sleep and without ordinary rest during two nights in succession, are not in the most Christian mood to resume public business on the following day. The hon. gentleman, I dare say, has seen how easy it is for a Christian gentleman to lose his temper in trying to get a pig out of a garden on a hot day. And, when the hon. gentleman has everybody tired and everybody irritated by a want of rest during two nights, I do not think we are in a good mood to continue our discussion on the present occasion. If we have an adjournment, with the pious labours of the Sabbath and the rest on the Saturday preceding intervening, we would be in a better frame of mind to undertake business in a business-like way on Monday. I think that the hon. gentleman will do his friends and those on this side of the House good service by adjourning now. My hon. friend (Mr. McCarthy) might read his motion, and let it stand for discussion later on.

Mr. SUTHERLAND. I desire to make a remark on this occasion. If the hon. gentlemen in this House will look at the debate which has taken place, they will find that the members of the Liberal party did not take up as much time as those on the other side of the House. I have heard it stated, in the House and outside of it, and I suppose there is some party reason, that there is an organized system of obstruction by gentlemen on this side of the House. I am in a position to say, that no such understanding exists. What may be in the minds of individual members, I do not know, but the fact remains, that more time was taken up in the discussion by members on the other side than by members of the Liberal party. It is only fair to say, that the speeches on this side of the House were not lengthened improperly.

Mr. STEVENSON. What about a three-hours speech at five in the morning?

Mr. SUTHERLAND. I could refer the hon. gentleman to the length of speeches made on the other side of the House. I have no doubt that members had reason to put on record the speeches they made and read, for great latitude was given, and some speeches were read altogether. For some reason that I cannot understand, there seemed to be statements made, that the Opposition wished to obstruct, and I want the fact to be known to the House and the country, that this is not so. Does the leader of the House think it fair to make the statement, that there is an organized attempt to obstruct, when there is not? If there was any obstruction, the charge would be fair enough against the party, and they would have to take the responsibility. I say again, there is no obstruction from this side of the House.

Mr. CASEY. I would call attention to a very unfortunate class of officials in this House who will be cruelly ill-used if this business proceeds. I refer to the official reporters of this House on whom depends the publication of the debates. They are only mortal men and not machines. They cannot last for ever, and I for one would not blame them if they struck work altogether under the circumstances.

Mr. McCARTHY. I am quite willing to read my motion. I think when hon. gentlemen hear it, they will consider it a matter, at all events worthy of discussion, and although it has been to some extent dealt with on the motion for the 2nd reading, it has not yet undergone that very full discussion which I think its importance deserves. I propose, Mr. Speaker, to draw attention to this: that the Bill which we are considering contains matters or suggests matters of very serious constitutional difficulties. The whole formation of the measure from beginning to end is of course new to us. It is proposed under a clause of the Act which has never yet been brought in question since confederation, and as the hon. gentleman, who I suppose is responsible for the drawing of it, or at all events for introducing it to the House, told us very candidly, it is a most difficult measure and one which he finds almost impossible to put in a constitutional shape. My hon. friend from Albert (Mr. Weldon) in the very able speech which he addressed to us on the second reading, pointed out with some little detail some of its legal difficulties. I have briefly referred to them in my closing remarks the other night, and my hon. friend (Mr. Weldon) more fully dwelt on them and pointed them out. I will read the conclusions which have occurred to me as being worthy of the most serious consideration of the House before we take any further step in regard to this Bill. First, is it constitutional and within the power of Parliament to enact, by reason of the fact that it fails to carry the remedial order into effect, to the full extent of the order. That point was made by the hon. member for Winnipeg (Mr. Martin) and made with very great force, and it deserves our most serious consideration.

But, Sir, the Bill does not merely sin in that direction. The Bill as I venture to submit it still more defective in this regard: that it proposes to enact a good deal more than the order requires. It goes far and away beyond the terms of the remedial order, and when I come to deal with the matter in detail, I will point out in what respect it appears to me the Bill sins on the point to which I am now referring. The Bill also assumes, Sir, to delegate a power that is vested in the provincial legislature to levy a direct tax within the province. Now that has appeared to me from the very first, since ever I have considered this question at all, one of almost insuperable difficulty. The right of appeal is given to the minority, and the appeal is upon the educational clauses, which are sometimes termed the educational code; but the right to levy a tax, the right to impose a tax, is under a different clause of the Act as to which we have no appeal, and as to which we have no right to interfere.

I am bound to think that the best solution of the very difficult problem which the Act presents was given in the speech which my hon. friend charmed the House with the other evening. I mean that the Act gives to us the power to provide for a conscience clause, in the event of any school law depriving people of that protection, or compelling pupils to attend a school which their parents could not, conscientiously, approve of. On reflection, I think it will be found that if effect is given to the clause in that way, every possible mischief which we can imagine which would be done by any interference with school laws, would be obviated and protected. Again, the Bill purports to interfere with the law of the province which enjoins the payment of taxes in support of public schools. The province has thought fit to pass a law, and by that law has directed that not merely parents who send their children to the schools, but all the ratepayers in the school section, shall pay taxes for the support of public schools. This Parliament is undertaking to say that that law shall be abrogated, and that a certain portion of the population shall be absolved under certain circumstances from the payment of that tax. Well, I venture to say that is a matter which it will be found we have no jurisdiction to interfere with. It not only does that, but it proposes to vest in the Governor General the authority appertaining to the Lieutenant-Governor, although the Manitoba Act—adopting in that respect the terms of the British North America Act—distinctly states that the executive power and authority of the province is vested in the Lieutenant-Governor. We undertake to say, as to certain matters and upon the happening of certain events, the Governor General shall be the executive so far as the school law is concerned, and not the Lieutenant-Governor. This Bill also purports to reserve to this House authority to legislate further in this matter. I have always understood—I have never heard any lawyer express a different opinion—that the power of Parliament, which is limited to carrying into effect the remedial order and that alone, is a power which is to be exercised once for all—which cannot be reserved by Parliament. As to that it does appear to me that the Bill is a very flagrant violation of our powers. Lastly and seventhly, I think it is important that we should know—I do not think there is a member in this House who would not desire to know—whether we have the power to deal with this question again, or whether the law we pass is not, so far as we are concerned, irrevocable. I ask, therefore, that this Bill be not now proceeded with, but that it be declared, before going further into the consideration of the Bill, that the important and difficult questions arising in relation thereto should be submitted to the Supreme Court of Canada for its opinion, among which are the questions which I have mentioned.

Some hon. MEMBERS. Hear, hear.

Mr. McCARTHY. Hon. gentlemen laugh. I thought their great pride was that their leader, the late Sir John Thompson, had availed himself of the act which Mr. Blake suggested, and which this House afterwards adopted. That act, Sir, permits a submission of questions of this kind to the Supreme Court, just as it permitted the submission of questions as to the power of the Governor General in Council under the remedial order. The terms of the Act are:

> Important questions of law or fact touching provincial legislation or the appellate jurisdiction as to educational matters vested in the Governor in Council by the British North America

Act of 1867 or by any other Act or law, or touching the constitutionality of any legislation of the Parliament of Canada, or touching any other matter with reference to which he sees fit to exercise this power, may be referred by the Governor in Council to the Supreme Court for hearing or consideration, and the court shall thereupon consider the same.

Now, Sir, is it or is it not important, before we plunge this province into a sea of litigation on every possible and conceivable question arising out of this school Act, that we should obtain the opinion of the Supreme Court as to whether and how far we have a right to legislate with respect to this troublesome school question? Was it important, and if it was why was it, that before the remedial order was made the authority of the Government to make that order should be ascertained? As Sir John Thompson pointed out when this question was under discussion in 1893, it was far wiser and better to know exactly where we stood before that order was made, because it was perfectly clear that the legislation following upon the order would be called in question, and its validity would in the end have to be determined by the courts. And assuming that the Government were right in entertaining the petition at all, assuming upon the facts that they were right in interfering, which I have always ventured to doubt, and which I still think they erred in doing, then unquestionably the course pursued by the late Government in ascertaining in advance what the jurisdiction of the Governor in Council was, and whether the order could legally be made, was prudent and wise; but the unfortunate circumstance, after all, was that the inquiry did not go as far as it was intended to go, or as far as it might have done, to ascertain to what extent the legislation would be within our authority. Perhaps under the circumstances that was not very extraordinary, because I dare say it had not been thought out at the time, and the trouble did not occur until a subsequent stage of the proceedings had been reached. But I would again suggest that, at this hour, it is hardly fair to enter on a question of this importance. It is certainly not fair to me——

Some hon. MEMBERS. Go on.

Mr. McCARTHY. We will go on if necessary. The hon. gentleman need not be in the least alarmed about that. I was proceeding to say that there are two sides to this question.

Mr. LANDERKIN. Two sides to the Government.

Mr. McCARTHY. At all events, there are two sides to this question. The hon. Secretary of State has told us that it is because of the statement made by me, that this Bill would never go into committee, this course is to be taken. When I made that statement in my speech, I was not, in the slightest degree, thinking of the proceedings we are now engaged in. There was present to my mind what was given out as the course of the Government, which, I believe, was changed yesterday rather suddenly, and under a certain degree of pressure, and that was that the Government proposed, after the Bill had passed its second reading, to enter upon negotiations with the Manitoba government. If that course had been taken, I am certain there would have been no committee on the Bill this session.

An hon. MEMBER. That is too thin.

Mr. McCARTHY. Hon. gentlemen say it is too thin or too thick, they can please themselves. All I can say is that this is what I had in my mind at the time, and I am quite willing that the hon. gentlemen should take it or leave it as they please. There are two sides to this question, and I venture to say that the people of this country who are opposed to this Bill will certainly resent this attempt to force this measure by main strength through this House; and I think the gentlemen who are supporting this course will ascertain that there is outside of this House a spirit of fair-play, if that is not to be found within the walls of this chamber, and that although one party may be somewhat more numerous than another—and certainly it has not very much to boast of when the Bill was only carried by a majority of four on its own side, and when it owes its strength in numbers to the support of some members of the Opposition, who felt they were not at liberty to oppose the Bill, but who yet have no confidence in the Government. Under those circumstances, the Government have not much to boast of as regards the majority by which they carried the second reading.

Mr. WALLACE. May I be permitted to ask what is the intention of the Government as regards the amendment of the hon. member for North Simcoe? Is it to be forced through the House to-night. If it is, I think it is most unfair. It is most unfair not to allow us time to consider properly this important amendment.

Mr. FOSTER. Why did he not give notice?

Mr. WELDON. I strongly hope that moderate counsels will prevail, and that the hon. leader of the House will allow the House to rise. If I had had the amendment of the hon. member for North Simcoe with me, I would have moved it last night, but it seems to me that it is a very practical and important matter, and I hope that rather than bring us into another determined conflict, the leader of the House will consent to the reasonable proposal that is made to him.

Mr. DUPONT. Why did you not put it at three o'clock this morning? That was the proper time to put it instead of now obstructing the business of the House.

Mr. McCARTHY. The hon. gentleman asks why I did not put it at three o'clock. I could not put it until the Bill was moved. I put it the very first moment the Bill was moved.

Mr. FOSTER. We might have moved it much earlier.

Mr. McCARTHY. I was not responsible for that. I do not think that any good will come of this attempt to stifle discussion. I wish to say that, from first to last, there has been no obstruction with regard to this matter. I do not think that any one made a speech on the second reading of the Bill with any object of delaying the division which we ultimately reached. The debate was a long one, no doubt, but it was on a most important question, a question which has aroused feeling in every part of this country. It was not extraordinary therefore that members should desire to put themselves right before their constituents with regard to it.

Mr. McNEILL. Feelings that will not be allayed by this course.

Mr. McCARTHY. That is quite certain. This country is not going to be satisfied with the House sitting for two nights in succession and on the third night forcing a discussion upon an amendment such as this after 12 o'clock. Now, I desire to point out, in the first place, the power that this Parliament has with regard to this question. As hon. gentlemen know, that power is to be found in the 22nd section of the Manitoba Act, which has not been read, perhaps, more than necessary, though it has been read very frequently. I want to draw attention, however, to the clause under which we are now dealing. The third subsection of the 22nd section of the Manitoba Act says :

> In case any such provincial law as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section is not made or in case any decision of the Governor General in Council on an appeal under this section is not duly executed by the proper authority in that behalf, then and in every such case, as far only as the circumstances of each case may require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the Governor General in Council under this section.

Now, it appears to me that this third clause deals with two facts—two different conditions of things—and that we have to eliminate certain portions of the section under the facts with which we are now required to deal. The Governor General in Council has not, of his own motion, made any direction or decision. The first part of the section says :

> In case any such provincial law as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section is not made.

Well, I take it, that is not a portion of the clause under which this Remedial Bill is proposed, and we may, for the purposes of discussion, eliminate that part of the section. Then I shall read that portion under which we are supposed to be acting :

> Or in case any decision of the Governor General in Council or any appeal under this section is not duly executed by the proper authority in that behalf.

Now, that is the circumstance that happened here. An order has been made, that order has not been duly executed by the proper authority, namely, by the legislature of Manitoba, and, that being so then in the case and so far only as the circumstances of the case require, the Parliament of Canada may make remedial laws for the due execution of the decision of the Governor General. Now, Sir, we have to go back to the remedial order for the purpose of seeing what it is the Governor General in Council has directed the legislature to do, because that is the foundation of our jurisdiction. We cannot, as it appears to me, go beyond that, and it is argued with a good deal of force by my hon. friend from Winnipeg that the province has had no opportunity of obeying the order, and therefore no opportunity of doing what His Excellency the Governor General thinks the province ought to do. Now, Sir, the order, after recitals with which I need not trouble the House reads as follows :—

> And whereas the 26th day of February, 1895, having been appointed for the hearing of the said appeal, and the same coming on to be heard on that day, and on the 5th, 6th and 7th days of March, 1895, in the presence of counsel for the petitioners (the said Roman Catholic minority of Her Majesty's subjects in the province of Manitoba) and as well for the province of Manitoba, upon reading the said petition and the statutes therein referred to, and upon hearing what was alleged by counsel on both sides, His Excellency the Governor General in Council was pleased to order and adjudge, and it is hereby ordered and adjudged, that the said appeal be, and the same is hereby allowed, in so far as it relates to rights acquired by the said Roman Catholic minority under legislation of the province of Manitoba, passed subsequent to the union of that province with the Dominion of Canada, and His Excellency the Governor General in Council was pleased to adjudge and declare, and it is hereby adjudged and declared that by the two Acts passed by the legislature of the province of Manitoba, on the first day of May, 1890, intituled respectively "An Act respecting the Department of Education," and "An Act respecting Public Schools," the rights and privileges of the Roman Catholic minority of the said province, in relation to education, prior to the 1st day of May, 1890, have been affected by depriving the Roman Catholic minority of the following rights and privileges, which, previous to and until the 1st day of May, 1890, such minority had, viz. :—
>
> (a) The right to build, maintain, equip, manage, conduct and support Roman Catholic schools, in the manner provided for by the said statutes which were repealed by the two Acts of 1890, aforesaid.
>
> (b) The right to share proportionately in any grant made out of the public funds for the purposes of education.

> (c) The right of exception of such Roman Catholics as contribute to Roman Catholic schools from all payment or contribution to the support of any other schools.
>
> And His Excellency the Governor General in Council was further pleased to declare and decide, and it is hereby declared that it seems requisite that the system of education embodied in the two Acts of 1890, aforesaid, shall be supplemented by a provincial Act or Acts which will restore to the Roman Catholic minority the said rights and privileges of which such minority has been so deprived as aforesaid, and which will modify the said Acts of 1890, so far and so far only as may be necessary to give effect to the provisions restoring the rights and privileges in paragraphs (a), (b), (c), hereinbefore mentioned.
>
> Whereof the Lieutenant-Governor of the province of Manitoba for the time being, and the legislature of the said province, and all persons whom it may concern, are to take notice and govern themselves accordingly.

Now, I will take these up separately and will endeavour to point out what the rights under the Act of Manitoba, the original School Act of Manitoba, which was repealed, and what the privileges are which are to be restored. Now, section (a) of this order commands the restoration of :

> The right to build, maintain, equip, manage, conduct and support Roman Catholic schools, in the manner provided for by the said statutes which were repealed by the two Acts of 1890, aforesaid.

Now, Sir, if I look at the Act in force at the time I shall find what the rights of the Roman Catholic minority were. Regarding the Board of Education which was to be appointed, the Act says :

> The board shall resolve itself into two sections, the one consisting of the Protestant and the other of the Roman Catholic members thereof ; and it shall be the duty of each section :
>
> (a) To have under its control and management the schools of the section, and to make from time to time such regulations as may be deemed fit for their general conduct and discipline, and the carrying out of the provisions of this Act.
>
> (b) To arrange for the proper examination, grading and licensing of its teachers, the recognition of certificates obtained elsewhere and for the withdrawing of the licenses on sufficient cause.
>
> (c) To select all the books, maps and globes to be used in the schools under its control, and to approve of the plans for the construction of school-houses.
>
> Provided, however, that in the case of books having reference to religion and morals, such selections by the Catholic sections of the board shall be subject to the approval of the competent religious authority.

By section 22, which I need not trouble the House with reading any further there is a duty imposed upon the council of each municipality to establish and alter when necessary the school districts within its own bounds. Then there is the election of school trustees, and the corporate power of school sections. Then the school trustees were to have power :

> To take possession and have the custody and safe-keeping of all common school property which has been acquired or given for common school purposes under this Act. In their district, and such corporations shall be empowered to acquire and hold, as a corporation, by any title whatsoever, any land, movable property, moneys, or income for school purposes, and to apply the same according to the terms on which the same was acquired or received, but they shall not without the sanction of the section of the board of education to which they belong, have power to alienate or dispose of any school real estate.

Then there was the right to share proportionately in any grant made out of the public fund, and that division was based upon a census return which the trustees were directed to make annually ; and it is according to that census return that the sum of money which was voted for school purposes was distributed between the two sections of the board. The right of exemption was contained in the section which says that no Roman Catholic should be required to support a Protestant school, and that no Protestant should be required to support a Catholic school. The provision with regard to that was very sweeping. Section 73, says :

> The ratepayers of a school district, including religious, benevolent, or educational corporations, shall pay their respective assessments to the schools of their respective denominations, and in no case shall a Protestant ratepayer be obliged to pay for a Catholic school, or a Catholic ratepayer for a Protestant school.

Now, this being the general power let us see what the proposed Bill does :

> The Lieutenant-Governor shall appoint and constitute for the separate school board of education for the province of Manitoba, a certain number of persons not exceeding nine, all of whom shall be Roman Catholics.

Then it deals with their tenure or office :

> If the Lieutenant-Governor in Council does not within three months after the coming into force of this Act make appointments to the separate school board, or if the Lieutenant-Governor in Council does not fill any vacancy that may from any cause occur in the separate school board within three months after the occurrence of such vacancy, then in either such case His Excellency the Governor General shall make any appointment not made by the Lieutenant-Governor in Council.

Then the Department of Education may, for the observance of the separate schools, make regulations for the registering and reporting of daily attendance, subject to the approval of the Lieutenant-Governor in Council, and the duty of the board is thus defined :

> (a) To have under its control and management the separate schools and to make from time to time such regulations as may be deemed fit for their general government and discipline and the carrying out of the provisions of this Act.
>
> (b) To arrange for the proper examination, grading and licensing of its teachers, and for the withdrawing of licenses upon sufficient cause; provided that the standard of qualification for teachers shall be in secular matters the same as that at any time prescribed for teachers of

other schools of a public character established under the statutes of the province of Manitoba.

That I may say, is a new provision not to be found in the original Act, and a very great limitation upon the power of the school board, as originally appointed by the Manitoba School Act, the board of the Roman Catholic section had complete control in the matter of teachers :

> To arrange for the proper examination, grading and licensing of its teachers, the recognition of certificates obtained elsewhere, and for the withdrawing of the license upon sufficient cause.

I am not dealing now with the propriety of the amendment proposed here. I am only drawing attention to the fact that there is that substantial difference between the authority that was conferred upon the board with reference to teachers under the old law which the province was directed to restore, and the proposed law which we are asked to enact. Now, the province was directed to restore to the minority the right to manage Roman Catholic schools in the manner provided for in the statutes which were repealed. This Bill, instead of carrying that term of the remedial order into effect, stipulates that the standard of qualifications, which before was a matter that wholly related to the discretion of the board, shall be in secular matters the same as that prescribed for teachers of other schools of a public character established under the statutes of Manitoba.

Sir CHARLES HIBBERT TUPPER. Mr. Speaker, I rise to a point of order. When the hon. gentleman put his motion I was at a loss to understand how a motion of that character could be discussed at this stage. I believe, however, there is authority in English parliamentary practice for referring an amendment to the courts in the nature of a reference. And yet I am conscious of a rule which obtains there and here, that until we reach the committee stage, the clauses of a Bill cannot be discussed in detail. Now, I do not mean to raise this point, and I hope the hon. gentleman will not misunderstand me, for the purpose of endeavouring to exclude a consideration of these points. They must come up at some stage, but for the purpose of convenience, and in connection with the point of order, I would like to explain the difficulty that is in my mind. As the hon. gentleman has outlined his argument, if he is permitted at this stage to put those points and to raise those difficulties, we shall have to deal twice, at least, with every one of the clauses which he proposes to call in question. I have not had the opportunity, perhaps, that the hon. gentleman has, of looking up the precedents upon which he relies in making his motion, as to whether, for instance, the references to a court at this stage were not of such a nature that they could be discussed without entering into a detailed consideration of the Bill clause by clause. My point is one of order, and I think also one in the interest of the economy of the time of the House. It is clear that every point that he has taken can be considered when that particular clause comes up in committee.

Mr. McCARTHY. I do not know that the point requires much consideration. I understand that on a motion that you do leave the Chair is the proper stage for moving any amendment against the further prosecution of the Bill.

Mr. SPEAKER. I was going to refer to that rule, and to say that so far as I have been able to follow the argument of the hon. gentleman, I have not understood him to be discussing the provisions of the Bill in detail.

Sir CHARLES HIBBERT TUPPER. No, that is not my meaning. The hon. gentleman alluded to the Manitoba statutes, and then came down to the Bill under consideration, and gave us the changes which we proposed to make in connection with this new legislation.

Mr. SPEAKER. I did not understand the hon. member to discuss the clauses of the Bill. The hon. member understands that under the rule it would be impossible for him to discuss the clauses of the Bill before the House. There are several decisions establishing that upon a motion to go into committee on a Bill, the whole subject may be discussed. Then further on I find that on a motion to go into committee no clause shall be discussed. Further on I find :

> On the order for going into committee on a Bill, the main provisions of the Bill may be discussed, but not the clauses or amendments thereto.

Therefore, if the hon. gentleman avoids discussing the clauses he will be perfectly in order. So far as I have been able to gather from hearing the provisions of amendment cursorily read, there is no objection to the amendment itself.

Mr. MILLS (Bothwell). It will not surely be contended that in a case of this kind, where an hon member is discussing the clauses of the Bill, not for the purpose of ascertaining whether they are wise clauses, but when he is raising a question of jurisdiction and asking for a reference to the Supreme Court, then it seems to me a reference to clauses of the Bill, for the purpose of showing that some of these clauses are beyond the jurisdiction of the House would stand on a somewhat different footing.

Mr. SPEAKER. I cannot discover anything in the authorities I have consulted that would justify the assumption that clauses of the Bill can be discussed in detail under any circumstances.

Mr. MILLS (Bothwell). On a question of jurisdiction ?

Mr. McCARTHY. I am not going to discuss the Bill any more than is necessary to explain the amendment, but it is absolutely necessary to do so, to some extent, in order to make my meaning plain. I suggest the questions that ought to be submitted for the opinion of the court. The first is whether the Bill, as a fact, fails to carry out the remedial order in full. In order to establish that, I have to show what the remedial order is. That involves a statement as to what the old law was, and a comparison of the old law with the proposed new law, otherwise I do not make good my statement that there is a falling short in the law of the terms of the remedial order. So, with respect to the second question in which I have to show that in some respects the Bill exceeds the terms of the remedial order, because the remedial order says the schools are to be restored as they were prior to the passage of the Acts of 1890. I cannot put the House in possession of the Acts of 1890 without giving a summary of them, and I do not desire to take up the time of the House, unnecessarily, although the conduct of the members on the Treasury benches is not conducive to my shortening my harangue, although I might crystallize it more if I had got any encouragement. If those hon. gentlemen are determined to use force it will only engender opposition.

Sir CHARLES HIBBERT TUPPER. A motion to refer must be a motion of the nature indicated by the general character of the Bill, and not having regard to particular sections.

Mr. McCARTHY. There is a substantial difference between the old law and the proposed new law. The remedial order called for restoration of the old system of schools, and in some respects, therefore, the new law falls far short of the remedial order.

Sir CHARLES HIBBERT TUPPER. I think the hon. gentleman, in justice to himself, and according to the rules of the House cannot pursue this line when, in order to commend the amendment to the judgment of the House it is necessary to deal with the Bill by clauses, or to refer to any particular clause. Of course, there may be nothing in my point, and I raise it in hesitation.

Mr. MILLS (Bothwell). That argument shows conclusively that the rule cannot be applicable to cases of this sort, which raise questions of jurisdiction.

Mr. SPEAKER. I am not perfectly sure of my ground, but it strikes me that an amendment which involves the necessity of discussing details of a Bill would, at all events, preclude the hon. gentleman from discussing the clauses.

Mr. McCARTHY. I am not proposing to discuss the clauses, but only to mention them. I desire to point out in what respect the new law differs from the old law. I must do that or found my argument on a mere statement not established or proved, and that would be ineffective. I am not contending that this is right or wrong, or arguing for or against it, but I am simply pointing out that there is a substantial difference between the new law and the old law.

Sir CHARLES HIBBERT TUPPER. Do I understand, Mr. Speaker, that you ruled the hon. gentleman is at liberty to refer to sections of the Bill ?

Mr. SPEAKER. I find further on in this book that an hon. member is not at liberty to comment on a clause.

Mr. McCARTHY. That is on an ordinary motion that you, Mr. Speaker, do now leave the Chair.

Mr. SPEAKER. The hon. gentleman is speaking to the motion.

Mr. McCARTHY. No, but to the amendment.

Mr. SPEAKER. The hon. gentleman cannot move the amendment without speaking to the motion.

Mr. McCARTHY. Do you rule, Mr. Speaker, that if I move an amendment I cannot seek to establish its truth ?

Mr. SPEAKER. That depends on whether the hon. gentleman is discussing the amendment according to parliamentary rules.

Mr. McCARTHY. I am not proposing to discuss the clauses but merely refer to them, and also point out how the new law differs from the old law.

Mr. SPEAKER. The hon. gentleman may do so in a general way ; but if, for the purpose of illustrating his argument, he refers to specific clauses upon which it is proposed to go into committee, so far as I am able to judge at present from precedents, the hon. gentleman will get into deep water very soon.

Mr. McCARTHY. I will wait until I get in.

Mr. SPEAKER. So far I think not. As I have said at the outset the hon. gentleman has not violated the rule.

Mr. McCARTHY. The next important thing is, in the selection of the books. The old law gave power to the school board to select the curriculum, subject only to this, that in the case of books having reference to religion and morals, such selection by the Catholic section of the board should be subject to the approval of the competent religious authority. The difference now is, that no—

> No book, map or globe shall be selected unless such book, map or globe has been authorized for use, either in the high or public schools of the

> province of Manitoba, or the separate schools of the province of Ontario.

So that unquestionably, this does not go as far as the remedial order requires. I am speaking now simply of the fact that the right to manage the schools, which was commanded by the remedial order, was in a manner provided by the statutes which were repealed, and in the two important matters that I have drawn attention to, there is a very substantial difference between the repealed law of Manitoba, and the law which we are asked to make. Now, Sir, if the Act sins in that regard, it still more is objectionable in exceeding the terms of the remedial order, and for that purpose I shall have to ask the indulgence of the House while I refer to the parts of the clause in the new Act, which are not to be found in the old statute, which are entirely new, and which are altogether in excess of the order passed by His Excellency the Governor General. That order the House will understand, requires the old system to be fully restored. There is not a suggestion in the remedial order, that the legislature were to improve or to amend in any shape or way, the law which existed prior to 1890. The minority did not complain that the legislature of Manitoba were not willing to amend the law, or that the law itself was not perfectly satisfactory. What the minority complained of was, that the legislature had swept away the separate school system under which they managed and controlled their schools, and they asked —if the order was in the terms of the prayer of the petition, and the order followed the prayer—what they asked was that these schools should be restored. If we compare the two, the House will be astonished to find the enormous difference there is between the old law and the new one. I do not propose to go through all these differences. It is sufficient for the purpose of the argument which I desire to address to the House later on, to establish the fact that there are very substantial differences. Compare the sections relating to school assessments in the old Act with the section of the new. The old law was to be found in section 74 and it provided :

> That for the purpose of supplementing the legislative grant there shall be a board of trustees of all school districts not situated in a city or town the whole territory of which is in the limits of a single municipality, to prepare and lay before the municipal council an estimate of such sums, exclusive of such legislative grant, as may be required for school purposes during the current school year.

Subsection (a) defines the time that these estimates were to be laid before the municipality, and subsection (b) says :

> It shall be the duty of each board of school trustees to make out a list of the persons liable to be assessed for the balance of their school estimates as hereinbefore provided, with the assessment of each such person copied from the assessment roll placed opposite his name, also the amount of school taxes to be collected from him and to hand such list to the clerk of the municipality on or before the 1st day of August in each year.

Then we have the declaration as to arrears of school taxes and exemptions. Now, if we look at the new law, we find that these two or three clauses to which I have referred are expanded into nearly seven pages of the Bill, and the statement of that fact alone is sufficient to show the enormous difference there is (unless there has been a very useless expenditure of verbiage) between the old law and the new so far as assessment is concerened. There has been no doubt an attempt made, so far as I have been able to understand, and perhaps not unsuccessfully made, to copy in from the new Act of 1890—the Minister of Justice can tell whether I am right or wrong—the provisions of that law, which no doubt, are supposed to be an improvement on the Act of 1884, which is the date of the last consolidation of the old school law. But that very much enlarges the powers of the trustees with regard to the assessment. The borrowing powers are also very much increased. The powers for the compulsory attendance of children authorize, as the old law does not, investigations of complaints made against parents or guardians. There are powers of expropriation of school property not to be found in the old law. I venture to say that a careful analysis of these two Acts will show that more than half of this Bill is absolutely new.

Sir CHARLES HIBBERT TUPPER. I rise to a point of order, and I want to read the following from May, the authority to which Dr. Bourinot refers in regard to the reference of a Bill at this state :

> It is also competent to a member who desires to place on record any special reason for not agreeing to the second reading of a Bill, to move as an amendment to the question, a resolution declaratory of some principle adverse to, or differing from, the principles, policy, or provisions of the Bill ; or expressing opinions as to any circumstances connected with its introduction, or prosecution ; or otherwise opposed to its progress ; or seeking further information in relation to the Bill by commissioners ; the production of papers or other evidence, or, in the lords, the opinions of the judges. The principle of relevancy in an amendment governs every such resolution, which must, therefore, "strictly relate to the Bill which the House, by its order, has resolved upon considering," and must not include in its scope other Bills then standing for consideration by the House. Nor may such an amendment deal with the provisions of the Bill upon which it is moved, nor anticipate amendments thereto which may be moved in committee. When such a resolution amounts to no more than a direct negation of the principle of the Bill, it is an objectionable form of amendment ; but there are special cases for which it may be well adapted. On the 21st February, 1854, an amendment was made to the question for reading the Manchester Education Bill a

> second time, that "education to be supported by public rates, is a subject which ought not, at the present time, to be dealt with by any private Bill," which gave legitimate expression to the opinion of the House. Amendments, however, to the question for the second reading of a Private Bill, which seek to substitute for that question a resolution declaring the opinon of the House on a matter of public or general policy, are out of order.

This is the reference cited by Dr. Bourinot in regard to amendments on the motion to go into committee on a Bill. An amendment that may be considered without reference to the clauses in the Bill is in order at that time, but the clauses cannot be considered seriatim until the Bill is in committee.

Mr. MILLS (Bothwell). I do not think the rule the hon. gentleman cites is at all applicable to the case before us. The contention of the hon. member for North Simcoe is that many sections of this Bill are ultra vires, and therefore not amendable. His motion is not such as might be made in committee. There you discuss the clauses of the Bill for a very different purpose. The hon. member refers to the different clauses for the purpose of showing that this Bill, in many of its features is ultra vires, not for the purpose of discussing the merits of the Bill in the ordinary sense, or for the purpose of amending those clauses, because, when that is the case, the question of jurisdiction does not arise. This is a discussion of a wholly different character. It has reference to the validity of the whole measure, and the references of the hon. member to the clauses are for the purpose of showing that the measure ought to be referred to the Supreme Court for the purpose of ascertaining the opinion of the court on that question.

Mr. MULOCK. The ruling cited by the hon. member for Pictou is to the effect that we cannot at this date do what may be done in committee. If the objection of the hon. member for North Simcoe is well taken, namely, that this whole Bill is ultra vires of the powers of this House, inasmuch as it does not comply with the law, then nothing that can be done in the committee can make it good, so that the point taken by the hon. member for Pictou cannot possibly apply.

Mr. LISTER. The objection taken by the hon. member for Pictou applies to Bills which there is no doubt of the power of Parliament to pass. But the Bill now under consideration is one which there is serious doubt of the power of this Parliament to pass. The Bill under consideration is a Bill founded on the remedial order. The Bill under consideration was introduced into this Parliament under special statutory conditions, and it is contended by those who oppose the Bill that these statutory conditions are not exactly complied with, so far as this legislation is concerned. If there had been no remedial order at all, I suppose it could not be argued that this Parliament had power to pass the Bill. The remedial order was issued specifying particular terms upon which the Manitoba legislature are to enact the law they are ordered to enact. It is alleged that the Bill before us varies from the remedial order in certain respects, and is therefore ultra vires of this Parliament. The hon. gentleman who moved the amendment should be allowed to show wherein this Parliament has no jurisdiction, because if it has not, then there is no use of our going into committee at all. We could not in committee amend the Bill so as to give us jurisdiction, because our jurisdiction is based on the terms of the remedial order and the Manitoba Act. The rule my hon. friend cites applies to Bills over which this Parliament has complete control. This is not that case at all, because, if the argument of my hon. friend be correct, then this Parliament has no power whatever to pass this measure.

Mr. DICKEY. I can see no reason why the rules established for the proper course of Bills through the House should not apply to the question of jurisdiction as well as any other. I was struck with that feature of the hon. gentleman's amendment, but did not wish to raise any point of order, because it was better, of course, to have before the House all the questions which are likely to arise, so as to have time to consider them. But as the hon. gentleman is going on, it is likely to lead to a good deal of discussion and detail. There seems to be no doubt that the motion to refer the question to a court is quite in order at this stage, and the difficulty arises from the fact that the motion in your hands, Sir, it seems to call for a discussion into details. It is a mistake to say that these clauses, if they are ultra vires cannot be dealt with in committee. The committee can strike out the clauses if they are ultra vires. The hon. gentleman's motion is not to declare that the Bill is ultra vires, but to point out that particular clauses go beyond our power. The House has adopted the principle of the Bill, and the proposition before us is that, in certain respects, it is ultra vires ; and if we are to go through each section carefully and see exactly in what it differs from the law, it will provoke a long discussion.

Mr. SPEAKER. The statement of the Minister of Justice, occurred to me that these clauses, if not wide enough or too wide, should be amended in committee, but I understand there is another question raised by the hon. member for Simcoe, and that is as to whether the Bill is wide enough to cover the order which was sent to the local legislature of Manitoba, and that if not wide enough, if not in accord with the terms of the remedial order, we have no power to pass it at all, because the government of Manitoba have not been required to do what this Bill proposes to do. That is the question which puzzles me with regard to the question under discussion. It seems to me obvious, from all I have been able to see with regard to this particular stage of proceedings on Bills, that it is manifestly not in accord with the practice either of England or this country, that Bills should be discussed in detail except in committee.

Mr. McCARTHY. I am not going to do that.

Mr. SPEAKER. If there were no other question except as to whether these clauses were wide enough or too wide, they could be amended in committee; but the other point has been raised, that Manitoba had not had the opportuinty of dealing with the subject in the form in which it has been introduced into this Parliament.

Mr. McCARTHY. If the Government will say that they will withdraw the clauses that are in excess of the law, I will accept that and abandon that part of my motion. If they will not, I have to point out that the clauses do exist, and I am afraid their Bill would be an abortive attempt to legislate on school matters.

Mr. MULOCK. In committee you could not discuss more than one clause at a time.

Mr. McCARTHY. I will not necessarily take up the time of the House by reading these clauses. It may be sufficient if I just refer to them and state shortly their substance. I mean the clauses which are new and in excess of the old Manitoba school law. Now, the 17th section is new altogether. It is not to be found on the old law. The following also are new. The 23rd section with its seven subsections occupying more than two and a half pages of the Bill, the 24th section with its nine subsections—another two and a half pages of the Bill; the 28th section, the 29th section, the 30th section, the 31st section, subsection L of the 37th section——

Mr. DICKEY. May I ask the hon. gentleman with what law he is comparing it?

Mr. McCARTHY. With the old school law.

Mr. DICKEY. When was that?

Mr. McCARTHY. The last was 1884, the consolidated school law of 1884. The 54th section, with its subsections a, b, c, d, e, f, g, h, i and j is all new. The 63rd section is new, also the 64th section, the 68th section, the 74th section, the 75th section, and all its subsections; the 76th section, the 77th section, the 78th section, the 83rd section, the 84th section— or rather subsection 3 of section 84—the 90th section, the 93rd section, the 94th section, and the 96th section—which is a very long one, comprising 13 subsections—the 97th section, the 98th section, the 110th section. Now, it is quite obvious that if all these were taken out this Bill would be much reduced in magnitude. And a little later on I shall ask the hon. Minister of Justice under what authority this Parliament is endowed with legislative powers to pass a school law for the province of Manitoba.

Mr. MARTIN. Do I understand that these clauses are all new and not contained in the Act of 1890?

Mr. McCARTHY. They are not contained in the Act prior to the Act of 1890.

Mr. DICKEY. I think the hon. gentleman is mistaken.

Mr. McCARTHY. I may be mistaken, but I have the Act here and I have gone over it. If I am wrong, I shall be obliged to the hon. Minister if he will show in what respect I am mistaken.

Mr. DICKEY. What do you take it from? There are Acts in 1888 and 1887.

Mr. McCARTHY. Yes; but they are not nearly as full as the Act of 1890 from which I think most of yours were taken.

Mr. DICKEY. No; ours are all taken from the old Act. I admit there are additions.

Mr. McCARTHY. It is not all taken from the old Act.

Mr. DICKEY. The clauses you have read are taken verbatim et literatim from the old law.

Mr. McCARTHY. Which clauses?

Mr. DICKEY. The clauses you refer to, but there are substantial additions quite enough on which to raise the point the hon. gentleman is raising.

Mr. McCARTHY. That is sufficient, I think, to establish the facts upon which the first two clauses of the amendment are based. Now there is no doubt that this statute does violate the principle which is referred to in the next clause of the amendment. It assumes to delegate the power vested in the provincial legislature of levying a direct tax within the province. This is done by the clause which authorizes the municipal council, upon the requisition of the school trustees, to levy a tax. Then by another clause it frees or purports to free the Roman Catholic supporters of the separate schools from the payment of the public school tax which is enjoined by the public school Act of 1890. And it professes to vest in the Governor General in Council the authority pertaining to the Lieutenant-Governor in whom the executive government and authority of the province is vested. This is done, I think, in two places. I do not know that I can name the second, but it is done in the early part of the Bill where it is provided that:

> If the Lieutenant-Governor in Council does not within three months after the coming into force of this Act make appointments to the separate school board, or if the Lieutenant-Governor in Council does not fill any vacancy that may from any cause occur in the separate school

> board within three months after the occurrence of such vacancy, then in either such case His Excellency the Governor General shall make any appointment not made by the Lieutenant-Governor in Council.

So it purports to assume that the Lieutenant-Governor in Council will not do his duty and transfers the authority to the Governor General. This is done also I think in reference to the borrowing power. Then the last clause of the Act says :

> Power is hereby reserved to the Parliament of Canada to make such further and other remedial laws as the provisions of the said section twenty-two of chapter three of the statutes of 1870, and of the decision of the Governor in Council thereunder may require.

And lastly there is a very important question as to whether this Act so far as we are concerned, will be final, or whether we shall have power afterwards to repeal or amend it. Now, having said so much upon the facts, let me address a very short argument to the House upon the soundness, or the propriety, at all events, of the view for which I am contending. It will be remembered that the late Sir John Thompson, in a discussion which took place in 1893, justified the reference to the Supreme Court under Mr. Blake's Act. And I would invite the attention of hon. gentlemen on that side of the House to the arguments of Sir John Thompson on that occasion. The hon. and learned gentleman said :

> I desire now, at the risk of wearying the House a little, to call attention to what was done here upon that subject in the year 1890. The existence of this very Manitoba difficulty, this very stage of it, was brought to the notice of the House by the Hon. Mr. Blake, and he moved a resolution which, in 1891, after he had left, was embodied in a statute, enabling us to refer such questions as this to the determination of the court. Let me read a few of the remarks of Mr. Blake with regard to that subject, because they are as cogent and as pertinent to this very case as if they were uttered upon this floor this very night. I read this first passage to show that Mr. Blake had in his mind this very difficulty in regard to Manitoba, and that he put it forward as one of the reasons for adopting the resolution which he had moved :

Then he goes on to quote Mr. Blake, as follows :—

> I would say that recent current and impending events have combined to convince me that it is important in the public interest that this proposition should receive attention during this session.

After further quotations he continued :

> I commend that to the consideration of those gentlemen on both sides of this question who undertake to say we have usurped judicial power—an unwarrantable conclusion, as I shall ask the House to declare, on the report upon which that criticism is founded, one that was not sanctioned in 1890, when Mr. Blake used almost the same language contained in the report that in coming to a judgment upon this question we were to a certain extent " entering upon the judicial department, but not upon the domain of the judicial power."

Then, having quoted at great length from Mr. Blake the Hon. gentleman went on :

> Not to weary the House too much, I forbear to read from that report a great deal more in the same line, establishing in the first place that, in dealing with questions of this character—and hon. gentlemen will see, if they read that speech, many other passages which I have marked, that the argument of Mr. Blake is quite as applicable to what should be done with regard to an appeal as with regard to questions of ultra vires or intra vires, and that, not only is his principle applicable to the second class of questions, as well as to the first, but his express language and argument apply more to the solution of questions arising with regard to the determination of the rights of minorities asserted on appeal, than to the mere decision of whether the statute is ultra vires or intra vires. Sir, that resolution was accepted by the leader of the House, Sir John A. Macdonald, in the spirit in which it was put forward by Mr. Blake, and Sir John took pains to declare that, while the terms of that resolution, taken alone, might seem to be ambiguous, he accepted it in the sense in which it was put forward in the lucid argument by which Mr. Blake had supported it in the House ; and he expressed the hope, that in subsequently framing a statute we would be guided by the argument which Mr. Blake had advanced, as well as by the words of his resolution. * * * *
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> Surely the functions which devolve on His Excellency under this clause of the constitution are not only peculiar to this constitution, not only exceedingly difficult and delicate to exercise, but they are different from any other functions given to the executive by the terms of the British North America Act. In the opinion of His Excellency's advisers the application is not to be dealt with at present as a matter of political character or involving political action on the part of His advisers. That has been put forward, and is put forward in this resolution, as showing that we are endeavouring to free from political responsibility the executive who should be responsible in regard to what advice we may give. * * * Why, Sir, a politician advising His Excellency in ordinary matters is bound to give his personal predilections weight ; is bound to give his personal and private opinions for the benefit of his colleagues and for the benefit of His Excellency. He is bound to do what is best for the interests of the country as a whole. He is bound to consult the welfare of the majority, if the interests of the majority and the minority cannot be reconciled. * * * * *
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> We submitted the question of the rights of the parties to the courts first, and acted on the decision which we procured from the courts. I admit, Sir, that with regard even to that question that we were subject to ministerial responsibility, and that it was the perfect right of any member of this House, while that case was in progress, to move a resolution declaring that we should not submit it to the courts, or declaring, after it came from the courts, that we should have evaded the instructions of the courts, or acted on the authority which the courts said we had. Therefore, on behalf of my colleagues and myself, I disclaim in the strongest manner any attempt to evade ministerial responsibility, and I again assert that the criticism which is contained in this resolution and which is made elsewhere, is a criticism which carves words and

> splits hairs, and that the metaphor which we did use, and which related to a judicial rather than a political subject, was fully justified by the language used in this House in 1890, when the principle on which we were acting was adopted.

And the result was that he justified the propriety of submitting the question, and the common sense and the practice cannot be well doubted, to ascertain whether they had power to pass the remedial law before passing it, instead of passing it haphazard, involving the parties interested in the province with regard to which it was to be passed, in all the litigation which would necessarily follow its adoption. Now, Sir, we are coming under a very peculiar and a wholly new jurisdiction, new not merely here, but absolutely new everywhere. As was pointed out by the Lord Chancellor in the discussion of the Brophy case, this legislation is unique, in no other place is there anything like it to be found. And what is our power ? The Governor General in Council, having made his decision, then, and only so far as the circumstances of the case may require, the Parliament of Canada may make remedial laws for the due execution of any decision. The Governor General in Council has directed certain things to be done by the province, which the province has not done, and we are authorized to pass such laws as will duly execute that order. What we are doing is not executing the order in full, in spirit, or in fact, but what we are doing, and what we are proposing to do, is to embody a lot of laws, a code of laws, with regard to education, which the province was not directed to restore, and as to which there was no complaint on behalf of the minority. Now, is it possible to imagine that that law can be good ? Is it possible to imagine, under the limited jurisdiction this Parliament has, which is merely to execute the order of the Governor General, which goes far in excess of anything that the minority ask for, or that the Governor in Council thought fit to direct—which possibly he might have done upon his own motion, if he had thought fit—that that law can be a good law, or that that law can be one which the inhabitants of the province can be forced to obey ? Now, as to the question of taxation, because, without the taxing power this attempted legislation would, of course, be wholly abortive. It has been pointed out that without a legislative school grant, which the hon. gentlemen have not thought fit to interfere with, except by an empty declaration, the schools will be practically starved, and cannot be made effective. But the Bill does not purport to vest in certain local authorities the power to levy a rate for the purpose of carrying on the schools. Now, it has been decided in the courts in more than one case that the authority to levy a tax, vested in our municipalities and in our school trustees, is a delegated power, dependent on the legislative grant of the provincial authorities. We have no right here to pass a law for the purpose of raising funds for the schools in any province, that is a matter wholly within the jurisdiction of a province. But you have assumed here to exercise the power of the province, and to delegate to the local authorities, municipal or otherwise, the power to make assessments, and to levy this tax. What is the power to tax, and where is it to be found ? It will be found in the 92nd clause of the British North America Act, adopted in the Manitoba constitution, and is to this effect :

> In each province the legislature may exclusively make laws in relation to matters coming within the classes of subjects hereinbefore enumerated, that is to say.

So the province may exclusively execute and make laws for direct taxation, and for the purpose of raising revenue for certain provincial purposes. It is under that power that the provincial authorities delegate to municipalities and school trustees power to make assessments and levy rates. Our power of appeal comes from a different section of the Manitoba Act, namely, section 22, which has special reference to education. So we first find that there are two concurrent powers given to the province. One is to levy direct taxes for the purpose of revenue ; the other is to pass laws respecting education. With regard to the laws passed respecting education an appeal will lie, but an appeal is not permitted with respect to the other powers and authority vested in the municipalities. It is necessary for my purpose to ask the House to agree in the conclusion at which I have arrived, and which I now press. What I ask the House to consider with me in this : is it wise, is it prudent, is it proper, or is it not the act of madmen to pass such a law as this in our hurry, with all these legal difficulties bristling in the way, when by the judgment of the Supreme Court we can ascertain whether we are passing a constitutional and valid law. If it were wise and prudent to ascertain whether the Governor General in Council had power to make a remedial order, surely it is still more important to ascertain whether we have power to pass this proposed law which we are asked to pass, involving as it does anomalies and difficulties. The same argument applies to the next objection, which appears to be fatal to the constitutionality of this Act. The province is required to provide for the support of its schools, and for that purpose all the inhabitants shall be taxed. We now propose to step in and say that a certain proportion shall be absolved from the payment of taxes. The consequence is that an additional burden will be added to a certain section of the people. Again, a Bill such as this, dealing with the question of taxation, is one that should originate in Committee of the Whole. That question may, perhaps, have to be determined before we get very much further, but it is clear that any law proposing to exempt as well as impose a tax or burden is a law which must be made in committee of the whole House. If this law is one of that character it is clear and plain that it deals with the question of taxation and imposes an additional burden on those left to support separate schools by the withdrawal of those who are in favour of separate schools under the provision of the statute. But as regards the peace of the country, I attach more importance to the proposed interference with the executive power of the Lieutnant-Governor in Council. The executive power of the province is to be found in clause 58 of the British North America Act. Then we have a general clause that the provisions of the Act which apply to the Governor General shall be applicable to the Lieutenant-Governor. The executive power of the Governor in Council is to be found in clause 9. The Bill is based on the assumption that it is within the jurisdiction of Parliament and that, when passed, we shall be able to disregard the Lieutenant-Governor and the jurisdiction of the provincial authority will be transferred to the Governor General in Council here. Is it possible for us to abrogate and disregard and tear up the British North America Act with respect to executive powers which are vested exclusively in the provinces ? Is such legislation likely to add to the harmony which should prevail between the Dominion and the provinces ? I venture to think, notwithstanding the argument of the Minister of Justice, which after all was more a statement than an argument, the execution of this power is provided by the Act. We are at liberty to pass a Bill so far as it is necessary to carry out the decision of the Governor in Council. But why and under what pretense can we arrogate to ourselves jurisdiction to interfere in this matter again ? Here is a complaint made about a certain so-called grievance. The Governor in Council has entertained the complaint and has adjudicated upon it. He has ordered the restoration of the schools, the abolition of which formed the ground of complaint. We are authorized under these circumstances to carry out that order. When we have duly executed it, has not our function ended ? Under what pretense can we reserve power to deal with and interfere with the Manitoba legislature hereafter ? The province is not deprived of the right to legislate on education. Under the circumstances has the province lost its rights or has it vested them in this Parliament, not merely for the occasion but for all time concurrent jurisdiction on the question of education. I have never heard any lawyer say that that is so, and in the minute that was made by the Council, they drew attention to the fact that that point had been made before them, and they rather lent the weight of their authority to the sufficiency of the point—the hon. gentleman who is now Minister of Justice being one of the Council. That was either an empty threat or it was the honest conviction of the Council at the time, that that order was passed.

Mr. POWELL. Do you argue that that clause is merely a nullity, or that it has the effect of making invalid the other portions of the Act ?

Mr. McCARTHY. I am only arguing that we cannot do it.

Mr. POWELL. Then it would simply be a nullity.

Mr. McCARTHY. Yes.

Mr. POWELL. It would not affect the other portions of the Act ?

Mr. McCARTHY. It would not affect anything at all.

Mr. POWELL. It is perfectly harmless.

Mr. McCARTHY. Yes, but some hon. gentlemen are legislating with a view that we can come back and legislate again and it is well to know whether we have the power to create that jurisdiction. But, the more important one of all, and I attach great weight to this consideration. From the first time I have given this Act some little attention—I cannot say the same of all the opinions I originally formed, but there is great difficulty about it, and I would not like to feel bound to earlier opinions in every respect that I expressed—from the first, it has appeared to me, so far as this Bill is concerned, that we have no more power to repeal than we have to amend. We are executing the Governor's order and the passage of this Act is the execution of this order, like the execution of a judgment.

Mr. MILLS (Bothwell). It is a provincial law, after it is done.

Mr. McCARTHY. After it is done it is a provincial law which is in force only in that province.

Mr. MULOCK. It is liable to be repealed by them ?

Mr. McCARTHY. Possibly. I had originally thought it was beyond their power to repeal it, but I cannot say I am of the same conviction now. It is a difficult matter, and there is a good deal to be said on both sides. However that may be, there is, in my judgment, certainly no power on the body who are authorized to execute a certain order by passing this Bill, to repeal that, and to nullify the Governor General's order. The Governor General has thought there are grievances which ought to be remedied. He has no power to legislate, but the jurisdiction is vested in this Parliament to execute the order which the Governor General has made. Where do we find the right to intervene in that order, and without the ground-work which originally gave the jurisdiction to repeal, amend, or interfere.

Mr. GRANDBOIS. You could complain again.

Mr. McCARTHY. Undoubtedly they could commence all over again.

Mr. GRANDBOIS. We would be safe, then.

Mr. McCARTHY. I am only speaking on the legal point. I say there is no authority, so far as I can understand, to reserve the right to interfere ; with or without that, to interfere by repeal, or by amending it, or in any other way.

These are seven matters which have occurred to me, all of them difficult, I venture to say, and none of them without strong ground in support of them. I venture to say that there is not a lawyer in this House, the Minister of Justice down, who will say that these are not questions of difficulty, and questions that are likely to create doubt, and questions that are certain to involve the province—if this law is ever passed—in a sea of litigation. I appeal to the House whether, under such circumstances, it would not be madness to pass a law of that character.

Mr. HAGGART. Would the hon. gentleman allow me to ask a question. Suppose the committee of the House amends any of these clauses in any direction they like, and if doubts arise as to the constitutionality of that, would you re-submit it again to the courts ?

Mr. McCARTHY. What I am desirous of is not submitting clauses, but principles.

Mr. HAGGART. And suppose they amend it in the direction of a principle ?

Mr. McCARTHY. If it is a matter of principle, I think it would be better submitted, but that, of course, would be a point of discretion or judgment. What we are dealing with now is the condition this Act has reached at this stage. This House has arrived at the conclusion that the principle of this Act is one which commends itself to the judgment of the majority of this House.

Mr. FAIRBAIRN. That should settle it.

Mr. McCARTHY. On what point ?

Mr. FAIRBAIRN. Because the majority says so.

Mr. McCARTHY. Yes, but the majority are not done with it.

Mr. FAIRBAIRN. But you say the majority must rule.

Mr. McCARTHY. Do you say the minority have no rights? Now, Sir, I desire to say a few words on the general question. The Minister who leads the House in his address, made two statements with regard to myself which I thought I ought to take notice of, for the purpose simply of telling that hon. gentleman and the House, that the hon. gentleman was misinformed, and that his statements were absolutely and wholly incorrect. The hon. gentleman (Sir Charles Tupper) is well known, of course, to have a lively and vigorous imagination, and perhaps that is so well known that his statements do not stand in need of contradiction. Like the slanders of some persons, his statements are not of sufficient importance to require refutation. But I know the use that might be made of my silence, and, therefore, I desire to say here, that when the hon. gentleman stated to the House that I had said the French were the curse of Canada, he stated what was absolutely incorrect. I never uttered any such language, and when that hon. gentleman again refers to it, I would be very glad, indeed, if he would point out on what authority he made that statement. He also said, in equally strong terms, that I abused the Roman Catholic religion. Now, Sir, that hon. gentleman has been some years out of the country. I suppose he speaks on some kind of information, for it is harly credible to think that he would make these broad charges wholly out of his imagination. But, Sir, the hon. gentleman is again absolutely misinformed. On the contrary, whenever I go into a constituency, the followers of that hon. gentleman hound me about from place to place because, as it happens, I have a Roman Catholic daughter living in my house, and I am abused by such gentlemen as the hon. gentleman from Gananoque and others of that ilk all over the country on account of that fact. Then, Sir, when I come to this House I am to be told the same thing by the hon. gentleman who leads this House, who certainly now ought to have some little regard to fact, and who ought not to be allowed to make these wild statements without any foundation whatever. I have been very careful. I have never disguised, and do not disguise now, that I think the perpetuation of the dual language in our Territories is a grave mistake ; and I have pledged myself before, and I intend to adhere to that pledge, that so far as Manitoba and the new territories are concerned, I will do everything I can to prevent the spread of the dual language or the creation of a French nationality, or a German nationality, or any other except the Canadian nationality. But, Sir, the man who says that I ever said a disrespectful word of the religion of any of my fellow-subjects is saying something for which there is not the slightest foundation. I never said of them even that I had not confidence in the breed. I am just as free, as the hon. gentleman who leads the House, perhaps a little more so, of any ground of imputation on that score. Perhaps the most important contribution to the debate was made by the hon. member for Montreal West, and I desire to say a few words with regard to that, as some misapprehension I think is likely to be created by the statement——

Mr. DICKEY. I would like to rise to a point of order. The hon. gentleman is, I understand, discussing a past debate.

Mr. SPEAKER. The objection does not apply to a stage of a Bill. If the hon. member proposes to refer to a discussion which has taken place on this Bill at a former stage, he would of course be entirely in order.

Mr. McCARTHY. It would be a great thing, Sir, if the gentlemen on the treasury benches could be sent a little while to school to learn the rules of order, because I think since I commenced this short address to the House, these gentlemen have been rasing points of order on every one of which they have been out of order. They seem to have forgotten, if they ever knew, what the rules of order are. Now, Sir, what I desire to refer to is the statement of fact made by the hon. member for Montreal West. It will be found, on an examination of the authority given to that hon. gentleman, that he was only to negotiate—that he was not authorized to conclude any arrangement or treaty with the parties whom he was delegated to visit. I do not think there is a word in the hon. gentleman's statement to the contrary.

Sir RICHARD CARTWRIGHT. My hon. friend is referring to his visit of 1870, I suppose ?

Mr. McCARTHY. Yes, the original visit. The Governor General in the correspondence that passed between him and the home authorities, drew attention to the fact that the hon. member for Montreal West and those who were sent with him, were authorized to negotiate, and not to make any arrangement or any treaty. It will appear in the history of the event that he did visit the body of delegates—I think there was twenty-four assembled as a council at that time—and that he pointed out to them that Canada was prepared to respect them, and deal with them on fair and generous terms. The result of that negotiation was, not that he made any arrangement or concluded any terms, but that the people themselves prepared a bill of rights in which they set forth the terms under which they desired to be admitted into confederation. This is what is known as the third bill of rights. It was given to the delegates, and they were officially instructed in regard to its demands. As to some, they were authorized to treat ; as to others, they were told they had no authority to abandon them, but they must stand by them. Three delegates, Father Richot, Mr. Scott, and Judge Black, were despatched to Ottawa, with this bill of rights, for the purpose of treating for the admission of the Red River settlement into the Dominion ; and, as it was known and perfectly clearly stated, and as the hon. member for Montreal West has reiterated here, they never thought or dreamed about separate schools ; I suppose they had never heard about separate schools. Nothing was ever said about separate schools. But what the hon. gentleman says is that they understood that the grants which they had been getting from time to time as donations from the Hudson Bay Company, the body that had authority in that part of Rupert's Land—that those grants, which they were getting, not as a matter of law, but as a matter of grace——

Mr. DUPONT. Practice.

Mr. McCARTHY. Practice, if you like, just as any wealthy citizen might have contributed to the support of the schools, would be continued. All I can say of that is that the hon. member made no such report on his return. There is not a word in his evidence, so fas as I can find, in support of any such contention. The reason he gives for adopting that conclusion is that afterwards, in 1871, the legislature of the new province did adopt a separate school law. Now, the two positions are inconsistent. It might have been, as the hon. member for Bagot (Mr. Dupont) suggested a moment ago—and that question was before the Privy Council—that the existence of that grant might be called a privilege of some kind. That fact was before the Privy Council in the Barrett case, and duly considered, and whatever weight was due to it was given in the judgment.

Mr. POWELL. Article 9 says—that is the bill of rights—while the North-west Territories remains a territory, the sum of $25,000 a year to be appropriated to schools, roads and bridges.

Mr. McCARTHY. That is a matter with which the Dominion had never interfered. It would have been utterly impossible for the Dominion to grant to the province, without creating jealousies all round, a sum of money for the support of its schools. That is a clause which you will find was not acceded to on the part of the Dominion, and for which there was no doubt given some substitute acceptable to the delegates, because they went home quite satisfied. It would have been extraordinary if we had found these delegates surrendered their rights with regard to education. They had unlimited power at the time. They were free as air at that time. If that province had been created as any other province had been, such as British Columbia, a Crown colony, it would have been vested with absolute and complete legislative powers. What has happened is that part of that power has been taken from it under the scheme of confederation. Instead of being, as they were before confederation, and as they would have been if they had not come into confederation, free to make just such a school law as they pleased and to amend it, just as the other provinces were prior to confederation, with the exception of Ontario, they would have been asking that their rights over the schools should be taken away and that the control should be given to a paramount body, namely, to the legislature here. The reason that education was limited at all in the scheme of confederation arose from the peculiar position of Upper and Lower Canada. New Brunswick did not ask, or Nova Scotia, or Prince Edward Island, and of Newfoundland, as the hon. Secretary of State says, and no doubt correctly, was represented, they did not ask that their local authority over education should be limited or transferred to the central power. The peculiar circumstances existing in Upper and Lower Canada at the time of confederation, when it must be remembered that the two older provinces were in fact one, with legislative union, in each of which old provinces the Protestants were relying upon the assistance of their brethern in the Upper province and the Catholics were relying on the assistance of their brethern in the lower provinces, by which the Catholics in the upper province had actually been able to enforce a system of separate schools against the wish of the majority,—these peculiar circumstances made it, in the judgment of those who were interested at the time, necessary or, at all events, advisable, that they should stipulate for some meed of protection when the partnership was to be dissolved, and they were created separate provinces. That scheme was in the first place, carried out by D'Arcy McGee's amendment, and for a long time it was thought sufficient by simply enacting that the laws as they stood at the time of confederation should be unrepealable and be saved from the rights of the provinces in other respects. Now, no such provision applied at all in the case of the North-west or its settlers. They had not any disputes between Protestants and Catholics. The Catholics had gone to their own schools, the Church of England had private schools, so had the Presbyterians, and so had the Methodists a short time before the union; but these were separate private schools, maintained by fees and subscriptions, in no sense state schools, and there was no sign of any of the jealousies or difficulties among the inhabitants there, or anything to suggest the necessity or the advisability of any control with regard to one set of schools or the other. Well, that being so, it is perfectly plain that when these school provisions were inserted here, they were inserted to carry out, so far as the new provinces are concerned, the general scheme, the general good, with such a variation as made it equal, so far as new provinces are concerned, with the position in which the old provinces were; and whether that was suggested by the late Sir George E. Cartier or by whom we do not know: the Bill was introduced as a Government measure with these clauses in it; and I suppose if you were going to frame an Act for the admission of any other province, in all probability the draughtsman of that Act would commence by adopting the clauses relating to education found in the British North America Act, with such variations as made them equivalent in the new province to the position in which the old provinces stood. That is probably the reason why they were found here. We have therefore to look at them simply for the words they contain, and I venture to say that upon careful perusal of the speech of the hon. member for Montreal West, it will not be found that he carried the case in favour of separate schools any further than it is carried by the terms of the Act. I therefore move in amendment:

That all the words after "That," in the motion, be struck out, and the following inserted instead thereof:—before proceeding further with the consideration of the Bill intituled "The Remedial Act (Manitoba)," that the important and difficult questions of law arising in relation thereto should be submitted to the Supreme Court of Canada for its opinion, among which questions are as follows:—

1. Whether the said Bill is constitutional and within the powers of Parliament to enact by reason of the fact that it fails to carry the Remedial order into effect to the full extent of the said order?
2. And inasmuch as it exceeds the requirements of the said order?
3. Assumes to delegate the power vested in the provincial legislature to levy a direct tax within the province?
4. Purports to interfere with the law of the province which enjoins the payment of taxes in support of the public schools?
5. Proposes to vest in the Governor General in Council the authority appertaining to the Lieutenant-Governor of the province, in whom the executive government and authority in the province is vested by the Manitoba Act?
6. Whether this Parliament in passing a law for the due execution of the Educational Code of the said Act has power to reserve to itself the authority to further legislate respecting the matter?—and
7. Whether any Act which this Parliament may pass is irrevocable, amendable or repealable by it?

Mr. DICKEY. Mr. Speaker, I shall not detain the House at any length on this matter. One of the difficulties in connection with the motion of the hon. gentleman is that, whether it be in order or not—and I admit that your ruling on that point is correct—it involves for its complete discussion a consideration of the details of the Bill. I could not undertake to discuss to-night the various interesting points that were raised by the hon. member for Simcoe (Mr. McCarthy) for the reason that to discuss them properly it would be necessary to take up the very verbiage of each particular section and compare it with previous legislation. That task, of course, I am obliged to be ready to perform when these particular sections come up, but I could not at this stage undertake anything like a thorough discussion of the various points. It is impossible for me to say that there is nothing in the points that have been raised, when the matter is brought before the House by a lawyer of such high position as the hon. member for North Simcoe. But I must say that I would be less influenced by the hon. member for North Simcoe upon any legal matter in connection with the Manitoba school question than I would upon any subject under the sun, because I think the mind of the hon. gentleman is not in that impartial and fairly-balanced state with regard to this particular question, which has been agitating him for some years, as to make his opinions in that connection as valuable as they would be upon other questions. At the same time, even with that limitation, I am bound to say he has raised some very important questions. None of them, however, are new, and as to a good many of them, in my opinion, he is entirely wrong in his facts. The legislation is not beyond the remedial order to the extent he seems to suppose, nor is it less than the remdial order to the extent he seems to suppose, though I admit, on the matter of principle, that the degree of the variation from the remedial order is not material. The real point here, it seems to me, is whether or not, there being admitted differences in this Bill, their being doubts as to the constitutionality of some provisions, it is advisable at this stage to refer this Bill to the Supreme Court as proposed in this motion. It seems to me that this reference would not be advisable. The only case I remember of an Act going before the court, is a Bill which bore the name of the member for Simcoe, the McCarthy Act. I do not know under what circumstances the Bill went there.

Mr. McCARTHY. Under the provisions in the Act itself.

Mr. DICKEY. That is the only precedent I know of. But with regard to this particular question, we have already referred the preliminaries of it to the courts, and it has been very thoroughly discussed, although I admit that the section under which we are acting is not only new but it is difficult. We have more light upon it than is usually the case in dealing with legislation. We have laid down by the Privy Council of England the principles by which this House should be guided in this legislation. If the hon. gentleman submitted his questions here, he would only get certain principles laid down, and I think that the principles laid down by the Privy Council at the close of its judgment in the reference under the Act of 1891, are pretty fairly definite as general guides. If we cannot take those principles and frame a Bill that is reasonably certain to have the support of the Privy Council, it seems to me that this House would not be competent to deal with any subject at all, and that in every Bill that came after, we would be confronted with this alternative of transferring our functions from this House to the courts. I admit entirely the reasoning which the late Sir John Thompson used in his speech in 1893, and the force of it ; but it seems to me that that is an argument which does not apply at this stage of this Bill, when we have already taken the opinion of the courts with regard to our powers in the matter. The Privy Council of England would certainly complain, and fairly complain, if, after we have taken their opinion on this matter, after they had given that opinion, and had expressed it so clearly and so fully as to have been somewhat reproached for going so far, after they have taken the trouble to lay down the lines on which legislation should proceed, it seems to me they would fairly complain if we were to send to them a Bill which it was proposed to pass in this House, and to take their opinion upon its details. The motion, moreover, as coming from the hon. member for North Simcoe, is objectionable, I think, because I am quite satisfied that no hon. gentleman should propose and no hon. gentleman should support the reference of any question from this House to the courts of justice, unless he is prepared to accept the decision and act upon the decision of the courts when that is rendered. The hon. gentleman from North Simcoe is an out and out opponent of this Bill upon principle. In the opinion of the majority of the members of this House, the hon. member for North Simcoe has alredy received the opinion of the Privy Council that any legislation upon these lines should be proceeded with, and the hon. gentleman has negatived that opinion, both by his voice and by his vote. Therefore I say that this motion certainly should come from some other member than the member for North Simcoe, it should come from some person who wishes to improve the legislation and not to destroy it. The member for North Simcoe, who is the greatest enemy that remedial legislation has, will perhaps excuse the friends of remedial legislation for declining to accept his care of the interests of remedial legislation, and I think he will excuse them if they trust themselves to more friendly hands. I think it is not unfair, in view of the attitude of the member for North Simcoe to this legislation, to say that this motion is not made in a friendly spirit to the legislation that is before the House ; and if anything were needed to show that completely, it is the fact that this resolution which the hon. gentleman proposes is entirely unnecessary. This resolution, if it were carried, would postpone this Bill over this Parliament ; it would answer the same purpose in another way of the six months' hoist which was voted on yesterday. The hon. member from North Simcoe knows as well as I do, that under the Act of 1891 this Government has the power, after the Act has passed the House, and is in a complete state, to refer it to the courts to get the opinion of the courts upon it, if it should desire to do so ; and I think that in that state of the law, the hon. member from North Simcoe will have a hard task to persuade this House that it should take, not a completed Act, but an imperfect Bill, which may be amended in committee of the whole, in a direction which no hon. gentleman here can foretell—the hon. gentleman will have a difficult task to persuade this House that it would be wise or that it would be statesmanlike, as he has referred to the course of the Government, to kill this measure for this Parliament, for the sake of getting an opinion which they can get better on a completed Act, if it is passed by this Parliament. I think, Sir, that for these reasons the House will hesitate before they adopt the motion of the hon. member for North Simcoe. It is, as I have said, premature ; it is moved on an incomplete Bill as to which the final state cannot possibly be foretold. At this stage, the object of the hon. gentleman would be served, if he wished to improve this legislation, by going into committee on the Bill, discussing frankly these constitutional difficulties as they arose upon the several clauses, and then, after the Bill is completed, moving an instruction to this Government to refer the complete Bill to the courts for their consideration and opinion. At the present stage, I sincerely hope the House will reject the amendment.

Sir RICHARD CARTWRIGHT. The hon. gentleman has certainly not contributed very much in the way of argument against my hon. friend's motion, but he has supplied a most admirable argument against the proposition made by the leader of the House that we should proceed to discuss this difficult and intricate question at three o'clock in the morning. Now, I may just observe for the benefit of the hon. gentleman, that if they choose to proceed with this matter, we will have of course at our discretion, and we will use the discretion freely, the right of reviewing the debate which has lasted for some three weeks ; and I have not the slightest doubt that a considerable amount of time can be profitably spent in exposing the hypocrisy and inconsistencies of the hon. Secretary of State and of other gentlemen who have supported him. One thing tolerably clear, and that is that no more impudent absurdity was ever proposed by any Government than a proposition to treat with the government of Manitoba and hold a conference with them, while they go on with the details of this measure in committee. If they had any honest desire whatever to treat with the government of Manitoba, they would at once suspend consideration of this measure until such time as they had that conference, and were able to come to this House with reasonable ground for supposing that they could effect a settlement with the government of Manitoba.

The hon. member for Montreal West, notwithstanding, I have not the faintest idea that the Government have any hope of making a definite and amicable arrangement with Manitoba. The conduct of the Government throughout shows that they have no desire to enter into an arrangement with, or to conciliate that Government. What hon. gentlemen opposite are now doing is entirely in deference to public opinion ; this is an attempt to get a few members of their party to support the Government under circumstances which will lead to the certain destruction of those hon. gentlemen's political lives. However, that is their own affair. In the present instance, we are not going to spend our time in needless discussion of this matter. I move that the debate be adjourned.

Sir CHARLES TUPPER. I think it is reasonable that the House should now adjourn. We have made certain progress in the debate, and have regained the time that hon. gentlemen opposite chose to waste in needless obstruction to-day.

Mr. MARTIN. I rise to a point of order. I ask whether it is in order for the hon. gentleman to allude to the conduct of hon. members in this House as needless obstruction.

Mr. SPEAKER. I do not think that the Secretary of State is out of order in saying there was obstruction.

Sir CHARLES TUPPER. I now proceed to say that the intention of the Government was to ask the House to adjourn at six o'clock, and had reasonable progress been made with this debate—and hon. gentlemen know that if we are to succeed in passing this Bill into law it is absolutely necessary to take up the subject seriously and go into committee and pass the Bill through committee—that course would have been followed. Hon. gentlemen are aware that at this period of the session, with the probability of such an early termination of it, it is absolutely a waste of time to discuss the subject unless it is done seriously. As hon. gentlemen opposite chose to spend the afternoon fruitlessly, the Government had no alternative but to ask the continuation of the debate until this late hour. We have made very substantial progress I am glad to know by hearing the speech made on the amendment, and I now suggest that the motion for the adjournment of the House be allowed tc pass.

Mr. LISTER. I desire to resent the statement made by the Secreatry of State that there was any desire on the part of any gentleman on this side of the House unnecessarily to prolong the debate which closed last night. As a matter of fact more hon. members opposite spoke than did hon. members on this side of the House, and further the speeches of hon. gentlemen opposite occupy more pages of "Hansard."

Sir CHARLES TUPPER. I made no reference to last night's debate.

Mr. LISTER. I beg your pardon.

Motion agreed to, and debate adjourned.

Sir CHARLES TUPPER moved the adjournment of the House.

Motion agreed to, and House adjourned at 2.55 a.m. (Saturday.)

HOUSE OF COMMONS.

MONDAY, 23rd March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPORT.

Report of the Secretary of State of Canada, for the year ended 31st December, 1895.—(Sir Charles Tupper.)

MANITOBA SCHOOL QUESTION—NEGOTIATIONS WITH THE MANITOBA GOVERNMENT.

Mr. LAURIER. Before the Orders of the Day are called, I apprehend that the House is anxious to know from the leader of the House whether there is any truth in the rumour that a commission has been appointed to proceed to Winnipeg to confer with the Manitoba government in reference to the school question.

Sir CHARLES TUPPER. I may say that a delegation has been appointed, consisting of the hon. Minister of Justice, the hon. Minister of Militia and the hon. member for Montreal West (Sir Donald Smith), and that they proceed to-day to Winnipeg for the purpose of opening negotiations with the government of Manitoba, who have, as the House is aware, been good enough to adjourn the legislature of Manitoba until the 16th day of April, instead of proroguing as they had intended before this arrangement was made; and I take this opportunity to say how glad the Government will be to have the kind co-operation of the hon. leader of the Opposition, and his influence with his friends the government of Manitoba in doing what he can to facilitate the object of that mission.

Mr. LAURIER. I am glad to say to the hon. gentleman that this they have, and always had, although they take the tardy step, which I think is a most important step, of doing at the last what they should have done long ago, in my estimation. I would further ask the hon. gentleman whether it is the intention of the Government—I suppose it is—to lay upon the Table of the House the commission and the instructions given to the commissioners.

Sir CHARLES TUPPER. We shall be very glad to lay on the Table of the House the papers relating to the delegation.

INQUIRY FOR RETURN.

Mr. DAVIES (P.E.I.) In the early part of the month I moved for and obtained an address to His Excellency for the contracts and correspondence between George Goodwin and the Department of Railways with reference to contracts 4, 5, 6, 7 and 12 on the Soulanges Canal. As these papers are more than ordinarily important, I am very anxious to obtain them at an early date, and I would ask the hon. Minister if I may hope to have them within a few days.

Mr. HAGGART. I will make inquiries.

IN COMMITTEE—THIRD READING.

Bill (No. 53) respecting the Pontiac Pacific Junction Railway Company.—(Sir James Grant.)

IN COMMITTEE.

Bill (No. 28) to incorporate the Huron and Ontario Railway Company.—(Mr. Sproule.)

SIR CHARLES TUPPER—ALLOWANCES AS ACTING HIGH COMMISSIONER.

Mr. CASEY asked:

1. Were any allowances for house rent, travelling expenses, or on any other account, made to Sir Charles Tupper while acting as High Commissioner without salary? If so, what amounts, at what dates, on what accounts?
2. Are any similar allowances to be made to him during the present term of the Acting High Commissionership without salary? If so, what, and on what accounts?
3. What statutory or other authority is there for the appointment of an Acting High Commissioner without salary? Is he appointed by a commission, or by Order in Council, or in what other manner?
4. Is he subject to the same instructions, and bound to perform the same duties, as were originally imposed on the High Commissioner by the commission and instructions issued to Sir A. T. Galt in 1880?

Sir CHARLES TUPPER. In answer to the first question I desire to say that Sir Charles Tupper acted as, High Commissioner without salary from 30th May, 1883, to 28th May, 1894, and as acting High Commissioner without salary from 7th March, 1887, to 6th July in the same year. During the first of those periods he was paid $836 removal expenses to London, which amount was specially voted by Parliament. He also received in lieu of house rent, fuel and taxes, between 1st July, 1883, to 24th May, 1884, the sum of $3,133.06. During the second period, namely, from 7th March to 6th July, 1887, he received nothing. The answer to the second question is, No. The first division of the third inquiry, involving as it does a question of law, I do not feel called upon to answer, but I may inform the House that the Order in Council of the 15th January, 1896, appointing me acting High Commissioner has been cancelled, and an order passed requesting me to supervise and direct the High Commissioner's office for the present. The answer to the fourth question is, There has been no change in the instructions.

SURVEYS ON CANADA-ALASKA BOUNDARY.

Mr. CHARLTON asked :

1. Have the Canadian engineers and surveyors, who have been engaged upon the boundary survey between Canada and Alaska, completed their work upon the boundary line between the two countries ?

2. Did they prosecute their work in company with the engineers and surveyors appointed by the United States government to define the boundary line between Canada and Alaska ?

3. Does the delimitation of line between the two countries, as made up to the present date by the Canadian and the American surveyors and engineers agree ?

4. If the two corps of surveyors and engineers do not agree upon the boundary between the two countries, upon what points and in what respects does disagreement exist ?

5. Has correspondence passed, within the last twelve months, between the Government of Canada, through the British Embassy at Washington, and the government of the United States upon the question of the settlement of the Alaska boundary line ?

Mr. DALY. 1. The Canadian engineers and surveyors have completed the work they were appointed to do under the treaty made at Washington in 1892. 2. They prosecuted their work in company with the surveyors and engineers appointed by the United States government, but that work was not to define the boundary line between Canada and Alaska, as reference to the treaty will show. 3. The Canadian and American engineers and surveyors referred to were not appointed to delimit the line between the two countries, but in respect of the work that they had to do they have agreed, as stated by His Excellency the Governor General in his Speech from the Throne. 4. The answer to the previous question answers this one also. 5. Yes.

FISHWAYS IN THE NORTH RIVER.

Mr. GIROUARD asked :

1. Whether the Minister of Marine and Fisheries has considered the petition of the inhabitants of the counties of Terrebonne and Two Mountains, asking for the establishment of migratory fishways in the dams across the North River, between St. Andrews and St. Jérôme ?

2. Whether the department has sent an inspector to the locality in order to ascertain whether fishways can be constructed on the said river ?

3. Whether such inspector, if sent, has made a report ?

4. What are the results of the said report ?

Mr. COSTIGAN. 1. Yes. 2. Yes. 3. Yes. 4. In July, 1895, notices were served upon five mill-owners calling upon them to construct fishways in their mill dams across North River. On representations from the mill-owners that their dams were of such a nature as to be weakened, if not endangered, by the buildings of fishways therein, and that fishing interests there were not of sufficient importance to call for the large expenditure necessary to comply with the demands of the department, the local fishery overseer was directed to stay proceedings pending further instructions.

EX-SOLICITOR GENERAL'S PRIVATE SECRETARY.

Mr. McMULLEN asked :

What is the date of the ex-Solicitor General's resignation from that position ?

Who was his private secretary during his term of office ?

Has the person who acted as private secretary received the allowance since Mr. Curran's resignation, or has it been stopped since there is no Solicitor General ?

If the allowance is still paid, why ?

Mr. DALY. In answer to the first question, the date is 18th October, 1895. In answer to the second question, J. Mullin was the English private secretary, and P. Coté the French private secretary. In answer to the third question, No. In answer to the fourth, the allowance is not being paid.

HARBOUR IMPROVEMENTS—COUNTY OF GASPE.

Mr. BRUNEAU (for Mr. Choquette (translation) asked :

Whether it is true that a sum of $4,000 is to be expended by the Government for the improvement of the harbours, rivers, etc., between Pointe-à-Frégate and Ste. Anne des Monts, in the county of Gaspé ?

Has there been correspondence in relation to this matter with Mr. Joncas, M.P., and, if so, to what effect ?

Mr. OUIMET. (Translation.) In answer to the hon. gentleman, I may inform him that the department has received several letters from Mr. Joncas, member for Gaspé, in connection with the matter referred to in the above question.

DUTIES ON THEATRICAL SCENERY.

Mr. McSHANE asked :

Has the Government received any petitions or communications from the theatrical managers and citizens of Montreal in reference to the existing duty on scenery, costumes and pictorial printing ? If so, is it the intention of the Government to grant the petitioners' request in whole or in part ?

Mr. WOOD. The answer to the first part of the hon. gentleman's inquiry is, Yes. In answer to the second part of the question, I beg to say that it is the intention of this Government to give this subject careful consideration when tariff changes are in contemplation.

Mr. McSHANE asked :

Has the Government received any complaints from the theatrical managers who have been compelled to pay duty several times within one month on the same scenery, &c., entering Canada at different ports ?

Mr. WOOD. Verbal representations to that effect have been made.

PRIVATE CARS FOR USE OF GOVERNMENT.

Mr. CHARLTON asked :

1. How many cars, fitted up for the use of Cabinet Ministers, their guests and officers of the Government, are now in the possession of the Government, or have been in the possession of the Government, and in use for the purposes of Government officers during the last two years; and by what names are such cars designated ?

What amount of expenses have been incurred for each of said cars during the fiscal year 1895 ; for stewards, porters, furniture, fittings, glassware, provisions, liquors, wines, cigars, and all other outfit and expenses ?

What amount of repairs have been put upon any or all of said cars during the fiscal year 1895 ?

What amount has been, or is yet to be, paid to Canadian railway corporations for the haulage of said cars, or either of them, during the fiscal year 1895 ?

What amount has been, or is yet to be, paid to American railway corporations for the haulage of said cars, or either of them, during the fiscal year 1895 ?

Mr. HAGGART. Four, "Cumberland," "Ottawa," General Manager's car, "No. 34," Paymaster's car, "No. 35." The amount of the expenses incurred for each of said cars during the fiscal year 1895, for stewards, porters, furniture, fittings, glassware, provisions, liquors, wines, cigars and all other outfit and expenses, was :—Cumberland, $858.81 ; Ottawa, $663.31 ; General Manager's car, No. 34, $915.91 ; Paymaster's car, No. 35, $452.44. The amount of repairs put on these cars during the fiscal year 1895 was, $1,413.08. Nothing has been paid or is yet to be paid to Canadian railway corporations for haulage of these cars during the fiscal year 1895. Nothing has been paid or has yet to be paid to American railway corporations for the haulage of said cars during fiscal year 1895.

SUPERANNUATION OF MR. L. A. CATELLIER.

Mr. BRUNEAU (for Mr. Rinfret) asked :

Whether it is the intention of the Government to superannuate Mr. Ludger Aimé Catellier, Under-Secretary of State and Deputy Registrar General, and to replace him by Mr. Joseph Pope, now Assistant Clerk of the Privy Council ?

Sir CHARLES TUPPER. I may say in answer to the hon. gentleman, that the members of the Government are not permitted to disclose the advice that they may intend to offer to His Excellency. Therefore, the hon. member will see that I am unable to answer his question.

GERMAN TRANSLATION OF THE MANITOBA SCHOOL LAW.

Mr. DAVIN asked :

Has the hon. the Minister of the Interior received a copy of an authorized translation into German (printed and published by the Queen's Printer, Winnipeg) of the Manitoba school law ?

Whether the hon. Minister intends to provide that a like opportunity shall be given to the Germans of the North-west Territories to become acquainted with the school ordinances of the Territories ?

Mr. DALY. 1. The Minister of the Interior has received a copy of an authorized translation into German (printed and published by the Queen's Printer, Winnipeg) of the Manitoba school law. 2. This is a matter entirely within the jurisdiction of the executive committee of the North-west assembly, and I am not aware what their intentions are in this respect.

CUSTOMS EMPLOYEES AT TORONTO.

Mr. McMULLEN asked :

What is the number of all employees of the Customs Department at the port of Toronto ? The name and salary of each, and the date of their appointment, and whether permanent or temporary ?

Mr. WOOD. I must ask the hon. gentleman to ask that question by way of a return. I will get it for him in a couple of days.

ARTHUR SIMARD'S DISMISSAL.

Mr. ANGERS asked :

1. Whether the lighthouse keeper at Cap au Saumon, Arthur Simard, has been dismissed ?
2. If not, is he about to be dismissed ?
3. If the answer be in the affirmative, what were the grounds for such dismissal ?
4. Are the Government aware that Mr. J. U. Gregory, agent for the Department of Marine and Fisheries, ordered the said Arthur Simard, in November last, to come up to the city of Quebec, with witnesses, to undergo an inquiry with reference to the discharge of the duties of his office ?

Mr. COSTIGAN. The reply to the first question is, yes. 2. Same answer to the second. 3. Mr. Simard has been found not qualified for the proper discharge of his duties. 4. The Government are not aware that Mr. Gregory, agent at Quebec, ordered Mr. Simard to come to the city of Quebec. 5. In making inquiries or investigations, the department is guided by the circumstances of the case in regard to the place at which investigations should be held. 6. The Government are not aware that Mr. Simard expended any money in the matter. 7. That will be considered by the Government when it is brought under its notice.

EXPORT OF BUTTER.

Mr. BAIN asked :

What was the quantity and value of butter, the product of Canada, exported to Great Britain, for the six months ending 31st December, 1894, and for the same period in the year 1895, respectively ?

Also, the quantity and value of the imports of butter for consumpion in the Dominion, for the said two periods respectively ?

Mr. WOOD. 1. The quantity and value of butter, the product of Canada, exported to Great Britain for the six months ending 31st December, 1894, and for the same period in 1895, are as follows :—

	Quantity. Lbs.	Value. $
1894	2,489,211	491,808
1895	4,254,700	772,479

2. The quantity and value of imports of butter for consumption in the Dominion for the six months ending 31st December, 1894, and for the same period in 1895, are as follows : -

	Quantity. Lbs.	Value. $
1894	49,991	10,028
1895	41,809	7,764

PREFERENTIAL TRADE AND IMPERIAL DEFENCE.

Mr. McNEILL. I desire, with the permission of the House, to make a slight verbal alteration in the terms of the resolution I have the honour to submit. I wish to strike out the word "naval" in the last clause of the resolution, which will make the resolution more comprehensive in its terms. And the resolution so amended I shall therefore move, with the permission of the House:

> That it would be to the advantage of Canada and the Empire as a whole that a small duty (irrespective of any existing tariff) be levied, by each member of the Empire against foreign products imported by them, and that the proceeds from such duties be devoted to purposes of Imperial intercommunication and defence.

It is only right I should say that I have made this alteration to meet the views of my hon. friend the Secretary of State (Sir Charles Tupper), and that I do so with very great pleasure. The hon. gentleman and I do not, perhaps, take exactly the same view as to the amount of increased naval expenditure necessarily incurred by the mother country on account of her colonial possessions, but it is not very likely that we shall all be agreed upon all the details connected with so great a subject as that which is embodied in this resolution, and so long as we are agreed upon the main principles, I am only too happy to allow details to stand over to be discussed at some other time. I am very glad, indeed, to have been able to meet the views of the hon. gentleman who has done so much to promote the cause of Imperial unity, and who, on the other side of the Atlantic, has been a co-worker with us, who, in our humble way on this side, have been endeavouring to arrive at the same great end. By reason of the favour shown me by the electors of the North Riding of Bruce, and by reason of the indulgence of hon. members, I have had an opportunity of moving and carrying in this House two resolutions, which, as subsequent events have shown, have, I venture to hope, made materially for the unity of the Empire. To have been privileged to do so, is, in my judgment, to have been very greatly privileged—to have been privileged far beyond anything that a humble private member of this House could have dared to hope for ; and if I am so insatiable as to come here to-day with another resolution tending in the same direction, and ask for the support of this House for that resolution, my excuse is the overwhelming importance of the subject, and the urgency of the times. And, perhaps, it may not be improper for me, it may not be immodest on my part, to make this remark, in further palliation of my conduct, namely, that I do not think that hon. members of this House have any reason to regret or to be ashamed of the course which this House adopted in reference to the two previous resolutions which it did me the great honour to accept at my hands. It is true that my hon. friend, the hon. member for Queen's, P.E.I., (Mr. Davies) with that light—shall I say headed or hearted—well, I think for the sake of old friendship and by reason of his good conduct on a more recent occasion, I will say that light-hearted—gallantry which so often characterizes his attacks in this House, described the first resolution as perfectly absurd, and altogether unworthy of the serious consideration of a deliberative assembly. Another hon. gentleman gravely proposed that the House should proceed to business, that hon. members should not waste their time in discussing a matter which is altogether ridiculous, and the House should get down to practical business, and I believe, if I remember rightly, that this statesman proposed to reach a discussion with respect to a country post office. However, Mr. Speaker, the political instinct of the House rejected the view of those hon. gentlemen, and the result was that the resolution was carried by a large majority, but a majority, I regret to say, which was composed exclusively of members on one side of the House. I say I regret to make that statement, because, if there be any one thing more than another which those who have been trying to promote the cause of Imperial unity have striven for, it is to keep this question altogether free from the slightest taint of party politics. We have considered it a question too great and too high to be in any way affected by mere considerations of party politics ; so, from the very first, we have striven in every way within our power to induce hon. members on both sides of the House to regard it from a point of view absolutely above and beyond party considerations. I, therefore, regret that on that occasion the majority was composed altogether of members on one side of the House ; and, therefore, it was, Mr. Speaker, that I and every thoughtful man who has the interest of Canada and the Empire at heart, were most unfeignedly gratified to find on a recent occasion, that on the main question of all we were all united, French and English, Conservatives and Reformers, all were determined that the unity of this great Empire shall be maintained, and, furthermore, we were all agreed that the integrity of the Empire must be preserved at whatever cost and sacrifice to ourselves. The resolutions to which I have referred, are, I suppose, within the memory of most hon. gentlemen—one certainly is—but it may be well to recall the attention of the House to and remind hon. members of the terms of the first resolution, and there are no doubt some hon. members in the House who were not present when that resolution was carried. The terms of the first resolution were these :

> That if, and when, the Parliament of Great Britain and Ireland admits Canadian products to the markets of the United Kingdom on more favourable terms than it affords the products of foreign countries, the Parliament of Canada will be prepared to accord corresponding advantages by a substantial reduction on the duties it imposes upon British manufactured goods.

That is the first resolution which we carried. The second resolution I need not read, because it is in the memory of all hon. members and by it we pledged ourselves, when the occasion arose, to do our utmost for the defence of the Empire. The House has, therefore, solemnly and formally pledged itself to these two principles : in the first place, to the principle of Imperial reciprocity, or preferential trade within the Empire ; and, in the second place, to the principle that Canada is prepared to make substantial sacrifices for the defence of the Empire. The resolution which I had the honour of placing in your hands a moment or two ago, Mr. Speaker, is of this nature, that it proposes to use this preferential trade, which is so much desired by the colonial part of the Empire, as an instrument for producing the means of Imperial defence. It does so in this way : The resolution proposes that Great Britain and the other members of the Empire shall impose a small preferential duty on all foreign products imported by them, not imposing any duty, so far as this matter is concerned, upon English or colonial products, upon products raised within the Empire. Therefore, so soon as England agrees to this proposal and places a duty on foreign products imported into her markets and allows our goods to enter free, we at once have preferential trade, and, just in proportion to the amount of the duty thus imposed, do we have a greater or less amount of preferential trade. I hope that is clear to hon. gentlemen, because I know some hon. members did not realize that this was in reality a resolution in favour of preferential trade as well as a resolution in favour of Imperial defence. So soon as these duties are imposed by England against foreign countries and our goods are allowed to go in free, then at once we have preferential trade with England. This proposal, Mr. Speaker, is not mine. I cannot lay claim at all to the credit of having originated this proposal. It is the proposal of that South African statesman, Mr. Hoffmeyer, who made it as long ago as the time of the first intercolonial conference, in the Jubilee year of the Queen, 1887. It is true that when Mr. Hoffmeyer made his proposal, he had with a view only to the raising of a fund for Imperial defence. But he recognized at the time that it had within it the germ of preferential trade. Events have moved fast since then, very fast indeed, and those of us who have been paying any considerable attention to the progress of this great Imperial movement which is going on under our very eyes, and which is so rapidly forcing itself to the very forefront of Imperial politics, the Empire over, have observed that there are two thoughts in relation which are most engrossing men's minds. The one is that the safety of the parts requires concerted action for their defence ; and the other thought is this : that British subjects ought to have in British markets more advantageous terms than their foreign rivals, who any day may become their foreign enemies, and who give to their own subjects in their markets advantages very much greater than they accord to us. Those are two great thoughts which, at present, are swaying the minds of men who are looking for a consolidation of the Empire. But, Sir, while there are a great many who are equally impressed by both of these thoughts, there are some who are more impressed with the importance of one of them than with the importance of the other ; and this resolution in effect says to those who are most impressed with the importance of Imperial defence : Give us preferential trade and we will not only give to you the preferential trade which we have already proposed, viz., a substantial reduction of our duties in your favour, but we will also place these duties upon foreign goods, and we will appropriate the proceeds of these duties for Imperial defence. And, Mr. Speaker, to those who are more impressed with the importance of preferential trade than of Imperial defence, this resolution, in effect, says : If you will consent to appropriate these duties for the purpose of Imperial defence, that great boon of preferential trade which you desire, may be obtained. And that other thought I have already expressed is worthy of consideration, namely, that the larger sum that is appropriated for purposes of Imperial defence under this scheme, the greater amount will be the preference to be obtained in the greatest market of the world. This also ought to be borne in mind : That this sum which will be thus appropriated for purposes of defence, will, to some very considerable extent—but to what extent, of course, it is impossible exactly to say—will to some very considerable extent at all events, come out of the pockets of foreign rivals, who are seeking admission to the markets of the Empire. Now, I wish to call attention of hon. members to this phase of this matter: That these duties which are proposed, under this resolution, are altogether irrespective of, and outside of, any other duties which may exist at the time.

Mr. CHARLTON. May I inquire of the hon. gentleman what amount of duties he would propose to levy for the purpose covered by his resolution ?

Mr. McNEILL. Will the hon. gentleman (Mr. Charlton) allow me, for a moment, to proceed, and I will come to that point, and if I overlook it—I do not think I shall—I hope he will call my attention to it. I was saying, Sir, that these duties which are proposed to be levied under this resolution, are irrespective altogether of any existing duties, and therefore any modification in existing duties may be made so long as the modifications do not interfere with the principle of preferential trade. You may, under this scheme, if it be thought advisable, have free trade within the Empire. It does not in any way interfere with existing duties, except in this sense, that any alteration of the existing duties must not interfere with the principle of preferential trade. Now I will answer the question of the hon. gentleman (Mr. Charlton). The hon. gentleman asks me: What amount of duty I would suggest. My reply is: That to-day I do not very greatly care what amount of duty is fixed, so long only as the principle of preferential trade is maintained, so long as there be a substantial preference guaranteed in the English market, and so long as there be, also, a substantial increase in our expenditure for defence. I may say to the hon. gentleman (Mr. Charlton), that a duty of 5 per cent would cover our present military expenditure, and would cover our present expenditure for steamship subsidies, as well as the prospective expenditure for the fast line, and it would leave us some balance over. A duty of 7½ per cent, or a duty of 10 per cent would, of course, do more. But that is a matter of detail, and, in the meantime, all that I am proposing to this House is, that it shall accept the principle. All I want the House to accept, in the meantime, is the principle that preferential trade and defence shall go hand in hand together. But my proposal would be this: That a conference should be called to take up the details of this question, and to work them out. I am merely proposing at the present moment that this House shall adopt the principle, and when the other colonies adopt the principle, and when the mother country adopts the principle—as I venture to say one day they will do, and that day will be hastened by the action of this House—when they adopt the principle, Sir, then the details can very well be worked out.

Now, if I am asked, whether I consider that our present military expenditure should be a portion of, and should be defrayed out of this fund, I say: Yes, most assuredly. If I am asked, whether I consider that expenditure an expenditure for Imperial defence, I say, yes. I cannot consider the defence of half a continent any less than Imperial. If I am asked, on the other hand, do you propose to take the management of this fund, which is now expended for defence in Canada, out of the hands of those who at present administer it, and place it in the hands of some central body, I say I make no such proposal. I say there is nothing of the kind included in this resolution. It is not within the four corners of the resolution, either by implication or statement. All that the resolution says is, that the fund to be raised for defence shall be raised in this particular manner. As to who shall expend the money, it is not stated here at all. All that we assert in this resolution is simply this: That if preferential trade be accorded to us, we will devote the proceeds of these duties to the purposes of Imperial defence, and we point out, that the greater the amount of preferential trade, so much the greater, under this scheme, will be the contribution to defence, by the colonies.

Now, Mr. Speaker, it is not my intention to enter into a lengthy discussion on the principle of preferential trade. I have already discussed that question in this House more than once, and my views on the subject are very well known to hon. members. I have no desire to weary the House. Moreover, the House has already adopted in the most solemn way the principle of preferential trade. Neither do I intend to discuss the treaties which stand in the way of preferential trade, because, as a matter of course, if the mother country makes up her mind to grant us preferential trade, the clauses of those treaties which interfere with it must be denounced. It is unnecessary for me, therefore, to discuss those treaties. The Parliament of Canada has already expressed its opinion upon them. I wish, however, with the kind permission of the House, to call attention for a moment to the extraordinary growth in the mother country, of the sentiment in favour of preferential trade, and also to call attention to the importance of the action of this House in connection with the question. Let me remind hon. gentlemen that on the 25th of April, 1892, this House passed the first of these resolutions. As I have said, it was very much belittled by some of our friends in the House at the time. But on the very next day after the passing of that resolution, the "Times" published a leading article describing the resolution as an important one, and saying that if South Africa and Australia declared for the same policy, these united declarations might give rise to a new departure in the fiscal policy of England. Immediately afterwards, lengthy cablegrams were published in the leading papers of the United States, referring to the excitement that had been produced in political circles in England by the action of this House on that occasion. In one of these messages it was declared that in some quarters it was held that if Lord Salisbury would only go to the country on the question of preferential trade with the colonies, he would sweep the country. Then we had resolutions by Conservative associations and by Chambers of Commerce in England, one after another. I will just trouble the House with one of these resolutions, adopted by the Chamber of Commerce of one of the greatest and most noted cities in the Empire, the city of Birmingham, which was known for so many years as the city which sent to the Imperial Parliament the most eloquent and strongest apostle of free trade the world has ever known. What did this resolution, which was passed within ten months of the passage of the resolution of this House, say ? It was as follows :—

> That, as in the opinion of this meeting the future prosperity of British commerce must increasingly depend on our commercial relations with our colonies, and recognizing the fact that Canada has, by the resolution of her Parliament, invited the mother country to enter into an arrangement for reciprocal preferential duties, we hereby urge upon the Government the necessity of taking that invitation into their immediate and most serious consideration.

Mr. LAURIER. What did the Government do about that ?

Mr. McNEILL. I am afraid the Government has not done anything yet. That is just the reason why I am urging them to do something now.

Mr. DAVIES (P.E.I.) The Imperial Government ?

Mr. McNEILL. That is what I am speaking of.

Mr. CHARLTON. Did Lord Salisbury give any encouragement to the principle ?

Mr. McNEILL. I shall have a word to say about Lord Salisbury further on. The next phase in this movement was the summoning of a great colonial conference to Ottawa in 1894. We all remember that occasion. We all remember the scene in the Senate Chamber on the day on which those delegates from all parts of the Empire met together. I do not think there is an hon. member of this House whose mind was not turned to greater thoughts and filled with higher ambitions by what he saw that day. And for myself, I will say, that as long as memory lasts, I shall never forget the eloquent and noble words used by my hon. friend the leader of the Opposition descriptive of what he saw, and of the effect produced upon him by what he saw, on that occasion. The conference met—a conference composed of leading statesmen from all parts of the Colonial Empire of England ; and what did that conference do ? It endorsed the action of this House. It passed a resolution supporting the action of this House in adopting the resolution of the 25th of April, 1892. Therefore, we had in 1894, what the "Times" called for at the time of the passage of our resolution in 1892 : we had in the short space of two years the declaration by the colonial portion of the Empire in favour of the policy of this House. It is true, and it is unfortunate, that the action of that conference did not have the weight that it might have had, and that it ought to have had ; because, by reason of some strange arrangement which I have never been able to understand, Canada was considered in the vote of the conference as only equal to Tasmania. The North American colonies were federated, and I suppose, because they were federated—because they had advanced that further step in their progress towards Imperial unity—they had but one representative to vote for in the division. The seven colonies and the North-west Territories together counted one; and Tasmania, which is nearer in population, I think, to Prince Edward Island than to any other of the North American colonies, counted one.

Sir CHARLES TUPPER. Where was that ?

Mr. McNEILL. Here—at the conference. What was the result ? The result of that most unfortunate condition of things was this, that it placed a most powerful weapon in the hands of the opponents of preferential trade. And, when the question was asked in the Imperial House of Commons, what the Government intended to do with reference to the declaration of the colonial conference in favour of preferential trade, the answer was made, that, after all, the declaration was not a very strong one, for the vote was only five to three. In point of fact, if the North American colonies had received an equal representation with the Australasian colonies, the vote would have been 12 to 3, and that is the only fair way of looking at the vote, as, I think, my hon. friend the leader of the House will admit. But not only was that argument used against us in the House of Commons, but on two occasions, if my memory does not deceive me, the "Times," in a leading article, referred to the same fact. It was true, but it was only true on the surface, because, as we know, each of the North American colonies, in point of fact, had only, counting the North-west, one-eighth of a vote, while the Australasian colonies had a vote each. The vote of that colonial conference was, to all intents and purposes—whether you take the numbers of the colonies, or the population represented—12 to 3, a sufficiently overwhelming majority. I may say that it would be improper on my part, and improper on the part of all of us, not to recognize the very great services of the present Premier of Canada (Sir Mackenzie Bowell) in bringing about that conference. There is no doubt at all that to his energy and courage is largely due the fact that we had a conference at all, and the fact ought never to be forgotten.

Well, then, on the 11th July of that year the "Times" published an article, to which I shall call attention for a moment, because it is, from certain points of view, a very remarkable article :

> The problem would be greatly simplified if this country had adhered to the fiscal notions that still dominate the greater part of the commercial world. But our free trade system, great as are its benefits to ourselves and the Empire as a whole, leaves us with little means of striking turns and little power to discriminate in favour of the colonies. * * * It is remarkable that Englishmen should have acquiesced as calmly as they have done in arrangements which place them, as regards food, in a precarious and naturally dependent position. * * * By adhering to and developing the Imperial idea, and not in any other way, can we regain the self-sufficing position which the United Kingdom has so conspicuously lost.

Those are pretty weighty words. Then, on the 5th December, last year, the "Times," in a leading article, called attention to another very important aspect of this question, and one which is pressing itself more and more upon the attention of statesmen of the mother country. The "Times" spoke as follows :—

> It is a matter of common knowledge that the trade of the colonies with the United Kingdom is not increasing in proportion to the trade that the colonies are doing with foreign countries. In the case of some of the most important colonies, this disposition is very marked. Taking, in the case of Australasia, a comparatively recent period during which Mr. Chamberlain has asked for returns, it will be found that in 1881 the total external trade with British possessions amounted to £57,340,763. In 1892, it was £60,952,541, showing an increase in round numbers of little more than three millions and a half. The foreign trade of Australasia in 1881 was £7,213,916, and in 1892 it had risen to £14,394,557, or very nearly double the figures of the earlier date. Had trade with the United Kingdom progressed to anything like the same extent, the effect would have been of the utmost importance to British industry. The increase, on an examination of the detailed returns, will be found to have gone almost to the United States, Germany and France, and by so much has served to stimulate the competitive enterprise of those countries. An almost similar state of things is to be traced in the trade returns of South Africa, where also mining enterprise has of late shown a tendency to pass into French, American and German hands. In Canada where, twenty years ago, the imports from Great Britain formed 55 per cent of the entire imports of the colony, the proportion has now sunk to 37 per cent, while in the same period the proportion of imports from the United States has risen from 35 to 46 per cent, and those from France and Germany have heavily increased.

Hon. members will see what a strong hold this question of trade within the Empire is taking on the minds of the people in England. Then again, on the 16th December, we have a most remarkable cable message, which I desire to read to the House. And I would earnestly ask the attention of hon. members to this, because I think they will agree with me that it is a most remarkable evidence of the growth of this feeling in favour of preferential trade. I have here the "Mail and Empire," of the 16th December last. In this paper appeared a cable despatch from London. I think a despatch precisely in the same terms appeared in the Montreal "Star," and a message, in substance, the same, but condensed, was published on the same day in the Toronto "Globe." The following is the despatch I refer to :—

> London, Dec. 15.—The feature of home politics during the past week here has been the development of a marked advocacy of protection. The demands for a change in the fiscal policy of the country from free trade to protection, in one guise or another, have been more or less frequent for the past year or so. But the unexpected degree of prominence which the matter attained during the week has opened the eyes of the politicians to the extent to which the antagonism of free trade has spread in the provinces.
>
> The cattle show at the Agricultural Hall, Islington, has been the occasion for mustering in London of hosts of representatives of every branch of industry connected with husbandry, and the Cabinet Ministers have been overwhelmed with deputations, urging them to take steps to prevent British agriculture from being wiped out by foreign competition. The course suggested to the Government is a tariff upon a variety of imports.
>
> The Marquis of Salisbury,——

Now, this will be, no doubt, a grain or two of comfort for my hon. friend who asked about the Marquis of Salisbury a moment or two ago.

Mr. WELDON. Hear, hear.

Mr. McNEILL. It will be, no doubt, because it is in the direction the hon. gentleman suggested.

> —replying to one of these deputations, said that he could not hold out the slightest prospect of protection, and explained that his famous speech at Hastings in 1892 was misunderstood. He added that when he denounced Cobdenism and urged the country to arm for an attack upon the wall of tariffs, he never believed or expected a restoration of protection. This, with the replies of other Ministers, was extremely disappointing to a great body of their supporters, and the severe criticisms of some of the sturdiest Conservative organs, which followed, created quite a sensation.
>
> The "St. James Gazette"——

Which, I suppose, hon. gentlemen all know is one of the very staunchest of Conservative papers——

> —congratulates the Ministers upon pleasing the Radical press, "whose caresses," it adds, "may console Lord Salisbury for the distinct chilliness of the Unionist papers."
>
> The "Standard" remarks :—Under a Minister thus pledged to free trade, the farmers——

I do not quite follow this—I do not know what this means.

—should have free trade in the matter of sugar, i.e., fair competition against foreigners. Foreign governments should be informed that unless they cease paying a bounty on sugar, a duty equal to that will be levied on it at our ports.

I presume the word "farmer" is substituted for the word "colony," referring to the West India colonies. That is the only explanation I can give of that expression.

The "Morning Post" says:—Lord Salisbury would be far more in touch with the sentiments and wishes of the masses if he defended and expanded his protection remarks at Hastings. The bent of public opinion is directed strongly and firmly to a speedy alteration of the fiscal system, which only hurts those who employ it.

Hon. gentlemen all know the high standing of the "Morning Post" in London. There are some remarks about the proposal of the Government to assist the agricultural industries in their troubles, and then we have the following:—

There are 232 members of the House of Commons pledged to maintain the programme of the National Agricultural Union, and they will not accept other than a substantial instalment of their demands. "If the Government fails to satisfy us some how," said a leading agriculturist at a conference of the union, "let us make a clean sweep of them." This proposition was received with applause. Another programme of the union declares for preferential trading between all parts of the British Empire. This programme——

Will hon. gentlemen kindly listen to this:

—This programme obtains, besides the unanimous adhesion of the Conservatives——

This programme of preferential trade for the colonies.

—the growing support of the Liberals.

Mr. DAVIES (P.E.I.) As evidenced how?

Mr. McNEILL. I give this cable message as evidence, whatever it may be worth. This is a cable message sent here and published, not only in this paper, but in the Montreal "Star" as well.

Mr. MILLS (Bothwell). Sent by whom?

Mr. McNEILL. Sent here from England and——

Mr. LAURIER. The Cattle Bill was probably the outcome of that resolution.

Mr. McNEILL. It may be.

The circular of Mr. Joseph Chamberlain, Secretary of State for the Colonies, to the Governors of various British colonies, has raised the question of an Imperial zollverein into the sphere of immediate practical politics. The "Statist" argues that such is impossible, unless the colonies consent to absolute free trade with the mother country, but the tone of the Conservative, and some of the Liberal papers, tends to the acceptance of the resolution adopted by the late Intercolonial Conference at Ottawa, which declared in favour of granting to Great Britain only a preferential tariff over foreign countries.

Now, hon. members can take that statement for what it is worth. It may be an entire misrepresentation of the facts. It is for hon. members to say whether they think it is so or not. It would be a very extraordinary manufacture, I think, upon the part of the agent who cabled that message—

Mr. MULOCK. May I ask the hon. gentleman if he will kindly read the resolution of the Agricultural Union. Has he it there?

Mr. McNEILL. I have not got it here. But I think the statement that the Agricultural Union is in favour of preferential trade with the colonies, and the statement that the Conservative papers and some of the Liberal papers are advocating the same, and the statement that 253 members of the House of Commons are supporters of the programme of the Agricultural Union—all these should be worthy of consideration. I have also the statement of Sir Howard Vincent that two-thirds of the supporters of the government in the House are in favour of preferential trade with the colonies. I have also the statement which was read by the leader of the Heese when he addressed the Montreal Board of Trade on this subject, in which there is a quotation of another paper in England, the "Saturday Review." The hon. gentleman quoted the "Saturday Review," of January 4th, as follaws:—

And as soon as America is conciliated we must proceed to set our house in order. The greater part of the emigration into the United States comes from these islands. It would need but little to deflect the major part of it from the American North-west to the Canadian Northwest. A 10 per cent differential duty in favour of our colonies would settle up Manitoba in ten years, instead of settling up Minnesota and Dakota. This differential duty would restore prosperity to New Zealand and enrich Australia and Canada, while reducing to hardship and to straits the population between the Alleghany Mountains and the Rockies, which is now clamouring for war. There is a kernel of good even in things evil. Pressure on the outside, science tells us, increases the cohesion between the units that compose the body corporate. The threat of war by America will cause Englishmen to hold more closely together, and will diminish that selfishness on the part of the mother country towards the colonies which has hitherto been regarded as the true commercial policy of the nation, and which has never deserved the name of policy, because it makes for disunion and not for union, for weakness and not for strength.

That is another of the leading periodicals in London, the "Saturday Review," one of the very ablest journals in the Empire. Then, I have another extract, and I must apologize for reading so many, but I hope hon. gentlemen will forgive me. I think it is very important that the House should be put in possession of the facts, so far as these quotations will put the House in possession of the facts, in reference to the progress of thought in the mother country in connection with this great subject. I would like to read an extract which is perhaps the most important of any that I have read. for this reason. that it discloses the conversion to this policy of one of the very strongest opponents of the policy, a gentleman who was an opponent of the policy only last summer. a gentleman who argued most strongly against this policy when our friends met together and discussed the formation of the British Empire League. of which the Duke of Devonshire is the president. I mean Mr. Arnold-Foster. He most strongly argued against preferential trade at that time ; and I now desire to read an extract from an article which he has published in the "Nineteenth Century" for February:

> If, as there seems reason to fear. President Cleveland be determined to force war upon us. then war, of course. cannot be avoided. I believe that even in that sorrowful event this country is not without means of effective defence, and may indeed inflict upon her adversary an amount of injury which not even the United States can contemplate without alarm. If such a war were to end by freeing us once for all from our dependence upon a foreign country for our daily bread. and enable us to transfer to our own colonies the ninety million pounds which we at present pay annually to the United States for what our own people can well supply, then some compensation would be gained for a great and terrible loss.

He then proceeds to argue the point raised as to the cost of an Imperial understanding:

> Let us deliberately consider whether the advantage of getting our food supply from our own colonies and dependencies be not worth paying for ; let us find out how much we should have to pay——

You will remember, this gentleman is a great freetrader.

> —and, abandoning any absurd ideas that we can get food cheaper by making it dearer, let us see if our people have not the common sense and self-restraint to examine a very important national problem calmly, as I firmly believe they would. If once we can arrange this matter. the future of our colonies will be made, and not the most scrupulous stickler need then object to our asking the colonies in what way they propose to contribute to the defence of the Empire from whose existence they gain so much. It may possibly turn out that the result of the whole operation will be to make the quartern loaf cost a farthing, or half a farthing, more than it does at present. But if that were so, there is not the slightest reason to hold up our hands and shriek as if we had suddenly invoked the devil. That is precisely the course which some instructors of public opinion would have us adopt. But it is not a sensible course. It is conceivable that the people of this country, even the poorest of them, may think that, as a matter of fact, it is reasonable to make some sacrifice for the public welfare. The sacrifice will be infinitely smaller than the blood tax which is demanded from, and cheerfully paid by, continental nations. If the payment resulted in bringing unheard of prosperity to Canada, Australia, the Cape and India, and in making those countries desirable homes for British workers and profitable destinations for British capital, the people of this country would not perhaps complain.

Now. I think that hon. gentlemen will surely regard these extracts that I have read as of some little importance in connection with this question. I remember very well. that Sir John A. Macdonald used to say that just as soon as the peole of the mother country came to realize the peril of being dependent on foreign nations for their food supply. and came to understand that these foods could be supplied to them by their own colonies. we would be very near to the time when we should have preferential trade. Well, Mr. Speaker. events which have transpired recently have convinced the people of the mother country. have brought home to the people of the mother country in a very strong manner indeed. the reality of the peril in which they stand. and. as a result. they have turned to the colonies. and the question is eagerly asked to-day in the mother country : How far can the colonies supply our food requirements ? Sir. there can be only one answer to that question, when the people of the mother country come to consider it seriously. as they are doing now. We know perfectly well. I said it myself in Sheffield. and I say it here. that, if we have only granted to us preferential trade, we can smother the people of the mother country in wheat ourselves. if necessary. Now, I have adduced no argument whatever in favour of preferential trade : I have simply been pointing out this fact. that. whether preferential trade be good for Canada or bad for Canada. good for the Empire or bad for the Empire. good for the mother country or bad for the mother country. there is a rapidly growing public opinion in favour of that policy. and that is the point which I want to impress upon this House. Now. Sir. as I have said. I do not want to discuss the question of preferential trade at any length at all. but there are just two points that I want shortly to deal with in regard to that question. There are two arguments of a very different kind ; one of them is a very important argument. one deserving the very gravest consideration, and that is that the foundation of the trade prosperity of the mother country depends upon her being able to produce as cheaply as possible, well-manufactured goods ; and that the proposal for preferential trade is a proposal, in point of fact, to put a tax upon raw material in favour of the colonies ; because the goods that the mother country obtains from her colonies, are practically raw material. if you include the food supplies as raw material. The putting of a duty upon the raw material means, they say, an increase in the price of raw material ; that means an increase in the price of the manufactured commodity ; that means that England will be less able to compete with her great rivals in the markets of the world. That, I think, is a very important consideration, it is a very strong argument, an argument, as I have already said, which deserves the very gravest consideration. But with respect to that I would say, in the first place, that I think it rests upon a mistaken assumption of a premise. I am not going, however, to enter into a discussion of the general principles of the question at all. In reply to that argument I wish to state a fact, and I desire the House to consider the fact that I state, and I ask the House not to be too much startled by it, for it may be a little startling to some hon. gentlemen. I am going to speak of the foreign trade of England. England's exports of manufactures last year, which was an unusually favourable year, amounted to the value of £196,000,000 sterling. What did her imports of manufactured goods amount to ? They amounted to the value of £125,500,000 sterling. In other words, England imported of manufactured goods about two-thirds in value of all she exported. Of the goods she exported fully one-third went to her own possessions, and therefore England exported of manufactured goods to foreign countries just about the same amount in value as she imported from foreign countries. What follows ? It seems to follow that if England were to lose some of her foreign trade by putting on duties against foreign competition in favour of her own colonies, she would gain as much by the recovery of her own market as she would lose in the foreign market, and she would have to the good the enormous advantage she would obtain by preferential trade with her colonies and by building up her colonial empire. That is my answer to the first argument. With respect to the second argument, that is an argument of a different kind. It is this, that England's trade with her colonies is comparatively small compared with her trade with the rest of the world. That is an argument for which I have no respect whatever. I think it is a poor, narrow, contemptible, contracted argument, worthy only of the little England school in the very zenith of her glory—of her glorious glory—when the good lady flaunted about in the very best bib and tucker which sweating system could produce, and plumed herself on the cheapness of it. It is a petty, contemptible, shortsighted argument. Let us suppose a man who has an interest in two fruit farms. One belongs to a company, some of the members of which are hostile to himself ; the other he obtained by inheritance and made over to members of his own family, who were loyal to him and who were filled with affection for him. The farm of the company yields the largest amount of fruit. Some of the trees are going out of bearing, however, and he is losing a portion of the farm from time to time. On the other farm the trees are young, strong, healthy and vigorous, but they are only just coming into bearing, and the amount of fruit received is comparatively small. It is as if the man having the interest in two such farms were to say : I will cultivate the farm belonging to the company, even though some of the partners be unfriendly, because I obtain a larger crop of fruit from it to-day than from the other. I venture to say that the man who uses that argument to which I have referred is a man who is scarcely able to look beyond the silver streak. The man who cannot project his mind even a very little way into the future and see something of what this great Empire must become, is in my judgment a very short-sighted statesman. There is no one here who can fail to see, always supposing there is no great national calamity, that the trade of Canada must within a comparatively short space of time, as we measure the life of nations, be equal to the trade of the United States to-day. We find that per head of our population our trade is four times as much with the mother country as that of the United States with Great Britain. The people of Australia and South Africa buy from England four times as much as we do. Is not the trade of this great colonial Empire, with all the mighty people that will inhabit it, in the near future, worth securing to-day. England is losing it ; the "Times" says it is notorious she is losing it ; all the world knows it. The people of our own Empire stretch out their arms to her and ask her to trade with them. They say : Trade with us and we will trade with you : you can help us and we can help you. Give us a preference in your markets to-day, and we will secure to you the lion's share of our trade, as against your rivals, for generations to come. And this great politician goes to his book-shelves and takes down his book and puts on his spectacles and looks up his column of figures and sees that England's trade with foreign countries is very much larger to-day than is her trade with the members of her own Empire. He sees that, and he sees no further ; and I say that such a man is not only short-sighted, but from the standpoint of the statesman, he is well nigh stone-blind. Time was, Mr. Speaker, when those of us who believed in the consolidation of the Empire were regarded as dreamers of vain dreams. We were jeered at, we were held up to ridicule for a little while. Our opponents had their little jeer and their tiny jest, and I do not think any one grudged them. For, Sir, we had an unfaltering faith in the Imperial and self-governing instincts of the race. We knew, as Matthew Arnold has it : That the majestic river floated on, and we knew that it drew to its breast from either side, the rills and brooks as it went. If we wanted our revenge—and I do not think we ever did—but, if we wanted our revenge, we had it on the 31st of January when Lord Salisbury, who himself at one time was inclined to be somewhat sceptical, and who on one occasion described Imperial federation as a subject which lent itself rather to eloquent peroration than to practical politics; I say, Sir, on the 31st of January we had our revenge when Lord Salisbury used these words:

> Surely the lesson which has been taught us by those recent times, is that all parts of the Empire must draw together. If we are in trouble in the new world and the old, it is not because we have thought of any domestic interest attaching to England. It is because we have been anxious to defend the rights and the security of colonial brethren, and the colonists have answered in the spirit in which we have acted. They have sent us back assurances of sympathy and support which have been of the greatest encouragement in the troubles that we have had to deal with. We all know how difficult it is to find any formula or statute for the federation of the Empire, but we yet feel that something greater than formulas or statutes is driving the Empire together; is forming a federation which will be a reality before the expression to denote it has been invented.

These were the words of Lord Salisbury on the 31st of January last. I have only one other quotation to make and then I will conclude. I want to call the attention of the members of this House to the words of the Imperial statesman who is especially responsible for the welding of the Empire, and who is, as a matter of course, in a position to be best informed as to its condition and its requirements at the present day. A few days before Lord Salisbury had spoken, Mr. Chamberlain made use of these memorable words:

> I have long believed that the future of the colonies and the future of this country were interdependent, and that this was a creative time, that this was an opportunity which, if once let slip, might never recur, for bringing together all the people who are under the British flag, and for consolidating them into a great self-sustaining and self-protecting Empire, whose future will be worthy of the traditions of the race.

These are the words, Mr. Speaker, which I consider, have justified me in taking up the time of the House to-day, and in bringing this subject to the notice of hon. gentlemen.

Mr. DAVIN. In rising, Sir, to second this motion, I am gratified to know that my hon. friend (Mr. McNeill) has gone so fully into the argument, that I need resort very little to the main arsenal of our eloquence in this House, namely, statistics. My hon. friend, in the conclusion of his speech, used the phrase "nobody with the foresight of a statesman," and said such a person would find it difficult to take any other view than that which he was pressing on the House. Sir, it is because the great majority of statesmen have no foresight whatever, that men like my hon. friend (Mr. McNeill) and others are obliged, in each age to stand out from the rest of men, advocating theories which in advance of the times are crystallized into legislation in an after period of history. It is, Sir, because the mass of men who are called statesmen, instead of having foresight, can generally not see further than their noses. But, all great things are simple once we get at their formula.

An hon. MEMBER. Louder.

Mr. DAVIN. Is my hon. friend hard of hearing? I hope he is not blind as well as deaf. But, if he should be, and if he is interested in this subject, I shall endeavour to coach his intelligence as well as to reach his ears. Now, Sir, as a fact, in England, and all over the continent, and in ancient times, and here in Canada, it is the exception to get statesmen who see far off. Why, we can all remember how in this very House, men regarded the building of the Canadian Pacific Railway within the time it was built as a simple impossibility; and statesmen in England have in my opinion been just as short-sighted as statesmen elsewhere. The question now before us belongs to that class of subjects which are brought forward from time to time in assemblies of this kind, and pressed upon the attention of the country. It is of the class of policies, which, however far-seeing statesmen may be, it would be improper for them to take up, when they are initiated, but which being pressed upon the attention of Parliament, and on the attention of the public, gradually materialize. They are studied, and often what was a doubted proposition of yesterday becomes the conviction of to-day; and then the far-sighted statesman, and the short-sighted statesman, when he happens to be a practical man, can alike take such a matter up. Any one who has observed the course of Lord Salisbury for a few years, cannot fail, in reading between the lines of his utterances, to come to the conclusion that Lord Salisbury has been converted for some years past to the proposition of preferential free trade. But, he is the leader of a great party, and at present the head of the government, and Lord Salisbury is in the hands of the electors of England, and of course as a statesman, his duty and his interest, is, first, to convince the masses of the country, and in a way, the masters of the Empire, namely, the voters of these two Imperial islands. The way I read Lord Salisbury's utterances—at one time talking like an enthusiastic convert to the views of us protectionists, at another time harking back from that position—is that the educator of the public is talking at one time, and the statesman who is responsible to a great party and dependent on votes, is talking at another time. I am quite convinced that you could have no better index of the change that is taking place in public opinion in England in regard to this and similar questions which my hon. friend has brought before the House, than the utterances of a man so experienced, whose training and native character of mind both fit him so completely to be an observer of facts. This question—if you regard it in the light of recent events, or if we had no such events to quicken us in the direction in which my mind at the moment travels—is one of those questions that cannot properly be discussed unless you remember that man is not ruled solely by political economy any more than he lives by bread alone. Looking at the history of ocean empires of the past, in ancient and in modern times, without going into detail, we find—and the proposition will commend itself to every man familiar with the history of Tyre, of Athens, of Venice, of Holland, and of our own Empire—that a great ocean Empire like England cannot recede. She must continue to go forward. When she begins to pause, she must take the next step backward. She cannot hold back from progress. She must expand. She is like a great oak of the forest that grows strong and powerful in every direction as long as her branches spread out and gather sustenance from the air and the winds of heaven: but lop off those branches, and you have only a pollard, hollow, weak and contemptible, and only interesting by comparison with the power and amplitude to which it furnishes so great a contrast. As the oak tree—to continue the figure—receives strength and power not only from its roots, but also from its branches, in the same way an Empire like England—and England is now, I am glad to say, beginning to realize this—draws her strength not merely from the body and heart within those Imperial isles, but also from the branches which have spread out from her, and in which in every age is to be found her most adventurous sap—her most heroic and wilful sons. Sir, you have only to try to imagine what would be the consequences, both in a direct practical loss of power, and also in that loss of sense of power, that loss of moral sap, of moral order and moral strength, that England would suffer if her colonial possessions were, as some foolish persons have from time to time suggested, cut away from her. We have an example of that in the case of Holland. Holland was at one time a great Oceana—a great sea power. It looked at one time as if she was to be the great sea power of modern times. But England—partly because of inherent advantages belonging to those two islands, but also because the vigour and energy of English colonizing power outdid that of Holland—outstripped her in the race for ocean empire. She continues to-day to maintain her superiority; and there is no apparent sign that she may not be able to maintain it for centuries to come. And now, Sir, what was it that made Tyre, for instance—all that Tyre is described in that celebrated chapter in Ezekiel?

Mr. CHARLTON. Give us a part of the chapter.

Mr. DAVIN

Mr. DAVIN. I am not going to take coals to Newcastle, and quote Scripture to the hon. gentleman. Again, take Athens, or take Venice. What gave them their power? It was simply their unequalled maritime ports—their unequalled maritime position at the time. And, Sir, you have many reasons in England and in Ireland why they have become the ocean empire. they are—because you have in those islands the finest ports in the world. But go to England's possessions—go to Canada, and you will find there also some of the finest ports in the world. Go also to the southern cross, and you will find there some of the finest ports in the world. And, Sir, in the Antilles—those islands that circle round the Caribbean Sea like a necklace of jewels—we had the means of wealth and power for the sons of England, until the policy, not of far-sighted statesmen, but of short-sighted statesmen—of those men who would be forward to oppose such a proposition as my hon. friend has brought forward—reduced island after island in that quarter of the world to barrenness and weakness; and those of them that are at the present time sources of wealth at all, are sources of wealth, not to England, but to the United States. But at that time, as any one who has conversed with those who have visited the West Indies, those islands where the Empire's greatest battles were fought—knows that you have only to think of those little islands scattered around that central sea, and memories come to you that bring before you what is the real source of our anxiety for the adoption of a policy such as is proposed. That is, that in those seas, and in other seas, aye, in every quarter of the world:

> Never was isle so little,
> Never was sea so lone,
> But over the scud and the palm tree
> An English flag has flown.

All over the world, our race has, by its valour, won for itself a commanding position, from their bones are made the pillar on which this great British Empire rests to-day. This brings me to the kind of consideration in which one, on an abstract occasion like this, is apt to indulge in. This is a proposition looking towards closer union between the various parts of the Empire. Why is it that we long for closer union? Why is it that we long to see that Empire wrought more strongly together? Why is it we want to see the Imperial sap circulating more freely through all the branches? Is it simply that more men, calling themselves Englishmen should eat better, should read newspapers, should have homes, should feed and sleep and drink and rest better? Not at all. That is part of it. We want to see material happiness diffused. But that is not the idea which governs us when we desire to see the Empire more closely knitted together, and its power advanced. We have before us the exemplification of the great truth that the abstract is greater than the concrete, and that there can be no moral greatness for a nation or a man until an ideal has been created and become, to some extent, a part of the nation or the individual. It has a material base, but there it stands superior to everything material, the ideal that lifts the man and the nation above itself, so that when the little flag that represents it flouts the sky, the Englishman, the Scotchman, the Irishman, and the French Canadian, who has the Imperial instinct in his nature, is ready to make any sacrifice for that piece of bunting which represents so much devotion and heroism, so much glorious death, which is better than any amount of ignoble life. When we come to think of the British nation, not merely do we think, looking to those islands that I spoke of a moment ago, of the valour of Rodney, or looking to the Mediterranean, not merely do we think of the valour of Nelson, not merely do we think of the thousand battlefields of the Imperial race to which we belong and which show that noble life and noble death is the only thing worthy of noble men, but we think of that noble sentiment put into the mouth of the old Greek hero :

> One crowded hour of glorious life is worth
> an age without a name.

One crowded hour of memory, given to us as British men, is worth any amount of political economy and prosaic statistics telling us how much we have gained and how much lost. Away with the enthroning this ledger view of national greatness ; it is important, but essentially subsidiary. The real greatness of the nation, as of the man, is moral greatness, and it is because such a proposal as that of my hon. friend tends to preserve that sentiment that it should command our support. Why, who that has any care for what is glorious in history but would feel as if life had been deprived of all value, if any misfortune should smite down that Imperial idea—that British Empire—that rises before us now. We are not thinking of the men toiling in Sheffield, we are not thinking of the men reaping in the fields, we are not thinking of the thousands crowded in London. No, we are thinking of that British Empire which is the abstract greatness of the British race, and which is surely as true a divinity for British men as Pallas Athene was for the Greeks. I heartily second the motion of my hon. friend, as the first step in the solution of the problem which is placed before us of bringing together peoples—nations, at all events in width of populations—such as must inhabit this country, such as must inhabit Australasia, such as will inhabit South Africa, such as will, I hope, again be found inhabiting the islands of those several seas ; and if we can only bring all of these together, without loss of self-respect on the part of the extremities of the Empire, and without loss of the Imperial dignity that is dear to the hearts of Britishers, we may look to the creation of an Empire compared with which even the Empire of England to-day might be small in comparison. The solution is a difficult one, and for this reason. The child is like the father ; the British people, accustomed to free government, would not brook any other people ruling them ; and their off-shoots, Canadians, Australians, Britishers of the Cape of Good Hope, will not subject themselves even to the inhabitants of the British Islands. But it seems to me that the English people are getting into a mood in which we can solve it. The problem before us is not a union between a superior, looking down upon our colonies, and the colonies, but a union between co-equal nations all over the world—some of them, indeed, bearing the relation of child to England, but co-equal, sharing the burdens of the Empire, participating in Empire, and making such an Oceana as the world has never yet seen. I may say that the people do not need as much waking up as the statesmen. Disraeli, dreamer, to some extent, as he was, had the intuitiveness that belongs to the man of genius. He thoroughly realized that the mass of the English people are more Imperial and more conservative than the smug middle class, the shopkeeping class of the people. Their business, their functions have a tendency to produce certain virtues and certain defects, and there are certain domestic virtues, certain quiet virtues that belong to the small trading class, and we see these in the middle class in England, but they are virtues that are not consonant with what you would call Imperial instincts. And I remember when Lord Russell was trying to pass his Reform Bill in 1866, I was then just winning my spurs as a journalist. I was then earning the first money I ever earned as a journalist, and I made it a point to aid me in my writing to try and become familiar with the sentiment of the mass of the people in regard to the Reform Bill which Mr. Gladstone had placed before the House of Commons. And one of the most instructive ways in which a man could do this was to get on the knifeboard of an omnibus going off to Putney—a very long ride—and hear the people talk. One day I was sitting on the front seat of an omnibus near the driver, a great, big, stout Englishman—a thorough John Bull. We were passing the Houses of Parliament and I said : What do you think of this Reform Bill Mr. Gladstone is trying to pass—Lord Russell's Reform Bill ? He answered : We don't want no Reform Bill. I said : Why not ? Well, I cannot give you the answer in the heroic language my friend, the driver used——

Mr. GIROUARD. Go on.

Mr. DAVIN. No, nor could I translate it into French for my hon. friend ; it is untranslatable. But it was, in substance, this: We don't want any ragged-clad fellows in there. That expresses his idea, but the picturesqueness is gone. It was a rough answer, but it indicated the sentiment in the minds of the masses of the English people. As you will see if you attend their meetings, or watch them in their amusements, they respond to the Imperial idea. So that if Lord Salisbury, as I surmise, is trying to educate the English people up to the acceptance of a step like this, I do not think he will have so much difficulty as some may have expected. Look at the matter in the light of events. Recently England was menaced, and that turned men's attention to the question as to whether the Empire could feed itself. Magazine article after magazine article has appeared upon that subject, waking up the English statesmen to the fact that England has scattered over the embracing seas colonies with mineral resources and agricultural resources greater than those of the mother country herself, and all they have to do, instead of frowning on these children of the old land, instead of treating these children in a stepmotherly spirit, is to adopt the policy which every man who is familiar with the history of England knows was adopted when she was building up her commercial greatness —direct the energy of the mother country to the solving of the problems of the hour and send emigrants to those colonies and let us have a combined emigration policy for Canada and elsewhere, and let them show that kind of family preference for our goods that nobody could object to. This done, I believe we shall have taken a great step forward. Now, it just occurred to me that this motion might, perhaps, have even been improved if it had taken the form—some may say it is six of one and half a dozen of the other—of a declaration in favour of admitting the goods of the colonies at a lower rate than the goods from foreign countries.

Mr. McNEILL. May I call my hon. friend's attention to the fact that the first resolution we carried did propose to let English goods in at lower rates of duties than those of other countries. But, of course, we could not get our goods into England at lower rates than now, for there is really no duty upon our goods.

Mr. DAVIN. You are quite right. But it occurred to me as I was speaking. It occurred to me that it would sound better.

Mr. CHARLTON. It is very much a matter of sound, anyway.

Mr. DAVIN. My hon. friend says it was very much a matter of sound. I am afraid, really, that my hon. friend——

Mr. McNEILL. He is not sound.

Mr. DAVIN—does not approach this question in the sympathetic mood we should like. My hon. friend does not realize that the true mood of criticism is appreciation, not cynicism. He cannot truly judge a book, or anything else, in any other way. I have been a critic myself; I used to suck my sustenance through a critical quill, and I always bore in mind what was said by a great tutor of mine, that the true mood of criticism is appreciation, not depreciation. The easiest thing in the world is to condemn and sneer, but the hard thing, and the thing that will test the critic's real power, is to get out of a book, or anything else, what is good in it.

Mr. MILLS (Bothwell). You are surmounting the difficulty.

Mr. DAVIN. My hon. friend from Bothwell (Mr. Mills) gives us so little in the way of compliment that I cannot but say to him that the smallest donations are thankfully received. Let me follow these suggestions further. Suppose we had it that not only colonial goods, but goods from British ports should have an advantage in the ports of England and Ireland and Scotland over those from foreign ports, what would be the result? It would direct the whole trade of the western states from New York to Montreal, and it would make Montreal, in a very short time, great as it is now, still greater in magnitude and in commercial importance. It would make the St. Lawrence what nature intended it to be, the great highway from the vast producing areas in the centre of this continent, and would add greatly to the wealth and importance of Canada. And let me say, in this connection, that the way to build up a city like Montreal or Toronto is not with trade near it, merely. Some time ago when the Toronto people were asking what was to build up Toronto, what was to fill its empty houses, what was to make it as prosperous and as populous as it was supposed some ten years ago by Torontonians, it was about to become. The answer is, if I may say so, just episodically. People up the North-west Territories, fill the North-west Territories, make the North-west Territories populous, and there you will have customers for your manufactures for many a year, because ten, or even twenty years may elapse before in the North-west we shall have manufactures, and the people going in there will buy implements in the east. The Ontario farmer, when he has bought an implement, does not need another one for a few years, but there we ought to have an ever-expanding population sending to Toronto, and Montreal and other cities, for their products. Now, if we are to be as useful to the Empire as Canada is able to become, one of the things we must do, and one of the things the Imperial power should do, and is doing, is to make that North-west the teeming producer of products for the central part of the Empire. Anybody who has visited that country—and the leader of the Opposition has visited it, and appreciates it, as he has in many an eloquent word declared —will see that that North-west is capable of supplying all the food that at present is got from the United States. But, Mr. Speaker, in sending wheat to England, it is not the United States we have to fear. We can compete with the United States. If we had only the United States to compete with, wheat would not be what it is to-day, and I am sorry to see it is falling in price. What we have to fear is Argentina; we have to fear the great competition from Argentina; and it is possible, and I think even probable, that if the Empire were to accede to the proposal of my hon. friend, the result would not add even the farthing to the price of the loaf, that advantage could be given to the colonies without even adding the farthing to the price of the loaf.

Mr. DAVIES (P.E.I.) How ?

Mr. DAVIN. I said it is possible, and even probable; and I will tell my hon. friend how. First, it might occur in this way, that whatever duty of advantage was given, whatever duty was placed upon wheat coming from foreign ports that was not placed upon wheat coming from Canada and Australia, that duty might be such as that the immense amount of wheat cultivation they have gone into in Argentina, and the cheapness of the methods by which they can produce wheat there, might enable it to jump over that barrier in order to compete with us. Under these circumstances it might do us little or no good. But the chances are that what would happen would be that, as Mr. Foster has calculated, some slight addition might be made to the cost of the loaf; and if so, and even after that, the chances are that we should get the advantage, because it is a well-known fact that the price of the loaf in Canada and the price of the loaf in England do not bear a strict relation to the price of wheat. As we know in Canada, it is one of the things that is very annoying to any one who takes an interest both in the farmer and in the poor; it is very annoying that wheat should drop and yet that the price of the loaf should remain the same, either because of combinations, or for what other reason it is not necessary for my purpose to inquire. On the other hand, sometimes wheat goes up, while the price of the loaf remains the same, so that the price of the loaf may not be enhanced at all, although the price of wheat to the producer of the flour, and ultimately to the producer of the loaf, might be enhanced.

Mr. McNEILL. I think it has been computed that a turn of as much as ten shillings a quarter might occur without changing the price of the loaf, that is to say, wheat might be ten shillings a quarter more than it is, say, at the present moment, and yet the price of the loaf not at all increased.

Mr. DAVIES (P.E.I.) By what authority does the hon. gentleman say that ?

Mr. McNEILL. There was quite a discussion about that some years ago in England, and many persons who went into the subject very carefully, came to that conclusion.

Mr. MILLS (Bothwell). That depends on the bakers' profit.

Mr. McNEILL. Of course.

Mr. DAVIN. Now, Sir, those of us who believe in an Imperial policy for the Empire, not merely at Westminster, but here in Canada, under the southern cross, all the world over, wherever British power is felt, we take this view; I certainly take it, and I believe it is generally shared, that the inspiration for this Imperial expansion has really come from the colonies, the heroic blood that has come from the centre of the Empire to the extremities, has been given back to the old lands, and where these old lands seemed to falter, as though the weary Titan, to use Matthew Arnold's language:

> Staggered on to her goal;
> Bearing on shoulders immense,
> Atlantean the load,
> Wellnigh not to be borne,
> Of the too vast orb of her fate.

Where she seemed to falter, the colonies have said to her for years: Go on, what you have done in the past is nothing to what you may yet do. We consider the inspiration has come from the colonies, and, Sir, it is of good omen that we have now at the head of the Colonial Office a man of not merely practical—as practical in business matters as any of us, as practical in business matters as my hon. friend from Norfolk (Mr. Charlton), as practical as the most thorough delver in statistics around or before me—but we have a man of ideas, a man full of new ideas, a man of energetic character, a man of political faith—Mr. Chamberlain. I believe you will find that he has already directed his mind to one of the weak spots in the Empire, and is about to make it all it ought to be, the Island of Dominica in the West Indies. That is one of the best parts of the Empire for development and exploitation, and Mr. Chamberlain intends to make it all it ought to be, a source of wealth to the Empire, a place where the sons of the Empire can go, and also a source of Imperial and warlike strength. Now, Sir, let me say this in conclusion. England has the greatest possible interest in adopting any policy of this kind that will bind her colonies closely to her, or will make her colonies feel a co-equal interest in her Imperial safety and her Imperial progress and advancement. She has the interest of self-preservation in it, because you have only to think for one minute how completely her commerce would be at the mercy of a hostile power if she were without the coaling stations of the Pacific, without coaling stations on the western Atlantic, without coaling stations in the Caribbean Sea, and among the Antilles. If she was without coaling stations in the southern seas, where would be this vast commerce that dreamers like my friend Goldwin Smith speak of as being all in all —if the Empire were to throw away Gibraltar, and throw away Canada, and throw away various portions of the earth, whether regarded from the point of view of commercial advantage, or as furnishing an impregnable world-wide panoply to the Empire itself? Why, Sir, her commerce, by a hostile power, could be cut completely away, and she could be reduced as though by the fiat of the Almighty to the helplessness of Holland. As I commenced, I conclude, that this is purely a question of commercial advantage, both to the colonies and England ; but the commercial advantage is small compared with the moral, the national, the Imperial advantage, the advantage that makes the wealth of life for the citizens of a great nation, the advantage that makes it so much a richer thing to be an Englishman, a citizen of this Empire, than to be the citizen of some paltry state, whose glory is of the past, and is now without weight in the councils of the world. All this has to be taken into account, the sentiment as well as the pounds, shillings and pence, and both in this matter, in my opinion, point in the same direction, and that is the adoption by this House of some such resolution as that of my hon. friend who has been, as he is now, one of the members in this House most open to receive new ideas, most ready to uphold here the interests of the Empire, and who will deserve this tribute when the history of the Imperial movement in Canada comes to be written, that he was the earliest, perhaps, I think the first, to press upon this House and press upon the country, with his enthusiastic spirit and eloquence and feeling words, the necessity of consolidating the great British Empire.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. WELDON. Mr. Speaker, I desire to call the attention of the House to the fact that the resolution moved by the hon. member for North Bruce (Mr. McNeill) consists of two parts. It contains, in the first place, a statement of the proposition which this House proclaimed four years ago, that it would be to the advantage of Canada to have preferential trade relations with the other parts of the Empire ; and, in the second place, a statement which now appears for the first time in specific form, though the principle was undoubtedly declared in that resolution which unanimously received the sanction of this House some weeks ago, that we have taken our place in the Empire, and her fortunes are ours. One word with respect to the second part of this resolution, which contemplates the creation of a fund for Imperial defence, a part of the resolution which, I think, will be most challenged by hon. members, if any part of it is challenged. Reading the text in the light of the statement which the hon. mover has made, it would seem to indicate very little more than that in this new way a fund would be raised, principally for an old service which has been provided for out of the consolidated revenue fund, and for other services to which the funds of this country are pledged, though these expenditures are not now bearing upon them. I understood the hon. mover to indicate that this defence fund, so-called, or this fund to be devoted to Imperial intercommunication and defence would cover the amount now incurred for the militia vote, the amount of the grant we are contemplating giving for a fast steam service, when the contract is entered into, and also the amount we intend to contribute for cable communication between this country and British possessions in the other half of the globe. If that is the substance of the scheme, it will probably excite little hostility, and though it might seem to be somewhat pretentious, yet, in fact, it would carry with it very little that is new. The import foreign trade of Canada, that is, goods for home consumption entering Canadian ports, amounted, last year, to the value of $70,000,000. It is clear that a very low duty, whatever rate or percentage the hon. mover may have had in his mind, a duty of 2½ per cent would easily cover the cost of those services, the militia vote, the vote for a fast steamship line and the proposed vote for Pacific cables. Of course, if the hon. mover contemplates a larger percentage than that, something like 5 per cent, which has often been spoken of, there would be a much larger fund raised than was necessary for those three services, and the discussion as to the disposal of that fund would undoubtedly raise new, large and embarrassing questions. But I take it that we may discuss the resolution in the light of the statements of the hon. gentlemen who have already spoken to it, and I take it for granted that the money raised will be enough for those services, called in the resolution Imperial services, a large word to describe them, yet, in a sense, they are truly Imperial. I take it, also, that we need not concern ourselves in this discussion with the idea that we are raising a fund for general Imperial purposes. If there were any large surplus available for that purpose, then new, and large, and difficult questions would be raised and have to be dealt with. The few remarks which I shall address to the House, will be confined almost entirely to the part of the resolution which has reference to preferential trade. Even if so large a figure as 5 per cent were put in that resolution, where the words "a small duty" are spoken of, that, in my judgment, would be altogether too small a figure to give an effective preference. If this resolution were adopted by the British communities, so that there was levied a 5 per cent toll on the existing values of all goods coming from foreign countries into British ports, that would not give us in Canada a sufficient preference to be very effective. An arrangement of that sort throughout the Empire would, in my view, have to be supplemented in Canada by a special arrangement with the people of the British West India Islands. I look with very great hope to some such supplementary arrangement with these British communities in the West Indies to which my hon. friend from Assiniboia (Mr. Davin) referred with so much eloquence this afternoon. I look to some arrangement with them as supplementary to the project outlined in this resolution, and which would make a very much larger preference between us and them. If we should leave our tariffs as they are at present, and put 5 per cent duty on the goods coming from all foreign countries to Canadian ports, my view would be that it would be necessary to lower our duties on British West India products by 5 per cent, or, possibly, by 7½ per cent. This would create a double preference, as it were, between Canada and the West India Islands, and it undoubtedly would be a powerful influence in developing trade between those two countries. In spite of the heroic efforts made by this Parliament in the way of subsidizing steamers to the West India Islands, the position of our trade with them is discouraging. Twenty-two years ago, our total trade with the West India Islands was, in round numbers, six million dollars a year, but in 1895 it only amounted to eight and a half million dollars, a very inadequate growth indeed, having regard to that long period of time and the efforts we have made to develop our trade. Hon. members who are more familiar with the condition of trade and tariffs in the West Indies than I am, tell me that this is a peculiarly favourable juncture for opening up this whole question of trade between our people and the people of the West India Islands. My information is, that the West Indies, including British Guiana, are buying something like $45,000,000 worth of products of the kind that we in Canada can export, such as flour, lumber, fish, hay, and other agricultural products, as well as boots and shoes in the manufacturing line. Canada is able to supply them with every dollar's worth of that $45,000,000 which they import. The question with us is : How to get that market ? We have tried by way of steamship subsidies to get a larger hold on that market, but our success has been very limited. Experts, in the city from which I come, experts who have spent a lifetime in that trade, are, at least some of them, possessed with the idea that if a preferential duty of 10 per cent, or 12½ per cent, were in force, we could wrest that commerce out of the channels in which it has been running for twenty years, and bring it back to its natural channels. This would give us an export trade of almost half as much more as we are now enjoying. But it may be said : Why have you not succeeded already in this line ? Well, practical men are discouraged. They have tried in St. John, they have tried in Halifax, to make a rapid and considerable extension of their trade, but so far without success. The answer to the question I have put is, that trade has set in so strongly in the deep channels already worn, that these steamship subsidies were not strong enough to divert trade from these channels. Although Canada was producing a considerable part of the lumber and other products that were sent to the West Indies, the middlemen in the United States were doing the carrying trade, and making the profit. Every one who is connected with that commerce knows that the great difficulty is the return trade to Canada, and that, while we can furnish all of that $45,000,000 worth of goods that I speak of, we are not able to buy back from them anything like that amount of their produce. The things which we can buy, and which they sell, are limited in number. They are confined mainly to four or five items, such as sugar, molasses, coffee, fresh fruits and precious woods, such as dye woods and the like. And, while under some such trade bargain as this, we might buy pretty much of all these things, which we need, from them, even then we would not, by any manner of means, need $45,000,000 worth. Sugar, for instance, is the largest item we would take from them. Last year Canada bought 345,000,000 pounds of sugar, a very large figure, indicating very great prosperity and a high standard of living among the people of this country. That was imported free of duty, but did it all come from the British West India Islands ? Not at all. From the British West India Islands we imported the very small amount of 30,000,000 pounds, little more than one-twelfth our total import. Experts in the sugar trade, of whom we have some in this House, say that the large preferential duty we speak of would throw the bulk of that trade into the channel between the British West India Islands and ourselves, and would divert it from its present origin in the Spanish West India Islands, the Dutch colonies, and the far east, and, of course, Germany, whence we get our beet-root sugar. If this were accomplished, it would be a great result to achieve. In the matter of coffee, last year we bought considerably more than 3,000,000 pounds, not more than one-sixth of which was taken from our own West India colonies. Yet it is admitted, by those who are familiar with the coffee business, that the British West India Islands are growing an admirable coffee, and are able to bring it to a very high state of perfection indeed. Even as regards the coffee trade, we have something very considerable to offer these islands in return. Then, as regards fruit. We bought half a million dollars' worth of bananas alone, and, strange to say, we bought nearly all of that from middlemen in the United States. $457,000 worth of bananas were brought from American jobbers, and the small remainder came from the West India Islands. Out of a total of $60,000 worth of pineapples which we bought last year, the direct importation from the West India Islands amounted to almost nothing. As to oranges, no doubt even with preferential duties, during some seasons of the year, we would buy from the United States. But a preferential duty would, I believe, largely increase our imports from the West Indies in that item alone. We have also a very large trade in molasses, and, with a considerable preferential duty, almost the whole of that commodity would come from the British West India Islands, including Guiana. In the light of these facts, if we can accomplish half of this result by completing the arrangement suggested by my hon. friend from North Bruce, it would not then be a difficult task to induce our West India neighbours to come to a special arrangement with ourselves in Canada, and agree to a differential duty, and thus open up between us a large trade, which would make our maritime cities like St. John and Halifax go forward by leaps and bounds, afford employment to the vessels sailing to our maritime ports, and be of no inconsiderable value to the lumber producers and manufacturers of boots and shoes in Quebec, and to the growers of wheat and the producers of dairy products in Ontario and the west. So, Mr. Speaker, I single out this point for emphasis, as being, though a small part, yet a practical part of the larger subject, and urge that it should be considered with sympathy and favour by the House. If it were possible, in connection with some of the exhibitions which are coming on next year—a big one is promised in Toronto—to get influence enough, through the Colonial Office or in some other way, to induce eight or ten of the foremost men of the West India Islands—the real leaders of their legislatures—to come up to one of our cities and meet our own public men, and realize the tie of brotherhood, and discuss the subject in a full and friendly way, it is probable that some such arrangement might be perfected. Before I sit down, let me emphasize the idea that, from all the information we can gather from the West India papers, and from men who have gone down there and talked with business men, the present seems a peculiarly favourable juncture for working out this project. The statement is made that when the McKinley Bill passed through Congress, and when Mr. Blaine had added to it that famous clause providing for the making of treaty arrangements between his own country and the West Indies and the Spanish republics to the south, large numbers of the sugar planters in our own colonies turned their faces to the United States, and were almost giving their trade to that country, alleging that they could make better terms with the United States than with England. They made treaty and tariff arrangements with the United States, but these arrangements were scarcely made before they were broken up. Now their tariffs and their trade are in a state of confusion, and before they settle down to some fixed policy, in view of the present peculiarly favourable conditions, why should we not seek to open up some such arrangement as is suggested? For these reasons, and, having regard to this very narrow part of the large project, and for many other and larger reasons, I have great pleasure in supporting the resolution of my hon. friend from North Bruce.

Mr. CHARLTON. Mr. Speaker, the House will, without dissent, I imagine, give to the hon. member for North Bruce (Mr. McNeill) the credit of deep earnestness in the matter which he has brought before its attention to-day, and will also credit him with the possession of patriotic motives in the course he has taken. He has pride in the achievements of the race to which he belongs; he is warmly attached to the motherland; and upon this occasion, as well as upon other occasions, he has urged upon this House measures which he has deemed likely to increase the power of the great Empire of which Canada forms a part. I appreciate most fully the character of his motives. I sympathize most fully with his motives, although I am unable to agree fully with the methods he proposes to adopt for the purpose of arriving at the results he desires. I have listened also with great pleasure to the characteristic speech of my hon. friend the member for Assiniboia (Mr. Davin), in which he indulged in those rare flights of fancy which he commands with greater facility than any other member of this House. I enjoyed his speech thoroughly, although I do not know that in cold fact and logic it had a very great amount of weight with me. It is unnecessary to say, Mr. Speaker, that the feeling that exists in this Dominion with regard to England and the interests of the Empire is a feeling warmer than friendship. It is unnecessary to say that Canada is thoroughly loyal, or that the people of Canada take pride in the achievements of the parent state, and will unite their efforts to those of other English-speaking people, as far as their abilities will permit, for the good of the Empire. The people of this country desire to see England extend her possessions; they desire to see her Empire grow, realizing that wherever her power is extended, a blessing is carried to the race that is brought under the influence of her institutions. We know the influence exerted by England's occupancy of Egypt; we know that that nation has had, for the first time since the days of the Ptolemies, good government and just laws properly administered, and that its finances have been brought to such a sound and healthy condition that to-day it has a surplus of over a million pounds sterling. We know the influence that England has exerted upon the hundreds of millions of India—an influence which has been a blessed one in every respect—an influence which is raising that vast population year by year up to a higher plane in the scale of humanity. We are willing,—we are more than willing, we are anxious—that England shall paint Africa red—British red ; that she shall extend her dominion from Cairo to Cape Town ; that she shall bear sway from the valley of the Nile to the great lakes of the interior, over the valley of the Zambesi, and over the whole of South Africa. We desire, if possible, that she shall control Syria and the valley of the Euphrates. We believe it would be a blessing to humanity if she had under her sway as many hundreds of millions of Chinamen as she has of Indians. England's Empire is the most wonderful empire that has ever existed in the history of man, and it is necessary, if England is to maintain her Empire, that she shall maintain her power on the sea. The sea power is the one essential element in England's greatness. She has purchased that power by centuries of struggle. Her grim sea kings have won battle after battle on the sea, and she has purchased her right to be the great naval power of the world by her own prowess. Kipling says very beautifully :

> There's not a wave goes shoreward now,
> But lifts some keel that we manned ;
> There's not an ebb goes seaward now,
> But drops our dead on the sand.

And it is the price paid in blood and heroic struggle that makes England the great naval power she is to-day. This naval power, as I have said, is England's safeguard ; it is her life. Her possessions are scattered over the whole surface of the globe, and she maintains her communication with those possessions by the sea. If her free road upon the sea were blocked by any other nation or by a combination of nations, and her naval power were destroyed, the British Empire would fall to pieces. She would have no more cohesion than a rope of sand. Therefore it is essential that England should maintain this power. It is a power necessary to her existence—not to ours, and it is not incumbent upon us to make contributions to the naval power of England, or to the military power of England, so far as these powers are exercised, either for the maintenance of her chains of communication, or for the extension of her possessions. I shall show later on that we ourselves have made contributions in the direction of building up Imperial power which are ample, considering our circumstances, and which should entitle us to the thanks of the motherland.

My hon. friend, the mover of this resolution, dwelt at considerable length upon the question of preferential trade. His dream undoubtedly is that we may have established again, not exactly a reproduction of the old English corn laws, but a modification of that policy which shall tax the food products that England requires for the use of her millions, and exempt from such taxation the products of her colonies. This kind of preferential trade, if obtainable, would have very much to recommend it to the people of this country. If we could have preferential treatment in the English market for our breadstuff, a preferential treatment sufficiently pronounced to amount to a substantial advantage, it would be a dream that would go a long way towards reconciling the people of this country to such an arrangement. But I do not admit that it is anything more than a dream. I do not imagine that the matter is within the bounds of possibility at all. I do not suppose that the English nation, after having adopted free trade, and after having lived for half a century under that system and risen with such marvellous rapidity to the rank of the first commercial and manufacturing power in the world, is likely to reverse that policy. There unquestionably is an element in the English population which is in favour of such a policy. No doubt the agricultural interest would favour it, but the agricultural interest does not control English politics, and it is the only interest that would favour such a policy. Such a policy would be inimical to English manufacturing and commercial interests. Their policy is to have the raw materials used in manufacturing laid down at the smallest possible cost. Among these is food stuffs, and England will never consent to lose the great advantage which she has, as a manufacturing nation, by enhancing the cost of her food or any other raw material that enters into the consumption of her people. The character of England's trade at present and its character for the last half century is such as to preclude the reasonable entertainment of any such proposition. Twenty-three per cent of her imports were from British possessions last year, and 33 per cent of her exports were to British possessions. Her imports from countries not under the British flag amounted to over 70 per cent of her entire imports, and her exports to countries not under the British flag amounted to between 66 and 67 per cent of her entire exports. It is preposterous to suppose that England will adopt a policy calculated to injure the great bulk of her trade, for the benefit of the smaller amount of trade I have mentioned. My hon. friend, in the course of his remarks, drew a very pleasant illustration, by supposing that some individual owned two orchards, one of which was just coming into bearing and the other was just going out of bearing, but still bearing much more than the young garden. He compared the colonies of England to young fruit orchards that had vast expansion before them, while the other nations were old and effete and not likely to increase their trade, and he followed up this by saying that in a few years the trade of Canada would equal that of the United States. With all deference to my hon. friend, I must say that he undoubtedly made this statement upon the spur of the moment without realizing how preposterous it was. The United States to-day possess nearly 70,000,000 inhabitants. Canada possesses a little more than 5,000,000. Now, we have no reason to suppose that our prospective growth would be so rapid as to bring us up alongside the United States in population and resources.

Mr. McNEILL. I think that perhaps I may not have made myself clear upon that point. What I intended to say, and what I thought I did say, was that in a comparatively short time, as we count the age of nations, the trade of Canada would be equal to the trade of the United States of to-day.

Mr. CHARLTON. Even with the hon. gentleman's explanation, I think this statement is still wide of the mark. The United States in 1790 had 3,900,000 inhabitants. At the end of fifty years, in 1840, they had 17,000,000 inhabitants. Canada in 1871 had 3,635,000, about 300,000 less than the United States had at the commencement of the period I have mentioned. Two decades of fifty years have passed, and Canada, if it maintains the average of growth and increase of population that it did between 1871 and 1891, will have in 1921, 7,450,000, and at the expiry of fifty years, it will have about the amount of population that the United States had at the expiration of the first twenty years of their fifty years period I have referred to. We are not increasing fast enough. Last decade our increase was less than 12 per cent, and the decade before last it was less than 19 per cent; and a careful student of public affairs, who watches the rate of progression enjoyed by this and other countries, must be aware that one will be a long time in reaching the position in which we will be an important nationality, at the present rate of progress.

Mr. McNEILL. We want our preferential trade.

Mr. CHARLTON. We might have something better, and I shall point that out later. However, if we could get preferential trade, if corn duties were imposed from which Canada would be exempt, I would be inclined to look over the matter very carefully before pronouncing against it. But I think the proposition is an impossibility.

My hon. friend from Assiniboia (Mr. Davin) scouted the idea of taking a merely ledger view of things. He wanted a spiritual, transcendental, esthetic view of national affairs. I believe the English people take a ledger view of things largely. One of the great objects of the English nation in extending their colonial possessions, in bringing other people under the British flag, is to increase their market. That is the great need of England, an outlet for the products of her factories. She is able to supply 100,000,000 people more than she does, she is able so to increase her output as to supply nearly the whole world; and the expansion of her trade, the increase of her wealth, are the elements that enter into the calculations of British statesmen in adopting a policy of extending her possessions. My hon. friend referred to the low price of wheat in the Argentine republic, and he thought that this preferential theory could be adopted and a duty imposed upon wheat to the advantage of the colonies, which would increase the price of wheat largely in England, without increasing the price of the loaf. In other words, that all the advantage which the British colonies were to gain from the increased price received by them for their grain, was to be taken out of the pockets of the English bakers. I hold that that is a most absurd proposal. It will be impossible materially and permanently to increase the price of grain, under the operation of preferential duties, without the effect of that policy being felt by the consumers in England. And speaking of the Argentine Republic, speaking of the cheap wheat from that country and from India, it is well to bear in mind that the people of Canada to a small extent, and the people of the United States to a much larger extent are responsible for the opening up of the wheat fields of the Argentine Republic and of India. The people of the United States in 1861 adopted a protective policy. The object of that policy was to exclude English goods from their markets. The result of that policy was to compel England to seek other sources of supply, where she could procure food products in exchange for the products of her own labour. Acting under the stress of that necessity she expended vast sums of money in opening up the resources of India. She brought into competition with other wheat-growing countries the wheat region of that part of her Empire. She carried out the same policy in the Argentine Republic. The opening up of these newer wheat regions is the result of the protective policy adopted by the great food-producing nations that were the natural consumers of the English manufacturers. If the United States of America had continued to live under a moderate revenue tariff, if Canada had never adopted a protective policy, it would at least have put off the necessity for England securing other food supplies from other sources. We may thank ourselves partially and the American protectionists largely for opening up these wheat fields which supply wheat to England at these abnormally low prices.

My hon. friend from Albert (Mr. Weldon), in the course of his speech, which was directed almost exclusively to the maritime provinces in connection with the trade of the West Indies, informed us that the development of that trade has been very unsatisfactory, that the increase had only been from $6,000,000, in round numbers, to $8,000,000, in round numbers, during a long period of years. He admitted inferentially that we sell to the West Indies as much as we buy of them, that we bought all we required and gave in exchange our own products. But he deems it possible to take the whole of the West India surplus of sugar, molasses and bananas and other fruits, and bring them into Canada and make money upon them by acting as factors and middlemen and pay for them in exports of our own goods.

Mr. MILLS (Bothwell). And pay for the privilege.

Mr. CHARLTON. He wonders why we buy bananas from the United States instead of importing them direct. The reason is because the trade in bananas is so vast, particularly between the United States and Jamaica, that a line of steamers is run from New York and other ports, making trips two or three times a week, and making the trip from Jamaica in three or four days. We do not use enough of the fruit to establish the communication necessary to bring it in rapidly and in fresh condition, so we buy in small quantities from the great importing country in conformity with the well-known laws of trade. Then, with regard to oranges. We do not buy West India oranges, nor does anybody else to any considerable extent, I believe. The oranges used in this country are, or at least until the frost of last year they were, principally from Florida. The West India oranges do not compare in quality with Floridas or Californias. I think if we were to pay a little more attention to the developments of markets right at our doors, and gave a little less attention to the Australian trade, the Sandwich Island trade, the West India trade, the South African trade, and trade with other points at the ends of the earth, it would be much better for us. We could develop trade with our neighbours who number nearly seventy millions with less difficulty and with less expenditure of money—in fact with no expense at all—if only we would adopt a proper commercial policy.

My hon. friend from North Bruce (Mr. McNeill) told us, in the course of his speech that a great Imperial movement was now in progress, and that this great Imperial movement marching on was bringing us to the realization of a great confederation of the English-speaking nationalities, the United States excluded. Well, there is undoubtedly a feeling among the colonies of England and a feeling in England also that tends to draw these communities more into accord with each other. The means of intercommunication are growing better every year, and these nationalities are brought more into contact with each other, their commercial relations are more intimate, and there is a feeling existing among them of friendliness. It is well that such is the case, and that feeling cannot exist to too great an extent. But, so far as a confederation is concerned, it strikes me, Mr. Speaker, that there are many obstacles in the way. For instance, in Canada we have established a Government. This is a confederation and——

Mr. McNEILL. May I ask my hon. friend to explain what he means by a confederation, so that we may understand exactly what he is discussing.

Mr. CHARLTON. I suppose it would be difficult for the hon. gentleman to say what he meant by a confederation.

Mr. McNEILL. I have said nothing whatever about a confederation.

Mr. CHARLTON. The hon. gentleman was speaking about a great Imperial movement tending towards confederation.

Mr. McNEILL. No, no ; excuse me. My hon. friend must not put words into my mouth. I made no reference whatever to a confederation in my speech. I quoted an extract from a speech of Lord Salisbury, but I made no reference, for my part, to a confederation.

Mr. CHARLTON. The hon. gentleman's resolution asks for the imposition of a

> Small duty (irrespective of any existing tariff) be levied, by each member of the Empire against foreign products imported by them, and that the proceeds from such duties be devoted to purposes of Imperial intercommunication and naval defence.

Mr. McNEILL. Hear, hear.

Mr. CHARLTON. Well, I do not know whether the hon. gentleman expects to carry that plan out without machinery, without arrangements, without an understanding, without force to collect duties or a basis for apportioning them, or to decide how the moneys thus collected shall be expended. The whole drift of the hon. gentleman's movement looks to the establishment of some system between the British colonies and Great Britain of a mutual character, that must be in the form of a confederation of an alliance or a government.

Mr. McNEILL. I am sure my hon. friend will allow me to explain that there is nothing in this resolution which proposes to take the administration of these things out of the hands of the local authorities who now administer them. I intended to say that, and thought I had said it ; but if not, I wish now to explain it to the hon. gentleman.

Mr. CHARLTON. I am afraid the hon. gentleman's arrangement, under such circumstances, would be a good deal like the American confederation that existed for ten years in which the various states were to contribute voluntarily certain sums for the common defence. But the scheme was found to be unworkable, for the various states, if left to their own free will, did not contribute much, and the government could not be carried on. If this plan is to be made effective, if there is to be a union of interests between England and her colonies, there must be some system of confederation, some system by which a central authority shall have control, some authority under which taxes shall be collected, and which shall decide how the revenues shall be distributed to the parties to the agreement. If we are to reach the consummation of such a project, how is it to be carried out? Are we to have a central parliament charged with federal duties? If so, how is it to be constituted and how are its members to be chosen? How are its members to be apportioned? Is it to be on a basis of population? Is India, with her 275,000,000 souls, to be represented on a basis of population, as well as Canada and Australia and England? And what is the jurisdiction of that parliament to be? And how are taxes to be levied? And how are they to be expended or apportioned? Sir, if we attempt anything of this kind, we drift inevitably to a condition of things where a great central power is created. And that being so, we are abdicating our own powers of self-government to a certain extent. It must necessarily be so. I think it is high time, when considering this question, that we should stop and consider what the ultimate consequences will be, and conclude to guard against a policy that may result in absolute Imperial control. We are loyal, we admire our motherland, we wish her victory by land and sea, we will to the utmost in our ability aid in securing such results. But we cannot abdicate our powers of self-government, we cannot place ourselves and our interests in the hands of some great central power. This is a Dominion, with its institutions established, with its form of government thoroughly planted upon this continent, and we must maintain this Dominion and its autonomy, and all its powers intact. While yielding to England good-will and a desire to forward her wishes, we cannot, and will not, abdicate our powers.

Now, Canada has failed in the past to discharge properly and fully her obligations to the Empire? Can Canada be accused to-day of having been niggardly, of having turned a deaf ear to appeals of the mother country, of having failed to discharge her duties as a dutiful and loyal daughter to the motherland? I say, no. I say there is no reason for the arguments that are used for the creation of a condition of things that implies that Canada has not heretofore done fully what she ought to have done. What have we done? We spent $70,000,000 to create an Imperial highway across this continent. We gave, in addition to that 18,000,000 acres of fertile land—I refer to our having purchased back a portion of that and added $10,000,000 to the cash cost—to create an Imperial highway that is as important to England as to ourselves. Now, I say that is a contribution that ought to excuse this country from further contributions for half a century. But we have done more. We gave subsidies to steamship lines, we propose to establish a fast Atlantic line from Canada to England, with the object of advancing our own interests, and British interests as well. We propose to increase our steamship facilities from the west coast to Australia, and we built at our own expense the great graving dock at Esquimalt, where the great naval depot of England upon the Pacific is situated.

Sir CHARLES TUPPER. Not altogether.

Mr. CHARLTON. Perhaps not altogether, but largely, we contributed our money liberally to that. In doing all these things, we have incurred a crushing burden of debt. The magnitude of our debt is due largely to our contributions for Imperial purposes, for the purpose of building up the British Empire, of doing loyally our part as a portion of that Empire, in laying the foundations of that Empire, and securing its future growth and greatness. Our fixed charges and expenses are now heavy; they are so heavy that we cannot prudently increase them. They are heavier than they should be. We pay annually nearly $11,000,000 in interest upon our public debt. We have other fixed charges, and our expenditure chargeable to consolidated fund of $38,000,000 a year, is ten millions greater than it ought to be, measured by the resources of the country. Now, we talk about reducing these expenditures, about economy, about retrenchment. Well, Mr. Speaker, with the fixed charges, and the absolute necessity resting upon us to meet other charges, a very large reduction of these expenditures is impossible; four or five millions would be the utmost limit of the retrenchment that could be effected. Under this condition of things, it is not to be thought of for a moment that we should add to our burdens for Imperial purposes; it is out of the question. We have paid enough for Imperial purposes already. We have contributed sums for Imperial purposes that should excuse us from any further demands.

Now, if the proposition of my hon. friend were carried into effect, I think that he intimated that somewhere about 5 per cent would be a pretty modest special tax in the shape of a special tariff for the purpose of aiding Imperial communication and defence. Suppose we levied a tax of 5 per cent, that would not be doing anything of any great consequence. Last year our imports from other British possessions were $33,800,000; our total imports were $105,252,000. After exempting imports from British possessions, we would have to levy a 5 per cent duty for the purpose of my hon. friend's resolution, upon $71,443,000, and a 5 per cent burden upon this amount, would be $3,572,000. Now, under the condition of things that exist at present, we cannot sand that, we are not in a condition to add $3,572,000 to our burdens.

Mr. MILLS (Bothwell). He makes the farmers pay it.

Mr. CHARLTON. One feature of this tax would be that we would tax cotton, tax wool, tax other raw materials that now enter this country free of duty. Now, I can tell the hon. gentleman of a better way to aid England than the way he proposes.

Mr. McNEILL. Would my hon. friend allow me to interrupt him ? The proposal was not to increase the tax to that amount, but that the present military expenditure of the country and the subsidies for steamship lines, both existing and prospective, so far as the fast Atlantic line was concerned, would be included, and that not a very great deal would be left over from the 5 per cent for increased expenditure for defence.

Mr. CHARLTON. Well, I am unable to understand, if we are to spend the money for expenses we are now meeting, what the necessity of this resolution is. But, as I was about to say, I think I can point out a better system of showing our good will to the motherland, and aiding the motherland, than the one my hon. friend proposes, and the policy I would recommend the House to adopt would be to let up on the restrictions we impose now upon our commerce with England. Our imports from England in 1873 were $68,522,000 ; the duty upon those imports that year amounted to $7,398,000 ; the rate of duty was 10·8 per cent. Our imports in 1895 had fallen more than one-half the amount they stood at in 1873. In 1895 they were $31,131,000 as against $68,522,000 in 1873. The duty on this smaller amount was almost as great as upon the double amount, and was $7,006,000, or at the rate of 22½ per cent upon the entire bulk of our importation from England last year. Now our imports from Britain last year were the least since 1879 ; they were $7,585,000 less than they were the preceding year. I think, under the circumstances, it must certainly strike hon. members that it would be a good idea to adopt some policy that would check this great diminution of our trade with England, considering that it has fallen to less than half the amount in 1873, and had fallen $7,006,000 in one short year. We imported from England last year, of dutiable goods, $23,311,000. We raised in duties upon that amount $7,006,000. The rate of duty upon dutiable goods imported from England last year was 30 per cent. Last year we imported, of dutiable goods, from the United States $25,795,000. We collected in duty $6,897,000, or a percentage rate of 26 7-10ths ; so that we discriminated against England, as regards dutiable imports, to the extent of 3 7-10ths per cent, we collecting 30 per cent on dutiable imports from England, and 26 3-10ths on dutiable imports from the United States. It is a singular fact that the hon. member for North Bruce (Mr. McNeill), the hon. member for West Assiniboia (Mr. Davin), and the hon. member for Albert (Mr. Weldon), and every other hon. member who is a supporter of Imperial Federation, is a supporter of the policy that thus discriminates against England, and has reduced our imports from that country from $68,500,000 in 1873 to $31,000,000 in 1895. I would recommend the hon. member for North Bruce to turn his attention to that branch of the subject, with the design of applying the honest and earnest efforts he is now bestowing on the principle of preferential trade to the propriety of diminishing our burdens on English commerce and trade, so as to permit us to trade with England on at least as favourable terms as with the United States.

We, in Canada, are subduing a wilderness, and, in addition to all the contributions I have mentioned amounting to $100,000,000, for Imperial purposes, we are opening up a great new land, we are constructing highways, we are bringing that country under cultivation, we are laying the foundation of an empire, and we are doing this at the cost of personal sacrifice, public resources, and we are doing it, not for Canada alone, but for the great Empire of which Canada is a part : and our contributions to Imperial purposes are, I hold, as large as we could reasonably be asked to make, and our contributions are given to a degree that should entitle us to credit and to thanks.

England is engaged in vast schemes of conquest and the extension of her possessions in the Eastern Hemisphere. As I said a few moments ago, we wish her success, we watch her progress with pride, and no degree of prosperity she can make will exceed our wishes and our desires. But, as a Dominion, as a people, we have no direct interest in England's conquests in the Eastern Hemisphere. It does not matter to us, so far as our interests are concerned, if she pushes her acquisition of territory up the Zambesi and beyond that up to Lake Tanganika, and on to Victoria Nyanza, and down the valley of the Nile, covering 36 degrees of latitude. We desire she should do so, and we are proud of the fact that she is doing it. It would not be an unfortunate day if four hundred millions of Chinese were to be brought under British rule, it would be a good thing for the Chinese ; but, as regards contributing money for a purpose of carrying forward these vast schemes of aggrandizement, we are not called upon to do it. It is not our duty to do so. We are working in our sphere, and we have all we can do to keep working within that sphere.

On this continent the only foreign relations we can possibly have are with the United States ; the only foreign interests we can possibly have are with that country, and, in the event of trouble, and of war with the United States, what would our contribution be ? Our contribution would be a devasted country, burning cities and towns, hundreds of thousands of graves on our soil, a soil soaked with blood. We would fight to the death—it would be a fight to the death—but we could not reasonably be expected to do more than it was possible for us to do in case of strife, which, God grant, may never come, between Great Britain and the United States. We cannot, then, afford to inaugurate an aggressive policy on this continent, and we have nothing to do with an aggressive policy on the other continents. I respect my hon. friend's aspirations, his dream of a unity of the various confederations and commonwealths under the British flag. It is a beautiful, a grand dream ; but I indulge at times in a grander one. I think sometimes that it would be worth while to conciliate and to open up negotiations with the seven-twelfths of the English-speaking race that dwell in the country to the south of us. The English flag waves over five-twelfths of the English-speaking race, and the Stars and Stripes wave over seven-twelfths. If a confederation of England and all her colonies would be an imperial power, what would be a confederation, an alliance, that embraced within its folds all the English-speaking people of the world, the 125,000,000 that speak the English tongue ? I believe that the interests of humanity would be promoted by such an alliance as they could be promoted in no other way. I believe such an alliance is within the bounds of possibility. I believe it requires merely mutual forbearance, cultivation of friendly relations, manifestations of good-will and interest in the affairs of one another, to knit these two great nations together, and it is a grander dream than the dream in which my hon. friend indulges ; it is a dream the consummation of which is at least worthy of our energies and our efforts to see if it can be secured.

The best course, then, to adopt, I may say in conclusion, is to look abroad over the world, to realize that we ourselves have a mission, that we have laid the foundations of a great power here, that we have our laws, our institutions, our commerce, our legislative independence and our fiscal independence, that these have been granted to us by the motherland that their continued possession is a boon which we should cherish and never release. We should remember that we are placed in a position where we can exercise an influence potent in its nature upon the relations between the great Empire of which we form a part and the United States of America. Our policy, our sentiments expressed, our course pursued in regard to the relations existing between this country and the United States, must have an influence and effect upon the relations between that country and motherland. We can smooth the way for good relations and alliance, or we can sow dragon's teeth and the seeds of bitterness ; we can exhibit, at least, a spirit of conciliation and good neighbourhood, and, while loyal to our motherland, anxious to see English power extend and that power increased day by day, we can extend the scope of our dreams and the theatre of our desires and seek to secure an alliance, a confederation, if you choose to term it so, that would be all-powerful to control the destinies of this globe, the exercise of the power of which would inevitably be for the best interests of mankind.

Sir CHARLES TUPPER. I do not intend to occupy the attention of the House long, but I can hardly allow this discussion to pass without offering a few remarks. The hon. mover of this resolution has stated that he acceded to my request to make a slight alteration in the motion, as it appears on the paper. While desiring to thank him for that alteration before submitting the motion to the House, I wish to express my regret that I had not an opportunity of conferring with the hon. gentleman (Mr. McNeill) before this resolution was placed on the paper. If I had had the pleasure of being consulted by my hon. friend I would not have advised the placing of the resolution upon the paper, although I subscribe in the most hearty and emphatic way to every word contained in the speech of the hon. gentleman. The speech was a very admirable one in favour of a most important measure ; probably as important a measure as could occupy the attention of the House, in the interests of Canada, and it was also a very able speech in favour of preferential trade within the Empire. I am entirely at one with my hon. friend on that question. I believe I had not even the honour of being in Parliament at the time the resolution was placed upon the paper, but if I had had an opportunity of being consulted, I would have suggested to the hon. gentleman not to embody that feature in the resolution, to which exception has been taken by the hon. member for North Norfolk (Mr. Charlton). I will say frankly to the House why. The hon. member for Bruce (Mr. McNeill) has correctly said, that this resolution embodies the proposal propounded by Mr. Hoffmeyer, a very eminent South African statesman, who took part in the colonial conference in 1887. That resolution obtained a good deal of attention, and consideration at that time, but after having been discussed and subjected to a considerable amount of criticism, I may say that the proposition fell flat, and it has not since been urged, nor has it assumed any prominence in regard to this question of inter-Imperial trade. The objections taken by the hon. member for North Norfolk (Mr. Charlton) are, I think, however, entirely fallacious. The objection that it necessarily involves a federation is quite outside the scope of the resolution itself, and outside of any remarks which fell from the hon. mover of it. The proposal is a very plain and simple one, and it is: That a small duty shall be imposed, not by any Federal Parliament or anything of that kind, but that a small duty shall be imposed by the different portions of the Empire—the United Kingdom on its own behalf, Canada on its own behalf, and the Australasian and South African colonies on their behalf. The proposition is that each government, the Imperial Government, and the governments of the various colonies shall, of their own motion, and on their own behalf, impose this small duty, in addition to existing duties, for the purpose of providing a fund to maintain the common defence of the Empire—not a common defence fund to be administered by a central power or authority, but to be administered by the different portions of the Empire, as at present. I hold—and I presume hon. gentlemen in this House will not differ with me—that expenditure for the defence of Canada is expenditure for the defence of the Empire, in its highest sense. And, whether it be to maintain a fast line of steamers, to act as Royal naval reserve cruisers in time of war, or whether it be to maintain a small permanent force, or a large militia or voluntary force in this country, I say that it is essentially a defence of the Empire, for I hold that Canada is as much a portion of the Empire as Yorkshire is, and I regard, therefore, that whatever expenditure is made by Canadians for the defence of Canada, is made as absolutely for the defence of the Empire, as any similar expenditure that is made in the United Kingdom.

Mr. MILLS (Bothwell). On what products is this duty to be imposed?

Sir CHARLES TUPPER. I do not propose to go very much into that, because, as the hon. gentleman (Mr. Mills) has observed, I do not favour that feature of the resolution. At the same time, I would be quite prepared to vote for this resolution, recognizing the fact that the money derived from this tax would be expended as now by the Government of Canada, whoever they may be, for either naval or land defences, in precisely the same way that we are now regulating our militia expenditure.

Mr. MILLS (Bothwell). Would the hon. gentleman, then, be in favour of a uniform principle agreed upon; that the same articles should be taxed in all portions of the Empire?

Sir CHARLES TUPPER. I do not go into that question at all. I simply say that if this were the only means by which we could obtain preferential trade within the Empire, I would be prepared to adopt the policy contained in this resolution, in order to achieve that great purpose. But I do not believe that it is necessary. I believe that the question of preferential inter-Imperial trade is in such a position, that this is not required, and I doubt very much if it would be materially advanced by the passage of this resolution. I state my position thus frankly to the House, because if it were absolutely necessary to secure the policy, of the products of the colonies being admitted into the United Kingdom free of duty, and having that advantage over similar products from foreign countries; if it were necessary in order to obtain that, I would be prepared to vote for the policy contained in this resolution. But I do not think it is necessary and I will state, briefly, to the House why.

I have had an opportunity—perhaps a better opportunity than most hon. gentlemen in this House have had—of witnessing the progress of this question of preferential trade. That policy was propounded, as the hon. member for Bruce (Mr. McNeill) has recited, by Mr. Hoffmeyer, in a similar form to that which is presented by the resolution today. Although it attracted some attention at the time, no special action was taken upon it, but an organization was formed in the United Kingdom, called the United Empire Trade League. That Trade League is presided over by the Right Hon. James Lowther, a man of very considerable ability and of high standing in the Imperial Parliament, but a gentleman who, I think, has rather retarded, to some extent, the policy of the organization over which he presides, from the fact that he is an avowed protectionist. He is almost the only one I know in the Imperial Parliament; for although there are a great many protectionists there, and very strong ones, too, Mr. Lowther is, in my judgment, almost the only one who is an avowed protectionist, and who stands by that policy in season and out of season. I think he would have accomplished more than he has accomplished if he did not avow in the same open manner his belief in the old policy of protection. The policy of the United Kingdom has been so emphatically a free trade policy that the avowal by Mr. Lowther of those protectionist principles has, I think, rather retarded the movement.

Mr. LANDERKIN. It generally does, in any country.

Sir CHARLES TUPPER. I am much obliged to my hon. friend for the support he has given to my view. I was going to say that Sir Howard Vincent, a very active able and energetic member of the House of Commons, is the secretary of the United Empire Trade League, and that the avowed policy of that organization, proclaimed to the world, and agitated in season and out of season, is the imposition by the Imperial Parliament of a duty upon the products of foreign countries coming into the United Kingdom, and the free admission of all colonial products, from whatever part of the Empire they may come. The efforts of that organization were materially strengthened, and were given additional influence in Parliament by the adoption, in 1892, by a large majority of the Canadian House of Commons, of a resolution declaring in favour of a similar policy, and offering, on the part of

Canada, that when Great Britain would admit into the United Kingdom the products of Canada on more favourable terms than the products of foreign countries, Canada would be prepared to make a substantial return in the tariff on British goods. I say that movement attracted a good deal of attention in England, and gave great additional force and zest to the policy of the United Empire Trade League. The United Empire Trade League was mainly directed in the outset to the policy of protecting the manufacturing and agricultural industries of the United Kingdom against foreign competition, and they embodied with that policy the free admission of all colonial products as a means of advancing and developing the Empire itself. They pointed out the very important fact that the development of the colonies was a matter of vital consequence to the advancement of Imperial trade. Every person who has been watching the condition of trade matters in the United Kingdom, knows that a most serious falling off has taken place in the exports of its industries. It is so serious that from 1890 to 1894 there was a decline in the export of the products of English and Irish industry of nearly £48,000,000 sterling. That was a very striking circumstance, and one that naturally arrested a good deal of attention, and has been made great use of by the friends of the policy to which I have adverted as a means of improving the trade of the United Kingdom. I need not remind any gentleman in this House—for the Queen's Speech refers to it in the strongest and most emphatic terms—of the present deplorable condition of the agricultural industry of the United Kingdom. If I remember that reference correctly, it describes the agricultural distress as the most acute and serious that has ever been known in the history of the country. Taking these two facts together—the serious falling off in the exports of English and Irish products, and the condition of agriculture—a great deal of additional attention is now being directed to the means by which the one may be averted and the other relieved; the fact being that so serious is the competition that breadstuffs have to meet that since 1870 nearly 3,000,000 acres of land that were under cultivation of wheat, have gone out of cultivation, and are turned to grass. The result is that this year, so depressed has the farming industry become that in the United Kingdom only one-sixth of the amount of wheat has been raised that is absolutely necessary for the consumption of the people, leaving five-sixths which must be brought from abroad. Under these circumstances, as the hon. member for North Norfolk (Mr. Charlton) has said, it is not surprising that the depressed agriculturists of the United Kingdom should be ready to hail with great satisfaction a proposed imposition of duty upon breadstuffs. But the mistake into which the hon. member fell was in supposing that that readiness to have a duty imposed on breadstuffs was confined to the agriculturists. It is not so. The great mass of the people who are engaged in manufacturing industries throughout the United Kingdom have come to the conclusion that if they did pay a little more for the loaf, it would be better to have it cost something more, and have something to buy it with at the same time. A very widespread feeling has grown up all over England in the manufacturing centres that in favour of the imposition of duties upon foreign products which would have the effect of giving the people employment, which is now taken away from them by the competition of Germany and other countries where labour is very low, and which are successfully competing with Great Britain, not only in the United Kingdom, but in other countries which formerly afforded markets for the products of Great Britain almost exclusively. Under these circumstances, renewed attention is being given to this subject; and when the Parliament of Canada had passed the resolution offering reciprocal advantages to the products of the United Kingdom, provided the products of this country were admitted into England on better terms than those of foreign countries, a great impetus was given to this movement. Not only that, but attention was drawn to the fact—and it is a very vital and important fact—that a policy of that kind would inevitably result in a great improvement in the export of British and Irish products to the colonies. In the year 1891, as every person knows, a very serious commercial and financial embarrassment occurred in the colonies of Australia and New Zealand, which led to a very great decline in the imports of the products of British industries.

Mr. MILLS (Bothwell). Eighteen hundred and ninety-two was the year of the distress.

Sir CHARLES TUPPER. Yes, but I take the year 1891 as the year before that occurred, and as showing the normal condition of things. Because we all hope and believe that steadily the financial and commercial position of Australia will resume its normal character, and they will have the same prosperity that they had before. An examination of the statistics shows that six of the great self governing colonies took of the products of British and Irish industry not only took more per capita than six of the largest foreign countries which England has her trade, but actually from eleven to twelve times as much. Hence it struck every public man in the United Kingdom, naturally, that if they could develop and expand the colonies, if they could throw a population of industrious men into these great possessions in Canada, in Australia and in South Africa, and if trade follows the flag, as is manifestly shown, just in proportion as the population of the British colonies and possessions throughout the world increased, they would have the opportunity of expanding their trade much more rapidly, and to a greater extent than before. Attention was thus drawn to the means by which that could be done, because it is obvious that if you give—take Canada, for instance—if you give advantage to a man who raises wheat north of the boundary line over the man who raises wheat south of the boundary line ; if one goes to Mark Lane, the largest wheat market of the United Kingdom, free of duty and the other has to pay a duty in order to get there, although the price of wheat would not be materially increased perhaps, still this would follow, that the man who was bringing from the old world to the new his capital and industry would go north of the boundary line, because he would know that he would be in a better position there than if he settled south of the boundary line, and thus Canada would be filled up with an industrious population, capital and industry would flow into our country to build it up, and her increased population would become consumers to a vastly greater extent than the United States, a foreign country, that lies to the south of her, because Canada to-day consumes a very much larger proportion per capita of the products of British industry than is consumed by the great republic to the south. When this resolution was passed the "Times" newspaper, the most potent organ of public opinion in the world perhaps, declared that this was an important resolution which had been passed, and said that of course it conflicted with the doctrine of free trade, but that free trade was made for the man and not man for free trade, and if this policy should be taken up and adopted by her great self-governing colonies, England would have seriously to consider the question as to whether her fiscal policy should not be reconsidered. Well, what happened ? The great conference at Ottawa, inaugurated to a large extent by the present Prime Minister (Sir Mackenzie Bowell), which presented one of the most striking spectacles, probably the most striking ever witnessed in any British colony or dependency, or, in fact, in any colony of any country in the world, endorsed, by a very large majority, the policy which had been propounded. I think over eighty was the majority by which that resolution was passed in 1892. Under these circumstances, additional attention was drawn to this very important question, and I may also say that the London Chamber of Commerce—a very large and influential body of public men, representing both the great parties in the United Kingdom—invited a congress of the chambers of commerce of the Empire to meet in 1892, after that resolution was passed ; and I mention this to hon. gentlemen as an evidence that this question of preferential trade is not so hopeless a question as the hon. member for North Norfolk (Mr. Charlton) seems to consider it. This congress of chambers of commerce of the Empire, which met in London in 1892, spent two entire days in the discussion of this question of preferential trade within the Empire. I have no hesitation in saying that three years before that took place, you could not have got an hour's discussion in London by these commercial men of that question ; but so great and so rapid has been the change of public opinion that two entire days were spent in the discussion as to whether the members of that congress should pronounce in favour of preferential trade within the Empire. The result of that vote was most encouraging. That resolution, which was the resolution sent forward by the Chamber of Commerce of the city of Montreal, and which was made the ground of controversy between the two parties, was defeated by 47 to 34. The different chambers of commerce represented on that occasion had each one vote, and on that occasion that motion was only defeated by a majority of 13, after two days of discussion. I regard that as an evidence of a most unqualified character. These thirty-four chambers of commerce that voted in favour of the resolution were, many of them, from great commercial centres, such as Birmingham and cities of that kind, in the United Kingdom ; and gentlemen that represented the labour element and industrial element, the artisans of the United Kingdom, took the ground and maintained it in the strongest and most able manner, that the time had come when British industry required to be fostered by having a different tariff within the Empire to that imposed against foreign countries outside.

As an evidence of the progress that this question has made, I will just draw the attention of the House, for a few moments, to the action of Lord Salisbury in 1891, when the United Empire League approached his lordship in favour of this question of preferential trade. The great feature, and I suppose the cause of the introduction of this question of the imposition of a small duty on foreign products throughout the Empire, was that it would be the means of inducing Her Majesty's Government to take measures to modify the Belgian and German treaties, which prevent preferential trade within the Empire being carried on. The House will remember that when the United Empire Trade League approached Lord Salisbury, his lordship stated, in the strongest terms, his disapproval of those treaties. He said that no Government of the present day would, for a single moment, think of such a thing as making treaties with foreign countries which would interfere with any trade relations within the Empire. And when he came down to the question of preferential trade, he said he was not prepared, that no Government could be prepared to bring forward a policy of that kind until they were satisfied that the public mind of the country and the popular sentiment would support it. But he used this very emphatic language :

> And no doubt it is in a great measure true with respect to the great mass of legislation on secondary questions that they have to propose; but it is not true with respect to "an organic question which concerns and will control the very existence of our Empire and the very foundation of our trade." On this matter public opinion must be framed or formed before any government can act. No government can impose its own opinion on the people of this country in these matters. You are invited and it is the duty of those who feel themselves to be the pioneers of such a movement and the apostles of such a doctrine to go forth to fight for it, and when they have convinced the people of this country their battle will be won.

Well, Sir, the hon. gentleman will find that very great progress has been made. Hon. gentlemen will find that Lord Salisbury was taken at his word. It is known, I imagine—I am not going quite so far as the hon. member for West Assiniboia (Mr. Davin) in saying that Lord Salisbury's personal opinion and his political opinions do not always coincide,—but I believe I am safe in saying that there are few statesmen in the United Kingdom who hold stronger views upon the great importance of fostering and assisting the development of British trade in every way that it can be possibly fostered or assisted. Lord Salisbury's opinion with reference to the Empire may be gathered from a single sentence that he uttered at the Mansion House in the city of London in 1890:

> We know that every bit of the world's surface that is not under the English flag is a country which may be, and probably will be, closed to us by a hostile tariff, and, therefore, it is that we are anxious above all things to conserve, to unify, to strengthen the Empire of the Queen, because it is to the trade that is carried on within the Empire of the Queen that we look for the vital force of the commerce of this country.

Undoubtedly that expresses Lord Salisbury's real sentiments in regard to this question, but he was not prepared exactly to nail his colours to the mast in favour of inter-imperial trade or preferential trade within the Empire just on the eve of a general election. But I draw the attention of hon. gentlemen to the fact that great advance has been made since Lord Salisbury was first approached. I may also say that the result of the last general election, in my judgment, has shown the overwhelming influence upon the public mind of this important question. The Rt. Hon. Joseph Chamberlain, Secretary of State for the Colonies, as you know, inaugurated his entry upon his present position by sending a trade despatch all over the Empire, the object of that despatch being to obtain such information as will enable the trade between the United Kingdom and the colonial portion of the Empire to be extended and developed to a much greater degree than hitherto, and, as this is a very important fact in connection with this question, I may, perhaps, be permitted to read just a sentence or two from a speech delivered by Mr. Chamberlain shortly after he became Secretary of State for the Colonies:

> It is because I desire to see whether there may not be room for still further developing our resources in these new countries and for opening up British markets. What is the state of the case? Great Britain, the little centre of a vaster Empire than the world has ever seen, owns great possessions in every part of the globe, and many of those possessions are still almost unexplored, entirely undeveloped. What would a great landlord do in a similar case with a great estate? We know perfectly well, if he had the money, he would expend some of it, at any rate, in improving the property, in making communications, in making outlets for the products of his land, and that, it seems to me, is what a wealthy country ought to do with regard to these territories which it is called upon to control and to govern. That is why I am an advocate of the extension of the Empire.

The general election took place and resulted in one of the most overwhelming changes ever known in British politics. Not only were the Liberal party defeated, but their opponents came back with a majority most unusual for either party in Great Britain.

Mr. MILLS (Bothwell). Local option.

Sir CHARLES TUPPER. The hon. gentleman says "Local option." To local option was due the defeat of one very great man, Sir William Harcourt. And no doubt it played a prominent part in the result of the elections. I had an opportunity, standing in a perfectly impartial position and looking on with keen interest to form an opinion as to the forces which produced the results we see. And, having made a careful examination of the reasons for the wonderful changes that took place, having given it the most careful investigation I could, I have come to the conclusion that the most potent influence in producing this great and overwhelming change was the trade question. Not only among the great agricultural community, which is still a potent influence, notwithstanding the depression which it is suffering, but among the operatives and artisans of the United Kingdom from one end of the country to the other there was a feeling that they were not getting fair-play in the policy of the country. They found that not only was the United Kingdom open to the free admission of any number of foreigners to come into the country and compete with them in their own industries, but, while Germany and France and the United States of America and every country in the world built up a hostile tariff, a chinese wall of protection against British industry and thus excluded British goods, the goods from these countries were admitted into the United Kingdom to paralyze the industries of that country. I met a gentleman who has been for many years a very influential member of the House of Commons in England, shortly after the general election. We were speaking of the tremendous change that had taken place, and he said to me: "I was one of five gentlemen who were doing business in a large town in England, and who were supporters of Lord Rosebery's Government in the House of Commons. Our constituencies were spread about far and near, and out of the five men who were supporters of Lord Rosebery's Government, I was the only man who secured my seat, and my majority was reduced a thousand." I said: You astonish me very much. How could your majority be reduced? You represent a Welsh constituency, you were in favour of the disestablishment of the church, you were in favour of everything they wanted, how do you account for the change?" Wales was known to be very strongly Liberal. "Well," he said to me, "it was on the trade question. The people have got it into their heads that they are not getting fair-play, that not only is England suffering, but her industries are paralysed by allowing the products of foreign countries to come into competition with the work of our artisans; in addition to that, the very markets that England had in various parts of the world, are being closed to them by this foreign competition of the same parties who are flooding this country with the products of their industry, and paralysing ours." I have no hesitation in saying that at a very early date it is going to become a burning question, and one upon which, in my judgment, the fate of parties will mainly turn. I will now give the hon. gentleman a further evidence upon that point. I think he will see that Lord Salisbury, with that prescience for which he is celebrated, begins to see and to recognize that the tide of popular indignation in England is rising against the manner in which, under the existing policy, the artisans and agriculturists of the United Kingdom are suffering. Sir Howard Vincent addressed a letter to Lord Salisbury, and it contains a very pertinent sentence in which, so far as my information goes, he is perfectly accurate. Lord Salisbury is supposed to know the condition of party strife and party struggles in the United Kingdom, and in this letter sent to him the other day by Sir Howard Vincent, I find this sentence:

> The greater number of the members returned to the present Parliament in support of your lordship's policy and administration, advocated, either in their election addresses, or in their platform speeches,—the policy of United Empire trade——

Which is the free admission of everything from the colonies, but the imposition of a duty upon foreign products that come into competition.

> —and to this fact must be ascribed some portion of the unparalleled majority in the House of Commons by which your lordship is supported—especially from working class constituencies.

That, I believe, to be absolutely true. Although there were other important influences at work, I believe that one of the main influences that contributed to the overwhelming defeat of Lord Rosebery's government, was the disturbance that is taking place in the public mind in reference to free trade. It is only yesterday that free trade was worshipped as a fetish in the United Kingdom, a man saying a word against free trade ran the risk of being driven from public life. But the whole thing is changed, and that change is well expressed in the sentence which I have read, and is recognized in the reply which Lord Salisbury has given, and to which I invite the attention of this House. The "Times" newspaper of March 10, says:

> The Prime Minister has addressed a letter to Sir Howard Vincent, as honorary secretary of the United Empire Trade League, in reply to the memorial presented last month by the council of that body praying that notice might be given denouncing the clause in the commercial treaties with Germany and Belgium preventing British colonies from levying a lighter duty upon British goods than upon foreign goods, should they elect to do so. Lord Salisbury says that "since the accession to office of Her Majesty's present advisers the question of the trade relations between the mother country and the colonies has been taken into serious consideration"——

Mark that, a very great advance upon the statement. You must go forth and fight for your opinions, and when you have convinced the country, come back to me and you will not meet with any difficulty. Well, Sir, they have been fighting for years, they have been advocating their principles, and the general election has shown that they have done it with great effect. The general election has shown to Lord Salisbury that there has been a great awakening among masses of the people who control the government of the country in the United Kingdom, and that due heed and notice must be taken of that. He goes on to say:

> —"and that he is in thorough accord with the views expressed by Mr. Chamberlain as to the extreme importance of securing as large a share as possible of the mutual trade of the United Kingdom and the colonies for British producers and manufacturers, whether located in the colonies or in the United Kingdom." The letter goes on to add that "while the Prime Minister fully recognizes the inconvenient character of the stipulations in question—stipulations which should never again be agreed to by this country—he is not prepared to give notice for the termination of these otherwise valuable treaties until a definite scheme has been produced offering such probabilities of increased trade within the Empire as would fully compensate for the risk involved."

Now, Sir, Lord Salisbury or the Imperial Government can have no object in disturbing those treaties if they do not wish to favour the policy of preferential trade, because the whole burthen of the difficulty which they create, is the obstacle that they interpose against preferential trade. We can understand, therefore, why Lord Salisbury said, four years ago, to the United Empire Trade League : Go and fight for your opinions, and when you have convinced the people, you will not have any trouble with Her Majesty's Government. He recognized the overwhelming change that has taken place in public opinion in the United Kingdom, and he said : I am with Mr. Chamberlain, I heartily endorse the step he is taking to see if we can improve the trade relations between the mother country and the colonies. But before we disturb these treaties, that have caused the difficulties, before we give notice for the abrogation of those treaties, we want to have a definite scheme propounded by which we will show the substantial advantages that will be gained by having preferential trade between the colonies and the mother country. I give that to the hon. gentleman as an evidence not only that this is not a hopeless question, and one in which gentlemen who have taken an interest have not good reason to believe that at an early date their object will be accomplished, but as evidence of the wonderful progress this question has made in the mother country. I want to take this opportunity of saying that the third congress of the Chambers of Commerce of the Empire is convened by the London Chamber of Commerce for next June, for the consideration of questions which are of the most vital importance to Canada and the Empire at large. I have no hesitation in saying that, if Canada sends such a representation of various boards of trade and chambers of commerce throughout this country as it can send to that congress, our representatives will be met by delegates from Australia and South Africa, who voted at the last congress against preferential trade, but who will now unite with our delegates in advocatiing a policy of preferential trade within the Empire, and such a resolution will be carried by a very large majority. I am glad to state, at the same time, that I have had the pleasure of learning from Messrs. H. A. Allan, and Torrance & Co., representatives of the Allan and Dominion lines of steamships, that they will be prepared to give a passage to and from the United Kingdom to any delegate at a reduction of 33⅓ per cent from the usual fare. Those companies have explained the reason why, in view of the luxurious accommodations provided, they cannot carry our representatives at a lower rate without such being actually non-paying. I mention that circumstance because I am most anxious that every board of trade and chamber of commerce, whatever its political views and sentiments may be as regards the great questions between political parties in this country, should take the opportunity to send able and efficient delegates on that occasion. I have no hesitation in saying to such chambers of commerce that have it not in their power to send delegates, that they will find gentlemen on the other side of the water who will be only too happy to carry out any views with which they may be charged, and present them for consideration. I do not propose to detain the House much longer on this question, because it has been so fully and ably spoken to by the hon. gentlemen who have preceded me ; but I hope, with the prospect of preferential trade being attained at no distant date, and, in fact, I may say at an early date, with all these evidences of the great change that has occurred in public sentiment, I trust no measure will be propounded, no step taken or policy advocated that would be calculated to paralyze it. We have the fact that the United Kingdom is prepared to give the fullest consideration to this important question, and, under these circumstances, I feel it would be most unwise to place any difficulty in the way by propounding a policy that will gain part of the advantage, but which will leave Canada without obtaining that advantage and consideration which it is perfectly obvious she is going to obtain under this measure. I do not want to weary the House, but this matter has recently obtained an importance which it has never known before, in connection with the attitude of the great republic to the south of us, and with the still more threatening attitude of the German Empire. As regards the mother country, attention has been drawn as it never was drawn before to the fact that England is not in a good position, as she stands to-day, in respect to food supplies ; that, in fact, the time has come when she will be consulting her own interests, promoting the most important and vital interests of the great British Empire by the adoption of a policy which will render her less dependent on foreign countries than she is to-day. The great crop that has been obtained in Manitoba and the North-west, has furnished a most striking evidence to the mother country of the advantage of possessing among her dominions the Dominion of Canada. Although we have only scratched, as it were, the margin of the great wheat field of the world in Manitoba and the North-west, which a few years ago formed a desert, this territory has produced as much wheat, or about as much, as the whole of the United Kingdom. If that can be done under the condition of things that have existed, with the low price of wheat, with the depression that has prevailed in that country, with the loss of crops that occurred in previous years, what cannot be done by a policy on which the United Kingdom and the Imperial Government will feel that, by sending capital and people into that great North-west, they will be able to place themselves in a position that at no distant date we will be able to furnish the people of the United Kingdom with the other five-sixths of the wheat they require for consumption over and above that they can grow themselves ? The hon. member for North Bruce (Mr. McNeill) read from a most striking article, written by Mr. Long, in evidence of the fact that Great Britain cannot furnish herself with food. Attention has been drawn to the fact, and the "Saturday Review," one of the most able and independent journals in the United Kingdom, has come out and advocated, without any reference to the free trade policy that has so completely governed England for so long a period, a policy of preferential trade, a policy that would fill up Manitoba and the North-west with hardy and industrious immigrants, and would develop what that country has shown herself able to produce. With such a prospect before us, there is no one who does not feel that in this policy of preferential trade, both as regards bread and meat, we occupy a vantage ground that only requires steady, patriotic, determined and intelligent effort to make this country go forward by leaps and bounds to an extent that will throw into the shade anything that has previously occurred. I am delighted to know that this is not a party question. I am delighted to know that with the hon. member for North Norfolk (Mr. Charlton) the only difficulty was that preferential trade, in his opinion, was impossible to obtain. Everybody favours preferential trade. The 'Globe' said, when the matter was brought up, that all persons would hold up both hands in favour of preferential trade. I trust that newspaper will not fall back from maintaining that doctrine, because it finds an unworthy advocate on this side of the House. Sir, with this Parliament united upon this question, with the great parties of this country united on the policy of promoting the question of preferential trade, it would be given an impetus and cause a progress and a prosperity to Canada of which we perhaps have scarcely dreamed. Why, Sir, look at the position of England under this fast line steamship service, which she has pledged herself to assist us in carrying to a rapid consummation. With this fast line of steamers crossing the ocean, she would be only five days journey from a country that only requires capital and industry, to furnish her at no distant date, with all the food products which she may require in case of a continental or a European war. I believe we will fail in our duty to ourselves, and fail in our duty to our country, if with this prospect bright and cheering before us, we do not one and all do everything that lies in our power to take advantage of the present position of this question, and to promote this vitally important question to Canada, of preferential trade within the Empire. The hon. gentleman seemed to think that it was a fatal objection to this policy of preferential trade, that the trade of the colonies was smaller than the volume of trade between the British Empire and foreign countries. Sir, what has that to do with it ? What we propose to do is to reverse the figures. What we propose to do by this policy of preferential inter-Imperial trade, is, to relieve England to a large extent from the necessity of cultivating foreign trade. But, is there anything in the policy of preferential trade with the Empire, that threatens the foreign trade of the United Kingdom. Not at all. What ground has Germany, the United States, or any other country that hampers free trade England with a policy of ever increasing tariffs to shut out the products of British industries from their country, what claim have they, I ask, to complain of England——

Mr. LAURIER. What claim have we to complain ?

Sir CHARLES TUPPER. The hon. gentleman (Mr. Laurier) opens a wide question, and I am afraid I would have to take another hour to convert him. I will spare the feelings of the hon. gentlemen opposite, but I will say this to the leader of the Opposition. Last November I stood before one of the most interesting and intelligent commercial audiences to be found in the United Kindgom, at Newcastle. I was invited by the Chamber of Commerce in that city to address them, and I had an opportunity in the Guildhall of speaking to a densely crowded body of the first financial, and commercial, and shipping men to be found in Newcastle, and with what result ? I placed before them the naked facts in regard to the policy of Canada in relation to the United Kingdom, and I satisfied them that the policy of this country was a thoroughly British policy. As the hour is late, Sir, I have no doubt I will have to give the hon. leader of the Opposition a copy of my address on that occasion, in order to satisfy him upon the question. I say that there is no reason why any country should complain of the imposition of a small, say a 10 per cent duty, against foreign countries. Is there a colony in the world, is there an Empire in the world, is there a country in the world except the United Kingdom, which does not favour her own colonies, and place them on a different footing in relation to trade between the mother country and her colonies. I do not know of one, and I say therefore, none can complain. Can the United States complain ?

Mr. MILLS (Bothwell). She may retaliate.

Sir CHARLES TUPPER. How could she retaliate I would like to know ? Does the United States send to England any of her products for England's good ? No ; she does it for her own good. She consults her own interests and her own interests alone. But I will tell you what happened. In 1890 Great Britain was taking £90,000,000 sterling of the products of the United States of America without charging a farthing of duty, and the United States was taking from the United Kingdom £30,000,000, or one-third—I am speaking in round numbers but this is near the mark. What happened ? Was the United States animated by any feeling of gratitude to the United Kingdom for the favour with which this enormous amount of her product was received, and when she gave so little reciprocity in return. Not at all. What did she do? Why, she sat down and constructed a McKinley tariff to see if she could not knock off 10 per cent of this paltry £30,000,000 she was taking in return for the £90,000,000 sterling Great Britain took from her. And, not only to knock off 10 per cent or 20 per cent of the paltry amount the United States was receiving, but she coupled with it, the so-called reciprocity clause, under which, like a great octopus she proposed to throw her tentacles around the whole of the continent of South America, and to drive British trade out of that country. Under those circumstances, no man can venture to say that the Unites States could complain, nor would she complain, if England adopted the policy that every country in the world, except England has adopted, namely, that of placing her own family, her own colonies, her own dependencies, upon a different footing from that of foreign countries.

But, Sir, it may be said that it would involve the abandonment of the policy of free trade for England. That is another fallacy. There is no protection in it. Lord Salisbury has in a most authentic and formal manner declared, that whatever fault may be found with the policy of preferential trade within the Empire, certainly no man can call it protection, so that that question is authentically set at rest. And, when it was suggested that the United States might retaliate, as it was suggested when this question was discussed in the Imeperial Parliament, the present first Lord of the Admiralty, then the Chancellor of the Exchequer, denounced that doctrine in the most emphatic terms, and said: that England would never recognize the doctrine that she was not in a position to make such arrangements with her own dependencies, and her own colonies, as the interests of the Empire might dictate, without any foreign country having the slighest right to complain. It may be said, and it is said by some of the extreme apostles of free trade: This is a restriction, and we are opposed to all restrictions on trade. Sir, this is the only way by which the restrictions on trade can be removed. When Cobden propounded the policy of free trade, he rested it, as hon. gentlemen opposite know, upon the conscientious belief, that if England adopted free trade every other country in the world would follow her example. And, Sir, he based his policy of free trade upon that belief. The events have shown that he entirely miscalculated—that he was entirely mistaken. Instead of the whole world adopting his policy, Lord Salisbury tells you that every other country in the world is building up higher and higher tariffs for the purpose of shutting out England from sharing in their trade or having any advantage of their markets. Therefore, he says, you must look to the policy of trade within the Empire as the means of the building up and making the Empire great. And so far from greater restrictions being imposed upon English goods as a result of that, look at what occurred before the last presidential election in the United States. Lord Salisbury, in fact, went a good deal further in his speeches that he was afterwards quite prepared to carry out. In an important speech in reference to retaliation which he delivered at Hastings, Lord Salisbury said: "England finds herself in the position of a man going out to fight a battle, having been stripped of all his armour, because we have nothing to give." When Spain made a treaty with the United States of America, it said to Spain: "Unless you make a special treaty with us, giving us an advantage in your markets over everybody else, we will not allow your sugar and two or three other articles to come into the United States free of duty as they come from other countries." What did Spain do? Spain at once surrendered and made a treaty giving to the United States of America advantages over other countries. England came forward and said: "Do you mean to say you are going to give to the United States of America these advantages for receiving three or four of your products free of duty? Why, we take everything that Spain and her colonies send to us without any duty, except wines and tobacco; and do you mean to say that you are going to shut us out of your markets?" "Oh, yes," Spain answered. "you have nothing to give us; we are only authorized to give advantages for a quid quo pro; and, as you have given everything you possessed before, you have nothing to give now, and, therefore, you cannot share the advantages which the United States obtains." I say that under these circumstances it was no wonder that the indignation of Her Majesty's Government was stirred, and that they felt that advantages were taken of the liberal and magnanimous policy extended by England to every country in the world; and Lord Salisbury went so far as to say that under that condition of things, it would be a question whether Her Majesty's Government would not have to reconsider whether there were any means of moving those countries to treat England more fairly. What happened? Why, Sir, that menace or suggestion of Lord Salisbury's was telegraphed to New York, and the New York "World" came out with heavy headlines, calling attention to this note of warning, and that paper was scattered broadcast all over the United States on the eve of a general election. It said: "The British lion is getting aroused, and if we are not careful, this McKinley tariff is going to result in England imposing a duty on the breadstuffs we send to that country." And, Sir, what was the result? I do not say that it changed the presidential election; but I say that one of the most potent influences in the election of a Democratic president pledged to remove the rstrictions from trade, was the sentiment of alarm excited all over the bread-growing portions of the United States that their interests were in danger. Therefore, this suggestion of the imposition of a tariff by the United Kingdom had the effect, the important effect, of contributing largely to the removal of restrictions imposed by the McKinley tariff.

I do not intend to keep the House longer. I could give you some very interesting evidences of the effect of that speech of Lord Salisbury's but I will simply conclude by saying that I do trust that on this question, being one in which every Canadian is vitally interested, that no hon. gentleman in this House, or out of it, will adopt any line that will not be calculated to aid and assist in accomplishing that which, I believe, every Canadian recognizes as one of the most important measures that can be taken for the advancement of Canada and for its progress and prosperity.

Mr. DAVIES (P.E.I.) Mr. Speaker, the importance of the subject to which my hon. friend drew the attention of the House this afternoon in itself justified him in asking the House to give a few hours to its consideration. I myself feel quite sure that, apart from the importance of the question, the well-known sincerity and earnestness of the hon. gentleman himself would have prompted the House to listen very carefully and heartily to any arguments he might advance in favour of any of those propositions which he has so much at heart. The importance of the debate has been enhanced by the intervention of the leader of the House. That hon. gentleman has given us a mass of interesting, though, to some of us, somewhat doubtful figures and facts. The hon. gentleman has spoken of information gained by him when he was the High Commissioner in London, as to the change of public opinion in that country. He has told us, among other things, that, in his opinion, one of the most potent influences that affected the result of the late English elections was this trade question ; and, as I gathered, more particularly by inference than by direct statement, from that particular feature of it which he has been advocating to-night. If his statement is true, that one of the greatest majorities every obtained in English history was obtained by his friends on this question, I think it is a very appropriate question to put, where are the results ? What propositions have been made by the British Government, directly or indirectly favouring the question which he says has carried them into power ? What statement has been made by a leading man in the Cabinet, indicating that they favour or countenance any such proposition ? If neither by the voice of any Minister, nor by resolution of the House, nor by any reference in the Queen's Speech, nor by any of the recognized methods of placing the government's policy before the country, do we see the slightest sign of such a policy dominating or controlling the present government, I think we may fairly conclude that the hon. gentleman is entirely mistaken in his opinion. I had not the same opportunity as he had of judging, though I followed pretty closely the late elections in Great Britain, and I think I am not wrong in saying that the great question of Home Rule for Ireland exercised a great influence in that election. I think I am not wrong in saying that the leaders of the Conservative party put that question in the forefront, in their cards and addresses, and asked the people to support them in their opposition to the policy of Mr. Gladstone and Lord Rosebery on the ground that it would be fatal to the integrity of the Empire ; and I think that local option and the disestablishment of the church in Wales had infinitely more to do with the result than any of the questions which the hon. gentleman has mentioned. He says that Lord Salisbury stated—and he gives that as an evidence of the great advance in public opinion on this question in England a short time ago, in answer to a deputation which waited upon him, that this was a matter which he would take into serious consideration. Well, Sir, there are Prime Ministers on this side of the water who do not necessarily adopt any policy suggested to them when they say they are going to take it into their serious consideration. What did Lord Salisbury say. He said what any sensible man in his position would say. He told them that the scheme they proposed was calculated to inflict a very heavy loss on trade, and that he would take it into very serious consideration—when ? When they produced a scheme which showed that the certain loss to British trade which must follow the abrogation of the treaties with Germany would be recouped by the new proposal they suggested. If you can venture to show, said Lord Salisbury, that in the smallest degree, the certain loss of trade which must follow the adoption of this principle can be in any way recouped to us, I will seriously consider your proposition. Have they shown this ? They have not. The hon. gentleman argued the case entirely from a protection standpoint, and he adopted the ordinary line of protectionist argument. He pointed out to us what an extraordinary decline had taken place in the exports of Great Britain, and how the agricultural interest of Great Britain was depressed and being destroyed, and how the colonies of the Empire could produce sufficient to supply the English market. Well, the hon. gentleman will not complain if we decline to accept him as an authority upon Manitoba. Whatever else we may accept him as an authority upon—British trade or politics or anything else—we decline to accept him as a reliable authority upon Manitoba and its productions. I need not remind the hon. gentleman that many years have not gone by since he told us that in 1891 Manitoba would export 640,-

000,000 bushels of wheat, and the time has come for the hon. gentleman to implement his promise and produce the 640,000,000 bushels. In fact, five years have passed since that time, but we shall allow him those five years as grace, and will accept the 40,000,000 without the 600,000,000 millions. He repeated to-day the statement that Manitoba produced as much last year of wheat as Great Britain and Ireland. Now, the production of Manitoba is very creditable, and one of which we are all proud, but there is no necessity for exaggerating it. There is no necessity for making statements which the facts will not justify, and that is the less excusable on the part of an hon. gentleman holding the position of leader of this House than it would be on the part of a private member. As a matter of fact, the production of Manitoba last year was not one-half of the production of wheat in Great Britain and Ireland. I turned up the authority the other day, when the hon. leader of the House made this extravagant statement, and I saw he was wrong, but I thought it was a 'lapsus linguæ,' and did not correct him. But to-day he has repeated the statement, and I now call his attention to the fact that while he made some foolish and ridiculous predictions some years ago, we thought that, at his present time of life, he would have come down to common sense, and would adhere a little more closely to the facts. The Statesman's Year-Book shows that the production of wheat in Great Britain and Ireland last year reached 60,000,000 bushels, and in Manitoba it did not reach 30,000,000.

Mr. MACDOWALL. The grain produced by Manitoba and the North-west Territories this year is calculated at 60,000,000 bushels.

Mr. DAVIES (P.E.I.) The hon. gentleman must surely see the utter irrelevancy and impropriety of his interruption. I made no reference to the grain produced in Great Britain—to the oats and other grains—but confined myself to the statement of the leader of the House, that Manitoba—not Manitoba and the North-west Territories—but Manitoba herself, had produced 60,000,000 of bushels of wheat. Now, we all know that that was ridiculous nonsense. Manitoba did not produce 60,000,000 bushels of wheat. She did not produce over 30,000,000 bushels. What reliance will be placed on the hon. gentleman's statement on the subjects with which agriculturists are not so well acquainted, if on subjects with which they are well acquainted they seem so utterly unreliable.

The hon. gentleman argued from the standpoint of an extreme protectionist. He argued that there had been an extreme decline in the manufacture of British goods, a decline amounting to nearly forty million pounds sterling. Well, no doubt there has been a great decline between 1890, when the manufacturing interest was almost at its zenith, and 1894, when the depression was at its worst. But the hon. gentleman surely, with the facts in his hands, could have told the House that the depression has passed away entirely in Britain, and good times have returned. I have the "Trade Review" in the "Times" newspaper of 31st December, and the hon. gentleman will find that, according to this authority, the times are back again where they were ten years ago—the good old times. The exports of British manufactures last year exceeded those of the year before by fifteen million pounds sterling, and there have been only four years in the history of the Empire when the exports of manufactured goods have been larger. What has the hon. gentleman to say to that ?

Mr. MACDOWALL. I think there is a decided improvement which may be owing to complications with foreign countries, but the authorities do not consider the commercial situation anything like as satisfactory as the hon. gentleman makes out.

Mr. DAVIES (P.E.I.) I am reading from the Statesman's Year-Book, the Statistical Abstract. And I read in the speech delivered by the Right Hon. Henry Fowler at Wolverhampton the other day, reported in the "Times" of the 20th January, that there has been a marked and extraordinary development in the manufacturing industries of Great Britain last year. In the manufacture of iron and steel alone, there has been an export from Great Britain of one million pounds sterling more than the previous year. And times have so improved and the people have consumed so much more dutiable goods, that the Chancellor of the Exchequer came down with the extraordinary statement the other day, that he had a surplus of $40,000,000 in the year's work, while other countries—the United States, Canada and the rest of them—are doubling their deficits. These indications cannot be ignored.

Then the hon. gentleman pointed out that there has been a great depression in the agricultural industry. No doubt there has been, but when the hon. gentleman says that all the agriculturists of Great Britain and a large part of the manufacturers favour a tax on breadstuffs, he states no doubt what would naturally be the desire of the agriculturists. Did he tell us, however, that they favour a tax upon foreign products, and the admission of colonial products free ? Not at all. The agriculturists speaking from their standpoint, would like to see the tariff changed so that they might be enabled to get higher prices for their products; and if they did, it would not protect the agricultural labourer or the farmer, but it would simply enable the farmers to pay the landlords those abnormally high rents levied years before and which the fruits of agricultural labour have not enabled the farmers to pay.

The hon. gentleman cited that as something extraordinary, and asked our special attention to it. But suppose that the British agriculturists' idea was carried out to-morrow, and a tax against agricultural products, colonial and foreign, was imposed, would that benefit the Canadian farmer ? Certainly not, Sir. The thing only needs to be mentioned——

Mr. McNEILL. Will the hon. gentleman allow me to ask him a question ?

Mr. DAVIES (P.E.I.) Certainly.

Mr. McNEILL. Does my hon. friend recollect that when protection was the policy of Great Britain before, there was protection against foreign goods and that England's colonies had a preference in the British market ?

Mr. DAVIES (P.E.I.) I am aware of it, and I have never yet found a well-read, thoughtful man who desired the colonies to return to the state of colonial dependence with all the privileges they then enjoyed. I do not think it was to the advantage of the colonies.

Mr. McNEILL. Does my hon. friend say that he thinks preferential trade would not be for the benefit of the colonies ?

Mr. DAVIES (P.E.I.) I will say quite frankly to my hon. friend, that, if he could secure the adoption of the tariff in Great Britain which would tax all foreign products and allow colonial products to enter free, he would confer a great favour on the colonies. That would be to our advantage, of course.

Mr. McNEILL. Suppose that there was a tariff against foreign products and a tariff upon colonial products, but that the duties upon colonial products were lower than upon foreign products, would that be an advantage ?

Mr. DAVIES (P.E.I) To the extent that we had a preference, to that extent it would be an advantage. But I am calling attention to statements of facts made by the hon. leader of the House. He called attention to the important fact that the agricultural population of Great Britain favoured a tax upon breadstuffs. I say that is quite natural. But, from the statement of the hon. gentleman, it appears they favour a tax on breadstuffs as against the colonies, as well as against foreign countries. What benefit would it be to them to tax foreign produce, if colonial products are to be admitted free? They do not care whether the wheat that competes with theirs comes from Manitoba or Argentina. They want to keep out all wheat and so secure a higher price for their own. That is the most natural thing in the world. If the hon. gentleman can get colonial goods in at a lower rate than foreign goods, of course, he will confer a benefit upon us.

Mr. McNEILL. I do not wish to interrupt the hon. gentleman too often, but did he observe that I pointed out that it was the policy of the Agricultural Union in England to have preferential trade with the colonies?

Mr. DAVIES (P.E.I.) And if the hon. gentleman will permit me, he will see, if he did me the favour to follow the remarks I am making, that there are two distinct lines adopted, one by himself, and one by the leader of the House. The leader of the House stated that he would not favour the proposition of the hon. gentleman, that it would be a national calamity to have such a policy adopted. He said the hon. gentleman was ill-advised, and hoped he would withdraw his proposal, and said he could not give his assent to it. It is against the proposition of the hon. leader of the House that I am addressing my remarks.

Mr. McNEILL. I am sure the hon. gentleman will give me credit for not wishing to interrupt him rudely, but he will hardly say that the objection of the leader of the House had anything to do with the matter I was putting to the hon. gentleman (Mr. Davies) a moment ago ?

Mr. DAVIES (P.E.I.) I think it had a great deal to do with it. The leader of the House objects to that part of the hon. gentleman's conclusion where he proposes to put a tax upon the products of the colonies, as well as upon the foreign products.

Mr. McNEILL. No, no. He does not object altogether, because he says that, if it is necessary to obtain preferential trade, he would be willing to support it. But he thinks our prospects for preferential trade are so good that it is unnecessary to do this.

Mr. DAVIES (P.E.I.) Not only that, but he objects to it as an evil in itself ; but, if it could bring about the greater good, he would yield this point. But the hon. gentleman's proposal, he thinks, is inherently bad. Now, the hon. leader of the House goes further, and tells us that Lord Salisbury, in a certain speech, said : You must look to trade within the Empire, because protective laws are raised against Great Britain outside the Empire. Is it only outside the Empire that tariff walls are raised against Great Britain ? What have her colonies been doing ? What has the super-loyal colony of Canada been doing for the last seventeen years ? Aye, and the super-loyal party within Canada ? What have they been doing but building up tariff walls as high as they could, and not only building up tariff walls against Great Britain and the rest of the world, but building those walls up specially against Great Britain and discriminating against her and in favour of her commercial rivals ? I felt ashamed, when the hon. gentleman asked the House to give him sympathy for the proposition he advanced, on the ground that foreign countries were raising up tariff walls against Great Britain to her injury, while he himself was leading a party that had been guilty of the same offence, and not only guilty of the same offence, but guilty of committing it unnaturally. It may be all very fine for the United States, for France, for Austria, and these other foreign commercial rivals of Great Britain to try and destroy her commercially by building up these tariff walls. How is it, when her own offspring, when a country that should assist, as far as possible, in building up Imperial trade, how, I ask my hon. friend, whose heart, I am sure, is right, but whose intellect and vote on this question are wrong—how can he justify a policy of building up these tariff walls against Great Britain, and not only that, but a policy of building them up so as to discriminate directly and strongly against the trade of the mother country. Before I leave that branch of the subject, the question of agricultural depression in Great Britain, let me call attention to the summary or review of agriculture made by the London "Times," and published in its issue of 28th December, 1895. That review goes to show that one of the leading causes of that depression is climatic and such that no tariff can overcome or ameliorate it. I do not know whether I trespass upon the time of the House, if I read a paragraph from that very able and lengthy review, but I venture to do so:

> One half of the closing decade of the nineteenth century is now completed. In not one of these five years have farmers enjoyed a normal season, if, indeed, there are any features in our British weather which may reasonably be called normal. In 1891 we experienced a severe frost, a memorable blizzard, and at midsummer tropical heat, followed by torrential rains, which rendered the harvest not only unduly costly, but so protracted that even in the south of England corn was still out in the fields in November. In 1892 the mischief arising from the spring drought was aggravated by the severe frosts of the second and third weeks of June; then came the almost ruinous fall in the prices of sheep at the autumn sales, and persistent rains that well nigh spoilt the corn harvest. The terrible drought of 1893 and the privations incident to the fodder famine that succeeded it the following winter are events of too recent occurrence for their effects to have disappeared. Matters seemed likely to set themselves right in 1894, and at midsummer the prospect was a tantalizing one, but it ended in bitter disappointment. Continuous wet weather blotted out all hopes of the best harvest which had been promised to the farmers of the present generation, and, though the bulk of produce was great, the quality throughout was inferior. To fill up the cup, the average price of English wheat declined in October of that year to 17s. 6d. per imperial quarter, by far the lowest average ever recorded.

And so we see, Mr. Speaker, that, while there are other causes, no doubt, contributing to the depression which exists in that branch of industry in Great Britain, there are also causes climatic in their character which no tariff, no matter how high, can overcome, or, perhaps, very much ameliorate. Now, there are a few remarks made by my my hon. friend which I would like to offer a word or two upon before I sit down. He says that some years ago this House committed itself to a resolution proposed by him, a resolution which was carried by a party majority, a resolution which declared that if, and when Great Britain admitted Canadian products on more favourable terms into her ports than foreign products, then Canada would be prepared to make a concession in favour of British goods. Well, Sir, we know how that resolution was met. The hon. gentleman says it received favourable mention at the hands of the "Times," the great exponent of public opinion of England. So it did; but when the "Times" received, after a long time, a true report of the resolution which had been moved in amendment by the Opposition, that amendment received still greater praise than the hon. gentleman's resolution; but, Sir, from causes which I cannot myself determine entirely, the whole of the Opposition amendment on that occasion was mutilated, shamefuly mutilated, so that when it appeared in the "Times" before the English people, nobody could understand what the policy of the Opposition was at all. But, apart from that, the hon. gentleman says that that resolution of his being carried by a majority, committed this House to Imperial preferential trade. Well, Sir, what stands in the way? England's free trade policy stands in the way. The hon. gentleman has to change the policy, the determined policy, of Great Britain, before he can hope to succeed. Now, look at these figures. The English blue-books show them to exist with reference to England's trade. The imports from the British possessions, including India, amounted to £94,000,000 out of a total of £400,000,000 pounds of imports; in other words, that is 23 per cent. But remember when we speak of 23 per cent, that embraces India as well as all the other colonial possessions. Of the exports of Great Britain, that amounted to £215,000,000, the British possessions, including India, took £72,000,000, or 33 per cent. But if you exclude India, what a showing we make. Why, Sir, we talk about Canada's trade with Great Britain, forgetful of the fact that it only amounts to 3 per cent of Great Britain's trade. The total trade of Great Britain last year amounted to £700,000,000 sterling, and Canada's total trade with Great Britain was a shade less than £19,000,000 sterling, or less than 3 per cent of the total trade. The total imports of Great Britain were £408,000,000 and she got £13,000,000 from Canada, or less than 3 per cent. Of her total imports of £215,000,000, she sent to Canada £6,000,000, or 3 per cent; so that the total trade of this great Dominion, the chief child of Great Britain, her largest colony, amounts to 3 per cent of Great Britain's total trade.

Well, Sir, what are the kinds of goods which we ask Great Britain to tax ? Food products and raw material. Where do they come from ? Why, Sir, Great Britain imported last year 14,000,000 cwt. of wheat from her own possessions. and 9,000,000 cwt. from India. But how much had she to import altogether ? Seventy-eight million hundred weight. She got 27,000,000 from the United States, 23,000,000 from Russia, 11,500,000 from Argentina, 1,000,000 from Chili, 2,000,000 from Roumania, and only 1,800,000 from Canada ; 3,500,000 from Australasia, 8,800,000 from India. I quote this to show how infinitesimally small are the proportions that we send from the Dominion of Canada, and how almost ridiculously small are the quantities sent to Great Britain of the food she requires from the whole of her possessions. Well, Sir, when we see that so small a proportion as 14,000,000 hundred weight of wheat out of 78,000,000 imported by her, are sent her from her possessions, when we see her asked to tax 60,000,000 hundred weight of wheat she imports, and let in 14,000,000 free, we can see how, on the face of it, unless there are overwhelming arguments to be urged on the other side, how ridiculous it must appear to Englishmen. What hope can we have she will do it ? Certainly the figures do not justify us in the hope. If Great Britain is able to produce cheaper goods than any other country in the world, and sell them to the rest of the world cheaper than they can be manufactured elsewhere, the two main reasons are that she imports free all her raw products and she imports free to feed her population all the food they require. But you ask her to turn round and tax the very articles, the raw materials and the food, which enables her to manufacture her goods cheaply and sell them to the rest of the world. Why, you are going to fetter her in the commercial race by the very proposition you cheaply and sell them to the rest of the world. start with. Her policy is unalterable, so far as we are able to judge, and it stands across the very threshold of your proposition ; and until you can show that there is a reasonable hope of overcoming in England the free trade policy to which she has been allied for the last fifty years, and under which she has made a progress unparalleled in the history of the world, you cannot satisfy me that there is any hope whatever of her adopting this proposition, much as its adoption might prove favourable to Canada. But in addition to all that, you have the treaties with Germany, and with Belgium, and with the other countries, and when you see the trade that Great Britain does with Germany, and with Belgium, and with France, and compare it with the trade she does with us, you will see how likely she is to abolish these treaties under which her trade is flourishing so greatly. I find that in 1894-95 her exports to France were £13,500,000 sterling ; to Germany, £17,500,000 ; to Holland, £8,500,000 ; to Belgium, £7,500,000 ; to Russia, nearly £7,000,000 ; while to the whole of British North America they were only £6,000,000 ; to South Africa they were £8,000,000 ; and to Australasia, £16,000,000. Now, what prospect is there of altering that? The hon. gentleman referred here to-day to certain statements made by Lord Salisbury. Now, we were told by the hon. member for Assiniboia (Mr. Davin), who most amusingly asumed an air of superiority in talking on this question, I suppose from the fact that he did not seem to understand a thing about it—we were told by that hon. gentleman that all his opponents were narrow-minded pedants, they were little Englanders, who did not know anything ; and, as for Lord Salisbury, he was a kind of incarnation, a double man, a political Mr. Jekyll and Mr. Hyde. He told us that when he was speaking as Lord Salisbury, he said what he believed to be true, but when he was speaking as leader of the Conservative party, he spoke what he did not believe to be true.

Mr. MILLS (Bothwell). He was imitating the member for Assiniboia.

Mr. DAVIES (P.E.I.) Now, I would like to call attention to Lord Salisbury's statements on this very question, three different statements made at three different times, to show that Lord Salisbury has been, so far, thoroughly consistent, and has used language which nobody except an enthusiast could misunderstand. In 1888, speaking in the House of Lords on a motion made by Lord De la Warr, as reported in English " Hansard " 323, Lord Salisbury said :

> I have simply to say with respect to the question of protection that this country has adopted the opposite system after a controversy unexampled in its length, in its earnestness, and in the decision with which the ultimate issue was arrived at. If we are to understand the re-examination of that question, it must not be done incidentally, by insinuation, by allusion, by hints. You must firmly walk up to the fortress that you have to atack and lay siege to it in form. * * * In my belief the economical arguments in favour of free trade are very strong, but they are not the strongest with which we have to deal. If he (Lord De la Warr) will look back upon the debates of 1846 and read the speech of Sir Robert Peel when introducing his great proposal, he will see that the political argument weighed more heavily than even the economical argument in his mind, and I believe that the political argument has lost none of its force. I utterly disbelieve that it is in your power to introduce protection. If it were I think it would be introducing a state of division among the classes of this country which would differ very little from civil war.

I do not think that this language is lacking either in lucidity or in force. Surely we understand Lord Salisbury's opinion in 1888. Where did he stand in 1891 ? His Lordship is reported in " Hansard," speaking to a motion moved by Lord Dunraven, in favour of inviting the colonies to send representatives to a conference to consider the advancement of trade with Her Majesty's Dominions, as follows (Hansard, vol. 350, page 434) :—

> I ask him to look at the state of opinion in this country, especially the state of opinion in our commercial, manufacturing and industrial classes, the state of opinion above all among the capitalists and the most educated classes, and say if he sees the slightest chance within any period to which we have a right to look forward of such a modification of opinion in this country as will enable any statesman, whatever his opinions may be, to propose the establishment of retaliatory duties. It seems to me to be absolutely out of the question. If you wish to set up a discriminating system in favour of the colonies as against the rest of the world, just consider what are the goods on which you would have to levy a heavy duty in this country in order to make that discrimination felt. They are grain, wool and meat. What chance have you of inducing the people of this country to accept legislation which would make these essential articles of consumption susceptible of such tariffs ? I see no probability whatever of it. That being the case, I think we should be hardly behaving respectfully to the colonies if we asked them to send representatives to a conference to discuss the question, when we know that the answer which many of them, at all events many of their statesmen, would give must be met immediately on our part by the information that such a thing is absolutely impossible.

What language could be stronger than that ? In the face of the statement made by Lord Salisbury that public opinion in the commercial, manufacturing and industrial classes showed there was not the slightest sign within any period to which we had a right to look forward of such a modification of opinion as would enable any statesman to propose the establisment of preferential duties, we have the leader of the House declare that Lord Salisbury knows nothing about it, that he (Sir Charles Tupper) had resided in England, had ascertained public opinion in commercial centres and that his conclusion was exactly the opposite of that reached by Lord Salisbury. Hon. members can make their selection between the opinions expressed by the late High Commissioner and by the Premier of Great Britain. Then we have a statement made by Lord Salisbury on 22nd November, 1895, in answer to a deputation that had called on him asking for a special protective tax on hops. What did he say ? He spoke as follows :—

> There is another matter you must consider and deal with—the general question of protection. You must remember England is not the only country that has tried the experiment. We have tried the experiment of free trade, and you think it a terrible failure. If you cross the water you find that the French have tried the experiment of protection in its extremest form, and there agriculture is suffering as greatly, if not more so, than here. There is some other cause at work than the mere question of imports or no imports, and, merely speaking as one desirous of judging the political forces of the time, I cannot honestly say that I see any probability of any prospect of any import duty being imposed on any article of foreign production which is generally used in this country.

One would imagine that that would be conclusive. But the hon. leader of the House read a speech couched in equivocal language, delivered by Lord Salisbury at Hastings shortly before the last elections, and that speech the Secretary of State seem to think contained some evidence that Lord Salisbury had changed his opinions. When he read that speech the hon. gentleman knew that Lord Salisbury had taken occasion but a short time ago to contradict the view held by those who allege that any such inference could be drawn from his Hastings speech, and in fact the hon. Secretary of State knew that Lord Salisbury formally repudiated the inferences drawn by protectionists of the type of Sir Charles Tupper. That hon. gentleman was not dealing fairly with the House when he quoted the British Premier's Hastings speech and withheld the repudiation which Lord Salisbury made on the 11th January last. When receiving a deputation asking for customs taxes in the interest of English producers of hops and barley, of which the Earl of Winchilsea acted as spokesman, Lord Salisbury, said :

> I am glad to hear that your lordship did not pledge yourself to any theory, and as a matter of practical politics you did not urge any departure from the National policy in respect of free trade. I observe that Sir F. Lockwood has represented me as having been guilty of trifling with the hopes of those who are interested in agriculture by promising protection for hops in a speech at Hastings in 1892 and abandoning that promise the other day. I never promised on that occasion, or on any occasion, any relief by protection, or held out any expectation that there would be a restoration of protection in this country. I distinctly disavowed any advocacy of such a policy.
>
> I am sensitive upon the suggestion that I have ever promised or urged upon any audience a belief that protection would return within any period to which this generation can look. I have thought it wise—although certainly your lordship's speech did not furnish ground for any imputation that you were unsound on this point—to reiterate those opinions, so that there may be no mistake as to the view we take concerning the problem which lies before us, and conditions under which it must be solved.

So we have Lord Salisbury in 1888, 1891, 1895 and 1896, even as late as January last, unequivocally declaring that he adhered to free trade doctrines, and that there was no prospect whatever of the doctrine of protection, or the policy which my hon. friend squints at in his resolution, legislation in favour of the colonies, ever being introduced during the life of the present generation at least in Great Britain, or indeed that it was a question which was within the area of practical politics. His lordship indeed pointed out that the commercial and social opinion, and the opinions of the agricultural and the manufacturing classes, were all opposed to it, and yet in the face of these statements made by the highest authority, from the

Conservative standpoint at least, we have the leader of this House stating that this is all fudge and he does not believe a word of it. These statements convince me that Lord Salisbury was not speaking as an educationist but as a practical statesman, with all the responsibility which he felt as the leader of a great party and the Prime Minister of the Empire, and he spoke in language which he hoped the colonists would understand that they might not be misled by demagogues or others. I am very far from desiring to use that term towards my hon. friend (Mr. McNeill), because I entertain the very opposite opinion of him. I know him to be thoroughly honest and thoroughly sincere in his opinions, but, unless you can show that these statements of Lord Salisbury have been retracted or that he is not speaking the mind of the Government of which he is the head, I say it is impossible for you to imagine that there is any hope whatever of introducing these political ideas which my hon. friend (Mr. McNeill) advocates into the practical politics of Great Britain. Can my hon. friend name a leading statesman of Great Britain—I decline to allow Mr. James Lowther to come within the category—who has ever given the slightest hint that he has apostatized from the national faith and become a protectionist. To-day, the two great parties in Britain are at one upon the fiscal question, and, if a great political leader wanted to sound his death-knell, he could not take a better means of doing so than by suggesting such a policy as my hon. friend advocates, and which, in a modified form is supported by the leader of this House. A distinguished statistician, Mr. Ephraimson, has made a calculation as to the effect of the imposition of even 5 shillings duty per quarter upon the corn imported into Great Britain, and, in a pamphlet published by him, he estimates that, if such a tax were levied in Great Britain, and an equivalent tax upon all food products, it would amount to £100,000,000 sterling a year upon the people of Great Britain. Is there a sane man who can for a moment believe that the working classes of Great Britain will subject themselves to any such enormous taxation as that ? Sir, the idea is ridiculous.

Mr. O'BRIEN. Does the hon. gentleman mean on the importation of breadstuffs, or on the whole foreign trade ?

Mr. DAVIES (P.E.I.) No. The statistician says that, if there was a 5 shillings duty placed upon foreign grains, and an equivalent duty upon all foreign importations of food, that increased duty would amount to £100,000,000 a year. If these figures are true —and they have not been controverted, except by the hon. gentleman (Sir Charles Tupper) pushing them to one side, and saying there is nothing in them—if they are true, how can you expect the English people to accept such a policy ? If they did accept it, would not the results be destructive of the manufacturing interests of Great Britain. Looking at this question from a practical standpoint, what good can come of it ? If we adopt the modified proposition suggested here, what would be the result ? The hon. the leader of the House says, that the United States cannot complain. No, Sir, they could not complain, in a sense, because they know we have the right to adjust our tariff as we please ; but, while they could not complain, they could retaliate. Every one knows that one of the two best markets in the world that Canada has for her surplus products is the United States, and are we going to adopt a policy that would be a direct invitation to them to retaliate on us. It would be very easy for them to cripple many branches of Canadian trade by raising their tariff against us until it became absolute prohibition. There is no use shutting our eyes to the fact that there are many articles for which the United States is our only market, and, if they were to prohibit them by an increased tariff, Canada would suffer materially. The least we can do is not to adopt a policy which can invite retaliation, but, on the contrary, let us adopt the policy which has been consistently advocated for many years past by the Liberal party, the policy of reciprocity of trade, which will not only develop our existing trade, but which will develop and increase it in similar proportions under the old reciprocity treaty from 1854 to 1866.

Mr. STAIRS. Mr. Speaker, at this late hour, I will not reply to the arguments of my hon. friend from Queen's (Mr. Davies), especially as that hon. gentleman has admitted, that, if preferential trade could be obtained, it would be a very good thing for Canada. Most of the arguments advanced against the resolution of my hon. friend (Mr. McNeill) have been to the effect that such preferential trade cannot be obtained, and, if hon. gentlemen on both sides of the House are convinced that preferential trade within the Empire is in the interest of all parts of the Empire, then, why should we not make a hearty and honest attempt to secure it. An important change of policy like this cannot be obtained in a short time, and Canada and the other colonies of the Empire may have to wait for this great boon. But, if it is in our interests, as is admitted by hon. gentlemen, why should we not attempt to secure it ? My hon. friend (Mr. Davies) told us that the agricultural classes of England had no intention of giving the agricultural products of the colonies preference in the English markets. If that is the case, there would be no preferential trade, but it is hoped that in time the whole people of the United Kingdom may be convinced that it is in their interest to give preferential trade to the colonies, and that the agricultural classes will agree to it because of the general benefits that will accrue to them in indirect ways. My hon. friend (Mr. Davies) asked : What is Canada doing now; and he answered the question by saying : She is building up a tariff wall against Great Britain. I wish to point out to the hon. gentleman that Canada has always treated England in the same manner as England has treated Canada. England gives to Canada no preference whatever in her markets; England gives to foreign nations as favourable terms in the English markets as she does to her colonies, and Canada gives to England the same treatment in her markets as she gives to other countries. This being the case, I do not see that England has any cause to complain. I am convinced that there has been a great change in public opinion in England of late years respecting this question, and, as I believe, that improved feeling towards the project will continue, I feel that it is worth while for Canada and the other colonies to wait, in order to see if this change in feeling does not lead English statesmen to realize that it is in their interest to consolidate the whole Empire by having preferential trade within the Empire. For many years I have thought that the change in British public opinion has been shown by the fact that leading statesmen and many of the British newspapers have gradually been obliged to advocate in favour of free trade, and against protection. I believe that this fact shows the growing strength of the great change in public opinion. Twenty-five or thirty years ago the statesmen of England and the business men of England had so completely adopted the free trade theory and practice, that I do not believe that you could have found one statesman—from men in the highest position, such as Lord Salisbury, down to the humblest man in Parliament in England—or that you could have found any business man in England, to think that any argument against protection was necessary. It was accepted by them at that time as an axiom—as a truth that could not be disputed. At the present time there are men in England occupying the very highest positions, and some of the most important newspapers, that find it necessary to advocate protection, showing that there is a growing sentiment in England in favour of protection.

Mr. Speaker, I only intended to-night to give very briefly, indeed a few of the reasons which have led me to believe that preferential trade within the Empire is a good thing ; and I support the resolution of my hon. friend from North Bruce because it is in favour of that principle. What preferential trade means I need not take time to explain to-night, because it is generally well-known. Now, I have never been able to understand why England did not continue to her colonies the preferences that existed many years ago. That was before my time, and I do not know exactly what benefits the colonies enjoyed in the English market ; but I know that they have very important benefits. If I am not mistaken, in those days English colonial sugar went into the market of the mother country at very much lower duties than foreign sugar, and I believe the same was the case with timber. I have never been able to understand why England did not continue that arrangement, and why at the same time the efforts of English statesmen were not directed to building up one united empire, between the members of which, if there should not be absolute free trade, there would be a very general measure of preferential trade ; so that, as to trade between themselves, they would be in a better position than foreign nations. If that had been done, it seems to me, looking at matters as they stand to-day, that England might have had a very much more important trade with her own colonies than she possesses at the present time. The hon. gentleman was inclined to blame Canada for adopting a protective tariff, to my mind England is very much to blame for it. She gave here colonies no inducement to do anything else. I have never been able to understand, either, in what way preferential trade within the Empire could injure England's trade with foreign nations. That point has been answered very well by the hon. leader of the House. I listened with very much interest to what he said, and I do not wish to enlarge upon it ; but it seems to me that not only would no foreign nation have any right to complain, but it would not retaliate because of anything that might be done within the Empire itself. I cannot see why a foreign nation has not as good right to complain to-day of Canada, which does not admit foreign goods duty free when England does, as it would against any preferential arrangement that might be made between the colonies and the mother country. Now, what could be more natural than that the people belonging to the Empire should trade together ? Is it not an unnatural thing that during the last 50 or 60 years the colonies and the mother country, in matters of trade, have been gradually drifting away from each other ? Why should not England treat Australia, Canada, South Africa and her other colonies more favourably than she treats foreign countries? England to-day is treating her colonies in exactly the same way as she treats foreign nations. England did not always treat them so. What is the reason of the change ? The only reason we can see for it is England's adoption of free trade. I was very much struck with the statement made by my hon. friend from North Bruce in reference to the imports and exports of English manufactured goods. He said that England imported £125,000,000 sterling of manufactured goods. Now, I cannot see why England should not impose a small revenue duty upon that amount. I cannot see why her manufacturers and artisans of all classes, when they send the products of their factories and their labour into foreign countries to the extent of £200,000,000 sterling, should be met with hostile tariffs of from 15 to 100 per cent, and sometimes more, when the products of these countries are admitted into England absolutely duty free. Many of these imported goods are luxuries, and could well afford to bear a small tax, and such a tax would enable the Government to dispense altogether with the income tax. However, that is not the business of the Parliament of Canada, but belongs to the people of the United Kingdom. In considering this resolution, we have to do it from our own standpoint. Now, we hear sometimes of discrimination against England. From my knowledge of business, and of the imports of Canada, I am satisfied that if there be any discrimination against England, although I do not admit that there is, the only way to do away with it is to adopt a system of preferential trade. I am certain that no general reduction of duties on manufactured goods coming into Canada would benefit the English manufacturer to any appreciable extent. The effect of such a general reduction would be to open the markets of Canada more fully to the manufacturers of the United States.

Mr. DAVIES (P.E.I.) Why could we not adopt the policy adopted some time ago in this House—reducing the taxes on goods imported mainly from Great Britain ?

Mr. STAIRS. To answer that I would have to go more into detail than I can do on the spur of the moment. The hon. gentleman would find it almost impossible to reduce the duties on staple articles imported into Canada without benefiting the manufacturers of the United States more than those of England. On one article I think a reduction of duty would benefit the manufacturers of England more than those of the United States, though it might injure the manufacturers of Canada—that is, woollen goods.

Mr. O'BRIEN. And cutlery.

Mr. STAIRS. I am not prepared to admit that altogether. In some kinds of cutlery, perhaps, the finer forms of penknives and articles of that kind, my hon. friend may be right, but it must be remembered that of that particular article Canada does not import very largely. But I was speaking a few minutes ago in a general sense only. In that sense I am quite certain you could not reduce the duties of manufactured goods coming into Canada very much without benefiting the United States manufacturers more than the manufacturers of England. But it may be asked here, could the manufacturers of Canada stand a reduction in the duties on goods which they make coming into Canada ? I think it would pay them to do it on goods coming from England, for the indirect advantage they would obtain. I believe that if preferential trade could be secured, it would lead to a very general increase in farming in Canada. The farmers are our most important class of people. If farming is not prosperous, we have not the market for manufactured goods we otherwise might have. If you increase the number of farmers, you proportionately increase the market for manufactured goods. It has been complained lately that the number of farmers has not increased. The reason is patent on the face of things. It is that the markets in Canada have not increased proportionately with the power of production. The farmer's power of production at present, owing to improved machinery and appliances, has increased enormously. It does not take anything like the number of men to produce a given quantity of farm produce of any kind that it did thirty or forty years ago. Therefore, under similar conditions in the country, you will see that naturally the number of farmers in the country at present as compared with thirty or forty years ago must decrease in proportion to the rest of the population. What we want is a market for our farmers. The adoption of preferential trade would lead to this. As regards the food supplies of the United Kingdom, especially during war time, the colonies of England, if not in a position at present to supply the United Kingdom with food, would, in a very few years, under the stimulus of preferential trade, be able to do so ; and the means of transport have improved so vastly that even in time of war I believe England, if the farm produce were ready in Canada, could obtain it without difficulty. There is to-day an ever increasing number of very large and fast ocean steamers engaged in trade on the north Atlantic, which in time of war, with a European country, could be drawn from their usual business and employed in the transport of food to England. England is in a better position to import from abroad at present any articles she requires than she was a hundred years ago. She has to-day practically the absolute control of the fast steamships of the world. She has to-day, under her control, a fleet of ocean steamships which the fastest foreign cruisers afloat could not catch. As an illustration of this, I may refer to an account which was published in the Ottawa "Journal," a few days ago, of a race which took place in Japan between the United States fast cruiser "Olympia" and the "Empress of India," which is not by any means a very fast steamer, compared with the fast steamers of the merchant fleet of England to-day. I am not absolutely certain whether this is a true account, it is written by an American, and is rather amusing. But whether it is absolutely true or not it serves the purpose of proving what I say, because I know that what is there said to have taken place is certain to take place whenever any foreign man of war attempts to catch one of our fast merchant steamers. The fast man of war is not in it. My reason for saying this is that fast men of war at present are never run at full speed for more than a few hours at a time. I do not believe they are able to keep these men of war at full speed for two or three days running. As an illustration of what I say, I will read an extract from this account. When it was found out that the "Olympia" was being very easily passed by the "Empress of India":

> The pilot of the "Olympia," an American citizen of Danish extraction, told a friend of his that he was never so mortified in his life. He begged the captain to order another boiler (two only were in use) and after a while the captain sent word to the engineer, who replied that the force was too tired.

It may seem a very strong statement to make, but I am sure that I am correct in saying—and this little extract only illustrates the truth of what I say—that the force in the engine-room and the stoke hole of the ordinary man of war do not have sufficient practice at running at full speed to give them the endurance to enable them to keep their ship at full speed for any continuous time. This simply means that England today has an enormous advantage over every other nation in the world, compared with what she had a hundred years ago, in everything connected with the transport of food and supplies which she may require during time of war. I think that what my hon. friend has in view, and what is kept in view by the advocates of this policy, is to consolidate and build up the Empire more than anything else, that we may have an Empire scattered all over the world, but united in heart and in trade, so that not only sentimentally, but also for motives of not so high a nature all the different parts of the Empire may be bound together, and when trouble comes stand together and meet the whole world if necessary. We know that strong as patriotism is and sentiment is, these feelings possibly cannot be produced, but they can be strengthened and helped by mutual interest, by the feeling throughout the Empire that it is profitable for all the members to keep within it and strengthen it.

I heartily support this resolution and I trust an opportunity will yet be given to secure some such measures as will give to us preferential trade.

Mr. O'BRIEN. At this hour of the night and in this thin House it would seem waste of time to discuss at any great length a question of so important a nature as this. Five minutes will suffice for what I wish to say now. It will have been noticed that in this debate the main object of the resolution, which is to provide for Imperial defence, has been entirely lost sight of. We have not heard anything, so far as I am aware, in the course of this debate, in regard to Imperial defence, and what the hon. gentleman looked upon as a strong part of the argument is really a weak one. His mistake is in attempting to mix up two things which must be kept distinct; one being preferential trade, and the other the means by which the defence of the Empire can best be secured. Every proposal tending to promote harmony of sentiment or unity of action between the different forces of the Empire ought to receive the most careful and respectful consideration, but, at the same time, we should endeavour, as I see it, to keep the two subjects embraced in this resolution distinct. My hon. friend, I believe, has weakened his proposal very materially, moreover, by uniting the question of naval and land defence. One can understand that a distinction must exist and does exist in an Empire like ours between warfare carried on by sea, and that by land, that naval defence is based upon different principles altogether from the defence of a land frontier. Take ourselves, for instance. We have a great commerce by sea; on every water the flag of Canada is to be found, and defended, wherever it floats, by the vessels of the Imperial navy. For us to defend our own sea-going commerce from our own resources, would be an expense which we could not, for one moment, think of undertaking. But a small contribution might fairly and reasonably be given from Canadian revenues, as well as from other colonial revenues, for naval defence entirely distinct from any other kind of defence. But when we come to consider how that money is to be raised and are asked to adopt such a plan as that proposed by my hon. friend, we come across practical political difficulties which it is impossible to overlook. Take our own case. The hon. gentleman finds himself in this position—that people who would be glad to support the proposition as regards defence, object to the method proposed because it would be an additional protection given, while the desire of the majority of our people is to see protection reduced. Goodness knows we have protection enough, and every cent put on by virtue of this proposal is an addition to that protection of which the people think they already have too much. And so the resolution antagonizes every man who wishes to see a reduction in our present tariff. And, moreover, it antagonizes the same principle in England. I do not talk about the possibility of supplying England with food products; we have already had so many predictions about Manitoba that one is really sick of listening. The hon. gentleman told us that we could smother England with wheat. I would like to know how the English farmers would contemplate a proposal of that kind. Would he regard it as an advantage to him?

Mr. McNEILL. I said we could smother England with wheat, if it were necessary.

Mr. O'BRIEN. But if it is not necessary, what is the use of getting ready to do it? The proposal antagonizes every agricultural interest in England. It is very well to say that the proposal for protection and preferential trade go hand in hand. To my mind, that is very much like begging the question, because if the English agriculturist understands that this proposal is to not give protection to him, but practically to give protection to his rivals, I think he will view the matter in a very different light. I merely wish to point out that in this proposal there is a great weakness. There is a combination of two principles entirely independent of, if not entirely antagonistic to each other; and, in the second place, there is a confusion of naval and land defence which is a very vital defect ; and, in the third place, there is that in it which antagonizes all those in Canada who desire a reduction of duties and those in England who desire the maintenance of the present system there. No one will dispute the proposition that preferential trade within the Empire is to be desired. And no one will dispute the proposition of the hon. member for Halifax (Mr. Stairs) that it seems only a natural and reasonable proposal. But before we attempt to bring about anything of that kind, we must practice a little of what we preach and not demand of England every possible advantage which it can offer in the way of a market for our own products, yet leave a heavy tax resting upon English manufacturers coming into our country. That seems to me to violate the rule that a man ought to practice what he preaches. The first step to bring about preferential trade will not be to tell England : If you will give us a preference in your markets we will reduce the duties on your productions. The first step is to reduce the duties on the articles of English manufacture, and then, with some little grace, and appearance of reason, we can ask for preferential treatment in their markets. But so long as we continue the present system it seems to be adding insult to injury to go to England and say that we will maintain a tariff against England and yet ask for preferential trade. It cannot meet with success, and I would almost go so far as to say that it ought not to succeed. While perfectly willing to discuss any reasonable proposition to make a fund for naval defence, which rests upon an entirely different principle from land defence, I am entirely unwilling to accept the proposition that preferential trade is to be forced upon England, or that it is to be considered so long as we have such high protection against England.

Mr. McNEILL. I realize that it is almost an impertinence to ask the House to listen at this time, but I promise to be not more than three minutes by the clock. I wish to say one word as to what my hon. friend said concerning Lord Salisbury's views in regard to protection. My hon. friend has entirely misapprehended Lord Salisbury's views. He has explained that he is not opposed to reciprocity, and that is what we are asking for. Now, with regard to the point which my hon. friend who has just sat down has endeavoured to make to the effect that this proposal necessarily implies a greatly increased amount of protection which he says is already too high, I may observe that it does not necessarily imply an increased duty at all, in the meantime, i. e., if my hon. friend does not think the increased preferential trade worth the increased duty. Suppose we add 5 per cent, which would give us a preference of 5 per cent in the English market, it would only about cover the expenditure we now have to incur. So, if we obtained the money in this way, we should be able to reduce the duties otherwise. I wish to refer to two documents. My hon. friend from Prince Edward Island (Mr. Davies) said that in England a man would be considered ridiculous who would propose preferential trade.

Mr. MILLS (Bothwell). Why don't you put a duty on wool and raw cotton ?

Mr. McNEILL. If I stop to answer my hon. friend now I cannot finish within the time I have stated. I wish to read from the "Saturday Review," in answer to the statement of my hon. friend from Prince Edward Island :

> We are sorry to be obliged to say that Lord Salisbury appears to entirely fail to grasp the widespread interest which this subject of our fiscal policy excites in the country.

There must be a good many Englishmen, then, under these circumstances, who are dissatisfied wth the fiscal policy in England. The "Saturday Review" concludes in this way :

> Let us argue the question of free trade and protection boldly, and yet cautiously, like men of business. Let us see whether we cannot unite the mother country and the colonies into a trades union against the world.

That is the "Saturday Review" of 29th February last. To the writer of that article, at all events, it was not a ridiculous proposition. Now, I have just one minute left me, and I wish to employ it in this way, to explain that, when the leader of the House said that I had not consulted him with regard to this matter, I did consult him on the very first occasion I could possibly do so. I went down to his house and found him unwell, and had a long talk with him about this matter. At his suggestion, I struck the the word "naval" out of the resolution and sent him a copy of the amended resolution, with the word "increased" hurriedly inserted in place of "naval," "increased expenditure." I saw almost immediately, that the word "increase" would imply that England was to raise about fourteen millions more for defence, and I altered that. I received from the hon. gentleman a letter, in which there is this paragraph :

> I am greatly obliged to you for sending me a copy of your amended resolution respecting the imposition of a small duty upon foreign products, and which I shall have much pleasure in supporting.

I was, therefore, a little surprised to-night to find that there was not the strong support for the resolution I had expected from the hon. gentleman, more especially as I had subsequent conversations with him on the subject, in which he did not suggest for a moment that he entertained any other intention than thoroughly to support the resolution.

Mr. MILLS (Bothwell). There is such a thing as appropriating another man's thunder.

Mr. McNEILL. I do not know how that may be, or what may have occurred since to change my hon. friend's views.

Mr. POWELL. As the hour is late, and there is going to be a deal of time at our disposal this session, I move the adjournment of the debate. Johnson, when he spoke of the journey to the Hebridies, has said that it is characteristic of civilization that the distant and the future predominate over the present and the near ; and I think it is illustrated in this case, for, although we see the first faint glimmerings of this question, as a practical question, it will not be ours, but our grandchildren's to enjoy. I move the adjournment of the debate.

Motion agreed to, and debate adjourned.

REPORT.

Report of the Commissioner of the North-west Mounted Police.—(Mr. Daly.)

Mr. COSTIGAN moved the adjournment of the House.

Motion agreed to, and House adjourned at 12 o'clock, midnight.

HOUSE OF COMMONS.

TUESDAY, 24th March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPORT.

Report of Canadian Archives, 1895.—(Mr. Foster.)

GOVERNMENT ORDERS.

Sir CHARLES TUPPER moved :

> That, for the remainder of the session, Government Orders shall have precedence on Mondays, after private Bills and questions, and on Thursdays, after questions.

He said : I may say in connection with this that the hon. member for South Oxford (Sir Richard Cartwright) requested the Government to state to the House their views regarding the termination of the session, and expressed at the same time the intimation that if the view entertained by the Government was that it would be necessary to terminate this session, under existing circumstances, on the 24th April, that would be a very strong additional reason in support of this motion. That question having been carefully considered by the Government, we feel that the strong doubts that have been entertained on that subject would render it extremely undesirable to prolong the session beyond the 24th April, and we do not propose to prolong it beyond that time.

Mr. LAURIER. I am glad to hear that the Government have come to the determination not to attempt to prolong the session beyond the 24th April. This decision will commend itself to the approval of everybody in the House and out of it. The motion now made to take two days from the days of private members, I may say very frankly to the hon. gentleman, is not an unheard of motion at this period of the session. It is almost the unwritten law of Parliament that when the session has reached a certain period, the Government should be allowed to dispose of the business of the House by taking some of the days set apart for private business. But, at the same time, I must tell the hon. gentleman that previous to his coming here, there was an arrangement made with the then leader of the House, that the private members were to have two Thursdays. There is a good deal of private business to be done, and the hon. Minister of Finance (Mr. Foster) cannot have forgotten that arrangement. With the exception of these two Thursdays, I have no objection to the motion of the hon. gentleman. I am not particular as to whether two Thursdays be taken or next Thursday and next Monday, and am willing that the motion should read after the 2nd April, for the remainder of the session.

Mr. FOSTER. The hon. gentleman was absent on Friday when this matter was brought up. I stated then my understanding of the agreement, which, I am glad to say, is entirely in accord with what the hon. gentleman has just said. I, however, put this view to the House. It is perfectly true that it was agreed that the Budget should go on de die in diem and that after the Budget was over, one or at most two Thursdays should be given for private members' business. So far as that is concerned, we are perfectly at one. My own view, as stated on Friday, was this. At the conclusion of the Budget, the House then came to the contemplation of another subject ; and that was as to when and how we should take up the discussion on the Remedial Bill. If the hon. gentleman leading the Opposition had intimated then that the two Thursdays had been given, before we went on the Remedial Bill, he would have been perfectly in his right. But I submit this, that as new business intervened and the House concluded to go on with the debate on the Remedial Bill de die in diem, the hon. gentleman gave up his claim to the two Thursdays. I submit that view in connection with the extremely limited time in which we have to accomplish it, between now and the 21st April. Under the present motion, every Wednesday would be given to private business. If my hon. friend thinks that Thursdays would be better than Wednesday, I have no objection to substitute the one day for the other. But in that case the hon. gentleman ought to give us the two Wednesdays. I suppose he has no objection to that.

Mr. LAURIER. The hon. gentleman will understand that I am claiming nothing more than was previously understood before. We were to have had two Thursdays after the debate on the Budget was over. But the hon. gentleman, instead of giving us an opportunity of having these two days, moved at once that the House should take up the Remedial Bill and proceed with it de die in diem.

Mr. FOSTER. To which the hon. gentleman agreed.

Mr. LAURIER. We acceded to that at the Government's request and for the advantage of the Government. We gave to the Government more than we had agreed to do, and the Government gave us nothing. So I am only insisting that we should have these two days which it was agreed we should have. As I said, so far as this side of the House is concerned, we are ready to consent to this motion taking effect after Thursday the 2nd of April. That would give us next Thursday and next Monday, to which we are entitled.

Mr. McCARTHY. I do not understand the proposal of the hon. leader of the Opposition. Monday, of course, is a day devoted to one class of business, but not to public Bills and orders. What I understood was that private members who had items on the paper under Public Bills and Orders were to have two days in addition to the Wednesday afternoon, and I think the hon. gentleman will see that Monday would not supply the place of one of those days.

Mr. LAURIER. If my hon. friend (Mr. McCarthy) will look at the Order paper, I think he will see that most of the notices of motion are not debatable and that we should soon get through them and reach Public Bills and Orders.

Mr. McCARTHY. There are a great number of them.

Mr. LAURIER. There are a great number, but few of them debatable so far as I can see.

Mr. McCARTHY. Oh, you can always get up a debate.

Sir CHARLES TUPPER. I am afraid, after the statement made by the hon. leader of the Opposition, we shall be obliged to sustain in its entirety what that hon. gentleman understood as the engagement in reference to these two Thursdays, and I will therefore amend this motion in such a way as to meet the point and provide that Government business shall have precedence on Thursdays on and after the 2nd of April.

Mr. McCARTHY. If the House would consent to a motion that would change the order of the day for Monday so as to substitute for it the order of the day for Thursday, I think in that way the motion could be made agreeable to all.

Sir CHARLES TUPPER. I am afraid that would be impossible. I have already stated to the House that, under the decision arrived at, this Parliament will close on the 24th April, and I am quite sure that under these circumstances, hon. gentlemen on both sides of the House will see that it is absolutely impossible to hope to deal with the necessary business of the country unless the motion as it now stands before you is carried.

Mr. McCARTHY. I think the hon. gentleman misunderstands me. I thought you had consented that we should have next Monday and Thursday.

Sir CHARLES TUPPER. No; but the two Thursdays that were agreed upon by the leader of the Opposition and the Minister of Finance.

Mr. LAURIER. This arrangement takes place from the 2nd April.

Mr. FOSTER. The hon. gentleman gets his Thursdays, but the motion is that we take Mondays and Thursdays on and after the 2nd April.

Mr. MULOCK. That would leave but one Thursday and no Monday at all.

Mr. FOSTER. No; that gives the hon. gentleman two Thursdays.

Mr. LAURIER. But you give us the 2nd of April also ?

Sir CHARLES TUPPER. Yes.

Mr. MILLS (Bothwell). And you take Mondays ?

Sir CHARLES TUPPER. Yes; we take next Monday.

Mr. LAURIER. Will you read the resolution as amended, Mr. Speaker ?

Mr. SPEAKER :

> Sir Charles Tupper moves that, for the remainder of the session, Government Orders shall have precedence on Mondays after Private Bills and questions, and on Thursdays after questions, except Thursday and Monday next.

That would be Thursday of this week and Monday of next.

Sir CHARLES TUPPER. No objection to that.

Mr. LAURIER. I was willing to take a Thursday and a Monday, I did not care which particularly.

Sir CHARLES TUPPER. The hon gentleman takes one Thursday and one Monday instead of two Thursdays.

Mr. LAURIER. Yes.

Mr. SPEAKER. This motion will give to the Government all the Thursdays after next Thursday, and all the Mondays after next Monday.

Motion, as amended, agreed to.

INQUIRY FOR RETURN.

Mr. PERRY. Before the Orders of the Day are called, Mr. Speaker, I would like to draw the attention of the Minister of Public Works (Mr. Ouimet) to an order of the House passed some time ago for papers showing the amount of money spent on certain public works in Prince County, P.E.I. We are drawing near to the close of the session, and before we get into the Estimates on public works I would like to have these papers.

Mr. OUIMET. The return asked for is being prepared. The hon. gentleman may rest assured that, from all appearances, he will get it before the Estimates are before the House.

PROPOSED PERMANENT EXCLUSION OF CANADIAN LIVE CATTLE FROM GREAT BRITAIN.

Mr. MULOCK. Before the Orders of the Day are called, I wish to call the attention of the Minister of Finance to a motion standing in his name, and, if he does not intend to proceed with it now, I will put myself in order by concluding with a motion. I refer to the motion, notice of which the Minister has given in reference to the Bill now before the Imperial Parliament to make permanent the exclusion of Canadian live cattle from England.

Mr. SPEAKER. I think the hon. member cannot by moving the adjournment of the House put himself in order in discussing a motion, of which notice has been given.

Mr. MULOCK. I am not going to discuss the motion, I am going to discuss the situation. The reason the situation is somewhat urgent——

Mr. FOSTER. If my hon. friend will allow me, I may say that I intended to bring up the motion to-morrow, but I think under the circumstances it would be just as well——

Mr. MULOCK. That is not a Government day.

Mr. FOSTER. On Thursday, then, but as it is a matter of great interest, I think the House would be quite willing to go on with it to-morrow.

Some hon. MEMBERS. No, no.

Mr. MULOCK. Can the hon. gentleman say what day he will go on with it ?

Mr. FOSTER. On the next Government day.

Mr. MULOCK. That is Friday. The hon. gentleman will make it the first order of the day on Friday ?

Mr. FOSTER. Yes.

Mr. McCARTHY. Will that be in time for it to be of any service ?

Mr. FOSTER. Yes, just as much as today.

Mr. LAURIER. Do I understand the Government will take up this matter on Friday ?

Mr. FOSTER. Yes.

THE REMEDIAL ACT (MANITOBA).

House resumed adjourned debate on proposed motion of Sir Charles Tupper: That Mr. Speaker do now leave the Chair for the House to go into committee on Bill (No. 58) the Remedial Act (Manitoba) and the motion (page 4370) of Mr. McCarthy in amendment thereto.

Mr. McMULLEN. I have not had the privilege of addressing the House on this very important measure. Before proceeding to take a vote on the amendment of the hon. member for North Simcoe (Mr. McCarthy), and on the resolution of the leader of the House to go into committee on the Bill, I desire to offer some remarks. It is undoubtedly one of the most important questions that has come under the consideration of this House since it has been my privilege to occupy a seat in it. It has stirred up more ill-feeling and strife, both in the House and outside of it, than any other question that has ever come up in this chamber, and all owing to the manner in which it has been handled by hon. gentlemen opposite. In the first place, I wish to express my regret that it ever found its way into this House. In my humble opinion the legislature of Manitoba, in view of the provision in the constitution under which that province exercises its powers it would have done well had it treated the minority in a different manner. However, as the highest court in the realm has pronounced their legislation intra vires, we have no right to challenge the course they have deemed it prudent on their part to take. Every province is a little kingdom within itself, and if we as a central authority, exercising all the powers and functions that are relegated to this chamber under the Confederaction Act, recognize the absolute independence of the several provinces within the sphere marked out for them under the constitution, a great deal of friction and a great deal of unpleasant happenings that tend to disturb the peace and harmony of the Dominion, might be avoided. Now, after the Privy Council had given their decision in this matter, to my mind the most unfortunate incident in the history of the whole case was the passing of the drastic remedial order that the Government sent to the Manitoba government. It was sent in a mandatory and tyrannizing spirit, and in place of recognizing the independence, the sovereignty, if I may so speak, of the province of Manitoba within her own powers, they commenced to dictate in a very uncourteous and mandatory way as to what course she should pursue to bring about a settlement of the difficulties that had arisen between Manitoba and the minority of her subjects. That remedial order has been pronounced by every sincere advocate of peace and harmony, as one of the biggest blunders that has ever been perpetrated by the Government of the day. Had they, in place of taking that course, forwarded to Manitoba an outline of the judgment, with a courteous note expressing a sincere desire that they might see it their duty in some way to restore the privilege or meet the wishes of the minority, and thus settle amongst themselves, quietly and peaceably, the difficulty that had arisen, the probabilities are that Manitoba might have taken the question into her serious consideration, and kept it out of this chamber. But, Sir, that was not done. The course, as I said, before, that was pursued by the Government under the circumstances, in my humble opinion, was a very grave mistake. Now, Sir, after the remedial order was passed, Manitoba replied in courteous terms, but refusing to comply with the provisions of that order. In her reply she very courteously suggested an investigation. She stated that the Government of Canada could not be aware of all the surroundings connected with the school system that had existed in that province before the passage of that School Act, and in addition, she promised every assistance that could possibly be given on her part to present a clear and distinct review of the whole situation that existed prior to the legislation on the school question, in order that the Government of this Dominion, and the members of this House, if it necessarily came before them, might have data of a reliable character upon which they could deal with the whole question. Sir, notwithstanding that very courteous invitation to the Government of this Dominion to take that course, they declined to comply in any shape or way with the invitation that had been made. They simply rested on their oars, and refused in any shape or form to meet the suggestion that Manitoba had made. After that, the Government here complained that a considerable delay took place. But whose fault was it ? Manitoba, no doubt, was waiting, expecting every day that the Government might see it their duty to move in the direction of appointing this proposed commission for investigation ; but there was nothing done. Now, with regard to the subsequent acts that took place, the Government intimated to Manitoba that it was not necessary that she could comply with all the provisions of the remedial order. The Government of Manitoba expressed regret that the Federal Government had not adopted the course suggested, that of investigation. But the Government here did nothing ; even then they simply acted as if they had Manitoba under their hoof, and were bound to make the province come down on her knees and carry out whatever suggestions were made by the Dominion Government for a settlement of the question. I contend that from the inception of the trouble down to the present time, the action of this Government has not been in the direction of harmony, but has tended to stir up bitter feelings between the Dominion and that province. While Mr. Greenway may personally be disposed to make concessions with a view to the settlement of this difficulty, we must not forget that he has at his back the very large majority of the people of Manitoba, who, on two occasions have pronounced very clearly in opposition to separate schools. No doubt Mr. Greenway's suggestion that an investigation should be made was put forward for a specific purpose. He sought to satisfy his supporters that however desirous they might be to get rid of separate schools, there was a minority who held that they were suffering injustice and were entitled to separate schools under the constitution. However willing he might be, it would be very dangerous on his part, to make concessions unless the people were, after investigation, convinced that it was their duty in the interest of peace, harmony and justice, to make some concessions to the minority, and no doubt Mr. Greenway expected in that way to educate his people so as to secure their acquiescence to some reasonable concession. I have never been an advocate of separate schools, and I am not an advocate of such schools to-day ; but, at the same time, I am not disposed to trample upon the conscientious rights of any minority. I would be very glad if our Catholic friends would unite with us in one common school system, all the children being sent to the common schools ; but, under our constitution, and in the face of the compact entered into at the time of confederation, I decline to be a party to force, by law, the Catholics to comply with such a system, as they hold it would inflict an injustice on the minority. The Manitoba school system may have been a very inferior system, but I will not discuss it. It may not have come up to the standard as regards efficiency, either of Catholic or Protestant schools, but the fact that it was inferior does not render its abolition justifiable. Suppose the entire system of education in Manitoba were inefficient, would it be proposed to abolish the whole of it? On the contrary, it would be the duty of the authorities to seek to improve the standard of efficiency so that the youth of the country might be thoroughly educated. When Sir Oliver Mowat came into power in Ontario, he found separate schools were in the province to stay. No doubt he came to the conclusion that under the constitution they would have to be maintained in perpetuity. He at once proceeded to improve the standard of the separate schools and sought to make them efficient, and it is generally admitted not only in our province, but throughout this continent, and it was admitted at the World's Fair, that the educational system of Ontario is equal to that of any country.

Mr. DAVIN. And also that in Quebec.

Mr. McMULLEN. If the Catholics would only join us in seeking to arrive at some compromise, an arrangement might be arrived at instead of the present troubles being continued. I was very glad to hear the statements made by members from the maritime provinces. I was glad to know that the Protestant majority in those provinces has extended to the Catholic minority the greatest courtesy and consideration for their conscientious rights, and the people in those provinces are now living in peace and harmony. If we approached all these questions in a spirit of toleration, forbearance and Christian charity, we would get along very much better than by fighting and bickering about trifling differences, which tend to bring about discord in the Dominion. I desire to point out two or three matters in regard to which the present Bill is exceedingly objectionable. The whole proceedings connected with the inception of the movement have not been creditable to hon. gentlemen opposite. If this Bill were adopted, some peculiar results would follow its application to the conditions existing in Manitoba. In that province there are 190 schools with an average attendance of not over ten children. No doubt there is a mixed population, but the average attendance at 100 schools will not exceed seven children. In order to meet the requirements of the Manitoba School Act, there must be ten children living within a square, four miles one way and five miles another way. In order to have a school at all, there must be ten children between the ages of from five to sixteen years within the radius I have mentioned. After the passage of this Act the parents of every Catholic child in Manitoba become separate school supporters. Before they can join any other school system, they have got to give notice of their intention, and it will take considerable time before the names are transferred from the separate to the common school list. Say there are ten children in a school section, three of whom are Catholics and seven Protestant, you could have no school at all in that section. If you have one hundred sections in Manitoba in which there is an average of ten children of school age, and that they are divided in religion in the proportion I have mentioned, you would unschool, if I may use the word, one hundred school sections under the operation of this Act. That is one unfortunate feature in connection with the matter. Again, there are thirty-five of those schools which have joined the common school system, and which are now obtaining the Government grant. So far as I can learn, these are not seriously interfered with in the matter of Christian education taught in the schools. They are, I understand, allowed very considerable latitude. These thirty-five schools are almost entirely attended by Catholic children, and the moment this Act passed they would be turned out of doors, their parents will become separate school supporters and they will have to go to the expense of building new schools, while these schools will remain idle there, unless the use of them is allowed by the local government. All these difficulties prove to me the great necessity there is for having this question settled amicably between the two governments. I am glad that this Government has decided at last to send as a commission, the gentlemen who are now on their way to Winnipeg, with a view of bringing about a settlement. In my opinion, no lasting and peaceable settlement of this trouble could ever be accomplished by continuing the strained relations which now exists between the Federal and Manitoba governments. If you ever get a settlement to be of any benefit at all to the minority, it must be obtained with the consent and co-operation of the people of that province, if possible. I do not say for a moment that you can force that settlement, but I do say that every possible means should have been exhausted in that respect, before this measure was brought before us, or before the Government attempted to apply the reservation in the constitution. I have not seen a constitutional lawyer in this House who is prepared to stake his reputation upon the legality of this Bill. I have talked the matter over with some of the best legal talent in this House, and it appears to me the Government are virtually moving in the dark. They are not at all satisfied that even though the Bill should become law, they can force compliance with its provisions in the part of the province of Manitoba. The result undoubtedly will be that every clause in this Act will become the subject for litigation. As the member for South Oxford (Sir Richard Cartwright) has said, it will bring about legal difficulties from year to year and from decade to decade, which will result in unpleasant feelings between the minority and majority of that province. It is absolutely necessary, under these conditions, that a settlement should be had, by Manitoba on her part making some reasonable concessions, and by the minority on their part accepting these concessions. It is said, Sir, that the minority in Manitoba are suffering, under existing circumstances. While my sympathies are with the minority, and while I should greatly regret that any minority should be subject to conscientious disabilities in the matter of education, I am glad to say that I have been informed that the present school system in Manitoba is practically the same as the system in Ontario. I am rejoiced to know that our public school system in Ontario is so inoffensive from a Catholic standpoint, that about half the Catholic children are attending the public schools, and have no conscientious injustices imposed upon them. If that is the case in Manitoba, then no very great affliction is being imposed upon the minority. However, I am not for a moment saying that the minority should be asked to part with any constitutional right, simply because they are not for the moment subject to any conscientious wrong. I do not say that, but I am glad to know that that is the condition of things at the present moment. Now, Sir, a good deal has been said with regard to the delay that has taken place. I do not hold the government of Manitoba altogether responsible for that delay, although they may be partly responsible. The case has dragged along slowly from court to court, but I do not think the Manitoba government could be held responsible for the delay until, at all events, the last decision of the Privy Council, declaring that the minority had a right to appeal to the central authority for remedial legislation. From that time down to the present, the Manitoba government undoubtedly may be held responsible for some procrastination. But, Sir, had this Government taken the course that was suggested by the people of Manitoba, I believe that in place of the time of this House being taken up with this measure, we would have long since reached a happy settlement of all the difficulties. The hon. Finance Minister, in addressing the House on this question, said that he divided this House into two parties. One party declared that under no circumstances could Manitoba be interfered with, justly or unjustly, in regard to her school legislation. That party was headed by the hon. member for North Simcoe (Mr. McCarthy). He said that all the rest were agreed that the provision of the constitution for the relief of the minority should be applied ; but the Government's position was to apply it here and now, while the Opposition's position was to put it off indefinitely, in order to see what Manitoba would do. Well, Sir, I contend that there are three distinct parties in this House. There is the party that the Finance Minister has referred to, headed by the hon. member for North Simcoe. Then, there is the Government party, who propose to proceed in a mandatory and tyrannizing way in applying to Manitoba the reservation in the constitution, whether for better or worse, whether successfully or unsuccessfully, whether effectively or ineffectively—to pass the Bill now before this House, and let the minority take their chances. Whether it is good for them, or bad for them, whether it is the best settlement or the worst settlement, is a matter of secondary consideration. Rush the Bill through the House, get the majority and the minority in Manitoba into a wrangle, and let them fight it out as best they can. That is the course the Government propose—no investigation or examination ; no compliance with any suggestion that comes from Manitoba at all ; but go forward and rush the Bill through without regard to consequences. The course which the Opposition, headed by my esteemed friend the leader, propose, is this. We say, in the first place, that the action of the Government has very seriously interfered with a peaceable settlement. We say that what has been done should be virtually undone. We say that the vexatious and irritating remedial order that was issued by the Government, was a huge blunder, and should be withdrawn. We say that Manitoba should have been invited courteously to meet representatives of this Government, to talk the matter over, and, if possible, come to some settlement. We say that Manitoba should be allowed reasonable time to settle the question. We say that, after a full, fair and thorough investigation into all the conditions formerly and now, a proposition should be made to Manitoba of the least irksome character, a proposition which would in the least degree interfere with her present school system, which would not tend to annoy or exasperate the majority. But she should be asked to put into law a certain measure of relief which would, to some extent, if not completely, satisfy the minority. If, after that, Manitoba should continue to stand in the breach, and persist in a refusal to do anything, to grant justice to the minority, then, we say, give the minority the advantage of the reservation in the constitution, whatever it may be worth ; but not until we first put upon Manitoba the entire onus and responsibility of saying whether she is willing to do anything or not. The hon. Minister of Public Works (Mr. Ouimet) some time ago stated, either in a letter or verbally, that, if certain privileges touching religious instruction in the schools at certain hours were granted, possibly the minority would be willing to accept that concession in settlement of this question. I believe the hon. member for Winnipeg (Mr. Martin) replied that, if a settlement of that character would be satisfactory to the minority, he had not the slightest doubt that the government of Manitoba would go the length of meeting that suggestion. Afterwards, I believe, that suggestion was withdrawn, as being not quite satisfactory to the minority, and the matter rests there. Nothing has been done since that time; but I do believe that by a careful discussion of the whole question with the people of Manitoba in the proper spirit, we might fairly hope to arrive at a settlement. I am sure it would be a matter of satisfaction to every man in this House and to the people of this Dominion to know that a question which has caused so much agitation and so much strife, had been peaceably and quietly settled. I do not want at the present juncture to be a party to the coercion of Manitoba. I frankly admit that. But, while I have no desire to support coercive laws, for the purpose of forcing concessions out of the government of Manitoba until they have had a fair opportunity of educating their people up to the point of doing justice to the minority, I would like to, at the same time, press upon Manitoba that she herself should not coerce her own minority to accept a law which they appear to resent very strongly, but should be generous to them. Now, Sir, I was quite amused with an address that was delivered a few evenings ago by the hon. Controller of Inland Revenue (Mr. Prior). He appeared to take special delight in referring to the hon. leader of the Opposition as the follower of the hon. member for North Simcoe (Mr. McCarthy). I suppose that, in doing that, he wished to engender in the breasts of the Catholic people of this country a feeling of resentment and bitterness towards the hon. leader of the Opposition. Well, Sir, it is no credit to any member of the present Cabinet to try to stir up bitterness and strife of that kind. But the hon. gentleman was entirely mistaken, when he said that the leader of the Opposition had become the follower of the hon. member for North Simcoe. The case is the very reverse. Who moved the resolution that was voted on in this House? Was it the hon. member for North Simcoe? No, it was my honoured leader; and the hon. member for North Simcoe followed the hon. leader of the Opposition, by supporting and voting for that resolution. Therefore, I cannot understand the remarks of the hon. Controller of Inland Revenue. We are quite glad to have the hon. member for North Simcoe follow the leader of the Opposition by supporting that resolution, and if he continues to follow him we shall be delighted. I would say that as far as he is concerned, in point of ability and eloquence he is an acquisition to any party which he chooses to join. Nobody denies his great ability and power of debate, and we are very glad to know that, in the course he took on this question, he felt it his duty to vote with us, and we consider it an honour to our leader that men of his ability and power should support this side of the House on this very important question. The hon. gentleman spoke also of my hon. leader's quibbling on this question. Well, if any party in this country has quibbled at all upon this whole issue, it is the party of hon. gentlemen opposite. Why, the Cabinet Ministers were not required to keep within their lines. In one section, we had one Minister preaching one thing, and in another section another Minister preaching an entirely different thing. The hon. Minister of Agriculture (Mr. Montague) went back to his constituency, and declared that, so far as the Dominion Government were concerned, they have performed all the duties that devolve upon them. They had received the judgment of the Privy Council of England and had transmitted that judgment to the Manitoba government, and had nothing more to do with it; that it was now for Manitoba to say what she would do with it, but that the Dominion Government had done their duty in the matter. At the same itme, we had Ministers in other sections making very different statements, and it ill becomes hon. gentlemen opposite to belittle, in any way, the hon. leader of the Opposition by trying to show that he has quibbled on the school question. He has taken a straightforward, manly, upright, statesman-like course on the whole question, from beginning to end. In the course that he took in regard to the six months' hoist, I am satisfied that when he reviewed all the clauses of the Remedial Bill, when he saw how they failed to apply to the conditions of the minority in the North-west, when he carefully criticised the different provisions and the probable results, he saw in it nothing but a measure that would cause a good deal of strife and ill-feeling, and he did, as any honourable statesman would do, he preferred to allow matters to remain as they are in the hope that a better and more peaceable solution of the difficulty might be brought about in some other way rather than have a Bill of this kind become law, which would cause endless strife and bitterness. I am satisfied that was his view, and it was because he came to that view that he took the course he did.

Now, I want to say a few words in regard to the hon. Minister of the Interior (Mr. Daly). I heard him upon this measure a few nights ago, and I was amazed to listen to the tirade of abuse and criticism which he heaped upon the Manitoba government, at the very moment when the Government of which he was a member were proposing to send up a delegation in the hope of bringing about a settlement. Is that the act of a responsible Minister who desires a peaceable settlement of the question? If it be, then I do not know what diplomacy or statesmanship is. I was amazed to listen to that address brimful of criticism and abuse, which certainly would not tend to allay the feeling of bitterness caused by the strained relations that exist between Manitoba and the Dominion Government. For a member of this Cabinet, under the circumstances, to indulge in a speech of that kind was, in my humble opinion, exceedingly inopportune and not at all calculated to promote a settlement. I would like to know what his honourable colleagues, who are on their way to Winnipeg, to secure a settlement of this question, could reply to Mr. Greenway, if, on their arrival, that gentleman were to ask them an explanation of the utterances of the Minister of the Interior in this House a few days ago. Were he to say to them: If these are the sentiments of your Government, if this is how you feel with regard to Manitoba, if this is the clear and distinct statement of what you think is the feeling an ddisposition of the Manitoba Cabinet, you had better return home again, for you have evidently not come here for peace but for political war, —what could be their reply? They would well deserve such a rebuke from Mr. Greenway. In my humble opinion, the Government should have assumed the responsibility of long ago appointing a commission to thoroughly investigate the whole position of things, in order to bring about a settlement of the difficulty. Had they done so, we would have had from that commission a report which could easily have been presented to the House this session, as there were six months since the House last rose during which that commission could have investigated and reported. We would then have had something before us on which to legislate satisfactorily, and we would have been in the position of knowing exactly how the whole matter stood. I do not see why the Government did not take that course. They have appointed commissions before this. When the liquor question was pressing itself so forcibly upon them—a question upon which the hon. Finance Minister (Mr. Foster) in his simplicity——

Mr. SPEAKER. The hon. gentleman is getting away from the question altogether.

Mr. McMULLEN. I am trying to show why a commission should have been appointed.

Mr. SPEAKER. The liquor commission is not the question before the House.

Mr. McMULLEN. I was trying to give some reasons why a commission should have been appointed in this case, and was merely drawing attention to the fact that on either question commissions had been appointed. I was about to draw attention to the fact that a commission had been appointed by the Attorney General of Ontario recently to examine into the school difficulty which had arisen in that province, and by means of that commission the difficulty was settled. With these experiences before us, the Government would have been justified, in the interests of peace and harmony in this country, in appointing a commission; and had they done so, they would have been able to bring before the House, in an unanswerable form, the condition of things that existed prior to the present school system and also the injustice to which the minority of that country have been subjected under the present system. In my opinion, and I frankly make this statement, a general system of separate schools in the North-west would be a mistake. The population of Manitoba is exceedingly sparse in the rural districts, every family lives on 160 acres or 320 acres, or even more. A large proportion of the land is held on speculation, the Hudson Bay Company being a very large holder. Under such circumstances, to divide the entire rural population into two section for educational purposes, would, I think, be a great blunder. I would be glad to see the Manitoba government make a concession to the Catholic minority in cities and towns wherever there is a sufficient number to establish efficient separate schools without interfering with the efficiency of the other schools, all being under government control and government inspection with teachers holding provincial certificates of qualification, and the curriculum of the separate schools to be the same as that of the public schools, except as regards religious teaching. in the rural districts would result in one or two things, either in making the education of the rising generation exceedingly expensive, or by compelling the engagement of cheap, and, therefore, too often inefficient teachers, and therefore to make that education very inferior. A great deal has been said in this House on this question which, in my opinion, is altogether beside the issue. For instance, a great deal has been said about the different bills of rights. I listened to the Minister of Justice (Mr. Dickey) in his long address and I thought a great deal of what he said must only tend to confuse the public mind on the main issue. We in this House cannot go behind the constitution. It may be that improper influences were exercised to import into that constitution clauses which would not otherwise have been there. This is an Act of the British Parliament, and we cannot amend it. If improper influences were used in the moulding of that constitution, that may be an argument for going to England and asking for an amendment of the Act, but it is no argument in favour of ignoring any clause in that enactment. No judge upon the bench would listen to an argument as to the influences brought to bear upon the members of this House in passing the law which the judge is called upon to apply to the cases before him. And so with us, we have nothing to do with the influences that made the constitution; all we have to do is to intelligently interpret it as we find it.

A good deal has been said with regard to influences exercised in this House upon this question by the members from the province of Quebec, and many insinuations have been thrown out. I must say, after holding a seat in this House for fourteen years, and after a long business experience, that I have never had the pleasure of being associated with a more broad-minded, liberal, patriotic body of men than the French Canadians I have met in this House. I have never noticed any disposition on their part to be biassed in their views or harsh in their utterances with regard to any class or any creed. I am glad to be able to bear testimony to this fact. I think the course they have taken upon the question, following their noble leader, as they have done in the statesman-like views he has expressed upon this question, is creditable to them, and will do away with the feeling entertained by many in this country that the French Canadians of Quebec are disposed to interfere with the rights and liberties of other classes and other provinces. I hope we have heard the last of such opinions.

Let me express, in closing, my earnest hope that the commission which has gone to Manitoba may succeed in bringing about a settlement of this question. I shall be glad indeed if they return with an agreement entered into or outlined, that will be satisfactory to all parties. And I hope that the application of the reserve power in the constitution will never be brought into play in this Dominion. After studying it, I cannot but think that the fathers of confederation, when they adopted that clause creating a reserve power, never expected that it was to be used. I think it was intended to be like a boquet in a man's button-hole—more for ornament than for use ; for it does not carry with it any declaratory provisions making it clearly understood and showing how it can be applied in the interests of any particular minority. It is unquestionably in a very unsatisfactory form, to say the least of it. I hope that in the interests of the Dominion and of each of the provinces, whatever may be the minority in any province, whether Catholic or Protestant, the treatment of that minority will be so generous, so conciliatory, will be characterized by such toleration and forbearance, that never in the history of this country will relief have to be applied for under this clause. If we proceed upon these principles, we will get over our difficulties far better than by going into a struggle of a province with the Dominion, and the Dominion with a province, which undoubtedly will end in trouble of no ordinary character. Manitoba has cost this Dominion a considerable sum of money already. Nor do I say this with the desire at all to reflect upon that province, which possibly may become the most important province of this Dominion. It has unquestionably a fertile soil, and is destined to become a grand country. But we have had a little lesson from Manitoba already. After she had got a provincial charter and commenced to exercise her provincial powers, she ran across a contract that we had entered into with the Canadian Pacific Railway with regard to granting charters to railways running south-west of the main line, for twenty years. As a result of that unfortunate entanglement, we had to pay the Canadian Pacific Railway a sum of $10,000,000 to get rid of that contract. On that occasion, Sir John Macdonald, who was a very experienced statesman, declared that we could not check Manitoba. I believe that was a true saying. We have no desire or wish to check her, and for that reason I hope the commission that is now at work will bring about a quiet and peaceable settlement of the trouble that is now agitating this House and causing so much agitation throughout this country, and enable us to get back to our old party lines, and fight on the lines of Grit and Tory, protection and revenue tariff. But let us by all means get rid of this vexed question that is taking up so much of the time of this House, and has caused so much unpleasantness between different classes of our people.

Mr. BORDEN. It is not my intention to address myself to the amendment moved by the hon. member for North Simcoe (Mr. McCarthy), but to the main motion before the House. I observe that nearly all the speakers on this subject have agreed that this is the most important question which has ever come before this House since confederation. The hon. leader of the House (Sir Charles Tupper, Bart.) said that, in his long experience, reaching over forty years, he had never before proposed to any assembly, or any parliament, a measure of such gravity and importance. But I am inclined to think that hon. gentleman has made an error. I believe that he did once propose a question to the parliament of his native province which was of even greater consequence, of more gravity, than this one. Mr. Speaker, this measure proposes to make such use of the powers of this House as has never been attempted since confederation, namely, to interfere, to amend, to supplement, to change, the legislation of a province with reference to a subject over which the provinces have exclusive control under our federal system of government. But Sir, that hon. gentleman found it convenient at one time to submit to the legislature of his own province a measure which did not simply propose to change the constitution under which that province existed, but to sweep away the very constitution itself, and to legislate the province out of the condition in which the people had lived happily for many years, and against what was well known to be the will of the people, into a confederation for which their permission had never been asked. Now, I can understand the hon. gentleman desiring to say that this was a more grave and extraordinary use of power than the one to which I have just referred, because he was taking exception to a statement which had been made by the leader of the Opposition (Mr. Laurier), with reference to the action of the hon. gentleman at the time to which I refer. The words of the leader of the Opposition to which the hon. leader of the House took exception, were these :—

> But the hon. gentleman knows that the bitterness of the initiation of confederation, the feeling against the coercion then practised, has

never been removed, and never will entirely disappear until it is buried in the grave of the last man of that generation, whose manhood was outraged by the arbitrary proceeding which trampled under foot the dignity and manhood of a proud people.

I stand here now as one of the representatives of the province of Nova Scotia, to say that every word uttered by the hon. leader of the Opposition with reference to the manner in which confederation was carried in the province of Nova Scotia, is absolutely and literally true. But, if the leader of the House desired to palliate the force of that indictment made by the leader of the Opposition, how did he proceed to do it? He took us back a long way into the history of the province, but, as he has seen fit to do so, and as he has seen fit to misstate the history of those times, I think it is only proper that we should have on record the facts with reference to what took place in those troublous times in Nova Scotia. Now, Sir, I give the hon. gentleman the full benefit of his line of argument, and this is what he said in the House:

> Hon. Joseph Howe was the leader of the Nova Scotia government at that time, and in 1861, a year afterwards, he moved, in his capacity of leader of the House, a resolution in favour of a federal union, or otherwise, of British North America. His motion was as follows—I only read the main clause:—
>
> "And whereas, while many advantages may be secured by such a union, either of all these provinces, or any portion of them, many and serious obstacles are presented, which can only be overcome by mutual consultation of the leading men of the colonies and by free communication with the Imperial Government."
>
> When I tell the hon. gentleman that I seconded that resolution, and it was passed unanimously by the legislature of Nova Scotia in 1861, I think he will absolve me from the charge of having pressed a union of the British North American provinces, and brought Nova Scotia into it on terms that would warrant my action being characterized as the hon. gentleman has characterized them. But what was the action taken? I moved in the legislature of Nova Scotia on 10th April, 1866, my resolution. The general elections took place two years afterwards. Mr. Howe and myself were committed, in the face of the legislature and the country to a policy of the union of the British North American provinces, which proposition received the unanimous assent of the legislature. The elections took place two years afterwards, with the result that I was brought into power at the head of the largest majority that any leader of the Nova Scotia government has had at its back in the history of the country. I was elected, and an overwhelming majority of the members were elected to support me, in the face of my public declaration made in 1860 in favour of a union of the provinces of British North America.

Now, Mr. Speaker, what were the facts in reference to that matter? I find that, on the last day of the session of 1861, in the Nova Scotia House of Assembly, Mr. Howe did move the following motion, not the one read by the hon. gentleman—that was only an unimportant clause of it—but this:

> Whereas the subject of a union of the North American provinces, or of the maritime provinces of British North America, has been from time to time mooted and discussed in all the colonies, and whereas, while many advantages may be secured by such a union, either of all these provinces or of a portion of them——

Mr. DAVIN. Mr. Speaker, is my hon. friend in order?

Mr. BORDEN. Make your point of order.

Mr. DAVIN. The point of order I make is this: My hon. friend is discussing what is really a side issue of the main debate, and I ask whether he can, on a motion to go into committee and an amendment thereon, hark back and discuss the main question?

Mr. SPEAKER. Of course, an hon. member can refer to any debate that has taken place in previous stages of the Bill; but I would suggest to the hon. member the desirability of keeping to the question before the Chair.

Mr. BORDEN. I am endeavouring to answer what I believe to be a misrepresentation, using the word in a parliamentary sense, of the history of the province of Nova Scotia with respect to the passing of the Confederation Act, made here by the leader of the House, which misrepresentation I think I am entitled to answer, as I certainly must be in order if the leader of the House was in order in making the statement. When interrupted, I was reading a resolution, of which the leader of the House read a very small and unimportant part, in which he claimed that the question of confederation was virtually before the people prior to the date at which it was passed by the House at the instance of the government of which he was a member, in 1867. That resolution was as follows:—

> Whereas the subject of a union of the North American provinces, or of the maritime provinces of British America, has been from time to time mooted and discussed in all the colonies.
>
> And whereas, while many advantages may be secured by such a union, either of all these provinces, or of a portion of them, many and serious obstacles are presented, which can only be overcome by mutual consultation of the leading men of the colonies, and by free communication with the Imperial Government.
>
> Therefore resolved, That His Excellency the Lieutenant-Governor be respectfully requested to put himslf in communication with His Grace the Colonial Secretary, and His Excellency the Governor General, and the Lieutenant-Governors of the other North American provinces, in order to ascertain the policy of Her Majesty's Government, and the opinions of the other colonies with a view to an enlightened consideration of a question involving the highest interests, and upon which the public mind in all the provinces ought to be set at rest.

There is not a single word in that resolution which in any way commits the legislature of the province of Nova Scotia to the adoption of confederation at any time in the future. It was simply a resolution declaring that it was expedient to have a conference with the Colonial Secretary to ascertain his views on the subject of confederation. Besides, the resolution did not refer specially to the union of all the provinces, it might be a union of two or three or all the provinces, and in no sense can it be claimed that it in any way indicated the state of public opinion in Nova Scotia at that time. On the contrary, it was passed on the last day of the session, just before prorogation, and in the reports of the debates, which in Nova Scotia have been always very fully given, I fail to find one word of debate as having occurred on that motion, and even the motion itself does not appear in the official debates. In 1864, after the hon. gentleman, who was then in opposition had come to power, as leader of the government, he proposed a resolution setting forth that it was desirable to have, not a union of all the provinces, but a union of the maritime provinces, the resolution being in these terms :

> Resolved, That His Excellency, the administrator of the Government, be requested to appoint delegates (not to exceed five) to confer with delegates who may be appointed by the governments of New Brunswick and Prince Edward Island, for the purpose of arranging a preliminary plan for the union of the three provinces under one government and legislature, such union to take effect when confirmed by the legislative enactments of the various provinces interested and approved by Her Majesty the Queen.

This proposition looked entirely to the establishment of the union of the three maritime provinces. In justice to the leader of the House, I will quote from his speech, delivered by him in introducing the resolution I have read. The hon. gentleman then said :

> There is consequently, I am satisfied, such a disinclination on the part of these two great sections in which the Government of Canada is divided as to render it quite impracticable to discuss, except as theory for the future, a union of Canada with the maritime provinces. But I am satisfied that whilst the financial condition of affairs has been such as it has been for years in Canada—the deficit now between the expenditure and revenue being more than a million of dollars—these maritime provinces would look very doubtfully upon a proposal which was to unite them with a country that is placed in a position of such financial embarrassment.

That was the resolution and that was the speech which the leader of the House presented to the legislature of Nova Scotia in 1864. But now the hon. gentleman, on the strength of the resolution I have read, passed in 1861, and of the resolution which looked entirely to a maritime union, and his speech, in which he said that a union with the upper provinces was absolutely impossible, seeks to justify himself in passing the Confederation Act for Nova Scotia in opposition to petitions signed by tens of thousands of people asking that the Act should be submitted to the people. I am old enough to remember the events of that day, and I know that from one end of the province to the other there was a union of all the old parties against the Act of coercion which the hon. gentleman was attempting to press upon the province, which he had been called upon to govern, not for the purpose of carrying out the union of the provinces, because it was never thought of or referred to in 1863. The hon. gentleman came into power in Nova Scotia on a cry of retrenchment, and he got into power only to inaugurate a system of extravagance which had never before been equalled in that province, and I am happy to say has never been equalled since, and to legislate out of the hands of the people the rights which they had reposed in his hands to guard.

I think these facts pretty effectively dispose of the claim of the hon. gentleman that he had a mandate from the people to pass the Act of Confederation. But the hon. gentleman claims that he entered into a compact with Mr. George Brown and others. The hon. gentleman (Sir Charles Tupper) says he gave a promise that he would carry this measure through the province of Nova Scotia without consulting the people. Well, Sir, I understand that the Hon. Mr. Tilley was one of the delegates to the Quebec conference and if any pledges were given, I suppose that hon. gentleman would have given the same pledges as the hon. leader of this House. But what do we find with reference to the province of New Brunswick ? We find that the question was submitted to the people of that province, not once, but twice. First the province of New Brunswick declined to accept confederation, but a few months later the question was submitted again, and adopted by a majority of the people of that province, and ever since there have been no heart-burnings in New Brunswick, because they felt they were fairly treated. Whether the bargain was good or whether the bargain was bad, it was of their own making. As was rightly pictured by my hon. friend (Mr. Laurier), the people of the province of Nova Scotia felt they had sustained a gross injury and that a gross wrong had been done them. My hon. friend (Mr. Laurier) might have gone further than he did in his statement, because it will not only be the last man who was able to exercise the franchise of that time, but his children and his grandchildren will have to pass away, before the memory of that unjust act is effaced from the minds of the people of Nova Scotia.

Now, Mr. Speaker, with reference to the legislation before this House. As a reason for justifying the statement that this is the most important and gravest measure that has been presented to Parliament for its consideration since confederation. I desire to refer to one point in a sense that may not be universally agreed upon. I am not a lawyer, but I have followed this discussion pretty closely and have read all the literature pertaining to it. At any rate, some of the leading lawyers have taken the view that whatever legislation we may pass with reference to this matter, it cannot be afterwards changed ; that it is like the laws of the Medes and Persians, fixed and unalterable. It seems to me from my reading, and looking at it as a layman, that that allegation is well grounded. If that be the case, Sir, then the circumstances are indeed momentous. When we think that we are about to pass a system of laws upon the subject of education which is exclusively a provincial right, and that we are going to impose upon a great province, this law for all time, no matter how the circumstances may change, or how the population may change, or how desirous they may be to make a change in that matter, when we think that for ever that law, by our act here, is to be fastened upon that unwilling province, surely it ought to cause us to pause. I wish to call your attention, Sir, to the words of the remedial order itself, bearing upon this point :

> The committee, therefore, recommend that the provincial legislature be requested to consider whether its action upon the decision of Your Excellency in Council should be permitted to be such as, while refusing to redress a grievance which the highest court in the Empire has declared to exist, may compel Parliament to give the relief of which under the constitution the provincial legislature is the proper and primary source, thereby according to this view, permanently divesting itself in a very large measure of its authority and so establishing in the province an educational system which no matter what changes may take place in the circumstances of the country or the views of the people, cannot be altered or repealed by any legislative body in Canada.

Surely, Mr. Speaker, this is a serious question enough. It seems to me in view of this point alone, that this House should hesitate before undertaking to pass legislation, which no matter what may happen can never be changed afterwards. I want to ask who are we that we should undertake this important legislation ? Why, Sir, we are a Parliament which it is announced to-day by the leader of the House, will, within three or four weeks come to its end by efflux of time under the constitution. This is the body which proposes to encroach upon the exclusive domain of a province with legislation which can never be changed, no matter how much that province, or no matter how much this Parliament or its successors may desire to change it afterwards. We are a Parliament elected upon lists made in the year 1888, upon which not one-half of the names are to be found of those who are eligible voters to-day. There is 50 per cent of change in the electorate which returned to this Parliament the hon. gentlemen who now propose to enact this legislation. I do not desire, Sir, to say anything offensive, but it is well known that as we approach the end of every Parliament, there are hon. gentlemen who have got tired of politics, who do not propose to seek re-election, and who possibly have chosen for themselves comfortable offices which they hope to enjoy for the rest of their days. There are of necessity several hon. gentlemen in this House who come under that description. These are the gentlemen who propose to settle for ever the destinies, not only of the province of Manitoba, but of this Dominion. I put it to you, Mr. Speaker, and I put it to such hon. gentlemen, whether it is desirable that a question of such immense significance should be settled by a House composed as I have pointed out. Now, what happened in 1891 ? Then we had a great leader of the Conservative party who, whatever else we might say of him, was a man inclined to stick to constitutional usage, at any rate. That right hon. gentleman had occasion to propose a subject for the consideration of this country, a subject referring to the question of trade, a subject affecting our material prosperity. That hon. gentleman thought it of sufficient consequence to appeal to the country a year before the natural end of the term of that Parliament, in order, as he said, to get a body of men fresh from the people to consider the important question of a reciprocal treaty with the United States. But to-day a question which far transcends in importance that question of reciprocity, important as it is to us—a question on which the happiness of a province hangs, a question on which the fate of this Dominion may rest—it is proposed to settle here within four weeks of the end of this Parliament, by hon. gentlemen who have either made up their minds to go out of politics and have no further care for the people, or who know that when this Parliament comes to an end, they will be placed in comfortable offices for the rest of their lives.

I am reminded again of what happened in Nova Scotia in 1867. As I have said, we had there a question of greater consequence even than the present question. We had the question of a provincial legislature legislating away the constitution of the province, and legislating the province into a new arrangement. We had nine-tenths of the people known to be opposed to that legislation, just as the vast majority of the people of Canada to-day are known to be opposed to the Bill which these hon. gentlemen are now trying to force through this House. And what happened ? At one time, not many weeks before that confederation measure was carried through the legislature of Nova Scotia, it was well known that the leader of the government of Nova Scotia, to-day the leader of this House, was in a minority in that province. The hon. gentleman boasted here the other night that he had carried that measure by a considerable majority; and so he did. But what happened? The hon. gentlemen who helped him to carry it stepped out of the legislature of Nova Scotia into the Senate of Canada, or into public offices from one end of the province to the other. Not a man of them was re-elected in the elections of 1867, except the hon. leader of the House, and he was elected only by a very narrow majority; he got in just by the skin of his teeth. I say we are repeating in this House what happened in the province of Nova Scotia in 1867; and I dare say it is fitting that the hon. gentleman who so successfully bulldozed the legislature of Nova Scotia in 1867 to carry confederation through the House against the well-understood wishes of the people of that province, should be brought here to coerce this House into passing legislation which the majority of the people are opposed to, and which is inimical to the interests of the province of Manitoba and the interests of the Dominion at large.

Now, Mr. Speaker, in reference to this question, there seem to be certain facts as to which there is agreement upon all sides. There is no question whatever that the Manitoba Education Act of 1890 is constitutional; that has been settled by the highest court of the realm. There is no doubt, further, that the minority in the province of Manitoba have the right of appeal; that has been settled by the highest court of the realm. There is no doubt, in my mind at any rate, and, I think, in the minds of the majority of the members of this House, certainly not in the mind of the Minister of Justice, that this Parliament is free to act or to refuse to act, as it may see fit. There is no doubt either—this fact was settled in the argument that took place before the Privy Council in England—that the action of this Parliament is purely political. The question is—and it is a question which the Government have to face and accept the responsibility for—whether the enactment of this legislation is the best thing that can be done in the interests of Canada at large? We hear a great deal about the rights of minorities. I believe in preserving and conserving the rights of minorities. But, Sir, we are here under a system of responsible government, and the very foundation stone of responsible government is to govern in the interests of the majority, with a view to the greatest good of the greatest number. Now, Parliament may act or Parliament may refuse to act. If that be true, how enormously our responsibilities are increased. I have felt, all through this delicate question, that I would be glad if any man could satisfy me that there was a plain duty on the part of this Parliament to act, no matter what the circumstances might be, after the Committee of the Privy Council had decided that there was a right of appeal. I cannot take that view. Therefore, if I am free to act or to refuse to act, how important it is that I should be possessed of all the knowledge which it is possible to be possessed of, in order to act intelligently. And therein, I take it, Sir, is one of the main arguments in favour of the policy which my hon. friend the leader of the Opposition—an argument in favour of the fullest inquiry and investigation, in order that we may intelligently and honestly discharge our duties as representatives of the people. Suppose we have to delay a few days, or a few weeks, or a few months; what is that, if by that delay we are able to settle this question upon intelligent lines—upon lines which are just to all the parties concerned? In this connection, I will observe that the province of Manitoba invites, requests investigation; and, although the despatches have been read many times, I shall have to trouble the House by reading them again, as an important part of my argument. After the remedial order was sent to the legislature of Manitoba, that legislature sent an answer, containing these words:

> We believe that when the remedial order was made, there was not available then to Your Excellency in Council full and accurate information as to the working of our former system of schools.
>
> We also believe that there was lacking the means of forming a correct judgment as to the effect upon the province of changes in the direction indicated in the order.
>
> Being impressed with this view, we respectfully submit that it is not yet too late to make a full and deliberate investigation of the whole subject. Should such a course be adopted, we shall cheerfully assist in affording the most complete information available. An investigation of such a kind would furnish a substantial basis of fact upon which conclusions could be formed with a reasonable degree of certainty.
>
> It is urged most strongly that upon so important a matter, involving as it does, the religious feelings and convictions of different classes of the people of Canada and the educational interests of a province which is expected to become one of the most important in the Dominion, no hasty action should be taken, but that, on the contrary, the greatest care and deliberation should be exercised and a full and thorough investigation made.

That was the message of the legislature of the province of Manitoba to the Government of Canada in answer to the remedial order. It seems to me that nothing could indicate more certainly the desire on the part of that legislature to meet the requirements of the case, because, as the language points out, they are ready to expedite in the fullest way an investigation into the whole matter. I find the Government next sent to Manitoba a modified remedial order, which seems to have been issued shortly after the close of last session, and in which we saw some hope that the Government had come down from its high horse and was willing to be reasonable, in the following language:—

The remedial order coupled with the answer of the Manitoba government, has vested the Federal Legislature with complete jurisdiction in the premises, but it by no means follows that it is the duty of the Federal Government to insist that provincial legislation to be mutually satisfactory should follow the exact lines of this order. It is hoped, however, that a middle course will commend itself to the local authorities, so that federal action may become unnecessary.

In answer to that the government of Manitoba sent the following message to this Government :—

It is a matter of regret that the invitation extended by the legislative assembly to make a proper inquiry into the facts of the case has not been accepted, but that, as above stated, the advisers of His Excellency have declared their policy without investigation. It is equally a matter of regret that Parliament is apparently about to be asked to legislate without investigation. It is with all deference submitted that such a course seems to be quite incapable of reasonable justification and must create the conviction that the educational interests of the people of the province of Manitoba are being dealt with in a hostile and peremptory way by a tribunal whose members have not approached the subject in a judicial spirit or taken the proceedings necessary to enable them to form a proper opinion upon the merits of the question.

The inquiry asked for by the reply of the legislature to the remedial order should, in the opinion of the undersigned, be again earnestly invited, and in the event of the invitation being accepted the scope of the inquiry should be sufficiently wide to embrace all available facts relating to the past or present school systems.

The desire of the legislature and government of the province throughout the whole course of the proceedings, beginning with the enactments of the statutes of 1890, has been to provide the best possible means of education for the children of our citizens. To that end every possible effort has been put forth and every possible pecuniary sacrifice made in order that there might be established a school system based upon sound principles and equipped and administered in accordance with improved modern educational methods. Though very much remains to be accomplished it may be fairly asserted that a reasonable measure of success has attended the efforts which have thus been put forth.

In amending the law from time to time and in administering the system, it is the earnest desire to remedy every well-founded grievance and to remove every appearance of inequality or injustice that may be brought to notice.

I desire to emphasize this clause again :

In amending the law from time to time and in administering the system, it is the earnest desire to remedy every well-founded grievance and to remove every appearance of inequality and of injustice that may be brought to notice. With a view to so doing, the government and the legislature would always be ready to consider any complaint that may be made in a spirit of fairness and conciliation.

Now, I have read to you, first, the reply of the legislature of Manitoba to the first remedial order, and, secondly, the reply of the Manitoba government to the amended remedial order : and now I will read certain resolutions passed by the legislature of Manitoba immediately after the general election —not by a moribund legislature about to end, by efflux of time, in three or four weeks, not by a legislature composed, to some extent at least, of gentlemen who no longer intend returning to their constituencies to ask anew the suffrages of their electors, gentlemen who are sitting, possibly, if not with commissions in their pockets, with the promises of commissions and offices after this Parliament has ceased to exist—but by a legislature fresh from the people, a legislature elected upon this question, a legislature elected by a majority of six to one in favour of the policy of the government which enacted the legislation we are now proposing to alter :

That it is sincerely regretted that these repeated and earnest invitations for an inquiry have been absolutely ignored by the advisers of His Excellency, who propose, without complete information themselves, to ask coercive legislation from Parliament, the great majority of whose members are necessarily without a full knowledge of the facts relative to the past and present school systems of Manitoba.

That in amending the school law from time to time and in administering the school system of the province, it is our earnest desire to remedy any well-founded grievance and to remove any appearance of inequality or injustice that may be brought to our notice and to consider any complaint which may be made in a spirit of fairness and conciliation.

That while the constitutional right of the Dominion Parliament to deal with the question in some way is not denied, it is confidently maintained that the central authority should not interfere with a province except in a case of most urgent necessity and only as a last resort and after the clearest possible case has been made out of flagrant wrong-doing on the part of the provincial authorities. That no case has ever been made out for interference with the local law by the Dominion Parliament which will justify said Parliament in setting aside the well recognized principle of provincial autonomy, a principle the maintenance of which is essential to the satisfactory operation of our constitution.

Now, I have read the answers of Manitoba to the remedial order and to the proposal to pass a Remedial Bill in this Parliament. And I am sure you will agree with me, Mr. Speaker, and no man can dissent from the statement, that no language could more plainly indicate a desire on the part of the government and legislature of Manitoba to meet this Government and this Parliament half-way at least and to remedy any injustice which may exist under that legislation. They have asked over and over again for an inquiry ; they have asked practically for a conference. That has been denied them. They have been treated in a most cavalier manner. But it seems that, at last, through the kind offices of personages outside of the Government, we are about to have a conference between this Government and the government of Manitoba. The Government seem to be very much afraid to accept any responsibility for the conference. We had questions put across the House by the hon. member for North Simcoe (Mr. McCarthy) as to whether the Government had authorized the visit of Sir Donald Smith to Manitoba with reference to this school question. That was denied. But at last, on Friday last, we succeeded in getting the Government to accept responsibility for the policy of a conference and so now, I suppose, we may infer what the policy of the Government is, because they have sent two members of the Government to negotiate with Manitoba with reference to this question. Better late than never. The Government have come to their senses very tardily, but they seem to have come to their senses at last. It is most gratifying to us on this side of the House whose policy has favoured this course from the first, because my hon. friend the leader of the Opposition long ago laid down the policy of investigation and the policy of conciliation as opposed to the policy of blind coercion which seemed to have been the policy of hon. gentlemen opposite until within a very few days. But while these hon. gentlemen are going to the province of Manitoba with the flag of truce, in the name of reason let us observe the rule of ordinary decency here by stopping what we are doing, by refraining from pressing further this obnoxious legislation until we know the result of the negotiations now taking place. What possible good can be served by proceeding with this Bill until we know what becomes of these negotiations ? It seems to me that the hon. gentleman who leads this House has conducted himself in such a way as to give every indication of the strongest desire to annoy the government and the people of Manitoba to the utmost extent of his ability. I ask any man to read his speech upon this subject and say whether I am not justified in thinking so. He went out of his way to be offensive to the province of Manitoba, when he characterized their legislation as dishonest and as robbery, as "Hansard" will show. And this is the hon. gentleman who now, forsooth, at the last moment, is sending a deputation to Manitoba to meet the government of Manitoba with the view to procuring from that province legislation by which action here will be rendered unnecessary. Nothing could be more undiplomatic. No greater mistake could be made than for the Government to pursue the tactics they are pursuing. And, Sir, they lay themselves open to a very strong suspicion on the part of the public that they are not in earnest, that they are not candid, when they pretend that this deputation sent to Winnipeg is for the purpose of a conference which may result in a solution of this vexed question. What has been the course of the Government with reference to this matter ? If the Government were so certain, as they appear to be, of the absolute duty devolving upon them to interfere in this matter, why did not they interfere when they had power to do so by the disallowance of this law ? Months and months passed by during which at any moment they could have disallowed the Act. But they allowed the law to go into operation. Their policy has been a policy of delay—anything to avoid facing the music. And it has come out in this discussion that they hoped—that they were certain almost—that the decision of the Privy Council would be such as to relieve them of all further responsibility. That was one of the motives in submitting the case. After the judgment of the Privy Council declared that the right of appeal belonged to the minority in the province of Manitoba, what happened ? We have been five years during which these various references had taken place, during which this Government had been delaying, had been going from one court to another to get an opinion to enable it to dispose of the question. For five long years the minority in Manitoba had waited, but when this last decision of the Privy Council was delivered, what happened ? Why, Sir, a new mode of action seemed to inspire hon. gentlemen. The hon. gentlemen who had been so ready to delay, so anxious to delay, suddenly became imbued with the idea that they must hasten, hasten at once to act. If they had been willing to continue as they had done, taking their time, and had approached the legislature and government of Manitoba in the spirit in which they pretend to be approaching them to-day, and had said to them : Here, you see this is the decision of the highest court in the realm. The responsibility now devolves upon this Government of dealing with this question, and it will devolve upon Parliament, if you do not settle it. Did they do that ? No, Sir, they acted, I say, with indecent haste in this matter. When they got ready for the hearing, which was immediately, they would not wait for the government of Manitoba to come to Ottawa to plead their case. The legislature of Manitoba was in session, as we know, in Winnipeg ; the Premier of the province of Manitoba was lying on a sick bed ; the Attorney General of the province, who was the man who should have been here to represent his government before the Privy Council, was unable to leave his legislative duties. The Manitoba government asked for delay. Was that an unreasonable request ? I think not. In view of what has happened since, nobody can say that it was an unreasonable request. But the hon. gentlemen hurried on, impelled, Sir, by what ? Impelled, one must believe, by something which does not appear on the surface, and which, when the history of this country is written, some day, will not be very creditable to the hon. gentlemen ; impelled by a desire to force into the arena of party politics a question which would disturb this Dominion from one end of it to the other ; impelled by a desire to make an unholy use of race and religious prejudices in this country. If that was not the reason, then, I ask you, Mr. Speaker, what possible reason can be adduced for the conduct of these hon. gentlemen ? They had waited five years ; they could not wait three weeks, then. Surely, the best interest of the Dominion and of a settlement of this case, would have been subserved by a further delay. Nobody can deny that, nobody can doubt it. We are told that the province of Manitoba has refused to act. How much time has the province of Manitoba had to act ? This Government has had five years to act. The province of Manitoba knew that, so far as any judgment that had been given, was concerned, the Act of 1890 was intra vires, and within their power to pass, a perfectly constitutional Act, and is yet, for that matter, and was up to the time of the last judgment of the Privy Council. But when was that judgment of the Privy Council delivered ? One short year ago. So that, at best, the province of Manitoba has only had since the date of the last judgment of the Privy Council, which declared that there was a right of appeal, and from that date down to the present moment. But how has she been hampered ? Has Manitoba had an opportunity to act ? No, Sir, instead of, as I have pointed out, approaching the province in a friendly spirit, to point out what the nature of the judgment was, and what the responsibilities were which devolved upon this Government, and, perhaps, upon this Parliament, the Government proceeded to issue its offensive and coercive remedial order. I say, we have a right to suspect, Mr. Speaker, that the motives of hon. gentlemen were not of the highest, when they took that sudden course of action. Now, it can not be doubted that the hon. gentlemen, when they passed that remedial order, intended to go at once to the country. That remedial order, Sir, was an address to the electors of Canada, or to one section of them. They had fully determined on that line of action, there cannot be a question of it ; and that, Sir, is the explanation of the sudden course adopted by the Government in issuing that remedial order. And yet we are charged in this House by the hon. gentleman who leads the House, with a desire to inflame passions, to light the fires of racial and religious prejudices in this country. My hon. friend the leader of the Opposition was charged by the leader of the House, on a recent occasion, in the course of this debate, with desiring to light up these fires in Canada. Well, Sir, I leave it to the hon. member of the House to judge who were mainly responsible, if these fires have been kindled in this Dominion, whether it is those hon. gentlemen who rush madly into this offensive course towards the province of Manitoba, or whether it is my hon. friend here, the leader of the Opposition, who has always counselled moderation, who has always counselled conciliation, who asks only that all the facts of the case be ascertained, that the fullest information be secured, before this tremendous step is taken which is now proposed to this House. Now, these hon. gentlemen pursued a very different course in dealing with other matters. My hon. friend from Wellington (Mr. McMullen) has referred to the course they pursued with reference to the temperance question, where a commission seemed to be wanted. My hon. friend the Finance Minister also pursued a very different course, when he undertook the important duty of revising his tariff a few years ago. Was the hon. gentleman able by himself to make up his mind what alterations should be made in the tariff. No, Sir. He took his two assistants, the Controller of Inland Revenue and the Controller of Customs, with him, and he went all over the country, and called into his councils people who were going to be affected by the legislation which he proposed, that is, some of the people. At any rate, he called upon his friends the manufacturers—always. Sometimes he called upon the importers ; I am not aware that he took very much pains to consult his friends the farmers. But, at any rate, he laid down this principle, that he was going to enact legislation which affected the rights, and might affect the prosperity, of the people of this country, and that it was his duty to consult or confer with those people who were to be affected by the legislation which he proposed to enact. Why did not the hon. gentleman pursue the same course with reference to what is certainly a matter of equal importance, of vastly more importance, a matter which, as I have shown, possibly may end in legislation which can never be altered in this House ? We can change the tariff as many times as we like, but this legislation, once enacted, is there for ever. Why did not the hon. gentleman's Government propose to meet the Manitoba government, which were to be affected by the legislation, in the same spirit as that government undertook to meet the people of Canada ? He did not see fit to do that. The course of hon. gentlemen reminds me a good deal of the course they pursued with respect to the question of reciprocity. Hon. gentlemen opposite have professed a great deal of zeal with regard to bringing about a reciprocity treaty with the United States ; but when they entered upon the business seriously, it seems to me as if they were endeavouring how not to do it. And so it is with regard to this question of inducing Manitoba to pass legislation which would relieve this Parliament from the trouble and responsibility it has undertaken, hon. gentlemen are conducting themselves in the manner indicated by the phrase " how not to do it." The speech delivered by the leader of the House has done more than anything that has occurred since the commencement of the difficulty to interfere with the prospects of the conference which is now proceeding in the city of Winnipeg between the representatives including members of this Government and members of the Manitoba government. Many hon. gentlemen opposite who have spoken have expressed great solicitude for the rights of the minority in Manitoba. The leader of the House was carried away with what he termed a strong desire to protect the rights of the minority of Manitoba. He was not so anxious about the rights of the minority in Nova Scotia on a certain occasion, in fact he was not so anxious as to the rights of the majority in that province on another occasion. The present leader of the House boasts that he is the father of the free school system in Nova Scotia. I am not aware that he took any special pains to guard the rights of the Roman Catholic minority in that province. The legislation of that day shows that nothing of the kind was done by him. But hon. gentlemen opposite are very solicitous of the rights of the minority in Manitoba. The hon. member for Leeds (Mr. Taylor), the whip of the great Conservative party, was very solicitous about the rights of that minority. He was impelled to vote for the second reading of the Bill because those rights had so strongly influenced his mind, they even haunted his dreams. Let me read to the House from the speech of the hon. gentleman in whose hands, forsooth, the rights of the minority of Manitoba have been placed, this hon. gentleman who constitutes himself the champion of the Roman Catholics of Manitoba. Here are his concluding words:

> Therefore, in my opinion, the constitution will be fully met if this Bill is read the second time and referred to a committee of the whole House, where it may be so amended as to meet my views, or the views of the majority of this Parliament.

The hon. gentleman's view is well known. I commend it to the Roman Catholics on the Conservative side of the House, for they will see that the view expressed by the hon. gentleman was that he was so solicitous for the rights of the minority that he was forced to vote for the second reading of the Bill, but he did so because he felt his duty was done when he had so voted, and the Bill, when it got into committee, would be changed completely, so as to meet his notions of the rights of the minority in that province.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. BORDEN. Mr. Speaker, the hon. leader of the House, in the course of that somewhat remarkable second speech which he delivered on this question, and to which I have been devoting some slight attention, endeavoured to constitute himself the special champion of the Roman Catholic faith in this country. In fact, Sir, he had the audacity to point to my hon. friend the leader of the Opposition, as a man who had trampled under foot his race and religion, and he (Sir Charles Tupper) pointed to himself as a gentleman who had, from the very earliest day he entered into politics in Nova Scotia, became at once the defender of that faith, and numbered amongst his chosen and sworn friends and supporters, the Archbishop of Nova Scotia, and the leading Irish Catholic families of that province. He referred, among others, to the Hon. Mr. Kenny, the father of the hon. gentleman who now sits in this House, as one of his friends during these trying years of 1866 and 1867. Has the hon. leader of the House forgotten; can it be possible that he has forgotten, that both the father of the hon. gentleman who now sits in this House, and the hon. gentleman (Mr. Kenny) himself, were among the most uncompromising opponents of the Secretary of State (Sir Charles Tupper) when he introduced his confederation scheme in Nova Scotia? The senior member for Halifax (Mr. Kenny) was the treasurer of the anti-confederate league in the province, in 1866, and yet the leader of the House stands up in this chamber, and enumerates among the leading Roman Catholics of Nova Scotia who stood shoulder to shoulder with him in these days, the name of Sir Edward Kenny, when he must know, unless he has forgotten history, that the Kennys were uncompromising opponents of confederation, in the early days when this scheme was introduced in the legislature and placed before the people of that province.

Sir CHARLES TUPPER. Does the hon. gentleman (Mr. Borden) mean to say that the Hon. Edward Kenny, afterwards Sir Edward Kenny, did not support that measure in the legislative council, and that he did not take office immediately, as a member of the first government that was formed? Does the hon. gentleman say that Sir Edward Kenny did not accept the office which was offered to me, and which I declined, advising his appointment?

Mr. BORDEN. Well, Sir, I do not deny that Sir Edward Kenny ultimately supported confederation, but I say there was a time, and a considerable time, during which that gentleman was opposed to confederation, and I say that the member for Halifax (Mr. Kenny) was the treasurer of the anti-confederate league. That cannot be contradicted. Now, Sir, the hon. gentleman (Sir Charles Tupper), as I say, constituted himself the champion of the Roman Catholics in the Dominion of Canada. He told us:

> When I first entered politics in the province of Nova Scotia, I was entrusted with the important duty of reconstructing and leading the Conservative party. Well, what did I do at that time? I unfurled my banner to the breeze, and on that banner was emblazoned: Equal rights and equal justice to all, without respect to race or creed.

Well, Sir, at the time the hon. gentleman (Sir Charles Tupper) entered political life in the province of Nova Scotia, what was the condition of things ? He found a great leader in that province who had quarrelled with a portion of his Roman Catholic supporters, and the hon. gentleman who now leads this House, was willing and ready to take advantage of the differences which existed between that prominent leader, Mr Howe, and the Roman Catholics of the province. Although Mr. Howe was not a member of the Liberal government, at that time, yet he was a prominent leader of the party. The hon. gentleman (Sir Charles Tupper), as he was starting out in his political career, was ready to take advantage of a war of creeds in that province, and I am sorry to find that the hon. gentleman now, as the sun of his political career is setting, comes back here, and repeats in the concluding years of his life, that which he enacted in the beginning of his career. He is ready in this Dominion to array creed against creed, and race again race, in order, if possible, to maintain his Government in power.

Now, the hon. gentleman has claimed for his party in the province of Nova Scotia, all the benefits which have been given to the Roman Catholics in that province. As I have pointed out, he has endeavoured to pose here as the special advocate and defender of the Roman Catholics in Nova Scotia. Mr. Speaker, I desire to go back with him to the time to which he refers. I say without fear of contradiction, that every concession which was ever given to the Roman Catholics in Nova Scotia was given to them by the Liberal party there. I am in a position to prove that statement. I hold in my hand an article published in a Conservative newspaper in Nova Scotia at about the period to which I allude, and I also have another article published by a Roman Catholic newspaper at that time. I propose to make a very brief extract from these articles in order to establish the point I am making.

Sir CHARLES TUPPER. What is the date ?

Mr. BORDEN. What I am reading from is a speech delivered by the Attorney General of Nova Scotia, in the year 1857, in which there are quotations from these newspapers.

Sir CHARLES TUPPER. Who was the Attorney General ?

Mr. BORDEN. Mr. William Young, afterwords Sir William Young. This is the quotation from the Conservative newspaper :

> We are opposed, utterly opposed, to an influx of Roman Catholic immigrants, even though they were healthy and willing to settle. Let us be understood as writing against all of the Roman Catholic Irish. We believe that there are very quiet and orderly men among them, but unfortunately men of another class preponderate, and wherever they congregate together so as to form anything like a numerical force, the peace of the community and the safety of life and property is at once destroyed. Now, if several thousand Irish Roman Catholics land upon our shores annually, and scarcely any Protestant immigrants, what have we to look forward to or expect but that this party will in a few years gain a complete ascendancy, and should this be the case dare any one imagine that Protestants will be any longer safe.
>
> There is but one way to prevent this consummation. It is useless to expect anything from the legislature ; but Protestants must be united. They must—if they would ward off the threatened blow—cease employing, or dealing with Roman Catholics as much as possible. They must by organization, adopt such measures as will inform the Roman Catholics of Ireland that they will find neither employment nor sympathy in this province—that we do not want to have our throats cut ; and at the same time hold out encouragement to able-bodied Protestants to come and settle among us.

This is from a speech delivered by Mr. William Young, afterwards Sir William Young, in the House of Assembly in 1857, in which he quotes from a Conservative organ this article which I have read.

Sir CHARLES TUPPER. Of what date?

Mr. BORDEN. The article was written prior to that time, of course.

Sir CHARLES TUPPER. Oh.

Mr. BORDEN. Does the hon. gentleman deny that that was ever published ?

Sir CHARLES TUPPER. I have told the hon. gentleman that when I entered public life I was entrusted with the reconstruction of the Conservative party. Down to that period the Conservative party was an anti-Catholic party. After that period the policy of equal rights and justice to all was adopted, and it has remained the policy of the Liberal-Conservative party from the time I reconstructed it down to the present hour. That was exactly my position.

Mr. BORDEN. I was endeavouring to show that the Liberal party of the province of Nova Scotia had given the Roman Catholics all the benefits and advantages they have ever received in that province ; and I was endeavouring to show the animus and attitude of the Conservative party prior to 1856, at any rate, towards the Roman Catholics. It may not concern, particularly, the time when the hon. gentleman was in the House, but it affects the party to which the hon. gentleman belongs, and of which he was the leader in that province. Now, Sir, I have just a few words of quotation from a newspaper known as "The Cross," which was the representative of the Roman Catholic body in the province of Nova Scotia.

Sir CHARLES TUPPER. Of what date?

Mr. BORDEN. Prior to the date of which I am speaking.

Sir CHARLES TUPPER. Oh.

Mr. BORDEN. Prior to the date at which the Liberal party came into power in Nova Scotia :

> There are more than 80,000 Catholics in this province, and not one of them that we know is permitted to hold the petty situation of a postmastership of a country village. And yet this is the "denomination" against whose "vaulting ambition" the "Times" appeals to the Protestant fears of the country.
>
> We will also turn our attention to the manner in which the many thousands of French Catholics in this province—the descendants of those primitive settlers who were so brutally expelled from their country, by some of the "tolerant spirits" of the times—are treated in Nova Scotia, as far as public situations are concerned. Not one Frenchman receives two pounds (£2) a year in any official situation. And yet these worthy Acadians form no small portion of the usurping "denominations."
>
> We will likewise have a word or two to say upon the manner in which our people and our clergy are treated in their commissionerships of education.

Then Mr. Young goes on to say :

> Now, Sir, mark the contrast between the position occupied by that body then and now. Look at the public offices in this building ; there is scarcely one in which you will not find a Catholic. Travel the country over and you will meet them everywhere in office. Their clergymen at the school boards—their laymen in the magistracy, in the post offices, and in all the public offices in the gift of the Government. Two Catholic gentlemen have filled alternately the presidential chair of the legislative council, and we have seen a member of the House elevated to the legislative council by the present government, that being the first marked distinction ever conferred on a French Roman Catholic in this province. Away then goes the charge that the government has acted partially or unfairly in the distribution of patronage.
>
> I believe from the bottom of my soul that had it not been for the fierce and sudden quarrel which has arisen between the hon. member for Windsor and the Irish Roman Catholics, we would not have heard a word of that charge. The Catholic body I know to be as loyal subjects of the Queen as any in the province—distinguished for their industry and alive to the promptings of ambition. Sir, am I about to become a proscriptionist—am I to lift my hand against the Catholics as a body ? They may abandon old friends—dissever old ties, and disturb old connections. They may link themselves with Conservatives, their natural enemies—even then, Sir, I will be no party to the proscription of any class of Her Majesty's loyal subjects.

Now, Sir, in justice to the Liberal party of the province of Nova Scotia, that grand old party which has given to the Roman Catholics of that province all the liberties they possess to-day, I thought it proper to read the extracts which I have read. The hon. gentleman, as I have said, has constituted himself the champion of Roman Catholic rights. He is the emancipator, forsooth, of the Roman Catholics in the province of Nova Scotia. Mr. Speaker, there was no need of his services. The Roman Catholics had already been emancipated by the Hon. Joseph Howe and Mr. William Young from the oppression of the Tory Family Compact which held office in Nova Scotia prior to the time of responsible government.

Sir CHARLES TUPPER. Will the hon. gentleman allow me to ask him a question : Was there no need of aid to the Roman Catholics of Nova Scotia, when a government came into power and proclaimed through a member of that government that their policy was that no Roman Catholic could be permitted to hold a seat in the government of Nova Scotia ? And I want to know whether those who came to the front on that occasion and fought down that proscription of the Roman Catholics, and led to its complete abandonment, are not entitled to claim that they did stand by the interests of the Roman Catholics of the province of Nova Scotia ?

Mr. BORDEN. I am in a position to say this. When the hon. gentleman who leads the House to-day entered the legislature of the province of Nova Scotia it is a matter of history that he was prepared to make an alliance with the most extreme Protestant wing of the Liberal party in order to carry on a crusade against the Roman Catholics of Nova Scotia.

Sir CHARLES TUPPER. I give that statement a most emphatic denial. When it was made on the floor of the House of Assembly, it met with a most emphatic denial on that occasion, and it has been buried for nearly forty years.

Mr. BORDEN. The hon. gentleman has resurrected several things that happened forty years ago, and we will give him some more of them. I can only say that that is the popular belief in the province of Nova Scotia.

Sir CHARLES TUPPER. I deny that emphatically. It is the belief of no person.

Mr. BORDEN. It seems to me that the hon. gentleman, in the role of Defender of the Faith, has somewhat fallen, or should have fallen, in our high esteem, because that which he claims to have done for the province of Nova Scotia had already been done. The hon. gentleman asks me if I do not know that a member of the Liberal government of that day made certain sweeping statements with reference to the Roman Catholics. I only know this, that the leader of that government, Mr. William Young, who alone was responsible for the policy of that government, utterly and absolutely refused to take any part in the difficulties between Mr. Howe and the Roman Catholics. The very speech which I have read was an elaborate argument against doing so ; and the concluding sentences of that speech should prove conclusively to everybody that, at any rate, the Premier of Nova Scotia of that day could not be the man to whom the hon. gentleman alluded.

Now, the hon. gentleman has referred to these troublous times. The hon. gentleman says that he was not ready to enter into a league with the extreme Protestant wing of the Liberal party in order to discipline the Catholics of that time; but he was not unwilling to take advantage of the difficulties which had arisen between Mr. Howe and the Catholics of Nova Scotia and to foment those difficulties, in hopes thereby to attain to power in 1859. He, however, failed in his purpose. He thought that by taking that attitude in 1856 and 1857, he saw a short road to power. The hon. gentleman failed utterly. He thinks now, by making the speech which he made here three or four nights ago, in which he endeavoured to arouse the prejudices of race and creed, he will find a short road to retaining power, but I predict that he will be equally disappointed when the people get an opportunity to pronounce upon his conduct.

But I have other evidence to offer as to the way in which the Roman Catholics of the province of Nova Scotia looked upon the conduct of the hon. gentleman and his associates. I have in my hand a letter written by the late Sir John S. D. Thompson to Senator Miller on the eve of Sir John Thompson's accepting the candidature of the Liberal-Conservative party in the county of Antigonish for a seat in the Nova Scotia House, and I shall read what Sir John Thompson said, because it has a direct bearing upon the matter under discussion:

> You are aware that nearly all the difficulties with which Catholics have had to contend in matters of local legislation,—education, for example,—have come from members of our party. (that is, the Tory party.) That is the great cause of our being unable to carry sufficient Catholic support to make the seats in Halifax secure. I flatter myself that if I obtain a seat in the House, I can effect a considerable change in that respect, and I accept the obligation to do so.

That is the statement of the late Premier of this country with reference to the conduct of the Liberal-Conservatives, of whom the hon. leader of the House must have been one, who had denied Roman Catholics their rights, and therefore made it very difficult for them to carry their seats in the county of Halifax. I hope that evidence will be satisfactory—not satisfactory but convincing—to the hon. leader of the House. Now, the hon. gentleman in this matter has taken to himself, with that modesty which characterizes him, credit for the school system of the province of Nova Scotia. His words were as follows:—

> When I introduced the measure for the support of free schools by taxation in Nova Scotia, the provisions of that Bill were of such an admirable character, guaranteeing as it did the rights of the Roman Catholic minority, that I had the support of his Grace the Archbishop and every Roman Catholic member of the legislature.

Sir CHARLES TUPPER. Hear, hear.

Mr. BORDEN. Will the hon. gentleman hold that he had the support of his Grace the Archbishop to that school measure of his?

Sir CHARLES TUPPER. I do.

Mr. BORDEN. Will the hon. gentleman deny that at the time of confederation, when the delegates went across to London to promote the scheme, the Archbishop of Nova Scotia went to England in order to induce those delegates to put a provision in the British North America Act, by which that school law, of which the hon. gentleman boasts could be changed so as to give the same rights to Roman Catholics that they receive in Ontario?

Sir CHARLES TUPPER. I made the statement and repeat it, that when I carried the free school law in the province of Nova Scotia I had the support of his Grace the Archbishop, Dr. Connolly, and I had the support of every Roman Catholic generally in the House of Assembly in Nova Scotia. Mr. Miller's name was mentioned as having taken some exception to it, and it is just possible that I may have forgotten that circumstance; but the whole body of Roman Catholic members of the House were supporting the government of which I was a member, and, with the approval of his Grace the Archbishop, to my certain knowledge, passed the measure as I placed it on the statute-book. And I read to the House the letter of the Roman Catholic Archbishop to me, after that legislation had been in operation two years and more, declaring himself my earnest and hearty supporter. I can give the hon. gentleman no better evidence.

Mr. BORDEN. Nevertheless, it is a fact that his Grace the Archbishop of Nova Scotia was opposed to the Act introduced and carried by the hon. gentleman, and that Mr. Miller, now in the Senate, opposed that Act in the House of Assembly in Nova Scotia in every one of its stages, and Mr. Miller was believed by those who ought to know to have been acting in the interests and at the dictation of his Grace the Archbishop.

Sir CHARLES TUPPER. Not so.

Mr. BORDEN. Will the hon. gentleman deny it? I believe that it is susceptible of proof yet that that is so. Will the hon. gentleman deny that Archbishop Connolly went to England for the purpose of endeavouring to secure a modification of the British North America Act, by which the Roman Catholics in Nova Scotia should have the same rights that they were receiving in the province of Ontario? He will not deny that, he cannot deny it; it is a fact. Now, what becomes of the support of the Archbishop? What becomes of the letters which the hon. gentleman read here? When the hon. gentleman cannot, dare not, deny the statement which I make that the Archbishop went to England for the sole purpose of securing for the Roman Catholics of his province in the British North America Act the same rights which had been given them in the province of Ontario. The hon. gentleman said a few moments ago, but it is scarcely worth while perhaps to enlarge upon that point now, that every Roman Catholic member in the legislature of Nova Scotia supported that Bill.

Sir RICHARD CARTWRIGHT. They are all dead.

Mr. BORDEN. All but one or two. Here is the speech of Senator Miller, of which I might quote page after page in opposition to that school law. Senator Miller said :

> If the principal object of the clause referred to —(speaking on one of the clauses of the Bill)— was to ensure the teachers' salary, that end could be secured by providing, in case the sum agreed upon at the annual meeting was not raised, that an assessment be made upon those who, at each annual meeting, had agreed to the engagement.

The principle of the Bill was the general public assessment, and that was the point that Mr. Miller objected to. Further, Mr. Miller says :

> In Great Britain every sect had its own training school, its own inspectors, its own teachers, its own separate grant from the public treasury in proportion to its numbers, the Government conceding to its integrity the principle for which he contended.

What could be plainer than that, Mr. Speaker ? It was the principle of separate schools he was contending for.

> The example thus afforded was worthy of imitation, but surely it could not be called similar to the compulsory feature of the Bill. The introducer of this measure——

That is the present leader of this House.

> —just now told them that he believed in state schools, that he held the opinion that the state owed to every child within its boundaries a common school education, to be provided, if necessary by arbitrary means even if hostile to the wishes of the people.

That was the nature of the hon. gentleman's contention, and that is the law, forsooth, which guarantees the rights of the Roman Catholic minority in the province of Nova Scotia. There is even an earlier history of this matter ; the hon. gentleman did not go back to the beginning. What I am about to say will show how differently the parties conducted themselves in the province of Nova Scotia. Some years before this, the Liberal government in Nova Scotia brought down a school law, which contained the principle of assessment. That law was brought down in 1856. A resolution was moved, I think, by Mr. Young, declaring in favour of the principle of assessment as a proper ground-work for the establishment of an educational law. That resolution was carried, and was voted for by the leader of the House (Sir Charles Tupper). Subsequently, it was found that the Bill could not be carried without the assistance of the Roman Catholics of that House. The Roman Catholics refused to support that measure, they refused to adopt the principle of general assessment for educational purposes. Did the hon. gentleman who had voted for that principle, and who took it up a few years later, when it suited his own purposes, did he say to the government : I will assist you to carry this measure ? No, Sir ; the hon. gentleman took advantage of the defection of the Roman Catholics to prevent the passage of that law, by that act, no doubt, giving the Roman Catholics hope—in fact, I have the words here in which he practically stated, after having voted for it, that he did not know whether he was in favour of the principle of assessment or not. This is what the hon. gentleman said in the following year, in reply to the charge against him that, having voted for the principle of the Bill, he refused to assist in carrying it through. He is reported to have said :

> Now, Sir, I do not say that it is necessary for the Government to deal with the question of education at all or that assessment is the proepr mode, but they said so.

The hon. gentleman, who had voted for the principle of assessment in 1856, in 1857, when he saw an opportunity of taking an advantage of the fact that the Roman Catholics had turned against the government, says in effect : I do not know now that the government should deal with the subject at all, and I do not know whether the principle of assessment is a correct one or not. Having lulled the Roman Catholics into security with this kind of talk, at the first opportunity, when he comes back with a large majority behind him, he takes almost the identical Bill and forces it down the throats of the Roman Catholics. And he says that not a man opposed it, and that the Archbishop was the strongest supporter of the Bill. Why, Sir, the situation is as clear as can be. The Archbishop and the Catholics had quarrelled with Mr. Howe. They found themselves in the hon. gentleman's (Sir Charles Tupper) power, and he was not slow to make use of that power, and they were compelled, to a certain extent, to make a virtue of necessity.

Mr. WHITE (Shelburne). Will the hon. gentleman allow me to ask him a question?

Mr. BORDEN. Yes.

Mr. WHITE (Shelburne). I understand the hon. gentleman takes the ground that the school law of the province of Nova Scotia provides no privileges in the way of separate schools for Roman Catholics.

Mr. BORDEN. There is no such provision by law.

Mr. WHITE (Shelburne). Then, will the hon. gentleman explain to me, why it is that the school law for the city of Halifax is entirely different from that of the rest of the province ? Why is it that commissioners of schools are appointed to regulate schools in the city of Halifax, six appointed by the provincial government and six by the city council of Halifax, and these commissioners have very great power with regard to the regulation of schools, assessments and everything else that pertains to the maintenance and support of the schools, whereas the commissioners for the rest of the province have very small powers and are appointed by the local government ? Why is such a great distinction made between the city of Halifax and the rest of the province, and is it not because there is a large body of Catholics in Halifax and that provision was made in that law for such schools in Halifax ?

Mr. BORDEN. I am not an Irishman, but I will take an Irishman's privilege of answering one question by asking another.

Mr. WHITE (Shelburne). That is never satisfactory.

Mr. BORDEN. It is perfectly proper. The hon. gentleman has the Act in his hand to which my question relates ? Will he point out the provision in the School Act of Nova Scotia which confers any special privilege upon the Roman Catholics——

Mr. WHITE (Shelburne). The Roman Catholics are not named as a body, but I say, in answer to the hon. gentleman, that that provision is made expressly for the purpose of guaranteeing to the Roman Catholics in Halifax separate schools.

Some hon. MEMBERS. Read, read.

Mr. WHITE (Shelburne). It is in 15 or 20 clauses of the Act.

Mr. BORDEN. I want the words quoted which confer upon any denominational body in Nova Scotia any special powers or guarantees them any special rights.

Mr. WHITE (Shelburne). That is begging the question.

Mr. BORDEN. You have not answered my question.

Mr. SPEAKER. The hon. gentleman has a right to ask a question, but this bandying of words across the floor of the House cannot be permitted to continue.

Mr. BORDEN. Having got so near the law, I desire to ask the House to draw some lessons from the administration of education in the maritime provinces. If the hon. gentleman who interrupted me, had referred to the administration of the law, I might have agreed with him, that in that administration due regard is had for the prejudices, if you choose to call them so, or the feelings, of a certain section of the community in Nova Scotia. As a result of a broad and liberal administration of that Act, to-day, in the province of Nova Scotia, there are very few complaints as to the law itself, although it is not a law which in its letter would be in line with the demands of the Roman Catholics.

Mr. FOSTER. But in spirit it is.

Mr. BORDEN. It is in its administration, but not in its spirit. In its administration it does supply all the requirements. My hon. friend the senior member for Halifax (Mr. Kenny), in a very able speech which he addressed to the House on this question, in many respects an exceedingly fair speech, has said, and it is to his credit, that all denominations in Nova Scotia are satisfied with the administration of the law in that province. I was glad to hear him say that. He went further, and he said he would be willing to leave it to the common sense of the majority of the people of this country that they would not inflict an injury upon any minority in this country. Well, Sir, if that is the case, if the hon. gentleman has so much confidence in the good sense of the people, why should he not leave the administration of the law in the province of Manitoba to the people who are charged with administering that law ? Why not give them an opportunity, at any rate, of showing whether they are willing, by the administration of the law, to do as the government and people of Nova Scotia have done, that is, to consult the prejudices or requirements of the minority in that province ? Mr. Speaker, in the province of New Brunswick we have a similar law to that in Nova Scotia. I was here during part of the time in 1872, 1873, and 1874, when the question of the New Brunswick school law was brought up by the present Minister of Marine and Fisheries, who invited us to interfere. Wisely, Sir, we abstained from interference, and what is the result to-day ? The result is that in New Brunswick the law is being administered in a way that is satisfactory to all classes of the community. Suppose we had listened to the hon. gentleman who now fills the position of Minister of Marine and Fisheries, who so eloquently urged upon us the necessity of interfering with the legislature of New Brunswick, and had undertaken to interfere with the law of that province——

An hon. MEMBER. Could you interfere ?

Mr. BORDEN. Well, the hon. gentleman invited us to interfere. Suppose we had interfered, what would have been the position in that province to-day ? Think you that you would have the same amicable and friendly relations between the different denominations in that province, and the same amicable and friendly relations between that province and this Dominion that exist to-day ? No, Sir. If the hon. gentleman had prevailed, he would have sown the seeds of discord throughout this Dominion. Happily, better counsels prevailed, and as a result, I say, to-day you have in the province of New Brunswick as happy a condition of things as exists in the province of Nova Scotia. So also in the province of Prince Edward Island there is a Public School Act. and there is no difficulty among the different denominations in that province. There we have the three maritime provinces of this Dominion presenting an object lesson to this Parliament to take note of, and to take warning by, that it is possible, nay, that it is probable, that if the province of Manitoba is left to the administration of its own laws, it will administer them in such a way, in its own interest, if it is wise, that every part of the community shall be satisfied. Why, Mr. Speaker, no government that is not blind will desire to administer the laws in such a way as to leave any considerable section of the people with the feeling that their rights are being trampled upon, and that injustice is being done. But that is what will happen if the minority of the province of Manitoba are permitted to remain in the present temper of mind. I say that the province of Manitoba, if it possesses the ordinary instincts of government, will see to it by the administration of its law, that by such changes as may be necessary, the minority of that province shall be entirely and thoroughly satisfied. But hon. gentlemen opposite propose, without having given that province an opportunity to say whether they desire to make their law satisfactory to the minority of that province to start out on a policy of coercion. They take the province of Manitoba by the throat by issuing their remedial order, and then they follow up that remedial order by legislation, impotent, it may be, worthless it may be, but nevertheless laying down a principle which we cannot, at any rate, at this stage of the proceedings, afford to adopt as a proper principle for the great Parliament of Canada to adopt towards one of its provinces. Hon. gentlemen propose to coerce that province. Mr. Speaker, I ask you, and I ask this House, whether anything was ever gained anywhere by a policy of coercion ? Hon. gentlemen have seen it tried in other countries. It is bound to fail. As pointed out by my hon. friend from Wellington to-day, these hon. gentlemen tried it for a short time on this very province, in connection with the railway legislation of that province, and the right hon. gentleman who then led this House stated here in the presence of the House : "You cannot check Manitoba." Well, Sir, if we cannot check Manitoba, I say you cannot coerce Manitoba, and your legislation will be a failure. We have heard a good deal of the rights of minorities. I have referred to the particular view that the member for Leeds (Mr. Taylor) takes of the rights of the minority. But speaking seriously, we all desire, from the bottom of our hearts, to protect the rights of minorities everywhere. The rights of the minority appeals to our best sympathy always. But, Sir, we have to consider what is the best course in the interest of that minority. Is it the best course to pursue, in the interest of the minority, to run amuck of the great majority of the people of Manitoba, and to attempt coercive measures upon that province ? No, Sir, I think not. I think that no more fatal mistake could be committed in the interest of the minority of Manitoba than to attempt to force this measure through this House at this time. Speaking for myself, I would say this, that the rights of a minority must be maitnained, and must be preserved. But let us be very careful to ascertain the extent of those rights. Let us give due opportunity to those directly charged with matters of education in the province in which the minority lives, to rectify and to correct the injury claimed to be done to that minority ; and if it turns out that the province absolutely refuses to rectify a wrong, then, Sir, I say we would all be prepared, I believe, to see that the rights of the minority are restored.

Mr. EDGAR. I think that the order of business we are considering now, this further step in the Manitoba Remedial Bill, should certainly never have been called by the Government to-day. We had a formal announcement made after three o'clock that at last the Government had made up their minds that conciliation was the proper method of settling the school question of Manitoba. To the surprise of a great many hon. members the leader of the House subsequently called the order for the Remedial Bill, Manitoba. Formal peace negotiations for the settlement of this dispute have been opened. The ambassadors for Canada are on their way to Winnipeg to-night for the express purpose, and commanded by the Dominion Government to undertake the settlement of this question without federal interference, and it is almost beyond belief that the Government in the face of that action are calling upon this House to proceed to-night to consider proposed compulsory legislation against the province of Manitoba. In to-day's "Globe" there is a cartoon, which presents the situation so admirably that I will ask permission to refer to it.

Mr. FOSTER. Read it.

Mr. EDGAR. I will interpret it, and I am sure if the hon. gentleman will look at his portrait he will recognize it. I hope he will purchase extra copies of the "Globe" for his constituency—what is it ?—King's, or Queen's, or St. John !

Mr. FOSTER. I do not spend my money for naught.

Mr. DAVIES (P.E.I.) You spend plenty of it.

Mr. EDGAR. The cartoon shows the leader of the House, with sword drawn and cocked hat. He has his sword in the air and is calling upon his brave artillerymen to aim their guns and fire. There is in the distance a flag marking the boundaries of the province of Manitoba, and a solitary unarmed man is coming with a flag of truce out of the Manitoba camp—Mr. Greenway. In the distance, on the other side of the picture, there are two ambassadors going towards Mr. Greenway with flags of truce, the Minister of Justice and the Minister of War. In the meantime, while they are on their way, while this solitary unarmed man is coming forward with a flag of truce, the leader of the House, with cocked hat and sword, calls to his gunners : Now then, gunners, do not let up on your cannonade ; give it to them for all you are worth. There is the Finance Minister aiming one of the quick firing guns —probably a pneumatic or air gun,—at the bearer of the flag of truce, Mr. Greenway. The Minister of Public Works is aiming another gun at him ; and the Postmaster General, who is represented as the powder monkey, is carrying a load of coercion balls to put in these guns. That is the situation of affairs as the public will understand it. I protest against the order for the Remedial Bill being proceeded with on this occasion. Do not the Government believe that the legislature of Manitoba are acting in good faith ? Did the Manitoba government not, at the suggestion of this Government, secure the adjournment of the legislature until April 16th, instead of its prorogation ; and did they not agree, at the request and suggestion of the Dominion Government, to meet their representatives and confer on the question ? If the Manitoba government are acting in good faith, it can hardly be said that the Dominion Government are acting in good faith towards them. But I believe the fact of the matter is this, and everybody understands it pretty well in this House, that the Government is at present being ground between the upper and nether millstones. There is one wing of the party saying: You must negotiate with Manitoba and settle this question without remedial legislation ; there is another wing of the party saying, you must go on with remedial legislation ; you may humbug other people if you like by pretending to send ambassadors to Manitoba, but you must and shall go on with coercive legislation. There is no other sensible explanation of the situation in which the Government find themselves placed today and the course they are taking. The course which the Government are pursuing is one of the greatest acts of self-condemnation and confessed error of which a government have been guilty. It admits as plainly as it can admit that they were utterly and absolutely wrong in passing the remedial order without having negotiations with Manitoba. It is a clear admission that they were altogether and utterly wrong in proposing legislation a year ago, and further, in calling this the sixth session of this Parliament at an expense of half a million of money when the result must be utterly inconclusive and injurious instead of beneficial. These are the reasons I think this order should not have been called to-day.

I now desire to call the attention of the House to a more technical point in connection with this matter. I should like the ruling of the Chair as to whether it is possible under our rules to make any substantial progress with this Bill in committee. I contend that the general character and main object of the Bill are to impose a tax on a class of people, and that none of the clauses imposing or providing for such taxation can be considered in Committee of the Whole unless they have been first considered in a preliminary committee of the whole House, under Rule 88. I submit that this legislation comes directly under the provisions of Rule 88. The words of that rule are these :

> If any motion is made in the House for any public aid or charge upon the people, the consideration and the debate thereon may not be presently entered upon, but shall be adjourned until such further day as the House shall think fit to appoint, and then it shall be referred to a committee of the whole House before any resolution or vote of the House be passed thereupon.

Let us take the plain object of this Bill, which I do not propose to discuss at all in detail, but merely to draw your attention to certain important clauses, and not argue whether it is right or wrong that we should pass them, but, Sir, to draw your attention to their scope, in order to show you that they come under the rule of creating a charge upon the people. The sections from 23 to 31 in this Bill provide for the levy and the collection of taxes upon the real and personal property of Roman Catholics in Manitoba, and it is directed that it shall be the duty of the municipal councils to levy and collect such taxes.

Mr. SPEAKER. I am afraid the hon. member is beginning to discuss the clauses of the Bill, which, of course, he knows is not in order at this stage of the proceedings.

Mr. EDGAR. I tried to explain my intention as being specially to avoid discussing details of the Bill. I do not propose to suggest whether any one clause or any other clause should become law or not become law.

Mr. SPEAKER. If the hon. member takes up the clauses in detail, clause by clause, that, of course, would be contrary to the rule which governs the debate at this particular stage of the proceedings.

Mr. EDGAR. I shall content myself, Sir, with simply drawing your attention to the general nature of these clauses I have referred to.

Sir CHARLES TUPPER. Order.

Mr. EDGAR. I am perfectly in order.

Sir CHARLES TUPPER. You are contrary to the direct ruling of the Chair.

Mr. EDGAR. The general effect of these clauses is to establish a taxation upon the people through the municipal officers, or, in case of their failure, by the Board of Trustees, whose election is provided for in this Bill, or in other cases, by the Board of Education who are expressly to be appointed by the Dominion Government in case the local government neglects to do so. We have, therefore, the machinery of taxation, and the machinery of expenditure of public taxes by these officials, and we have taxation upon the Roman Catholics who do not give notice to the authorities to exempt themselves from this taxation. That is a charge upon a class of people, if any charge upon a class of people can be created by a legislation. In Bourinot's book, page 598, it is laid down in a general statement that Rule 88 also applies "to the imposing of any state taxes or charges upon the people, or any class thereof.

In England, while they had the same rule almost in words, it was, I admit, sometimes held by Speakers there, that the necessity for a preliminary committee did not apply to cases where the taxation was purely for local objects. I think it will be found, upon examination, that that exception would not cover such a case as this, even according to English precedents. It will be found on further investigation that the object of avoiding going into preliminary committee, under that rule, was a special and a peculiar one in the English House of Commons. We know that there is a great deal of municipal and parish work in the English House of Commons. They have to take up any number of municipal and local measures for the whole kingdom, and, on account of the congested condition of business there, it is welcomed by the whole House, whenever a Speaker can find that a Bill of that nature does not require to go through the two committee stages. There was a special object for that exception to the rule in the English House of Commons which does not exist here. We should, I think, live up to the spirit of the rules of this House. Rule 88 is for the protection of the people. It is intended to give the representatives of the people every chance to investigate the levying of any charge upon the public; first, in preliminary committee stages, and afterwards in the ordinary stages of the Bill. Well, Sir, it will be found that in order to make the rule of the English House conform to the decisions about local objects being exceptions, the rule of the English House has been altered. Until 1866 it was exactly the same as ours, but it was altered then so as to have quite a different effect, and words were introduced into the first line, making it read this way:

> If any motion be made in the House for any aid, grant, or charge upon the public revenue, whether payable out of the consolidated fund or out of moneys to be provided by Parliament, or charge upon the people, then the consideration shall be in preliminary committee.

These words are new:

> Grant or charge upon the public revenue, whether payable out of the consolidated fund or out of moneys to be provided by Parliament.

I contend that the insertion of these additional words has altered the meaning of the words, "or charge upon the people," for this reason. The ordinary words, "or charge upon the people," are left in, and follow those new words, which refer simply to moneys payable out of the consolidated fund or of moneys to be provided by Parliament. That change in the language of the English rule, which has not been made in our rule at all, makes the greatest difference in its interpretation, and in its bearing on this question. The whole rule, according to the proper interpretation of it, applies in England only to moneys payable out of the consolidated fund or to moneys to be provided by Parliament; and the reason I say that the meaning of the rule is quite different now, is based on an ordinary principle of interpretation of statutes, which we have to apply to these words. The general words, "charge upon the people" that are left in the English rule are limited in their meaning by the new restrictive words that have been inserted in the rule as it stands in England to-day. It is an old and common rule of law that general words following specific words are of the same nature. There is an old and familiar illustration of this which all lawyers will remember. In the old Sunday Act it is provided:

> No tradesman, artificer, workman, labourer, or other person whatsoever, shall do or exercise any labour, business or work of ordinary calling on the Lord's Day.

Now, Sir, what is the meaning of the words "or other person whatsoever"? It is held that they do not mean a coach proprietor, or a farmer, or an attorney, but that these general words are absolutely limited and restricted by the words that precede them. So I think the present English rule on this subject does not at all apply in the broad way that the Canadian rule does, or that the English rule did before it was changed. But what, after all, is the real and proper interpretation to be placed even upon the old English rule? I admit that there have been a number of decisions of speakers which held that this rule did not apply to local works. But, Sir, in 1833 there was a Bill called the Irish Church Temporalities Bill, which made provision almost absolutely analogous to the provisions of the Bill which we are considering to-night. It provided for ecclesiastical commissioners for Ireland, to be appointed by the Crown, and for a bank account to be kept in the name of those commissioners. The commissioners were to levy yearly assessments on the livings of the Church of England in Ireland, just exactly as the trustees or the municipalities or the Board of Education are to levy taxes upon the Roman Catholics in Manitoba. The funds in the hands of the ecclesiastical commissioners were to be applied to the strictly local purpose of the maintenance of the church in Ireland, just as this Bill provides for the strictly local purpose of the maintenance of the schools in Manitoba. Well, Sir, what happened in that case? Was that held by a Speaker or by any one else in Parliament to be an exception to the rule about a preliminary committee. No, Sir, it was not. The Government of the day had introduced the Bill, as this Bill has been introduced, without a preliminary committee. Objection to that course was raised by Sir Robert Peel. The Chancellor of the Exchequer tried to show that it was a local Bill, and therefore did not require a preliminary committee. Sir Robert Peel contended that it was not merely a local Bill, and Mr. Daniel O'Connell, another great parliamentarian, and several others, contended the same; and what was the decision? Why, Sir, the point was considered so important by the House of Commons that it stayed proceedings, and appointed a special committee of leading men from both sides of the House, to look into precedents, and make a decision whether the Bill should go to a preliminary committee or not. They gave their decision in these words:

> What the general spirit of the standing orders and the resolutions of the House require is that every proposition to impose a burden or charge on every class of people should receive its first discussion in the Committee of the whole House.

There, Sir, is a decision of a solemn committee, interpreting the same provision that we have in a similar case; and it settles for our guidance, once and for all, that a case like this is not a case in which there should be an exception to the rule in favour of local works. Then, Sir, it will be found that in England, too, all bills for the taxation of colonies have been first sent to a preliminary committee. And I say that this Bill is as analogous to those colonial Bills as any Bill can be at all. The relationship of this Dominion to our provinces we know is very much like the relation, in many ways, of the Imperial Parliament to the colonies, and in a case of this kind, the analogy, I think, is complete. I know that the late Sir John Macdonald, in the confederation debates, page 42, made this statement:

> The general Government assumes towards the local governments precisely the same position that the Imperial Government holds now in respect of each of its colonies.

Equally all colonial Bills, Canada Bills, Australia Bills, Newfoundland Bills, emanating from the Imperial Parliament, authorizing local taxation there for local purposes, originate in preliminary committees; and that rule ought to be held to apply to this case also. Then, what are we doing to-day by this legislation? This legislation is to be enacted by us in place of the province itself; and I do not think it would be contended that if the province of Manitoba were passing this very Bill which we have here, it could go according to its rule, if its rule is the same as ours, without putting it through a preliminary committee. And therefore, I say, under the special circumstances of this case, we must put ourselves in the place of the Manitoba legislature and make provision of that kind for the protection of the people by first putting the Bill through a preliminary committee. We do not require to argue so much upon English precedent when we have precedents of our own, which, I maintain, are absolutely in point. The last and the most important precedent that we have in Canada is to be found in the "Hansard" debates of 27th February, 1889. That was the case of a Bill introduced by Mr. Ellis, providing for the assessment of the salaries of Dominion civil servants by the different local governments. I say that that case was absolutely on all fours with the present one. That authorized assessments by municipal officers of a certain very limited class of the population, the Dominion Civil Service. Mr. Rykert took the objection that that Bill should have originated in a preliminary committee of the House. The late Sir John Macdonald and the late Sir John Thompson sustained that view of the case, and Mr. Speaker Ouimet decided absolutely in favour of that view, as I think you, Sir, ought to decide on this occasion. His words are to be found at page 357:

> The general principle that all measures having the effect of imposing some new charge on the people must originate first in a Committee of the whole House is admitted by both sides. The only question then is as to the application of this general principle to this special measure. I see that by the first clause of the Bill, it is provided that the salaries of public officials may be assessed, and furthermore in the second clause it is provided that if they are assessed at present or may be assessed in future, such assessment may be legal. It is clear to my mind that the effect of this Bill, the moment it becomes law, will be to legalize all assessments so made or to be made. I must hold, therefore, that the Bill comes under the operation of the general rule, as imposing new charges on a certain class of the people, that is the public officials or employees, and that it must originate in Committee of the Whole.

That, I think, is a precedent exactly in point, and which, I submit, should have great influence in your decision of the matter. Then there is another class of exceptions to the rule made in England, and I want to show that this Bill does not fall under that class of cases referred to in the tenth edition of May, where the Bills imposed charges on any particular class of persons for their own benefit. That does not apply to this case. The facts do not fit at all, because the tax that is imposed by this Bill is not a tax only on the parents and guardians of the children who are sent to the schools, it is not confined to those who are benefited, but it is imposed upon childless married people, and bachelors, and spinsters, and also upon those who do not believe in separate schools and do not use them. It is likewise imposed upon corporations ; and by reason of the exemption which it creates, exempting from payment to public schools the property of Catholics, it throws an additional tax upon the public school supporters. Therefore, it is not a tax imposed by these people for their own benefit. I would resume my argument by simply stating that rule 88 is binding upon us, that these money clauses fall under rule 88, as they impose a tax upon the people, and that therefore they should originate in a special preliminary committee.

Mr. SPEAKER. I have been asked by the hon. member for West Ontario (Mr. Edgar) to rule upon the point he has just raised with regard to the question as to whether the provisions in this Bill are such as would require it to emanate in Committee of the whole House ; and I think I may be pardoned if I give the authorities upon which I have come to a decision upon this question. In the first place, looking at our own parliamentary authority here, Dr. Bourinot, I find that there are exceptions to the rule which the hon. member for West Ontario has quoted. I find that Dr. Bourinot says :

> It has also been held that a Bill merely declaratory in its nature, and involving no new charge, need not originate in Committee of the Whole. Neither is a committee necessary in the case of Bills authorizing the levy or application of rates for local purposes by local authorities acting in behalf of the ratepayers. Nor does the rule apply to Bills imposing charges upon any particular class of persons for their own use and benefit.

Then, coming to the parliamentary authority in England, I find it laid down in May, as follows :—

> Charges not subject to royal recommendation. The practice requiring the recommendation of the Crown, and the committee stage, for proposals involving public expenditure has been explained. The procedure must now be considered, which arises under standing order No. 62, regarding the imposition of charges upon the people which does not require the recommendation of the Crown, because the charge does not form a portion of the Crown revenue nor expenditure drawn from the exchequer.

Mr. EDGAR. May I call your attention to the fact, Mr. Speaker, that that is the amended rule.

Mr. SPEAKER. Before going further, I will express my own opinion with regard to the change of the rule which the hon. member for West Ontario has quoted. In my opinion, the change in the rule rather enlarges than restricts. I mean to say that it goes further than the old rule in the direction of requiring a Committee of the whole House, if I have read the rule correctly. Of course, I do not pretend to have gone into the matter as thoroughly as the hon. member for West Ontario. But, in my opinion, the new rule is more stringent than the old, that it requires a Committee of the whole House in cases where it might not have been considered necessary for the initiation of a measure under the old rule :

> Bills dealing with charges of this nature are not introduced on resolutions reported from a committee of the whole House appointed under standing order No. 62, in consequence, Bills authorizing the levy or application of rates for local purposes, administered by authorities acting on behalf of the ratepayers, are brought in on motion, and the clauses relating to those objects are not printed in italics ; such, for instance, as the Main Drainage (Metropolis) Bill, 1858, and the Thames Embankment Bill, 1862, as the expense of the proposed works was to be paid out of local rates upon the metropolis ; and an objection, that a clause in the Corrupt Practices Prevention Bill, 1858, imposing a charge upon county and borough rates should have been authorized by a previous committee resolution, was overruled.
>
> The same principle is applied to Bills relating to church rates, and to the incidence and recovery of tithe ; and the Tithe Commutation Bill, 1836, the Tithe Bills of 1890 and 1891, and the Church Rates Commutation Bill, 1864, were ordered in on motion ; nor has standing order No. 62 been held to apply to Bills imposing charges upon any particular class of persons for their own use and benefit.

The foot-note to this I propose to quote, because it has been referred to by the hon. member for West Ontario :

> During the session of 1833, notice was taken that the Church in Ireland Bill (which proposed to levy "an annual tax" upon all benefices in lieu of first fruits) should have originated in a committee. A select committee appointed to examine precedents reported that no case precisely similar had been discovered, but "that the general spirit of the standing orders and resolutions of the House required that every proposition to impose a burthen or charge on any class of the people should receive its first discussion in a Committee of the whole House," and the Bill was consequently withdrawn.

Says Sir Erskine May :

> But the opinion expressed by that committee has not influenced the practice of the House.

There are decisions of the English House of Commons, which, from my point of view, are specially applicable to the case under discussion :

> A Bill authorizing the levying of local rates for local purposes by local authorities does not come under the class of Bills which must originate in Committee of the whole House.

> Church Rates Commutation Bill—Second Reading.
>
> Objection taken by Mr. Hadfield, that inasmuch as the fifteenth clause proposed that the charge which now fell upon occupiers should be transferred to the owners of real property, whereby such owners would be subjected to a new tax to which they had hitherto been liable, the Bill should have originated in Committee of the whole House.
>
> The Speaker, dissenting, says :
>
> The rule of the House is this : That Bills which directly impose a stated charge upon the people must originate in a Committee of the whole House. But the rule has been held not to apply to Bills authorizing the levy of rates or charges for local purposes for local authorities. The question is, under which head should this Bill for the commutation of church rates be classed. In my opinion it would be most in accordance with the spirit of the general rule of the House, and with the course of precedence, that it should be placed in the second class. The hon. member urges, that by the 15th clause a new tax is imposed on the owners of property, to which they have not been liable. But so in Tithe Commutation Act, the 6 and 7 Will. IV., c. 71, the tithe payable by the occupier was made a charge upon the land, the Bill was brought in without having been first considered in a committee. Then came the Metropolis Police Act, 10 Geo. IV., c. 44, which shows that a Bill enacting that local rates are to be imposed by a local authority does not require a preliminary committee. That Act empowers overseers in every parish within the metropolitan district to levy a police rate not to exceed 8d. in the pound, and it was brought in without a committee. In my opinion there has been nothing irregular with the introduction of the present Bill and I think the House may properly proceed to consider it on its merits.

Looking at these precedents, and having given the Bill such an examination as I could, I am of opinion that it is not a Bill which would require, nor would any clause in it require, to be introduced through a Committee of the whole House. But, if I am wrong in that opinion, I do not see any objection to proceeding with the stage of the Bill now before the House, because, if these clauses are determined by the chairman of committees to require to originate in committee of the whole House, then the clauses to which objection is taken, if the chairman so determines, can be introduced subsequently through Committee of the whole House. My opinion, however, is that such is not necessary.

Mr. WELDON. Having heard your ruling, Sir, on the point taken by the hon. member for West Ontario (Mr. Edgar), I rise to address myself to the amendment moved by the hon. member for North Simcoe (Mr. McCarthy). I did hope, in common with other members on both sides of the House, seeing the Government had succeeded in securing the second reading of the Bill in spite of all that we could offer in the way of constitutional opposition, and seeing that they have complied with the wishes of members on both sides, and certainly with the very strongly expressed wishes of many members on this side to make one more last heroic effort to procure the solution of the difficulty which confronts us, by means of negotiations at Winnipeg, that they would have been willing to slacken up somewhat—not to abandon their measure, for to ask for that would be unreasonable, from their point of view, but to go more slowly. There is a widespread feeling that this country ought not, in this year 1896, to be put to the great expense of holding two sessions of Parliament. I do not know what the cost of a session may be, but I am sure it is not overstating it very much when I put it at half a million dollars. That is a very large sum of money. Now, if, by a less precipitate and urgent pressing of this Bill upon the House, it were possible during some days of the week to go on with the Estimates and vote the necessary supplies, it might be that this matter of remedial law during the present session of Parliament, would be dealt with one way or the other, and also that the ordinary supplies for the Government would be voted, so that the elections coming on after the House rises during the approaching summer, there would be no necessity for a second session of Parliament in this calendar year. There is much complaint coming from many quarters, of the exclusive devotion of the time of the House to this matter. For my own part, in the earlier weeks, it seemed to me that the Opposition were blameworthy in this regard ; at the present time, it seems to me the Government are blameworthy. At all events, I am sure that many thousand electors in Canada will say outside, as I am saying inside these walls to-day, that it is a great pity the necessary public moneys for the year cannot be voted before this Parliament dies its natural death.

But passing away from that—in the view that I take of the constitution—and on that point I think there will not be much conflict of opinion—whatever powers we have in regard to a remedial law, are not lost by our failure to exercise them during the present session. If we would agree now to go more slowly, and the result did come about that the present remedial law should not pass its third reading in time to go to the Senate and be properly considered there during the weeks that are still open to us for law-making, there is coming within a few months, at the latest, six or seven months, an entirely new Parliament which will have all the power we have to deal with these matters. That is a fact that we should have present in our minds in dealing with this question. I say there is no loss of federal power, there is no lapse from delay, even from this session to the next one. I share heartily the view expressed by the hon. member who has just sat down, when he says that he thinks our chances are better of getting a local solution of this question worked out by the legislature of Manitoba, if we take our guns off, and if for some days to come, we forbear to irritate them, to wound them, to exasperate them, when we need to find them in the best possible mood. I come now to the matter contained in the amendment of my hon. friend from North Simcoe (Mr. McCarthy), he asked for a reference of this Bill to the Supreme Court of Canada on some seven points of law. There cannot be much doubt, I think, that some of these seven question, at all events, are very difficult and embarrassing. I will address myself to the discussion of this matter, following very much the order which the mover himself has laid down in drafting and marshalling his points. The first inquiry is : Is not this Bill now before the House ultra vires of the power of the Canadian Parliament because it is too narrow ? The text of the constitution on this point is familiar to us all. Our powers are contained in these words :

> In case any decision of the Governor General in Council on any appeal under this section, is not duly executed by the proper provincial authority in that behalf, then and in every such case, and so far only as the circumstances of each case may require, the Parliament of Canada may make remedial laws for the due execution of the provision of this section, and of any decision of the Governor General in Council under this section.

Now, if hon. members will turn to the Order in Council addressed to the authorities at Winnipeg, they will find this paragraph which contains the pith and substance of the whole matter :

> And it is hereby adjudged and declared that by the two Acts passed by the legislature of the province of Manitoba, on the first day of May, 1890, intituled respectively "An Act respecting the Department of Education," and "An Act respecting Public Schools," the rights and privileges of the Roman Catholic minority of the said province, in relation to education, prior to the 1st day of May, 1890, have been affected by depriving the Roman Catholic minority of the following rights and privileges, which, previous to and until the 1st day of May, 1890, such minority had, viz. :—
>
> (a) The right to build, maintain, equip, manage, conduct and support Roman Catholic schools, in the manner provided for by the said statutes which were repealed by the two Acts of 1890 aforesaid.
>
> (b) The right to share proportionately in any grant made out of the public funds for the purposes of education.
>
> (c) The right of exception of such Roman Catholics, as contribute to Roman Catholic schools, from all payment or contribution to the support of any other schools.
>
> And the committee also recommend that Your Excellency in Council do further declare and decide that for the due execution of the provisions of section 22 of "The Manitoba Act," it seems requisite that the system of education embodied in the two Acts of 1890 aforesaid should be supplemented by a provincial Act or Acts which would restore to the Roman Catholic minority the said rights and privileges of which such minority has been so deprived as aforesaid and which would modify the said Acts of 1890 so far, and so far only, as may be necessary to give effect to the provisions restoring the rights and privileges in paragraphs (a), (b) and (c) hereinbefore mentioned.

That is the text of the constitution, and that is an extract from the remedial order. Now, the question is whether this draft Bill which we have before us, conforms to that order, to the degree that it may be called a due execution of the order. In short, the province of Manitoba was called on to do three things "a," "b" and "c," to establish and organize a system of separate schools ; to relieve the Catholic ratepayers who contribute to such from the duty paying burdens to the national schools ; and thirdly, to allow them to enjoy their share of the provincial funds. This Bill covers two out of the three, it does not cover the third. As a matter of constitutional law it may be argued that the Bill should contain "a," "b" and "c." It does contain "a" and "c," it does not contain "b" ; and the point is raised as to whether that defect is a vital defect, whether the omission is such that the power designated by the letter "b" in that order, is an omission fatal to the constitutionality of the Act. It is of course the part of no prudent lawyer to express an opinion in this House, and I take care not to express opinions.

Mr. GILLIES. Does not the Bill now before the House come within subsection 4 of section 93 of the British North America Act, which reads as follows :—

> In case any such provincial law as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor General in Council under this section.

Does not this Bill now under consideration, although not entirely conformed to the remedial order, come under that part of subsection 4, of section 93 ?

Mr. WELDON. My hon. friend emphasises the line "as far only as the circumstances of each case require." I answer him by putting the question to the leader of the House, a question which, on a previous occasion, I addressed to the Minister of Justice unsuccessfully, and afterwards to the Minister of Finance, and that question is suggested by my hon. friend from Richmond (Mr. Gillies), following the fact that we are now calling attention to the omission in this Bill to contain a clause such as was suggested by paragraph "b," in the remedial order. In case the expectations held out as regards section 74 of the draft Bill are not fulfilled, and there is no provision made for any federal money being granted to sustain separate schools in Manitoba, and Manitoba itself does not give provincial money for the purpose of supporting such schools, I beg to ask the Secretary of State to take the House into his confidence as to whether this House will subsequently be asked to vote such money for the province of Manitoba ?

Sir CHARLES TUPPER. I do not think the time has come when I am called upon to answer a question of that kind.

Mr. WELDON. I must ask the hon. member for Richmond (Mr. Gillies) what the circumstances of the case are in Manitoba which will deprive Catholic teachers, assuming these districts to be organized, of provincial aid ; in other words, to say that Protestant teachers shall receive the full provincial grant and Catholic teachers of the same grade and doing the same kind of work shall be deprived of it. I should like an explanation from the hon. member for Richmond as to what circumstances exist in Manitoba which should lead to such a condition of affairs.

Mr. GILLIES. Mr. Greenway has not yet taken that position, and it will be time enough for us to deal with it when he does so. It is non possumus, and is therefore not arguable.

Mr. WELDON. I begin with the assumption that there are no circumstances existing in Manitoba which would justify this Parliament in saying that a Protestant teacher in the public schools should receive a portion of the provincial grant, and that a Catholic teacher giving instruction in the separate schools should not receive similar assistance from the public treasury. One of the glaring defects of the Bill on the score of justice is that it makes fish of one and flesh of another. If the hon. gentleman who drafted the Bill would declare that, if under section 74 the provincial government do not do their duty, Canada at all events would do her duty and pay the Catholic teachers as well as the Protestants——

Mr. GILLIES. We could not do it.

Mr. WELDON. Should there not be a second subsection to section 74, declaring that if Manitoba does not make this grant, Canada would do it.

Mr. COCHRANE. Would you support it ?

Mr. WELDON. I give the hon. member for East Northumberland (Mr. Cochrane) the same answer I gave the hon. member for Lambton the other day. So there is the first difficulty. It may be that the Act is beyond the power of this Parliament.

Mr. MARTIN. I beg to suggest to the hon. gentleman that the argument goes a good deal further. Not only is subsection "c" of the remedial order not dealt with, but in dealing with subsection "a" a very different kind of school is provided by the Bill to the schools which existed when the system was repealed by the Manitoba Bill of 1890, and Manitoba has never been called on to provide such schools. The schools to be provided under the remedial order are the old schools that existed prior to 1890. The schools provided by the Remedial Bill are attempted to be made efficient, but the Bill differs in very many respects as regards the schools provided under it and the Act in force prior to 1890.

Mr. WELDON. I think that position is a very strong one, and I shall listen with pleasure to the reply which hon. members supporting the Bill may make. I notice in the Bill a large number of sections which fully support the position taken by the hon. member for Winnipeg (Mr. Martin). Many of those sections were referred to by the hon. member for North Simcoe (Mr. McCarthy) the other night in introducing his amendment, and indeed he cited a large number of such sections. Section 23 is in point with respect to this very matter. That is a section which cannot be found in the Manitoba law as it existed before it was repealed in 1890. I desire the House to bear with me while I read that section, and I will ask hon. gentlemen who differ from me to give their answer.

Mr. DALY. I do not like to contradict the hon. gentleman, but I desire to point out that he will find section 23 of the Bill to be identical with section 9, chapter 27, of the Act of 1885.

Mr. WELDON. Has the hon. gentleman the Act of 1885 ?

Mr. DALY. No.

Mr. WELDON. When I have the opportunity, I will make a comparison between the Act of 1885 and the present Bill, and it must be understood that I do not reflect in the slightest degree on the accuracy of the hon. gentleman. I am disappointed by his correction.

Mr. DALY. No doubt ; because the hon. member for North Simcoe (Mr. McCarthy) made out the other night that there had not been a law passed since those of 1884 and 1890, whereas Acts had been passed in almost every session of the legislature.

Mr. WELDON. I frankly admit that I thought the more important Acts were those of 1871, 1875, 1884 and 1890.

Mr. McCARTHY. There have been amendments passed since, but they are merely as to matters of details. The substantive Acts are those to which the hon. gentleman has referred.

Mr. DALY. They cannot be considered matters of detail, as I have informed the House that the Act of 1885 is identical with clause 23 of the Bill, on which the hon. member for Simcoe (Mr. McCarthy) dwelt the other night and exhibited ignorance that I thought was astonishing.

Mr. SPEAKER. This discussion across the House should not be indulged in, and it is contrary to the rules of the House to contradict an hon. member.

Mr. WELDON. I am very glad to be corrected by hon. members if I am wrong. When I have the opportunity of looking at the Act I shall ascertain whether the statement of the hon. member for Simcoe is more nearly accurate than that of the Minister of the Interior or not, and whether these amendments are not merely as regards to matters of details. Of course I accept the statement of the hon. Minister, and I do not mean to challenge its perfect genuineness, but still I have the suspicion that the main modifications of the laws are the Acts of 1884 and 1890. Section 28 and subsection 2—and I hope the Minister of the Interior will correct me if I am wrong—are undoubtedly new.

Mr. DALY. They are both new.

Mr. WELDON. Subsection 2 of section 28 is of very great importance, and I will read it :

> 2. No Roman Catholic who is assessed for the support of a separate school shall be liable to be assessed, taxed or required in any way to contribute for the erection, maintenance or support of any other school, whether by provincial law or otherwise ; nor shall any of his property in respect of which he shall have been so assessed be so liable.

It can fairly be said that this is substantially carrying into effect a term of the remedial order. I have a large number of sections marked, which are, to the best of my knowledge, new, and several of them have been mentioned, though not cited by the hon. member for Simcoe (Mr. McCarthy). Section 74, which has been so much discussed, and, as to which we are much in the dark, is certainly new. I wish to call the attention of the House to the very remarkable statement that there are a good many clauses in this Bill in which this Parliament stays its hand until the provincial authority has acted. Other sections go on to say that if that provincial authority does not act within reasonable time, the federal will come to the front and act. The want of a corresponding statement in this section 74 is significant. It gives colour to what is whispered, that this Bill is a most disingenuous Bill. The Government go to our separate school friends and say : Here is all you want, a system of separate schools, and although there are some little defects in the measure, we will remedy them by and by : and they go to the friends of the national schools, and they say : The whole thing is harmless. I may mention, Sir, that my constituents are writing to me by the dozen, almost by every mail, and many of them say they are in favour of the policy of the Administration, getting their cue, no doubt, from the papers supporting the Administration, and circulating in that Protestant district. These papers tell them that this Bill is harmless as skim milk. That is the cry in these districts which are largely Protestant and opposed to separate schools. They are told that the Bill is no good—which I believe is true—and that the Protestants need not fear it, because it is simply humbugging the separate school people. It is only fair that I should ask here for an explicit statement, and I believe that the leader of the House, or the Minister of Justice, or the Minister of Finance, should have taken the House more into their confidence. Under this Bill, we have charged the provincial authorities to appoint members of the Catholic school board, and if it turns out that the provincial authorities do not appoint these members, then there is a declaration to say that the Governor General shall appoint them. Why should we not have a more explicit declaration with regard to this matter. I am within my right in putting the question to the House, and I think I might have expected a more explicit answer. I have a right to inquire, Sir, whether it is the intention that this Parliament shall be asked to grant from the school lands fund any public money to help Catholic separate schools in Manitoba ? If the Government say, no, we will not put our hand in the Canadian treasury and give to the teachers in separate schools a sum corresponding to the provincial allowance, then, that would be an answer. If, on the other hand, the Government say : By and by we will do so, and if the people at Winnipeg will not do what section 74 contemplates they shall do, then we will act, and take public money, Canadian money, to perform that simple act of justice. As I said the other night in the debate, so I say to-night : One set of men may very well favour a system of national schools, another set of men may very well favour a set of separate schools, and both have millions of men on their side. Both are supported by the opinions of very able men in many countries ; both systems have much to be said for them, but one weakness of this wretched Bill, is that while it purports to set up a system of separate schools, there is nothing in the Bill to give these schools vitality and success.

I would like very much to know, Sir, and I think it would instruct the House, if some who differ from us would take the floor and give us their argument—for they must believe that we are wrong—give us their argument in favour of the constitutionality of these taxing powers in the Bill. Let me again state briefly what seems to me the difficulties in upholding the powers that are claimed by this Federal Parliament, when we say to a certain class of people in Manitoba : You shall pay taxes into a certain fund. There is some difficulty to be sure in the partition of the power between the provincial and the federal powers in respect to taxing, and many other matters, and the light we have got from the decisions on a number of cases by the Privy Council, and by other courts, is valuable in the reconciling of these apparently contradictory clauses. There is a group of powers specifically enumerated and attributed to the Federal Parliament in section 91. There is another group of powers, sixteen in number, specifically enumerated and attributed to provincial legislatures, and there is, thirdly, a statement to say that all undescribed powers belong to the Federal Parliament. There is also another clause to say that the provinces and the Dominion have concurrent powers with respect to agriculture and immigration, although in the event of a conflict of law, the federal overbears the local. Another clause, one which gives us all our difficulty on the present occasion in this House, is clause 93, which contemplates that legislation shall be initiated by the province, and in a certain event, remedied by the federal power. We want to see how the other sections of the constitution which seem to be somewhat in conflict, can be reconciled, if they can, in any way, be reconciled. We want to see what general rule we have for reading them together, if there be any general rule. Long ago the theory used to be, that if the alleged provincial power were in conflict with the alleged federal power, that the latter overbore the former. But that simple sweeping rule of law has long since been abandoned, and during the last seven or eight years, it has had but scant courtesy from the higher courts. Take any one of these subjects which are to be dealt with in part by the province and in part by the Dominion Parliament. Take, for instance, the subject of marriage and divorce. Item 26, in section 91, describes that as one of the federal powers, in these bald words, "marriage and divorce." Item 12, of section 91—item 12 being one of the provincial powers—has these words :

> The province may exclusively make laws with reference to the solemnization of marriage in the province.

How do we read these two clauses together? We read them together and say, that, generally speaking, marriage laws and divorce laws must be federal, but, grafted upon that is this exception : That matters respecting the solemnization of marriages, such as the publication of banns or licenses, civil or ecclesiastical marriages, and the like, and all that partakes to the celebration of marriage, are to be governed by provincial laws. We assume that if the section were more fully written they would state that the federal power may make laws with respect to marriage, but that they may not make laws in respect to the solemnization of marriage. Let us now take the taxing power, which brings us back to the centre of the discussion. Clause 3, in the group of federal powers, says, "that the Dominion Parliament may exclusively make laws with reference to the raising of money by any mode or system of taxation." And clause 2, in the group of provincial powers, says, "that direct taxation within a province, in order to the raising of a revenue for provincial purposes, is exclusively a provincial power." These two clauses would seem at first to be in conflict, but when you read them together, the specific power is carved out of, and is an exception to the larger statement of the federal power, and you will see, then, that the province has this power of imposing direct taxation. These school taxes are direct taxes, and are for provincial purposes, as that phrase "provincial purposes" is clearly defined by the Judicial Committee of the Privy Council in a case from my own province—the case of Dow vs. Black. "Provincial purposes" include district purposes, county purposes, school purposes. Again, the Dominion has the power of raising money by any system of taxation, exclusive of the power of imposing direct taxes within the province for provincial purposes. These words lead us to the conclusion that the Dominion has no taxing power of the kind which we are trying to exercise in this Bill. That cannot be discovered in the taxation clauses of the constitution, and I have touched upon the two clauses which refer to taxation. I may refer for a moment to the clause of the constitution which provides for the enactment of customs laws. The power of this Parliament to impose customs taxes is clearly contained in the section which I have read. It is also recognized in section 122 :

> The customs and excise laws of each province shall, subject to the provisions of this Act, continue in force until altered by the Parliament of Canada.

Which is a mere recognition of a power explicitly declared and set forth in subsection 3 of section 91. Where does this Parliament get its taxing power, then, when the taxation clauses of the constitution do not grant that power. The answer given by the gentlemen who uphold the constitutionality of the Bill is that we get it, not from the taxation clauses, but from the educational clause—section 93. They say that when the constitution makes a grant of power that carries with it whatever is necessary to the effective exercise of that power. That statement, true in itself, implies that a taxing power is a part, and a necessary part, of the remedial power set forth in section 93. The recent case upon which these gentlemen rely for that opinion is the case that went to the Privy Council after running through our courts, with reference to bankruptcy—the case of Cushing vs. Dupuis, where the point in controversy was as to whether certain provisions in one of our Bankruptcy Acts were constitutional ; it being alleged that they interfered with the provincial power to make laws respecting "property and civil rights." The judgment of the Privy Council, delivered, I think, by Lord Selborne, stated that the federal power to enact a bankruptcy law carried with it enough power to make that law workable and effective. That is a clear doctrine, well laid down in that case. It was pointed out that you cannot provide a complete scheme of insolvency without interfering at every step with property and civil rights. Therefore, the specific federal power to make a bankruptcy law involved necessarily an invasion of the vague power of the province to make laws relating to "property and civil rights." That case, and those which followed it, bring us to this excellent constitutional rule—this golden rule of interpretation—which the courts have often laid down, that where there is a conflict between a general power, clothed in vague words and a specific power, the first shall be held subject to the narrower but more specific power; because when men are using specific words, they are expressing their meaning exactly, whereas when they are using vague and general words, they are only expressing themselves in general terms. So the courts have upheld the specific power as against the general power. Now, apply that principle to this school question. Those who contend against us are arguing in this way: This Parliament they argue, has a remedial power. It cannot, they argue, exercise its remedial power unless it has the power of taxation. But there we join issue, and say that that is begging the whole question—taking only one view of the matter. But, we say, it is not necessary to the exercise of our remedial power that we should in the slightest degree interfere with the power of taxation; and the constitution has never taken that view of our remedial power, otherwise it would have clothed us in some way with the auxillary power of taxing. In attempting to exercise that remedial power as is attempted to be done in this Bill. We are merely knocking our heads against clear statements of specific provincial power. We want to tax, but we have no power to tax. We are trying to levy a direct tax on Manitoba Act without interfering with the provincial power of taxation. For this reason, Mr. Speaker, I am inclined, on the third point raised in the amendment of the hon. member for North Simcoe, to doubt the legality of this exercise of the power of taxation. We are trying to levy a direct tax on Manitoba, when the constitution says that the province alone may levy direct taxes on Manitoba. How can we take ourselves out of that prohibition of the constitution?

The fourth matter to which the amendment of the hon. member calls our attention is closely related to the last-mentioned. The hon. member doubts the legality of that section. I think section 28, which relieves the Roman Catholic ratepayers of Manitoba from the duty of contributing to the support of the public schools in cases where they have a school of their own. I need not re-read the section. The difficulties are practically the same as in the last case. The difficulties are these. The province of Manitoba, possessing the undoubted power to address a mandate to the people of Manitoba, have ordered all the people of Manitoba to discharge a certain duty; and we in our might come in and say to one class of those people: "You need not obey your master." Where do we get that power? Who are we that come to the Roman Catholic people and say: "You need not obey the order you have received"? The provincial legislature has the exclusive power to tax; the constitution is perfectly explicit as to that. The provincial legislature has the power, and the federal legislature has not the power—that is the meaning of the word exclusive—to impose any such tax. How, then, can we break through that explicit prohibition, and relieve those people of that burden? I must ask my hon. friends who uphold the Bill to strengthen their position in some regard. Otherwise, if they do not correct us and show us where we are in the wrong, they leave us free to say in the country, and it is our duty to say, that this Bill is simply scattering mischief and creating litigation. The case is like that of one who goes into a clean garden, all moist and prepared for seed, and scatters nettles and the seed of thistles in it. Sir, the only gentlemen who are likely to make anything out of this measure are those who get retainers from the Manitoba government and from the Catholic minority. The only people who, it seems to me, can contemplate with much pleasure the condition of things which will ensue after the Bill becomes law, are the lawyers of the western country. My hon. friend the member for South Oxford (Sir Richard Cartwright), the other night, pressed that point. Looking to their own interests, they may see a golden harvest before them—questions of ultra vires and intra vires, questions of most diverse character, questions of the greatest interest, which are raised by I don't know how many sections of the Act, and on which many lawyers would be delighted to take a retainer on either side, and not expect a very early conclusion of the suit.

An hon. MEMBER. Is the hon. member for North Simcoe retained?

Mr. WELDON. My hon. friend on my left asks, if the hon. member for North Simcoe has not been retained already. If he has been, then, in trying to kill the Bill, he is trying to kill the goose which lays the golden egg, and displaying an amount of personal unselfishness not often met with. The fifth ground contained in the amendment of the hon. member for North Simcoe, has to do with the action of the Governor General in Council. According to the very first clause of this Bill, the Lieutenant-Governor in Council of Manitoba is to appoint a separate school board for the province of Manitoba, to be composed of a certain number of persons, not exceeding nine, all of whom shall be Roman Catholics. Then, there is a provision of that class to which we have called the attention of the House more than once, that, if within three months after the coming into force of this Act, the Lieutenant-Governor in Council does not make appointments to the separate school board, or does not fill any vacancy that may occur in the separate school board, within three months after the occurrence of such vacancy, then, in either such case, His Excellency the Governor General shall make any appointments not made by the Lieutenant-Governor in Council. There is a provision that, if the local authorities do not do their duty, we will do it for them. I have complained that in clause 74 a corresponding provision is not made, as it should be, in simple justice to Catholic teachers. But, if the executive at Winnipeg does not do its duty, the executive at Ottawa will do it. What power has the Governor General for the appointment of school officers in Manitoba? The powers of the Governor General are such as are contained in his commission, supplemented by his instructions, and as are set forth in section 12 of the British North America Act, which reads as follows:

> All powers, authorities and functions which under any Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the legislature of Upper Canada, Lower Canada, Nova Scotia, or New Brunswick, are at the union vested in or exerciseable by the respective Governors or Lieutenant-Governors of those provinces, with the advice or with the advice and consent, of the respective executive councils threof, or in conjunction with those councils, or with any number of members thereof, or by those Governors or Lieutenant-Governors individually, shall, as far as the same continue in existence and capable of being exercised after the union, in rlation to the Government of Canada, be vested in and exerciseable by the Governor General, with the advice or with the advice and consent of or in conjunction with the Queen's Privy Council for Canada, or any members thereof, or by the Governor General individually, as the case requires, subject nevertheless (except with respect to such as exist under Acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland) to be abolished for or altered by the Parliament of Canada.

That section has been construed carefully by the Judicial Committee of the Privy Council in the case that went to that committee from New Brunswick four years ago, popularly known as the Maritime Bank case, in which the strongest view was taken of the provincial powers, and one that very greatly narrows the range of the Federal Executive. And while it would be, at this late hour, trespassing upon the patience of the House for me to take up that report and read at length from the judgment, I am in the memory of every man in this House who is interested in this class of study, when I say that it is not easy to hold section 2 of this Bill constitutional, with the case of the Maritime Bank in your hands. The Judicial Committee of the Privy Council held in that case that the executive powers of the province moves along on equal step with the legislative powers of the province, that the best means of determining the range of the executive power of the Lieutenant-Governor of a province was to see what powers the legislature had, and that such executive powers as were of the same nature and as are necessary to give the legislative powers their full expression, is possessed by the Lieutenant-Governor. The same principle has been held clearly by the courts of Ontario. It was held in one memorable case by Chancellor Boyd, in this province, when speaking of the pardoning power of the Lieutenant-Governor, and it is a view that seems to have been upheld in subsequent cases. I need not read from those cases, because the argument will not be controverted by any hon. gentleman, whatever view he may take of the legality of the Bill, that this judgment greatly strengthened the authority of the provincial executive, and, therefore, limited the authority of the Federal Executive, and throws great doubts upon the legality of clause 2 of this Bill.

The amendment of the hon. member for North Simcoe raises another point, as to whether Parliament, having performed this function of passing this Bill—a function which, in my poor judgment, they will not perform this session——

Mr. ROOME. Why?

Mr. WELDON. My hon. friend asks me, why. My hon. friend will have to hold this inquiry until I have dealt with my seventh point. I am following the order of my hon. friend from North Simcoe, and will have to argue his seventh objection before I can give in order a particular and courteous answer to the question put by the hon. member for Middlesex. I am now coming to the sixth point: Has this Parliament further power in regard to this matter? There I cannot express an opinion. The whole matter is shrouded in darkness and doubt.

An hon. MEMBER. It is not a practical matter.

Mr. WELDON. It is, as my hon. friend will see before I have done. The words of the constitution are in the memory of members, and I need not read them. Parliament may make remedial laws, and, in passing this Bill they make one. The question is, whether they can make another or not on the same subject. I shall not delay the House to argue that phase of the question, but go on to one which is very pressing, and that is, whether this law, once made by us, can be repealed by us. On that point I have much doubt. If I were free from doubt, if I felt perfectly clear that the Parliament of Canada. in its next session, could undo the legislation of this. I would give a very different answer to my hon. friend. I would then be content to offer a very clear and short opposition, and say that the House, having declared itself, our duty now was to go on and give that declaration the most perfect expression we could. That seems to me the common duty of Parliament in the case of ordinary measures, but in the case of a very important measure, and particularly where there is doubt as to the power of repeal by any authority on this side of the sea, my own view of my duty is altered entirely, and I say to my hon. friend very frankly, taking the view that I do, that this Bill is inexcusably unjust to the Catholic people.

Mr. McALISTER. If they are satisfied with it, is it not their own business?

Mr. WELDON. By no manner of means. How do we know that they are? My hon. friend may be satisfied, but I do not know that the hon. member for Restigouche has power to speak for all the Roman Catholics of Canada.

Mr. McALISTER. I do not pretend to.

Mr. WELDON. I hear many hon. members, who are of that faith, express their disappointment at the Bill, and I look to them as proper exponents of Catholic opinion. Mr. Speaker, I deny the right as a member of this House, elected by the votes of the people in my own county of Albert, of any authority, however eminent, in respect of a matter of legislative action coming before me, to set aside my judgment and put his instead. I am glad to learn, to gain information, I am delighted to illumine my mind with all the information I can get, and most of all from the words of those who can speak with most authority as to the wishes of any particular class or section of the people. This is particularly true of those who can inform me as to the wishes of those who are far away from my own home or of those belonging to communions that are furthest removed in thought from my own, as Protestant and Catholic communions are a good way apart in their religious belief. And if I wish to know what the Catholic people feel in regard to a certain matter, I am only too careful to find what their opinions are from those who are most competent to express their views. But my duty is not then done. It is not sufficient for me to know, for instance, that a certain member of the Manitoba legislature is willing to accept this as a finality. I would be glad to discuss the matter with Mr. Prendergast to learn why he accepts it. If I could know that he regarded section 74 as a finality, I should understand the question better. If I had the acquaintance of Archbishop Langevin, I should like to discuss frankly and fully this Bill with him to know how he can accept that as an adequate measure for the relief of his people. I do not believe that he can accept the Bill as it stands and that alone. I confess to a feeling of surprise when I read in "La Presse" the telegram sent by Archbishop Langevin to the hon. member for Provencher (Mr. LaRivière) indicating his approval. I could not but think that that approval had been hastily given—more than that quickly given—and given on some misunderstanding of that section 74. For why in the world should that good bishop, that good shepherd of his flock, of whom we all believe that he wishes nothing but well for his people, who is bound to protect them and who desires to do so—how in the world he can accept that Bill without an understanding or at least a strong hope that it will be followed by something substantial, is a puzzle to me. It seems to me that that clause simply makes this Bill the offering of a glass upside down to a thirsty man. I have not the pleasure of knowing that distinguished prelate, but I should like, I should dearly like, to have the opportunity of meeting that illustrious clergyman and discussing that phase of the question and finding out at first hand why his Grace the Archbishop should accept such a Bill as a finality. Now, Mr. Speaker, every one of us must exercise his own judgment, and it is not enough that another, A or B or C, however profoundly you may admire him is satisfied with the measure. We must be satisfied, and we do not regard our duties seriously enough unless we found our opinions upon our own personal study of the statute itself. There is the beauty of a deliberative assembly. We can hear opinions differing from our own and we can reserve our own expressions until we hear these opinions given. We have had a long and interesting debate upon this measure and we have heard the views of all classes of our countrymen, Catholic and Protestants, Englishmen, and Frenchmen, Scotchmen and Irishmen, most of these expressions of opinion being characterized by great fairness and candour. We are now in a position to judge this matter. I say to my hon. friend from Restigouche (Mr. McAlister) that I cannot allow any man, however much he may exceed me in wisdom or goodness or patriotism or capacity, to supplant my judgment with his own. Such a thing would not be in accordance with the true view of my duty as a member of this House.

On the question whether this Bill is irrevocable or not I desire to say one word more. There seems to be some unrepealable federal powers in our constitution. I do not know whether the House will agree with me, but it appears to me that there are one or two powers under the constitution which once acted upon are functi officio—our powers are spent and we can do no more in the matter. I do not know whether I can carry the members of my own profession with me in this argument. In paragraph c of clause 10 of section

92 of the British North America Act, there is a curious statement which contemplates the passing of legislative power swiftly from the provincial to the federal authority. I will read that in a moment. It is said in clause 10 that local works and undertakings with three excepted classes belong to the provincial authority. Then comes the statement of the three excepted classes which come under the federal authority. These three classes of public works that are meant to be controlled by the federal power are :

> Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings, connecting the province with any other or others of the provinces, or extending beyond the limits of the province :
>
> (b) Lines of steamships between the province and British or foreign country.

Then comes a paragraph to which I wish to call the attention of the House :

> (c) Such works as, although wholly situated within the province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces.

It is within the memory of the older members of the House—the statute was passed some years before I came here—that in 1883 Parliament made a declaration, which this cause contemplates, in so many words that every branch of the Intercolonial, the Grand Trunk, the Canadian Pacific Railway, the Canada Southern and other large lines of railway or other lines crossing these great lines should be works for the general advantage of Canada. That statute, at one sweep, took an enormous mileage of railway out of the control of the provincial authority and placed it under the control of this Parliament. I believe I am right in saying that that was the Act of 1883. Now, it is a question which, to my mind, is not very arguable, but it is a question, whether, if we undertook to repeal that statute we could re-establish the status ante quo. If we were simply to enact a repealing Act declaring that chapter so and so is hereby repealed, could we effectively repeal that Act ? Could we put these railways back under the control of the provincial authorities ? I do not think we could. It seems to me—I express the opinion very cautiously—that it is at least doubtful whether we could do that—very doubtful. It seems to me the more likely view that once used this power was spent, and once these railways were taken under the federal authority nothing but an imperial amendment could put them under provincial authority again. If so there is one case where we have the power to act without the usual power to repeal. The question is whether with regard to this educational system, we are in the same difficulty. Between the two, I grant you, there is not an absolute analogy. There is a certain power which we have. It is put in section 93 and not in section 92. If it were put in section 92 you would expect to find that the Parliament which had the power to enact had the power to repeal. And in that whole group of powers seems to be but one exception. And in the other group of 29 attributed to the federal authority there seems to be no exception. Now, that rule impressed itself so strongly upon Sir Henry Strong, the Chief Justice of our court of appeal that he laid it down as an important constitutional maxim that only unambiguous words in the statute would lead him to say that the Parliament that could enact could not repeal. It is true, and the members of the House who are of the legal profession will remind me that the Lord Chancellor in London challenged the soundness of that maxim on the Brophy appeal. Those members of this House who attach great importance to the most casual words uttered by the Judicial Committee, will no doubt hold by Lord Herschell ; but for my own part the statement of the Chief Justice of the Supreme Court of Canada seems to be very much stronger ; and as we are dealing with judgments now which are not decisions, and which bind no one, I feel free to say what I would not say if I were dealing with almost any other judgment of the Judicial Committee, namely, that we must exercise our own private judgment as we reserved liberty to do when we passed Mr. Blake's resolution, and the Act of Parliament in the following session founded upon that. We must go by the declarations therein made, so far as they are conformable to our own judgment. I take the liberty of saying, although I may be alone in this House in saying it, but I am not afraid to be alone—that I have more confidence in the opinion of Sir Henry Strong than of the most distinguished living English lawyer, and for this reason, that in our courts, and in the Supreme Court of Canada, and in the fact that in our superior courts of justice generally, our judges are very familiar with constitutional cases, owing largely to the division of power between the province and Dominion, brought about by the federal Act, and in part by the limitations of our own power as a colony, being kept within bounds by the paramount Imperial legislative authority that we have ten cases of constitutional law in this country to one in England. Consequently, our judges are incomparably more familiar with constitutional law than the judges of the mother country. Therefore, I say that I am more bound by the authority of a distinguished Canadian lawyer than by any English lawyers on questions of this nature; and when Sir Henry Strong said that he thought there was a strong presumption in law that the province which passed such an Act could repeal it, that carries, at all events in my own judgment, a greater weight than Lord Herschell's answers. You see, in this case, I am unusually fair, for a lawyer, for I am arguing both sides of the case to show its difficulties. In my view, if there were no reasonable grounds for apprehending that an Act once passed by this Parliament is passed for ever, my opposition to this Bill would then be much weaker. Feeling as I do that if we pass this law, it may well be that this Parliament cannot tear it up. I cannot take the responsibility of laying down my arms, or allowing this Bill to go on as rapidly as it might. I regard the Bill as so mischievous, so useless in its essence, so inadequate in giving any redress to the Roman Catholic people in Manitoba, that I cannot believe that the best lawyers in the country really think, in their hearts, that it will give relief to the Roman Catholic people in Manitoba. What the motives of the Government may be, is more than I can imagine, or more than I would be allowed to comment upon. Feeling so strong a doubt upon the legality of the Bill, feeling so strongly the weakness of that section 74, about the want of public money to drive the machinery of separate schools, I am puzzled to know what possible good this Bill will do when it is carreid.

Now, I will deal with the last point that is germane to the resolution of the hon. member for Simcoe, where he asks us to refer this Bill to the courts. I myself must have very strong reasons given me to favour a reference to the courts of justice of a question of this nature. All questions which excite political passion, and this does in a large degree, and all questions which excite religious feeling, ought to be put before the courts as sparingly as possible. The best buttress and wall of defence for civil order in this country, is that the whole people shall have the profoundest belief in the purity and the fairness of our courts of law. I have uttered many times in this House the famous saying of that great English law reformer, Bentham, that it is better for the people to believe that they are getting justice, though they may not be getting pure justice, than to believe that they are not getting justice when the courts are giving it to them. A popular belief in the purity and soundness of the courts of justice is the great guarantee of peace and civil order, and the more we throw these vexatious political questions, these vexatious religious questions, upon the courts of justice, the greater the danger that we will weaken their public authority, and weaken the respect that a large part of the people have for them. Therefore, I find myself unwilling to vote for the motion of the hon. member to refer this question to the Supreme Court : though if that motion had run in another line, and the proposition had been to refer it to a Committee of this House, of men who are specially familiar with it, my objection would have been averted. I would like very much that Parliament should have had the advantage of clear, though it may be a technical legal argument by the lawyers of this House, so that those of us who have somewhat strong views as to the unconstitutionality of the measure, could have had their criticisms corrected by others who may have a strong view in favour of its constitutionality. With this remark I say that all that I have to say that is germane to the amendment of the hon. member for Simcoe.

Now, a word or two with reference to some matters which were suggested by the debate that closed on Friday morning. I see in the House the Minister of Marine and Fisheries. I thought his impatience and heat of his speech last Thursday entirely unprovoked—for of all the Ministers he is almost the only one to whom I really, neither directly or indirectly, made the slightest reference. Had any one of his colleagues risen and directed severe criticisms toward me, I would have got what I deserved. Had the Minister of Finance, or the Minister of Public Works, or the Postmaster General, or the Minister of Trade and Commerce, addressed a few energetical remarks to me, I would have thought that was perfectly fair, as far as parliamentary debate goes, because I had been in a sense the provoked aggressor. But in reference to the Minister of Marine and Fisheries I had no occasion to comment upon his conduct, nor had I made the slightest reference to him; therefore, I felt great surprise in hearing him use the expressions which I think would give offence to even the most thick-skinned member of the House. I wondered at it, and I wondered until the debate was over, when I bethought myself that he is the most fortunate member of this House. They say, "there is a divinity that doth hedge about a king," and the hon. member has some sort of unseen protection that is pretty well described in that expression. Other men are struck, but not one strikes him. Other men are put on their metal, and have to put on their arms to defend themselves, but no one puts that hon. Minister upon his defence. I remember, Sir, taking the point of order the other night, and I put myself within the rules of the House when I asked the Speaker (at this moment absent from the Chair) as to whether a certain expression was parliamentary. That strong Speaker, that first Commoner whose authority is never overborne by the leader of the House or by the leader of the Opposition, who stands before these great parliamentarians as the old Hebrew prophet stood before the old Hebrew kings, and made them obey—even he forgot to rule on the point of order, but unexpectedly turned his attention to another matter altogether, and when this Speaker whose firmness, strength and fairness we all admire, showed exceptional kindness to this Minister, then the whole House wondered. And I have seen the hon. member for South Oxford (Sir Richard Cartwright) whom no one charges with want of courage, I have seen him once in his recklessness attack the Minister of Marine and Fisheries, and what happened I do not know, but within twelve hours his nose was brought down to the ring bolt, and he came to the House and made an apology. I do not think there is another member of the House, under the same conditions, who could have drawn that apology from the member for South Oxford. I must say that, personally, I have a great deal of admiration for the Minister of Marine and Fisheries. He has been thirty-odd years now in Parliament, and he has never lost an election. That is saying a great deal; not many members of the House can say that. He has been thirteen or fourteen years a Minister, and we have said behind his back that he is a very fair-minded and satisfactory man; and what could be more natural than that a warm-hearted Roman Catholic Irishman should have stubbornly resisted the old King School Bill, though in a larger way I thank my stars that when engaged in conflict with Mr. King, that young man tossed him in the air on his horns as lightly as could be, and made permanent as regards its main features that excellent measure of national schools.

Mr. OUIMET. I have to ask the indulgence of yourself, Mr. Speaker, and of hon. members while I address a few remarks on the question now before the Chair. I must say I feel at first rather embarrassed at having to answer the numerous and very well expounded arguments of the hon. member for Albert (Mr. Weldon). However, I feel relieved because he has taken on himself to demolish at the conclusion of his speech all his arguments, showing that he was only playing to the gallery and taking up the time of the House, as he was going through a gymnastic performance, and was simply showing the arguments on one side and on the other side of the question. He himself undertook to show that he did not believe in his arguments against the constitutionality of the measure, when he concluded by stating that he would vote against the amendment of the hon. member for North Simcoe. The first argument I intend to deal with is this, that this Parliament should not deal with the question in the last days of its existence. In my opinion it is the duty of this Parliament to deal with this question, and this Parliament is more qualified than will be the next Parliament to decide the issue now before it. This question is not a new one, and it is not a new one even in this Parliament. It was first raised in 1890, and directions were adopted, at the suggestion of a distinguished gentleman who was then one of the main figures on the other side of the House, for dealing with it. That hon. gentleman told the House how useful and advantageous it would be for this Parliament, before dealing with such a question as the school question, to refer it to the decisions of the courts, so as to have the directions of the court and ascertain exactly what were our powers and in what way those powers should be exercised. This resolution, to which I need not further refer, was adopted unanimously by the House, and in accordance therewith this school question was referred to the courts. At first it was referred in the form of a suit which was taken in the province of Manitoba by some representatives of the minority to test the constitutional validity of the Act itself. This was done with the consent and approval of Parliament, it was done at the public expense, and the decision then obtained was very valuable in so far as it determined very important points and it can now be utilized as directing the line of policy we are bound to adopt. The decision was unfavourable to the minority, and according to directions given in the report of Sir John Thompson, and approved by this House, the question next came up in the shape of an appeal, and this appeal was again referred to the courts in order to have declared what were the powers of the Executive and the powers of this Parliament. This question has been before this country for six years, one year longer than the existence of this Parliament, and if this Parliament is not qualified to deal with it, I venture to say the next Parliament will be still less qualified. Probably a large number of new members will come in, and it will be again, and more than ever, a matter for argument as to what our powers exactly are, especially as even the hon. member for Albert at this late date cannot say exactly how we should deal with this question and the questions of law involved. We would be remiss in our duty if we failed to dispose of this question now. We are bound in the interests of this country to take it away from the active political field, in order that at the next general elections the other important issues which have to be decided, very important issues as regards the future of this country, although I will not say they are more or less important than the present issue, may be brought prominently to the front and disposed of. To my mind, however, although perhaps many hon. members will disagree with me, I do not think there is any constitutional question of more paramount importance to the whole country than this school question. I will not argue this point, but nothing can be more important to every British subject living in Canada than that he should know exactly what privileges and rights this constitution guarantees to them, and how long he will enjoy them, especially if he happens to belong to a minority. This general question of the protection of minorities is the very foundation of our constitution, and if this is not to be respected, it is not worth while for any one of us to work and strive to maintain the constitution and keep this Dominion together. It ill becomes hon. gentlemen opposite to say that it is now too late to deal with this question, and especially to find fault with the Government when we are dealing with it in the very way they have themselves indicated they wished it to be dealt with. When the discussion of the question came on in 1893, and I was addressing a few remarks to this House, the question was put to me several times as to what this Government would do after the Judicial Committee of the Privy Council had rendered its decision, and the answer given time and again was that the decision would be followed up, and this is what we have been doing and are doing now. Last year again when some of my hon. friends expressed their dissatisfaction at the fact that the Government had decided —and I believe it was in the interest of the country at large, and especially the minority in Manitoba—to postpone the introduction of remedial legislation, nearly every hon. gentleman opposite found fault with the postponement. Was it that they expected that this Government would find itself unable to pass the legislation, and they hoped to make this Government responsible for what they considered a 'deni de justice' to the minority of Manitoba. I say again, Mr. Speaker, and I say it with all sincerity, that this Parliament must deal with this question and must settle it. It is the duty of this Parliament to deal with it. It is qualified to deal with it, and it is in the best interests of this country that this question should be taken out of politics, and that it should not be the main issue during the next election. It is said that a new reference to the court would be in the interest of the minority, would serve to make this Bill better, and would satisfy the conscientious scruples of men like the hon. member for Albert (Mr. Weldon). I agree with that hon. gentleman (Mr. Weldon) in his conclusion that a reference to the court under the present circumstances would not advance the interest of the minority in Manitoba, and would not help this House in any degree at all. I say that we have had all the directions that we needed from the courts. A reference to the court would imply that the court should examine every clause of this Bill, and decide whether any one of its 112 clauses is within the remedial order, or falls short of it. It would take a month or two to do that, and then the Bill would come back to this Parliament. Suppose the court would consent to give its direction, are we going to abandon our liberty to decide on every one of those clauses, and to resign the powers which are vested in this Parliament by the constitution ? If eventually any one of those clauses were amended in committee, or any number of them were amended. I daresay it would be logical that they should be referred back to the courts again. Sir, if after the Bill is passed, and in order to avoid litigation a reference to the court was suggested, there might be something in it, but there is certainly no reason for that suggestion now. I venture to say, Sir, that the minority are satisfied with this Bill, and that they are also satisfied to run the risks of all the litigation that may be raised by the government of Manitoba, if that government decides to continue its persecution of that minority. At all events, the minority say that this Bill will place them in a better position than they are to-day. For, at the present time, they have to pay their taxes to schools to which they cannot send their children, and, having paid theses taxes, they have again to tax themselves in order to support their own schools. They have no legislative grant at the present day, nor do they share in the school land fund. Yet, Mr. Speaker, we are told by some who take an apparent interest in the minority, that they would be better without the legislation provided under this Bill. I say to these hon. gentlemen that those who represent the minority, and who represent the feelings, and the aspirations, and the needs of that minority, are better qualified to tell us what will suit that minority and what they should be satisfied with. I have said, Mr. Speaker, that the case of the minority has been before the courts for the last six years, and that we have received from the courts every direction that we can expect, in order to draft this Bill. In order to summarize the decision in the present case, I wish to refer to the points that have been settled by the Privy Council. First of all, it was decided that the majority had a right to provide for themselves whatever schools they liked. The decision in the first case of the City of Winnipeg against Barrett, in appeal, was that the legislature of Manitoba had a right to repeal the Education Acts in force in 1890 and to pass the Acts that are now complained of. That decision did not go any further. It follows, therefore, that it would be ultra vires for this Parliament to pass any Act that would interfere with the Act of the Manitoba legislature, with the exception that I will mention further on. It was decided that it was in the power of the legislature to repeal its own Acts, and thereby to abolish the rights and privileges created to such minority by these Acts, but it was also decided that, in such a case, the aggrieved minority, if not satisfied, had an appeal to the Governor General in Council, and could ask that these rights should be restored to them by way of a remedial order ; and, in case such remedial order should not be obeyed by the local legislature, then, by way of legislative interference and enactment by the Dominion Parliament. I repeat again that the majority had the right to establish the schools of their choice, but in the exercise of this right, if the majority abolished any right belonging to the minority, that minority had the right to come here, first by addressing itself to the Governor General in Council ; and, on the remedial order being passed, ordering the legislature to restore the rights that had been taken away from them—unjustly, although not unlawfully, as has been contended—the minority had a right to come here and have those rights restored by this Parliament.

Mr. BRODEUR. Would the hon. gentleman tell us if by the first judgment of the Privy Council the rights of the minority had been affected by the Act of 1890 ?

Mr. OUIMET. The point that was adjudicated upon by the Privy Council was purely and simply that the rights and privileges which were enjoyed by the minority before the Union Act of 1870 had not been unlawfully affected by the Acts of 1890. The second judgment declared that the majority, by those Acts, although they were constitutional, had no right against their wishes to take away the privileges of the minority, acquired by them after the Act of Union of 1870 ; and the minority so aggrieved had the right to come before the Governor General in Council by way of appeal, and ask that an order should be given to the majority to restore those rights ; and those rights not being restored this Parliament has full jurisdiction to deal with the question and restore those rights in full or in part, as the circumstances of the case permitted or justified. Now, the rights acquired by the minority by the various Acts in force from 1871 to 1890 were : first, the control and management of their schools by their section of the Board of Education, who had amongst other powers and privileges the choice of the particular books to be used in the schools ; second, the privilege to pay their school taxes towards the support of their own schools ; third, the right to share in educational funds and educational grants proportionately to the number of their children of school age. These are the rights we have attempted to restore to the minority ; and when the discussion of the clauses of this Bill comes up, it will be shown that none of these clauses really interfered with the Public Schools Act of Manitoba, so far as the majority are concerned. The minority are given all the rights that were possessed by them ; and, Mr. Speaker, this is one of the aspects of the question which have been purposely lost sight of by the Opposition. When they blame us for having failed to restore the minority in all their rights, the answer is that no more rights could be given than those which had been clearly given to them by the legislation in force up to 1890. For instance, we have been blamed for enacting that the members of the separate school board shall be appointed by the Lieutenant-Governor in Council. Well, this was the state of things before 1890, and we could not change that.

Mr. DAVIES (P.E.I.) The point taken was that the remedial order, which alone gives us the power to legislate, did not provide for the establishment of a separate school board. It was not contended that we should not appoint a spearate board, if we had taken the proper step. The contention was that the remedial order did not provide for it, and if the remedial order did not provide for it, it is incompetent to us to legislate in that direction.

Mr. OUIMET. The remedial order sets forth the rights of the minority under three heads. Then, the order was made to restore these rights in the term of the judgment of the Privy Council, in the following words :—

> All legitimate grounds of complaint would be removed if that system were supplemented by provisions which would remove the grievance upon which the appeal is founded, and were modified so far as were necessary to give effect to these provisions.

When the hon. gentleman tells me that it was not necessary to have a separate school board, I say that we have been obliged to provide for that. The power to restore the rights of the minority carried with it all the powers that were necessary to do so ; and as by the law of 1890 the joint Board of Education, which existed then, was wiped out, and the authority of the Department of Education substituted in its place, we could not interfere with that so far as the management of the public schools was concerned. The only way in which we could give the minority control of their schools without interfering with the Public Schools Act was by giving them a separate board of education.

Mr. DAVIES (P.E.I.) Then why don't you provide that by the remedial order.

Mr. OUIMET. That is implied. We have to provide the machinery to restore these rights, or all the rights that this Parliament believes that the circumstances justify them in restoring. We had to provide the machinery to establish, control and maintain the schools. We had to provide that the minority should be exempted from the working of the Public School Act, in so far as they were taxed for the support of these public schools, as they had acquired before 1890 the right of paying their taxes to their own schools alone, and this is the secret of the whole machinery which is provided in the Bill. It is a machinery rendered necessary by the action of the legislature of Manitoba itself, and which would not have been necessary if the legislature of Manitoba had itself restored the rights which it unduly took from the minority. The Manitoba legislature was not bound to do, perhaps, as much as we have done, because it had the power to make enactments, just as these enactments had been made in the province of Ontario. But, as we have to restore these rights to the minority, we have been obliged to give them machinery by which these rights can be effectively exercised. My hon. friend from Albert (Mr. Weldon) has stated that we have exceeded our jurisdiction in delegating to the Governor General in Council the authority to act in various cases in which, according to the old law, the Lieutenant-Governor had the right to act, should the Manitoba executive refuse to act. This was a necessary power in order to work the machinery which alone could secure to the minority the enjoyment of these rights which the Privy Council has determined they were entitled to. My hon. friend from Albert, and most of the members who have spoken against this Bill, even the hon. member for Simcoe himself (Mr. McCarthy) did not go to the trouble of comparing the present Bill with the old law.

Mr. DAVIES (P.E.I.) Yes, the hon. member for Simcoe, in his speech, compared the two.

Mr. OUIMET. He committed several errors. I must say that, while I am going into the details of this Bill, I feel that the House cannot be placed in the best possible position to judge of the present Bill, because in order to answer his argument, we have to discuss the details of the clauses, which we could do more easily in committee ; for, when we are in committee, every clause will be read in conjunction with the clauses of the old law previous to 1890, and then every member will be in a position to judge as to whether we have done justice to the minority, or have taken away any rights that they enjoyed before. And I venture to say that, by that comparison, it will be shown that none of the valuable rights this minority had have been taken away from them. Conditions have been imposed, it is true, but these conditions referring especially to the standard of education, have been made as a peremptory answer to the only argument that has been advanced upon this subject by the government of Manitoba, and that is, that, by restoring those rights to the minority, we were restoring the old system of schools, which were inefficient, and were condemning Catholics to illiteracy. This has been contradicted and shown to be totally unfounded. But without going into this question of fact, I say that we have acted upon this principle, that those schools should be placed on the same footing, as far as secular education is concerned, and up to the same standard, as the Manitoba schools under the Act of 1890. I say that we have made every provision that the teachers shall be equal in standing, and that the subjects of study in the schools shall be the very same as now exist in the public schools, and, in fact, the only thing we have conceded to the minority is the right to mix with the secular teaching given in the public schools, their own religious teaching. That is the only thing that is provided in this Bill. This is the only privilege the Catholics claim, and it has been fully given to them by this Bill. One important feature which will strike every well-thinking man, is this, that we have provided for just as high education in the separate schools as is given in the public schools, and we have given the minority the privilege, in those semi-religious subjects of study, of having books that suit their own religious ideas and opinions.

Mr. MILLS (Bothwell). I notice that the Bill provides for a distinct examination of the teachers, with a qualification equal to the public school teachers' examination. It also provides that a person who holds a public school certificate is qualified to teach in these schools. Why have a separate board of examination except upon the condition that the public school board refuses to examine ?

Mr. OUIMET. This is another illustration of what I have stated, that we have, in fact, re-enacted every clause in the old law, which applied to Roman Catholics, as well as to Protestants. According to the old law, the teachers who held certificates of teaching from the Protestant or Catholic board, had the right to teach in any school in the province, and we could not take that out, because, in restoring the rights of the minority, we must give them what they enjoyed before, and no more. And we have only given the new school board the right to make regulations for the examination and certification of teachers, so as to give them the right to teach in the separate schools. And that carries this provision—that, so far as secular matters are concerned, the matters upon which these teachers were to be examined are the same subjects as those upon which persons had to undergo examination to qualify them to teach in the public schools, leaving to the separate school board, if they saw fit, to add any qualification that they thought necessary for a teacher in the separate schools. Now, if the board of trustees is willing to engage the services of a teacher holding a certificate from the public school board, that is their concern. This principle of liberty permeates the whole of this Bill, and that leads me to state another thing against which some hon. members from Quebec have protested. I think it is in section 28——

Mr. DAVIES (P.E.I.) Before the hon. gentleman passes to that, if he will allow me, I should like to have an explanation of something he said. I understood him to say and to repeat when he appealed to the Protestants that the only condition made by the minority was the right to teach their religion in the schools. If that was the only condition why did not the Government in the remedial order ask Manitoba to give the right to teach religion in the schools and stop there.

Mr. OUIMET. It is all one. By the Act of 1890 and the regulation made, it was provided that a certain type of schools was established which professed to be unsectarian, and that type of schools made it impossible for the Catholic minority to give to their children the education in matters of religion that every Catholic wishes to give his children.

Mr. MILLS (Bothwell). Will the hon. gentleman allow me to put a question? Supposing that the subject of religion in the schools had not been touched at all, but that the Bill of 1890 had been confined to the abolition of the two boards and the department of the local superintendent or inspector, would the hon. gentleman argue that the minority would have a right under the statute to come here and ask to have any right restored?

Mr. OUIMET. I do not know that this question has a great bearing on the point I am discussing, so that I should be bound to solve it. But I say that if the new Public Schools Act had only provided that even where the Catholics were numerous enough to have their own schools the teaching of religion was not allowed, their rights under the laws previous to 1890 would have been violated. This leads me to say, referring to the charges that have been made against us that we have been promenading from one bishop's palace to another in order to get instructions from their lordships, that I for one have not had the benefit or privilege of getting any instructions from any one. And I may say that the whole of this trouble, if this law was passed, could be arranged by the government of Manitoba without going very much out of their way.

Mr. LAURIER. Explain that.

Mr. OUIMET. Clause 28, the permissive clause, enables every Catholic wishing to do so to pay his taxes and send his children to public schools. That clause is not objected to by the Catholics and they see in it the safety valve of this legislation. Suppose this Bill were passed it would be the consecration of the rights of the minority and upon it they could always fall back if they were not satisfied with the few concessions that I have thought would be sufficient. These concessions could be made by regulation enabling Catholics where they are in sufficient number to control their schools, to use their books and give their religious teaching. If these few concessions were given to them, this Bill would become perfectly unnecessary.

Mr. LAURIER. Is this part of the instructions to the commissioners?

Mr. OUIMET. I am not allowed to say. It may be that it is. But I think that all the instructions that were given to the commissioners were to see if an arrangement could be arrived at satisfactory to the majority and minority alike.

Mr. LAURIER. Here is a basis of arrangement in what you stated a moment ago.

Mr. OUIMET. If this Bill were passed the Catholics would be satisfied that it is not only a recognition but a guarantee of their rights, and then, in order to bring to an end all these disputes and wranglings that have taken place, in order to restore peace and harmony and good will between themselves and the Protestants of Manitoba they would be willing to accept any reasonable compromise that would give them in the main what they claim, the control of the religious teaching of their children in their schools. This would enable the Catholics to pay their taxes to the public schools, and they could be managed according to their own ideas, leaving always in secular matters the obligation on the Catholics to give to their children a teaching up to the same standard and on the same subjects that are prescribed in the public schools. I say this would be an end to all the trouble. But I think that the Catholics will require that this Bill should be passed in order to secure them, in future, against the abrogation of the compromise that may be arrived at between them and the authorities in Manitoba.

Mr. MILLS (Bothwell). Then the hon. gentleman proposes that this Act shall be carried, even though the local government should agree to restore the right to give religious instruction?

Mr. OUIMET. If I were in their place, I would insist upon this Bill being passed.

Mr. CASEY. Will you insist upon it?

Mr. OUIMET. That will remain for you to find out. Again, I repeat this Bill gives to the Catholics all the rights they wish, except that which I admit we do not undertake to give, at present at least, their proportionate share of the legislative grant for educational purposes. With the exception of that point, I think we give them all the rights they had before, and we preserve to the Manitoba government all the rights they had under the old law. We do not interfere in any way with the rights and powers of the local government, under the Acts that were in force in 1890. This will be proven to the satisfaction of the House when we come to discuss the different clauses in detail.

Mr. MILLS (Bothwell). The hon. gentleman is practically arguing that you cannot change the administrative control, that the local government was not at liberty to substitute something else for the board.

Mr. OUIMET. I say that by section 93 this Parliament has been vested with the jurisdiction of restoring to the minority the rights that have been taken away.

Mr. MILLS (Bothwell). What rights?

Mr. OUIMET. These rights are indicated in the remedial order; every one of them is covered by the three headings in the remedial order, and these rights have been given back to them. I say that every power necessary to carry out this jurisdiction that is given to us, is impliedly conferred upon this Parliament; and when we have gone beyond, and have vested the Governor in Council with power, in case the government of Manitoba should refuse to appoint the members of the board, we have done what was absolutely necessary in order to provide the machinery by which the minority may enjoy the rights that we are giving them.

Mr. CHOQUETTE. What about the money ?

Mr. OUIMET. I wish the hon. gentleman to find out the way of giving them the money ; he would be much more clever than I am, and he would have more power than this Parliament has. Is there any power by which this Parliament can compel the legislature of Manitoba to divide between the majority and the minority their respective shares in grants of public money made to education ? Is there any machinery by which you can do that except by this Parliament voting and paying it ? Has the time come for that ? Is this Parliament justified in assuming that the legislature of Manitoba will refuse to comply with the various dispositions of this law, and with the principles that are embodied in it ? We have provided machinery only in those cases where it was absolutely necessary to do so, as for instance, in the case of the appointment of members of the separate school board. We have provided that if this is not done by the Lieutenant-Governor within three months—and perhaps this may be changed within one month—in order to enable these people to organize their schools, the Governor General shall do it. This provision was a necessity, in order to constitute the board entrusted with the task of organizing the schools at once. This provision has been made because it was urgent. In the old law, as well as in the new law, it is provided that the separate schools shall be entitled to their share of the legislative grants only on conditions that these schools are shown, after due and official inspection, to be up to the standand required by law for the public schools, and as was required for both Protestant and Catholic schools under the old law. Consequently, the Catholic schools will only be entitled to their share of the legislative grant at the end of the first year of their operation, after the official inspection has been made, and it has been declared that they are carried on according to this law. This is not a new enactment. This is according to the old law. It would have been the worst feature in this Bill—I say that this clause would have been the very clause against which every citizen in Manitoba could have protested, because it would have been unwarranted coercion, such coercive provision being made before it had been ascertained that the legislature of Manitoba is willing to carry out the law after it has been passed. Will you say that the legislature of Manitoba has proclaimed to the world that they will resist the enforcement of this law. It is not the law of the land yet. Place it on the statute-book, and then it will be incumbent on the legislature of Manitoba to comply with it, or to say that they are going to resist. But until it is the law of the land, we have no right to assume that the government of Manitoba—at the head of which, after all, we must remember, there is a representative of the Queen, the fountain of the authority, under which we are now acting here—we have no right to assume that that authority will resist the higher authority of this Parliament, and of the Queen herself. This Bill certainly does full justice to the minority, so far as it is possible under the present circumstances of this Parliament to do so. It has been framed very carefully in order not to interfere in the least with the system of public schools now in operation in Manitoba, which, after all, is the choice of the majority. This is their right, and we recognize it to the fullest extent. When the Bill is passed a compromise can be arrived at between the majority and the minority which will cause all the dissatisfaction on the part of the minority to disappear, and will be the means of restoring peace among the people of Manitoba, and I may add that the Catholics will not after all be so very exacting. If a compromise is possible, it will be made easier because under this law the minority will have a guarantee so long as this law remains on the statute-book.

Mr. LAURIER. Then you want both the compromise and the law.

Mr. OUIMET. If the concessions made are withdrawn from the minority, they will have a right to fall back on this law, and have independent schools, to which they are entitled, as decided by the decision of the Judicial Committee of the Privy Council.

Mr. MILLS (Bothwell). Does the hon. gentleman maintain that if Manitoba should make this concession, this Parliament would have the right to go on and legislate ?

Mr. OUIMET. The hon. gentleman is a philosopher.

Mr. MILLS (Bothwell). You are a warrior.

Mr. OUIMET. I will not say the hon. gentleman is a legal philosopher, he is a philosophe-legiste. I cannot go so thoroughly into all these questions as does the hon. gentleman, but I will not hesitate to say that if the legislature of Manitoba were to legislate to-morrow before this Bill becomes the law of the country, having obeyed and fulfilled the order that has been given to them, the jurisdiction of this Parliament ceases.

Mr. MILLS (Bothwell). Then you could not go on with your Bill.

Mr. OUIMET. For the last five years we have been asking the Manitoba legislature to legislate on this subject and take away our jurisdiction.

Mr. LAURIER. Are we right in understanding the hon. gentleman to say that even if the delegates who have gone to Manitoba come to a settlement, this Bill is to be proceeded with?

Mr. OUIMET. The statement of the leader of the House disposes of that question.

Mr. LAURIER. Yes. But his speech does not dispose of it.

Mr. OUIMET. The statement of the leader of the House is this, that this Parliament is bound to push the proposed legislation through during this session, unless legislation is passed by the province of Manitoba which will be satisfactory to the minority. I repeat that unless such legislation is passed by the province of Manitoba, the Bill now under consideration must be enacted during this session, if hon. gentlemen in their zeal for the welfare and happiness of the minority do not prolong the discussion to the 24th April, when all the proceedings of this Parliament will come to an end. If they do that, they will have to take the responsibility and answer for it during the next general elections.

I now desire to say a few words in reply to the arguments of the hon. member for Albert (Mr. Weldon), the general tenor of which was that we are interfering with some of the powers that have been exclusively conferred on the provinces. The hon. gentleman, at the outset, dealt with the power of taxation. Section 93 gives in terms the power to restore to the minority all rights and privileges which they enjoyed before 1890. The hon. gentleman has stated the jurisdiction of this Parliament and of the legislature, these being given to sctions 91, 92 and 93. Section 91 details some of the powers of this Parliament, all those not mentioned afterwards coming within its jurisdiction. In section 92 are given the exclusive powers of the provincial legislatures, and in this section we find exceptions made as to public works and especially to railways. The hon. gentleman admits that whenever, by the operation of this section, any railway company which is under the jurisdiction of the local government has been declared to be in the general interest of Canada, it thereupon comes under the jurisdiction of this Parliament, and this Parliament has jurisdiction over the company to the exclusion of any provincial legislature. In section 93 we find there is another exclusive power given to the provinces, but also with another limitation. This limitation is to the effect that, whenever the legislature has given to the minority rights and privileges in matters of education, then, the minority have the right to appeal to this Government, if these rights and privileges have been repealed against their will. After the appeal has been determined by the Governor in Council, and an order made for the restoration of these rights, then this Parliament assumes jurisdiction, and assumes jurisdiction to the exclusion of the local legislature, as soon as this Parliament chooses to exercise that jurisdiction.

Mr. MILLS (Bothwell). This Parliament has no jurisdiction until there is a failure to get redress elsewhere.

Mr. OUIMET. There has been a refusal on the part of the Manitoba legislature to act on the remedial order, and now it becomes the duty of this Parliament, and it is within the power of this Parliament, to enact whatever legislation it shall think requisite to restore the minority to the rights they had before.

Mr. MILLS (Bothwell). That is a discretion.

Mr. OUIMET. I do not say it is not discretionary, but the hon. gentleman should know that this Parliament has already decided to legislate. The principle of this Bill, which is to restore to the minority the rights they had before the Act of 1890, has been approved of by this House, and it is too late now for the hon. gentleman to say that this House will not legislate. The principle having been determined on by Parliament, it is for this Parliament to proceed with an examination of the details of the Bill, and to pass it through committee. I know that on the third reading of the Bill hon. gentlemen opposite will be within their right to move an amendment, and, especially, to move the six months' hoist again. I know that hon. gentlemen opposite are, in their speeches, greatly in favour of the rights of the minority, but, in practice, they vote that the minority in Manitoba should not be restored to their rights. Sir, we are interfering with the power of the local legislature, because we are given special jurisdiction to interfere. We cannot relieve the minority from the grievance of paying taxes to schools they conscientiously object to, and not to their own schools, unless we provide in this law that in future, the moment they are willing to organize and maintain separate schools, they will be entitled to pay their taxes for the support of these schools, and be exempted from paying taxes to the public schools. The privilege of not paying taxes to the public schools was their privilege before the Act of 1890 was passed, and we are now restoring that privilege to them under the provisions of this Bill. The larger power always contains the lesser power, and, if we are now given jurisdiction in this matter, surely, we must have all the necessary power to make that legislation effective, otherwise the jurisdiction would be of no use whatever. I hold that this jurisdiction must be exercised, and that we are duly exercising it in the proposition we have made to Parliament. Another question that has been referred to by my hon. friend from Albert (Mr. Weldon), and as to which he has not given us his legal opinion, is: Shall this Bill be repealable after it is enacted into law ?

Mr. DAVIES (P.E.I.) By this Parliament.

Mr. OUIMET. Yes, by this Parliament. The hon. gentleman (Mr. Weldon) has expressed a doubt, at least, that the power of repealing such legislation existed in this Parliament, and he has stated that the opinion expressed by the Chief Justice of Canada on this point had not been endorsed by the Lord Chancellor presiding in the Judicial Committee of the Privy Council. I do not find that in the judgment of the Privy Council. There is no expression of opinion about it at all there. The Lord Chancellor refers to the opinion of the Chief Justice in the following words :—

> The learned Chief Justice of the Supreme Court was much pressed by the consideration that there is an inherent right in a legislature to repeal its own legislative Acts and that "every presumption must be made in favour of the constitutional right of a legislative body to repeal the laws which it has itself enacted." He returns to this point more than once in the course of his judgment, and lays down as a maxim of constitutional construction that an inherent right to do so cannot be deemed to be withheld from a legislative body having its origin in a written constitution, unless the constitution in express words takes away the right, and he states it as his opinion that in construing the Manitoba Act, the court ought to proceed on this principle, and to hold the legislature of that province to have absolute powers over its own legislation, untrammelled by any appeal to federal authority, unless it could find some restriction of its rights in that respect in express terms in the Constitutional Act.

Then, Lord Herschell says :

> Their lordships are unable to concur in the view that there is any presumption which ought to influence the mind one way or the other.

He does not say that the law, as expounded by the Chief Justice of Canada, is not correct, but he says it has no influence in the present case. He says that the power of the legislature of Manitoba to repeal their own enactment may exist or may not exist He does not give his own opinion. He does not contradict the opinion of the chief justice. He says this has nothing to do with the case before the court, that they were not reviewing the judgment rendered by the Privy Council in the case of the City of Winnipeg and Barrett. On the contrary, he says, though not in positive words, that this judgment can stand, and the appeal which was then before him and his colleagues could not be entertained, because it was for a different remedy altogether. The appeal given to the minority by way of appeal was entirely different from the remedy that was given to them against an unconstitutional Act—against an Act that had no legal existence. I venture to say that what was held by the chief justice was the correct law, that is, that the power of enacting this law gives to this Parliament the power to repeal or amend the law which it has passed. Certainly it would be of no advantage to this House to go back to the Supreme Court—for what purpose ? To have the chief justice tell us that in his opinion this law may be repealed. He cannot have altered his opinion except on a contrary decision from the Privy Council ; and as the Privy Council has not even expressed an opinion on that point, the opinion of the chief justice remains intact—remains the law, so far as it goes. So that by going to the Supreme Court we could get no better opinion than the opinion expressed by the chief justice, which every one knows was shared in by the majority of his colleagues. Why should it be otherwise than in the special case mentioned by the hon. member for Albert (Mr. Weldon), who said that a railway corporation could change from the jurisdiction of a local legislature to that of this Parliament ? Has it ever been contended for a moment that such legislation which could be passed here could never be repealed or amended ? Certainly not ; and I do see why this legislation should be different in that respect from all other legislation passed by this Parliament. Mr. Speaker, I do not see for myself any reason in favour of the amendment moved by the hon. member for North Simcoe. I think the sooner we get to work on the details of the Bill the better ; and I am very sorry that I should have set such a bad example in speaking so long.

Some hon. MEMBERS. Obstruction.

Mr. OUIMET. Hon. gentlemen cannot blame me, because they have certainly lengthened my speech by their interruptions.

Mr. MILLS (Bothwell). We have elucidated it.

Mr. CASEY. Before the hon. gentleman sits down, I would beg to trouble his indulgence with another question—a double question. I understood him to say, in the first place, that this Bill restores the privileges of the Manitoba Catholics.

Mr. OUIMET. If I may be allowed to interrupt the hon. gentleman, I think his double-barrelled question will take a pretty long time to answer ; and I will leave it to somebody else to answer it. Thanking the House for its indulgence, I beg to resume my seat.

Mr. HASLAM. Mr. Speaker, I would like to say a few words in reference to the question before the House. It does not appear to me that this Manitoba school question ought to be a question for politics at all. So far as I am concerned, my vote would have been given for this Bill just as freely, if it had been proposed by the hon. leader of the Opposition, as it has been given for this Bill. I think it is a matter of justice and right that the grievance of the minority should be remedied. I have not heard any one in this House dissent from that opinion. While it appears to be the general feeling of the House, it does seem to me that there ought to be some better means of arriving at a conclusion in regard to it, than moving such amendments as that now under discussion. There have been two amendments to this measure moved, and I do not think that either of them have been in the right direction. The amendment under discussion at present, proposes to refer the question of the constitutionality of this Bill to the Supreme Court. From what I have heard of the legal opinions expressed in this House, it appears to me that they are of a very fine-drawn character. If the Bill, as it stands, were submitted to the court, and that court rendered a favourable decision, have we any guarantee that there would not be changes made in the Bill after it was returned to the House again, to render that opinion entirely worthless ? I do not think that, under the present circumstances, a legal opinion would be of any value whatever, from the simple fact that the whole tenor of the Bill might be changed by a comparatively trifling change in its complexion. For that reason, I feel it my duty to vote against the amendment. When the whole trend of opinion, with very few exceptions, is, that there is a grievance, and that that grievance ought to be remedied, I do think it is the duty of every member of this House to try to facilitate in every possible way our arriving at a conclusion as to the best means of granting to the minority of Manitoba the redress to which they are entitled, and which it is the duty of this House to grant. It does not appear to me that there is any other power that can grant a remedy, or that is willing to grant it. I think that we ought to go as far as we possibly can, and, if the matter has to be submitted to the court, we will have this advantage, that, in submitting an Act of Parliament, we are submitting something tangible, something definite, on which the court can pronounce an opinion, whereas, in submitting an incomplete Bill, the decision of the court would not have nearly the same value. I have no desire to say anything further at this late hour, except to express the hope that every member will do his duty in making this Bill as perfect as possible, and thus redress the grievance under which the people of Manitoba are suffering.

Amendment negatived on division.

Mr. LAURIER. At this late hour, I would suggest to the leader of the House that we might adjourn, on the understanding that we shall go into committee, whenever the Bill comes up again.

Sir CHARLES TUPPER. I understand the proposition of the hon. leader of the Opposition to be that the House should now adjourn, with the understanding that, at the next sitting on this question, which will be, I suppose on Friday, all amendments will be disposed of and the House will go into committee on the Bill. If that is the suggestion of the hon. leader of the Opposition, I can only say that I think it is a very reasonable one, and that the Government are disposed to agree to it.

Mr. LAURIER. That is practically my understanding, that, whenever the Government take up this question, whether Friday or Tuesday, or any other day, all the amendments will be disposed of, and we shall go into committee.

Mr. WALLACE moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

Sir CHARLES TUPPER moved the adjournment of the House.

Motion agreed to, and House adjourned at 12.40 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 25th March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

THE LATE COLLECTOR OF CUSTOMS AT BERLIN.

Mr. CASEY asked :

1. When did A. L. Bowman, late collector of customs at Berlin, resign or give up his office ?
2. When did the department take possession of the office ?
3. When did the late collector leave Berlin ?
4. Was Bowman a defaulter when he left office, and, if so, to what amount ?
5. Had the Government sufficient security for Bowman as collector ? If so, to what amount, and who were the bondsmen ?
6. Has the Government taken any steps, and what, to recover from said bondsmen, and how much has been recovered ?
7. Has the Government taken any steps to arrest or prosecute said Bowman ? If so, what steps, and with what result ?
8. Has any one been appointed collector in place of Bowman ? If so, who ?

Mr WOOD. 1. A. L. Bowman, late collector of customs at Berlin, did not resign or give up his office, but defaulted and fled the country. 2 and 3. As to the date the department took possession of the office and the date the late collector left Berlin, it is difficult to give exact particulars, as all official records are with the Toronto agent of the Department of Justice, but as nearly as can be learned it was early in July, 1895, that our officer went to Berlin, and the collector's disappearance was coincident with his arrival there. 4. Bowman was a defaulter, and judgment has been obtained against him for $6,708.42. 5 and 6. Bowman's sureties are Messrs. George Randall and Fennell, of Berlin, and the sum of $2.000, with costs, which was the total of their liability, has been recovered from them. 7. Criminal proceedings have been taken against Bowman. 8. Mr. Shaw, Surveyor of Customs, Kingston, has been appointed acting collector in place of Bowman.

FERGUS MAIL SERVICE.

Mr. STUBBS asked :

1. When was the contract for carrying the mails between Fergus post office and the Grand Trunk and the Canadian Pacific Railways, last made ? To whom was it given, and what price do the Government pay to the contractor ?

2. Was the contract awarded after calling for tenders ; and if yea, who were the parties who tendered, and what were their tenders ?

3. If the contract was not awarded after calling for tenders, was the contract renewed ; and, if so, had the person in whose favour the contract was renewed, at any previous time, offered to perform the services in answer to an advertisement calling for tenders ? If yea, who then tendered, and what were the sums at which they offered to perform the work ?

4. Did one Couse, at any time, and when, tender for the said job ? If so, was his tender the lowest ?

5. Was the contract awarded to Couse ? Was it subsequently cancelled ; and, if so, when was it cancelled ?

6. How long has the present contractor had the contract for carrying of the mails ? Is the department aware that the contractor has sublet his contract, and at what price has the contract been sub-let ?

7. Is the department aware that the contract has been sub-let to one G. W. Murton, to whom $100 is paid for the service ?

Sir ADOLPHE CARON. 1. There are two contracts for these services, the one for the connection with the Grand Trunk Railway station being made on the 1st April, 1893, and the other for the connection with the Canadian Pacific Railway station on the 1st January, 1895. J. C. Morrow is contractor for both services. The rates are, for the former, $125 per annum; for the latter, 16 cents per trip. 2. No. 3. The contracts were not renewed, but tenders were not invited. 4. No offer was received at the department from one Couse. 5. The contract was not awarded to Couse ; and therefore was not afterwards cancelled. 6. The present contracts have been in existence since the 1st April, 1893, and the 1st January, 1895, respectively. Mr. Morrow has had both contracts for a very long time, since at least 1881. The department is not aware that the contractor has sub-let his contract. 7. The department is not aware that the contractor has sub-let his contract.

Mr. WOOD.

COMPARATIVE EFFICIENCY—INFANTRY.

Mr. INNES (for Mr. Bain) asked :

1. Why is the return of comparative efficiency—Infantry, for 1895, not brought down ?

2. When will the return be brought down ?

3. Under what authority were the 34th, 35th and 36th Battalions inspected by their own commanding officers, in connection with the comparative efficiency competition for 1895, at their respective regimental camps ?

4. Will the corps which drilled at local headquarters be allowed to participate in the efficiency competition ?

5. What mode of marking was adopted by the commanding officers of the 34th, 35th and 36th Battalions at the examinations at their regimental camps ?

Sir ADOLPHE CARON. 1. It is not customary to bring down such returns to Parliament. 2. The drill of rural corps during last summer was for 1894-95. If the returns are required they will be brought down when ordered by Parliament. 3. By authority of the officer commanding the militia at the time. 4. They will be shown in the comparative efficiency returns when published. 5. The officers who inspected the 34th and 36th Battalions made the usual comparative efficiency returns. No return was received from the officer who inspected the 35th Battalion.

GOVERNMENT RIFLE RANGES.

Mr. McSHANE asked :

Whether it is the intention of the Government to put the butts at Côte St. Luc and other places, in the city of Montreal and district, in proper repair and give more accommodation to the volunteers which can be obtained at very little cost ?

Sir ADOLPHE CARON. It is the intention of the Department of Militia to keep Government rifle ranges in proper repair. An amount has been placed in the Supplementary Estimates for this service, no money at present being available.

POSTAGE ON DROP LETTERS.

Mr. McSHANE asked :

Is it the intention of the Government to reduce the charge for drop letters to one cent postage ?

Sir ADOLPHE CARON. It is not the intention of the Government at present to reduce the charge for drop letters to one cent postage.

POSTMASTER AT SUDBURY, ONT.

Mr. SOMERVILLE (for Mr. Fraser) asked :

1. Has Stephen Fournier, postmaster of Sudbury, resigned his position at any time within

the last two years ? If so, who was appointed in his place ?

2. Is the Government aware that Stephen Fournier was a Conservative candidate in the late election of members for the Ontario legislature?

4. Did the Government grant him permission to resign in order that he might run ?

5. Was he re-appointed after his defeat ?

6. Who is the present postmaster at Sudbury, and what is the date of his appointment and salary ?

7. Is the Government aware of the fact that the said Stephen Fournier is at the present time mayor of Sudbury, and was he granted permission to run for the position ?

Sir ADOLPHE CARON. 1. The postmaster at Sudbury resigned 21st May, 1894. 2. Marie V. Fournier was appointed in his stead 26th October, 1894. 3. No. 4. No. 5. No ; he was reappointed on the death of his successor. 6. Stephen Fournier was reappointed on the death of Marie V. Fournier 1st August, 1895; salary, $1,200. 7. The Government is not aware that Stephen Fournier is at the present time the mayor of Sudbury.

WILLIAM H. HOWEY, OF SUDBURY.

Mr. SOMERVILLE (for Mr. Fraser) asked :

Is William Howey, of Sudbury, at the present time a sub-collector of customs at that place ? If not, who has been appointed in his place ? When was the appointment made ? Was Howey dismissed, or did he resign, and what are the reasons for the change ? Was the work in his office in arrears, and if so, how long ?

Mr. WOOD. 1. Mr. William H. Howey, of Sudbury, is at the present time sub-collector of customs at that place, but has tendered his resignation, and asked to be relieved from the work, as his professional duties leave him insufficient time to attend to customs matters. One of the officers from the port of Sault Ste. Marie, of which Sudbury is an outport, is at present at Sudbury helping with the work. 2. As to the work of the office being in arrears, it was found on the last inspection, 28th February, ultimo, that a large number of entries for free goods, entries outwards, and uncalled manifests, require to be passed through. The inspector reported that it would take a few days to bring these matters up to date.

BOUNTIES TO FISHERMEN.

Mr. SOMERVILLE (for Mr. Fraser) asked :

Have the bounties been paid the fishermen in Nova Scotia for the past year in all the counties ? If not, in what counties have payments not been made ? If any part remains unpaid, when will payments be made ?

Mr. COSTIGAN. The fishing bounty for 1895 has been paid in all the counties of Nova Scotia.

CUSTOMS DUTIES, DISTRICT OF KOOTENAY.

Mr. MARA asked :

What amount has been collected in customs duties in the district of Kootenay, from 1st January to 31st December, 1895 ?

Mr. WOOD. The collections of customs duties in the Kootenay district are only shown separately from the 1st of August, 1895, on which date Nelson was created a port of entry. The customs duties collected in the district of Kootenay from 1st August to 31st December, 1895, were $84,744.04. Previous to 1st August, they were reported through New Westminster, which was the chief port.

MINING MACHINERY.

Mr. MARA asked :

What is the value of mining machinery admitted free of duty in each province since the last return laid before this House ?

Mr. WOOD. The total value of mining (and smelting) machinery admitted free of duty into each province since the last returns laid before this House, namely, the Trade and Navigation tables for the fiscal year, 1895, was : Into Ontario, $10,844 ; Quebec, $13,697 ; Nova Scotia, $6,544 ; New Brunswick, $730 ; Manitoba, $2,551 ; British Columbia, $8,755 ; total, $140,781. The customs classification of imports making no distinction between mining as distinct from smelting machinery, it is not possible to give the value of mining machinery alone.

INQUIRY FOR RETURN.

Mr. DAVIES (P.E.I.) I would like to ask the Minister of Railways whether he will be able to let me have the papers with respect to the Goodwin contract on the St. Lawrence Canal. He promised them a day or two ago.

Mr. HAGGART. They are ready, and will be here to-morrow. I was looking over them.

MILITARY COLLEGE.

Sir ADOLPHE CARON. I lay upon the Table papers supplementary to the papers already brought down, which were a report of the visitors to the Military College. The papers which I now lay on the Table comprise the report of Mr. Sandford Fleming, and, in connection with the report of the visitors to the Royal Military College, the answer of Major General Cameron.

Mr. MULOCK. The Minister of Justice laid upon the Table some time ago, in answer to an inquiry, what at the time was thought to be the full report of the board of visitors to the college. It subsequently appeared that that was only a partial report: and I made inquiry, and the Minister promised to lay the rest of the report of the board of visitors upon the Table. I do not understand he has yet done so. I do not understand that the papers now laid on the Table by the hon. gentleman include the balance of that report of the visitors.

Sir ADOLPHE CARON. Yes, it does. The papers I now bring down are the papers to which the hon. gentleman called the attention of the acting Minister of Militia in this House, as not being the complete report of the visitors. I have supplemented the papers which have been already brought down by the report of Mr. Sandford Fleming, and by the reply of Major General Cameron, which complete the whole series of papers which were asked for.

Mr. MULOCK. Does the hon. gentleman give us the verbatim copy of the report of the visitors?

Sir ADOLPHE CARON. Yes.

Mr. CASEY. In the report that was brought down there were two or three pages out.

Sir ADOLPHE CARON. I cannot answer as to that.

INTERNATIONAL ARBITRATION.

Mr. EDGAR moved:

That on the 21st day of May, 1894, the following resolution was unanimously adopted by this House, namely:—

That it appears on the 16th June, 1893, the following resolution was proposed by the First Minister, the Right Honourable W. E. Gladstone, and was unanimously adopted by the British House of Commons, namely: "Resolved, That this House has learnt with satisfaction that both Houses of the United States Congress have by resolution requested the President to invite, from time to time, as fit occasions may arise, negotiations with any government with which the United States have, or may have diplomatic relations, to the end that any differences or disputes arising between the two governments, which cannot be adjusted by diplomatic agency, may be referred to arbitration and peaceably adjusted by such means; and this House, cordially sympathizing with the purpose in view, expresses the hope that Her Majesty's Government will lend their ready co-operation to the government of the United States upon the basis of the foregoing resolutions."

Therefore this House, believing it to be in the interests of Canada, that the present friendly relations between Great Britain and the United States should be cultivated and maintained, views with the highest satisfaction the disposition shown by both countries to promote the peaceful settlement by arbitration of any disputes or differences between them which cannot be adjusted by diplomatic agency.

That it is expedient that a copy of said resolution be transmitted to Her Majesty's Government for their information.

That an humble Address be presented to His Excellency the Governor General requesting that His Excellency will be pleased to so transmit said resolution.

Mr. MULOCK.

That such Address be presented to His Excellency by such members of this House as are of the Queen's Privy Council.

Motion agreed to.

HARBOUR OF REFUGE IN LITTLE METIS BAY.

Mr. McSHANE moved for:

Copies of all correspondence, papers, documents, telegrams, &c., from steamship and shipowners and agents, marine underwriters, manufacturers, merchants and others, of the city of Montreal and elsewhere, in the hands of the Government, in reference to a harbour of refuge in Little Metis Bay.

He said: Mr. Speaker, I shall not occupy the time of the House very long with this motion. A petition from the merchants and other citizens of Montreal has been sent to me, asking me to bring this question before the attention of the House. The petition is as follows:—

To His Excellency the Right Honourable the Earl of Aberdeen, Governor General of the Dominion of Canada in Council.

The petition of the undersigned steamship and shipowners and agents, marine underwriters, manufacturers and merchants of the city of Montreal, humbly showeth:

That there is no good or safe harbour of refuge on the River St. Lawrence between Quebec and Gaspé, and that such a harbour is very badly needed and would prove of the greatest benefit to the navigation of the St. Lawrence.

That the necessity of such a harbour is well known to every one connected with the shipping trade, and was very markedly shown during the past summer when the SS. "Canadia," being disabled by striking a reef near Matane, required to be and was beached to save her from sinking in Little Metis Bay, by which the steamer and the cargo of great value were saved, and risk of loss of life and suffering to crew avoided.

That in view of the Fast Atlantic service now proposed, and for the protection of life, shipping and property, it is very desirable that a good and safe deep water harbour be provided in the Lower St. Lawrence, giving safe and speedy communication with the shore in all conditions of weather and affording at all times a place where passengers, mails and pilots can be landed quickly and safely, so avoiding the great dangers, delays and inconveniences now so frequent at Rimouski and Father Point.

That a natural harbour of refuge exists at Little Metis Bay, which is sheltered from all but east and north-east winds, and that in the opinion of your petitioners, the construction of a breakwater there would give complete protection to shipping in all weather, and constitute Little Metis Bay one of the best harbours in the river or gulf.

That this could be done at a very moderate cost by the extension of the reef known as Little Metis or Lighthouse Point, in the vicinity of which there is ample stone suitable for the purpose, much of which is on Government property. This harbour has many other natural advantages, amongst them being a level, sandy bottom on which to beach ships when necessary, also deep water, say to the depth of twenty-five feet close inshore, which could be easily increased to thirty or thirty-five feet and so give ample water for the largest vessels visiting the St. Lawrence, always to lie afloat. The Grand Metis Falls are distant only five miles, and from thence power could be given to light the harbour with electric light at a minimum of cost. It is also close to the Intercolonial Railway, and could be easily connected with same by a spur line.

The improvements recommended would certainly greatly increase trade on the Intercolonial Railway, the Government railway, and should Metis be ultimately chosen for the Fast Atlantic steamers, they would form most important feeders to that road and give it a paying business which is what it has so long required.

The time between Little Metis and Montreal is now about fifteen hours, but could be easily shortened to twelve by quicker trains.

For these and other reasons your petitioners earnestly pray Your Excellency in Council to order the construction of a harbour of refuge at Little Metis, and with that end in view to order that the necessary surveys may be proceeded with as early as possible.

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

This petition is signed by H. & A. Allan, David Torrance & Co., Robt. Reford & Co., the Donaldson Line of steamers, the Hamburgh American Packet Co., Wm. Johnston & Co., Limited, Kingman, Brown & Co., Black Diamond Steamship Co., Henry Dobell & Co., Elder, Dempster & Co., and others. In fact, it is signed by all the steamship owners and agents and leading merchants of Montreal. When this question was brought before the attention of the people, it was very generally discussed in the press, and I shall take the liberty to read several expressions of opinion which appeared in the newspapers. The following is a letter written by Mr. John H. Ferguson :—

THE HARBOUR OF LITTLE METIS.

To the Editor of the "Star."

Sir,—A brief reference to the rescue of the SS. "Canadia" by the stranding of that valuable ship in Little Metis Bay, with a lesson taken from the circumstances bearing upon the advantages of the locality as a harbour of refuge, in an evening contempoarry in a recent issue, deserves amplification. For years the question of a safe retreat for vessels coming up the gulf, in distress, has been discussed and then forgotten. In the present instance, an event of importance brings up the matter, and provides the argument, with facts which are more eloquent than words. The case of the "Canadia" is as follows :—Off or near Matane, in hazy weather, the ship, with a valuable cargo, and over eighty passengers, struck a sunken rock, not in the chart, and disclosed so alarming a leak that the captain shortly after landed his passengers in the ship's boat, continuing his course, in the hope of discovering a sheltered spot into which he might lay his vessel, with the view of saving ship and cargo. Nothing in the chart indicated where such a place existed, and over twenty miles were run, with the ship sinking visibly and listing heavily to port, until at dark he signalled for assistance opposite Metis Light, to which the keeper, Mr. Martin, responded, rowing to the sinking vessel in a small skiff. The captain told him that the ship could not remain afloat for an hour longer, and threatened to capsize any moment, and, being told that by coming inside the reef, which extends easterly about half a mile, from the lighthouse, the vessel could be safely beached, he at once turned, and by the advice of the keeper, in a few minutes, laid her gently on a sandy bottom in a sheltered bay. Here part of her cargo was removed by lighters, and in thirty-six hours, at half tide, she—having the assistance of a steam pump—floated without further injury. It is worth while to note, moreover, that the large tug steamer "Lord Stanley" lay alongside, at low water, and that the lightening was accomplished without the slightest difficulty from swell.

What was saved to the owner and underwriters by this, I do not pretend to know, but that it saved the ship and cargo from total loss, is beyond dispute. Nor is this the only case on record. In 1876 the sailing ship "Churchill" collided with the SS. "Normantier," the "Churchill" being loaded with wheat, at the prices then ruling, a most valuable cargo. With the bows crushed, and head sails and spars gone, she came drifting in, and would have been dashed to pieces on the reefs, had not Capt. Jas. Sim, of this place, gone out to the rescue and piloted her into almost the same spot where the "Canadia" was beached. After undergoing some repairs, the "Churchill," too, was floated and towed back to Montreal.

In 1874, I think, the SS. "Viking," with a valuable cargo, struck, like the "Canadia," at Matane, and continued her course, afraid to approach shore, there being, at the time, a heavy sea running. Not being aware of the harbour within Metis Point, the ship, fast sinking, was driven onward, and sunk, in deep water, a few miles west, becoming a total loss. Had she been steered into the bay here, she, like the "Churchill" and "Canadia," would have been saved, and a heavy loss averted. These facts speak for themselves, and call for action on the part of the Government. In the words of the captain of the "Canadia," who had an excellent opportunity to take in the situation, and can speak with authority, only a breakwater, with half a mile of dredging, the latter of soft material, is necessary to provide a harbour in which any ship in distress can find safety, a harbour which, if entered on our chart, would be taken advantage of in all emergencies. As the matter now stands, there is not a safe harbour, into which a ship could be brought for relief, from Gaspé Cape upward ; and I have no doubt that those interested in our great shipping trade will, with the late event fresh in their memories, use their efforts with the Government to supply the artificial needful to what nature has provided, and so secure to the navigation of the St. Lawrence what it so much requires.

JOHN H. FERGUSON.

Little Metis.

Here is a report from the proceedings of that important body, the Chambre de Commerce of Montreal :

STEAMSHIP QUESTIONS

Discussed by the Chamber of Commerce on Saturday.

The Chambre de Commerce held a special meeting Saturday afternoon. H. Laporte presided. The committee appointed to prepare a reply to the Government on the matter of the proposed French steamship service to this port, presented an elaborate report, detailing possibilities for a fortnightly line trading with Anvers, ports in the north of France, and intermediate points. The report was adopted, and was ordered to be sent to the Government. The proposal to make Little Metis a port was then discussed. The opinions of various experts were heard, all extolling the advantages of Little Metis for shipping. It was decided to memorialize the Government, asking that a pier be built at Little Metis, and that this point be made a calling place for mail steamers. Capt. Clift, as an expert, reported that Little Metis might be made one of the finest harbours of the world.

The following article also bears on the question :—

LITTLE METIS HARBOUR VS. RIMOUSKI.

It is reported that the Government intends to spend $200,000 on the wharf at Rimouski, in addition to the $750,000 said to have already been spent on it, although it is difficult to explain what public benefit is to be derived therefrom. Of what utility has been the Rimouski wharf up to the present ? Although it is over half a mile long, no ocean steamer has been alongside of it, or ever will. Then what is the use of wasting $200,000 more on this useless wharf ? About thirty miles east of Rimouski, and twenty-two miles east of Father Point, however, is a safe harbour, known as Little Metis Bay (into which the SS. "Canadia" was taken and saved) which would answer the purpose of Rimouski as a shipping port far better ; and it is somewhat surprising that the member for Rimouski has never thought of Little Metis Bay, considering that it is so admirably adapted as a harbour of refuge for vessels on that part of the gulf coast, in singular contrast to the boulders and mud of Rimouski, which vessels take great care to avoid. The harbour of Little Metis is protected by a natural ledge of rock about a mile in length on the north side ; and, with a wharf or pier constructed on its eastern extremity, it would form every protection to steamers inside its safe and sandy bay. Besides, the mails could be landed at Little Metis and delivered in Montreal eight hours sooner than by having them landed at Rimouski. And as there is no harbour of any kind between Quebec and Gaspé, it is another reason why Little Metis should be made the much-needed port of call for the incoming mail steamers. By building a wharf at the end of Little Metis Point, which could be done at a comparatively small expense, a splendid harbour could be formed, and, as before stated, the English mails could be landed there and delivered in Montreal, quicker, by eight hours, than from Rimouski ; and, besides, incoming steamers could be sighted two hours sooner at Little Metis than at Father Point. This new project seems to meet the approvol of shipping men, and before another $200,000 is wasted on the extension of the Rimouski wharf, it is well worth consideration at the hands of the Government, as the interests of the people of the whole Dominion would be benefited thereby.

I shall now read a letter from Mr. Matthewson, one of our leading merchants in Montreal :

LITTLE METIS HARBOUR.

Advantages its improvement would offer to St. Lawrence Commerce.

To the Editor of the "Gazette" :

Sir,—The question has been raised, would the Government be justified in expending money to make Little Metis Bay a harbour of refuge, and in building a wharf at Little Metis Point, so that the English mails could be landed there, instead of at present, by lighter, at Rimouski ? The general public believe it would be justified in spending twice the amount that harbour of refuge and wharf would cost, for the following reasons :—There is not a harbour of refuge, on the St. Lawrence, between Gaspé and Quebec, and Little Metis Bay is a place where a harbour could be built at small cost, because over half of it is now built by nature. In Little Metis churchyard lie over one hundred bodies of shipwrecked sailors and immigrants, who might not be there if Little Metis Bay had been a harbour of refuge. The steamer "Viking" is lying at the bottom of the St. Lawrence, and she, too, might have had a chance to escape that fate if Little Metis Bay had been a harbour of refuge. During the past ten years, some splendid ships have been driven ashore at Grand Metis, and lost. The following vessels have been saved by being brought into Little Metis Bay :—"Princess Royal," "Churchill," and "Canada." The cargo of the barque "Laurel" was also saved in Little Metis Bay. The "Blanche Alind" would not be in Gaspé now, had Little Metis Bay been a harbour of refuge. Three weeks ago, she was anchored in Little Metis Bay, but had to put to sea, as it began to blow an east wind, and there is no protection from east wind there. She had the winter supplies for Matane on board, and was blown past her port, and now lies at Gaspé for the winter, and the Matane merchants have to do without the goods.

Now, as regards the wharf, it will have the following advantages :—The village of Little Metis has grown wonderfully during the past ten years, until it is one of the favourite watering places of the St. Lawrence. If the wharf was built, the Richelieu and Ontario Navigation Company would have a first-class chance to send a boat there. The Gulf Ports Company would have the same opportunity, and hundreds of people who don't care for rail journey would be tempted to take the trip by boat. The English mails could be landed there and delivered at Montreal, in many instances, several hours earlier than at present, for there would be no time lost waiting for the tender, as sometimes happens at Rimouski. And all this could be accomplished by the expenditure of a less sum than the Rimouski wharf cost. The Government now possess the soundings of Little Metis Bay, and there is now wanting the enterprise and energy to get the wharf built and ready to receive the first mail by the fast Atlantic service. One point more in favour of the wharf. There are a number of the largest saw-mills in this province situated in the district of Grand Metis. If the wharf was built, the Government would get a revenue from these firms towards the interest on the capital invested, in wharfage dues.

W. B. MATHEWSON.

The committee of investigation on "the Little Metis Harbour," beg to report :

That at a meeting held on the 23rd December, the above question was set forth by Mr. W. B. Mathewson, of this city, and the committee have come to the following conclusion, to wit :—

That the situation of the Little Metis Bay offers great advantages for the building of a wharf where could be landed the mails and passengers brought by the incoming trans-Atlantic steamers, because that bay offers, as a shipping port, advantages far greater than the actual port of call at Rimouski. At the latter place, the steamers suffer considerable delays from the dangers of navigation, and the boulders and mud which they take good care to avoid, while at Little Metis, the extension of a wharf provided by nature, by an artificial one, would enable the larger vessels to come alongside of it and receive the mails and passengers without any other transhipment and without the service of the lighters being required.

That many a time ocean steamers after making a quick voyage, were delayed for twelve hours before they could communicate with Rimouski, owing to bad weather, while at Little Metis, steamships might come alongside the quay, in all weather, without the service of tenders.

That the line of 30 fathoms of water showing on the chart, the course of sea-going vessels, deflects materially north of Rimouski, driving them off from that latter place, while at Little Metis they need not follow the line of 30 fathoms, as water is deep enough within a short distance from the shore and as the entrance of the harbour offers no difficulty.

That the contemplated wharf at Little Metis would give, within a distance of 3,000 feet from the shore, a depth of water, at low tide, of 42 feet, while at Rimouski, supposing that the actual wharf should receive an extension of 5,000 feet, which is the projected length, the depth of water would be only 21 feet at low tide, which would prove insufficient for the steamers of the Fast Atlantic service or any other smaller vessel. That if Little Metis were selected as a port of call for the transhipment of mails and passengers, either for the inland sections of the country or for Europe, that would enable the railway to bring the mails and the passengers nearer their destination by six or seven hours, while saving them the dangers and inconveniences of the Rimouski harbour.

That Little Metis offers a safe harbour for ten months in the year, owing to the fact that ice does not pile up so as to interfere with steam navigation.

That in the opinion of the steamship and shipowners the selection of Little Metis as a calling port and a harbour of refuge, would be so highly valued by them, first, from the standpoint of saving in the expenditure subsequent to the first call, then from that of a harbour of refuge in that part of the river ; that it would tend to a large extent to do away with the prevailing prejudices against the St. Lawrence navigation.

That the construction of a wharf at Little Metis to the anticipated depth of water, would prove of incalculable benefit to the shipping of lumber in that part of the province, inasmuch as there are large saw-mills situated within a distance of five miles from the projected wharf at Little Metis, that is to say, as the Great Metis, while now lumber for exportation via Rimouski has to be shipped over 25 miles of rail, therefore, that would represent a considerable saving for the lumber trade.

On the above grounds, and in addition to the benefits which would accrue to the country and which are not mentioned in the present report, your committee think it their duty to suggest to your chamber, to strongly urge the Government not to go on with the extension of the wharf at Rimouski, and that the appropriations made for such extension be applied to the construction of a wharf at Little Metis, and of a connecting line with the Intercolonial Railway. Your committee insist upon the fact that the construction of a wharf which would meet the exigencies of navigation in that part of the river and of the connecting line with the Intercolonial, with all the buildings necessary to accommodate traffic, would cost according to the estimates made, less than the contemplated extension of the wharf at Rimouski ; and further, that such a work would be of incalculable benefit to the operation of the contemplated fast line, and to the shipping trade in general.

(Sd.) CHS. DESMARTEAU,
R. BICKERDIKE,
R. FORGET,
L. E. MORIN, Jr., Reporter.

Chambre de Commerce,
Montreal, 23rd December, 1895.

Here is another communication which I have received on the same subject :

There is no harbour of refuge on St. Lawrence between Gaspé and Quebec, 400 miles of the most dangerous coast in America where many valuable steamships and sailing vessels are lost every year. Little Metis is half-way between Gaspé and Quebec and the best place for a harbour on the St. Lawrence. It is situated within six miles of the Intercolonial Railway. Navigation is open there three months longer than to Quebec, viz., six weeks earlier in the spring and six weeks later in the fall. You can, therefore, see the extra amount of trade that would be gained by a harbour at this place. With a breakwater of less than 3,000 feet the largest ocean steamers would find safe shelter. Vessels could load and unload their cargoes at this breakwater. The foreign mails could be landed here and delivered at Halifax and Montreal at least four hours sooner than from Rimouski as at present. The Government owns the reef from which this breakwater would be built and all the stone needed to build it, therefore it could be built very cheaply. The six miles of rail needed to connect the port with the Intercolonial would not cost $50,000. Should the Fast Atlantic service be an assured fact, passengers would save at least one day by taking the steamer at this point. The Intercolonial Railway would gain a large amount by hauling light freight and passengers from Point Lévis, 220 miles, and lastly, the steamship owners and merchants of Montreal demand it, therefore it should be built at once as there is lots of water to build a safe harbour.

I thought it my duty, Mr. Speaker, as representing the city of Montreal, to bring this matter up. I am not acquainted with the merits of the place, apart from what I have read in the letters and newspaper extracts which have been sent to me, and in the resolutions of the Harbour Board and the Chambre de Commerce. There are other gentlemen here who understand the question far better than I do, and who no doubt will have something to say upon it. I regret exceedingly that the hon. gentleman representing that portion of the country is not in his seat. When I brought the question up he was in his seat, and I think it was his duty to remain here. However, that is his own affair. I hope the Government will take this matter up, and deal with it in the interests of the city of Montreal and a large portion of the province of Quebec. For many years the city of Montreal has received very little of the public money that has been expended by this Government ; but I am very glad to find that I have brought the Government to their senses, because I see that they are about to propose a resolution granting $2,000,000 for the harbour of Montreal which they have hitherto refused year after year. I hope that at some future day we shall have a Government which will do the city of Montreal justice by giving it some share of the vast amount of money that is expended over the whole Dominion.

Mr. SCRIVER. As the seconder of this motion, I propose to say but very few words. My hon. friend to my left has treated the question so thoroughly and exhaustively that there remains, perhaps, but very little to be said. I have not had the same advantages that he has had of acquainting myself, personally, with the facts connected with this proposed harbour of refuge, and, therefore, I am not able to speak from personal knowledge on the subject. A friend of mine, however, who has given a good deal of attention to the subject, and has had rare opportunities for making a thorough study of it, has communicated some facts to me which, with the permission of the hon. gentleman, I will proceed to read. His communication embodies, very largely, the same facts which have been stated by my hon. friend from Montreal Centre, but there may be some information contained in them which has not been given to the House by the hon. mover of this resolution. My friend says :

> For the safe navigation of the Gulf of St. Lawrence, it is necessary to have a harbour of refuge, as there is none between Gaspé and Quebec. Little Metis is the only place where such a harbour could be easily and safely made. It is situated midway between Gaspé and Quebec. It is 220 miles from Quebec by the Intercolonial, and 22 miles east of every other point by water, and has direct communication with the Atlantic Ocean. The Gulf of St. Lawrence is never frozen solid at this point, and steamships could be navigated to and from it at least two months longer in the year than Quebec, and most likely navigation could open six weeks earlier in the spring at that place and close six weeks later in the autumn. It is the extreme north-east point from the Intercolonial to the ocean by the gulf, and is distant six miles from the Intercolonial. The lead or reef which forms the northern boundary of Little Metis Bay protects small vessels from the north wind, and were a breakwater extended from this reef in a north-easterly direction, say 2,500 feet, we should have a safe harbour for sea-going vessels. The steamer "Canadia" was taken into this bay for safety. A large number of valuable vessels and steamers are wrecked on this coast every year, and if Little Metis Bay were made a harbour of refuge, there is no doubt many of them would be saved. Within 30 miles on each side of Little Metis, during the past fifteen years, 12 large ships and one ocean steamer have been lost. During the past year two large ships were driven on shore and lost. The past year two large ships were driven on shore and lost within six miles of this point, and were there a safe harbour at Little Metis into which vessels could go and where they could remain until a fair wind rose, these losses could be avoided. From a commercial standpoint, the value of Little Metis harbour cannot be overestimated. With three months more navigation via the Gulf, the trade of the St. Lawrence would be one-third probably more than it is at present. As the depth of water between Montreal and Quebec is not increasing and large steamers cannot load fully at Montreal, their cattle cargoes could be carried to this point and a large death rate saved in bad weather. And the By building large saw-mills at Metis, the Intercolonial could increase its earnings to a large extent as the mills could deliver their lumber in Halifax and Montreal at least four hours sooner than they can at present. The passenger traffic could be also greatly increased every year and 36 hours saved on each trip. The cost of construction of this harbour would be small and only six miles of easy grade railway would have to be built to connect it with the Intercolonial, and the firms of this district which have no market for their produce now would then have all the advantages they require. The saw-mill owners could ship their lumber over six miles of rail to this harbour and load ships alongside the breakwater instead of as at present having to load the ships from batteaux out in the open.

Mr. OUIMET. Petitions urging the necessity of constructing the harbour at Little Metis, have been received from Montreal Board of Trade, Montreal Chambre de Commerce, J. A. Mathewson & Co., Robert Reford, John Terrance, and many others. These petitions all point to the great advantages that would result from the building of a harbour of refuge at Little Metis. They say that not only could it be used as a harbour of refuge, but as a stopping place for the steamers employed in the service of the fast line. I must admit that the department is not in possession of sufficient information to decide as to the advisability of doing this work at present, which is estimated to cost at least half a million dollars. I have instructed my officers to have a survey made of the harbour, and a correct estimate of the cost of the works, and the whole matter will then be laid before Parliament. I may say that if what is stated in these divers petitions and letters is corroborated by the engineers of the department, there can be no doubt that this work on the south shore of the St. Lawrence would be of very great advantage, indeed, to the commerce shipping of the St. Lawrence at large. No time will be lost in getting all the information possible and laying it before the House.

Motion agreed to.

TRAFFIC OF THE PORT OF MONTREAL.

Mr. McSHANE moved for :

1. A copy of the proceedings of a conference held in the rooms of the Board of Trade in Montreal, in April, 1893, by the Minister of Finance and the Minister of Trade and Commerce, with representatives of the ocean shipping interests at the port who complained of the adverse effect of the tariff on the import traffic from the United Kingdom to Canada, upon which they depended for west-bound cargoes for their steamships.

2. Copies of any communications addressed to the Government or the departments by the steam-

ship agents or shipping interests of Montreal on the injurious effect of the iron and other duties on the shipping trade of the St. Lawrence with the United Kingdom.

3. Copies of memorials or other communications made to the Government or to any member thereof, by the same persons and interests during the winter of 1892-93 and since, complaining of the excessive governmental dues and charges levied on ocean steamships, and on British traffic via the St. Lawrence route, when compared with similar charges at ports in the United States with which Montreal is in keen competition.

He said: This motion has been on the Order paper for a very long time, Mr. Speaker, and as I know that since it first appeared a great deal of business has accumulated for this House to deal with, and as I do not wish to retard the business of the country, I shall say only a very few words on this subject. It is not the first time that motions of a similar nature have been brought before this House. The falling off of trade coming to the port of Montreal through its canals and other channels is very great. We find that there has been a practical disappearance in recent years in Canada of the Canadian built craft in the traffic of the lakes, while the traffic of the United States has increased in volume, tonnage and size of craft. The season's receipts of grain and flour by water at Buffalo were 161,401,815 bushels, and in 1895, they were 162,930,620 bushels, whereas during the season of 1880 the quantity of grain delivered by water at Montreal, inclusive of what passed eastbound through the St. Lawrence Canals, amounted to 19,280,017 bushels. Ten years later, to wit in 1891, the deliveries had decreased to 10,987,893 bushels, and last season's deliveries showed a further decrease to 7,349,299 bushels, of which about 2,000,000 bushels was for city consumption, leaving only about 5,000,000 bushels as the quantity of competitive traffic which passed through the St. Lawrence Canals. I do not know how the Government can account for this reduction. Can they account for the failure of the St. Lawrence Canals which pass craft carrying 40,000 bushels, to divert traffic from the Buffalo route and Erie Canal which can only pass vessels carrying 8,000 bushels? We are told by every gentleman on the other side of the House who rises to his feet that our trade is increasing, that our shipping is busy, that prosperity abounds throughout the Dominion. But I have given facts that cannot be denied. We find that in the city of Montreal obstacles of every kind are put in the way of vessels coming into our port. The harbour dues are very exorbitant. I hope this Government, before they go out of power, will do all they can to increase the trade of Montreal and Quebec and thus confer a benefit upon the whole Dominion. The imposition of the tonnage tax known as the hospital dues has led to talk of a retaliatory tax being levied on Canadian tonnage trading with ports in the United States, which tax, if once imposed, will never cease to be levied while Canada levies her tax. A Bill is now before Congress repealing their standing offer of reciprocal freedom from taxation, thereby making their tax a permanent one. Now, Mr. Speaker, I can assure you that the feelings of the merchants of Montreal in reference to the commerce and shipping of their city are not at all favourable to this Government. Montreal has been neglected. No attention has been paid to her commerce or the complaints that are made by her merchants. We know that large sums of money have been expended by the Government on harbour works all over the Dominion. In Quebec they spent $5,000,000 on the Princess Louise Basin, and $1,000,000 on the Lévis Graving Dock, but they forgot about Montreal and never expended a dollar on the harbour there. The Montreal Harbour Board has had to bear the expense of maintenance and construction without any financial aid from the Government. Not only that, Sir, but in connection with the deepening of Lake St. Peter, this Government is nearly $1,000,000 in pocket through exactions in the shape of interest, charged to the Montreal harbour. They are subject to heavy exorbitant customs duties. We hear hon. gentlemen talk about establishing preferential trade with Great Britain. Why, Sir, the heavy duties imposed upon goods coming from the United Kingdom have almost closed down the great commerce in silks and other goods which used to bring such wealth to the ports of Montreal and Quebec. And not only that, but our merchants have been harassed and worried and watched as if they were thieves by the officers and agents of the present Government. If the Government only knew the feeling that exists growing out of such treatment, I am sure they would at once try to remedy it. At our board of trade our merchants complain day after day, and they have sent in many memorials and petitions signed by nearly everybody in business in Montreal. But what attention has been paid to these representations? None at all. They have asked also that arbitrators be appointed to value goods coming through the customs. The question was up in this House last year, and, while every gentleman on the Liberal side voted in favour of that proposal to put a fair and honest valuation upon the goods imported, what action did the Government take on the question? Every man of them voted against the merchants and against the welfare of the citizens of Montreal. Why, Sir, I have here the petition of the merchants of Montreal calling attention to the injustice done to the importer by the present system and asking for the appointment of a board of experts to value goods coming through the customs. Let me now read an article of the Montreal "Star" on this question:

A most influentially signed petition is going up from the business community of Montreal to

> Parliament asking for the appointment of a board of customs experts. The different sections of the board of trade are most fully represented ; great care having been taken by Mr. Henry Miles, who had the affair in hand, to secure the signature of every interested man. This board of customs experts is needed to secure uniformity in the valuation of imported goods, so that the duty levied may at all times and places be the same for the same article. They have such a body in the United States where it does admirable work. The need for one here is well put by the first clause in the petition which reads as follows :—
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> " That your petitioners suffer from want of uniformity in the application of the tariff and from the circumstances that there is no satisfactory recourse or remedy in matters of dispute as to classification for duty, value for duty, or in cases where customs officials inflict injustice upon importers by erroneous and arbitrary rulings."
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> A board of five members is asked for here, who shall represent the principal branches of trade : (1) dry goods ; (2) hardware, oils, paints, &c. ; (3) drugs, chemicals, fancy goods, stationery and jewellery ; (4) groceries, provisions and fruits ; (5) leather and shoefindings. Appeal is to be had by both the Government and the importers to the Exchequer Court. Similar petitions are being sent up by the various other boards of trade of the Dominion ; and the Government can hardly fail to be impressed by so imposing a display of influential opinion. It is certainly desirable that the tariff should be uniformly applied ; that the Government should thus get the full amount of revenue to which it is entitled ; and that friction should be avoided between Government officials and the business men of the country. The cost of such a board is easily exaggerated ; and, if properly manned, it would be certain to pay for itself in many ways.

Now, Sir, let me read you another article from a trade journal in Montreal :

> Who has not had some grievance with the present system of customs administration ? There are many good friends of the Conservative Government who cannot " swallow " the Customs Department, who cannot applaud its efficiency, and many, too, who are ready to denounce the administration of that branch of the public service as thoroughly incompetent, overbearing, neglectful and unjust even.
>
> The current mismanagement in this department affords the strongest possible invitation for general attack and a change must take place or the Government itself will fall under a weight that it cannot carry. The governing of Canada can not be estimated as an easy task. It requires the best men of the country to conduct the ordinary business features of administration, and while we will not attempt to criticise the ability or efficiency in any of the other departments of the Government and while we might go so far as to admit the existence of every requirement in all other directions, we voice the feeling and conviction of the business men of the Dominion in saying that the Department of Customs is mismanaged and that incompetency is current from the head down.
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> It is the most important of all the departments and its interests and care and in a great measure the commercial interests of the Dominion are practically sacrificed in hands unfit for the charge. It is the revenue producing or collecting department—to speak of it as one would of a business, it is the most important in the Dominion—are tinsmiths or tailors or men with the limited experience afforded by keeping small country stores fit or competent to have charge and direct the enormous magnitude of business falling to the lot of the executive officers of the Department of Customs ? The best business men in the Dominion should be found in these positions, and then, too, the interest is too grave and important to be dealt with by the ideas of one man. The system as well as the detail of administration is wrong, and no Government can thrive and stand bearing upon its back as it were the load involved in a mal-administered Customs Department. Rulings are issued—one at variance with another. No fixed principle is current in the issuance of decisions—one decision contradicts another. The expression " at sixes and sevens " cover the position within the walls of the department, and business men cannot get replies for weeks and months in hundreds of cases from the officers of the department.

Now, Sir, the administration of customs today is as it has been for many years part faulty, and imperfect, and wrong. The whole power is vested in one man ; the Controller. This is wrong under our political system, it is not fair or right to grant such power in dealing with technical questions as to values, qualities, strength and classification. No one man living is competent to deal as an expert with any and every business on the face of the earth. The law of years ago says we shall have a Board of Customs, and that Dominion appraisers shall be appointed to said board. Dominion appraisers were appointed, but ever since the law was passed (some ten or fifteen years ago) they have formally met twice. The Customs Department claim they meet daily. They do. The clerks of the department meet daily, very likely. Any man who ever tried to lay a question before the so-called Board of Customs, never obtained an answer from that body, but from some " two-penny half-penny " clerk in the department, or perhaps the Acting Commissioner. The whole working of the department is unsatisfactory to importers, due principally to the system, and to the gross ignorance and incompetence of many of the employees. They claim now to be calling together the Dominion appraisers more frequently ; but if they do, it is not what we want. The merchants of Canada want a board established of competent men, experts in the various lines. Nothing but thoroughly competent men will answer. Give them a judge, or eminent lawyer, as chairman, and the board must be made independent (as a court) of the Ministers, and political " pull," free from the direct control or veto power of the Controller, or Minister of Trade and Commerce. Otherwise, their decisions as of the present nominal board, can be undone or vetoed at sweet will. The appraisers in Montreal are competent and good men. The present nominal Board of Customs is nominal in every sense, for it receives no pay for the service. Different values and rates of duty upon numbers of articles, are different, and vary at different ports. There is an utter lack of uniformity. The Customs Department constitutes, and is the hardest feature and worst opponent of the honest merchants in Canada. A merchant can depend on nothing. The rulings vary. No fixed principle is adhered to in giving rulings by the department ; one ruling conflicts with another. In one case canary seed was ruled free as a stem seed, not manufactured, and as not edible. A few months later the same man ruled that it is dutiable, as it is edible and eaten freely by the niggers on the west coast of Africa. Now, Mr. Speaker, I could give you hundreds of letters from merchants and business men deeply interested in the welfare of this country, and articles of newspapers, to show the maladministration of the Customs Department by the present Government,. an administration which tends to ruin the business and destroy the trade and commerce of our country, and to crush down our honest merchants all over this Dominion. The Government have treated them, as I said a short time ago, as if they were thieves. I desire to speak on this occasion more especially for the city of Montreal, where I have had occasion to know how harshly some of our honest traders have been treated. I hope, Sir, in the interest of the business of Montreal, and the interest of the honest merchants everywhere, that the Government will speedily effect some reform in their administration of this department. As a representative of the city of Montreal ; and so far as I am able, while I hold a seat in this House, I will do my best to aid this Government, or any other Government who may rule the destinies of this Dominion, in making any serious effort to administer that department in a better way than it is now being done.

Mr. IVES. I could hardly have expected, from the notice on the paper, to have heard a specific attack made upon the Department of Customs and its administration. The first clause of the hon. gentleman's motion refers to the proceedings of a conference held in April, 1893, upon the adverse effect of the tariff on the import traffic from the United Kingdom to Canada ; the second clause asks for copies of any communications addressed to the Government by the steamship companies on the injurious effects of the iron and other duties on the shipping trade of the St. Lawrence, and the third and last paragraph of the motion asks for copies of memorials made to the Government during 1892-93, complaining of the excessive governmental duties and charges levied on ocean steamships and on British traffic via the St. Lawrence route. The papers will be brought down, but they will give no information for the purpose of an inquiry as to the administration of the Department of Customs, nor of the specific complaint which the hon. gentleman has made, with respect to this subject. I may say, however, to the hon. gentleman that I am very glad he has made that charge here, because I am aware he has frequently made it elsewhere, and it is better it should be heard on the floor of Parliament, in order that it may be met. With respect to the administration of the Department of Customs, the hon. gentleman must understand that it is absolutely impossible for any Minister, Controller, commissioner or assistant commissoner, or for any board, no matter how constituted, to always protect the interests of the revenue, and at the same time give absolute satisfaction to those who have interests at stake, and who naturally feel aggrieved if they do not get a decision exactly in accordance with their own views. It was proposed at one time that a Board of Customs should be organized, made up of merchants, and that they should form a body which would decide questions that arose between importers and the Government. The objection urged by the then Controller of Customs to the organization of such a board was, that those merchants must necessarily cease to be engaged in active business, so as to have no personal interest whatever in importations, or they would not be qualified to deal with questions that would be laid before them ; in other words, if merchants were taken they must be merchants who have ceased to have an interest in importations and in business. That is exactly what has been done. Recently a Board of Customs has been brought into active operation. That board is composed of members who possess absolute technical knowledge of all leading branches of trade that are connected with the importing business of this country. It is made up largely of the appraisers at the leading ports, with Montreal, Toronto, Hamilton, St. John and other cities. The appraisers in the drug business, the hardware business, and in dry goods, all have seats upon this board, and these appraisers are men who have had long experience as importers themselves and as business men. We have complied as far as possible with the desire of those who petitioned for the organization of a Board of Customs. When the hon. gentleman says that the decisions are arbitrarily made by one man, the Controller of Customs, he says what is not the actual fact. There must be some one to decide these questions ; but, in actual practice to-day, the Board of Customs considers the technical questions, and the Controller only decides questions involving penalties or forfeiture. Any question of classification, any question as to what is the proper rate of duty, is now referred to this Board of Customs and is decided by the board. The matter does not necessarily end there. There is an appeal, under the Customs Act, from the Board of Customs to the Governor General in Council, and within the last two months there have been two actual appeals from decisions of the Board of Customs to the Governor General in Council, and these have been heard before the Governor General in Council and have been finally determined by the Government sitting as a court of last appeal in regard to the matter. So far as I have been able to give attention to this matter since I have occupied the position of Minister of Trade and Commerce, I do not see very well how the machinery can be improved from what it is at present. We have a board, siting frequently, sitting as often as there is an accumulation of questions to submit to them, which is competent, if any board is competent, to settle questions of classification and kindred questions. That board sits, and it is a fact that not more than 5 or 10 per cent of their rulings are found fault with or are appealed from, and those who find fault may appeal from these rulings to the Governor General in Council, as I have stated. The Controller (Mr. Wood) does not undertake, and does not in fact decide questions of this kind arbitrarily and without appeal. I am quite certain that the hon. gentleman is endeavouring to make the administration of the law equitable and just, and as little oppressive and arbitrary as it can possibly be made, and I should like the hon. member for Montreal Centre (Mr. McShane) to do the present Controller the justice to say that he is endeavouring, to the best of his ability, to meet the exigencies of the case and do justice in all matters that are brought before him. The law makes him the person to decide questions of seizure, he is bound by the law to do so ; but in that case there is an appeal to the Exchequer Court, his decision is not final, and at the present time there is, in my opinion, very little ground for an attack which is very popular—I will not say it is kept up for political effect—against the administration of the Department of Customs.

Mr. McSHANE :

> This year's council of the Board of Trade of Montreal seems to be much less subservient to the Government of the day at Ottawa than any council ever before elected by the board.

Mr. IVES. What are you reading from ?

Mr. McSHANE. I am reading from the Board of Trade—from the "Witness."

> Councils in the past have always been extremely considerate in regard to the Government, and have always been careful to promote and never to embarrass its policy on any question.

Mr. IVES. I do not want to interrupt the hon. gentleman, but I take it that he is reading an extract from the Montreal "Herald" in regard to the Board of Trade.

Mr. McSHANE. I have just stated that three-fourths of the merchants of the Board of Trade are against the arbitrary rulings which have prevailed for some time past, and, if the hon. gentleman will allow me to read, I will satisfy him that I am right.

Mr. IVES. Is it from the "Herald" ?

Mr. McSHANE. I do not desire to occupy the time of the House. I wish to say just now that there is a very strong feeling in Montreal. When the hon. gentleman says that very competent men have been appointed appraisers, I tell him that there are no appraisers in the city of Montreal. I had not a seat in this House last year, when Mr. D'Alton McCarthy——

Some hon. MEMBERS. Order.

Mr. McSHANE. When the hon. member for North Simcoe (Mr. McCarthy) brought forward a motion on a petition sent to him by the leading business men and merchants of the city of Montreal——

Mr. FOSTER. Order.

Mr. McSHANE. What is the order for now ?

Mr. DAVIES (P.E.I.) Proceed ; you are perfectly in order.

Mr. McSHANE. The two members for the city of Montreal at that time, I say joined in with the Government and voted against the motion of the member for Simcoe (Mr. McCarthy), and voted against the prayer of the petition signed by hundreds of merchants in that city. The House is well aware of that fact, and the record of it can be found in "Hansard." If the hon. gentleman (Mr. Ives) imagines for one moment he can stand up in this House and condone the acts of the Customs Department for some years past, he is very much mistaken. The merchants of Montreal will not feel very much flattered by the remarks he has made. As I said before, there is a very bad feeling amongst our merchants on account of the manner in which the customs laws are administered, and I trust their grievances will be remedied. I have numbers of opinions on the matter here and I will quote some of them. The following is a copy of a letter from the Montreal Board of Trade sent to every member of the House of Commons last year :—

THE MONTREAL BOARD OF TRADE.

Montreal, 25th May, 1895.

Sir,

By direction of the council of this board, I inclose printed copy of the Montreal section of a petition to the Governor General, the Senate and the House of Commons, praying for the establishment of a Board of Customs experts. The same petition has also been very generally signed in the leading business communities throughout the Dominion, and it has been arranged that each city and town shall procure the presentation of its section in Parliament through the senator and M.P. for the district, the original of the inclosed being entrusted by the council to Sir Donald Smith and to the Hon. A. W. Ogilvie.

The council trusts that the widespread support the petition has received will commend its prayer to your judgment, and that you will use your influence towards procuring the legislation for which it asks.

I am, Sir,
Your obedient servant,
GEO. HADRILL,
Secretary.

Petition from various cities and towns for the establishment of a Board of Customs experts, addressed to the Governor General in Council, to the Senate, and to the Commons.

THE MONTREAL PETITION.

To the Honourable the Senate of the Dominion of Canada, in Parliament assembled :

The petition of the undersigned merchants, importers and manufacturers of the city of Montreal, humbly showeth :

That your petitioners suffer from want of uniformity in the application of the tariff, and from the circumstance that there is no satisfactory recourse or remedy in matters of dispute as to classification for duty, value for duty, or in cases where customs officials inflict injustice upon importers by erroneous and arbitrary rulings.

That your petitioners believe that these grievances could be removed by the establishment by Parliament of a board of experts, with power to deal with all questions and disputes between collectors of customs and importers as to rates of duty or classification, and as to value for duty; also to act as a board of reference in matters of seizures to the end that the technical facts of a case may be established prior to publicity, and with a view to avoiding practical injustice through error or precipitate action of irresponsible employees in the customs service.

That your petitioners suggest with respect to the establishment of such a board of experts :

(a) That it shall consist of five members, being one for each of the principal branches of trade as follows :—(1) Dry Goods—(2) Hardware, Oils, Paints, &c.—(3) Drugs, Chemicals, Fancy Goods, Stationery and Jewellery—(4) Groceries, Provisions and Fruits—(5) Leather and Shoefindings.

(b) That appointments be made on the basis of competence for the office.

(c) That sufficient remuneration be given to secure men technically competent and with business experience, so that the board would enjoy the confidence of merchants.

(d) That the board be empowered to administer oaths and subpoena witnesses.

(e) That the board's decisions be published periodically and sent to collectors of customs and boards of trade throughout the Dominion, which would promote uniformity as to classification and value for duty ; and

(f) That both the Government and importers should have the right of appeal from the board's decision to the Exchequer Court.

That such a board of experts has for some years been in operation in the United States, where it appears to have well fulfilled its purpose of insuring to the Government the full customs revenue intended by the Customs Act, of securing uniformity in valuation for duty, and of affording satisfaction to importers.

Wherefore your petitioners do pray your honourable House to enact legislation for the establishment of a Board of Customs experts as hereinbefore suggested, and so relieve them and importers generally from the serious disabilities now suffered by reason of lack of uniformity in the administration of the tariff.

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

This is from the merchants of Montreal and it is in keeping with the tone of the feeling of the merchants in all parts of the Dominion. That letter is signed by James A. Cantlie, President ; John Torrence, First Vice-President ; John McKergow, Vice-President ; and Charles F. Smith, Treasurer of the Board of Trade. That letter, Sir, is signed by representatives of all the leading trades in the city of Montreal. This is signed by the Corn Exchange Association, and representatives of the following trades :—Dry goods, druggists, spices, grocers, sundries, cigars and tobacco, hatters and furriers, paints and oils, boots and shoes, fruits, &c., jewellery, leather, hardware and every branch of commerce in the city. This goes on to say :

> A few days ago a protected manufacturer of hardware was appointed by the Government to determine the "value for duty" on his own class of goods in a case of which he complained that an importer had paid too little duty, though it was on the invoice price of the goods, and the importer had to pay an additional value of 12 to 30 per cent. "Is not the tariff made for the manufacturer" ? The petition also complains that "customs officials inflict injustice upon importers by erroneous and arbitrary rulings," and also "of practical injustice through error or precipitate action on the part of irresponsible employees." The employees are unjust and arbitrary because the Customs Department is unjust and arbitrary, and the "irresponsibility" is owing to the fact that secret agents and detectives, as well as other employees, share the fines levied by the Government and are encouraged by the Government to treat importers as a suspicious class of criminals. It is the Government that acts irresponsibly, for there is an appeal to it ; but the appeal is worthless.

Mr. IVES. What are you reading from ?

Mr. McSHANE. From the Board of Trade.

An hon. MEMBER. From the Montreal "Herald," very likely.

Mr. IVES. I beg your pardon, that is not from the report of the Montreal Board of Trade.

Mr. McSHANE. If it is from the New York "Herald," I have not seen that paper for some time. You may be accustomed to read the New York "Herald," every Yankee is.

Mr. WALLACE. I would like to ask the hon. gentleman a question. Do I understand him to say he is reading from a report of the Montreal Board of Trade ?

Mr. McSHANE. I have been reading from the Montreal Board of Trade—yes.

Mr. WALLACE. What is the hon. gentleman reading from now ?

Mr. McSHANE. Do you ask for the date of this ?

Mr. WALLACE. No. Is the statement that you are reading now from the report of the Montreal Board of Trade ?

Mr. McSHANE. I have read from the Montreal Board of Trade. I will send you this and you can see for yourself.

Mr. WALLACE. That is not the question. Is the statement the hon. gentleman was reading, when interrupted, the report of the Montreal Board of Trade ?

Mr. McSHANE. I am sorry you interrupted me.

Mr. SPEAKER. The hon. gentleman must address the Chair. He is an old enough parliamentarian to know that.

Mr. McSHANE. I will, Mr. Speaker.

> The Government in its customs dealings with the trade interest of the country has forfeited and lost the confidence of the importers, the merchants, and even of the importing manufacturers. That is clear to every one, and is plainly manifested in this petition, which prays that the customs laws in regard to administration shall be so changed as to take the decision of disputed cases out of the hands of the Government altogether, and place it in the hands of boards of experts and the regular courts of the country

This one is from the Montreal "Witness" :

> For years the "Witness" has been agitating and urging this course, and now that protection has disgusted the people, even the manufacturers, as well as the importers and traders, are at last found revolting against the arbitrary and tyrannical despotism of the Government, and petitioning in favour of the establishment of boards of experts, with appeal to the courts. The petition asks for the establishment of a board of expert appraisers consisting of five members, with a knowledge of, and representing the chief departments of trade, dry goods, hardware, drugs, stationery and jewellery, groceries and fruits, leather, &c., to be appointed because of their competence, sufficiently remunerated, empowered to require sworn evidence, who shall decide all questions in dispute, their decisions to be published and made known to collectors, and the public generally. An appeal by either the Government or the importer to the Exchequer Court is also asked.
>
> This petition, which is a constitutional rebellion against the customs tyranny of the Government has already been supported by over forty boards of trade of the Dominion, in towns and cities from Vancouver to Halifax, whose petitions have already been presented. So far as we have heard, only one board of trade did not join, that of Ottawa, which is still too near the presence of the Government of the day to dare to do more than squeal, though it declares that "something" should be done, and is understood to be secretly in favour of the petition. As for the Board of Trade of Montreal, it, with the whole business interest of the city, seems to have unanimously and heartily taken up arms by signing the petition. The Montreal petition is headed by the president and officers of the Board of Trade, followed by all twelve of the members of the council, and these are backed up by the names of all or nearly all the most prominent members of the Corn Exchange ; by the dry goods department to the number of about thirty of the firms at the head of trade ; by hirty firms of wholesale druggists ; by sixty firms of retail druggists ; by forty-six wholesale and over fifty retail grocery firms ; by long lists of tobacco firms ; hatters and furriers ; paint and oil firms ; boot and shoe men ; fruit dealers, jewellers, leather merchants ; all the prinicipal hardware firms to the number of about sixty ; by the crockery and earthenware dealers, and the stationery and fancy goods houses to the number of about fifty, and others. This petition will probably be presented to Parliament to-day, and has already been preceded by those of some boards and will be followed up by those of other boards.

We all remember, Mr. Speaker, when this petition was presented. How was it treated ? What interest did this Government take in the welfare of the city of Montreal and of its great people, the merchants ? They did nothing, and to a man those people voted against the Government. Yet we are told that everything has been done by this Government for the welfare and prosperity of the city of Montreal, and that that city should support the Government. I know that there is to-day, and has been for a long time, a feeling amongst the business men of Montreal that only a few people in that city, the monopolists, have the ear of the Government—the men who in my election put up the money to defeat me. These are the men who are taken care of and fostered and cherished ; but the great mass of the business people are crushed, and they will endure it no longer. I came here, Mr. Speaker, with the promise that I would do my utmost to get these great embarrassments to our trade and commerce removed. I hope the Government will help me. Not only Montreal, but the whole Dominion is interested in this matter. These embarrassments must be removed if our people are to enjoy the happiness and prosperity to which they were entitled. This Government have not treated as they should the men who have helped to build up this great Dominion—great, not in population, but a people of energy, love of work, and a desire to do everything that is right. I wanted to bring this matter up before. I have frequently been asked to speak on this great question, which is one of vital interest to our merchants, our bankers and our business people generally. I know some cases, Mr. Speaker, in which unfortunate merchants have been treated very badly ; but it is useless for me to name them. I ask you, Mr. Speaker, last year, when that important petition was sent from forty boards of trade all over the Dominion, did this Government do anything for them ? No ; but deputations which come here to-day are promised everything. You find them lobbying in every hotel in Ottawa. The Government promise them everything. They say, "Oh, give us another chance, and we will mend our ways." But the people will not give them another chance. They quarrel among themselves. One day three or four men go out of the Government ; another day seven or eight go out ; and we have the Premier, one of the honestest of men, I believe, in this country, telling these men——

Mr. SPEAKER. I have been trying for some time to discover the connection between the hon. gentleman's remarks and the motion before the House.

Mr. McSHANE. Mr. Speaker, I will try to keep to the question. If hon. gentlemen opposite imagine for one moment that I am not going to stand here and speak in a cause which I think just and honest, because of any raillery or gibes or laughter, or holloaing "louder," they mistake their man. I may err sometimes in my parliamentary language ; but I do not wish to err in representing the people who have sent me here, or in doing my best to get removed from them the yoke under which they had been labouring for many years. In the remarks I have made, I have only said what is true, honest, just and right. These hon. gentlemen may laugh if they choose ; but the day is coming when the people will laugh at them. The people will tell them, "You have forfeited our confidence, you have betrayed the trust that we have reposed in you, and you need not ask us to return you to power." I have only stood up in the honest and faithful defence of the petitions that have come to me and of the interests of the city of Montreal. How has the city of Montreal been represented here ? I have not known a man from that city for many a day to stand up and open his mouth to protest against the way in which this Government has treated that great city. I wish to say this to the members of this House on both sides, that if a Liberal Government were in power here and were to mete out to the people of Monreal the same treatment that has been meted out to them by this Government, I would raise my voice against them, as I have done before in the city of Quebec.

Mr. WOOD. I would like to ask the hon. gentleman a question. I understood him to speak of petitions having been sent to him. I would like to ask him if, as a fact, any petitions have been sent to him since his election.

Mr. McSHANE. Yes.

Mr. WOOD. From the merchants of Montreal ?

Mr. McSHANE. Yes.

Mr. WOOD. Will you produce them ?

Mr. McSHANE. I do not see why I should produce them for the hon. gentleman. I can give him my word that there are plenty of them.

Mr. WOOD. I never heard of them. You never presented them to this House.

Mr. McSHANE. Have you ever heard of this petition of the board of trade ?

Mr. WOOD. The hon. gentleman is dealing in ancient history. We know all about that.

Mr. McSHANE. I desire to say that petitions after petitions have been sent to me of every nature and character to try to do what I could for everybody. If the hon. gentleman desires to read these petitions, I can show them to him.

Mr. WOOD. I would like to see them.

Mr. McSHANE. I think that I have proved to this House that our merchants have not been honestly and fairly dealt with, and, if I have touched a sore spot in the administration of the hon. gentleman, I regret it very much, but I had to do my duty—it is my duty, as a member of the House of Commons, to attack hon. gentlemen opposite, when I believe that they are wrong, and I certainly had no intention of saying anything to hurt the personal feelings of the hon. Controller of Customs.

Mr. WOOD. I had not the pleasure of listening to the first part of the hon. gentleman's speech, having been out of the House listening to one of those same Montreal merchants spoken of by the hon. gentleman, and one who did not seem to be at all displeased with the action of the Government. I may say that that merchant to whom I spoke, however, was not a manufacturer. I only rise for the purpose of referring to one portion of the remarks of the hon. member for Montreal Centre (Mr. McShane), and that is, his allusion to the petitions that he has received from the merchants of Montreal. I only desire to say that, if he has received any petitions from them, complaining of the administration of the Department of Customs, since the date when he became member for Montreal Centre, he has not laid them on the Table of this House. I can only say this further, that no representations complaining of the Department of Customs has ever been made either to the department itself or this House, or through the public press of the country, since the hon. gentleman became a member of this House. I speak very positively, but at the same time subject to correction ; and, if there have been any representations of that kind, I shall be very glad to hear of them, and take note of them, and remedy any grievance that may exist. I submit that it was not at all necessary for the hon. gentleman to revive a discussion upon this subject, which was discussed thoroughly in this House during last session. It was then most thoroughly threshed out, and my predecessor, the late Controller of Customs (Mr. Wallace) took a very active part in the discussion, and, to my mind, and in the judgment of almost every member of this House who paid attention to the subject, justified, to a very great extent, if not completely, the establishment of the present Board of Customs, and showed conclusively, by the reports of the officers and men appointed for that purpose, that the working of the Customs Board in Canada was far superior to the working of the like board in the United States, owing entirely to the mode in which the boards are constructed in each country respectively. I have no desire to go back into that discussion and revive what ought not to have been brought up and submitted in the motion placed on the Order paper, because there is not one word in that motion which would indicate that anything pertaining to the administration of the Customs Department would be made the subject of discussion here. There never was a time, and there never will be a time in any country, when the administration of the Customs Department will not give rise to some displeasure and, possibly, unpopularity on the part of the department itself and the officials, because the work itself and the administration itself are matters as to which the public do not take very kindly; and, in order that the work itself should be performed satisfactorily, in justice to the department itself, and to the importers and others interested, it is only reasonable to suppose that, once in a while, friction may occur between the importers and manufacturers and the department. I believe—and I speak, knowing something of what I say, because I have had the advantage of visiting the city of Montreal twice within the last three months, and meeting many of the merchants and those who are brought in close touch with the administration of the Customs Department—I believe, what even the hon. gentleman himself must admit, that there is not much complaining in the city of Montreal with regard to the Customs Department or the working of that department.

Mr. CASEY. I do not think that the hon. Controller of Customs has added much to the debate. He tell us that, instead of listening to this important debate, concerning the management of his department, he was out interviewing an individual from Montreal. Now, this is just what the hon. member for Montreal Centre told us, that the Government were now very anxious and very willing to receive deputations and make promises. But the hon. Controller of Customs thinks that my hon. friend from Centre Montreal should not have said anything, because no complaint has been made during the time that he has been member for that division. The reason why he had to make these complaints was simply because his predecessors, the members for Montreal, had not taken up and brought to the knowledge of this House, these complaints. He has to go back to what occurred before his time, because his predecessors did not do their duty. But the point I want to come to particularly, is the hon. Controller's contention that there was no need to revive a discussion that took place last session, because that was satisfactorily concluded last year by the appointment of the present board of valuators, which, he says, has been shown to have worked better than a similar board in the United States. I say there is need to revive that discussion until the matter is satisfactorily settled. I contend that it was not satisfactorily settled last year. The Controller of Customs thinks it was settled to the satisfaction of nearly every member of the House. He must have made very few inquiries among the members of the House, if he thinks that. The objection to a board appointed within the Civil Service, within the Customs Department, is the same that it was last year. That is a board composed of civil servants subject to a Government which, in its turn is dominated by the combines; and the importers not only of Montreal but of all Canada feel that they cannot expect fair-play at the hands of such a board as that. They had reason to expect, and they will find as time goes on, that the decisions of this board will be, as far as possible, in the direction of enforcing the highest duty collectable under our protectionist tariff. In other words, they have reason to fear and to expect that the board will be managed in the interest of the combined manufacturers of Canada. We had illustrations last year of what was done before this board was organized, when the agent of a certain manufacturing concern was sent to the United States, to collect information as to prices.

Mr. SPEAKER. I think the hon. member is hardly justified in discussing this subject on the motion now before the House.

Mr. CASEY. I am answering the remarks of the hon. Controller of Customs (Mr. Wood) which have introduced the subject into this debate.

Mr. SPEAKER. I fail to see how that applies to the motion before us.

Mr. CASEY. I will try to show how it comes in, Mr. Speaker. We are discussing the petition of the Montreal Board of Trade——

Mr. SPEAKER. I understand that the question before the House is the effect upon the trade of the port of Montreal of the protective tariff.

Mr. CASEY. The resolution is for:

> A copy of the proceedings of a conference held in the rooms of the Board of Trade in Montreal, in April, 1893, by the Minister of Finance and the Minister of Trade and Commerce, with representatives of the ocean shipping interests at the port.

And so on.

Mr. SPEAKER. Yes, but I do not see that that makes the discussion in order.

Mr. CASEY. But the question arose in some of these conferences of the appointment of a valuating board, and thus was referred to by the hon. Controller of Customs.

Mr. WOOD. I only discussed it in referring to the remarks of the hon. member for Montreal Centre (Mr. McShane). I did not introduce it myself.

Mr. CASEY. This is a continuance of a discussion which has already been ruled in order. Sir, the appointment of a board of this kind is not such as to inspire confidence among the importers of Canada. The Controller of Customs stated that this board operated better than a similar board in the United States. I am not aware of any report upon the operations of this board; if there is one, I have not seen it. I think it would be a valuable thing to have a report of its operations and how they have affected importers generally. I think the thanks of the House and the country, and especially the thanks of the importers, are due to the hon. member for Montreal Centre for bringing this question before the House.

Mr. FOSTER. Before the motion is adopted, let me say that I would not like to have it go as it is with the idea in the mind of the mover or of other members that everything asked can be brought down. For instance it calls for:

> A copy of the proceedings of a conference held in the rooms of the Board of Trade in Montreal, in April, 1893, by the Minister of Finance and the Minister of Trade and Commerce, with representatives of the ocean shipping interests at the port.

These are not documents which can be brought down. I am not sure that they are in existence. They were simply memoranda taken at the different interviews that took place between ourselves and the parties who were good enough to come and talk over these matters with us. So it will have to be understood that such papers as can be brought down will be brought down. With that understanding, I have no objection to the motion.

Mr. WALLACE. The statements quoted by the hon. member for Montreal Centre (Mr. McShane) from the press were misleading and, to my mind, quite untrue. In proof of that I may say that certain of these papers, while making most unjust and unfair charges against the Customs Department, made somewhat similar charges against myself, and I made two of these Montreal journals publish ample apologies for the statements they then made. The statements read by the hon. gentleman were not at all correct. Now, with reference to the position of the Montreal Board of Trade and the statement made that every board of trade had passed similar resolutions, that is entirely a misleading statement, for this reason—that every board of trade that took the trouble to investigate this matter reached a different conclusion. The Board of Trade of Ottawa took up the matter, and Mr. Ross, a prominent merchant of this city and a member of the party of hon. gentlemen opposite, who is either president or vice-president, made an exhaustive examination of the proposals made in the petitions of the Montreal Board of Trade, and, as a result, the Ottawa Board of Trade refused to endorse the petition sent them by the Montreal Board. The same may be said of the Board of Trade of Toronto. The proposal made by the Montreal Board of Trade is that the system adopted in the United States shall be copied here, and that a board of experts shall be appointed one from each line of business, and that these men meeting together will make decisions. As was pointed out last year, and I think demonstrated to the satisfaction of the House, and the mercantile community, the system we have in Canada is much better than the system in vogue in the United States. I took the trouble to visit New York with Mr. McMichael, our chief Inspector of Customs, to examine the system there. On comparison of the two systems, it was recognized by experts in the United States that our system had many advantages over the system adopted there. One result of that system was that 25,000 to 30,000 undecided cases were before the board of experts a year ago when we were there investigating this matter. The system they have there is a cumbrous and expensive mode of dealing with this question, and it has raised up a brood of lawyers who are making large sums of money out of the importers and out of the government of the United States. They carry appeals from court to court at great expense, taking chances with the importers. In one case that came under my notice the United States had to refund several millions of dollars, that great sum being divided among the lawyers and the importers, the general public receiving no benefit. What are the comparative merits of the two systems? In the United States, out of a board of nine, six were originally engaged in the practice of law, one was a hotel-keeper, and one a journalist—so that eight out of nine were men who had no practical knowledge of the commodities they were engaged in investigating. They were more a judicial tribunal than a board of experts. In Canada, on the contrary, notwithstanding what the hon. member for Elgin (Mr. Casey) has said, we have a real board of experts. The hon. gentleman said they were members of the Civil Service. Would not the men appointed under the proposal of the Montreal Board of Trade be part of the Civil Service? Would they not have permanent appointment? But the men we have now as the board in Ottawa, are men chosen from the different ports, men who have had training in the various trades, and who are well qualified to judge. Among them we have two or three dry goods men, two or three hardware men, two or three druggists, and so on, through the list. Moreover, when occasion requires, and when the board is not called together, we have correspondence with all the experts, with all the appraisers in the various ports. If a question comes up that is difficult to decide, the opinions of the experts are obtained upon it; so that we, in Canada, have a wiser decision arrived at, and by men more capable of judging, than they have in the United States; and we have avoided that enormous expense which attends the formation of the board of experts in that country.

Mr. LAURIER. Although I am not a business man, and cannot afford to give an opinion upon this question, I am a witness of the very general complaints which I have heard in the city of Montreal against the present system. It is no news for me to hear the hon. gentleman who has had control of the Customs, say that there are no complaints in the city of Montreal. If he is of that opinion, I think he is greatly mistaken. The complaints amongst the merchants there are universal; and the ground of complaint which we hear every day, in the street, in offices, and everywhere, is that the present system, for some cause or other, leads to inequality of appraisements between the ports, that there is no uniformity in the system in the various ports. Merchants find this very annoying, because they find that in one port their rivals can pass entries at a lower figure than they can pass similar goods in some other ports. This is the great complaint, and it seems to be universal, and, consequently, we must conclude that there is some ground for it. It may be, that the remedy suggested by the late Minister of Customs, will meet the case. As to that, I will not offer an opinion; but I must say that, so far as I know, the opinion of business men is against it. The only argument which hon. gentlemen give against the suggestion which has been sent forward to the Government from the business men of Montreal, is, that the same system does not work satisfactorily in the United States. I can well understand that, if the law in the United States is administered by lawyers, by men who have never been in trade, it does not work well. But I can imagine that the framers of the system did not intend that it should be carried out by men who had been politicians, and who were appointed merely as a reward for political services, and without the necessary business qualifications. But, if that system were administered by business men, it seems to me it would furnish the results which were expected from it. I would hope, if such a system were adopted in this country, the boards would not be composed of lawyers or broken-down politicians, but that it should be composed of men who have been long in business, and who understand every branch of it. Now, with regard to the statements made by my hon. friend, that there is a portion of the papers here asked for, which cannot be brought down, that is to say, the minute of the conference which the department, or two of its clerks, had with the business men of Montreal and elsewhere, I take some exception to what he said. If I remember rightly, we had some promise, not very definite, I must say, but we had some promise, a session or two ago, that we might have some of those reports, perhaps not all. I was under the impression that the hope had been held out to us that we should have some of those reports, as the hope is held out to-day, that whatever could see the light, should see the light. But I understand that there are some reports which cannot see the light, and, perhaps, it is to the advantage of the department that they should remain there.

Mr. FOSTER. Better for you.

Mr. MILLS (Bothwell). The Minister of Finance has made a statement that, if I understood him correctly, I do not agree with. Of course, the Government, receiving confidential reports from its own officers, is not obliged to submit them to the House; they are for its own information; and, if such reports were submitted, the result would be that men would hesitate to state frankly what their impressions were. But I understood the Minister of Finance to refer to interviews that had taken place between himself and some other member of the Government, and certain importers in Montreal; and, if the hon. Minister lays down the proposition that he has to exercise his judgment with regard to those matters, and decide what it is prudent to submit to this House and what it is prudent, in his estimation, to withhold, then I say he is exercising a discretion that does not belong to him as a Minister. It is the right of the House, if such reports are in existence and in the possession of the Government, acting on behalf of the House, subordinate to it, and under its jurisdiction and control—it is the duty of the Government to submit such reports or information that the House chooses to order. If the Minister thinks there is anything that he does not want to bring down, it is his business to obtain the consent of the House to withhold that particular portion. But a Minister has not a right, if he has in his possession papers, interviews and suggestions made with regard to these matters, to withhold them. We are the parties ultimately entitled to decide what the public policy shall be with regard to such matters. We have a right to have before us all the information that is in the possession of the Government, and every suggestion that is made to the Government that is on record in any way, and in the possession of the Government. I think, that being so, the Minister, if he has such information in his possession, such interviews with boards of trade, or with representatives on their behalf, or with importers, it is the right of the House to receive those reports and that information.

Motion agreed to.

YAMASKA RIVER BRIDGE.

Mr. BRUNEAU (Translation) moved for :

Copies of all documents, memorials, petitions and correspondence between the Government and the Board of Trade and corporation of the town of Sorel and other persons, in relation to the granting of a subsidy for renewing, repairing and rebuilding the railway bridge on the South Eastern Railway, across the River Yamaska, at the village of St. Michel de Yamaska ; copies of all documents, petitions and correspondence between the Government, the persons aforesaid, the Pacific Railway Company, the South Shore Railway Company and the United Counties Railway Company in relation to the application and use of the subsidy of $50,000 granted under the Act of 57-58 Vic., chap. 4, for the repairing and rebuilding of the said bridge.

Previous to placing that motion in your hands, Sir, I wish to state the grounds for the same. On the 4th of January last, I wrote to the hon. Minister of Railways and Canals, informing him of my intention to bring again this question before the House. This question has not the merit of novelty, for it has previously been brought to the attention of the Government and of the House. Coupled with my letter to the Minister was the following resolution passed by the city council of Sorel, on the 14th November, 1895. Here is the letter which I sent to the hon. Minister of Railways and Canals :

Sorel, 4th January, 1896.

To the Hon. John Haggart, M.P.,
Minister of Railways and Canals,
Ottawa.

Hon. Sir,—Coupled with the present letter I forward you copy of a resolution passed by the council of the corporation of Sorel, on the 14th November ultimo, in connection with the South Eastern Railway, which has been closed to traffic from October, 1892, in consequence of the Yamaska bridge not having been rebuilt. I have the intention of calling again the attention of the House of Commons to the matter, during the next session.

Believe me, Sir, &c.,
A. A. BRUNEAU.

Now, I will read to the House the resolution passed by the city council of Sorel :

Corporation of the City of Sorel.

At a regular meeting of the city council of the corporation of Sorel, held in the city hall of the same place, on Thursday, 14th December, 1895, at 7.30 p.m.

In pursuance of the provisions of the Act of Incorporation, chap. 80 of the Quebec Statutes, 1889, 52 Victoria, and amendment thereof, at which meeting a majority and a quorum of said council were present, to wit :

Mr. Louis Morasse, chairman ; Messrs. C. O. Paradis, W. L. M. Désy, Bruno Leclerc, Alfred Guèvremont, Adélard Trempe, Olivier Lesieur, Edouard Ponbriant, Frs. Gendron, Pierre Guèvremont, Séraphin Guèvremont, alderman.

Moved by Alderman C. O. Paradis, seconded by Alderman W. L. M. Désy, and reolved,

That this council, in view of the action previously taken and of the promises secured as to the re-opening of the South Eastern Railway, cannot allow such a state of things to continue any longer to the prejudice of Sorel and of the other places located on the line of that important railway, and that, in consequence, the Federal Parliament and the provincial government be earnestly urged to take the necessary action in order that this road may be operated within the shortest possible time, so that the interested municipalities, whose financial status is seriously involved owing to the heavy expenditure already incurred in that connection may be relieved, and be not exposed to suffer such a serious wrong as would be entailed upon them by the fact of being deprived of that important factor from the standpoint of business accommodation and railway facilities.

A true copy of the minutes of the council.
J. G. CREBASSA.

Now, Sir, I wish to call the attention of the Government to the following facts :—In 1870, the city of Sorel voted the sum of $40,000 in favour of the construction of the Richelieu, Drummond and Arthabaska Railway. Later on, that road passed into the hands of the South-Eastern Railway Company, and all the rights and obligations of the ancient company were transferred to the latter company. The latter company became insolvent and trustees were appointed. Those trustees entered into arrangements with the Canadian Pacific Railway Company for operating the line. In the spring of 1892, the bridge on the River Yamaska was carried away by the ice, and in the fall of the year, as early as the month of October, the Canadian Pacific Railway Company stopped all traffic between the city of Sorel and Drummondville. As early as the month of June, the Chamber of Commerce and the corporation of the city of Sorel, perceiving that the Canadian Pacific Railway Company were putting off the rebuilding of the bridge, took the matter into consideration and entered into communication with the Government, with a view to securing in future their help and influence with the Canadian Pacific Railway Company in order to operate again the line between Sorel and Drummondville. On the 14th June, 1892, I wrote the following letter to the Premier of the day :—

14th June, 1892.

Hon. J. J. C. Abbott,
Prime Minister.

Hon. Sir,—Allow me to call your attention and that of the Government to the following facts, and to ask you on behalf of the Chamber of Commerce and of the corporation of Sorel, as also in the name of the county of Richelieu, which I represent in the House, to kindly use your influence with the Canadian Pacific Railway Company in order to induce them to rebuild their bridge on the Yamaska River.

About the year 1871, Sorel subscribed a sum of $40,000 in favour of the Richelieu, Drummond and Arthabaska Railway. That sum was mainly voted for the road to run between Sorel and Yamaska. Quite recently the town of Sorel paid out that sum which, including interests, represents the enormous sum of about $100,000. Later on, as you are no doubt aware, the South Eastern Railway Company took possession of the Richelieu, Drummond and Arthabaska Railway. It was agreed upon with the South Eastern Railway Company that every possible satisfaction should be given to the city of Sorel : that the trains on the South Eastern, and particularly between Sorel and Yamaska, should run regularly and without any interruption ; and the pledges then given, the contracts entered into between that company and the city of Sorel leave no room for doubt as to the intention of the interested parties.

The Canadian Pacific Railway Company is now in possession of the South Eastern Railroad. Last spring the bridge on the Yamaska River was carried away by the ice. A similar accident had already happened a few years previously, but now the Canadian Pacific Railway Company declines—on what ground, we are unable to say—to reconstruct that bridge, thus entailing incalculable damage upon the city of Sorel, the county and the district of Richelieu.

Should the company persistently decline to rebuild this bridge, they would themselves incur severe losses, and perpetrate a cruel wrong upon the city of Sorel, the county and district of Richelieu.

It seems to us that the state having so largely aided and subsidized, in the well-understood interest of the country, the Canadian Pacific Railway Company, we should be allowed, in view of the facts which I have just recited, in view also of the considerable pecuniary sacrifices which we have imposed upon ourselves, in order to develop this part of the country, to humbly beseech the Government and you, as Prime Minister, if not to interpose, at least, to use your influence with the company and take some action in our behalf. Rest assured, Sir, that in so doing, you will be entitled to the gratitude of all the interested parties.

Of course, it was not the Canadian Pacific Railway Company that passed the contract with Sorel, but while assuming the control of the road, they also at the same time assumed the pledges and the responsibility, and we believe that those pledges and that responsibility could not now be infringed, without incalculable injury being entailed upon the interested parties.

I am not aware of the course which the corporation of Sorel, which has paid out the extraordinary sum of $100,000 in favour of this road, would follow in case the Canadian Pacific Railway Company should formally decline to act upon their just petition, but, in my humble opinion, it were better to hope for a speedy solution of the question, if the Government were willing to aid us in an effective way.

I therefore call the attention of the Government to that question of public rather than local interest, and I hope, in common with the interested parties, that it will be taken by the Cabinet into their most serious consideration in the common interest of all the interested parties.

I remain, Sir,
Your humble servant,
A. A. BRUNEAU.

At the same time, I wrote the following letter to the President of the Canadian Pacific Railway Company.

Sorel, 14th June, 1892.

W. C. Van Horne, Esq.,
President of the Canadian Pacific Railway Company.

Dear Sir,—Permit me to call your attention in your quality of President of the Canadian Pacific Company in reference to the construction of the railway bridge on the River Yamaska, at Yamaska.

This bridge which was carried away by the ice last spring has not been built yet, and a certain rumour goes to say that the company hesitates to take steps for its construction. As the member of Parliament for Richelieu, I hope that you will permit me to say that this question of the construction of the bridge is, for Sorel, a most important one, especially for the trade and for the travellers, and that the true friends of the company would regret that the construction of the bridge would be abandoned.

About 1871, the city of Sorel has subscribed a sum of $40,000 to the Richelieu, Drummond and Arthabaska Railway, which sum was recently paid, and if we add the interest, the amount goes up nearly to a hundred thousand dollars. The city of Sorel has, at the time and since made a great sacrifice ; and afterwards when the South Eastern Railway Company took possession of the road, it was understood and agreed that trains would run regularly between Sorel and Yamaska ; for the said amount had been given specially for the road between Sorel and Yamaska.

The Canadian Pacific Railway Company has succeeded to the South Eastern Railway Company and we believe that if the company does not build that bridge it would be prejudicial both for the company and for the county and district of Richelieu and for all the parishes along the line.

I do not know what steps will take the council of the city of Sorel on the question. I only write to you in my personal name and as a member having in charge the interest of my electors and wishing before all the success of all the parties interested in this question.

Hoping that you will take in consideration the present letter and send me an answer to Ottawa, and let me know what the company intends to do on the subject, if there is not indiscretion, I will be very thankful.

I remain, Sir,
Yours truly,
A. A. BRUNEAU, M.P.

On the 16th of June, I received from the Prime Minister a letter which reads as follows :—

Privy Council Office,
Ottawa, 16th June, 1892.

A. A. Bruneau, Esq., M.P.,
House of Commons, Ottawa.

Dear Sir,—Your letter of the 14th instant has been received. I am not aware in what way the Government will exercise an influence over the Canadian Pacific Railway, but I will refer your letter to Minister of Railways.

Yours truly,
J. J. C. ABBOTT.

Later on, the President of the Canadian Pacific Railway Company sent me the following reply to my letter :—

The Canadian Pacific Railway Company,
Montreal, 25th June, 1892.

A. A. Bruneau, Esq., M.P.,
House of Commons, Ottawa.

Dear Sir,—Absence has prevented an early reply to your letter of the 14th June.

In order that you may fully understand the matter, I wish first to say that this is not a Canadian Pacific matter, but one with which the trustees of the South Eastern Railroad have to deal.

The Canadian Pacific Railway is operating the South Eastern Railroad for the account and benefit of the trustees for the bondholders under an arrangement which may be terminated by either party at any time. The Canadian Pacific Railway is largely interested in the South Eastern Railroad as a bondholder, but it does not control the property. Under the existing temporary arrangements, whereby the Canadian Pacific Railway operates the South Eastern Railroad for the trustees, it simply accounts to the trustees for all of the earnings and charges against the trustees. All of the expenses and all the improvements or extraordinary renewals are made under the direction of the trustees.

I am one of the three trustees, another is Mr. Farwell, of the Eastern Townships Bank, and the third represents the Boston and Marine interest in the South Eastern.

The trustees have two difficulties to deal with in the matter of the Yamaska bridge. One is that they have no money in hand for the purpose. The South Eastern has not earned its working expenses, and, therefore, the trustees are largely in arrears. But this financial difficulty will probably be met in some way. The other difficulty is as to how the bridge can be built so that it will be reasonably sure to stand against the ice. The engineers are working at this problem now, but they have not yet been able to submit a satisfactory plan. I have no doubt that when the engineers find a way, the premanent bridge will be built.

Yours truly,
W. C. VAN HORNE.

On the 22nd of August, 1892, the hon. Minister of Railways sent the following reply to the letter which I had written to the hon. Prime Minister :—

Department of Railways and Canals,
Ottawa, 22nd August, 1892.

Sir,—With reference to your letter of the 14th June last, addressed to the Hon. Sir J. J. C. Abbott, and transferred to this department, on behalf of the Commercial Board, and the corporation of Sorel, and county of Richelieu, asking that the Canadian Pacific Railway Company be induced to reconstruct the bridge on the River Yamaska, carried away by the ice last spring, I am instructed to say that the Minister does not see his way to interfere in the matter, as it does not appear that there is anything in the Railway Act which empowers him to compel a railway company to reconstruct a bridge.

Where a complaint is made of a railway bridge being unsafe for traffic to pass over it, instructions are given for an inspection to be made by an engineer in the employ of the department.

I am, Sir,
Your obedient servant,
T. TRUDEAU,
Acting Secretary.

Two days later, on the 24th August, 1892, in reply to the letter which I have just read, I sent the following letter to the hon. Minister of Railways and Canals :—

Sorel, 24th August, 1892.

To the Hon. John Haggart, M.P.,
Minister of Railways and Canals.

Hon. Sir,—I beg to acknowledge receipt of a letter from your department, bearing number 43361, dated 22nd instant, in which I am informed that there is nothing in the Railway Act which empowers the Government, at the request of the corporation and the Board of Commerce of Sorel to interfere in re the rebuilding of the bridge on the Yamaska River, by the Canadian Pacific Railway Company. Allow me to call your attention to the following article published in the paper "Le Monde" of Montreal, in its issue of the 8th instant, and to ask you whether the suggestion contained therein is agreeable to the Government. For my part, as member for the county of Richelieu and the city of Sorel, which is largely interested in the rebuilding of that bridge, and speaking also on behalf of the interested parties, I should like to see the Government adopting the scheme proposed by the "Monde," which only re-echoes the wishes of the parishes concerned in the line of the South Eastern, continuing to be operated by the Canadian Pacific Railway Company. Here is the article :—

"About the year 1870, the Richelieu, Drummond and Arthabaska Railway Company built the railway which now connects Sorel and Acton. Anticipating the profits which would accrue to it from that railroad, the city of Sorel had subscribed for the undertaking the sum of $40,000, which has been paid out to the last cent. The thriving parish of St. Guillaume subscribed a similar amount.

In addition to those $80,000, the road was generously subsidized by the local government.

The South Eastern Company, since that time, bought the road and connected it with their system at Sutton. That road has, meanwhile assumed a considerable importance, by reason of its connections with all the great railway lines in Canada and in the United States.

It connects directly Sorel and the whole district located on the line, with the United States. There is a considerable traffic carried on in hay, bark, and grain, &c.

Eight or ten years ago the wooden bridge built on the Yamaska River, at the village of St. Michel, was carried away by the spring flood. Upon that occasion, the city of Sorel again subscribed $12,000, we believe, in aid of the rebuilding of the bridge. A new wooden bridge was then rebuilt by the South Eastern Company. Two or three years ago the Canadian Pacific Railway Company took possession of the road, as rightful creditor of the South Eastern, and since that time operates the road, as a part of its railway system. It was a guarantee for the public that the service of the road would be done in a regular way. The company caused repairs to be made to the road, where most needed, and offices built at all the different stations. In short, the company has done its utmost to accommodate the public on that part of the road.

Last spring the breaking up of the ice again demolished everything, the piers, the woodwork, the platforms, the superstructure, in short, the whole bridge was demolished and carried away by the ice. And since the month of April the railway is without a bridge at Yamaska. We need hardly add that trade suffers considerably from this gap. It is reported that the Canadian Pacific Railway Company does not want to rebuild the bridge, unless the municipalities of the village and of the parish of Yamaska should contribute at least $38,000 to help in rebuilding it. Therefore, if that large amount were not subscribed, Sorel and St. Guillaume would be deprived of that railway accommodation for which they have drained themselves, in the hopes and with the promises that they would have regular railway accommodation.

The company alleges that as they do not own the road, they have no interest in spending a hundred thousand dollars on the Yamaska bridge. We do not know what are the arrangements entered into between the Canadian Pacific Railway Company and the South Eastern Railway in connection with this road ; but we know perfectly well that the public suffer enormously from the present state of things. It is an urgent case which both Federal and provincial governments should deal with, without any delay. Because there is a dispute between the two companies the public is not bound to wait until the litigation be adjudged upon. And both governments, being trustees for the public, and in the interests of the public, ought rather to have the bridge rebuilt at the public expense. They will always find the means and the opportunity of getting repaid by the interested companies, if necessary. Admittedly, it is not fair for the city of Sorel to be forced again to contribute to a work which has already cost the city $40,000. It is now the turn of the Federal Government. They have done nothing so far for that railroad in that part of the country, and absolutely nothing for the South Eastern Railway. Now, why should they decline granting to that railroad the subsidy of $3,000 a mile which they so freely grant everywhere else ? We are safe in saying that with the federal subsidy, the Canadian Pacific Railway Company would undertake without any delay the rebuilding of that bridge, without asking either Sorel or Yamaska a single cent. The federal exchequer overflows with money, and the Government are quite in position to render that service if they be willing to do so. We could refer to many precedents that warrant the granting of this subsidy. If it were found too expensive to subsidize the whole road, the Government might, without the credit of the Dominion being involved, grant to the Canadian Pacific Railway Company the $38,000 which that company claims from the municipalities of the county of Yamaska. Let the Government make their own terms for that subsidy. They could, for instance, secure the right of way on that bridge for the trains of the Intercolonial, once it will have reached Montreal by the southern shore. We hope that both the Federal and local governments will do all in their power to satisfy the commercial interests of the city of Sorel and of the thriving district through which the South Eastern Railway runs, and that they will see their way to rebuild without any new charges being imposed upon those municipalities, the famous Yamaska bridge, the history of which we have just recited.

The suggestion offered by the " Monde " seems to us so well grounded, that we need offer no further remarks in support of it. I may add, however, that it should be given effect to right away. For, beyond any doubt, neither Sorel nor Yamaska can now, after all the expenditure which they have incurred, be called upon to make any more disbursements. A fair portion of the municipal liabilities of Sorel is represented by the capital and interests sunk twenty years ago in the Richelieu, Drummond and Arthabaska Railway. I repeat then that there is urgent need for the Government to take immediate action, should they come to the conclusion of accepting the suggestion offered by the " Monde," and I fail to see why it should not be accepted, in view of the facts and grounds alleged. It is a question involving the trade interests of the whole population, and more so those of Sorel. Should the Canadian Pacific Railway Company decline to rebuild the bridge on the River Yamaska, Sorel would find itself, next fall, completely isolated and without any means of communication. You are no doubt aware that the road between Montreal and Sorel is closed to traffic and not operated ; hence, in order to communicate with Montreal, the commercial metropolis, we will have to go and take the cars, either north or south-east, several leagues from Sorel. In view of the facts which I have related, the Government cannot but act upon our petition. With the sole public interest in view, I am confident that the Government will act upon the suggestion offered by the " Monde," a proposal which I willingly endorse.

Yours truly,

A. A. BRUNEAU.

While I busied myself communicating with the Government in connection with the subsidy asked for, meetings were held at Sorel, asking the Government for aid and relief. Resolutions were passed and forwarded to Ottawa, and delegations were also sent to the capital. As a matter of fact, from 1892 to 1894, while the question of the subsidy of $50,000 referred to in the present motion was pending, we sent delegation upon delegation to the Government. The Commercial Board of Sorel sent to Ottawa several resolutions, and the president of the board never failed, each year, to call the attention of the Government to the matter.

It being Six o'clock, the Speaker left the Chair.

RETURNS ORDERED.

Copies of all petitions, letters, correspondence or documents of any kind asking the Government to place the steamer " Stanley " on the route between Cape Tormentine, N.B., and Cape Traverse or Summerside, P.E.I., during the present winter.—(Mr. Yeo.)

Copies of all petitions, letters or documents of any nature asking the Government to construct breakwaters at the entrance of the Summerside Harbour, county of Prince, P.E.I. ; also, all reports of engineers and others on said work.—(Mr. Yeo.)

Copies of all applications for fishing licenses at Clearville, West Elgin, Ont., for the season of 1896, and of all correspondence, memoranda and other documents in possession of the Department of Marine and Fisheries in regard to the same.—(Mr. Casey.)

Map showing the borings across the Straits of Northumberland, up to date, and all other documents connected therewith.—(Mr. Perry.)

Copy of mail contracts with the Canadian Pacific Railway from Winnipeg to Pilot Mound, and points west of same.—(Sir Richard Cartwright.)

Statement giving full particulars of the expenditure of $5,000 on Port Stanley Harbour four years ago, including pay-lists, and detailed account of all payments in connection with such expenditure.—(Mr. Casey.)

Copies of all papers and correspondence between E. Adams, formerly inspector of boilers, &c., at Kingston, and now Chairman of Board of Steamboat Inspectors, and the Department of Marine and Fisheries, relative to any complaints by said Adams against T. Donnelly, Hull Inspector at Kingston, or relative to his discharge of the duties of that office.—(Mr. Borden.)

After Recess.

IN COMMITTEE—THIRD READINGS.

Bill (No. 71) to provide for the amalgamation of the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway Company, under the name of "The Bay of Quinté Railway Company.—(Mr. Northrup.)

Bill (No. 72) respecting the Montreal Park and Island Railway Company.—(Mr. Lachapelle.)

Bill (No. 82) respecting the Kingston, Smith's Falls and Ottawa Railway Company. —Mr. Taylor.)

Bill (No. 81) to revive and amend the Act to incorporate the Alberta Irrigation Company.—(Mr. Davis.)

SECOND READING.

Bill (No. 85) to incorporate the Montreal and Province Line Railway Company.—(Mr. Fréchette.)

SUPPLEMENTARY ESTIMATES.

Sir RICHARD CARTWRIGHT. I should be glad if the Minister of Railways, who is present, would communicate with his colleagues and let the House know to-morrow, if possible, when we may expect the Supplementary Estimates for the year ending 30th June, 1896, to be brought down.

IRRIGATION IN THE NORTH-WEST.

Mr. MILLS (Bothwell). I observe that a number of Bills relating to irrigation are before Parliament, several of which are intended to tie up the use of the water of streams in the North-west Territories in the interest of particular companies for a series of years. I have received many letters of complaint and also several newspapers, with articles marked, in which it is pointed out that serious detriment will result if the control of these waters is handed over to different companies. It seems to me that this is a matter of great consequence, that in fact it is one of the most important matters connected with the settlement of the North-west, and that the Government should have some policy in regard to it. I should like to know whether these Bills has attracted the attention of the Government and whether the Government have decided on any policy with respect to them, because to permit the waters of the North-west, the few rivers coming down from the Rocky Mountains, to be locked up in the hands of private companies for a term of years would be very injurious to the agricultural interests of the country.

Mr. HAGGART. I will draw the attention of the Minister of the Interior to the subject, and no doubt he will reply to the hon. gentleman to-morrow. My hon. friend has a policy on the subject, and I think he has introduced a Bill with respect to irrigation.

Mr. MILLS (Bothwell). Some Bills have expired and are being renewed.

Mr. HAGGART. One has expired and has been renewed.

LABOURERS ON PUBLIC WORKS.

House resolved itself into committee on Bill (No. 4) respecting the liability of Her Majesty and public companies for labour used in the construction of public works.—(Mr. McLennan.)

(In the Committee.)

On section 1,

Mr. OUIMET. I suggest that the period allowed for the filing of claims be one month instead of three months. I do not think it would be very inconvenient to the labourers interested, whereas it would be a great advantage to the contractors. The section as at present drawn might have the effect of compelling a contractor to keep three months' wages in hand. I am informed by my department that the Bill would be much more workable if this change were made, and while it would prove of great advantage to contractors, it would help the department to expedite matters.

Mr. McLENNAN. When the Bill came before the Special Committee it was intended that two months should replace three months. Two months should be inserted, because men may commence work towards the end of the month and would not get paid until the 15th of the following month; in other words, they might be employed six weeks before they would know what was due to them or whether they were going to get paid at all. I think the Minister will see the necessity of having the time placed at two months.

Mr. OUIMET. Two months are certainly better than three months.

On section 6,

Mr. MASSON. I may mention that the words of the amendment added to this section are taken from the New York statute, of which the section as now amended is almost a copy. The first addition is that requiring particulars of the notice to be given. The second provides for notice being followed by action.

Bill reported, and read the third time and passed.

DETECTIVE CORPORATIONS AND MERCANTILE AGENCIES.

House resumed adjourned debate on the proposed motion of Mr. Sproule for secondond reading of Bill (No. 11) respecting detective corporations and mercantile agencies.

Mr. TISDALE. I do not think it would be very desirable for this House to adopt the principle of this Bill. Detective associations and mercantile agencies are matters that should be largely left to regulate themselves, and I do not see why we should take the responsibility of authorizing or endorsing them. Such legislation would serve no useful end. So far as mercantile agencies are concerned, it would be very difficult to put them in any legislative position that would make them any more or less reliable than they are now. Business men and others use them now according to their own discretion ; but the instant you recognize them by any legislative Act of this Parliament, you would rather aggravate any evils connected with them, if there be any. It seems to me that these associations are largely in the line of inquiries that business men make either in that way or in some other, and they should be left to be dealt with by the public entirely. If we were to attempt to regulate them, we would be to that extent giving them our sanction. Nor have we the information we require to enable us to pass such legislation as would be desirable, if we determined to legislate at all. If any representations had been made to us by the commercial community regarding these associations, we should first appoint a committee to gather the information necessary to enable us to legislate with a full knowledge of all the facts, and such information it cannot be said that we are now possessed of. The same argument may be applied to detective associations. Some people may think they are useful. My own opinion is that they are useful for the different purposes of the administration of justice, and should be controlled by the provinces or by the Dominion for secret purposes in connection with the administration of justice. Beyond that I do not think they are useful or desirable or particularly prejudicial, and I should be inclined to let the people go on utilizing them as they see fit. We have many more weighty subjects to consider, there are some on this Order paper, with which we could much better occupy our time than with this measure.

Mr. MASSON. No doubt the hon. gentleman who has introduced the Bill deserved great credit for attempting in some way to regulate these two classes of persons largely employed by the commercial classes, and to whom the public attribute, rightly or wrongly, many acts of injustice, if not of direct wrong-doing. However, before entering into the details of this measure, it would be well to consider whether it is within our jurisdiction, and whether, if it be, its provisions are such as should meet with our approval. As to detective associations, the Bill virtually provides that any number of persons who associate themselves together and file a declaration with the Secretary of State should have the sanction of this Parliament as a society for the purpose of doing this particular business. If we are going to undertake the control of detective agencies, we should take greater control than that. It certainly gives a sanction to any body of men who can get together and sign a certificate or declaration and file it with the Secretary of State. I do not wish to be understood as saying that they become directly incorporated, but they secure a quasi incorporation and are recognized as a society for the purpose of carrying on a certain business, that of detectives. It further provides that these persons shall have certain powers. But first a certain form of oath is prescribed. If there is to be any limit put upon these people it should be made more definite. The provision is that they should take an oath that they will discharge the duty of a detective. Well, my experience as a lawyer has not enabled me to find out what the duties of a detective are. These people can make a declaration that they will perform the duty of a detective and they are left as much law unto themselves as they are now. I point this out, not by way of discussing the details of the Bill but to show what the Bill covers. Next arises a difficulty as to the powers granted these people. Having granted them incorporation, how can we define or limit their powers ? In giving them general powers, have we any authority to limit them without having them under our control as corporations ? I think it is very doubtful. The same thing is true with regard to the other clauses relating to mercantile agencies. It is a common thing in the commercial world for an outcry to be raised about commercial agencies and the evil they do. And it is said occasionally that some person is ruined by the reports of these agencies. That these reports furnished by commercial agencies are not in all cases reliable is well known, but that they are of advantage to the commercial world, generally, must be recognized because of the fact that nearly every person in the wholesale or manufacturing line makes use of the information they supply. That they are not perfect is certainly to be admitted. It is true that hardships arise and that occasionally a man is ruined in business, it may be through information furnished by some irresponsible agent acting from spite or ill-will or jealousy. But the question arises, can any legislation that we can possibly enact prevent that state of things existing ? Can we remove that great and, it may be, growing evil. I do not think that anything in this Act will succeed in doing it. I would like to hear from the promoter of the Bill how he expects these various provisions to work out before I give my support to these clauses with respect to commercial agencies. The general tenor of the Bill, if it is within the powers of this Parliament to control these institutions, I regard as good, but the details, I think, are in many cases defective. One provision is that detective agencies shall deposit a bond of $10,000. This would certainly be a guarantee of stability and it would be an asset that could be got at. I would like to hear the promoter of the Bill explain how it would work out before going into details.

Mr. SPROULE. As I gave some lengthened explanations——

Mr. SPEAKER. The hon. member has already spoken.

Mr. McCARTHY. I move the adjournment of the debate.

Mr. SPROULE. As I gave a somewhat lengthy explanation when the Bill came up for consideration before, I do not propose to go over the general ground, but merely to refer to some objections that have been raised. The hon. member for Norfolk (Mr. Tisdale) said that these agencies should be left to regulate themselves. He might say the same with regard to every line of business and it would apply with equal propriety. If you allow people to do things according to their own will, they may injure the trade of the country, or they may injure individuals, unless there is a law to regulate them. As these agencies are now, there is no means of punishing them except under the common law of the country. It is said also, that people can use these agencies or not as they please. Mr. Speaker, I would remind the House that that is not the fact. If you are in business life your name appears in the book issued by the commercial agency without asking your consent. The reports may be to your detriment, or they may be to your benefit, but they very often contain wholly inaccurate information which may result in great detriment to you. The hon. gentleman suggested that in attempting to cure the evil we might only aggravate it. If you put these detective agencies under a bond of $10,000 as this Bill proposes and compel the parties responsible to take an oath that they will faithfully discharge their duties, it can hardly result in aggravating the evil. I have a letter here sent by one detective agency, the Grose detective agency, in Montreal, and I will read one clause of it to show that they regard this Bill as a very desirable one:

> I may state that I was much pleased to see that such a measure was about to be introduced. The reason is that there is hardly a month that I do not read or hear of some underhand blackmailing scheme that has been carried on by some irresponsible party who may be styling himself a private detective.

He goes on to say that it is very necessary that these agencies should be put under the restraint of law, because, from time to time, it has been brought to his notice that grievous evils have been perpetrated under the name of a private detective agency, and, where there is really no law to control that agency. The hon. member for South Norfolk (Mr. Tisdale) says, if there was any demand for such a law, that we should have it. Now, I may tell him that there are many demands for it. Since I introduced this Bill a few years ago, I have had letters, I think I may safely say, between one and two hundred letters from merchants in different parts of the country, wholesale and retail, traders and other, who complain of the liberties which mercantile agencies take with them to-day, in using their name and establishing for them a credit, or giving them no credit at all, destroying their credit, destroying their reputation, destroying their business, and, as they claim, upon incorrect information. But, when I wrote back to those parties, asking them to allow me to use their names or their letters in this House, what was the result? In every single instance, and I have written, I may safely say, to dozens of them, they invariably say: No, it would be the ruin of me, if you did, because, as soon as it became known that I, as a business man, was attacking this agency, I would have no chance to maintain my credit in the country after that; in other words, if they knew that I was endeavouring to bring them under the restraint of law, they would destroy my business reputation and credit before the country. Is that not strong evidence that the people of the country, especially the business men, want such agencies brought under the control of law? But they are afraid, they are so tyrannized over by these agencies, that they are afraid to let their names be used in this House. I may say that I have dozens of letters in the same line, and in every instance where I wrote to the parties, asking them to allow me to use their names, they would not allow me to do so, for the reason I have given. Now, we see in different parts of the country failures that take place, where men are reputed to be worth a great deal of money, but their assets turn out to be, perhaps, not more than 5 or 10 cents on the dollar. When you come to inquire into that, what is the result? You find there is either some collusion between the agency and the individual, or the information given upon which the rating is based, is very incorrect and very unreliable. Now, I cite one instance that was brought to my notice soon after I introduced this Bill before. Away up in West Toronto, there was a concern that was rated by one of the mercantile agencies as perfectly good. I think it was by the Bradstreet agency. Several wholesale men were selling to that firm and sending their travellers around, and one traveller told me he sold to that firm upon the strength of the rating that he found in the agency's book, believing it to be perfectly good. Shortly afterwards, that firm broke down, and they found, upon inquiry, that it was virtually worth little or nothing at all. There were comparatively no assets to divide amongst the creditors, although it was reputed to be financially sound, and in good standing, and to have a reasonable amount of capital to carry on the business.

Mr. CAMPBELL. What is the name of the firm ?

Mr. SPROULE. I forget the name of the firm, but I think it was Hamilton. At any rate, inquiry was prosecuted further, and it was found that one of the members of that firm was the agent who was reporting to the Bradstreet Agency in giving that firm a rating, that it was really one of the stockholders of the firm who gave the information upon which it rating, normally high, was struck, a rating by which people who sold to that firm lost their money, because, I am told, they did not pay more than 5 or 10 cents on the dollar. I give that illustration of the evil these agencies work in a business community. Now, the hon. member for North Grey (Mr. Masson) contends that this Bill does not control these agencies at all. Well, those members of the legal profession to whom I have shown it, and who have gone over it, tell me that it controls them fairly well. The Law Clerk, who drew this Bill, says that, in his opinion, it is a suitable Bill, and one that will control them fairly well. The hon. member for North Grey asked : Have we the right to pass such a law in this House ? I can only say that the legal authorities whom I have consulted, including the Law Clerk, say we have the right, and that it is within the province of this Parliament to pass such a law. Before having the Bill drawn, I had that question gone into fully so as to ascertain if we had the power to pass this law. The hon. member for North Grey says the declaration should be more definite. I admit it should be, and perhaps it is not definite enough, but that is only a matter of detail that we can regulate when the House goes into committee on the Bill, and when we are considering that clause which refers to the declaration. Mercantile agencies are of great value, says the hon. member, and, therefore, we should not interfere with them. Well, we admit that they are of great value, and we do not want to destroy their value to the country, but we want to bring them under some control, so as to make them more valuable, and to give more correct information to the country. Now, the hon. member for North Grey says that he would like to hear from the promoter of this Bill, how he expects it will be instrumental in accomplishing this object. I may give him one way. The Bill provides that a schedule must be left with every business man in the country once a year, for him to fill up, giving his financial standing and a statement of his business, his worth, according to his own estimate, with the lines of business in which he is engaged, the amount of money that he believes himself to be worth, and information on any other point that may be considered requisite in the interest of the business community. Now, at the present time, these agencies are giving no such information as that. I am told very lately that they do apply to business men for this information, but it must be only lately, because I know that a few years ago they did not apply. But we want to make it compulsory upon them to lay such a schedule at least once a year before every business man, and then he has an opportunity of which I am sure he will avail himself of. Rather than allow incorrect information to be given that might be used to his detriment in the future. It is not compulsory on the business man to fill up this schedule, it is not compulsory on him to give the information, but, in the event of his refusing to do so, the mercantile agency is at liberty to accept the next best information it can get, and upon that basins strike a rating of the man they are dealing with. But I claim they have no right to give any man a financial standing without first giving him an opportunity to make a statement himself with regard to his business, with the ramifications of his business, the amount of capital he has in it, what he considers himself worth, and what line of business he is carrying on. I admit that he may overrate himself, but the commercial agencies may set whatever value they like for the individual's statement. They are not bound to accept his own rating, but they may get what other information they can, and then endeavour to strike a rating on that data. But I say that there is this advantage in that provision, that it gives the business man an opportunity of making a statement in regard to his own business ; and who is better able to make it than the man himself, who knows his own business and all its ramifications ? It is fair to do that, and unfair to do it without that information, because, I must say, that the information is usually very unreliable. The Bill compels these agents to go around once a year. I am told that they now go around once a year, and that in some places, they go around even four times a year. It may be so in the large cities and towns, but the custom must have changed during recent years, for, as one who reported for these agencies during twenty years, I know the original practice was to go around once in three years only. These agencies depend largely on reports made by people who may live five, ten, or fifteen miles distant from the individual in regard to whose standing they make a report, who know little or nothing about his business operations or financial standing, and yet these agencies depend upon such information to furnish data for his business rating. This is very unfair to business men. No one has a right to take another man's name and give a financial rating without that man's authority; but, if for the convenience of the commercial community and banking institutions, this practice is allowed, the agencies are in duty bound to obtain the very best information before they give a man a rating, which may be based upon incorrect information, and which may destroy his chances for a lifetime; or, on the other hand, mislead people into giving him credit. This Bill proposes to regulate these matters. There is a penalty clause; there is a clause which provides that these mercantile and detective agencies shall keep everything secret; that any money or other valuable article, or articles, in their possession must be handed over to the proper parties; they must renew their sureties once every five years; when a new member is brought into the agency, he must give security by having a bond filed by two responsible parties for the conduct of the business on the lines laid down by this Bill. There are clauses for letters patent of incorporation; there is a penalty for carrying on business without authorization; that no person shall carry on the business either of a detective agency or a mercantile agency, without being incorporated. When a company is incorporated, it comes under the control of the law, and there are certain restraints attached, and there is a remedy, if any injustice is done by these agencies. The Bill also gives power to examine the books from time to time, and there are penalties provided for false declarations. Perhaps this Bill, in the opinion of some hon. members, does not go far enough, but I ask its second reading, and, when the committee stage is reached, hon. members can endeavour to improve it, either by curtailing or extending the powers given, so as to make the measure as perfect as possible. I believe a Bill of this character is very much needed. I know there is great power brought to bear on this House, from certain quarters, to prevent a Bill of this kind being passed into law. Efforts have been made in the United States to bring such corporations under the influence of the law, but this has not yet been effected, owing to the influence possessed by these corporations. I need not mention the influence that is brought to bear, but I may say that these agencies every year set aside a portion of their earnings for the purpose of fighting Bills introduced for the objects of this one in the United States I believe in Canada, and they use this money in various ways. It is not for me to say in what ways; there are some ways I know of, but there are many other ways besides. Again, some men who otherwise would desire to support such a law, are intimidated, for merchants and financial men are afraid that their standing may be affected. In other instances, men are told that we are seeking to destroy an agency useful for business. This Bill is not for the purpose of destroying such agencies but for the purpose of placing them on a proper footing. I, therefore, ask that the Bill be read the second time, and that hon. members will endeavour to perfect it in Committee of the Whole.

Mr. IVES. Has the hon. gentleman received any petitions from the mercantile community in favour of the passage of this Bill, and, if so, from what body, from what boards of trade or other bodies?

Mr. SPROULE. I have received no petitions, but I have received a great many private letters, in which several of the persons state that they could get up very large petitions in favour of the Bill, but they dare not do so. This is owing to these agencies controlling the financial rating of individuals. I believe the Board of Trade of Montreal, two years ago, passed a resolution in favour of this Bill. The Board of Trade of Toronto have had it before them, but—I do not know whether it was the influence of Bradstreet Agency or not, I was told it was—the board passed a resolution against the Bill. That is my information, at all events. I have clippings from several papers, endorsing the Bill, the "Shareholder" among others, but I need not take up the time of the House by reading them. Except for the fact that these agencies have such perfect control over merchants, I could get extensively-signed petitions to present to the House in favour of the Bill.

Mr. COCKBURN. No doubt, the hon. member for East Grey (Mr. Sproule) would be able to get up petitions in favour of the Bill of sufficient length to extend from here down to the Langevin Block; but petitions of that kind are of no value whatever. I regret I was unaware that this Bill was to come up this evening, and I have not had time to devote to considering the relief which it seeks to give. There is no doubt of the good intention of the hon. memebr for Grey in introducing a Bill of this kind, but he has been led away by the woeful accounts given by men who consider that their prospects have been blasted. I must, however, at once come to the statement made by the hon. gentleman, that the Board of Trade of Toronto was so influenced by Bradstreet, or any other agency, as to decline to petition in favour of the Bill. The Board of Trade of Toronto is composed of men of such standing that they could not be influenced by any insinuation as to their personal character and standing made by Bradstreet or any other agency. I take it that mercantile agencies are as defined by my hon. friend (Mr. Sproule) in this Bill:

> Establishments which make a business of collecting information relating to the credit, character, responsibility and reputation of merchants or others, for the purpose of furnishing the information to subscribers.

I think, Sir, that if I wish to purchase any information of this kind, I have a right to go to the source I consider best, and that this House has no right to control me in the matter. I find it stated in the Bill, that instead of the information given being left to the judgment of the principal officers of such institutions, it is to be devised somewhat after the following scheme :—

14. Schedules shall be prepared by or under the direction of the manager or principal officer of the mercantile agencies incorporated under the provisions of this Act, for the purpose of being filled up by or on behalf of the several persons, companies or corporations, whose property, profits and gains, and whose credit, character, responsibility and reputation, it is advisable to note or publish in the books of the agency. Such schedules shall include and state particulars of the names, sex, rank, profession, occupation or condition, to be required of the persons to be included in such books. The schedules shall among other information include returns of property in any lands, tenements or hereditaments in Canada ; and for and in respect of every annuity, pension or stipend payable by Her Majesty or out of the public revenue of Canada and for and in respect of all interest of money, annuities, dividends and shares of annuities payable by any person or persons, bodies politic or corporate, companies or societies whether corporate or not corporate ; and for and in respect of the annual profits or gains arising or accruing from any kind of property whatever, whether situate in Canada or elsewhere, or from any annuities, allowances or stipends, or from any profession, trade or vocation, whether the same shall be respectively exercised in Canada or elsewhere, such particulars, information and returns to be calculated to the night of a certain fixed day in every year, most suitable for the purposes of the agency ; and the managers or principal officers shall in the course of the week ending on the said fixed day leave or cause to be left one or more of the schedules upon the persons aforementioned.

This is a pretty deep Bill for a man to fill, and I fear very much that the result of it would be, that men of the highest standing would refuse to give such information. The information that a wholesale merchant wants, in selling goods to another, is not exactly the information required here.

Mr. SPROULE. I believe the hon. gentleman (Mr. Cockburn) is interested in a bank. If a man went to his bank to open an account, would not the bank require information about him ?

Mr. COCKBURN. The bank would require information similar to this, but it would deal with other considerations of a different character altogether. It would look to the character of the man, perhaps, and to the characters of members of his family.

Mr. SPROULE. Why should he not give the information to an agency if he would have to give it to a bank ?

Mr. COCKBURN. The bank gets its own information, and this information provided for here, is only subsidiary information. There are a thousand very important questions to be asked, which are not provided for here at all.

Mr. SPROULE. This does not hinder you giving any information you like.

Mr. COCKBURN. I do not say it does, but you are attempting to interfere in a business with which you have nothing to do, and with

which this Parliament has nothing to do. You might as well regulate a bakery or a shoemaking establishment. The Government has no right to undertake this business at all.

Mr. SPROULE. What right has an agent to destroy your credit, reputation, or character ?

Mr. MILLS (Annapolis). You have an action against him.

Mr. COCKBURN. I deny that the agency has any right to do that, but I would ask the hon. gentleman (Mr. Sproule), what right he had to make the insinuation that a corruption fund was provided by the commercial agencies to prevent the passing of this Bill ?

Mr. SPROULE. I will answer the hon. gentleman. When Dun. Wiman was under oath, at the trial that took place, he showed that $500,000—I give that sum from memory —out of the proceeds of these agencies was provided for the purpose of fighting such Bills as this. That is my information.

Mr. FOSTER. Have you any information that any of it came to this House ?

Mr. SPROULE. I did not say it came to this House. I was not speaking about this House.

Mr. COCKBURN. Our friend provides in this Bill for making inquiries once a year. Why, a mercantile agency gets its information every day, and amends and corrects its information accordingly. There are a thousand other considerations which are to be taken into account in addition to these mentioned in the Bill, and if the Government are going to license such institutions, the Government, ipso facto, assumes a responsibility in this matter which I do not think it is prepared to assume. If the Government puts its imprimatur upon certain institutions that pay a fee, it will say, in effect, that their information is valuable, and that the information provided by other concerns is not valuable. That is a serious matter. I prefer to put a matter like this on the basis of free trade, pure and simple.

Some hon. MEMBERS. Hear, hear.

Mr. COCKBURN. Yes, free trade as it is in England.

Sir RICHARD CARTWRIGHT. How long will you stick to that excellent doctrine?

Mr. COCKBURN. As to these agencies controlling the financial standing of merchants, I think my hon. friend (Mr. Sproule), in his zeal, has overrated their powers. They do not control the financial standing of merchants. The financial standing of a man is gathered in a thousand ways, and it is not an uncommon thing to find the financial standing of a person better known in his neighbourhood, than he knows it himself. Then, again, I may mention that one of the wealthiest men in Canada, who died the other day, had not a dollar, almost, in the country. He was rated at $2,000,000 or more, but the assets which gave him that rating were elsewhere. It would be very hard to estimate the rating of the late Mr. Massey, from such information as is asked here.

Mr. SPROULE. He would have his rating in the United States, where he had property, as well as in Canada.

Mr. COCKBURN. Possibly, but if the agencies in the United States were not under the control you want to place them under, they would be very unreliable, according to your contention. It is impossible for us to control the agencies in the United States and Great Britain. Now, as to the blackmailing spoken of, I must say, I am thoroughly unacquainted with it. There may have been some blackmailing practised, but, so far as I know, it has never assumed such proportions that we should go out of our way in this House to enact a special law on the subject. I think that the character of the men engaged in this business is such that they feel the responsibilities placed upon them. If I am not mistaken, my hon. friend (Mr. Sproule) was himself, at one time, the agent of a commercial agency, and I am sure there is no man in this House in whose word and honour I would place higher reliance than I would in the word and honour of the member for East Grey (Mr. Sproule). My friend was connected with a commercial agency, and I would take his rating as correct, to the best of his ability. He might be misled, but I have no doubt he would be unconsciously misled, just as a person might be who fills out this schedule and who will think that his real estate was worth a hundred thousand dollars, whereas, if it were sold three or four months afterwards it would not be worth $20,000. My friend, as the accredited agent of a respectable agency, would have rated such a man high, but he would have been mistaken. I mention that merely to illustrate how difficult it is to get at the standing of a commercial man. When we find a man of the high standing of our hon. friend, who has been the accredited agent of a commercial agency, wishing to put these men under a special law. I may say, that I believe that if he himself had been under such a law, his judgment would not be more accurate, nor his honesty greater. We are proud of the hon. gentleman (Mr. Sproule) as a citizen, and we trust that every agent of a commercial agency evinces in his conduct in life the same high principles which have characterized the member for East Grey (Mr. Sproule). I think, under the circumstances, that it would be better for us to let this Bill drop.

Mr. COATSWORTH. With regard to the first part of this Bill, that referring to detective associations, I have not had any experience with them, and cannot say much about them. I have had occasion, as a matter of business, sometimes to employ private detectives, and I must say that my experience with them has been fairly satisfactory. I have had a good deal to do in a business way with mercantile agencies for the last fifteen or twenty years, and I sympathize to some extent with the motives and the object of the hon. member who is promoting this Bill. I sympathize also to a great extent with the sentiments expressed by my hon. friend from Centre Toronto (Mr. Cockburn). I am sure that the one great object which commercial agencies themselves desire to attain is a perfectly accurate estimate of the standing of every merchant whose name is on their books. No doubt, as my hon. friend says, the information they get is not always as accurate as it might be, owing to various circumstances over which possibly they have not full control. The information given to them may not be complete; the commercial standing of a man may be exaggerated or it may be underrated. In my experience, the rule is rather to overestimate than to underestimate the standing of a merchant who is reported upon. This is a difficulty which I am sure the commercial agencies feel just as much as my hon. friend who is promoting this Bill; and they would be much obliged to any one who could devise a plan by which they could ascertain the exact standing of those upon whom they report. But it does appear to me that without further consideration we are not in a position to deal with the matter in the way proposed by the present Bill. The substance of the Bill is to be found in the 14th section, which my hon. friend from Centre Toronto has criticised; and I am inclined to agree to some extent with his criticism. This section provides that schedules shall be prepared by the mercantile agencies and sent to every person doing business, for the purpose of being filled up and sent back to the agency. In the first place, there is no obligation imposed upon any one to fill up these schedules; and we may be sure, from our experience and from the experience of the agencies themselves, that people will not fill them up, or at all events will not fill them up accurately. The next clause makes provision for the collection of these schedules by the agents, and for their supplementing them with the best information they can obtain. That practically leaves the agencies in the same position that they are in at present. It provides that even after the schedules have been filled up by the person seeking credit and have been reported to the commercial agency, it has still to go round and obtain information from other sources, and rate the person asking credit accordingly. That leaves the agencies with exactly the same system that they have at present. That is, speaking generally, the information will not be furnished by the person whom the agencies want to rate in their books. When we consider the enormous expense to which this Bill would put these agencies in preparing the schedules, sending them to all the business men in the country, collecting them afterwards, and then causing their agents to report upon them, I feel that there is no corresponding benefit derived to justify us in adopting it. I believe that not one-half or even one-fourth of the schedules would be returned filled up and in many cases they would be found inaccurately filled up. Many persons would expect to receive a rating to which they would not be entitled. I would be quite satisfied, as I am sure the commercial agencies would be themselves, to support any scheme that would enable them to get perfectly accurate information. That is what they themselves want to obtain. While it may be that some agents of the associations do not furnish accurate information, I am sure that it is not the general rule. I do not think, however, that this Bill improves matters. While it imposes on the associations extra expense and trouble, I do not think it would give us anything better than we have at present. While I agree with my hon. friend that we ought to help the associations to get accurate information, we do not need to force them to do so. I am sure that they would be better satisfied than any one else if any improvement could be devised. Suppose we put them in such a position that the information furnished to them would be so accurate as to be beyond question, what would be the result ? We would relieve them at once of liability to actions against them. We would relieve them at once of the anxiety they must continually feel with regard to the rating of persons concerning whom there may be any doubt. We would solve all their difficulties and perplexities, and put them in a position of freedom from worry which they have never yet enjoyed. With all deference to my hon. friend, who has given this matter a good deal of thought, and who knows something of the internal working of these agencies, I do not think he has struck at the foot of the difficulty yet. If we are going to put the imprimatur of this Parliament on the Bill, the commercial agencies will be able to go to the country and say : Here we are authorized by the Dominion Parliament ; and we are following out the scheme they have made law. That would give them a standing and character they have not now. We are well aware of the use to which these agencies are put. We are well aware that the only persons affected by them are the persons who are seeking credit. Now, mercantile agencies are not the only sources merchants have for the obtaining of information. In the first place, the travellers who go throughout the country selling goods report on the standing of every man to whom they make a sale and who desires credit. Then, the merchants obtain reports from the commercial agencies as a check upon the reports of their travellers. They therefore do not rely altogether on the reports of the commerical agencies ; and I am bound to say, from my experience, that these agencies endeavour to report as accurately as possible. In the course of my business, I have had to report upon the standing of persons who have been rated by these agencies, and have sometimes had to report adversely to the ratings of these agencies, but none the less do they endeavour to give the best possible information. Therefore, I feel the object of any legislation on our part ought to be, not to hamper them with restrictions, but to aid them in such a way as to enable them to get the most accurate information. No one will doubt that these associations have become almost a business necessity. There is no merchant doing a large business who does not rely more or less upon them, and who is not anxious to have them continued. Were it otherwise, they would not continue to subscribe to them. If they did not find the information these agencies give reasonably accurate, they would not continue to subscribe to them. I must say that while I sympathize with the object my hon. friend has in view, which, I believe, is to place these agencies in such a position that their information can be relied upon, not only in the interests of the merchant, but in the interests of the small dealers throughout the country, I fear that clauses 14 and 15 would impose on them a great many restrictions and conditions, and a great deal of expense to which they are not subject at present, and they would still have practically to give the same reports that they do now. I think that the hon. gentleman should let his Bill stand until next session, and see whether he cannot perfect his scheme in such a way as to make it complete and practicable. It seems to me to be very crude at present. The object he desires to gain is certainly a laudable one, but we must be careful to protect all interests, including those of the agencies, who are, to the best of their ability, carrying on a legitimate business, and endeavouring to supply accurate information.

Mr. SPROULE. The Bill could be perfected when we go into Committee of the Whole.

Mr. COATSWORTH. I should be glad to help to perfect it, but I do not see my way clear to arrive at any scheme which would attain the object the hon. gentleman desires. If we can get at any plan by which we can enable these agencies to give more accurate reports, then I should be very glad to give such a measure my support. But how are you going to devise such a plan ? If I understand the matter rightly, one of the first things these agencies do is to go to the man on whose standing they desire to report, and obtain from him a statement of his business, of his capital, his financial standing and everything pertaining to his business, and then check that by inquiries from outside sources ; and while in solitary instances they may be deceived, as a general rule they endeavour to arrive at what is right. And it is their interest to do so. If the hon. gentleman is in a position to show that the mercantile agencies are making capital for themselves by placing any man's rating on their books otherwise than it actually is, that would be something for us to legislate upon; but the great object they have to accomplish is to get the man's exact standing, and the nearer they can arrive at that, the more satisfactory will be their work to their subscribers. Now, after the consideration I have been able to give this Bill, I do not think it will accomplish its object. And I do now not see exactly how we are going to accomplish it. My hon. friend has pointed out instances where injustice has been done, but I must say, so far as my experience of Toronto goes, such instances are very few.

Mr. MACDOWALL. The hon. member for Centre Toronto considers that this House has no right to control such agencies. I presume that if this House has right to control other commercial enterprises, and some of the greatest we have, there can be no possible objection to its controlling such agencies as these.

Mr. MASSON. What enterprises do we control—banking?

Mr. MACDOWALL. Yes.

Mr. MASSON. That is specially provided for.

Mr. MACDOWALL. The hon. member for East Grey (Mr. Sproule) desires to specially provide for this too, and that is an answer to the question. I feel some sympathy for the motives of the hon. member for Grey in bringing forward this Bill. At the same time I cannot disguise from myself that the subject presents a great many difficulties. We know that, as a rule, when these companies give a statement of the standing of any commercial firm they apply to that firm for a statement and it very frequently happens that no statement is furnished them. In that case they try to make up a statement of their own, and possibly they may do injustice to many of the smaller traders. There may be also a temptation to belittle the small traders. It is not sufficient that the small traders' credit should be kept up with the banks, for they do not do business with the banks only, but very frequently with the wholesale houses. If they are far removed from the wholesale houses, the wholesale people naturally apply to the commercial agencies for information. I quite agree with the hon. member for East Grey that the information is very frequently inaccurate. And I think that any one who has had experience of these agencies must realize that that is the case. Those who have visited the large centres in the United States will probably know that the business men in such places regard the reports of Dun, Wiman, and Bradstreet in regard to the commercial standing of firms in those large cities as unreliable. If you desire to know the standing of any firms there you generally get far more reliable information from private sources than from the commercial agencies. Sir, the hon. member for East Grey rather astonished me by saying that a corruption fund had been furnished by the commercial agenies to oppose any such Bills as this. I would like to ask the hon. gentleman whether he has received petitions or letters from the mercantile agencies in opposition to this Bill?

Mr. SPROULE. No.

Mr. MACDOWALL. That shows that the commercial agencies themselves do not seem to take much stock in the Bill. As regards the corruption fund, I am glad to say there does not appear to be any attempt to apply it in this House. I remember that last week the hon. member for North Simcoe (Mr. McCarthy), and the hon. member for South Oxford (Sir Richard Cartwright) made remarks which seemed to imply that the hon. members in this House were in the habit of eating dirt. I take the opportunity to congratulate the hon. leader of the Opposition and the phalanx back of him, excepting the noble seven who did not back him, on the fact that there is no sign, so far as this Bill is concerned, of members of the House having been corrupted in any way from this fund. I think perhaps if this Bill were remodelled it might be a good idea. It would be rather difficult to frame a statute that would absolutely control such associations as this, but I think there would be no harm in compelling them to register, and, perhaps, put up such bonds as the hon. mover has prescribed, and, at the same time, impose severe penalties on these commercial agencies for any wrong done by them to those upon whose business standing they report. The remarks of my hon. friend from East Toronto (Mr. Coatsworth), I think, were very wise and very apposite. I quite agree with him that if we could devise a scheme to furnish accurate information to these companies, we should attain all that we desire, but I must confess that I think it quite beyond the power of this House to devise such a scheme. In the old country they have what they call commercial associations. Any one desiring to find out the standing of any person with whom he is about to do business applies to one of these commercial associations, pays a fee, and the association furnishes such information as it possesses or as it can obtain. But the person so obtaining the information takes it for what it is worth and no more. I appreciate, however, the distinction which the hon. member for East Grey makes between such commercial agencies as Dun, Wiman's and Bradstreet's and these commercial associations in the old country, because Dun, Wiman and Bradstreet's are supposed to have such a very high standing that anything they say is presumed to be accurate. That, I think, is the very great danger, and therefore I should be very glad, for my part, to assist the hon. member, so far as lies in my power, to improve the facilities for keeping control over these mercantile agencies. I do not think it would do any harm to have this Bill go into committee. It might not pass its third reading, but even so, a great deal of work can be done while the Bill is in committee, work which will be made very useful should this Bill come up in the first session of the next Parliament.

Mr. CAMPBELL. After the general expression of opinion on this Bill, I think it would be well for the hon. member who is promoting it to withdraw it. I quite agree with the hon. member for Centre Toronto (Mr. Cockburn), that this is a matter we have no business with at all. The management and control of mercantile agencies is, in my opinion, beyond the proper authority of this House. These are purely business organizations. In this country there is so much credit given that the reports of the mercantile agency are an absolute necessity ; you cannot get along without them. Now, there are two principal companies in Canada, R. G. Dun & Co. and Bradstreet's, who furnish very valuable reports to their subscribers. They issue four books a year. Every three months a new book is issued, and for every new book there must necessarily be an investigation of the firms doing business, so that the necessary corrections may be given and all the best information that can be obtained up to date. Now, the value of these reports depends upon their accuracy. If they are not accurate they are no good, and people will not buy them. People do not subscribe for a thing which is no good, and the fact that these reports are subscribed for by nearly every business man in the Dominion is sufficient evidence that they are accurate and reliable. Of course, it is utterly impossible, in any case, to estimate exactly what a man is worth, but these estimates are made as near as possible, and I repeat that reports are as accurate as they well can be made. I think it is all nonsense to say that these agencies oppress men and give wrong and inaccurate reports. It is against their interest to do so. They have only one object, and that is to make their reports valuable to their subscribers, and that they can only do by giving accurate reports, as far as possible. The hon. member quoted a case in West Toronto, the name he gave, I think, being Hammond. I know of no such firm. I have no doubt, however, that in some cases these commercial agencies do give very erroneous reports of firms upon which they report. But are you going to provide against that by this Bill ? Not by any means. This Bill does not provide a remedy for such a case. If these schedules that are referred to are sent out, ninety-nine out of a hundred people would pay no attention to them, and would not fill them up, and so the commercial agency would have to do as they do now—get the best information they could. The question is one, in my opinion, that the House should not deal with. The Bill should be withdrawn, or, if it is pressed, it should be rejected.

Mr. McGILLIVRAY. When speaking before in support of the Bill moved by the hon. member for East Grey (Mr. Sproule), I gave expression to my opinions as to the requirements of such a Bill ; and on that occasion I also heard the hon. member for Kent (Mr. Campbell) give expressions to exactly the same views as he has expressd to-night.

Mr. CAMPBELL. I have not changed at all.

Mr. McGILLIVRAY. I think some hon. members misconceive the idea of the promoter of this Bill. I think he has made it clear to this House that at least the principle of the Bill is a good one. The hon. member for Centre Toronto (Mr. Cockburn) and the hon. member for Kent, I can well understand, would speak kindly of associations such as these. We know that banks are largely indebted to organizations of this kind, and we know that wholesale dealers, such as the hon. member for Kent, rely very largely upon such reports. Hon. members have spoken to-night of two well known organizations in this country, Bradstreet's and R. G. Dun's. Now, these are not the only organizations doing business in this country. I presume there are at least a dozen doing business in Ontario, and with the exception of these two, I know of none who have reached such a standing that any credence should be given to their reports. I do not think it is right that any man, or any two or three men, to band together putting a few hundred dollars into a concern, and then launch out and pretend to have information upon the strength of which traders in the different villages and towns of the province would be safe in doing business. I think that some regulation should be adopted by this House, or the Government, in respect to these agencies. What that regulation should be, I do not purpose to inquire except to say that I think if this Bill got into committee, much useful information could be gathered and much valuable service rendered to the country. The hon. member for Richmond (Mr. Gillies) suggests that if a man is improperly reported, he can have recourse to the courts of law. That is quite true. For instance, one individual doing an injury of that kind to another, has a recourse against him ; but is it fair that the small country store-keeper should be put into antagonism in a court of law with a rich corporation such as Bradstreet's, in order to preserve its rights? I think some such regulations are required as are provided in this Bill. The hon. member for Kent says that possibly ninety-nine out of one hundred would refuse to fill us the blanks given them for this purpose. I think there is not much danger of that. Although some men might think it useless to do so, I think a majority of them would give fairly honest reports. But even if they did not, that would not be the fault of Bradstreet's, or of R. G. Dun & Co., or of the collecting agencies. That would at least be one protection in the interest of the subscribers to these associations, and in the interest of traders generally, whether subscribers or not. The hon. member for Centre Toronto (Mr. Cockburn) said, Are you going to prevent me from making inquiries where I like ? No, Mr. Speaker, there is no attempt of that kind in the Bill. The member for Centre Toronto can go to R. G. Dun & Co., or Bradstreet's, or to Tom Jones, or to any one else for information. He is not confined to the information furnished by one of these organizations, and he would be very foolish to confine himself to their reports, which are often unreliable. Now, it has been said that these organizations are useful because they are well patronized ; they have their patrons all over the country and the member for Kent says if they were not providing useful information, they would not be so well patronized. Well, Sir, no one knows better than the member for Kent that it would be a very foolish thing, quite outside the usefulness of the concern, not to subscribe to one of these agencies. The hon. member for Kent would not like to be black-listed by any one of these organizations.

Mr. CAMPBELL. I have not subscribed for many years.

Mr. McGILLIVRAY. No hon. member would like to have one of those agencies down upon him. They can do great injury, as they did to Mr. Carsley of Montreal, and as they did to Mr. Todd, of whose case I spoke the other night—ruined the latter and would have ruined the other, only that he was so well off he could not be ruined by any such organization. But nevertheless, it cost him a great deal of time, labour and money to repel the slander.

Mr. DAVIES (P.E.I.) Are they not liable for any damages they cause ?

Mr. McGILLIVRAY. That is true, and I answered that suggestion when replying to the member for Richmond. The member for Richmond suggested that they could have recourse to a court of law ; but what good is a court of law to a man like Mr. Todd of whom I spoke the other night, who went to the Whitby Assizes, succeeded in getting a verdict, but the case was carried to the Court of Appeal, and it went off on a technicality in favour of the defendants. Then Mr. Todd, although strong in his right, though ruined beyond hope of redemption by the action of this organization, could go no further, as he had spent several hundred dollars in going that far, whereas Bradstreet could have gone on and carried the case to the Privy Council, without scarcely feeling the loss.

Mr. DAVIES (P.E.I.) He is like any other gentleman who, having a claim, loses that claim by the inadvertency or negligence of his own solicitor.

Mr. McGILLIVRAY. Or a mistake of a judge, as in this case. It is not suggested that this Bill would be a complete remedy. We simply ask that such protection as can be reasonably thrown around business men, should be afforded them against injury from these organizations. Now, the hon. member for Saskatchewan (Mr. Macdowall) asks what other organizations was treated as the member for East Grey wants to treat this organization. My answer is that every other organization is so treated. Insurance companies, banks, loan companies, joint stock companies of every kind and character are all brought under certain regulations for the safety of their patrons. I submit that no harm, at least, can be done by this Bill if it were allowed to reach the committee stage. Now, my chief argument in favour of the Bill would be in the interest, not of the men who patronize these organizations, but of those who do not, and who are subject to their action. There is not one small trader out of a hundred that can afford the $50 a year required from a subscriber.

Mr. McGREGOR. They do not require it.

Mr. McGILLIVRAY. Does the hon. member mean to say that a small business man in Chatham, for example, in the apple season, who, in the fall of the year, buys apples and sells them in Winnipeg, does not want to know the standing of the Winnipegger to whom he is selling ? It is of just as much interest in that particular sphere as in the case of the wholesale trader in Toronto. I submit that these reports should be made as accurate as possible. The hon. member for East Grey (Mr. Sproule) has been asked, whether any petition had been sent in, and he answered in the negative. But there have been no petitions sent in against the Bill by those agencies, nor even by individuals. If that is the case, it indicates that these organizations are quite willing that we should perfect their machinery. I think the Bill should, at least, reach the committee stage, and be considered there, and, if we cannot perfect it to the satisfaction of the promoter, he will then have an opportunity to withdraw it ; but he certainly deserves the thanks of the House and the country for having brought the matter before Parliament.

Mr. McGREGOR. Twenty-five years ago, you and I, Mr. Speaker, heard the same references made in regard to these agencies, and these two firms, Dun, Wiman & Co., and Bradstreet, have gone on doing business, and the mercantile people of the country are now using their reports regularly. I have used them during many years. It is true, if you have to do with a great number of people outside your own district, and do not know them, you must make inquiries from others, and I am free to say that these agencies should take every precaution to ascertain correctly the standing of the business men. It would be impossible to run a business in some districts without these agency reports. No one will suffer so much as these two firms, if they fail to give proper information. Undoubtedly, great efforts are made by them to have every trader properly rated, and they have no interest, directly or indirectly, in giving anything except correct information. My opinion is, that these firms are doing good work, and are essential to the business people of this country. The hon. member for North Ontario (Mr. McGillivray) has stated that a small firm, sending apples to Winnipeg, might require to use these agency reports, and yet might not be able to pay for them. But it must be remembered that such a firm sending apples or any other commodity to Manitoba, could call on the bankers, for they would make drafts on the party, and in that way they would be able to ascertain the standing of the firm, or the individual, in Winnipeg. These agencies are doing good work, and, if such were not the case, the subscribers would drop off, so that the firms would cease to carry on business.

Mr. FOSTER. With respect to this Bill, we have had two debates of some length upon it. I must confess, I have not looked into it very fully myself, but there are two or three points I should like to emphasize, and they are these: In the first place, I think, before this House undertakes important legislation like this—for it is important, as it is transferring mercantile and detective agencies, to a certain extent, to the keeping of the Government of the day, whatever it may be—it ought to be pretty well ascertained that there is a very real and widespread grievance, which requires a departure from the methods of business which have been in force in this country for the last twenty or thirty years. So far as I am concerned, I do not know that such grievance exists: I do not know that such a feeling exists among the business men of the country, who are chiefly interested, and who will be chiefly affected, and who are chiefly affected, and who patronize these agencies. This House is not aware of such a grievance. Petitions have not come up from mercantile bodies, or from individuals, to any extent, complaining of a grievance, and asking that legislation should take place in respect to that matter. I think we ought not to rush into legislation and assume these powers, and to that extent interfere with large mercantile agencies, which have their business established, and which are conducting that business in a satisfactory way, without there being certain ground for grievance and complaint, calling strongly for a remedy. In the second place, while a good deal may be said in regard to the principle of the Bill, in making mercantile and detective agencies as reliable as possible, so that, by having their organization perfected, they can be more easily and successfully reached by persons who have grievances, and who think they are entitled to damages, I feel confident that the Bill, as presented, involves a great many difficulties as regards its practical working. I wish to say to my hon. friend who has introduced the Bill, and secured a discussion upon it, that he probably will have done all he can do in the present session by having called the attention of the public to it. The attention of the public is not very much called for a Bill until it has been thoroughly discussed in the House. The discussion that has taken place to-day, and that which occurred last week, will call the attention of the country, to a large extent, to this matter, and it will do no harm, I think, to the principle which the hon. gentleman seeks to have given effect to in his proposed legislation, if he allows the Bill to go to the country and gives time for the people to think it over. It is impossible at this stage of the session to perfect this Bill in committee.

Mr. SPROULE. Affirm the principle, and I will withdraw it.

Mr. FOSTER. It is for the House to consider that point. It has been stated that there is no opposition to the Bill. There is opposition. I have received communications strongly against it, in which it was stated that, if such a Bill was going to be passed, if the Government was going to take the position indicated in the proposed measure, the Bill should be considered under conditions which would allow the business men and mercantile agencies to state their objections, and have them thoroughly weighed by a competent committee of Parliament. What I would urge, in the case of this Bill, if we are going to take it up seriously and contemplate legislation, would be to send it to committee and let those business men state their objections before the committee: and then let the committee decide with reference to the matter, and give its recommendation to the House.

Mr. SPROULE. That would be satisfactory.

Mr. FOSTER. But, during this session, my hon. friend will see there is not time for that. I think the hon. gentleman will have gained his object if he will allow this discussion to go to the country, and let opinion formulate about the Bill. If he will introduce it when he is here at another session, it could be sent to a committee like the Banking and Commerce Committee, where its principles could be discussed, and then the boards of trade who have communicated with me in reference to it, and the mercantile agenies could state their case before the committee. As we cannot accomplish that this year, my hon. friend would probably be wiser if he would, in consideration of the existing state of things, not proceed further with the Bill at the present time. I think there is an indisposition in the House to go further with this Bill at the present stage of the session.

Mr. BOYLE. I have been somewhat surprised to find so general an expression, from what might be called the leading men of the House against the principle of this Bill. As has been properly pointed out by the hon. member for North Ontario (Mr. McGillivray), who anticipated somewhat of my line of argument, every other institution and corporation, which perhaps have less to do with the general business affairs of this country than have these agencies, are brought under the control either of this House or of the provincial legislature. It may be that no fault can be found with the two great mercantile agencies which virtually control the commercial interests of this country and the United States. Their standing is so high, that for their own interest, I do not believe that Bradstreet or R. G. Dun & Co. would wilfully under-rate any business man. At the same time there are constantly cropping up mushroom concerns, so-called commercial agencies, which place the business men of the country in the position that they have either to contribute their support to them or feel, in a certain sense, that they will be blackmailed. It is no doubt to meet such institutions as these that this Bill is devised. I was somewhat surprised to hear from the member for East Grey (Mr. Sproule) that no where has such legislation as this been adopted.

Mr. SPROULE. They have tried it many times, but have never succeeded yet. They have been defeated in many of the state legislatures, as the funds were too large against them.

Mr. BOYLE. Whether that is the case or not, it is somewhat surprising that concerns which virtually control the business interests of the country in which they exist, and which control the business interests of Canada from Halifax to Vancouver, have never been brought under the control of legislation. The member for East Toronto (Mr. Coatsworth) referred to the credibility of these agencies. That, no doubt, is a fact, in so far as it relates to Bradstreet and R. G. Dun & Co., but the same remarks will not hold with regard to other agencies which are being established. It is stated that sheets were furnished to the business people of the country by which they could give information to these mercantile agencies. I have had such sheets myself, and I have filled them out carefully, and I must say that proper treatment has been given them by the two great mercantile agencies, but these are filed in the office of the company, and if by any reverse of fortune a merchant happens to fail in business, these are brought out in judgment against him and it is often made to appear that he has been guilty of fraud in furnishing these reports, and misrepresenting his position. They appear rather as admissions against him than as evidence in his favour, and they often do more harm than good. I do not believe that the respectable agencies would at all object to legislation of this kind. I believe that their position would be strengthened and their standing would be elevated in the public mind if they were brought under the laws of this country. They would feel then that their reputation was at stake, and the public generally would place more confidence in them than they do at the present. The new and unreliable concerns whose only object is to make a little money for themselves would no doubt object to legislation of this kind. Whether this Bill becomes law or not, the member for East Grey (Mr. Sproule) deserves the thanks of this House and of the country for the persistence with which he has brought this matter to the attention of Parliament. It is not a popular subject to legislate upon. A man who speaks against these companies may feel that he will be placed under their ban, and the courage displayed by the hon. gentleman (Mr. Sproule) is most commendable. The discussion which has taken place, if it has no other effect, will cause these organizations to see that the eyes of the country are upon them, and that they cannot with impunity tamper with the reputation and standing of business concerns, however insignificant they may be in their opinion.

Mr. McMULLEN. This is unquestionably a very important matter. I have listened attentively to the discussion, and in my humble opinion, the hon. gentleman (Mr. Sproule) should now consent to withdraw the Bill, with the prospect of taking it up next session, if there is any real demand throughout the country in favour of it. If there was any general request from the boards of trade or business organizations throughout the country for legislation in this direction, it might be well for the House to consider how far it would be prudent to enact such a law as this. I have, however, seen no general demand for this legislation. I dare say there are odd cases in which individuals have suffered by being wrongly reported by these agencies and possibly it may have affected their credit for the moment. Errors will occur in the best regulated concerns, but taking the commercial agencies all in all, I think they have endeavoured to give fairly accurate reports.

My impression, from what I know of them is that they generally try to keep their estimate of a man's financial standing rather below than above what it possibly might be. That is a good feature of the business. Of course, in some towns they may get agents who are imprudent and not careful enough in getting accurate information to make up their reports. These agencies are dependent upon the reports they receive from individuals whom they employ, and some times they unfortunately drop upon a man who is only too anxious to take advantage of the opportunity to make an inaccurate report about the financial standing of his neighbour. I dare say, that merchants who are called upon to report upon the financial standing of their competitors, might be liable to injure them. I have known cases of merchants being engaged as reporting agents for commercial agencies. In my opinion, it is not a prudent thing to engage one merchant in a town to report upon the financial standing of all the others. It gives him a wonderful power to do harm, if he happens to be an evil-disposed person, to those with whom he competes in business. I think, however, that the agencies have endeavoured to avoid that. At present, I know that, wherever there is a chartered bank, they try to secure the services of the manager, which is, unquestionably, a prudent course to take. They are certainly more careful than they were years ago, to get responsible, reliable, level-headed agents in the different towns. Everything considered, I think these agencies try to discharge the duties devolving upon them with care and accuracy ; and, when there is no general demand from the business people of Canada for legislation of this kind, I think we would, perhaps, be looked upon as legislating ahead of public sentiment, were we to put such a Bill upon the statute-book at the present time. I have not noticed that the board of trade, or similar organizations, have taken this matter up. You generally find that, when a grievance affecting business men exists, these bodies are very quick to move and make their complaints known, both in Parliament and in the public press. I have not seen anything of this kind in this case. These agencies have been of great advantage to business men generally. During my lifetime I have done a good deal of business based on their reports, which, taking them all in all, are fairly accurate. I admit that there are cases of men whose credit stands pretty high for some time, improperly ; but it is very hard for a commercial agency to find out such men's secrets, and to put a thoroughly reliable estimate upon their assets. I have known men to be reported worth $20,000 or $30,000, who, when they failed, to the surprise of everybody, could not pay dollar for dollar of their indebtedness. Such cases will be met with, and it is impossible for any commercial agency to get at all the secrets of a man's private affairs. But, on the whole, the agencies get pretty reliable information. Taking everything into consideration, the business world is greatly benefited by these associations ; and we should hesitate before we take any serious step to interfere with their operation. At all events, we should have a greater expression of public opinion in favour of a measure of this kind before we undertake to place it on the statute-book of the country.

Motion agreed to, and debate adjourned.

DOMINION ELECTIONS ACT.

Mr. McCARTHY moved second reading of Bill (No. 14) to amend the Dominion Elections Act.

Mr. FOSTER. With reference to this Bill, I remember that my hon. friend put a question to the Minister of Justice, before he went away, at the time the Government were proposing to take some further days for Government measures, asking whether he would be prepared to take into consideration this and one or two other Bills that he mentioned, with the view of adopting such of their features as he considered good ; and I understood my hon. friend the Minister of Justice to say that he would be very glad to do that, and to suggest that, with that understanding, these Bills should stand. I feel very certain that the Minister of Justice will, as he stated, take this measure into consideration, and will, so far as can be agreed upon, initiate the legislation in connection with the Bill he has on the Order paper.

Mr. McCARTHY. He has no Bill.

Mr. FOSTER. He is to have a short Bill.

Mr. McCARTHY. I do not see why the Bill should not be read a second time, and, possibly, if the leader of the House thought well of it, it might be referred to a special committee. The principal clauses of the Bill are to interpret that section of the Elections Act which makes it an illegal and corrupt practice to pay the travelling expenses of electors going to the polls. It has been found that section 88 of the Elections Act, which makes it illegal and corrupt to hire :

> The hiring or promising to pay, or paying for any horse, team, carriage, cab or other vehicle by any candidate or by any person on his behalf, to convey any voter or voters to or from the poll, or to or from the neighbourhood thereof, at any election, or the payment by any candidate, or by any person on his behalf, of the travelling or other expenses of a voter in going to or from any election are unlawful acts.

In one case, in our courts, the judges differed as to the interpretation of this clause. They considered it doubtful whether it applies to railway companies, so that while everybody else is prohibited from hiring a team or paying the expense of a team, the railway companies have been permitted, under the division of opinion to which I have referred, to give free passes or tickets and to carry electors to and from the polls without violating this Act. Everybody, of course, will see that if common carriers are at liberty to do that, they are given a privilege and power which it is not at all desirable they should possess. What I propose is to make it plain that the railway companies have not the right to carry electors free of charge or at lower than ordinary rates to or from any election ; and the first four or five clauses of the Bill deal with this subject. Then the other main clauses are with reference to personation. There is no doubt that personation very largely prevails, and the difficulty is to prevent it. Personation is generally done by persons who are unknown ; and before they can be taken into custody or prosecuted by the ordinary machinery of the law, they are away from the place where the offence has been committed. The damage has been done, and if they are afterwards discovered it may not be worth any persons while to initiate a prosecution. Then again personation is sometimes done by outsiders. I have heard of cases where persons have been actually engaged outside of this Dominion to come in and personate, and have been paid for the vote which they manage, in that way, to formally record. They are gone the next day and cannot be prosecuted. These provisions are to enable the deputy returning officer to arrest and detain upon the spot, without warrant, any person committing the offence, whether his name be known or not, and in this way put an effectual stop to the commission of an offence which the law justly considers one of the most serious election offences that can be committed. These clauses are taken from the amendment that was made to the Ontario Election law just immediately preceding the last general election, with the general consent of both sides of the legislature, and backed up very largely by public opinion. I do not think, therefore, there can be any objection to the Bill, although I am not at all pretending to say that it may not be improved in committee.

Mr. FOSTER. I have no objection to the second reading and to sending it afterwards to a Select Committee.

Mr. DAVIES (P.E.I.) I am perfectly in accord with the principle of the Bill, and have only one suggestion to make. I hope the special committee will draft a clause which will enable us to reach the officials of the Intercolonial, who are, in this respect, the greatest offenders in Canada. As the Bill now stands, it does not prohibit Intercolonial officers from carrying voters by the score, and those of us who live in the maritime provinces know that the Intercolonial organization is used for the purpose of carrying Conservative electors free from one end of the maritime provinces to the other. In fact, books of coupons are issued to heelers and distributed by them on election day to carry voters from one place to another. At the last election we secured evidence in one or two cases, to prove the offence, in the hope that some steps might be taken to prosecute the parties criminally, but the election petitions went off, on one ground or another, and we were unable to bring the evidence into court.

Mr. McMULLEN. I earnestly hope that whatever committee this Bill is referred to will try to give it careful consideration and let us have it crystallized into law this session. No doubt the hon. gentleman who has introduced it came to the conclusion that changes were necessary, from his extended experience in election courts, and I do think that there are some provisions in this Bill which unquestionably should become law. I do not say, for a moment, that all acts of personation or other improper acts are chargeable to the one side only ; but however we may differ on questions of politics, we ought to be willing to join hands in obtaining an honest election law, so that the expression of the people's will may not be frustrated by personation or other evasions of the law.

Motion agreed to, and Bill read the second time.

Mr. DALY moved that the Bill be referred to a select committee composed of Messrs. McCarthy, Davies, Daly, Masson, White (Shelburne), Sir Charles Hibbert Tupper and Langelier.

Mr. McCARTHY. I have no objection at all to the reference to a select committee, but unless the Government will undertake to take charge of the Bill later on, I do not think that at this stage of the session it can be disposed of. There will only be to-morrow and possibly Wednesday evening of next week, and it could not take two stages on the one day, unless the Government will undertake to take charge of it or to give me the opportunity of moving it.

Mr. FOSTER. I think the statement of the Minister of Justice will cover that.

Motion agreed to.

Mr. FOSTER moved the adjournment of the House.

Motion agreed to, and House adjourned at 10.50 p.m.

HOUSE OF COMMONS.

THURSDAY, 26th March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

CHIGNECTO MARINE RAILWAY.

Mr. McINERNEY moved that Bill (No. 75) respecting the Chignecto Marine Transport Railway Company be placed upon the Orders for a second reading on Friday next. He said: In making this motion I wish to add a short statement of my reasons for so doing. A few weeks ago I introduced into this House a measure affecting the Chignecto Marine Transport Railway Company, differing somewhat from the Bill which was refused a second reading a short time ago. The Bill I introduced, after examination was found to contain certain powers that could not be proposed in a Bill moved by a private member. My position in connection with the Bill at that time arose from the fact that the hon. member for Westmoreland (Mr. Powell), who had the Bill in charge, was not in the House at the time, and in his absence he asked me to introduce it. It happens that the hon. member for Westmoreland, who was to make this motion, is absent to-day on very important business, and I have made this motion in his stead. Now, I wish further to state that I have no personal interest whatever in connection with this matter; that the constituency I represent does not lie near the enterprise in question; that I am not acquainted with any member of the company, nor have I any interest of any kind or nature in this transaction. The position I take in this matter is taken merely because I think this project is in the public interest. Now, Sir, it is well understood exactly what the motion I make implies. It is simply for the purpose of reinstating this Bill on the Order paper in order to give it a second reading, a Bill which has for its purpose the extension of the Chignecto Marine Transport Railway Company's charter. This, Sir, is not an exceptional course to take. Very frequently in this House railway and other companies have had their charters extended and their rights extended; and I do not think it proper that, without some very grave reason, an exceptional case should be made against the Chignecto Marine Transport Railway Company I do not think that any declaration of policy on the part of the Government with regard to the money grant to this company should have any bearing at all upon the merits of the motion that is now before the House. I think it would be poltroonery on the part of any member to hide himself behind an excuse of that nature, and to say that because of the money grant, even though this company performed their work, he would therefore oppose extending the charter of the company, so that they might have a chance of completing the enterprise they have in hand. I wish further to state that an impression has got abroad, and is prevailing in the country, which I think has been suggested by statements made by gentlemen in important positions, a false impression has got abroad that this project, even if completed, can be of no advantage to the shipping interests in the Gulf of St. Lawrence. Now, I wish to correct that false impression. It has been stated, and the impression has been created, that nothing is to be gained by the shipping of the north shore, or of the Gulf of St. Lawrence, by having a transport across the Isthmus of Chignecto. Why, Sir, anybody that looks at the map, and is at all familiar with that region, knows that the north cape of Cape Breton is on a line with the most northern point of Prince Edward Island, and that a vessel going around the northern point of Prince Edward Island must necessarily round the north cape of Cape Breton and go very far to sea in a voyage to New England ports. Anybody who looks at the map and sees that even by taking a course down through the Gut of Canso vessels must, in order to make their way around the coast of Nova Scotia, make a distance of over 300 miles, which would be completely cut off if this enterprise was carried to a successful completion. It has been said that one of the great advantages which would result from the completion of this work is that in the fall months when navigation along the coast of Cape Breton or Nova Scotia is most dangerous, this project, when completed, will offer great advantages to shipping coming down the Northumberland Straits from the Gulf of St. Lawrence. Against that contention there has been set up a statement which, if true, would, I think, go a long way towards destroying that contention: that statement is that no insurance companies that are known of will allow insured vessels to navigate the Gulf of St. Lawrence after the first day of November. That statement, permit me to say, is entirely erroneous, and apart from the fact altogether. No insurance company that I am acquainted with doing business in insuring shipping in the Gulf of St. Lawrence refuses to permit vessels carrying policies to navigate the Gulf long after the first day of November. I admit that in most of them there is a printed clause to the effect that the waters of the Gulf of St. Lawrence are prohibited after the first day of November; but I venture to make the statement that no shipping man in this House will dare to contradict that there is not a company doing business and carrying insurance on any shipping in the Gulf of St. Lawrence that does not permit shipping to carry risks long after the first day of November. Why, Sir, the California Insurance Company, the Nova Scotia Insurance Company, the China Insurance Company, issue policies one condition of which allows the Gulf of St. Lawrence to be used down to the 15th day of December, not to speak of the first day of November. I therefore say that the statement that may be made in this House or outside of it to the effect that navigation in the St. Lawrence after 1st November is prohibited by insurance companies, or any impression conveyed to that effect is entirely false and without foundation in fact. In the interest of the navigation of the Gulf in the waters of which there is very large shipping engaged, I wish to protest and protest most earnestly against any such statement going uncontradicted before the people of this country. I do not know what particular interest any hon. gentleman may have in making that statement. It may be that no vessel in which he is interested sails the Gulf of St. Lawrence, or that the hon. gentleman is afraid that shipping in the Gulf may enter into competition with the shipping in the Bay of Fundy. I make this declaration and I defy contradiction, that the waters of the St. Lawrence can be navigated by vessels holding policies in insurance companies after 1st November. In my practice I have collected insurance from insurance companies for losses in the Gulf on 13th November, in which the policies have been upheld and subsequently paid when vessels have been lost on the shores of the county I represent and at other points of the Gulf coast. In one of these cases which I recall the insurance policy was held in the " Pelican " ; and the hon. member for King's (Mr. McLean), who is a large owner of shipping, informs me that at the present time he holds policies in which clauses are inserted extending the risk to 15th December. If, therefore, there is anything in the contention that the late fall business in the St. Lawrence is to be benefited by this enterprise, it is not at all contradicted by the false declarations which have been made and the false impression created that navigation in the Gulf is prohibited by insurance companies during the fall of the year. I do not seek to make a very strong argument in favour of this motion, for I do not think it is necessary to appeal to the sense of justice in this House in regard to this matter. I do not think any hon. gentleman who is opposed to a money grant to the Chignecto Ship Railway Company should seek refuge behind that contention for the purpose of preventing the request embodied in this motion being granted. Shall we put our foot down upon this company and refuse rights to them by denying them this legislation, when in every other case that I can recall the privilege asked for has been granted graciously ? I do not think so. This company has expended large sums of money to carry out this enterprise. They have been peculiarly unfortunate as regards the circumstances connected with it. After the company was granted its first charter it was prevented owing to a clause in the Railway Act from going forward with the work. Then a misfortune befell the company by the failure of one of the money institutions in Great Britain which carried their credit, and by other unfortunate circumstances they were prevented from carrying the project forward. At the present time the company say they are in a position to carry it to a successful completion. One thing should be borne in mind above all others, and that is that until they show conclusively that the railway is able to take a vessel from the St. Lawrence and place it in the Bay of Fundy successfully, and without any great risk or danger, and to the advantage of the trade and commerce of the country, the company does not receive any money grant from the Dominion. In my opinion no contention has been set up which is sufficiently strong to deny this measure of justice to the company, and I hope the House will not deny to the Chignecto Ship Railway Company that privilege which time and again has been granted to other companies coming here and making a like demand.

Mr. WELSH. I have always opposed this Bill since it was introduced, I think by the Secretary of State. I then pronounced it a wild-cat scheme, a scheme that would be of no practical use to the marine interest of this country, and one which would ultimately impose burdens on the taxpayers of Canada to the extent of $5,000,000. At that time I asked the Secretary of State to withdraw the Bill, as people investing their money in the enterprise would lose it. I am of the same opinion to-day as I was at that time, and I have never yet heard a single member interested in our marine, sanction the scheme. It has been denounced by all hon. members who have the slightest interest not only in shipping but in commercial affairs. The advocacy of this project was always entrusted to some member who did not know what he was talking about ; so soon as it is advocated by any practical man, I am willing to listen to him. I shall object to every step proposed to be taken with a view to push through this scheme. So soon as the Bill has been advanced a stage the Government will ask a grant of $5,000,000, or a renewal of the annual subsidy of $170,000, for twenty years. If the Government will announce that they will not ask a subsidy, I will say nothing further. I object to this Bill being placed on the Order paper, and the good sense of this House, as well as of the people generally, will support me in my opposition.

Mr. LISTER. If the object of the promoter of this Bill was simply to get the charter which has expired revived, there would be no objection to the House granting what the company asked. They are entitled to that as a matter of course, no matter how visionary the scheme may be, how absurd it may be. But there is a feeling in the House and in the country that the object of the promoter of the Bill and the object of the Secretary of State in supporting it is to supplement the Bill, by a grant of two or three million dollars.

Mr. WELSH. Five millions.

Mr. LISTER. There is lurking behind this scheme some proposal the particulars of which the Government have not been frank enough to convey to the House. The manifest object of the revival of the charter is to float another of the wild-cat schemes of the Secretary of State. These people are entitled to invest their money in any undertaking they may think proper ; they have a right to burn their money or destroy it in any other way. They have a right to build a worthless work. That is their own business, but they have no right to ask the representatives of the people in Parliament to vote the public moneys of this country in aid of a scheme such as this. Members of this House would be recreant to their duty, if they in any way recognized or approved of this scheme. This Chignecto Railway is a child of the Secretary of State (Sir Charles Tupper). In looking back at the history of this country from the time that the hon. gentleman first took a seat in this House, he has been the author of many schemes which have involved great loss to the country, and considerable loss to the people who invested ; but I think I am within the mark, when I say, that of all the wild-cat schemes, the Chignecto Ship Railway is the very worst, and the most indefensible. Knowing all that we do about this scheme, I have no hesitation in saying that it is one of the most astounding frauds of the present century. We have had gentlemen in this House supporting the Government, men perfectly qualified to form an opinion upon this question, and they have not hesitated to rise in their places and denounce it in the very strongest language, as being one that cannot be defended from a national standpoint, or from the standpoint of the investor. The Secretary of State was asked by the member for Albert (Mr. Weldon), if it was the intention of the Government to revive the statute giving aid to this company, in case this Bill became law. He remained in his seat silent, and the fair inference to be drawn is, that he has promised the promoters of this scheme that he will back it up by the money of Canada. The representatives of Canada in this House will be false to the people and to the country, if they permit this measure to become law, without the stoutest opposition that they can offer to it. Sir, what right has the Secretary of State to come to Parliament and ask two and a half million dollars for this scheme ? It was one of the boomster schemes of long ago. It was initiated for the purpose of spending money, in the years gone by, when it was thought that the money of the people of Canada could not be spent fast enough, particularly if it was being spent for the purpose of retaining in office the men who now occupy the Treasury benches. It is all very well to talk about canals ; it is all very well to talk about ship railways. Of the men who have thousands upon thousands of dollars invested in shipping, who has ever heard of one of them who would be foolish enough to trust his valuable property upon a ship railway ? Where in the world, I ask, is there such an undertaking that has been worked satisfactorily or profitably ? I venture the assertion that it is entirely novel, and that there is no railway in the world of any length which can be shown as a precedent for the undertaking which these promoters ask the Government and Parliament to give them aid towards. It is said that the English people have invested their money in this scheme. So much the worse for the English people. If the English capitalists are credulous enough to listen to the wild representations made by some members of this House, as well as others, they have their own credulity to blame, and they must not complain if Parliament refuses to give them aid. Why, Sir, the Secretary of State (Sir Charles Tupper) came from London to look after a fast line, and to look after a cable scheme, but, remarkable as it may appear, it is true, nevertheless, that with the hon. gentleman came the promoter of this scheme, upon the very same ship. He has been haunting the corridors of this House ever since. Has he been doing so under the promise of the Secretary of State, that he, the great "I am," will see that this Parliament grants aid to this bogus concern. It is a bogus concern ; it never can earn one sixpence for the stockholders, it never can pay one sixpence of interest upon the investment, and, in that sense, it is utterly and absolutely worthless ; and, forsooth, because it is worthless, Canada is to give it two and a half millions out of the public Treasury. Heaven knows, Mr. Speaker, that Canada has been bled until she is almost white. The hon. gentleman (Sir Charles Tupper) came here at confederation, and he is responsible mainly for the sad condition that this country is in to-day. There was no scheme too chimerical for that hon. gentleman. He was ready to embrace them all, and, in embracing them, to pour out the wealth of Canada with a lavish and prodigal hand. That, no doubt, is the hon. gentleman whom this gentleman from England expects to back up his scheme by inducing his followers in this House to vote for the granting of money towards it. I say, Sir, that this scheme is condemned from one end of the Dominion to the other. There is hardly a man in this country who has heard of the Chignecto Ship Railway, and who has not condemned the law which initiated it in days past. Hon. gentlemen who undertake now to support this scheme, and to make further grants towards it from the money of the people of this country, have to answer seriously to their constituents for their acts. I believe that, of all the schemes that have ever been presented to Parliament, this is the most popular. It is the scheme which can be least justified, and here we are to-day asked to give life to this corporation, and at the same time we are told that the object of doing this is to grant the money of the country in aid of it. As I said in the first place, if the hon. gentleman had asked that this Bill simply should be passed, and if there was nothing behind it, there would be no objection whatever to reviving this charter. But, before Parliament should be asked to do that, I submit that we should have the assurance of the Government that no subsidy or subvention will be given to this undertaking. Let the Government do that, and I believe I am safe in saying that there will be no voice raised against the passing of this Bill. But if the object is, as we believe it to be, to follow up the revival of this charter by granting public money in aid of this scheme, then it should receive the most energetic and strenuous opposition. The works that have been constructed are of no value. The money that has been invested has been absolutely and entirely lost. Nothing that this Parliament can do will restore to the English investors the money they have lost. That has gone, like millions more which the English people have invested in various parts of the world. If they lose here, they make up their loss somewhere else ; so that at the end of the year, they come out, if not ahead, very nearly even. I submit that this Parliament is under no obligation, moral or legal, to grant one farthing of Canadian money in aid of this scheme. I said a moment ago that the work was of no value. We have had that opinion from the hon. member for Queen's (Mr. Baird), who is thoroughly familiar with the shipping business, who lives in the section of the country where this work is, and who knows whereof he speaks. It is of no value, first, because there are no ships to go over it ; it is of no value, in the second place, because men who own ships would not put them upon the railway. We have had the same opinion from my hon. friend from Queen's, P.E.I.. (Mr. Welsh), who has spent half a century about the coasts of New Brunswick and Nova Scotia, and who is perfectly familiar with the whole subject. He has told us that he has opposed this work from the first, and that he will continue to oppose it to the end, because he regards it of no value. In opposing this measure, we are not moved by any spirit of hostility to the stockholders of the company. We do so rather in a spirit of kindness to them. Because, if they receive aid from this Parliament, it will be simply an inducement to them to put more money into the hole where so much of their money has already disappeared. That would be the object and end of it ; so that, after taking 2,500,000 out of the people of Canada, they would be in no better position than they were in before. The Secretary of State told us that the bankers of London had the bonds of this company. If they have, they have taken them at a most terrible discount, they have paid but a small price for them ; and, perhaps, the effect of this Parliament giving aid to the company would be to give a fictitious value to the bonds which these gentlemen hold, and perhaps enable them to get rid of them at a higher price than they paid for them.

Mr. FOSTER. If my hon. friend will allow me—it does not pertain to the present question, I suppose, but, as a matter of fact, the bankers, in reality, pay par, or very nearly par for the bonds.

Mr. LISTER. Then, all I can say is that the English people are more simple than I have given them credit for being. Is it possible, as I have heard it hinted, that the Secretary of State, while occupying the exalted position of High Commissioner in London, spoke favourably of this scheme, rather commending it as a profitable undertaking? Is there any truth in that ? Are the friends of the hon. gentleman the bondholders or the stockholders in this company ? It has been whispered in Canada that the hon. gentleman took a considerable interest in this Chignecto Railway during all the time he was in the city of London. Perhaps he may feel personally obligated; and, if stories are true, he may be legally obligated to make good to some of those men the vast amount of money which they have invested in this scheme. Is it possible that there is anything of that kind behind ? Rumours have been afloat that there are some very compromising documents in the old country which may—I do not say that they do—create a legal liability against the Secretary of State. Is that true, or is it not ? Why is it that the hon. gentleman takes so much interest in this Bill ? Why should he put it into the hands of a private member to be introduced, instead of introducing it himself ?

Mr. LANDERKIN. Because he has lost his grip.

Mr. LISTER. These are all questions which Parliament has to consider. But whether it considers them or not, it is of no consequence to the people of Canada whether the English bondholders or stockholders have lost their money or not. When they invested, they invested knowing that the company existed under a charter, and knowing that if the company did not live up to the terms of that charter they stood a chance of losing their money. Knowing all that, they took all the chances involved in taking stock or investing in the undertaking, in any way ; and if they lose their money, they lose it with their eyes open, and they have no reason to complain that Canada has not acted fairly with them. Our contract with them was that if they completed the work in a fixed time, they should receive certain aid. They have not done so, and there is no legal responsibility, and there can be no moral responsibility, upon us to pay this company one single dollar. I repeat, Sir, that it is in the interest of the people of this country that this measure should be opposed from the moment it shows its head in Parliament to the very last moment. I say, moreover, that it is the duty of the representatives of the people here to oppose the voting of one shilling in aid of this enterprise. Speaking for myself, I will give it every opposition that it is possible for me to give it, from this time out.

Mr. McMULLEN. Mr. Speaker, I certainly hoped that the Secretary of State, after the very strong appeal that was made to him by the hon. gentleman who has just taken his seat, would have risen and given the House some information on the very vital point as to whether the Government are committed to a revival of the grant that was originally made for the construction of this work. We certainly have a right to be placed in possession of that information. As my hon. friend stated, there should not be any serious objection to reviving the charter in order to allow the company to make the best use they can of the material that has been wasted in trying to construct the work. But, in my humble opinion, an Act to enable them to wind up the whole affair and to realize on whatever assets, if any, there are in it, would be a much more prudent Act than one to revive the scheme. Now, this scheme has been before Parliament for a number of years. The hon. member for Cape Breton (Mr. McDougall) was, I believe, the father of this particular scheme, and the hon. Secretary of State (Sir Charles Tupper) discharged the duty of attendant physician when it was brought forth to the light of day. He helped to vitalize the scheme by advocating very pointedly and strongly the grant of $150,000 a year for twenty-five years, to carry it on. We had at that time, a great many schemes which were on a par with this particular one, some of which have been completed, and stand today positive monuments of folly, in which the money of this country has been spent, and from which not a dollar has ever yet been drawn for the national treasury. I must say that there is no one who can put up such a good case, and advocate in such powerful and eloquent terms, and with all evidence of sincerity, any scheme he takes in hand, as the hon. Secretary of State. I can well remember, years ago, when the question of making a change in the grant awarded for the construction of this scheme was before the House, the Secretary of State then outlined very forcibly and clearly, the enormous advantage which the completion of this structure would be to the shipping interests of the maritime provinces. At that time, the grant of $150,000 a year for twenty-five years, was altered to $170,000 a year for twenty years. Well, the company has not been able to complete the work and to earn either of those grants. The time was extended from year to year, and the last extension was given subject to a fine of $5,000 a month for every month the company failed in completing the work after the time fixed. That extension was made for some two years, but even then the company did not complete the work. In the face of these continuous failures, we are justified in believing that the people of England have been humbugged. We had a speech from the hon. member for Queen's, N.B., (Mr. Weldon) a few evenings ago, in which, although a supporter of the Government, he very clearly outlined the results that would accrue from the completion of this undertaking. Although, no doubt, an admirer as well as a supporter of the hon. Secretary of State, he declared frankly, from a shipper's standpoint, that whatever excuse might have existed at the time of its inception, for the construction of this undertaking, every vestige of argument has now absolutely departed, and there is nothing left. I ask, then, would it at all be prudent to bring this scheme to life again and leave it in the hands of the Secretary of State to commit the country to another grant such as was given years ago and has twice expired? I do not think it would. I quite agree with the hon. member for Lambton (Mr. Lister) that it is high time the representatives of the people should determinedly oppose the revival of any such scheme. When we consider the fact that the debt of this country is now over $250,000,000, and that it takes not less than $32,000 to $35,000 a day to pay the interest, we must be convinced that we would be false to the responsibility resting upon us, as representatives of the people, if we were to sit silently by and allow a scheme of this kind to be again brought into existence. I have no animosity, I have nothing but pity for the English bondholders who were induced to invest their money, and if they were induced to do so because this House granted a bonus for the construction of the work, I must express my sincere regret that we should ever have offered them any such inducement. But we have gone far enough. No doubt it would be very desirable, in the interests of the bondholders, that this scheme should be revived, if they can thereby pocket the bonus we originally granted. The sum of $170,000 a year will give pretty nearly 4 per cent on $5,000,000, and if they could sell their bonds and get 4 per cent for twenty years, even if they got nothing else, that would be vastly better than losing the entire money that is sunk in the work. The hon. Secretary of State said, of course, that they would not be entitled to this annual grant unless they did the work. Perfectly true, but they are not bound to find work for the road to do. All that they are required is to do the work provided for them. Take the opinions of experienced men. Take that of the hon. member for Queen's, P.E.I., (Mr. Welsh), who has had fifty years' experience in shipping, and who, consequently, thoroughly understands the handling of ships, he knows perfectly well that the idea of taking a ship out of the water, transferring it to a railway and running it across ten or fifteen miles, and then plumping it into the water on the other side, is an experience to which he would not allow any of his ships to be subjected.

Mr. WELSH. Hear, hear.

Mr. McMULLEN. We are bound to accept the opinions of men of his experience. The hon. member for Queen's, N.B., (Mr. Weldon) also spoke to the same effect. It would be gross folly on the part of this House to permit this scheme to again become vitalized in order that the Government might have the opportunity, by Order in Council, or in some other way, of committing this country to a renewal of the grant. Suppose we revive that charter now, the hon. Secretary of State refuses to get up and declare the intentions of the Government. He has been challenged by the hon. member for Lambton (Mr. Lister) to say what the Government policy was and whether they intended to consider again the granting of $170,000 a year to this scheme. Will the hon. Secretary of State rise now and satisfy the House on that point ? If he will do so, I am prepared to say that I desire to do everything to enable these poor, unfortunate, duped men to realize the best they can out of the work in which they have spent their money. But past experience has taught us that the Secretary of State is always willing, when he thinks it advisable in his party's interest, to spend money in schemes of this kind, schemes from which the country will never realize a dollar. If he will say nothing, we are bound to stand in the breach and see that this scheme is not vitalized. We are here for the purpose of considering any fair, decent scheme introduced in this House for the general welfare. We desire to give any corporation the facilities to work out its future, but not at our expense. Why, Sir, we have had other schemes of this kind. A short time ago—I believe we did not have to pay money to it—we had the dead meat scheme——

Mr. SPEAKER. What have these schemes to do with the question before the House ?

Mr. McMULLEN. I will endeavour to confine myself, Mr. Speaker, to the question before the House. I only make this reference by way of comparison. I am trying to impress upon hon. members that we cannot afford to go into such schemes in the future, whatever mistakes we have made in the past. In view of the heavy debt of this country and the enormous drain it makes upon the resources of the people, we simply cannot afford to continue in the path in which we have been moving. It is only a few years since the Finance Minister told us that the debt of this country had reached its highest point, that we were now to move in the opposite direction. But what will be the result, if this scheme is vitalized ? We have a deficit to-day. If we are going to grant $170,000 a year to a scheme of this kind, not having the money, the amount must be added to the debt.

Mr. SPEAKER. There is no such proposition in the Bill before the House.

Mr. MULOCK. The Secretary of State has intimated that it will be proposed.

Mr. SPEAKER. It can be discussed when it is proposed.

Mr. McMULLEN. I am trying to confine myself to the vitalizing of this scheme. The hon. Finance Minister is laughing——

Mr. FOSTER. I was laughing at the vitalizing of this scheme.

Mr. McMULLEN. We do not want to give a reckless Government the opportunity to carry out such a scheme. At the same time, we want to give this company the chance to work out its own salvation. I do not blame the hon. gentleman (Mr. McInerney) for bringing in this resolution. I suppose he does it at the urgent request of the Secretary of State.

Mr. McINERNEY. I may inform the hon. gentleman that the Secretary of State never requested me to introduce this Bill. But the hon. member for Westmoreland (Mr. Powell) wrote me that he was urgently called home, and asked me to make this motion for him, and in his name, this afternoon.

Mr. McMULLEN. I am very glad the hon. gentleman is not directly responsible, but that he made this motion as a favour to the hon. gentleman who first introduced this Bill.

Mr. McINERNEY. In order that the hon. gentleman may not make a mistake, I wish to say that I have made my statement, that I believe in the scheme, that these people ought to have the right to complete the work ; and I think the hon. gentleman turns aside from the question, when he talks about something which is not before the House, and which cannot, in any case, be brought up until some time in the future.

Mr. McMULLEN. This measure was before the House, and was rejected. The object of the motion presented by the hon. gentleman is to secure a revival of this charter. From several benches on this side, the Secretary of State has been challenged, he has been besought, to state what the Government's intention is with regard to this scheme. If these people come before Parliament and simply ask a charter to enable them to carry out the scheme, or to realize upon their assets, we are perfectly willing to do anything which can be fairly done to help them out of the trouble in which they find themselves. But we are not willing to give this Government an opportunity to pledge the country to another renewal of the grant. Why cannot the Secretary of State frankly tell us that it is not the intention of the Government to pledge the country to any further expenditures on this scheme? We have extended the time for this grant again and again, and the company has failed in every contract, and has no claim upon us. I hope, for the sake of the country the Secretary of State is not personally bound, because, in that case, I should be afraid there might be some way by which we should have to pay the money. In view of the intimate connection of the leader of the House with this scheme, from its inception down to the present time, and his personal intimacy with those who have been connected with it, I say it is a dangerous thing to set the scheme again upon its feet, so that these people may rap at the door of the Privy Council, and urge, and plead that they be granted again $170,000 a year. To do so would be to throw away money, and this country has no money to throw away. What Canada needs is to husband its resources, and keep clear of kite-flying schemes which waste the people's money and result in no benefit to the country.

Mr. CASEY. I have waited till the last moment in order to give the Secretary of State an opportunity of making the statement he has been asked to make by more than one member on this side of the House. He has been challenged to say whether the reviving of this charter does not mean a new request for a money grant. He has pointedly refused to deny that it does include a renewal of that grant. The whole tenor of his speech in support of this Bill when it came up for its second reading, pointed to the necessity of renewing that grant. He urged it upon us as a matter of good faith, as a matter of a solemn, binding contract. He threatened us with the ill-will of the bankers who hold the securities of the Chignecto Marine Transport Railway Company, if we went to them in the future asking to borrow money for Canada. I wish to call your attention specially to that threat:

> One eminent banking house said: We are prepared, under these circumstances, to subscribe £50,000 more for the purpose of completing this undertaking. Now, this £700,000 sterling is represented by securities in the vaults of a large banking house in the city of London, who are deeply interested in the completion of this work. I do not mention it as an additional inducement, but every member of this House, I am sure, will see, that, when the Minister of Finance goes to London to raise a loan, these are the parties to whom those interested in the matter go for the purpose of furnishing money for the Government of Canada; and I need not say to the House the disaster it would be to the Dominion, if it was felt that parties acting in good faith, supplying their capital, as this capital has been supplied, in good faith, and expending such a large amount of money in order to carry out a public contract with the Government of Canada, were not in a position to obtain from the Government and Parliament of this country every fair, honourable and just consideration.

He says he does not mention that as an additional inducement, but there is no meaning at all in the quotation unless he means to threaten this House and the people of Canada, that, if they do not revive the contract with this company, revive the charter, revive the grant, these bankers in London will oppose future Canadian loans. That is the clear meaning of the statement he made to the House.

He calls it carrying out a contract. It is absurd to speak of the renewal of this grant as the carrying out of a contract. There is no contract. The contract has expired by the fault of the other party. This House is not being asked now to carry out the contract, but to make a new contract on the same terms as the old one, which has expired without any fault on our part. The Secretary of State tried to make out that it did expire by our fault, because of some amendment to the Railway Act of 1888; but he had to confess a little later on that it was not this amendment, but the fact of a financial disaster that took place in London, which prevented the promoters of the scheme from raising the necessary capital. This amendment to the Railway Act which, he said, interfered with the raising of capital on their part, was subsequently repealed, and the company left in a position to raise money if they had been able to do so. Now, this company, which was unable to go any further than they have gone, took hold of the Secretary of State when he was in London, and proposed to him to come out here and get the whole thing renewed, and get the grant revived, along with their charter.

What other proposals they may have made, I cannot know; it would be improper, perhaps, to guess. But, Sir, we are all aware of one thing, that one of the principal lines in which the Secretary of State has been useful to the party, has been in the line of filling the "barrel," to use an American expression, for election purposes. He has always been looked upon as the most successful collector of election funds in the party. We have known cases before—we have had the statement across the floor of the House by Ministers, by the Postmaster General, for example, that the Government have accepted cheques from people who have received subsidies from this House for railway purposes, and have put these cheques to the credit of the election fund. The Postmaster General admitted receiving $25,000 from Mr. Armstrong, if I am not mistaken, and stated that he would do it again.

Mr. SPEAKER. Order. The hon. member is not discussing the question now before the House.

Mr. CASEY. I think if you will allow me I can show that I am discussing——

Mr. SPEAKER. No, the hon. member is discussing something entirely foreign to the subject before the House.

Mr. CASEY. Mr. Speaker, if you will allow me——

Mr. SPEAKER. Order. The hon. member is discussing something entirely foreign to the question now before the House. The hon. member may refer in general terms——

Mr. CASEY. Let me show whether it is foreign or not.

Mr. SPEAKER. The hon. member may appeal from my decision, but he cannot discuss it.

Mr. CASEY. I beg leave to say that I intended to show, if you had allowed me to proceed, that it was not foreign, but very cognate, to this question, to show the use that would probably be made of this subsidy if we granted it to this company. For that purpose I wished, in order to illustrate, to quote the instance I have already quoted, to show how similar subsidies have been used in previous cases. However, the country at large are quite aware of the facts which I wished to bring before the House; and while I have to submit to your refusal to allow me to mention them now, the country will be quite aware of them.

I say one of the reasons why we object to this thing is the possible use that might be made of the subsidy. Now, it has been stated and reiterated, and goes without saying, that what we object to is a new grant of money to aid this company. We do not object in the least to giving these people longer time to build this road out of their own funds, no matter how wild-cat the scheme may be, but we do object to any further meddling with wild-cat schemes on the part of the Government, or even on the part of a single member of the Government, such as the Secretary of State. In his speech on the second reading, he told us:

> This work having been thus commended to British capitalists, not by myself, but by the authority of a royal commission——

And so on. I should like now to ask the hon. gentleman whether he is quite sure that this scheme was never recommended by himself to British capitalists? I do not think he can deny that he, personally, acted as the representative of this country, and in the interest of this company in London, did recommend this private scheme to capitalists there, and lent it the weight of his official position, and lent it the weight of the Government of Canada. I do not think it can be contended for a moment that British capitalists revived their confidence in this scheme, put up the money and renewed the project, without such encouragement from the High Commissioner, who is now Secretary of State, as led them to believe that his influence would secure to them a renewed grant from this House. That is the only understanding on which we can imagine their confidence in this scheme was renewed. In fact, I have the very gravest doubt as to whether their confidence has been renewed. I believe the whole affair is a scheme for election purposes, that the revival of the grant is a scheme for the purpose of filling of the "bar'l."

Mr. MARTIN. What bar'l?

Mr. CASEY. That is an American phrase usually understood to mean the fund raised by the Government from such sources as this Chignecto Railway Company for election purposes, and they always pronounce it "bar'l."

Speaking of the Secretary of State's connection with this scheme, I am tempted to use a phrase quoted not long ago; I think he is the dry nurse of this scheme, the 'arida nutrix'—a very dry nurse as regards himself, but he hopes to make the treasury of Canada the efficient source of supply of the milk. I need not quote further from the hon. gentleman's speech to make it clear that he intended to revive the charter, and at the same time revive the grant, for he spoke throughout of the necessity of spending money.

During the whole of his speech he raises the bugbear of injury to Canadian credit. I should like to know which will do most injury to the credit of Canada in England, our refusal to endorse this wild-cat scheme and give it a grant, or to allow those men to risk their money in an undertaking in which, owing to the lack of business precautions, they will lose it? Nothing can be more hostile to our credit abroad than the endorsation of this scheme. This grant would no doubt secure the completion of the road, but no power in heaven or earth would secure business to the road, if it does not exist. Dividends, if there were any at the outset, would soon fall off, or there might be no dividends at all. The shareholders would then complain, and against whom would they complain? Against the Parliament of Canada for inducing them, by an illusory grant, to embark in a visionary scheme. I said an illusory grant; I take back the word, for the grant would not be illusory, but in hard cash; the result, however, would be illusory, especially as regards furnishing profits to shareholders.

I think in this matter we can trust the hon. member for Queen's, N.B. (Mr. Baird), a gentleman whom the Government were very anxious to see in this House, and who justified their anxiety to have him here by the business-like remarks he made in respect to this scheme. He said :

> Well, Sir, this company have evidently met their fate by the pure course of circumstances, by meeting changes in commercial enterprise. Changes have taken place that have completely revolutionized the business. This business was once great and profitable. In 1882, for instance, we were in the very zenith of our greatness as a maritime people. Canada, I think, was fourth in the world in commercial importance, and St. John was the fifth city in the registration of her merchant marine. That has entirely changed.

Yet, in spite of the National Policy, that has entirely failed.

> The trade has been completely revolutionized, and almost swept away from us.

Again he said :

> I can see no future for the company, no hope of prosperity, no way that they can make up their lost ground. I feel that it is a matter of kindness to them to speak frankly, and I feel deeply in earnest when I urge them to abandon the scheme. As to the Parliament of Canada, well, I would ask them to be deeply in earnest when dealing with the people's millions in works of this kind that are of a doubtful character.

I repeat these words uttered by the hon. member for Queen's—I ask Parliament to be deeply in earnest in dealing with our millions. We have heavy taxes, heavy deficits and a heavy debt, and millions count. I would urge the hon. gentleman not to be misled by the support given to this scheme by the Secretary of State into considering it a Government question. I would urge them notwithstanding the influence that may be brought to bear on them, not to look at this question as one of want of confidence in the Government, or the Secretary of State, but as a question of business and morality. I would call on every hon. member to ask himself how he will justify a vote given for this scheme before the constituents who have sent him here to look after the country's interests, and I have great hope, from what has already passed, that there will be sufficient independence to resist the influence of the Secretary of State, and to refuse to place this Bill again on the Order paper. By whose votes was it knocked out ? By the votes of the supporters of the Secretary of State, by the votes of the hon. member for Albert, the hon. member for Queen's, the hon. member for West Middlesex, the hon. member for East Elgin, the hon. member for Northumberland, and other supporters of the Government. It is evident that they were not led to have confidence in this scheme by the remarks of the hon. Secretary of State in regard to it ; indeed, I am satisfied that if the Secretary of State had not made the speech he did, if he had not shown his personal interest in the scheme so clearly, if he had not made it so certain that a revival of the charter and an extension of the time meant a renewal of the grant, this Bill would have passed its second reading without a division.

Mr. IVES. I am quite prepared to discuss the question from the point of view of the hon. gentleman who has just taken his seat. He desires the House to consider the question from the point of view of morality and of business. It seems to me that as a question of business it would certainly be, to some extent at least, disastrous to Canadian interests if it were established publicly and well known that the Parliament of Canada, under any circumstances, will refuse a renewal of the corporate life of a company which has been chartered by this Parliament and encouraged by a public grant. Here is a company which has expended £100,000 of its own money on this undertaking and now comes to this Parliament and asks for a renewal of its corporate existence in order that the shareholders may make an effort to save a portion of that money, or prevent its total loss, and I say, as a question of business, we as Canadians are largely interested in deciding whether this Parliament, under such circumstances, should refuse to renew the corporate existence of this company. Suppose any body of men go to the English market or to any market in the civilized world with a bond based upon a Canadian charter, whether a mining bond or any other kind of bond, and ask for public subscriptions and foreign capital to enable the company to carry out the mining or railway work, what would be the effect if it were known that the Parliament of Canada would take, for political reasons or otherwise, this unfair and unjust position, and say : You may embark your money, you may spend your money, but if you have not finished the work within the time limit fixed in the original charter, you will lose it, your money will have been expended, the work will be useless, the company will have no corporate existence, you can neither go back nor forward, your money has been expended and you are now entirely ruined. I have never know during my twenty years of parliamentary life, of an instance where a company has been refused the renewal of a charter. I have known hundreds of cases in which not a dollar has been spent, but where renewals have been given, not once, but three or four times. If you look upon this as a question of business, then I tell you it is a serious question of business to Canadian interests ; because I consider that to refuse it would be affixing a serious stigma upon the trust that may be reposed in the justice of the Parliament of Canada. From a moral point of view, it would be immoral for us to refuse it. There are three classes of opinions in this House with regard to the question. There are those who, like the gallant Admiral from Prince Edward Island (Mr. Welsh), do not believe in the scheme at all, and, because they do not believe in the scheme, they think it is not entitled to common fair-play and common justice.

Mr. WELSH. Do you believe in it ?

Mr. IVES. That question will come up in its proper time. There are others, the large majority of the House, who are prepared to say at once that the charter ought to be renewed, but some of them say : We should not renew the charter, because then the next thing will be a proposition from the Government to renew the grant. Now, these gentlemen, who cannot trust themselves to do justice in this case, and, in the next case, vote according to their opinions, certainly have not a great deal of confidence in themselves. I do not believe there is a man on this side of the House who is opposed to the money grant, who cannot trust himself to do justice in the matter of restoring this charter, and, at the same time, to take independent action, if the financial question is ever brought up. Surely, the members on this side of the House have independence enough to restore this charter now as an act of justice, and to preserve their independence and vote as they see fit, if the Government should ever propose to renew the grant. It is a matter so simple that it is hardly worth while to occupy time in discussing it. Here is a company—not a company that never spent a cent, and that has had two or three renewals, as we have been in the habit of giving in this House—but a company that, on the faith of a solemn engagement by a previous Parliament of Canada, have expended their own money—not ours—to the extent of three and a half million dollars. They have now expired as a corporation, they can neither move forward nor backward, their money is there, and, so far as it is perishable, it is perishing. They simply ask us, under the circumstances, to give them a corporate power to go on and complete that work. The question of the renewal of the grant is not before the House at all, and the member who votes against putting this Bill back on the Order paper because he would not vote for a renewal of the grant, simply says to the country and to the House that he cannot trust himself to take what action he thinks proper, when that other question comes up, if ever it does come up. Let us do justice, and let us do that which is absolutely necessary to be done, if we are ever to get a dollar of foreign capital again interested in any Canadian company, whether it be a mining, or a railway company, or anything else. If it is considered that the Parliament of Canada cannot be trusted to do so simple an act of justice as this, then good-bye to any Canadian enterprise which seeks for foreign capital.

Mr. MARTIN. The hon. Minister (Mr. Ives) can scarcely have been listening to the speeches upon this question, because it must be very plain to the House that no member has expressed a desire for one moment to refuse to renew this charter. It is because the House has a well-grounded impression that something will follow the renewal of the charter, in the shape of a money grant, that objection is taken. There is no guarantee that this company intend to complete this railway out of their own funds. If this company came as other companies have come to Parliament, simply asking for a renewal of their charter because, on account of unforeseen circumstances, they have been stopped in their work, then, no doubt, the House would grant the request. We are indeed under no moral obligation whatever to do so, although the Minister (Mr. Ives) seems to think we are. It would be perfectly moral and perfectly right for this House to refuse it at any time and for any reason. If the doctrine of the Minister of Trade and Commerce (Mr. Ives) were to prevail, that we were morally bound to renew a charter every time it was asked for, that doctrine would be subversive of the rights of this Parliament. Why does the House place in every private Bill of this kind a provision that the work must be commenced and completed before a certain time ? What would be the use of such a provision, if the contention of the hon. gentleman is correct, that we are bound to renew every charter that has expired ? That clause is put in every Bill in order to retain in this Parliament control over that work, and in order that Parliament may be able to judge whether such circumstances have happened as give a company the right of renewal. It has been made plain by every member who has spoken against this motion, that, if this company asked merely to get their charter renewed, as a corporation, and to spend their own money for the completion of this work, there would be no objection. But, avowedly, this application is made for another purpose altogether. It is stated, on behalf of this company—I think, by the Secretary of State (Sir Charles Tupper)—that it will cost one and a half million dollars to complete this work. We also know that the subsidy granted by this Parliament in previous years would amount to $2,300,000, as stated by the Minister of Finance (Mr. Foster).

Mr. WELSH. $5,000,000.

Mr. MARTIN. That may be so.

Mr. WELSH. I am sure of it.

Mr. MARTIN. I am taking the admission of the financial man of the Government that this bonus amounts to $2,300,000. Therefore, Mr. Speaker, it is clear that apart from the question whether this company is a fraud, and apart from the question whether a ship railway is an absurd proposition or not ; it is directly to the advantage of this company that they should get that bonus and complete the work, even if the work is worth nothing when it is completed. They have paid out one and a half million dollars, they get their work completed, and they receive immediately from the Treasury of Canada a bonus which is worth, at present value, $2,300,000, and so there would be a profit to the company of $800,000. And, if we are to place reliance upon the statement of the hon. member for Queen's N.B. (Mr. Baird), that is the most that the company can ever expect. In urging that we should vote against the second reading of the Bill, he told us that it would be a great kindness to the unfortunate English investors who had put their money into this concern, to refuse to give them any further incorporation, because, as a commercial institution, it was utterly useless. It would be far better for those people to burn their bonds and let their money go, than to put any more money into it. In addition to what has been told us by the hon. Secretary of State in favour of passing this Bill, we have the fact that a previous Bill was introduced in this House by this very company, providing that they should get a Government bonus. That Bill, which was found to be out of order, contained a clause reviving not only the charter of the company, but all the subsidy rights which the company had before. So that the object of this motion is plain.

Mr. McINERNEY. I would like to correct the hon. gentleman. There were no such words as subsidy rights of the company in the first Bill. There were general words which were supposed to cover those particular rights. The promoters of the Bill did not think they did cover them; but when it was shown that they did, they withdrew the Bill and re-introduced it without those words.

Mr. MARTIN. Then do I understand the hon. gentleman to deny that this company do intend to urge the Government, and expect the Government, to give them the bonus?

Mr. McINERNEY. There is no need for the hon. gentleman to jump until he gets to the stile. The question now before this House is whether this company shall have its charter extended. When we come to the other question, we can meet it like independent men. The question now is whether the hon. gentleman objects to extending to this company the same privileges as are extended to like companies.

Mr. MARTIN. It depends entirely on the object for which this Bill is being pressed. If the object is to give this company the privilege of going on and completing the work with their own money, and without the money of Canada, then I understand there is no objection to it. If, on the other hand, the object of the Bill is to put the company in a position to receive the subsidy from the Dominion Government for the purpose of completing this ship railway, then it seems to me that we are justified in doing as the hon. member for Queen's, N.B., suggested, opposing the measure from the outset. The Government are in a position to settle this question at once. If they think it is important to this company to have the right to go and complete their work, why do they not state to the House that they do not intend to ask for an extension of the bonus to the company? As a matter of fact, in a very strong speech, the hon. Secretary of State showed the obligations of Canada to this scheme, and went very much further than the proposition of the promoter of the Bill on the last occasion that it was before us. My hon. friend says that the object of the Bill is simply to renew the charter of the company. If so, why had we such a long speech on the merits of the scheme, and in justification of the large bonus which Canada had granted to it. The hon. gentleman urged that it was necessary to do justice to this scheme in order to maintain Canadian credit in the old country; and the hon. Minister of Trade and Commerce laid great stress on that point today. I would like to say, for one, that if my vote is going to have the effect of destroying the credit of institutions like the Chignecto Marine Transport Railway Company in London, I would be very glad to destroy their credit. I regret very much that Canada has been more or less mixed up in this affair. I regret very much, indeed, that the High Commissioner in London has used his position as Canada's representative to recommend to English capitalists a scheme like this, bearing in mind the very clear exposition of the real nature of the scheme given to us by the hon. member for Queen's, N.B., when this matter was previously before the House, in which he told us that if everything said in favour of it were true—if this ship railway could be built, and if it became practicable to take ships from one water, carry them over twenty or thirty miles of land and put them in another water—granted all that, he says, when it is completed there is absolutely nothing for it to do. What should we think of the desirability of helping the credit of enterprises of that kind, when we find a member of this House, who has a most intimate practical acquaintance with all the circumstances of the trade which this ship railway is supposed to benefit, telling us that although the unfortunate investors had sunk $3,500,000 in the work, in his judgment it would be a kindness to them to prevent them putting another dollar into it? That hon. gentleman stated that it would be better for them to lose the whole $3,500,000 than to put another dollar into it in the attempt to get any of their money back. So far as credit is concerned, I can see no difficulty about putting our foot down—a little late, perhaps, but better late than never—upon a humbug of this description. A fraud, it has been called. It is the worst kind of a fraud; and the injury it has done to the credit of real enterprises in this country, in

which capital could be employed beneficially not only to the country, but to English investors, is great. The fact of a scheme of this kind having been floated, more or less with the connivance of the Government, is destructive of the only credit we should desire to maintain—the credit of Canada as a legitimate field for the investment of English money.

House divided on motion of Mr. McInerney :

YEAS :

Messieurs

Belley,
Bergeron,
Bergin,
Blanchard,
Boyd,
Cameron (Inverness),
Cargill,
Carling (Sir John),
Carpenter,
Caron (Sir Adolphe),
Coatsworth,
Corbould,
Costigan,
Daly,
Davin,
Davis (Alberta),
Desaulniers,
Dugas,
Ferguson (Leeds and Grenville),
Ferguson (Renfrew),
Foster,
Fréchette,
Gillies,
Girouard,
Grandbois,
Grant (Sir James),
Haggart,
Haslam,
Hazen,
Henderson,
Hodgins,
Ives,
Jeannotte,
Joncas,
Kaulbach,
Kenny,
Lachapelle,
LaRivière,
Leclair,
Macdonald (King's),
Macdonell (Algoma),
Macdowall,
McAlister,
McCarthy,
McDonald (Assiniboia),
McDonald (Victoria),
McDougald (Pictou),
McDougall (Cape Breton),
McInerney,
McKay,
McLean (King's),
McLennan,
McNeill,
Marshall,
Masson,
Metcalfe,
Miller,
Mills (Annapolis),
O'Brien,
Ouimet,
Patterson (Colchester),
Pelletier,
Pridham,
Prior,
Robillard,
Robinson,
Ross (Lisgar),
Smith (Ontario),
Sproule,
Stairs,
Taylor,
Temple,
Tisdale,
Tupper (Sir Charles),
Turcotte,
Tyrwhitt,
Wallace,
White (Shelburne),
Wilmot, and
Wood.—80.

NAYS :

Messieurs

Allan,
Angers,
Bain,
Béchard,
Beith,
Bernier,
Boston,
Bowman,
Boyle,
Brodeur,
Brown,
Bruneau,
Cameron (Huron),
Carroll,
Cartwright (Sir Rich'd),
Landerkin,
Langelier,
Laurier,
Lavergne,
Leduc,
Legris,
Lister,
Livingston,
Lowell,
Macdonald (Huron),
McGregor,
McIsaac,
McMillan,
McMullen,
McShane,
Casey,
Charbonneau,
Choquette,
Christie,
Colter,
Dawson,
Devlin,
Featherston,
Flint,
Forbes,
Gibson,
Gillmor,
Godbout,
Grieve,
Guay,
Harwood,
Innes,
Martin,
Mignault,
Mills (Bothwell),
Mulock,
Paterson (Brant),
Perry,
Proulx,
Rider,
Rinfret,
Sanborn,
Scriver,
Semple,
Sutherland,
Vaillancourt,
Welsh, and
Yeo.—63.

Motion agreed to.

VOTERS' LISTS OF 1896.

Mr. DALY moved for leave to introduce Bill (No. 87) respecting the voters' lists of 1896. He said : This is simply to do away with the revision this year and is similar to the Act of 1895.

Motion agreed to, and Bill read the first time.

GOVERNMENT RAILWAYS ACT.

Mr. HAGGART moved for leave to introduce Bill (No. 88) further to amend the Government Railways Act. He said : It was supposed that railway employees on the Intercolonial were not liable to the statute labour tax and the clearing of roads, but under a decision of the courts it seems they are. When the Intercolonial is blocked with snow, the municipal authorities take the men from the railway, who ought to be engaged in clearing snow from the railway tracks, and utilize them for the purpose of cleaning the different streets and roads throughout the different municipalities. It is proposed by this Bill to relieve the railway employees from this liability.

Mr. MILLS (Bothwell). The hon. gentleman is undertaking an impossible task. Those employees cannot be taxed by local authorities in consequence of any earnings they have in connection with the public service ; but statute labour is a duty imposed everywhere upon the citizens of every province, and that duty rests upon those in the employ of the Government here as much as upon any other citizens of the country. I do not see upon what ground it is possible to pass a Bill here which would have any effect whatever in relieving those in the public service from the discharge of duties that devolve upon every citizen in every province.

Mr. HAGGART. We will discuss that on the second reading. I am just following the advice of the hon. Minister of Justice (Mr. Dickey), who says we can.

Motion agreed to, and Bill read the first time.

DEPARTMENT OF CUSTOMS AND INLAND REVENUE.

Mr. WOOD moved for leave to introduce a Bill to amend the Act respecting the Department of Customs and the Department of Inland Revenue, chapter 11 of the statutes of 1887. He said : The Bill proposes to increase the salary of the Commissioner of Customs to the sum of $4,000 per annum. The salary at present received by him amounts in all to the sum of $3,600, $2,800 of which is provided by statute and $800 is paid as an allowance for acting as Chairman of the Customs Board. It is proposed to make the salary $4,000, which shall include all remuneration for his services as Chairman of the Customs Board, so that the actual increase is but $400 beyond the sum now paid. This will make the salary exactly equal to the amount received by the Commissioner of Inland Revenue ; and the importance of the office itself is such as leads the Government to believe that the services of so competent an officer is worth this amount.

Mr. McMULLEN. I want to enter my protest against any increases. They are not justifiable at all, even in the case of an officer of this kind. The cost of living is considerably reduced, the ordinary commodities are considerably reduced——

Some hon. MEMBERS. Hear, hear.

Mr. McMULLEN. I can give hon. gentlemen opposite some information with regard to that. Wheat used to be worth $1.20, and it is now down to 60 cents a bushel. Flour, which sold $7 or $8 a barrel, now sells at $3.50 and $3.25 ; potatoes which used to sell at 40 and 50 cents a bushel, now sell at 15 and 20 cents. That is one of the results of the National Policy. I enter my protest against this increase. There is no necessity or justification for it and the revenue of the country does not justify it. Every condition we have points in the opposite direction, and I shall oppose any increase whatever.

Mr. WOOD. I shall ask that the matter stand, because it may require to be introduced by a resolution. I did not suppose the hon. gentleman would object, because the increase, of which he complains so loudly, is after all but $400. I can tell the hon. gentleman that the Department of Customs to-day is run by the Controller and Acting Commissioner, whereas in previous years we had a commissioner, an assistant commissioner, and one other high official.

Mr. LAURIER. Do you not propose to go back to that ?

Mr. WOOD. And I can show that there has been such a saving in the administration of the department that I do not believe any hon. gentleman will object to the addition of $400 to the salary of a competent officer, filling one of the most important positions in the service of the country.

Mr. SPEAKER. The objection to the Bill is that it provides for an increase of salary to the Commissioner of Customs and must therefore be introduced by a resolution.

Motion withdrawn.

BINDING TWINE MANUFACTURED IN THE KINGSTON PENITENTIARY.

Mr. MACDONALD (Huron) asked :

1. What was the total output of binding twine, manufactured in the Kingston penitentiary, in the year ending 31st December, 1895 ?
2. Has the said output been sold, and, if so, to whom ?
3. What amount has been received therefrom ?
4. Is any money still due and unpaid, and, if so, how much ?
5. By whom is the said money due, and is it secured in any way, and, if so, in what manner ?

Mr. DALY. I regret I am not in a position to answer the hon. gentleman's question. The delay in answering this question is occasioned by the fact that the information required to fully reply to it has to be got from the books of the Kingston penitentiary. On inquiring of the department, I find that the information has not yet been received from Kingston, and it is of such a nature that I would suggest that the hon. gentleman move for an Order of the House for a return.

Mr. McMULLEN. As my question was on the same subject, perhaps the same difficulty may stand in the way of answering it. It is as follows :—

Whether any sum or sums of money are due or unpaid for binding twine sold, as set out on page I—43 of the Auditor General's Report ? If due, by whom, and what security is held for payment ? If paid, when was payment made, and in what way ? Has payment, for twine sold, been made in anything else but cash ? Has security been deposited for twine sold ? If so, what does the security consist of ?

Mr. DALY. I would ask the hon. gentleman to allow that to stand. I thought I had the answer here, but I find I have not.

Mr. DAVIES (P.E.I.) I wish to remark that in the Public Accounts Committee when this question came up it was understood——

Mr. SPEAKER. Order.

Mr. DAVIES (P.E.I.) I think I am in order in asking for the information.

Mr. SPEAKER. The hon. gentleman is referring to something that took place in the committee.

Mr. DAVIES (P.E.I.) But not a matter in which there was any difference of opinion. I merely wished to say that we were asked not to go into an examination of this question before the committee because the information was to be given in the House to-day. I think I am in order in bringing to the attention of the leader of the House the fact that we did not proceed before the committee because of that promise.

Mr. SPEAKER. The question stands at the request of the Government.

Mr. MACDONALD (Huron). Do I understand that my question also stands at the request of the Government ?

Mr. DALY. No, I answered your question.

Mr. SPEAKER. The hon. Minister of the Interior has answered the question by stating that it will be necessary to give notice of motion.

INSOLVENCY BILL.

Mr. MARTIN. Before the Orders of the Day are called, I desire to call attention to the fact that Bill (No. 51) respecting insolvency, has not been printed in French. It has stood for second reading since the 4th February. I am in hopes that this Bill will be reached shortly on one of these private members' days, and I fear it will be blocked under the rule requiring Bills to be printed in both languages. I am very anxious indeed to get a vote of the House upon this measure, and to have the Bill passed into law. It seems to me there must be something wrong that it has not been printed in French, although two months have elapsed since it was introduced and the English copy was distributed a month or six weeks ago. I am informed by an hon. gentleman near me that the Bill has actually been printed in French, but, by some oversight, it is not so marked in the Order paper.

Mr. SPEAKER. The failure to mark it as printed in both languages would not prevent it being moved if it really were printed and distributed.

Mr. MARTIN. I did not know, when I began to speak, that it had been printed in French.

VOLUNTEERS FOR THE SOUDAN EXPEDITION.

Mr. DAVIES (P.E.I.) In a late issue of a St. John paper a statement is made to which I desire to call the attention of the leader of the House. The statement is to the effect that the 18th Princess Louise Hussars, of King's County, N. B., have volunteered for service in the expedition to the Soudan. I believe a despatch has been sent to the Government making that offer, and I would like to ask the hon. gentleman whether the statement is true that they have volunteered and whether the Government have forwarded the offer either by despatch or cable, or what action has been taken or is proposed to be taken.

Sir CHARLES TUPPER. I would like the hon. gentleman to repeat that question when the hon. Postmaster General, who is acting for the Minister of Militia, is in the House.

SUPPLEMENTARY ESTIMATES.

Sir RICHARD CARTWRIGHT. I take the opportunity to inquire of the Finance Minister whether he is yet prepared to state when he will bring down the Supplementary Estimates for the present year. I may remind the hon. gentleman that it is highly desirable, if any of these are important, that they should be submitted at an early day.

Mr. FOSTER. I think I can promise my hon. friend that they will be down on Monday at the latest.

ROYAL MILITARY COLLEGE.

Mr. MULOCK. I desire to inquire of the Government if they propose to take any action, and if so, what, with regard to certain recommendations made by the board of visitors and the officer commanding in regard to the Royal Military College. Among others there is a recommendation by the officer commanding, a very pointed recommendation, suggesting some changes in the personnel of the staff.

Sir CHARLES TUPPER. I would say that I prefer that that question be repeated to-morrow.

On the order for Bill (No. 8) respecting interest being called,

Mr. MULOCK. Might I be allowed to make plain my question. The recommendation I refer to is that of Mr. Fleming, as well as that of the commanding officer.

Mr. SPEAKER. The hon. gentleman cannot do that on this order.

COMBINATIONS FORMED IN RESTRAINT OF TRADE.

Mr. SPROULE moved second reading of Bill (No. 12) to amend the law relating to conspiracies and combinations formed in restraint of trade.

Mr. CAMERON (Huron). I think we should have some explanations from the hon. gentleman as to the nature of the amendments he proposes to make by this Bill and the reasons for those amendments.

Mr. SPROULE. The amendments proposed by this Bill consist in striking out three words in the old Bill, or rather one word in three different subsections. In section 520 of the Criminal Code there is a prohibition of combinations to unduly limit the facilities for transporting, producing, manufacturing, &c. By this Bill I propose to strike out the word "unduly," in paragraphs "c" and "d," so that they will read, in the first case, "to prevent, limit or lessen the manufacture," and in the second case, "to prevent or lessen competition." I may explain that the Bill passed this House twice with those words left out, and therefore the House assented twice to the Bill in that shape. The first time it passed this House and went to the Senate, these words were put in again, and the Bill became law in that shape. The Bill was again amended in this House by leaving out the word "unduly" in each of these three subsections, and went to the Senate again, but the word "unduly" was again introduced in the Senate. Afterwards it was introduced into the Senate with these words left out, passed the Senate, and came to this House; but it was so late in the session that before we reached the second reading the session was over. I propose now to endeavour to get the Bill passed and amended in this direction.

Motion agreed to, and Bill read the second time.

SECOND READINGS.

Bill (No. 16) respecting the House of Commons.—(Mr. McCarthy.)

Bill (No. 17) to facilitate voting by employees at the election of members for the House of Commons.—(Mr. Rider.)

SUPERANNUATION SYSTEM.

Order for:

Resuming adjourned debate on the proposed motion of Mr. McMullen for second reading of Bill (No. 19) to abolish the superannuation system as applied to the Civil Service of Canada.

Mr. McMULLEN. Mr. Speaker,——

Mr. SPEAKER. On a motion for resuming the adjourned debate, the hon. member can hardly resume the discussion.

Mr. McMULLEN. At the suggestion of the Minister of Finance, I think, I moved the adjournment of the debate myself.

Mr. SPEAKER. No hon. member can speak again on a resumed debate.

Mr. McMULLEN moved second reading of the Bill.

House divided:

YEAS:

Messieurs

Allan,
Angers,
Bain,
Béchard,
Beith,
Bernier,
Boston,
Bowman,
Brodeur,
Brown,
Cameron (Huron),
Campbell,
Cartwright (Sir Rich'd),
Casey,
Choquette,
Christie,
Colter,
Davies (P.E.I.),
Dawson,
Devlin,
Featherston,
Flint,
Forbes,
Fraser,
Gibson,
Gillmor,
Grieve,
Harwood,
Innes,
Landerkin,
Laurier,
Lavergne,
Leduc,
Legris,
Lister,
Livingston,
Lowell,
Macdonald (Huron),
McDonald (Victoria),
McGregor,
McIsaac,
McMillan,
McMullen,
McShane,
Martin,
Mignault,
Mulock,
Paterson (Brant),
Perry,
Proulx,
Rider,
Rinfret,
Sanborn,
Scriver,
Semple,
Sproule,
Stubbs,
Sutherland,
Vaillancourt,
Wallace, and
Yeo.—61.

NAYS:

Messieurs

Belley,
Bergeron,
Bergin,
Blanchard,
Boyd,
Boyle,
Cameron (Inverness),
Cargill,
Carling (Sir John),
Caron (Sir Adolphe),
Carscallen,
Coatsworth,
Corbould,
Costigan,
Daly,
Davin,
Davis (Alberta),
Dupont,
Earle,
Ferguson (Leeds and Grenville),
Ferguson (Renfrew),
Foster,
Fréchette,
Gillies,
Girouard,
Grandbois,
Haggart,
Haslam,
Henderson,
Hodgins,
Ingram,
Ives,
Jeannotte,
Joncas,
Kaulbach,
Kenny,
Lachapelle,
Leclair,
Macdonald (King's),
Macdonell (Algoma),
Macdowall,
McAlister,
McDonald (Assiniboia),
McDougald (Pictou),
McDougall (Cape Breton)
McInerney,
McKay,
McLean (King's),
McLennan,
Mara,
Marshall,
Masson,
Metcalfe,
Miller,
Mills (Annapolis),
Ouimet,
Patterson (Colchester),
Pridham,
Prior,
Robillard,
Roome,
Rosamond,
Ross (Lisgar),
Smith (Ontario),
Taylor,
Tisdale,
Tupper (Sir Charles),
Turcotte,
Tyrwhitt,
White (Shelburne),
Wilmot, and
Wood.—72.

Mr. BERGERON. The hon. member for Quebec Centre (Mr. Frémont) is in his seat, and he has not voted.

Mr. FREMONT. I am paired with the hon. member for Three Rivers (Sir Hector Langevin). Had I voted, I would have voted in favour of the motion.

Motion negatived.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. JEANNOTTE. (Translation.) I move the second reading of Bill (No. 21) further to amend the Banking Act; and in so doing, Sir, I belive that I am proposing a measure of considerable importance, and, as a matter of fact, the most important measure which has yet come up before this House, from a business and commercial standpoint. It is not my intention, Sir, to review the history of the banking institutions which have suspended payment and become insolvent. My object now is not to go into all those details, but merely to explain the Bill which is before the House. The object of this Bill is to protect the shareholders and depositors, that is to say, those who place their savings in the banks. I believe that the depositors are still more interested in the good management of the banks than the shareholders themselves, because the depositors have very little security for their money. A certain number of shareholders use the credit of the bank as directors. They seek to do business on a large scale and with that end in view they borrow money from the bank without giving sufficient securities to cover those advances. That explains why banks are wrecked and why failures result. In my opinion, depositors have as much, if not more interest in the good management of the bank than the shareholders themselves. They make deposits in the bank in order to reap certain benefits, say, an interest of three or four per cent. which is admittedly a very modest profit, but still they do so under the belief that they have all possible securities. Now the banking law does not provide a sufficient security to depositors. For the bank which has only a paid-up capital stock, say of $1,000,000, is empowered under the statute to receive deposits to the amount of three, four or six million dollars. As a matter of fact, the amount of deposits which banks receive is unlimited. Those depositors believe that, when they have put their earnings in the bank, they are perfectly safe and they run no risk. Now, their deposits are guaranteed only by a capital stock which often reaches barely half a million or at most one million dollars. It often happens—and unhappily, it is quite too common an occurrence,—that a certain number of commercial men, when comes the time to elect the board of directors of a bank, qualify themselves as such, in order to get credit from the bank. Once they have been elected, those business men, open accounts with the bank to the amount of fifty, eighty and even one hundred thousand dollars. A few years later, these same men, as shown from experience, become insolvent, having open accounts with the bank to the tune of fifty or one hundred thousand dollars, although they are not worth one cent, or, at any rate, without having given one-tenth of that sum as security. No bank with a capital stock of a million or a million and a quarter dollars can possibly stand such a drain. It is with the deposits that such advances are made and they are lost when those business men become insolvent. The law must by all means be modified so as to protect the depositors and put a stop to such abuses. I believe that the Banking Act does not provide to limit the power of the directors as to the advances which they may make. For some years past, commercial men who wished to get more credit have been anxious to qualify themselves as directors, in buying a certain number of shares. In certain cases, merchants have even been known to get from their friends or relatives the loan of their shares, in order to qualify themselves as directors. And once they have been elected to the board, they took good care to draw as much money as possible from the bank, when they could do so. If a banking law were framed so that bank directors, no matter what may be their financial status, should be precluded from drawing money from the bank, or to get advances beyond the amount of their paid-up shares, I believe that it would be a good departure both for the shareholders and for the depositors. The law ought to be amended so as to have it enact that no bank director shall be allowed to draw from the bank, under the shape of credit or advances, an amount beyond that of his paid-up shares. I believe that such a measure would be calculated to prevent abuses, because a director who would have a capital stock of three hundred thousand dollars would be mighty careful not to make risky advances and thereby to impair or lose his capital and that of the other shareholders. They who wish to open accounts with a bank beyond their means with a view to increase their commercial transactions, are undesirable customers. Another abuse as to which I wish to call the attention of the House is this: Bank directors enter, as it were, into partnership with the cashier who has generally no other interest in the bank beyond the amount of his own salary, thus being in compact with that official who might inform against them and make known their doings to the shareholders. The cashier being an interested party, in so far as he borrows money from the bank, looks over the loans which the directors get from the bank on their own account. On the other hand, the cashier avails himself of his chances and the directors, interested in having mutual good understanding prevail between themselves and the cashier, do not interfere with him, in order to prevent him denouncing them to the shareholders. Money is the sinews of war and business; and they allow the cashier to open an account in his own name in the bank or even to lend the funds of the bank to other parties, to friends. I could mention the names of certain banks, but I will refrain from doing so. A certain bank—

Mr. CHOQUETTE. (Translation.) The Banque du Peuple.

Mr. JEANNOTTE. (Translation.) Mr. Speaker, I shall not mention any names. I merely state public facts. It has transpired, of late, that a bank official who was not worth a cent had one hundred thousand dollars credit in the bank of which he was cashier, and by whose authority, I ask, Sir ? The president of the bank stated that he had no knowledge of it. Bank directors, whose income amounts to very little, have been known to make considerable commercial transactions, after having drawn from the bank of which they were directors sums amounting to sixty and even one hundred thousand dollars. And when the shareholders, who meddled with the affairs of the bank only in so far as they had dividends to receive, wished to have some information about those transactions, they were told that they could get none, because that would interfere with the credit of the bank. That is, in my opinion, a good means of keeping the interested parties in the dark. One melancholy feature of those transactions is that poor widows and orphans have been thrown on the charity of the street, because they had deposited in the bank as a small deposit the balance that remained of an inheritance worth four, five or six thousand dollars. Such deposits represented all the fortune of those families which were ruined through the maladministration of the directors, and because under the banking law the directors are empowered to lend trust funds to themselves or to their friends without any serious guarantee. A certain number of families, after having deposited in a certain bank all their savings, depending upon the yearly interests to provide for their small expenditure, are now ruined and thrown on the charity of the street. But I may be told : We have a perfect banking law, and as perfect a system of banking as is to be found anywhere in America. Possibly at the time when it was framed, that law was as perfect as its framers could afford to make it, but the world moves on, and is progressing. I do not know whether that can be called progress, but, in common parlance, it goes under the name of sharpness. Nowadays, with the cleverness with which they manage their business, people succeed in deceiving the public, while avoiding to fall into the clutches of the criminal law. Matters have reached a point where it becomes necessary to amend the banking law. The Bill which is now before the House is not complete. I believe that the Government ought to have taken charge of it. I believe that they ought to consolidate the banking law. It needs to be consolidated. Guarantees should be given to the depositors rather than to the shareholders. Under the law as it now stands, banks are empowered to receive deposits far beyond the amount of their capital stock. Those deposits are made by poor labourers who put in the bank their small savings, and sometimes incur the risk of losing in one day deposits amounting to a few hundred dollars, the savings of several years. The Government, in my opinion, contribute to bring about such a state of affairs, because the banking law is not drastic enough and, in consequence, depositors are not given sufficient guarantees. There are also the Government Savings' Banks, and I am aware that they can receive deposits to the amount of several millions, and they are able to return them, as the country is security for them. But it is not so with the banks. It is easily understood how a bank which has a paid up capital of one million dollars and which receives six millions deposit, payable on demand, is often unable to repay them, at a given moment. But I am told : the bank transacts business with that money. That is the trouble with our banks. Several of our banks have become insolvent, and others were obliged to reduce their capital by one-half ; now, had they not been authorized to receive deposits for an amount beyond their paid up capital stock, they would not have been wrecked and failure would have been avoided, and the poor labourers, the widows and orphans would not have lost their savings ; they would not now be dependent on public charity or on that of their relations or friends. We have been taught by experience prudence in money matters ; and, although plain-dealing and honesty have their merit, still prudence requires that we should act as if we suspected those with whom we deal of being dishonest ; that is the best way not to be imposed upon. When we transact business with a bank, it is that we believe it to be a safe institution, and that is preferable to put our money in it, than lending it to other parties or upon mortgage or hypothecation. Now, as most people are very little or not at all conversant with the Banking Act, and above all the depositors, it often happens that they are gulled. I say that this law ought to be made more drastic than any other, because the future of poor families is at stake. If the Government choose to let the banks continue receiving deposits, I have no objection to that, provided they see to it that no bank be allowed to receive deposits beyond its paid up capital stock. Under the Bill now before the House, no bank directors are entitled to the right of lending trust funds to themselves for a sum larger than the amount of capital they contribute to the bank. Such a provision is a guarantee, as I am going to show. Should they take away from the directors the power of borrowing from their own banking institutions a sum larger than the amount of their paid up stock, you would not have sitting at the board of directors so many men anxious to get there for the sole purpose of borrowing money from the bank ; but on the contrary, you would have there capitalists who would not need borrowing funds from the institution, thus affording a guarantee to the public, and such men would also show themselves very strict in their dealings with the customers of the bank. If a merchant wished to open an account, such directors, being interested in protecting themselves as shareholders, would also protect the public. Customers would not come and tell such directors, as certain directors were told, under other circumstances: You have fifty thousand dollars discount; your solvency is no better than mine; I want you to make me an advance of ten thousand dollars. Then, commercial men who depend on the banks to make large commercial transactions, would feel more reluctance to go and ask the directors to open an account, because of the board being composed of men of independent means bound to protect their own interests as well as those of others. I believe that the banking law should be so amended that nobody could be elected director of a bank of a half a million capital stock, unless he had fifty thousand dollars of paid up shares; and in the same ratio, one hundred thousand dollars of paid up shares, in a bank having one million capital. I may be told, perhaps, that the change I advocate is impracticable, because, if so considerable a sum of paid up shares were required, the bank would be without directors. Such an objection is groundless, because, in my opinion, the better the guarantee, the better will the shareholders be protected, and the more will people be inclined to become shareholders. In order to become director, nowadays in certain banks, it is enough to hold shares to the amount of five thousand dollars, and it sometimes happens that out of these five thousand dollars, there is only fifty per cent paid up. With other banks, a capital of ten thousand dollars is required. Now, as to the commercial man who becomes director with a capital of ten thousand dollars in paid up shares and who has made advances of twenty-five, thirty or forty thousand dollars to himself, how could he decline granting the same favour to a customer who wishes to open an account with the bank? I would further suggest an enactment to the effect that the board of directors should not be allowed to lend either directly or indirectly a dollar of money from the bank to any bank official, and that if a director should permit such a thing, that director should, ipso facto, be disqualified and cease to be a member of the board. Such an enactment would be a guarantee against bank officials using the trust funds for speculative purposes. Those officials would then devote all their energies to fulfilling their duties and honestly earning their salary. A stop would thus be put to that system whereby a bank official opens a personal account for speculative purposes or with a view to helping relatives and friends to speculate on the funds of the bank. It may perhaps be urged that officials to whom advances are made and who fail to repay them are dismissed. Quite true, Sir; those officials may possibly lose their situation, but it is also true that the bank loses its funds and finally, it is the depositors who lose their money.

I said that the present Bill was necessary, in order to guarantee the interests of depositors, and why so? As a matter of fact—and I do not speak here of capitalists who make large deposits amounting to one hundred thousand dollars, of men who are conversant with the financial transactions of the exchange and who watch them closely, for, such men know how to protect themselves—but I speak of small depositors, of those men who are not free to watch so closely the operations of the money market, because they have to provide for the daily bread of their family, and those, I say, are the very men whom the law should protect. As to the capitalist, he is quite able to protect himself, and has no need of the law. No sooner does he hear of the slightest suspicion transpiring about the solidity of the bank where he makes his deposits, than he hastens to withdraw his money, and the withdrawal of those funds impairs the credit of the bank. The public is always warned in the end. The fact that an important depositor has withdrawn his money gives rise to suspicion and apprehension. They say: Mr. So-and-so, who has made a deposit in the bank, has withdrawn his money from it; he is a wealthy capitalist, and there must be something wrong with the bank, when a man of his means withdraws his deposit. The small depositor then infers the fact that he had better withdraw his money, for fear of losing it. Those depositors are the very men who, like the minorities, are entitled to protection at the hands of the law, because they have no time to make inquiries, as they must devote their whole energies to the support of their families. Moreover, many of them lack the necessary experience for closely watching banking transactions and to post themselves about all circumstances connected with the exchange. When those small depositors hear that such a bank is shaky, and that its credit is becoming involved, the bank in question has already closed its doors, and a large number of those depositors are forced to sell their deposits, as occurred quite recently, at forty or fifty cents in the dollar. If the banking law were made more drastic and required better security, mainly with regard to bank deposits, if the law, I say, enacted that those deposits should not exceed the amount of the paid in capital, I believe that such an enactment would afford better security to the depositors and to shareholders alike, who would not incur the risk, as they do now, of making losses involving, in many cases, the ruin of their fortune. Let us take a bank with a capital of one million and a quarter, and having received deposits amounting to five or six millions. Instead of making advances in proportion to the capital in hand, the directors of that bank make commercial transactions with their customers, out of their trust funds. It often happens that those commercial men are forced to compound with their creditors, and we know cases where they found themselves indebted to the bank to the tune of seven hundred thousand dollars. Then it happens that the bank is obliged to take as security property worth about one hundred thousand dollars, on which it cannot realize, while it has to pay taxes, assessments and insurance premiums. As the Bill under discussion is highly important, not only for a portion of the country, for the city of Montreal, but also for the city of Toronto and the rest of the Dominion, I think it ought to be referred to the Committee on Banking and Commerce. I admit, Sir, that at this advanced stage of the session, the House cannot debate this Bill at any length ; that is the reason why I say that the Bill should be referred to the Banking Committee for consideration, and I believe that, next session, the Government, whether the Liberals or the Conservatives are in power, will be ready to place before the House amendments to the Banking Act, in order to give better securities to the depositors in our various banks, and better guarantees to the shareholders, to the benefit of the general public. If we allowed the Banking Act to remain as it stands now, and as operated within the last few years, our system of banking, of which we boast so much, will not be much appreciated by the public. Last year, I heard several hon. members say : Look at the United States, where banking institutions foundered by hundreds, swallowing up the fortunes of thousands of families which were thrown on the charity of the street, after having been up to that moment looked upon as wealthy people. Here in Canada, we had no such collapse. I say, Sir, that we must prevent such a calamity, for if our Canadian banks were wrecked, as it happened in the United States, we would have very little left. Our banking law ought, of necessity, to be consolidated. I speak in the interests of Montreal, for I am better acquainted with the state of affairs in that city than anywhere else. The banking law ought to be consolidated and modified, so as to afford better securities to depositors, who are clamouring for such a change, calculated to so protect them as to place them beyond the risk of losing one single cent of their deposits. Now, if in the commercial metropolis of Canada, if in Montreal, which is the great business centre of the Dominion—and I make no exception for Toronto, because, if Montreal did not exist, Toronto would have very little commercial activity, being too far from the centre of business——

Mr. COCKBURN. How is that ?

Mr. JEANNOTTE, (Translation.) I am going to explain my meaning. In order to communicate with England, via the St. Lawrence, Toronto commercial men have to pass through Montreal, and it is because we treat them well that they come down to Montreal to take the steamers. If Montreal had not such a fine harbour as the one we have, they would have to pass through the United States, where they would not meet with as kind a reception as they do in Montreal. But we are happy to see the Toronto people coming down to Montreal, because the better they know us the better we will understand each other. To come back to the Bill now before the House. I would like to know whether the Government intend, as early as possible, to modify the banking law so as to afford better security to both depositors and shareholders, and so that the banks shall not be authorized to receive deposits beyond the amount of their paid in capital stock. I am aware that, last session, in July last, Parliament declined incorporating a company seeking incorporation as an institution, to receive small deposits from five to ten cents. The Government declared that they could incorporate such companies, because they had savings banks which afforded better security to the public than those companies could do. The Government were undoubtedly right, under the circumstances, but in order to be consistent with themselves, they ought to prevent banks receiving deposits beyond the securities which they can afford. If not, the Government would be inconsistent in declining to give incorporation to other companies, under whatever name, on the ground that they do not afford sufficient securities. Now, under the law as it stands, in order to be a bank director, one must own shares to the amount of ten thousand dollars in the banking institution, and those directors may loan to themselves the whole bank capital. If there were nine directors in all, they would only require to own shares to the amount of five thousand dollars each or forty-five thousand dollars in all, and they would be entitled, under the law, to borrow the whole bank capital, or one million dollars. And who suffers therefrom ? Not the directors, but the shareholders, and, chiefly, the poor depositors. In moving this amendment, as I said at the outset, I do not wish to throw any blame on the banks which receive large deposits, in so far as they remain within the limits prescribed by the statute. It may, perhaps, be urged that under the law as it stands, a director who knowingly is guilty of breach of office and maladministration of the bank business, may be arrested and sent to prison. But would poor depositors be thereby repaid the money they have lost? Would poor widows and orphans be thereby repaid the small capital, the only resource left them to provide for a rainy day ? The directors may be sent to jail, but the money would not thereby be reimbursed. The object which I have in view would dispense with applying that penalty to bank directors, if the law were amended in such a direction, as to take away from them the opportunity of going to jail, and hence they would well administer the affairs of the bank, and could not render themselves liable to such a penalty, unless they were robbers. If a bank director with $5,000 of stock were not entitled to loan to himself an amount beyond that of his paid-up shares, or allow his friends among the capitalists and commercial men to open large accounts, heavy losses would thereby be averted, and all the evils which I have pointed out would be avoided. I may be told that in such cases it would be necessary to pay large salaries to have the affairs of the bank administered, because very few persons would be willing to go to the bank two or three times in the week for the transaction of business—for time is money—and no bank directors could therefore be found. The honour of being director will always be an incentive for business men to accept that position. The more drastic the law will be with regard to bank directors and bank cashiers, the more security it will afford to depositors, shareholders, to commercial men, and it will prove beneficial to the latter, as only the honest man who is making bona fide commercial transactions would then have credit at the bank. Men whose whole capital consists in advances and discounts from the banks would no longer be able to make transactions like millionaires. From the very fact that bank directors will no longer be interested as borrowers, they will show more concern for the progress of the institution, and for the profits it may realize. They will no longer be tempted to further their business or their trade by means of advances they may make to themselves as bank directors. So that bank directors will give to the bank all their labour, their brains, all the benefit of their financial attainments, and they will more closely watch the operations of the bank. They will make advances to none but solvent customers, to persons offering reliable security by their social and commercial standing in the community. The bank will then have the guarantee of being paid the amount of each bank note discounted. If it were necessary to give directors a higher salary in order to secure their time and their services, I say that both the bank and the shareholders would be benefited thereby. When a man transacts my business creditably, he deserves to be paid double the salary I would give another man who would manage to his personal benefit and to my personal risk. The man who manages my business well, who increases my capital, who contributes to the progress of my firm, deserves to be well paid, and notwithstanding the high salary I may give him, I will still be the winner in the long run. The man who has only a small salary says to himself : Now, I have only $1,000 a year, and I am going to work for just the amount I am paid. He does not busy himself with the interests of others, nor with the progress of the business of his employer ; he comes to the office at nine o'clock in the morning and leaves at four o'clock in the afternoon, not caring for anything beyond being present during office hours. Bank directors who are not paid say to themselves : Why should we go and spend three hours a day to manage the affairs of the bank, and neglect our own business ? and how can we be benefited by transacting the bank's business and neglecting our own business ? If, on the contrary, a bank director were to have a sufficient salary, let us say $20 for each meeting, the shareholders might tell him, in case he should neglect the affairs of the bank : Why did you not attend to the business of the bank ? Why did you take your salary without having earned it ? Now, a bank director may say to himself : I am not paid as director, and I am not going to waste my time on that banking business. I do not believe that such a state of things is beneficial to the shareholders themselves. Bank directors ought not to loan trust funds to themselves or to accept bank notes, the whole value of which is represented by the name signed at the foot of it. Banks show themselves very exacting with customers who are not commercial men ; for as to professional men, Sir, banks never lost much, because when they advance money to them they require so many securities, that they do not incur the risk of losing a single cent. It is with the higher branches of trade that banks lose money. Wholesale men are given an almost unlimited credit, and the day comes when those large commercial firms become insolvent, leaving banking institutions their creditors for amounts sometimes reaching a million. That happened, Sir, not so very long ago in this country. Those large firms then came and offered twenty-five cents in the dollar. The bank lost money : the savings of the shareholders and of the depositors were swallowed up in those failures. If bank cashiers were free to speak out what they know, abuses like those witnessed not so very long ago would never occur. And yet, it is stated that the capital borrowed from the banks amounts to some $600,000. And what security did the bank have for the reimbursement of such a sum ? None. If such a fact occurred, it is because the banking law does not afford sufficient security and protection to the public, to the depositors and to the shareholders. The board of directors are allowed too full scope. But I may be told : How are you going to refuse to directors the right to loan money to themselves, when they have a right to lend it to others ? Such is the mainspring of all the evils we complain of, and if no change were made to the law, heavier failures and collapses would be in store for us in the near future. When a bank suspends payment, it is a public calamity, because a great many people are brought to grief, who had toiled to earn the money deposited by them in the bank, under the belief that it was in a safe place. At the very moment when they need their money, they find themselves deprived of their hard-earned savings, as happened not long ago. I now bring my remarks to a close. I believe that I have made sufficiently clear my meaning, and my object in bringing down this Bill to the House, and I call the attention of the Government to it.

The present law is not satisfactory. The law should be consolidated and more effective provisions inserted than exist now, and special provision should be made that directors of banks should not be able to borrow money from their own banking institutions, except to the amount paid by them for stock. Again, a bank should not have power to receive deposits beyond the amount if its capital. I know of a Montreal bank, with a capital of $1,000,000, which receives deposits to the extent of $6,000,000. If the depositors were suddenly to demand their money, they could not be reimbursed. The working classes, of course, cannot lend money on mortgage, and are, therefore, obliged to deposit their money in banks, and they believe that these institutions afford them the greatest security. There is no guarantee, however, when a bank receives deposits equivalent to six times its capital. Whenever a rumour arises that the bank is in a shaky condition, small depositors at once claim their deposits, and, as these cannot be immediately returned, the bank closes its doors, and, in some cases, these poor depositors lose their earnings, and even become recipients of charity. The Government should take these suggestions into their serious consideration, and, although it is said that our banking law is more perfect than any known, in my opinion, it could be improved in the direction I have indicated. Last year, a company sought incorporation as an institution to receive deposits. The Government refused it incorporation. It is pointed out that we have now Government savings banks, and that they afford a guarantee to depositors. While the Government refused to allow a company of, say, ten individuals, with a capital of $500,000, to take deposits to the extent of two or three millions, at the same time they allow existing banks to receive deposits to the extent of about six times their capital. The Government should take my Bill into their serious consideration, and introduce a measure next session dealing with all the banks, and containing a provision forbidding directors borrowing money from their own banking institution, except up to the value of their stock. At the present time the surplus funds of a bank may be all loaned to directors and employees.

Before resuming my seat, Sir, I beg to move, with your permission, that the present Bill be referred to the Committee on Banking and Commerce.

Mr. MULOCK. I thought from the concluding remarks of the hon. gentleman (Mr. Jeannotte) that he did not contemplate pressing this measure any further, and I am therefore surprised that a motion has been made referring it to the Committee on Banking and Commerce. With all respect to the hon. gentleman, I would say, that the proposition in the Bill appears to be a rather immature one at least, and I submit that the Banking and Commerce Committee could not, for one moment, assent to any such proposition as is involved in this Bill. If it became law, it might happen at any time that a bank would be without any directors at all. The proposition is, that if a director should permit any officer of a bank, however humble, to borrow a dollar of money from the bank, then, ipso facto, that director ceases to be a member of the board. You might possibly, therefore, have a bank with large interests involved, and no board of directors to take charge, leaving the whole property in danger. The hon. gentleman (Mr. Jeannotte) of course does not contemplate any such state of affairs as that. If there is anything unwise in lending to officials, the remedy suggested in this Bill is not adequate. I think there is a mistaken idea, too, as to the unwisdom of banks lending to their directors. I admit, that in the abstract, there is a conflict of duty in bankers lending trust funds to themselves, but there has no evil come from that in Canada under our present Banking Act. In times gone by, banks have suffered from that cause, but I am not aware that under the present Bank Act there has been any abuse.

Mr. MARTIN. The hon. gentleman cannot be aware of the Commercial Bank of Manitoba.

Mr. MULOCK. Manitoba was an exceptional case altogether.

Mr. DALY. An exceptional bank.

Mr. MULOCK. Yes, an exceptional bank.

Mr. MARTIN. But still it shows what can be done under the system.

Mr. MULOCK. We cannot make laws to deal with exceptional cases. In many instances, the directors are the safest men to loan to, and if you carried out this rule, you would perhaps deprive many a bank of some of its best customers. It is well enough to introduce the proposition, but I think it would be much better to withdraw it now. It has not received a great deal of consideration, and it would be only waste of time to forward it to the Banking Committee. The hon. gentleman (Mr. Jeannotte) says that if any director should borrow an amount equal to his stock, he would cease to be a director. Does the hon. gentleman mean the par value of the stock.

Mr. JEANNOTTE. Paid up.

Mr. MULOCK. Well, some stock is not worth anything like the amount paid up. Some stock is not worth par, and the hon. gentleman is indirectly sanctioning a loan to a director, of a sum equal to the par value, which would be much in excess of the market value of the stock. As to that class of stock, he would be injuring the bank by indirectly giving statutory authority to the directors to borrow up to the par value of the stock. On the other hand, in the case of bank stock that might be 200 or 300 per cent above par, he would be depriving the bank of a very good opportunity of loaning. No matter how you look at this Bill, I do not think any of its provisions are worthy of being adopted. I may say, in making these remarks, that I am not a director of any bank, but I have had occasion to notice the working of our Bank Act, and it is from my observations that I have drawn these conclusions.

Mr. COCKBURN. I agree with the hon. gentleman (Mr. Mulock) that it would be better, after some discussion, that the Bill should be dropped for this session, and when we meet again—as we must meet soon again—we would be able to take up this question. I sympathize with my friend (Mr. Jeannotte) fully in his deeply-felt sympathy for the widows and the orphans. He pictured to us a poor widow with her thirty or forty piastres in her pocket, and he seemed to think that in the case of a bank failing, this poor woman would be thrown on the charity of the street. I beg to remind the hon. gentleman that five years ago our banking system was fully and ably discussed, that we had at that time in the Banking and Commerce Committee, representatives from the leading banks of this country, and that after lengthy consultation and protracted debate, a Bill was passed which, I believe, is about as perfect as a Banking Act could be made under present circumstances. My friend (Mr. Jeannotte) has wasted his sympathy on these widows and orphans, for he has forgotten that every bank pays five per cent of it circulation to the Government, and that a fund of some million and a half dollars is provided as a guarantee for the redemption of the notes. The moment a bank suspends or fails, these notes begin to bear interest, and at the present rate of interest, 6 per cent, the notes would be at a premium, so that the poor widow would have her $30 safe, and perhaps make a dollar in addition. My friend (Mr. Jeannotte) seemed to think that a bank ought to be restricted in its loans to exactly the amount of its capital.

Mr. JEANNOTTE. Not to receive deposits exceeding its capital.

Mr. COCKBURN. Therefore, a bank with $1,000,000 capital could only have $1,000,000 deposits. When the hon. gentleman reviews the history of banking in Canada, he will see that it has been a marked success: such a success as has excited the admiration, not only of banking men in the neighbouring republic, but throughout the known world. We have adopted to a great extent the Scotch system, and engrafted thereon securities and safeguards of our own which place us beyond the peril of loss, at any rate so far as these poor note holders are concerned. At present, the security is somewhat collossal, for while the banks have thirty or forty millions deposit, they have some $330,000,000 securities. Therefore, for every dollar the poor woman referred to by the hon. member (Mr. Jeannotte) may put in the bank, she has $10 security, and for her $30 she has $300 to secure it. I hope that after that assurance, my hon. friend (Mr. Jeannotte) can sleep to-night calmly, and not let his heart be disturbed by any wrong, real or imaginary, which may fall on any poor orphan or widow in the Dominion. Since 1870, for more than a quarter of a century, we have had only one failure in which the notes have not been fully redeemed; and, with the alterations and amendments made in the Banking Act five or six years ago, such a thing can scarcely occur again. The position in which my hon. friend wants to put bank directors, is rather anomalous. A bank is a congregation of gentlemen who have subscribed a certain amount of money, and whose business it is to buy and sell money; and, apart from the fact that we have to guard against loss by noteholders, I do not think it is our duty to interfere unduly with the banks in regard to the mode in which they conduct their business. I think the shareholders are able to manage their own affairs; and, if we, as a Parliament, interfere with them in these matters, we shall be assuming responsibilities which we are in no position to fulfil. My hon. friend suggests that bank directors should have very small advances—at any rate, advances not larger than the amount of capital they contribute to the bank. My hon. friend, in making such a proposal, seems to forget that an advance is not made by a bank to an applicant on the ground that he has a certain amount of money invested in the bank as a shareholder. In fact, a bank is forbidden by law to make any such advances; it can only make advances on such securities as appear to it to be ample to cover the loan given. No shareholder can go to a bank and ask, because he happens to have $10,000 of stock in it, that a loan of $1,000, or even of one dollar, should be made to him on that stock. So far as that is concerned, the public is perfectly protected. I believe that directors, instead of having, as is suggested, little or no interest in the bank, should be encouraged to have a large interest in it; and, in the selection of directors, it is not an uncommon thing for banks to look for men who, not only have large capital, but who are engaged in large commercial transactions, because such men increase the security of the bank, and help it to do a large and safe business. However, I do not wish to detain the House. If it is desired by the House that this Bill should go to the Banking and Commerce Committee, we shall then be in a position to bring here a number of the leading bankers and commercial men of the country and obtain their views. But, as the time is so short before this House must be dissolved, perhaps my hon. friend will consider how inconvenient it is to go on with the Bill, which cannot be carried to a conclusion this session. I would, therefore, ask him, whether, under the circumstances, he would not consider it advisable, while allowing the discussion to go on, to withdraw the Bill in the meantime?

Mr. JEANNOTTE. (Translation.) I understand, Sir, that the Committee on Banking and Commerce, in order to discuss a measure of such importance, as the hon. member for Toronto Centre (Mr. Cockburn) just remarked, would be obliged to summon here the banking men and the business men of the country, and that, owing to the advanced stage of the session, it is practically impossible to do so.

Mr. DEPUTY SPEAKER. (Translation.) The hon. member has no right to speak twice to the same question. He may at most ask leave to withdraw his motion.

Mr. JEANNOTTE. (Translation.) Well, Sir, I will ask leave to withdraw the motion. I have moved to the effect that the Bill be referred to the Committee on Banking and Commerce.

Motion withdrawn.

Mr. FOSTER moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

NORTH-WEST TERRITORIES REPRESENTATION.

Mr. MARTIN moved second reading of Bill (No. 22) further to amend chapter 7 of the Revised Statutes of Canada, being the North-west Territories Representation Act. He said: Mr. Speaker, this Bill is for the purpose of changing the law in the North-west Territories with regard to voting at elections. I explained the provisions of the Bill very fully on the first reading. In the North-west Territories the Franchise Act is not in operation. Two years ago the Government, when applying the provisions of the Election Act with regard to voting by ballot to the North-west Territories, dealt with the question of a voters' list. Prior to that time, there practically was no voters' list in the Dominion elections there. A voters' list was prepared, but, under the provisions of the Act, any person entitled to be an elector could have his name added to the list on election day; so that, for preventing any one from voting or enabling any one to vote, the list was of no account. In 1894, when the provisions with regard to the ballot were extended to the North-west Territories, the provisions of the law with regard to voting there were not changed, that law providing for a purely manhood suffrage; that is to say, every person who was a British subject, who was twenty-one years of age, and who had resided a certain time in the electoral district, was entitled to vote, entirely irrespective of any other qualification. When that Bill went to the Senate, a provision was added, the result of which was to provide for a list of electors in the Territories, which, like the list of electors provided by the Franchise Act, was to be final. I may say that that very fundamental change in the law was never discussed in this House. When the amendments came back from the Senate, it is true, they were duly passed by this House, and appeared, as all such amendments do, in the Journals: but no one reading them would know what the effect of them was. I fancy that most of the members of this House thought they were immaterial changes, as most of them really were; but one amendment repealed section 44 of the old North-west Territories Representation Act, which provided that an elector might vote, on having his name put on the list by the deputy returning officer on the day of election. I myself did not observe the change in the law. I may say that in the debate that took place upon the Bill before it went to the Senate, several members discussed this question as to the advisability of leaving the law as it was, and it was thoroughly understood that it should be left as it was. The attention of the House was drawn to the position in which the law was up there as to voters' lists, and I myself took the ground that the voters' lists was an immaterial matter entirely in the Territories, on account of the existence of this particular clause, which practically allowed every voter to vote, whether his name was on the lists or not. I remember stating that we might as well save the expense of a voters' lists, under the circumstances. But it was claimed by one of the members from the Territories that the list was necessary because without it it would not be possible to poll all the votes within the time limited by the Election Act. This very vital change was made in the Senate. I think it will be admitted by the House that changes of this kind should not be made in the Senate. This is one of the matters surely which should originate in this House—an alteration in the law with regard to the constitution of this House. It does seem to me that it is going very far for the Senate to undertake to make that vital change in the law. Of course, it is quite true that the Senate has the power to make a law of that kind and send it back here for approval ; but it was entirely unexpected that they should think of making any such change, and I think it was very unfortunate that they should have undertaken to do so. It has since been explained in this House that the changes made in the Senate were made at the instance, I understand, of Senator Perley, who acted at the suggestion of the hon. member for East Assiniboia (Mr. McDonald) ; and I understand that the hon. member for East Assiniboia is the only representative from the Territories who advocates the change. I understand that the reason he gives is the possibilities of false voting, personation and repeating, which, he claims, are very prevalent in the Territories. We have not the pleasure very often of hearing from the hon. member for East Assiniboia in this House, and I think, if he desires to add to the legislation of Parliament, he should do so in this House and not through the medium of a friend in the Senate. The matter was first brought fully to the attention of this House when, in 1895, the hon. Minister of the Interior (Mr. Daly) introduced a Bill here to remedy some slight errors that were made in the legislation of 1894 ; and upon examining these changes, it appeared quite evident what a change in the law had been made the previous session. Very serious protests were made against the change in 1895. The hon. Minister was urged very strongly by the hon. member for Bothwell (Mr. Mills) and other members on this side not to press it, and I think the position taken by this side was agreed to by the hon. member for West Assiniboia (Mr. Davin) and not objected to by any hon. member for the Territories. The hon. Minister declined, however, to accede to this protest ; and as the matter was only brought to the attention of the House in the dying days of the session of 1895, we had no opportunity of really discussing the question. In the meantime, public attention in the Territories had been directed to the matter, and the North-west Territories assembly passed a resolution, which I read in full on the first reading of this Bill of mine. In that resolution, they drew attention to the very unfortunate position in which the Territories would be placed at an election on account of this change, and they urged that one of three things be done,—either that the Franchise Act applicable to the rest of the Dominion should be put in force there ; or that the territorial law with regard to elections should be adopted ; or that the law should be put back where it was. This resolution was introduced in the North-west Territories assembly by Mr. Insinger, member for the northern part of Eastern Assiniboia, and was supported unanimously by the assembly, a majority of which are supporters of hon. gentlemen opposite. I may say also that the amendment by which it is proposed to adopt the old system as one of the alternatives, was suggested by Mr. Haultain, who occupies the position practically of Premier of the Territories, and who is also the candidate, on behalf of the Government, for the constituency of Alberta. Under these circumstances, the hon. member for West Assiniboia (Mr. Davin) introduced Bill (No. 20), which has not yet had its second reading ; and not knowing that that hon. gentleman had the matter in hand, I likewise introduced the present Bill for the purpose of carrying out the desires of the assembly and of rectifying what I thought was a very unfair law. I may say that it is quite impossible, at this stage in our history, to attempt to apply the Franchise Act to the Territories, because there is not now sufficient time to provide a list under that Act. Then as to applying the territorial law, there would perhaps be no very great objection to that, except that it is not in accord with the policy of the Government to adopt a provincial law with regard to voting. We had at one time the assurance that such a policy met with the approval of the late Sir John Thompson while he was leading this Government ; and we were in hopes, during the last session he was in the House, that he would carry out the suggestions which had fallen from us, at different times, of the advisability of adopting that principle, namely, of recognizing the provincial franchise and electoral lists for this House. So that, practically, if we are to rectify this wrong it comes down to the re-enactment of section 44, in order that a man who is entitled to vote may know whether his name is on the list of voters or not. And the reason why the assembly were so unanimous in condemning the change in the law, and the reason why I think I can appeal confidently to this House to make the change is that there are no sufficient delays provided for, and it is quite impossible, in the nature of things, to provide sufficient delay in making this list to enable both parties fairly to get their names upon it. The list is not to be made out at all until a proclamation is issued for an election. As soon as that proclamation issues, the Government appoint enumerators for each polling division. The enumerator makes a list for the polling subdivision. He has nothing to commence with except what knowledge he may have of the subdivision. It is not necessary under the law for the Government to appoint a resident of the polling subdivision, and it might happen, and it would happen, probably, that the enumerator would have very little actual knowledge as to which electors should have their names upon the list. However, he is to do the best he can, and, certainly, if he were a partisan, and were inclined to use his position for the purpose of aiding his party he would have unlimited opportunities to do so. He could make the list in any way he sees fit, putting on names or leaving them off as he wished. And no delays are given, such as would afford an opportunity to either party to really get the list right. The list is to be made up in eight days only before the polling, that is, it is completed the day before nomination. It is then posted—written out, for there is no time to print it—in two places in the polling subdivision. It is quite impossible for the electors to know where it is posted, as no provision concerning that appears in the Act. So it is a mere matter of chance whether the person entitled to be an elector sees the list or not. But if he has the good fortune to see the list posted up, and finds on examining it that his name is not on the list, he must make application within six days, that is two days before the election, to the enumerator to have his name put upon the list. But first he must find the enumerator ; there is no place fixed where he can be addressed. As soon as the list is put up the enumerator may leave the subdivision, in fact, he may never have been in it at all. If the citizen can find him, he has the privilege of saying to him : You have omitted my name from the list. But the enumerator is not bound to pay the slightest attention ; he may leave the list uncorrected, and there is no means to compel him to correct it. There are no provisions, as in the Franchise Act, for the posting in schoolhouses of the list and for distributing it, giving everybody an opportunity of learning whether his name is on the list or not, and giving every person time to make proper application to the revising officer to get his name upon the list. As I said before, it is practically no list at all. It simply leaves it in the hands of the men appointed by the Government to do as they see fit. I suppose we have no right to assume that these gentlemen will not do their duty, but that is very little protection. In the matter of the voters' lists, it is most important that every elector should have a fair opportunity of proving his right to be upon the list ; and if he proves his right there should be no such provisions in the law as would ensure that name going upon the list. But no such provision appears in this Act. For that reason, I have felt it my duty to call the attention of the House to the matter, and so has the hon. member for West Assiniboia (Mr. Davin). A few days ago, when the Government announced their intention of taking Mondays and Thursdays, I drew their attention to these Bills, and I was assured—at any rate, the hon. member for West Assiniboia stood in his place and stated—that the Government intended to introduce an Act for the purpose of making this matter right. No such Act has been introduced, and, as time is passing, and we are getting close to the end of the session, and as there is a large amount of business to be done—practically no Government business has been done yet—I am much disappointed at not seeing a Bill upon the Order paper for the purpose ; for the assurance given by the hon. member for West Assiniboia as to the Government's intention was corroborated, I am not sure by whom, but I think by the hon. Minister of Justice (Mr. Dickey). And if that course is adopted—of course I do not suggest that the Government do not intend to adopt it—it will be very satisfactory indeed to the people of the North-west generally. The only suggestion that I have to make is that, the Government having decided to do it, it will be advisable that it shall be done at an early day in order that the measure may go to the Senate with time to be passed there and so become law. I would ask that my Bill be read a second time in the meantime, and then allowed to stand, the committee stage not being taken now, so that the Government may have an opportunity to bring down their measure.

Motion agreed to, and Bill read the second time.

REBATE ON IMPORTED CORN.

Mr. McMULLEN moved second reading of Bill (No. 23) in further amendment of the Customs Tariff, 1894. He said : A short time ago, during the present session, I asked for a return of the amount of corn imported into this country and ground presumably for human food. I have here the return which was laid upon the Table, and I find that during last year the quantity of corn imported into this country, corn to be ground presumably for human food under the regulation made by the Government for that purpose, was 642,507 bushels. I find we paid on corn thus imported, as rebate of duty, $43,369.20. Now, I do not wish for a moment to impute to residents or dealers in any province, any dishonesty, but I would respectfully submit that it is impossible that such an enormous quantity of corn as that would be imported, and ground, and used for human food. My object in introducing this Bill is not to prevent the use of corn for human food, but to extend the provision so as to permit corn to be brought in and used for food, simply extracting from the clause the word "human." In this country, particularly in the province from which I come, the raising of stock is becoming a most important feature of agricultural industry, and it is highly desirable that the farmers should be allowed to supply themselves with the cheapest and best food that the continent will afford for the purposes for which they want it. For instance this year, if the farmers were permitted to bring in corn for the purpose of feeding cattle and hogs, they could lay down corn for about half a cent a pound. There is no food to be got in this country at the present moment that is anything like equal to corn, that can be procured for half a cent a pound. My object is to give the farming community the privilege of bringing in and grinding in bond, corn for food, either human food or animal food, just as they feel disposed to use it. This will give the agriculturists in the Dominion the opportunity of taking advantage of corn when it is to be got on the other side at a very low price. We know that year before last corn was high, and this last year it has been exceedingly low. The crop in the United States was very large, and consequently it could be bought and brought in very advantageously. This year particularly, when food for cattle has been so scarce, a great many farmers in the district from which I come have had to bring in large quantities of all kinds of food for their cattle, and had they been able to get corn at the exceedingly low price at which it could have been laid down, it would have been a decided boon to the farmers of the country this year. I wrote to the Minister of Finance some months ago suggesting that a change should be immediately made by Order in Council, permitting the farmers to enjoy that advantage, seeing that they required so much food this year in excess of what they raised themselves. But nothing was done in the matter, and they have been compelled to get along as best they could, without any effort or any move being made in the direction of enabling them to supply themselves with what they required. Now, Sir, I find that in the province of New Brunswick there were 174,452 bushels of corn imported, and presumably ground into human food. The rebate upon that quantity was $12,486.89. They are entitled to draw 90 per cent of the duty paid if it is ground into human food, and there is only 10 per cent of the duty retained. Then I find in Nova Scotia there were 268,839 bushels imported and presumably ground into human food, upon which there was $18,211.17 of a rebate. Now, take the province of Ontario, and I am quite certain that I am within the mark when I say that over half of what is ground in that province is barrelled up and sent east to the other provinces; and the entire rebate in the province of Ontario, which is larger than Nova Scotia and New Brunswick together, was only $11,489.71. But without at all imputing anything wrong to any province, or any section, I simply ask that alterations should be made which would enable the famers, if they choose, to import corn and have it ground in bond, and use it either for human food or for animal food, which ever they consider best. With these explanations, which I hope the House will consider sufficient, I move the second reading of the Bill that stands in my name.

Mr. McMILLAN. I think myself that the Government should by all means allow this Bill to pass. During the present season a great many farmers in the province of Ontario have been compelled to buy food for cattle on account of the unfavourable season we had last year for crops. A great many farmers who have had coarse grains, both barley and oats, have sold those grains, and purchased corn, which they mix with some of their coarse grains to feed to their cattle. We have found that corn is the most profitable food to buy for cattle. Now, the Government are always telling us what they are doing to assist the dairymen and to help the farmer. I hold that giving a rebate of duty upon corn brought in for human food and for animal food, would be one of the greatest benefits that could be conferred upon the farmers at the present time. In the counties of Grey and Bruce, and in the north part of Huron, a great many farmers are compelled to buy food for cattle, and although we have got to pay an extra duty of 7½ cents per bushel, yet with that extra duty, many of the farmers are purchasing and bringing in large quantities of corn in order to keep their stock over. As one that keeps stock all the time and feeds all the corn he possibly can, I must say that this present winter we have sold a considerable portion of our coarse grains and purchased corn, believing that it is best to do so, and believing that it is a better food when mixed than what we are selling; and we also get a variety of food by mixing corn with other grains. Where a farmer is confined to one kind of food he cannot feed as successfully as a farmer can who has a variety of food, and there is no other food I know of that can be imported into the country for feeding stock, that does not come in free, that would benefit the farmer as much as corn. I see that 1,485,980 bushels of corn came into the country for consumption last year. Now, when corn was accustomed to come in free, we used to import over five million bushels in the Dominion of Canada, that was brought in and entered for consumption. That corn was a great benefit to the farmers at that time, and we could feed much more successfully than we can at the present time. I know that some contend it would reduce the price of our coarse grains, but I say, as a farmer, that it would not and does not reduce the price of our coarse grains. I have shown on many occasions that, when we had large quantities of corn consumed, our coarse grain realized better prices than when small quantities of corn were consumed. In a great many places in Ontario there are farmers who keep stock during the summer on low-lying lands, where they are able to raise a certain quantity of hay, but not sufficient to feed the cattle, and it would be a great benefit to those farmers to be able to import corn and obtain a rebate. I hope the Government will take into consideration this matter, and grant some relief in the direction I have indicated, because I believe that a considerable quantity of corn brought in at the present time is used for human food and also for feeding animals, and, in my opinion, a mixture of corn and our coarse grains makes a cheaper and better food than either corn alone, or pease and oats. If the farmers can secure this favour from the Government—although I do not consider it to be a favour, but a concession that should be extended to them—it will prove of greater value than many of the so-called benefits which are promised to the farmers. This would be a direct benefit and not a doubtful one, and, moreover, it would be a benefit the value of which would be almost immediately felt, whereas in many instances expenditures supposed to be in the interests of the farmers are not only very doubtful, but the results are not realized until after a long period. This is a most important question, and it is one that at present presses itself very strongly on the farmers of Ontario, because we have been brought face to face with low prices for cheese, and, although butter is a fair price this year, it was low last year. Corn produces a first-class article of butter in winter dairying, especially if mixed with pease and oats, and it is also useful in feeding stock and raising young cattle, many of which had to be raised on straw and a little grass last year, because in Ontario the hay crop was destroyed by frosts in May. I hope the Government will give their serious attention to this matter, and afford this measure of justice to the farmers.

Mr. TAYLOR. I was somewhat surprised to hear the speeches delivered by hon. members on the other side of the House, by the hon. member for Wellington (Mr. McMullen) and the hon. member for Huron (Mr. McMillan), who represent agricultural constituencies, and I am sure, if they consult the farmers of their constituencies, they will not favour the proposition now before the House. The Government have considered this question, and in the tariff that was passed last year, a proposition was made to the American Government that, if they admitted our barley free of duty, we would admit their corn. Now the hon. gentleman proposes that we should admit their corn, and allow the Americans to keep up the blockade against our barley. The hon. member for Wellington has pointed out that we have a short crop of hay, and that, therefore, we require to use our coarse grains for feeding purposes, while corn can be imported cheaply. I can buy corn in Chicago for 29 cents, May delivery.

Mr. McMULLEN. The hon. gentleman is taking a wrong view of the Bill. We are not asking that American corn be allowed to come in free, but only that those importing it be given a rebate of the duty.

Mr. TAYLOR. The rebate of duty is 90 per cent, and that would be equivalent to admitting corn free of duty for all purposes.

Mr. McMULLEN. No.

Mr. TAYLOR. Corn comes into direct competition with our coarse grains, barley, pease and oats. I can buy corn, 56 pounds to the bushel, May delivery, at 29 cents; oats, 34 pounds, at 29 cents, and the country is full of them; barley, 48 pounds, at from 35 cents to 40 cents, and the country is full of this coarse grain; and, if our farmers want to purchase coarse grains, they certainly can purchase them in this country, where we have them to sell. If a farmer like the hon. member for Huron (Mr. McMillan), who is a cattle-feeder, wants to purchase in a foreign market a cheaper product than he can buy in this country, and bring it in free of duty, I do not think the farmers in his section, or in any other section, will sustain the action he proposes, namely, to allow him and others to go to a foreign market and import, duty free, corn, an article which comes into direct competition with the products of our own farms. If the proposition of the Government is carried out by the American Government, namely, to admit our barley free of duty, then, I say, admit their corn, but to admit their corn otherwise would remove at once our chance of securing reciprocity in those articles. We have embodied in our tariff a number of propositions based on action which may be taken by the United States Government in connection with our Government. Let the United States Government admit our barley, and we will admit their corn and other articles in the same way; but for this Government to say that we can grow pease, oats, barley and corn—because in the western counties we are now producing corn in large quantities—is fallacious, especially when we can go to the North-west and purchase oats at 11 cents to 13 per cents per bushel. Admit corn duty free, and the price of oats will drop there, as well as in Ontario and Quebec, 5 or 6 cents per bushel, because the corn comes into direct competition with the coarse grains raised by our people. It would be a monstrous proposition that we should give a drawback on corn imported for the purpose of feeding animals, because, if the Government did so, they would be practically admitting free of duty all corn consumed in this country, except that used by distillers, and this imported product would come into direct competition with the products of our own farmers. I represent an agricultural constituency, and if the question were put to the vote in that constituency, I presume that 99 out of every 100 would say: Keep the duty on corn. I presume that the same thing would occur if the question were submitted in the constituencies represented by the hon. members for Wellington (Mr. McMullen) and Huron (Mr. McMillan), who spoke in favour of this motion. I am satisfied that the farmers there know that it is to their interest that the duty should be kept on corn, because if you reduce it, you lower the price of oats, pease and barley correspondingly. Therefore, I say most emphatically, unless the Americans admit our barley free of duty we should keep the duty on corn coming into this country for all purposes. We can grow corn enough for our own requirements, and if not, we have other substitutes, such as pease, oats and barley, which are just as good for feed for cattle, hogs or horses as corn is. Therefore, I will oppose any change being made in the line suggested by the member for Wellington (Mr. McMullen).

Mr. FOSTER. Mr. Speaker, I desire to call your attention to a point in connection with this Bill, and I shall ask your ruling upon it. The Bill has to do with a certain charge upon the revenues of the country, and whether it is the object or not, the result of the Bill would be to increase the amount of drawback that is to be paid out of the public revenues. The hon. gentleman is not dealing with the clauses of the Tariff Act at all, but he is dealing with the drawback clause, which reads at the present time in this way:

> On imported Indian corn to be kiln-dried and ground into meal for human food, or ground into meal and kiln-dried for such use, under such regulations as are made by the Governor in Council, there may be allowed a drawback of 90 per cent of the duty paid.

There is a certain charge which is to be met by the revenue of the country, amounting to the drawback upon that portion of the corn which is kiln-dried for human food. The hon. gentleman proposes to take out the word "human," and he therefore extends the line of corn used for human food to all kinds of food. The direct result of his Bill is to add by that much to the amount of money that we shall be called on to pay from the revenues for drawback. I contend that he imposes a burden on the revenues of the country, and that it is outside the power of the hon. gentleman to do so.

Mr. McMULLEN. There were 640,000 bushels of corn imported last year, and suppose there is double that amount imported. I would like to know from the hon. gentleman if the treasury would not have an increased amount of tax instead of a decrease. If you retain 10 per cent of the duty, and if you import double the amount, you put money into the treasury instead of taking money out of it. The Minister of Finance certainly cannot prove that his contention is correct. The larger the amount you import the larger the amount which is left in the treasury. Consequently, I contend that this would not be a drain upon the resources of the country in the sense that it should be introduced by resolution. The Minister of Finance will remember that when I first introduced this Bill he raised the point with reference to the right of a private member to affect the tariff of the country, and the Speaker ruled I had a right to introduce the Bill.

Mr. WOOD. The Minister of Finance is plainly right in the point he as taken. My friend from Wellington (Mr. McMullen) may argue and argue correctly, that the result of this Bill, if it becomes law, would be an increase to the consolidated revenue fund, beyond what it is to-day. Nevertheless, with just as strong force it can be argued the other way, namely: that when you come to carry out the provisions of the Act, it means an additional sum to be taken from the revenue for the purpose of paying this drawback. For that reason, I think the point is perfectly clear that this Bill cannot proceed any further without being based on a resolution.

Mr. FORBES. The Controller of Customs (Mr. Wood) surely must be wrong in urging that this Bill intends to take the money out of the consolidated revenue. The Act provides that only 90 per cent of the duty should be taken out of the drawback.

Mr. WOOD. Is not that money taken out of the revenue?

Mr. FORBES. The corn must be imported before there can be a rebate of duty. If you increase the import of the article, you do not affect the treasury, but rather you will place more money in it. I think the hon. member for Wellington has a perfect right to introduce this Bill.

Mr. FLINT. The Minister of Finance has, I think, made a forced and illogical construction of the rule of the House which applies to matters of this kind. The rule reads as follows:—

> If any motion is made in the House for any public aid or charge upon the people, the consideration of the debate thereon may not be presently entered upon, but shall be adjourned until such further day as the House may think fit to appoint, and then it shall be referred to a Committee of the whole House, before any resolution or vote of the House is passed thereon.

This Bill does not make any charge upon the revenue, unless the hon. gentleman (Mr. Foster) can show by actual demonstration that the effect of this will be a charge upon the people. That is a matter which does not appear in the terms of the resolution itself, nor by any necessary implication, from the resolution. The hon. gentleman (Mr. Foster) might possibly say that in the balance between revenue and expenditure there would be a charge, but I contend it must appear on the face of the resolution that it makes a charge upon the people, in order to come within this rule. I think the point of the Minister of Finance is not well taken, and that his construction of the rule is so forced and unnatural, that it should not be sustained by the Chair.

Mr. WALLACE. It is quite easy to demonstrate that this would be a charge upon the revenue. The Trade and Navigation Returns show that there were 25,780 barrels of cornmeal imported into this country last year at a duty of 40 cents a bushel, amounting to $10,313. Now, if that corn were permitted to be imported free for animal food, it would be ground in this country, and there would be no duty paid, except the difference between 90 per cent of the duty and the 100 per cent, or three-fourths of a cent per bushel, which would be 5 cents per barrel instead of the 40 cents per barrel which we receive now. It is capable of direct proof that the revenue would be affected under the provision proposed by the hon. member for Welington (Mr. McMullen).

Mr. MASSON. It seems to me, Mr. Speaker, that the point of order is well taken, on the ground that it is not for us to decide what will be the net result to the revenue. If the net result should be against the revenue, then, even on the argument of the hon. gentleman opposite, the Bill would be clearly within the prohibitive clause, and would require to be introduced by a resolution. But I submit that it is not necessary for us to consider on which side of the ledger the balance would be, if it is necessary that a larger sum should be paid out than comes in. The money that comes in goes into the consolidated fund; the money that goes out comes from the consolidated fund. Therefore, the plain interpretation of the Bill is that whatever money comes in, a larger sum must be paid out. Hon. gentlemen who say that the balance would be on the right side of the account, and that what money came in would not affect the payment of money out of the consolidated fund, assume that a larger amount would come in. Of the corn that came in last year, a rebate was paid only on what was ground for human food. If the same quantity came in under this Bill, the rebate would be paid on all of it, except what went to the distilleries. Therefore, in whatever way you look at it, the point is well taken. To my mind, the only interpretation of the Bill is that it provides for a larger sum being paid out of consolidated fund than is now paid out.

Sir RICHARD CARTWRIGHT. I am bound to say that that is a forced construction of the rule. My hon. friend is, in substance, proposing a reduction of taxation for the general benefit; and the underlying principle is that any member may propose a reduction of taxation, although he cannot propose an addition of taxation, except by a message from the Crown. But I am not prepared to say that there may not be something in the technical point raised by the hon. Minister of Finance, although it is a very forced one. In principle, my hon. friend is perfectly right.

Mr. FOSTER. His intention is good.

Sir RICHARD CARTWRIGHT. His principle is right, and the hon. gentleman's principles are all wrong. At the same time, Mr. Speaker, I should like to hear your decision on the question.

Mr. OUIMET. I would like, if I may be allowed, to say a few words on the point of order. The section of the Tariff Act which is now sought to be amended is section 15, which reads as follows:—

> On imported Indian corn, to be kiln-dried and ground into meal for human food, or ground into meal and kiln-dried for such use, under such regulations as may be made by Order in Council, there may be allowed a drawback of 90 per cent of the duty paid.

The amendment proposed is to strike out the word "human," so as to allow the drawback to be paid on all Indian corn, kiln-dried and ground into meal for food in general. What is the result of the amendment? By article 43 of the Tariff, schedule A, Indian corn is dutiable to the amount of 7½ cents per bushel, and the sum paid in duty goes into the revenue of the country. On that part of the corn entered for consumption, which is kiln-dried and ground into meal for human food, an amount equal to 90 per cent of the whole duty is paid to the miller or manufacturer in the shape of a rebate. So much money is thus taken out of the treasury and paid to these parties engaged in the process of preparing the corn for human food, according to the above statutory provision. Now, the rule is very plain. Here is how it is stated by Dr. Bourinot, at page 597 of his book on "Parliamentary Procedure and Practice":

> Whenever the main object of a Bill is the payment of public money, it must directly originate in Committee of the Whole; or else the proceedings will be null and void the moment objection is taken.

I say that this rebate, which is granted to a certain class of the community, is really paid by the rest of the community for the benefit of that class who use that special kind of food. In that way it is a bonus or an encouragement in the shape of a reduction or a rebate to that class at the expense of the rest of the community. Therefore, the Bill comes clearly within that rule under which no Bill for the disposal of public money can be introduced without being proceeded by a resolution in committee; and the objection taken by the Minister of Finance is well taken. As a further argument in favour of the point of order, I would direct your attention to another rule of this House, which states:

> No Bill relating to trade, or the alteration of the laws concerning trade, is to be brought into the House until the proposition shall have been first considered in a Committee of the whole House, and agreed unto by the House.

I say that this Bill affects directly a very important branch of trade, the importation and manufacturing into food of corn, and not having been authorized by a resolution, first adopted by the House in committee, it is clearly out of order.

Mr. MARTIN. It is not an increase of duty but a decrease of duty, and clearly does not come within the rule of the House, which requires that any Bill interfering with trade and commerce should follow a resolution first adopted by the House in committee. But the hon. gentleman suggests that it is a payment out of consolidated revenue. Well, it is not such a payment as requires an estimate of this House. The only payments out of consolidated revenue which require the House to go into Committee of the Whole are payments provided for by estimate. The present rebate on corn used for human food is not a payment out of estimates, but it is treated as if the money never belonged to the Government at all.

Mr. FOSTER. It is part of the consolidated revenue most certainly. Every dollar goes into that.

Mr. MARTIN. It goes into the consolidated revenue, but is not included in the estimates.

Mr. FOSTER. That makes no difference.

Mr. SPEAKER. With regard to the question raised by the hon. Minister of Finance (Mr. Foster), I frankly confess that when this Bill was introduced, it seemed to me to be a Bill providing only for a reduction of duty; but when I come to examine it, I find that it is a Bill providing for the payment of certain moneys out of consolidated revenue. Now, it does not matter whether the moneys are paid out under the Supply Bill or under other statutory provisions. Under the statutory provisions in the Customs Act of 1894, drawbacks may be paid out on Indian corn ground into meal for human food only. All that the statutory provision enables the Government to do is to pay a drawback of 90 per cent on all corn imported and ground into meal for human food. But this Bill provides, as I see on more careful examination, that a drawback may be paid out of moneys that have already been paid into the public revenue, upon a further quantity of Indian meal, and, under these circumstances, it seems to me to come clearly within the rule requiring that it should have the recommendation of the Crown and originate in a Committee of the whole House. It provides for the payment of a sum out of public revenue in addition to that already provided for by the law, and therefore comes within that rule.

Mr. FOSTER moved the adjournment of the House.

Motion agreed to, and House adjourned at 10.55 p.m.

HOUSE OF COMMONS.

FRIDAY, 27th March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 78) respecting certain female offenders in the province of New Brunswick (from the Senate).—(Mr. McInerney).

CANADIAN CATTLE IN ENGLAND.

Mr. FOSTER moved :

That it appears that for many years previous to November, 1892, Canadian cattle were allowed free entrance into the ports of the United Kingdom, without being required to be slaughtered on landing.

That, on the 21st November, 1892, regulations were put in force by the British authorities making the slaughter of Canadian cattle obligatory upon being landed, on the assumption that the disease of pleuro-pneumonia was detected in certain animals imported from Canada.

That a Bill is now before the Imperial Parliament which proposes to make the exclusion of all foreign cattle permanent.

That the most thorough investigation carried on in Canada has failed to disclose the existence of a single case of pleuro-pneumonia.

That, in view of the foregoing facts, this Parliament, whilst not wishing to interfere in any way with legislation considered necessary in the United Kingdom, desires respectfully to protest against the permanent exclusion of Canadian cattle on the ground of the existence of pleuro-pneumonia in Canada, and to express in the strongest possible manner its belief that pleuro-pneumonia has not existed in the past, and does not at the present time exist in Canada.

He said : I desire, Mr. Speaker, in the first place, before the motion is discussed, to say that the reason why it is necessary to take it up to-day, that is on the first available opportunity, is found in the position of the Bill which has been introduced into the British Parliament with the object of permanently excluding foreign cattle from the ports of Great Britain. I do not suppose ; I do not anticipate that there will be very much discussion on this resolution, which is exceedingly simple, and I think exceedingly plain, in the main groundwork upon which it is founded. I do not intend to take up any matters at all extraneous to the resolution directly before the House, not only for the purpose of confining myself to the discussion of the question involved here, but also from the fact that by the consent of both sides of the House, it is proposed that we should take up the Remedial Bill and go into committee upon it at this sitting. I therefore do not intend to waste one single moment of time more than is necessary to explain this motion to the House, and I hope the discussion, whatever length of time may be given to it, may be kept solely and closely to the question in hand. The reason why this motion is introduced is apparent, of course, to hon. members on both sides of the House. For a series of years previous to 1892 Canadian live cattle were allowed entrance into Great Britain without restrictions. Although for many years previous to 1892, through different reasons, suspected cattle had been found amongst the importations, cattle suspected in a degree, at least, which had been made subject to special inspection, yet there is not on record up to 1892 in the very large importations that had taken place from Canada into Great Britain, a single suspicious case of disease approaching pleuro-pneumonia. But in 1892 in the shipments of cattle for that year, there were a few cases, not very many, which were suspected and slaughtered, and according to the contention of the veterinaries of the British Board of Agriculture, in two or three cases, it was reported that pleuro-pneumonia had been found. Consequent upon that report, a temporary scheduling of Canadian cattle was put into force, which, however, did not affect to any extent the importations for the year 1892. In 1893 some other suspected cases were found, about a dozen in number : but of those I think only about two were reported, after inspection by British veterinaries, to have been cases of pleuro-pneumonia, the other cases having failed in the pathological inquiry that was made to show symptoms which proved in any degree whatever that the disease was pleuro-pneumonia. So that, for 1893, the question was held in abeyance on account of this, and the temporary schedule continued. The same took place in 1894, and up to the present time our cattle have been excluded. Now, a Bill has been introduced which has had its second reading in the English House of Commons, providing for the permanent exclusion, not of Canadian cattle solely, but of all foreign cattle, prohibiting them from being distributed alive in the United Kingdom, and providing, of course, that they shall be slaughtered at the ports of arrival. Any person who has followed the course of events from 1892 will be able to come to no other conclusion than that the reason, and the sole reason which has been given, and is to-day given, by the British Government for their action, either so far as regards the temporary exclusion or the proposal for permanent exclusion of all foreign cattle, has been based upon one sole ground, and that is, the desirability of keeping the British herds from contact and consequent disease from contagious pleuro-pneumonia brought in from abroad by the importations of foreign cattle. Whatever side lights may be thrown, from different points of view, to explain the steps which have been taken, and which are being continued, to exclude cattle ; the official reason given, and the reason which we must presume to be the correct one, is that which I have named. Following up that ground, the assertion is made in this resolution that there is no good reason for scheduling or permanently excluding Canadian cattle from the British ports on the ground that pleuro-pneumonia exists now, or has in the past existed, in the Dominion of Canada. If we take, for instance, the proofs of that, I think they will be found to be eminently satisfactory. In the first place, out of the total cattle importations in the years 1892, 1893, 1894 and 1895, we have an infinitesimally small number of cattle that have been even suspected ofpleuro-pneumonia. Of these suspected cases that have been examined by the British veterinary surgeons attached to the Board of Agriculture, still fewer—amounting to four, or five or six cases, at the utmost—have been pronounced by these veterinaries to be absolutely, in their opinion, cases of pleuro-pneumonia. Veterinary surgeons—I am not going to say of greater merit than those attached to the British Board of Agriculture—but eminent veterinary authorities in Great Britain were called in by the Government of Canada, through the High Commissioner, and the lungs of suspected animals were submitted to their investigations. The first thing that strikes one in looking into the subject is, that there is at once a divergence of opinion between the veterinary surgeons attached to the British Board of Agriculture and the British veterinary surgeons that were called in on behalf of Canada. The point of divergence was chiefly in this : that whereas the Board of Agriculture veterinary surgeons say that these cases that they considered absolutely were cases of undoubted pleuro-pneumonia, still did not present the exact symptoms of the disease, which are found in the types of pleuro-pneumonia as existing in Europe, in Australia, or in other countries. The veterinary surgeons called in by Canada to assist in the investigation, laid particular stress upon this divergence of symptoms, and consequently they are forced to the conclusion that they ought to rely for an ultimate judgment on this question, rather upon the history, the spread and the prevalence of the disease than upon these symptoms, which bear a marked difference from the usual symptoms of the disease, even according to the opinion of the British Board of Agriculture veterinarians themselves. Portions of the lungs of these suspected animals were also sent to Canada, and were thoroughly investigated by our own veterinary authorities ; by Prof. McEachren and Prof. Adami, of Montreal, who is an eminent authority in pathology of this kind. These two gentlemen, whom we may call the Canadian experts, laid stress upon the differences developed in the symptoms of the disease, and they go still further and declare that in none of these cases do they find it to be contagious pleuro-pneumonia. They state that the symptoms were of a disease different from contagious pleuro-pneumonia, and to which Prof. McEachren gives in certain cases the cognomen of transit pleuro-pneumonia, that is a disease which develops from long travel, ill-ventilation, and exposure either on land, or more probably at sea. Therefore, the weight of expert veterinary testimony in these cases—if we consider the Canadian experts, the British experts called in to support the Canadian case, and the veterinary authorities attached to the Board of Agriculture—seems to be in favour of freedom from the disease of contagious pleuro-pneumonia, even in the cases which have been suspected, and with regard to which the Board of Agriculture veterinaries think pleuro-pneumonia of a contagious character did exist. As a further proof of that, it is contended—and although I am not an authority at all, it would seem to me that the contention ought to have very great weight—that if there were cases of actual pleuro-pneumonia in cattle which were exported from Canada; the tracing of these cattle back to the herds from which they started must necessarily show disease of that kind to exist in the Canadian herds from which these cattle were taken in the first place. The testimony which is undoubted, and I think entirely irrefragible, is that through the seasons of 1892 and 1893, after making the most thorough investigation by veterinaries in Canada, and tracing back to the herds from which they came, the animals which were supposed to be afflicted with contagious pleuro-pneumonia, the most thorough investigation has developed no sign of the existence of the disease. Many cases of such direct tracing might be mentioned. One was the case of an animal shipped on the "Hurona" in October, 1893, which was declared by the British Board of Agriculture veterinary surgeons to have been inflicted with pleuro-pneumonia. This animal was traced back directly to the herd on Howe Island near Kingston. The cow had been in contact with that herd for months before, and the herd itself was perfectly healthy, as it was stated the cow was at the time it was sold. No symptom of pleuro-pneumonia or other lung disease was or has been since developed in that herd. The same thing occurred with reference to suspected cases traced to the North-west. They got directly upon the track of these, they went to the herds from which they had been taken, and they made the most thorough investigation; and neither at that time nor since has any symptom of pleuro-pneumonia been found.

Mr. LANDERKIN. Is that the same year?

Mr. FOSTER. Yes. That is strong corroborative evidence, not only of the contention of Canada, but also of the contention of the British veterinaries who were called in to inspect on behalf of Canada, and who, noticing the variety of symptoms, said that in a case of that kind they would have to depend very largely on the prevalence of the disease amongst the herds or in the district from which these cattle came. The fact that the strongest investigation developed no trace of that is another proof of the soundness of the contention that was made by these veterinaries. But there is more proof than that. Up to 1892, 1,500,000 neat cattle, in round numbers, were exported from Canada to the United Kingdom; and out of that whole number and during that whole period, not a single even suspected case of pleuro-pneumonia developed. Although these cattle were spread amongst the different herds in Scotland and England, no trace of contagion in the British herds resulted.

Mr. LANDERKIN. Extending for how many years?

Mr. FOSTER. I think that would probably extend from 1889 up to 1892. Then, for two seasons after 1892, when the order was passed, about 800,000 Canadian cattle were exported to Great Britain, and were slaughtered under the schedule in the districts of the British veterinary surgeons; and of that whole number there were but twelve suspected cases of cattle, whose lungs were examined, and of these but two developed any symptoms of pleuro-pneumonia. That, also, I think, is a very strong evidence of the absence of disease in Canadian cattle. To make assurance still stronger, orders were given to the Canadian veterinaries here to make a rigid inspection of the cattle which were exported; and in the year 1895 nearly 100,000 cattle were inspected by them, of which only ·14 per cent were rejected from passage, and of even this small proportion so rejected from passage, not one was found to be actually affected with pleuro-pneumonia or with any lung disease. Carrying out that method of proof, the veterinaries were asked to inspect the abattoir cattle in Montreal and in other cities of the Dominion. The lungs of nearly 5,000 head of cattle which were slaughtered in that way were examined by our own veterinaries; and in all that number but two cases of diseased lungs were found, and in neither of these cases was there the least symptom of pleuro-pneumonia. I just mention these facts as cumulative and I think very satisfactory proof that in Canada there can be no doubt that not only has pleuro-pneumonia never existed historically, and cannot be proved to have existed, but that it does not exist at the present time. It is a disease which is, I believe, very contagious and very deadly; and that is the whole reason why the action of the British authorities has been taken—to prevent this disease being introduced, first, by United States cattle, and afterwards, from 1892, by Canadian cattle. The fact that there has been found in Canada not only no plague, but not an isolated case, furnishes, I think, indisputable proof that we are entirely in the right in saying that pleuro-pneumonia does not exist and has not existed in Canada. So that the only plea we make to the British Government, and through them to the British Parliament, is that as they have based their exclusion of Canadian cattle from 1892 up to the present time on the ground of their fear of the introduction of pleuro-pneumonia into Great Britain, and as the Bill at present before the House of Commons is based on the same ground, we have the best of reasons for disputing the ground taken by the British Government and the British House of Commons, and pressing upon them, in this special way, as the voice of the Canadian Parliament, that on that ground they have no valid reason for excluding our cattle; because pleuro-pneumonia does not exist in this country, and consequently there is no danger to British herds from the introduction of Canadian cattle into British ports. That is as far, I think, as this Parliament has any right to interfere with a matter of internal policy and arrangement on the part of the British people themselves. Whatever wishes or desires we may have in the matter, whatever we may think may be to the greater or the less advantage of particular lines of trade in Canada, we must accord to the British legislature the same freedom of legislation which we demand for ourselves. As we would not care for their interference except on the ground of disabusing our minds of any wrong reasons or prejudices for any legislation which we might propose, I think we should go no further in reference to their legislation. This resolution, therefore, proceeds on that line; and, if passed by this House, as I hope it will be unanimously, it will simply in a few words sustain this position: If your contention is that you have kept out Canadian cattle because pleuro-pneumonia exists in this country, if your contention is that you propose to exclude them permanently for the same reason, we beg respectfully to state to you, as our united opinion, that that disease does not exist in Canada, and that consequently your basis for legislation is not a good basis. I do not propose at the present time to say more on this subject. I confine myself, as hon. gentlemen will see, strictly to the question in hand, without making any excursions far and wide with reference to the question, about which a great deal might be said in different ways.

Mr. MULOCK. Mr. Speaker, I am glad that the Minister of Finance has been able to find in the reason for the Bill now before the Imperial Parliament the only reason that we should attribute to that body, namely, their honest desire to protect British herds. I mention that because on other occasions and in other places, and perhaps in this House more than once, different reasons have been attributed to the English government for their action.

Mr. FOSTER. And in the British Parliament.

Mr. MULOCK. Perhaps there as well. So that we now have the matter presented to us in the one light alone, namely, that the threatened legislation for the permanent exclusion of Canadian cattle from Great Britain arises from the danger apprehended on the part of the British authorities that the importation of live cattle from Canada and their comingling with British cattle might contaminate British herds. I am sure, Mr. Speaker, that it is the duty of this Parliament to adopt every means calculated to prevent such a misfortune accruing to this great Canadian industry. One cannot look at the Trade and Navigation Returns of Canada for the last fifteen years without being impressed with a sense of the great importance to the farmers of Canada, who are the backbone of our country, of this industry up to the present and the far-reaching importance it cannot fail to acquire, if allowed to become developed, as it would be if left to the untrammelled industry and enterprise of Canadian farmers. If it should unfortunately happen, however, that restrictions are interposed whereby a serious loss must accrue to the Canadian producer, every one in Canada will deplore that result. Therefore, I heartily agree that we ought to make every honest effort to impress upon the Imperial authorities the advisability and the justice of staying their hand. The hon. Minister of Finance has briefly reviewed the controversy. It is necessary to understand that assertion on our part is not proof to the satisfaction of the English authorities, and it is necessary to bear in mind, in any efforts we may make to ward off this blow to our Canadian cattle trade, that the government of England are in command of the position. We are not in a position to dictate, but we must prove to their satisfaction that the requirements of their law are being lived up to here. We must satisfy them that the importation of Canadian cattle into Great Britain will in no respect endanger the sanitary condition of British herds. It is idle for us to indulge in mere assertion, declamation, or perhaps even less influential means, such as suggestions of improper motives on the part of the Imperial authorities or that the Imperial officers have been guilty of fraud or of giving false evidence or making unfounded reports in favour of the establishment or maintenance of the embargo. We must bear in mind that we have to satisfy the Imperial authorities; we have no legal rights; it is wholly in the discretion of the Imperial authorities whether or not they will admit our cattle; and if they suggest any methods by which the difficulties may be removed, it remains for us, even if possibly humiliated, even if we differ from their views or their advice, to endeavour to meet their advice and views in order to cut away from them any ground they themselves may seek to interpose against the removal of the embargo.

The hon. Minister of Finance has briefly referred to the circumstances under which this embargo is maintained. Allow me in like manner to deal with the subject. In October and November, 1892, four Canadian cattle imported from the port of Montreal to England by the steamships "Monkseaton" and "Hurona" were reported by the English board of inspectors to be affected by contagious pleuro-pneumonia; and subsequently the reports of the board of inspectors were submitted to the regular veterinary officers of the Board of Agriculture, which is a department of state there, and the findings of that board were confirmed. At that time, we had attending to our interests in Great Britain a High Commissioner, the present Secretary of State (Sir Charles Tupper), and when these reports came to his knowledge he, no doubt, believing in the accuracy of his statements—and I hope he was accurate in his statements too,—challenged the correctness of these findings. Oft and anon he declared that these reports were unfounded. However, his assertions were not accepted as evidence against the testimony of the British experts, and Great Britain scheduled Canadian cattle. It may be mentioned, in connection with this initial difficulty, that the veterinary officers of the British Board of Agriculture found that an animal bred in Britain, which had been in contact with one of the Canadian animals, was ordered by the British veterinarians to be slaughtered, on the ground that it was affected with contagious pleuro-pneumonia; and they drew the inference that this British bred animal acquired the disease from having been in contact with the cattle exported from Montreal. It was in consequence, first, of the report of the British veterinarians in respect of the Canadian cattle in question, and then of the subsequent report in respect of the British beast, that Great Britain placed the embargo upon Canadian live cattle. Subsequently, in the month of May, 1893, further investigations were made in respect of three other animals from Canada—one imported into Great Britain by the steamship "Brazilian," and two other by the "Lake Winnipeg." These three, in the month of May, 1893, were also subjected to examination by the veterinarians, and a like unfortunate finding followed, the report being that they also were suffering from contagious pleuro-pneumonia. This finding was also submitted to the High Commissioner, and, as in the former instance, he challenged the correctness of the finding, fully believing no doubt in the accuracy of his statements, but nevertheless the British experts adhered to their own opinion and saw no reason to advise the removal of the embargo. Later on in that year, namely, in the month of October, 1893, another Canadian beast, imported into England by SS. "Huron," was reported by the veterinarians of the British Board of Agriculture as suffering from pleuro-pneumonia. In like manner, the High Commissioner on this occasion challenged the accuracy of that finding. But all denials on our part had no effect whatever upon the action of the home authorities. They felt themselves bound to act upon the finding of their experts, and so they maintained the embargo. Thus the season of 1893 closed. In 1894, an animal shipped from Montreal on board SS. "Toronto," in the month of May, was in like manner reported by the veterinarians of Great Britain as affected with contagious pleuro-pneumonia. The High Commissioner on that occasion was equally active and solicitous, and took the same position as formerly. On some of these occasions he brought his professional skill to bear, offering his services as a professional man in support of his testimony. Nevertheless, the home authorities placed reliance upon their experts, and maintained the embargo. Later on, five other cases were reported upon in a similar manner by the veterinarians of the British Government.

Well, Mr. Speaker, the English Government, when they found, at the commencement of the traffic in 1893, that their veterinarians reported adversely in respect of the animal whose case I have mentioned, were good enough to make a report for the guidance and information of the Canadian authorities. I will read from that report more fully later on, but now I may say, for the information of whomever on the Government side intends to follow me, that, in a communication dated 21st July, 1893, and directed to the Colonial Office, and transmitted to the Canadian authorities, the Board of Agriculture set forth certain requirements on the part of the British Government, compliance with which by the Canadian Government would go a long way towards satisfying the British Government upon the question in controversy. This report suggested that, if we were anxious to remove the embargo, we should adopt, amongst other things, the following directions, and take the following steps:—It asked that the Canadian Government should inform the British Government what steps were being taken by Canada for the administration of our own laws. We have on our statute-book laws which, if enforced, would go a long way, I have no doubt, to protect the sanitary conditions of Canadian herds. These laws provide for proper quarantine regulations, and they empower the Government, whenever they see fit, from time to time, totally to prohibit importations. They further empower the Government to slaughter suspected animals, and, more than that, to slaughter animals that are in an absolutely healthy condition, if they have been in contact with suspected animals. We have laws that were designed to vest in the Government the fullest powers for the protection of Canadian herds from disease being imported and for stamping out disease, if it should, unfortunately, acquire a foothold in Canada. But I may say that, with our frontier, extensive as it is, enforcement of such laws is not unaccompanied with much difficulty. The British Government also asked that in all cases where there were any suspects—I mean by that Canadian cattle suspected of being affected with pleuro-pneumonia—the animals should be examined by a veterinarian, and that these officers should make full and ample reports, which were to be submitted to the Imperial authorities for their review, as well. They asked that, at the point of embarkation of the cattle for England—not referring particularly to the point of embarkation, but that would be implied, probably, by the report—all animals that were unfit for the journey and supposed to be suffering from any diseases likely to suggest contagious pleuro-pneumonia, should be examined by veterinarians and slaughtered, and their lungs pathologically and microscopically examined, and, if found to be suffering from this unfortunate disease, that they should be traced and the herds from which they came slaughtered. In England, when an animal is found to be suffering from any of the diseases that are covered by the Animals' Contagious Diseases Act, the British Government sends officers to the herds with which the diseased animals have been in contact, and, no matter what the cost of the animals that have thus been in contact, they are slaughtered and paid for. Great Britain has spent hundreds of thousands of pounds in slaughtering animals in contact with diseased animals, but which themselves have not manifested any sign of disease ; and the authorities there asked us to apply in Canada the same rule that they applied in England. They were not asking something that we were unfamiliar with. I may mention that when the late John Henry Pope was Minister of Agriculture, he pressed the same point upon the attention of the Canadian Parliament, and we obtained from Parliament the power on compensating therefor to slaughter Canadian herds simply upon the ground that it was shown that they had been in contact with animals suffering from any of these diseases enumerated in the Act. The British Government, in this document of 21st July, 1893, asked us to do in Canada what, under similar circumstances, the English law required them to do in England.

Mr. FOSTER. I would like the hon. gentleman to be a little more definite as to that inspection, and then the slaughter of the rejected, and then, in cases where pleuro-pneumonia was found, I understood him to say the British Government asked us to trace out and to slaughter the herds. But, in his concluding sentences, he said they were to trace and slaughter the herds in case of any disease. Which is it ?

Mr. MULOCK. The hon. gentleman has quite misunderstood me. The British Government intimated in their report—and, for accuracy, and to remove any doubt, I will read the report later on, and then he will have the exact language of the report. The hon. gentleman will then see that the English Government would surely not ask us to slaughter an animal rejected from passage to England, when rejected, for some reason that could not possibly suggest that it was suffering from this particular disease.

Mr. FOSTER. Oh, this particular disease ; but you said any disease.

Mr. MULOCK. No, I said any disease mentioned in the Act.

Mr. FOSTER. What diseases are mentioned in the Act ?

Mr. MULOCK. If you will read the English statute, you will find out.

Mr. FOSTER. The English statute does not govern us.

Mr. MULOCK. I beg your pardon, the English statute does apply to us. That is where the hon. gentleman misunderstands the Act. The English statute enumerates a certain list of diseases for which cattle may be slaughtered. Pleuro-pneumonia is one: I cannot pretend to give them all, or to enumerate them. We are only dealing now with the subject of pleuro-pneumonia. But if the hon. gentleman will look at the British Act, and he can get it in a moment by sending into the Library for it, he will find the provision in the English Act for slaughtering British herds that are affected, or suspected of being affected, or by chance may become affected, with any of the diseases enumerated in that Act ; and they asked us to administer our law in that same spirit : and if our veterinarians were, in any place in Canada, either at the port of shipment, or elsewhere, to come across Canadian cattle that were suffering from disease that might, in any reasonable way, on thorough examination, be shown to be pleuro-pneumonia, all these animals, they asked, should be slaughtered, and if found to be suffering from pleuro-pneumonia, their source was to be traced, and the animals with which they had been in contact were to be slaughtered. However, I am not defending what the Government of Great Britain has done, I am only stating what they have done, and inasmuch as they were in command of the situation and chose to lay down these conditions, I fail to see what we had to do except to endeavour to comply with them. Well, Mr. Speaker, that report was submitted to the High Commissioner in England, I presume forwarded to him by the Colonial Office, and by him transmitted to Canada. But he chose to reply to it as well, and I will refer to his answer in a few moments ; and I would like him to explain, as he is present, how he came to draw such an inference as he did from that report. The High Commissioner pooh-poohed all the suggestions of the English Government. He said, as he had before : There is no pleuro-pneumonia in Canada. He joins issue at once with the English Government. When the English Government made these suggestions, instead of the High Commissioner endeavouring to comply with them, and advise the Canadian authorities to comply with them, he pooh-poohs them, controverts them, discredits them, and so expresses himself to the English Government and perhaps—though this point I have no information upon—perhaps, also, in the same spirit, to the Canadian Government. I may say that when the High Commissioner, on 4th August, in 1893, replied to the report to which I have alluded, in the tenor, and in the tone that I have mentioned, the Colonial Office, with very great regret, placed on record their opinion of his attitude ; they placed on record their regret that the High Commissioner should have so treated their well-intentioned advice and suggestions in order to the removal of this embargo. As I see the Secretary of State, then the High Commissioner, sitting before me now, I emphasize this, because I do not wish to import any suggestion into the controversy that it is not absolutely well founded and absolutely justifiable. As the High Commissioner will no doubt speak in this debate, I would hope that when he does, he will explain how it was that he was not able to acquiesce in the request of the Imperial authorities, and endeavour to induce the Canadian Government to adopt the course that the English Government asked us to do, a step towards the removal of this embargo. Well, whatever was the reason for it, here is the plain, unfortunate fact, that on the 21st July, 1893, the English Government asked the Canadian Government to adopt a certain course in order to lay the foundation for a removal of this embargo. I have in my hands the official return of the correspondence between the Canadian Government and the Imperial Government on this question, and, so far as this return was complete—and it is bound up in three volumes, issued by the Imperial Government, and I have no reason to suppose that they omitted from it any documents whatever bearing on this question—I say, assuming the completeness of these returns, there is this unfortunate circumstance at this very stage, that in July, 1893, the English Government made the request of us as a preliminary in order to put them in a position to be able, if we could satisfy them, to remove the embargo. Yet the Canadian Government did not even acknowledge the receipt of that document, until long afterwards. On 29th January, 1894, the English Government, up to that time having received no acknowledgment—and now I would ask the Secretary of State to explain this point, and I dwell upon it so that it shall not be omitted ; he will excuse my pressing him upon the point, but I think we are entitled to an answer on this point. On 21st July, 1893, the Board of Agriculture of Great Britain asked the Canadian Government to do certain things to which I have alluded. Why did this Government not answer that communication, why did not the Government pay respect to it, why did they ignore it for months and months, and only answer it when Great Britain had a second time, on the approach of the spring trade of 1894, begged for an acknowledgment ? On 29th January, 1894, the Board of Agriculture wrote to the Colonial Office, which document was transmitted to the High Commissioner of Canada, calling attention to the neglect of the Canadian Government in not having answered or complied with the request of the Board of Agriculture of 21st July, 1893. In this document of 29th January, 1894, the British Board of Agriculture says : "Navigation will soon be opening, the spring trade will soon be on, the embargo still exists ; we, six months ago, pointed out to you the steps to take for the removal of the embargo ; we are sincerely anxious to be able to make recommendations leading to the removal of the embargo, but, up to the date of writing, 29th January, 1894, we have not received any communications from the Canadian Government dealing with this matter, and we do not know what they are going to do about it. In the interval, the High Commissioner, no doubt, had been asserting and re-asserting that the findings of the Imperial veterinarians were unfounded in fact and unwarranted by the circumstances ; but the British Government, not being able to disregard the report of their sworn and trusted officers by the strong statements even of the High Commissioner had been begging of us to give them some just foundation for removing the embargo ; and so, more solicitous for our welfare than we were ourselves, they wrote us, at the commencement of the season of 1894, reminding us of our default and begging of us to carry out the suggestion contained in their report of 21st July, 1893. Well, Mr. Speaker, what followed ? I have here at last the report of the Governor General in Council, dated 6th February, 1894, and this report, instead of declaring the intention of this Government to live up to the suggestions made or act upon them, proceeds to controvert them, to argue in regard to them, in some cases to suggest, in one case at least, that the proposition of the Imperial authorities would be out of reason altogether, and, in another case, if you please, the Canadian Government tell the British Board of Agriculture that their suggestion is simply ridiculous. I venture, further, to assert that you will search through a great many state papers before you will find such language as is contained in this report. Considering our position, considering that we were, in fact, the suppliants, it would have been dignified, if, instead of using offensive language, we had, at least, confined ourselves to a dignified dissertation on the views expressed in the British report. However that may be, it brought forth a mild rebuke ; it was not allowed to pass unnoticed. Nor was another unfortunate episode in this unfortunate controversy allowed to pass unnoticed.

When the British Government sent to the High Commissioner their report of 29th January, 1894, telling him that the Government could not ignore the report of their veterinarians, who were men of great eminence in their profession, notwithstanding the great weight that should attach to the assertions of the High Commissioner, instead of the High Commissioner replying to that communication in becoming language, he sent a reply of a different character. I venture to submit to you, Mr. Speaker, and I ask the Secretary of State now, if he does not think it was an error on his part, a mistake in tactics, if nothing more, for him to reply to that document by suggesting that the veterinarians in the service of the British Government, however eminent they might be, had given questionable evidence, from the circumstance that they happened to be in the employ of the Royal Agricultural College, and other important agricultural organizations in Great Britain? And yet, Mr. Speaker, I will show, when I come to read some documents, that the High Commissioner on that occasion made that error of tactics, to say nothing of taste, in throwing doubt upon the credibility of the Imperial veterinarians because of the alleged circumstance that three of them happened to have some honorary connection with the Royal Agricultural College.

We come down in this controversy, then, to the season of 1894. The British Government appeared exceedingly solicitous to ascertain the facts, and, from a perusal of all these records, I have been unable to draw any other conclusion than that there was a sincere desire on the part of the Imperial authorities to obtain satisfactory evidence which would warrant them in arriving at the conclusion that there was no pleuro-pneumonia in Canada; and, inasmuch as we had not acted on their suggestions, and inasmuch as the High Commissioner still continued to challenge the findings of the Imperial veterinarians, the British Government determined to adopt another method in order to do absolute justice to Canada. At this point I think it is due to the British Government that we should recognize frankly their course of action throughout, and not the least in the matter to which I am now about to allude, for it must commend itself to hon. gentlemen; it commended itself to me, and we must admit that, in taking the course the British Government adopted in June, July and August, 1894, in order to ascertain the very truth, they adopted a course of action that was, in every respect, dignified, honourable and straightforward. What did they do? They said to the High Commissioner: You challenge the accuracy of the reports of our veterinarians; we accept your challenge; and, no matter what has taken place in the past, whether right or wrong, there is a future; there are going to be large importations into Great Britain and Canada; we will instruct our veterinarians at all ports of entry in Great Britain to make reports upon the cases of suspects, and we will submit the reports to a proper court of experts, and Canada will be represented on that court; witnesses will be examined, and every proper step will be taken in order to get at the very truth; we want nothing but the most exhaustive inquiry into the facts, and to ascertain the real state of affairs. Accordingly, Mr. Speaker, the veterinary officers in the service of the British Government, found as a result of their observations at the ports of entry, a number of cattle which they reported were suffering from pleuro-pneumonia. These veterinarians made unqualified reports that several of our cattle imported in the month of June, 1894, were afflicted with contagious pleuro-pneumonia. Thereupon, the English Government selected a number of experts, five, I think, men of the highest standing in the veterinary profession in England, men filling important public positions, and they were constituted a court to try this issue. Witnesses, consisting of professional men in Great Britain, of years' standing in connection with veterinary and biological science, were appointed, and counsel were employed, legal and pathological, to attend this court in order that the examination of the witnesses should be absolutely thorough and exhaustive. The High Commissioner was asked to appoint witnesses, and he appointed three, two of whom gave evidence. The court sat. The actual lungs of the alleged diseased animals were submitted to the experts. They were examined by them in the ways known to experts, microscopical and pathological. They gave their evidence before this court, and were examined and cross-examined. The actual diseased tissue of the lungs was produced, and the investigation lasted for several days. The experts, sitting as a court, also saw the alleged diseased tissue, and they brought in a report, dated August, 1894, sustaining the findings of their veterinarians, to the effect that the animals in question were affected with contagious pleuro-pneumonia.

Now, that was the report, and after that inquiry followed by the assertion and reassertion of the Canadian Government and the representatives of Canada, that there was no pleuro-pneumonia in Canada—which I wish were the case—we are called upon as a Parliament to assert now, that, in our opinion, there is no such disease in Canada. The question that arises to my mind is: What affect such assertion on our part will have to protect us from this threatened law, in face of this verdict which is still outstanding against us in England. It may be our honest conviction that there may be no such disease in Canada, but, nevertheless, what weight will such an expression of opinion have to prevent the English Parliament legislating against us, when they have this report before them. I have alluded to a number of documents, Mr. Speaker, and permit me to go a little further into them. I shall return, first of all, to the document referred to by the Minister of Finance, and I will read the requisition of the English Government. This is a letter from the Secretary of the Board of Agriculture to the Under Secretary of State for the Colonies. The first part of it merely states the case as to the suspected animals, but the latter part of it refers to our future conduct, and that I will read. This communication is dated 21st of July, 1893 :

> Inasmuch as the board have also to consider whether the administration of the law——

That means the administration of the law in Canada.

> —is such as to give full effect to the provisions of such statutes,——

That is the Canadian statute for protecting the health of Canadian cattle.

> —the board would also be glad to receive detailed information as to the machinery by which the requirements of the statutes are carried into effect. On this point I am to say, that it would be most desirable that the Dominion Government should be able to state that the existing arrangements secure the submission of diseased lungs to veterinarian officers well acquainted with the characteristics of pleuro-pneumonia in all cases in which any doubt exists.

In this same communication, the board would also suggest :

> That it might be worth while for the Dominion Government to consider whether an additional measure of security could not be obtained by the total prohibition of the importation of live cattle into the Dominion, except for breeding, exhibition, or other exceptional purposes, and also whether any further means can be devised for the prevention of any breach of the law and regulations along the extensive frontier which requires to be watched. With regard to the question of further evidence as to the sanitary condition of animals in the Dominion, the board venture to think it might be done by the Canadian Government. The disease is well known to be difficult of detection in the living animal owing to its lengthened period of incubation, and the slaughter of suspected animals, and the subsequent examination of the lungs by experts acquainted with the special characteristics of the disease afford by far the most reliable test of its existence in a particular locality. Under the circumstances which exist, the board cannot but think that the Canadian Government would have obtained valuable evidence, if arrangements had been made for the slaughter and examination of the lungs of all the animals rejected by the officers of the Dominion Government during the present season, as unfit for shipment, and if, as has been stated, some of these animals came from the same district as other animals shipped by the "Lake Winnipeg," the result would have been very material to the question at issue.
>
> On the same grounds, the board would suggest that the herds to which the diseased animals are reported to have been traced should have been slaughtered out in the same manner as would undoubtedly have been the case if the diseased animals had been home-bred and had been traced back to herds in this country. If this had been done, and the disease with which the diseased animals landed here were affected had not been found, another valuable piece of evidence would have been available.

At this point allow me to break off the reading of this communication to impress upon the Government the significance of that observation. You will observe that the Board of Agriculture is there speaking of animals that had been imported from Canada into England, and had been found by their experts, rightly or wrongly, to be suffering from contagious pleuro-pneumonia, and they say that in England, under similar circumstances, the British Government would have traced out the herds with which these animals had been mingled, and making compensation would have slaughtered them out. Why did not the Canadian Government do that ? The moment the Canadian Government received the report as to these animals in November, 1892, they should, according to the statement of the British Government, have slaughtered out the cattle with which these animals had been mingling. Without going into the question of the origin of this unfortunate matter, I may be allowed—as the High Commissioner is not, perhaps, as familiar as we are with the circumstances—to state briefly what the reference is, to show that this was a reasonable suggestion, and one that he would have acquiesced in if he had been familiar with the situation. It appears that these two suspects which, in the fall of 1892, led to Canada being scheduled, came from herds at Pilot Mound, in southern Manitoba. It is in evidence that thousands of American cattle were allowed to be imported into Manitoba and the North-west Territories without quarantine, or without inspection ; and these suspected animals, according to the report of the veterinarians of England, had been traced to these herds.

Mr. FOSTER. In what year did these American cattle come in in thousands ?

Mr. MULOCK. They began to come over in 1880, and for many years they came without any quarantine at all—later after quarantine from that time to this.

Mr. FOSTER. I think they came in without quarantine from 1884. Up to that time they had been quarantined.

Mr. MULOCK. The contract with England was that if our cattle were not to be scheduled, importation of American cattle should be totally prohibited. Will the hon. gentleman deny that ?

Mr. FOSTER. I deny it in the hon. gentleman's acceptation of it.

Mr. MULOCK. The hon. Minister cannot deny that the bargain with England was that we should totally prohibit the importation of cattle from the United States into Canada, except in trains that should go through in bond until they left our country again. There is no qualification in the agreement ; it was unqualified. However, I am digressing. I am not seeking, on this occasion, to ascertain the first great cause. I am now dealing with the situation, to see what is the best to be done under the circumstances. We will leave out that controversial point, as long as the Minister controverts it. What I wished the High Commissioner to understand was the suggestion of the British Government. The moment they told us that some of our animals had arrived in England suffering from pleuro-pneumonia, we should have slaughtered out the herds with which those animals had been associating. That was the course adopted in England, and there was no difficulty in our adopting it, because you will find from the statement of the Government that they knew where those animals had come from—that they had been traced to herds in southern Manitoba. Now, I will go on with the communication of the 21st July, 1893 :

> The board presume that it is now too late to resort to these measures, but they would earnestly recommend the Canadian Government at once to proceed on these lines in regard to any further animals rejected for shipment to this country and any other suspected animals which may be landed here during the remainder of the season.

The Canadian Government did not act on that suggestion. So far as we know, they have never acted on it. The Board of Agriculture goes on to say :

> The board would also suggest that the districts, to which the diseased animals, and any suspicious cases hereafter detected, may be traced, should be placed under regulations applicable to comparatively extensive areas, requiring a report to be made to a veterinary officer of cattle dying within the district and providing in all cases of doubt for an examination of the lungs. A retaining fee might be given to veterinary surgeons in such districts in order to secure the notification by them of suspicious cases in which slaughter and examination might be ordered by the proper officer. The latter course has been taken in this country, and it has been of great assistance to them in the discovery of centres of the disease.

Then, after some reference to details, the board conclude, as follows :—

> The board have expressed their views thus frankly and fully, because they approach the whole subject with a real desire to find themselves in a position to sanction the resumption of unrestricted trade between the Dominion and the mother country at the earliest possible moment, and they earnestly hope that the Canadian Government will on their part recognize the obligations attaching to the board under the statute, and govern their action accordingly. In the opinion of the board, the interests of both countries will be best consulted by the interchange of the fullest possible information on both sides, and if this be done, and the Canadian Government will at once institute the special measures proposed for tracing the disease, if it exists, and will also communicate to the board any information in their possessions as to its past history, the board will not hesitate on their own part to do everything in their power to facilitate the restoration of the privilege of free entry.

Now, that concluding part of the report was encouraging. It was frank, and I again express my surprise that it was able to bring no acknowledgment from this Government until the time I have mentioned, in the following year. However, the High Commissioner did send a reply on the 4th of August, 1893. He again, I think, took the unfortunate attitude of simply controverting the existence of this disease, instead of endeavouring to comply with the request of the British Board of Agriculture. That board had had advice from their officers, which they could not ignore simply on the strength of the assertions of the High Commissioner, and yet that is what the High Commissioner seems to have demanded. For example, in his letter of 4th August, 1893, to the Under Secretary of State for the Colonies, in reply to the request that we should have suspects examined, the High Commissioner waives the whole request away in such words as these :

> On receipt of the letter in question, I telegraphed as follows to the Minister of Agriculture of Canada :—" How many animals during the present season were rejected by officers of the Dominion Government as unfit for shipment, and for what causes ? Reply immediately." The following answer has reached me :—" Animals rejected, no record kept."

Well, Mr. Speaker, without finding fault with the past, I think that the time had then arrived for keeping a record. The Secretary of State continued :

> Reasons chiefly, lump jaw, physical injuries and, in very few exceptional cases, tuberculosis.

The High Commissioner then proceeded to say :

> I think this disposes very completely of the inference which seems to have got abroad that some of the rejected animals have been suffering from contagious pleuro-pneumonia.

Sir CHARLES TUPPER. Hear, hear.

Mr. MULOCK. Perhaps it might : but, inasmuch as the home authorities wanted evidence, it seemed only reasonable that their request should be complied with. It was not for us to question the reasonableness or otherwise of their request. They asked for examination, for reports, for evidence. They did not simply ask the High Commissioner to send a cablegram to Canada and then to forward them the reply. But they wanted a report from experts in Canada. This correspondence shows the unreceptive condition of the High Commissioner's mind and the impossibility he was under of fully appreciating what it was wise to do under the circumstances. However, the Board of Agriculture replied to that communication. They themselves recognized the unfortunate position that the High Commissioner was assuming. They saw that it was going to lead to misfortune, unless he receded from it, and they went out of their way again to emphasize their former attitude. I shall now read a letter from the Under Secretary of State for the Colonies, in reply to this communication from the High Commissioner. The letter is dated 15th of August, 1893, and, after referring to the controversy, the Under Secretary of State proceeded to say :

> It is to the future position of Canada under the Contagious Diseases (Animals) Act——

That is, the English Act under which the scheduling takes place.

> —that a particular importance now attaches irregularly introduced across it undoubtedly the measures by means of which the Canadian Government could go far to secure evidence bearing materially on the question of the restoration of the privilege of free entry, which they wish to obtain and which the board wishes to be in a position to confer. It is with much regret that the board read the High Commissioner's remarks as to the suggestions made by them under this head.

You will observe, Mr. Speaker, that I am not expressing my regret alone, but I am rather concurring in the opinion of the Colonial Office, that it was greatly to be regretted that the High Commissioner failed to appreciate the significance of the requisition of the Imperial Government, and simply delivered, in his off-hand way, a final judgment upon their opinion. The Under Secretary of State goes on to say :

> The argument that the disease with which the animals recently imported were affected could not have been contagious pleuro-pneumonia, because that malady is not known to exist in Canada is only valued to the extent to which efficient measures are taken to secure information on the point. An external examination of the animals, without slaughtering in a single case, is clearly insufficient for the purpose, if the nature and attributes of the disease are kept fully in mind.

Yet the hon. Minister of Finance asks us to-day, in an off-hand way, to assert that the whole finding of the veterinarian experts of England is incorrect. The Under Secretary of State proceeds further to say :

> There is abundant evidence that contagious pleuro-pneumonia may remain dormant during a lengthened period, and it was stated in evidence given to the Parliamentary Committee in 1888 that cases had been known to develop disease after no less a period than fifteen months...... Where the disease is not indicated by any outward symptoms—a condition which is not at all uncommon—slaughter and examination of the lungs afford the only means of detecting it.
>
> The fact, therefore, that the Canadian Government have at present no information as to the existence of the disease appears to the board to be very far from conclusive, and in the interests of the trade of the two countries, and even of the health of the live stock in the Dominion itself, the board would venture to press most strongly upon the Canadian Government th adoption of vigorous and really effective measures, such as those we have already indicated, in order to ascertain whether, by any mischance, the disease has obtained a footing in the Dominion. It is certain the disease exists in the United States. The frontier between that country and Canada is a very long one and of such a character as to make its protection difficult, and the possibility that the disease may have been irregularly introduced across it undoubtedly exists.

Now, what did the Government do, in the face of that second communication, which arrived here on the 15th August, 1893, emphasizing the communication of the British Board of the 21st July, 1893, and which ought to have awakened our Government to the sense of the importance that the Imperial Government, at least, attached to their contentions ? Our Government still seems to have been asleep. I cannot in any way justify, much as I would like to do so, its silence, or, in fact, the contempt with which it seemed to have treated these requests of the English Government. At all events, the Imperial authorities were thinking of us, even if this Government—the farmers' friend—was not. On the 29th January, 1894, the Board of Agriculture of England sent to us the following communication, reminding us that the spring was just opening, and that, up to that moment, our Government had not taken the first steps to meet their wishes. This letter is as follows:

> I am directed by the Board of Agriculture to state for the information of the Marquis of Ripon, Secretary of State for the Colonies, that the period is now approaching when the board may expect to receive inquiries as to the conditions under which the importation of cattle from Canada is to be carried on during the coming season. And they would be glad to be placed as early as possible in possession of the views of the Canadian Government with regard to the matter set forth in the board's letter of the 21st July last.

It is to me humiliating to think that in a great interest like this, the cattle interest of Canada should be placed in the hands of a Government represented on this occasion by a High Commissioner in Great Britain, and yet we have to depend upon the British authorities to awaken our authorities to a sense of responsibility and of the importance of the interests involved. The document goes on to say :

> In that letter the board asked to be supplied with copies of the statutes now in force in the Dominion, relating to the contagious diseases of animals, and also for detailed information as to the machinery by which the requirements of those statutes are carried into effect, especially with regard to the submission of diseased lungs to veterinary officers well acquainted with the characteristics of pleuro-pneumonia.
>
> The board at the same time suggested that the Canadian Government should consider whether an additional measure of security would not be obtained by the total prohibition of imported cattle into the Dominion except for breeding, exhibition or other exceptional purposes, and

> also whether any further means could be devised for the prevention of any breach of the laws and regulations at the frontier.
>
> With respect to the collection of further evidence as to the sanitary condition of animals in the Dominion, the Board indicated various means by which further very valuable information might be secured. They suggested that the animals rejected for shipment to this country should be slaughtered.

And so on. And then, omitting their reference to their former communication, the letter proceeds as follows. And here I would ask the High Commissioner to take notice of this observation and to explain, if he can, the dilatoriness on the part of his Government :

> But the board have not, as yet, been made acquainted with the conclusion at which the Canadian Government arrived. Nor have they received the information with which they asked to be provided.

This was on 29th January, 1894. The letter of the 21st July, 1893, dealing with one of the most important of Canadian interests unanswered and at last, in January, 1894, the British Government ask for an answer.

Mr. LANDERKIN. What is the first date ?

Mr. MULOCK. The letter first referred to asking us to adopt precautionary measures was dated 21st July, 1893.

Sir RICHARD CARTWRIGHT. And the answer ?

Mr. MULOCK. The first acknowledgment of it from the High Commissioner was in August, 1893, but he ignored it, and the English Board of Agriculture replied by their letter dated 15th August, 1893, to which I have already alluded, reaffirming their doubt set forth in their communication of 21st July. So that it cannot be argued that the reply of the High Commissioner simply sitting on the Board of Agriculture of England was the answer they expected. And so I say, coming to the 29th January, 1894, the English Government, more alive to our interest than our own Government, wrote to us as I am reading. That communication goes on :

> In this connection it is to be observed that since the board's letter of the 21st of July last was written, the suspicion which attaches to the sanitary condition of Canadian cattle has been deepened by the detection of disease in the animal landed in this country from Montreal by the "Hurona" on the 22nd October last ; and, as stated in the board's letter of the 2nd November last, this further occurrence appears to them to emphasize the desirability of further action by the Canadian Government in the directions indicated.

After some further reference to Sir Charles Tupper, the communication proceeds :

> In conclusion, the board may observe that they remain very desirous of finding themselves in a position to restore the privilege of free entry to Canadian cattle, and it is with the hope that this result may be secured that they have asked for the information and have made the suggestions above referred to. As they have already stated, it is impossible for the board to set aside as inaccurate a diagnosis made in no fewer than eight cases, especially in view of the fact that the veterinary officers of the department are in entire agreement, and that their verdict is known to, and endorsed by, veterinary experts of eminence, who have their opportunities for forming an opinion respecting it. The questions for determination at the present time are, therefore—firstly, whether the disease exists in the Dominion ; and, secondly, whether the arrangements for preventing its introduction can with advantage be supplemented. The latter question has already been to some extent dealt with by the Canadian Government by the extension of the quarantine regulations, although those regulations even now do not supply the same measure of security as is obtained under the law in this country. The former question—viz., whether the disease exists at the present time in the Dominion or not—the board regret that they must regard as an open one, until they are in possession of the results obtained by the adoption of measures such as the board have indicated—measures to which they themselves would have resorted if the circumstances of the case were reversed.

Well, Mr. Speaker, at last the Canadian Government is heard from. When the communication reached the home authorities, I know not ; but we find that on the 6th February, 1894, His Excellency in Council dealt with this matter, and I have now in my hand the report in question. Reading through this whole report you find that it entirely fails to appreciate the point of the English Government. It simply reaffirms the statement of the High Commissioner, and, so far as I can discover, manifests a fixed determination simply to rest the Canadian defence upon assertions that Canada is free from disease. But it does not express any intention of seeking to supply the Imperial Government with any of the evidence from our veterinarians that Great Britain asked for. Not only that, but it is in this state paper that words are used which apparently gave umbrage to the Imperial authorities. For example, Sir, I will read a portion at page 65.

An hon. MEMBER. Read it all.

Mr. MULOCK. No ; part of it is controversial :

> The report of Prof. McEachren, giving particulars of the subject of the very few animals rejected, and the reasons why they were rejected, as being unfit for shipment, is appended hereto, marked J. It appears there was not in a single case any reason why slaughter for suspicion of contagious pleuro-pneumonia could have been justified, or in which such action would not have been ridiculous.

Now, I submit that that was not a dignified or fitting way in which to reply to a request made of us by the Imperial authorities. The report goes on :

> It will be seen from the report of Prof. McEachren above referred to, that any attempt to slaughter out the herds from which the animals were taken, which were rejected at the embarkation inspections in Montreal, in search of the

> disease pleuro-pneumonia, would have simply been an action without reason. If any animals had been found respecting which any reasonable suspicion of the disease in question attached, they would indubitably have been slaughtered, and the herds from which they came traced out, but in the absence of any existence or even of the suspicion of the disease, it would be out of reason to go slaughtering among the herds to end it.

The Imperial Government did not ask anything so ridiculous. I presume we must give the Board of Agriculture credit for knowing the practice in England, and all they asked was that we in Canada should adopt the practice they were obliged to put in force in England. But instead of treating that communication with respect, it is, by Order in Council, dealt with in language that seems to me offensive. Well, the High Commissioner, on 28th March, gives his testimony as well, in a communication to the Under Secretary of State, in which he says, in reference to what I have read :

> The communications and inquiries from Canada furnish the most conclusive evidence it seems possible to obtain in proof of the non-existence of pleuro-pneumonia in Canada, and there does not, therefore, appear to me to be any ground for further postponing the restoration of the free admission of Canadian cattle into the United Kingdom to which every country shown to be free from pleuro-pneumonia, is entitled.

There is the evidence of the High Commissioner, instead of the positive testimony the Imperial authorities asked for, the evidence of our veterinarians, after examination and slaughter of suspects. Well, Sir, what impression did these assertions, on our part, make upon the Home Government ? They replied to that on 16th April, 1894—I now quote from a communication of the Board of Agriculture, page 82 :

> The fact that the slaughter of contact-animals has formed no part of the investigations made by the Canadian Government with regard to the existence of disease, deprives those investigations of much of their value. Whatever may be the opinion of the Dominion Government as to the diagnosis of the veterinary officers of this department, it is surely going too far to say that the slaughter of the herds from which the diseased animals were taken, or of animals with which they had been in contact, would have been an action " out of reason," or " ridiculous." The difficulty of detecting contagious pleuro-pneumonia, and of distinguishing it from other lung disorders, save upon post-mortem examination of the lungs, renders the slaughter of contact-animals a matter of necessity if the disease is to be discovered and the spreading arrested, and the board greatly regret that the investigations made by the Canadian authorities should have been deprived of so much of their value by their failure to obtain evidence by this means.

That is the opinion of the board in England. Well, I have stated that at last the Imperial authorities, in their anxiety to remove this embargo, inasmuch as our Government had not given them the information they asked for, determined to adopt what they deemed to be a most thorough system, to slaughter and examine, in the way I have formerly mentioned, the lungs of slaughtered animals at the ports of entry in England, and submit them to the court that they proposed to constitute. Now that the court has made its finding, allow me to tell you briefly who constituted that court, the character of the evidence, the thoroughness or otherwise of the inquiry, and the verdict; and then it will be for us to say whether, in face of that finding, any good can come of a mere assertion by us, one way or another on this question. Will the English Government attach any importance to a mere assertion on our part against such a finding ? Who made this report ? I have in my hands, Mr. Speaker, the state paper issued in England. " Minute of the Board of Agriculture," dated 13th August, 1894. This report sets forth who were appointed to investigate this case, the witnesses, the procedure, and the verdict. Now, in the first place, who were the experts who constituted the court ?—because, as the High Commissioner will appreciate this is an Imperial court, so far as it has to do with cattle questions : it is the highest court in the Empire, as the Privy Council, we are told, is the highest court in the Empire in respect to other matters. Is this verdict, then, of the highest court in the Empire entitled to any weight ? The court was composed of the following gentlemen :—

> Professor John F. McFadyean, M.B., B. Sc., C.M., F.R.C.V.S., Professor William Williams, F.R.C.V.S.

I understand this gentleman was appointed but was not able to act.

> Mr. F. R. Ingersoll, M.R.C.V.S., Mr. S. J. Rayment, M.R.C.V.S., Dr. Francis Vacher, F.R.C.S., Edinburgh, Dr. H. D. Littlejohn, F.R.C.V.S., Edinburgh, Dr. G. Simms Woodhead, F.R.S.E., Mr. William Hunting, F.R.C.V.S., Mr. Clement Stephenson, F.R.C.V.S. Professor Williams, Dr. Simms Woodhead, and Mr. Hunting, had been asked by the High Commissioner for Canada to make reports to him regarding some of the previous cases to which the board have above referred. The board subsequently, by desire of the High Commissioner, extended a similar invitation to Professor J. McCall, F.R.C.V.S., Professor J. Macqueen, F.R.C.V.S., and Mr. R. Rutherford, F.R.C.V.S.

I understand from this report that Professor McCall was not able to take part.

> And they also asked Mr. S. G. Holmans, M.R. C.V.S., their senior inspector at the Foreign Animals Wharf at Deptford, to examine the specimen. All these gentlemen were able to accept the board's invitation with the exceptions of Professors Williams and McCall, who were unable to leave Scotland in time to admit of an early examination of the diseased lung. Subsequently to the landing of the " Toronto " animal, and during the operation of the Canadian Cattle (Slaughter and Examination) Order of 1894, five other cases of disease were detected by inspectors at Liverpool, Deptford and Glasgow, amongst cargoes of cattle arriving from Canada, the disease being declared by those in-

> spectors and by the veterinary officers of the board to be in each instance contagious pleuro-pneumonia.

Before proceeding with the inquiry, this court, in order that the inquiry should be thoroughly exhaustive, appointed what they call assessors. They are referred to in the following paragraph in the report :—

> It remained for the board to determine in what manner the scientific evidence thus available as to the nature and character of the morbid appearances, could be best presented for consideration, and the board decided in favour of viva voce examination of the pathologists and veterinarians above named——

I should say there is a list of veterinarians and pathologists, which I have omitted for brevity.

> —with the aid of assessors specially well qualified who elicit completely and accurately the opinions of experts on an intricate and technical question which affected most important interests, and which it was on many grounds essential to place in as clear a light as possible. The board were fortunate enough to obtain assistance in this capacity of Right Hon. Sir Henry James, Q.C., M.P., and of Dr. J. Burdon Sanderson, F.R.S., Waynflete, Professor of Physiology in Oxford University, to whom they desire to express their grateful acknowledgment of the very valuable services they have been so good as to render to the board in this matter.

Here follow the names of the witnesses and their qualifications :

> 1. Mr. Alexander Curtis Cope, M.R.C.V.S., Chief Veterinary Officer of the Board of Agriculture.
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> Mr. Cope stated that he had been acquainted with pleuro-pneumonia for thirty years, that he had held office under the Privy Council and subsequently under the Board of Agriculture since 1872, that since 1890 he and the present assistant veterinary officer had had under observation 3,133 sets of lungs, in which they had detected 1,087 cases of pleuro-pneumonia, and that in consequence he had had exceptional opportunities of seeing and recognizing the disease.
>
> 2. Professor George Thomas Brown, C.B., Hon. Assoc. R.C.V.S., Consulting Veterinary Adviser to the Board of Agriculture.
>
> Professor Brown stated that he had studied pleuro-pneumonia since 1846, that after appointment to the Royal Agricultural College at Cirencester in 1850, he had much experience of the disease in the surrounding districts, that on the formation of the Veterinary Department of the Privy Council in 1865 his opportunities of examining morbid specimens very much increased, and that since the department had been engaged in stamping out the disease he had been constantly examining the lungs of diseased cattle.
>
> 3. Mr. William Wilkinson Smart, M.R.C.V.S., Senior Veterinarian Inspector of the Port of Liverpool.
>
> Mr. Smart stated that he had acted as a port inspector for about 18 years, and during that period he had had considerable experience in the examination of the lungs of cattle.
>
> 4. Mr. Steven Jiles Holmans, M.R.C.V.S., Senior Veterinary Inspector at the Port of London (Deptford).
>
> Mr. Holmans stated that he had had experience of pleuro-pneumonia during the past thirty-six years, and that he had been employed at Deptford for about twenty-one or twenty years.
>
> 5. Dr. German Simms Woodhead, M.D., F.R.C.S., F.R.S.E.
>
> Dr. Woodhead stated that he was Director of the Research Laboratory of the Conjoint Board of the Royal College of Physicians, London, and the Royal College of Surgeons, England, that he was closely in pathological research, and that he was the author of works on the subject.
>
> 6. Dr. Henry Duncan Littlejohn, F.R.C.S., Edinburgh, President of the British Institute of Public Health and Medical Officer of Health, Edinburgh.
>
> Dr. Littlejohn stated that since 1863 he had been Chief Inspector of the Edinburgh Abatoirs, where meat inspection was vigorously carried on.
>
> 7. Professor John F. McFadyean, M.B., B. Sc., C.M., F.R.C.V.S., Dean of the Royal Veterinary College
>
> Professor McFadyean stated that he had been familiar with pleuro-pneumonia for about eighteen or twenty years, that it was his duty to prepare and examine sections of pleuro-pneumonia lungs as a class exercise, and that he had examined very many hundreds of sections in that way
>
> 8. Dr. Francis Vacher, F.R.C.S., Edinburgh, M.R.C.S., Edinburgh, F.Cs., Medical Officer of Health for Cheshire.
>
> 9. Professor James Macqueen, F.R.C.V.S., Professor of Surgery in the Royal Veterinary College.
>
> Professor Macqueen stated that since 1877 he had had a good deal of experience with pleuro-pneumonia, that he had acted for nine years a Deputy Inspector to the Local Authority for Glasgow, and as Deputy Inspector at the Port of Glasgow, and that he had seen most of the cases sent to the Royal Veterinary College under the slaughtering order.
>
> 10. Mr. William Duguid, F.R.C.V.S., Assistant Veterinary Officer of the Board of Agriculture.
>
> Mr. Duguid stated that his tenure of office under the Privy Council and the Board of Agriculture had afforded him exceptional opportunities of studying pleuro-pneumonia.
>
> 11. Mr. William Hunting, F.R.C.V.S.
>
> Mr. Hunting stated that he had been in practice for a considerable number of years in London, and had also been for some time one of the veterinary inspectors of the London County Council. He had not had very much experience in connection with the disease of pleuro-pneumonia. He had had to deal with about half a dozen cases of pleuro-pneumonia in London and with probably twenty cases before he came to London, but the former were the only cases in respect of which he had borne any responsibility during the past thirteen or fourteen years. His professional experience had been almost entirely among horses.

I think he was one of the High Commissioner's witnesses.

Sir CHARLES TUPPER. Yes.

Mr. MULOCK. He does not appear to have proved himself much of an expert.

> 12. Mr. Richard Rutherford, F.R.C.V.S.
>
> Mr. Rutherford stated that he had had a very large experience of cases of pleuro-pneumonia, both in this country and in Australia.
>
> 13 Mr. Clement Stephenson, F.R.C.V.S., Veterinary Adviser to the Northumberland County Council and the Corporation, Newcastle-upon-Tyne.

> Mr. Stephenson stated that he had been familiar with the post-mortem appearances of pleuro-pneumonia since 1856 ; that between 1878 and 1890 he had made a post-mortem examination of the lungs of every animal in his district which had died from the disease, or which had been slaughtered as being affected, or as having been in contact with the disease, and that he had seen the diseased condition of the lungs in all stages from its inception till death had resulted.
>
> 14. Mr. Frederic Richard Ingersoll, M.R.C.V.S., one of the Veterinary Inspectors of the London County Council.
>
> Mr. Ingersoll stated that in the district in which his practice lay there had been, until recently, a great deal of pleuro-pneumonia, and that he had frequent opportunities of studying that disease.
>
> 15. Mr. Samuel James Raymant, M.R.C.V.S., Veterinary Inspector at the Metropolitan Cattle Market.
>
> Mr. Raymant stated that his position at the Cattle Market and in connection with the slaughter-houses there had given him special facilities for the study of pleuro-pneumonia.
>
> 16. Dr. M. Armand Ruffer, F.R.S., F.M.S., London.
>
> Dr. Ruffer stated that he was a member of the Physiological and Pathological Societies, and had acted as assistant editor of the "Journal of Pathology and Bacteriology." He had very little experience himself of veterinary science ; he had seen cases of pleuro-pneumonia, but was not an expert on the microscopical appearances of it.
>
> 17. Professor James McCall, F.R.C.V.S., Principal and Professor of the Veterinary College of Glasgow, Vetrinary Inspector at the Port of of Glasgow, Veterinary Inspector of the Glasgow Corporation.
>
> Professor McCall stated he had held the appointment last named since 1865, and that it had given him great opportunities of studying pleuro-pneumonia.

These were the witnesses with their qualifications, who gave testimony before the court, and the report of the inquiry follows. It gives the heads, the evidence and the finding. It may be fair to assume that, considering the interest involved, the object of the court, the result of the finding, the inquiry was thorough and exhaustive. I will not trouble the House with the evidence. The Minister of Finance ventured to deal with the evidence. As stated in this report, this is a matter highly technical. No doubt physicians and experts will find some difficulty in determining with absolute certainty as to the distinction between contagious pleuro-pneumonia and pleuro-pneumonia itself. It is not competent for us as a parliament to pronounce on this evidence. We must, in this case, take the evidence of gentlemen who were there for the purpose of rendering it, who were thoroughly qualified, who had witnesses before them, who saw the diseased tissues, who were men of the highest professional standing, men who could not by any mistake, I would assume, arrive, almost unanimously—in fact, I think, unanimously—at the verdict which I will read in a moment, and no one will for a moment suggest that men of this high character and standing would render other than an honest verdict on the matters which they were engaged in investigating. Now, what was the conclusion at which this board arrived ? I will read it from the report :

> It appears to the board, on a review of the evidence above summarized, that the result of their inquiry has been to support and confirm the diagnosis of the professional officers in a degree beyond what might have been expected. The position of those officers differs very materially from that of the non-official witnesses who were good enough to give evidence before the board, by reason of the fact that the former are compelled to come to a distinct and definite conclusion in every case submitted to them, and upon that conclusion the administrative action of the board must necessarily depend. It is, therefore, in the highest degree satisfactory to the board to find that so much evidence corroborative of the verdict of their officers has been forthcoming from gentlemen occupying, it is true, a much less onerous and responsible position than the veterinary officers of the board ; but who were nevertheless well qualified to form a judgment on the question at issue.
>
> In no single instance did any of the witnesses examined find themselves in a position to assert without qualification that either the "Winnipeg" or the "Mongolian" case was not one of contagious pleuro-pneumonia ; whilst on the other hand the verdict of the professional officers of the board was absolutely and unreservedly confirmed in many instances.

And, after dealing with the evidence, and in support of that finding, the report concludes as follows :—

> In the institution of the inquiry the board were actuated by a two-fold desire. In the first place doubts had been freely and publicly expressed as to the accuracy of the diagnosis of the board's professional officers, and the board were anxious to acquaint themselves with the grounds upon which these doubts had been based. In the second place, the board desired, in the event of the diagnosis being confirmed and supported, (as it has been by English professional opinion) to place Canadian veterinarians in possession of a complete statement of the views of experts in this country, since it is with the members of the veterinary profession in the Dominion, that in the opinion of the board, the next step rests. It is beyond question that a disease occurs in the lungs of Canadian cattle imported into this country which, in the opinion of many of the most experienced and best qualified veterinarians in this country, is contagious pleuro-pneumonia, and even in the opinion of pathologists ready to take the hypothesis that the disease is new and still unobserved as a bacterial or germ disease, and which cannot develop to the extent shown by the slaughter of the diseased animals in this country, a fortnight or three weeks after shipment, unless it had been originally contracted before leaving Canada. In the view of the board these matters deserve, and will doubtless receive, the serious attention of the Canadian Government, and of public and private veterinarians in the Dominion, but in the meantime the duty of the board is clear. They have no alternative but to act on the assumption that the disease found in the Canadian animals was in fact contagious pleuro-pneumonia, and in view of this fact they must maintain in force the normal security provided by the statute against the introduction of dis-

ease by means of imported animals, namely, by their slaughter at the first port of landing.

(Sd.) HERBERT GARDNER,
President of the Board of Agriculture.

13th August, 1894.

Prior to that, in reference to the inquiry that was going on, the board had, on the 6th of June, 1894, dealt with the matter in the following words :—

> It only remains for the board to add that it is with much regret that they received the intelligence which they now officially communicate to the Secretary of State, inasmuch as it confirms the fear which the board have previously expressed as to the introduction of pleuro-pneumonia into the Dominion without the knowledge of the authorities there. The matter is a grave one from every point of view, and the board venture to hope that the investigation now being commenced, will have the effect of providing common ground upon which the action, both of the Canadian Government and of the board, can alike be based.

And what was the common ground ? On the 13th August, 1894, the board made that finding. What was the duty of our Government at this stage ? They had refused, up to that moment, to do what the Imperial authorities asked them to do on the 21st July, 1893. They were asked to adopt the same methods as are enforced in England. The High Commissioner in August, 1893, pooh-poohed these suggestions. His Government neglected them. His Government actually ignored the existence of this suggestion. Not until they were wakened up to the matter on the 29th January, 1894, did they take it into serious consideration. Not until February, 1894, did they even answer the communication, and then their answer practically was: We decline to do what the Imperial authorities ask ; we simply assert there is no pleuro-pneumonia here, and that is all there is about it. The English Government said : That is folly ; that proves nothing ; we have an adverse report, and now we will give you another chance. And they suggested the investigation, the particulars of which I have given, and the verdict was rendered, and still the communication of the 21st July, 1893, was outstanding and unattended to. Mr. Speaker, I ask this House, even if up to that point the Government was in any respect justified in maintaining their attitude, what should they have regarded as their duty after the verdict of that court ? Do you not think, Sir, that, in the face of that verdict, they might at least have recognized the reasonableness of the request and the suggestions of the Imperial authorities, and set to work to seriously live up to them. Not so, Sir. Months went by ; I do not know whether they have to this moment acted upon this suggestion—perhaps the Secretary of State (Sir Charles Tupper) will tell me—but this I do say, that some months afterwards, the Secretary of State took part in a public controversy in Scotland upon this matter, and this brought forth a communication from the then President of the Board of Agriculture, the Right Hon. Herbert Gardner. Mr. Gardner, writing on the 24th November, 1894, to Sir John Laing, a letter which was published in the press, stated that up to that date, the request made by the Imperial authorities on the 21st July, 1893, had been denied, neglected, and unattended to. That was months after the verdict was rendered, and, for all we know, up to this moment, the Canadian authorities have maintained the attitude of simply negativing every assertion, as if that would satisfy the Imperial authorities. I commend the letter of Mr. Gardner to the attention of the House. The first part of the letter is immaterial, but he continues to say :

> As regards the future I can only say that the matter rests with the Canadian Government.

You will bear in mind, Mr. Speaker, that these are the words of the President of the Board of Agriculture ; the gentleman charged with the responsibility of administering the laws of England respecting the cattle trade, the gentleman on whose recommendation the embargo was imposed, the gentleman who had made recommendations, leading, as he hoped, towards the removing of the embargo ; the gentleman who, as long as his government was in power, was the one to determine as to whether or not we had made out a case to warrant him in recommending the removal of the embargo. What did this gentleman say to the British public on the 24th November, 1894, as to the action of the Canadian Government ? I read it :

> As regards the future I can only say that the matter rests with the Canadian Government. If that Government would adopt the suggestions made by this board as far back as July, 1893, and make sufficient arrangements for securing the notification of suspicious causes of lung diseases to expert officers, by whom post-mortem examinations could be made, exact records of the appearance presented being kept, valuable evidence as to the sanitary conditions of animals within the Dominion would after a sufficient interval be available, and it would be seen whether the result was to corroborate the views expressed by Sir Charles Tupper as to the absence of pleuro-pneumonia in that country.

You will observe that he mentions the High Commissioner, and is unreasonable enough to ask that his statements should be corroborated. And now, I call the attention of the Secretary of State to this statement :

> Up to the present time, however, the action of the Dominion Government, so far as the board are informed respecting it, has unfortunately not been such as the board thinks they would have felt it their duty to take if there had been similar grounds for suspecting the existence of pleuro-pneumonia in this country. I can only hope that some alterations of the position in this respect may speedily take place, so that the prospects of my finding myself in a position to remove the existing regulations may be increased.

Now, Mr. Speaker, what inference are we to draw from that letter ? The head of the

Department of Agriculture states publicly over his own hand that the deadlock, if you call it such, is wholly attributable to the inaction of the Canadian Government. Now, the British Government have their case. They have formed their conclusions ; they have appointed their men ; they have had their court ; they have had a verdict ; they have assumed a certain attitude. Their opinion is, rightly or wrongly, that the findings of their veterinarians are correct. Are they going to discredit them ? Were they likely, during all these years, to ignore those findings merely upon our assertion, or the assertion of any man, I care not how high in office, that our country was free from this disease ? Would it not have been a more reasonable course, and one more likely to have resulted in success, if we had acted on the advice and the suggestions of the British Government at the very earliest moment after they had said : "Our officers find this disease, and we ask you to adopt certain methods in order that we may be justified in removing the embargo." Instead of that, instead of furnishing them with the evidence they desired, and adopting the precautionary measures they requested, we chose obstinately to go our own way. They asked us, for instance, to prohibit totally the importation of cattle except for breeding and exhibition purposes. Have we done that ? No ; you have ignored that provision ; you have allowed hundreds of cattle to come in from the United States, the country specially mentioned in this communication as having in it pleuro-pneumonia. Under these circumstances, I think the farmers and the people of Canada have just cause of complaint that this very important branch of industry—especially important considering the depression in agriculture—has been administered in such a way as to bring this calamity upon us. I submit that if the Government had really acted in the spirit of the request of the British Government, and shown a desire to meet their wishes, we would probably have found in England a more friendly attitude towards us than that which has broken out in this attempt to make the exclusion of our cattle permanent for all time. If the Bill now before the Imperial Parliament becomes law, I question if for many a year it will be removed from the statute-book. The almost irrevocable character of the injury to accrue to us ought to have awakened the Government to a sense of the danger ; and their bounden duty was to have acted on the suggestions of the Imperial Government, with a view to the removal of the embargo, even if in their own judgment those suggestions did not appear to be reasonable. But, instead of that, our Government took their own course ; they had their own view, and obstinately persisted in it. I would not blame them for continuing to say that the country was free from disease, if they so felt. But what I do blame them for is that whilst maintaining their opinion, they failed to endeavour to satisfy the Imperial authorities in the direction in which they wished to be satisfied. They could have done that without prejudice to their opinion that there was no disease in Canada. But they chose to treat with contempt—I do not wish to use the word offensively—the requests of the Imperial authorities. They risked, and they lost, or rather Canada has lost. Under these circumstances, the occasion calls for an expression of opinion from Parliament. Does anybody in his senses suppose that, in view of the opinion the people of England have formed, they will attach the slightest weight to an expression from this Parliament that Canada is in a sanitary condition now ? That we have been saying through the High Commissioner and through our Governor in Council ever since the embargo, and with what effect ? We have simply been getting into greater danger. All these assertions have accomplished nothing ; and does any one suppose that a mere assertion by this House that there is no disease in Canada will prevent a passage of the Bill before the British House of Commons ? I do not propose to comment on the rest of the resolution ; but I fancy that the people of England, when they read this resolution, in which, assuming that it passes, the Canadian Parliament records its protest against Imperial legislation, will very naturally ask : Is there no legislation on the Canadian statute-book excluding English products ? What about our tariff—what about our customs law—excluding, or almost excluding, Imperial manufactured goods ? Fancy our approaching the English Parliament and protesting against their legislation. Does this Parliament think that that is a dignified or proper course to pursue ? I suppose the majority of this House will adopt the resolution ; but it appears to me that the Government ought to eliminate that part of it themselves. With regard to the situation, I have not on this occasion referred to the origin of this disease in Canada. That has been dealt with before.

Sir CHARLES TUPPER. Do I understand the hon. gentleman to say the origin of this disease was in Canada ?

Mr. MULOCK. What do you mean ?

Sir CHARLES TUPPER. The hon. gentleman, I understand, says that he has not yet referred to the origin of this disease in Canada.

Mr. MULOCK. I have not dealt with it thoroughly.

Sir CHARLES TUPPER. Does the hon. gentleman mean to say that it has or ever has had any origin in Canada ?

Mr. MULOCK. The hon. gentleman need not become excited over it. The matter was discussed in 1894. I am not asserting that the disease is here ; I am not an expert; I am not making any statement as to that at all. I say the English Government have found that against us. They have made the finding, and I am not seeking to trace what ground there may be for that finding. I take the verdict of the Imperial authorities.

Sir CHARLES TUPPER. As sound?

Mr. MULOCK. No. I do not say I take it as sound. I presume that it represents the view in England; I presume they will not discredit it there. Does the hon. gentleman suppose that the Imperial Government will discredit their report?

Sir CHARLES TUPPER. That is not the point. I am not saying what they hold in England; that we all know. But what startled me was the hon. gentleman saying that he was now going to take up the question of the origin of this disease in Canada, which contained an admission which I regarded as a most startling one to come from a member of the Parliament of Canada; in face of the evidence that no such disease ever has existed or does now exist in Canada.

Mr. MULOCK. The hon. gentleman has substituted the word "now" for the word "not." I said, I am not. The hon. gentleman says, I am "now."

Sir CHARLES TUPPER. Precisely; that is the same thing.

Mr. MULOCK. I am not going to enter into any discussion as to whether or not the disease is in Canada, or who is responsible for it. I dealt with that in the month of July, 1894, and my views are on record. I have an opinion upon that question, and I am quite prepared to discuss it, if necessary; but what I am now discussing is the situation in which this trade is in England, and as to whether or not the Government are right or wrong. We have a situation to face, and it is such as I have tried to describe it. That situation, the threatened permanency of this embargo, I believe, Mr. Speaker, is attributable, to some extent at least, to the manifest negligence or inattention of the Administration, in not having taken the necessary steps to satisfy the Imperial authorities of the non-existence of this disease in Canada. They called upon us to give that evidence. They said that there had been a case made out. Will the hon. Secretary of State deny that? They said that, in their opinion, a strong case had been made out, and that there was conclusive evidence to support it. I have never asked the hon. gentleman to admit, I do not want anybody to admit that there was a case; but, when the Imperial authorities said there was, and asked us to refute it, I think it would have been wise to give it a little attention and try to controvert their statements, instead of confining our reply to mere assertions. They asked for evidence and not assertion. I may ask the Government now, if they have done anything towards complying with the request of the Imperial Government, as contained in the letter of the 21st July, 1893?

Some hon. MEMBERS. No.

Sir CHARLES TUPPER. We are not in a division court, Mr. Speaker. I will answer the hon. gentleman, when addressing the House in reply.

Mr. MULOCK. Then, I ask him to produce, in his reply, for the information of this House and country, the official documents from this and the Imperial Governments, showing to what extent, if at all, this Government has complied with the request of the Imperial authorities. I would respectfully ask the hon. gentleman to produce, for the information of the House, the correspondence from the 13th August, 1894, to date, to show whether they have or have not complied with the request contained in the communication of the Imperial Government on the 21st July, 1893. I cannot compel the hon. gentleman to answer; but, at all events, I can put him in a position where, if he does not answer, we will be compelled to draw conclusions.

Sir CHARLES TUPPER. Hear, hear.

Mr. MULOCK. I think that is fair. Under the circumstances, I beg to move in amendment:

> That all the words after "That" be struck out and the following added instead thereof:—"In view of the repeated official declarations of the British Government of the existence of pleuro-pneumonia amongst Canadian cattle, and the serious consequences to Canadian interests from the passage of the Bill now before the British Parliament permanently to exclude Canadian live cattle from Great Britain, this House regrets that the action of the Government of Canada has not been such as to protect the cattle industry of Canada from the serious injury calculated to accrue to it from the passage of such a measure."

Sir CHARLES TUPPER. I have witnessed with very great regret the course adopted by hon. gentlemen opposite. I do not refer to the hon. gentleman who has just taken his seat, but I refer to the statements made by a large number of gentlemen on the other side, with reference to this important question; and I can only say that, if those hon. gentlemen desired to secure the passage of Mr. Long's Bill, which is not correctly, but very incorrectly represented in the amendment of the hon. member for North York (Mr. Mulock), they could not have adopted any course so calculated to attain that object. If these hon. gentlemen opposite wished to prevent any live cattle from Canada, ever being permitted to enter the United Kingdom, they have adopted, in their speeches and in the line of argument they have taken in this House, the very best possible means of achieving that purpose. Now, I think that, however anxious hon. gentlemen opposite may be to bring a charge of any kind against the Government, they ought not, in their desire to attack the Government, to put themselves in the position of being willing to break down and permanently injure a very important Canadian industry. That is the position which hon. gentlemen opposite occupy to-day. We listened with great regret to these statements made by them on a former occasion, and reiterated on this, and to which they knew then that the Government, anxious to press forward the business of the House, were not in a position, without lending themselves to the obstruction of public business, to reply. I was in hopes that the patience with which the Government then endured those unjustifiable and unwarranted attacks on their policy, would have satisfied these hon. gentlemen, and that they would not, on the present occasion, have followed up those statements by those to which we have listened to-day.

I complain of the misrepresentation contained in the resolution which the hon. gentleman has just placed in your hands, Mr. Speaker. That resolution declares that the object of the Bill before the Imperial Parliament is to shut out altogether the admission of Canadian cattle into the United Kingdom. Sir, the hon. gentleman ought to know that that is not the purport of the Bill. The hon. gentleman ought to know that that resolution is not directed, in any sense whatever, against Canadian cattle, but is a general resolution, applied to all the world.

Mr. MULOCK. Would it not have that effect on Canadian cattle ?

Sir CHARLES TUPPER. I say it is a gross misrepresentation of the facts to say that the Bill is aimed at Canadian cattle, when it is a general Bill applied to all cattle in the world, and therefore is not susceptible of the construction that is placed upon it.

Mr. LAURIER. Do you protest for all the world ?

Sir CHARLES TUPPER. I say that so far as we are concerned, we protest against the passage of this Bill on the ground that there is contagious pleuro-pneumonia in Canada ; that is what we protest against. We do not undertake, as the hon. gentleman intimated, to question the right of the Imperial Government to make such laws as they believe to be in the interest of their own country ; but what we do object to is that a declaration which has been maintained by the Imperial Government, or a portion of it, that contagious pleuro-pneumonia exists in Canada, should be made a ground for the passage of such a measure. We know that Her Majesty's Government are charged by the Liberal papers, and by the Liberals in Parliament, and they are charged by the late government, and by Mr. Gardner, who is now in the House of Lords, but who was the gentleman who imposed these restrictions upon Canada—they are charged broadly and distinctly by the Liberal party in the House of Commons and in the House of Lords with passing this measure as a purely protectionist measure. I say, therefore, that under these circumstances, the hon. gentleman has no right to intimate that this is a Bill exclusively directed against Canadian cattle, whereas it is a principle that is to apply to every country in the world, whether there is cattle disease in it or not. Now, I may say that I was engaged in public duties in Paris in 1892 when this question was raised that pleuro-pneumonia had been found to exist in the lungs of Canadian cattle ; and my hon. friend, the Minister of Finance, and my lamented friend, the late Sir John Abbott, then Prime Minister, were in London, and they cabled to me to go over to London for the purpose of assisting in an endeavour to prevent the exclusion of Canadian cattle on the ground that pleuro-pneumonia had been found to exist. I went over immediately, and the Government were good enough, at my request, to appoint a committee of the Cabinet to hear the statements that we wished to make, Mr. Abbott being good enough to accompany me. The committee of the Cabinet on that occasion was composed of the President of the Board of Agriculture, the Colonial Secretary, the First Lord of the Admiralty, Earl Spencer, and Lord Kimberley ; and I placed before them the evidence on which I held that they were not justified in arriving at the conclusion that pleuro-pneumonia existed in Canada, and that the disease which had been described to be pleuro-pneumonia by the veterinary surgeons of the Board of Agriculture, was in reality not such.

Mr. LANDERKIN. In what year was this ?

Sir CHARLES TUPPER. This was in 1892. I will briefly state to the House the argument that I held then, and hold now, to have been an incontrovertible argument against the policy that the Imperial Government proposed to adopt. This proposal was made upon a report made by three gentlemen, Prof. Brown, Mr. Cope, and Prof. Duguid, who were the veterinary experts of the Board of Agriculture, and they reported that they had found in the lungs of two Canadian cattle symptoms of undoubted contagious pleuro-pneumonia. I drew the attention of that distinguished committee of the Cabinet to what I think was a very important fact, that these three gentlemen, Prof. Brown, Prof. Duguid and Mr. Cope, had, in 1890, made a precisely similar report to the Board of Agriculture when the Rt. Hon. Mr. Chaplin was President of that board ; and I stated that although their report was precisely similar to the report which they had then made, Mr. Chaplin, then presiding over the Board of Agriculture, had refused to accept that report, or at all events, had not acted upon it, and that it remained in the records of the Board of Agriculture, and that Canadian cattle were not scheduled. Now, Sir, I was aware that at this very moment, Mr. Chaplin, a leading member of the Opposition in the House of Commons, who had been President of the Board of Agriculture, was pressing in the strongest manner upon the government that the law should be put in force, and that Canadian cattle should be prevented from having free access into the United Kingdom. I asked them to explain how it was, if they were warranted in accepting this statement of these three veterinary surgeons and acting upon it, and excluding live cattle from Canada from going all over the country, as they had hitherto been allowed to do—I asked them how it was that Mr. Chaplin, when he was charged with the same responsible duty of administering the law, and when he had precisely similar report before him, identically the same in both cases, why he had not acted. I said, if you will look at the statement made at a public meeting by Mr. Chaplin three days ago, you will find that he declares that contagious pleuro-pneumonia had never been known to exist in Canada. Now, Sir, what followed ? Why, there was the fact that between the time Mr. Chaplin had refused to accept the report of these veterinary experts, and the time that we were then discussing the question, no less than 214,000 cattle had been brought from Canada into the United Kingdom, without a suspicion having been raised by anybody that pleuro-pneumonia existed in Canada, or that it was to be found in any of those cattle. I said, therefore, you have 214,000 reasons given by Mr. Chaplin himself why you should not schedule Canada. He did not do it when the responsibility rested on his shoulders, and since that time to the present, 214,000 cattle have come from Canada and gone all over this country from end to end ; and yet nobody has ever insinuated that pleuro-pneumonia has been brought into the country, or that it has been found to exist in any of the Canadian cattle. I held that that was incontrovertible evidence, that the report of these veterinary experts was not infallible, and that it was not safe to arrive at the conclusion in face of the testimony of Mr. Chaplin himself who, with that report placed in his hands in 1890, had not scheduled Canada, that these cattle had all been admitted, and that he himself had, in addressing a public meeting three days before, declared that contagious pleuro-pneumonia down to the present time had never been known to exist in Canada. Well, Sir, I may say a great impression was made on this committee of the Cabinet of the Privy Council, and Sir John Abbott, being present, authorized me to make the suggestion that instead of excluding Canadian cattle by imposing a restriction against their free admission as before, if they would take no action and refrain until they had made further examination, Sir John Abbott authorized me to say that the Canadian authorities, as it was near the close of the season, would prevent any further shipment of cattle, and in the meantime the Board of Agriculture would have the winter before them for the purpose of making investigations. So strong was the argument felt to be against the accuracy of this report of the experts and in favour of the statements that I had been able to place before them, that they came to the conclusion that they would accept the proposition made by myself, upon the authority of Sir John Abbott, provided it could be legally done, and they took the opinion of the Law Officers of the Crown, the Attorney General and the Solicitor General of England, for the purpose of ascertaining whether that course could be legally pursued. The decision of the Law Officers of the Crown, unfortunately, was, that they could not adopt that course, because, with the evidence which had been submitted by the professional advisers of the Board of Agriculture, they had the evidence before them upon which they were compelled to act, and therefore they had no alternative. But I have no hesitation in saying that this extreme measure was adopted with great reluctance, and, as I have said, only after they found that they were obliged to take that course.

It being Six o'clock, the Speaker left the Chair.

After Recess.

THIRD READING.

Bill (No. 28) to incorporate the Huron and Ontario Railway Company.—(Mr. Sproule.)

CANADIAN CATTLE IN ENGLAND.

Sir CHARLES TUPPER. Mr. Speaker, in continuance of the remarks I was making when the House rose at six o'clock, I may say that I listened with amazement to an hon. member of this House devoting from two to three hours to an argument which, had he been retained by the Imperial Government to defend them for excluding Canadian cattle from that free introduction into the United Kingdom which they formerly had, could not have been more industriously prepared to convince the Imperial Government that they were right in adopting the course they did. I take it to be a very great compliment to the Government of Canada, when an hon. gentleman in this House who is very anxious indeed to find some cause of complaint, is compelled to adopt a course of that kind in order to make a case against the Administration. I think that, if that hon. gentleman, or if any other hon. member thought the Government were guilty of any shortcomings in this matter, he could find terms in which to challenge their conduct, without at the same time sustaining a policy which has been most injurious to Canadian interests, and from which the people of this country have suffered so severely. The hon. gentleman says that I challenged the accuracy of the report of these veterinary officers of the Board of Agriculture. I did more than challenge it, Sir. I say, Sir, I convicted the experts of the Board of Agriculture of having been incapable of discharging their duties efficiently. I was able to lay, as I did in their presence, the evidence before the committee of the Imperial Cabinet that they had made a report in 1890 that contagious pleuro-pneumonia existed in Canada, and that after that 214,000 cattle had been brought into the United Kingdom and distributed all over the country, not a single instance had been adduced of contagious pleuro-pneumonia being found in connection with any one of these animals. And the President of the Board of Agriculture, the Right Hon. Mr. Chaplin himself declared, after that experience of the importation of Canadian cattle, in the face of their declaration that contagious pleuro-pneumonia had been brought into the United Kingdom by Canadian animals, that down to that hour not a single case of contagious pleuro-pneumonia had existed in Canada. I say there could not be more conclusive evidence than that, that these gentlemen had blundered in the discharge of their duty, and that they had done a gross injustice to Canada, and that causelessly, seeing that no such disease existed in this country. Is there any man in this or any other country where contagious pleuro-pneumonia is known, who does not know that it is a disease that cannot be concealed? The moment contagious pleuro-pneumonia shows itself in any part of the great republic to the south of us, that instant the country is made aware of it, and measures of the most energetic character are taken to stamp it out. Is there any person who does not know that the very foundation of the Animals' Contagious Diseases Act in England is the fact that contagious pleuro-pneumonia, wherever it exists, at once shows itself, so that the Government can take steps to meet it ? The moment a case of the disease is found to exist in any part of the United Kingdom, under the law, they are compelled to slaughter the whole herd in which it presents itself, and also to slaughter all the animals, wherever they may be found, throughout the United Kingdom, that have come in contact with that herd. Sir, it is perfectly obvious that, if contagious pleuro-pneumonia had existed among Canadian cattle, this import trade having continued for two long years, the disease must have manifested itself, calling for the enforcement of the law. But I may tell the hon. gentleman there were additional reasons why I challenged the opinions of these experts. The first of these experts is Professor Brown. Who is Professor Brown ? Why, Sir, Professor Brown is no less than the consulting veterinary adviser of the Board of Agriculture in England—the Board of Agriculture of England, which has been moving heaven and earth to prevent the importation of live cattle, not only from Canada, but from all other countries. And yet this gentleman, the paid officer of an organization known to be hostile to and to be doing everything in their power publicly and by deputation, and in every other way, to prevent the importation of cattle from Canada, or any other country, is the individual trusted by the Board of Agriculture with the power of destroying, by his own act, and his own motion, the cattle trade between the Dominion of Canada and the United Kingdom. I do not charge Professor Brown with being influenced by that position.

Some hon. MEMBERS. Oh, oh.

Sir CHARLES TUPPER. Yes, I expected that Professor Brown would be justified by hon. gentlemen opposite in doing anything against Canada. That is on a line, and in conformity with the position taken in this House by hon. gentlemen opposite with regard to everything. If a blow can be struck against the Government of Canada, it appears to matter not what injury the country suffers, and to what extent the best interests of this Dominion are struck down.

Mr. MULOCK. You could hardly do a better turn to Canada than to strike down this Government.

Sir CHARLES TUPPER. I do not object to the Government being struck, if hon. gentlemen opposite do not strike below the belt. The Government are a fair object of attack by hon. gentlemen opposite ; it is the business of a loyal and constitutional Opposition to criticise as closely as possible the conduct of the Government, and if they find a joint in the harness of their adversaries, to take advantage of it. I want to draw a line, however, in this warfare, and that line is, that in striking the Government, hon. gentlemen opposite should not strike the country. If the Government stand in a position so that hon. gentlemen opposite cannot strike them without striking the country, the best evidence is afforded that hon. gentlemen opposite are not worthy of taking their places.

Mr. LISTER. Do your duty.

Sir CHARLES TUPPER. I say that Professor Brown is not qualified, that it is an outrage for him to occupy the position of being the paid officer of an organization that are doing their utmost to prevent the introduction of live animals of any kind into the United Kingdom, and, at the same time, hold the position of an umpire, on whose advice, according to the opinion of officers of the Crown, the government are compelled to act, even if it is contrary to their own opinions as regards this important trade between Canada and the United Kingdom. But I have had the best reasons for knowing that these gentlemen were not infallible, for I have proved out of the mouth of the President of the Board of Agriculture, that he was not prepared to accept their opinions, that, in fact, he rejected their opinions, and never, to this day, has stated the reason. But the fact remains that with their statement on record that contagious pleuro-pneumonia existed in Canadian animals, shipped to the United Kingdom, that report was disregarded and remained a dead letter in the archives of the office, while 214,000 head of cattle were brought from Canada into the United Kingdom, to prove that those gentlemen had blundered and that their opinions were not such as should entitle any government to strike down a great trade with one of its colonies. Who are the rest of the gentlemen? There is Professor Duguid. I had some little experience with him. What happened? He was sent down on the report of Mr. Elliott, inspector of cattle quarantine at Liverpool, that a cargo of animals had arrived from Canada with Texan fever, one of the diseases which, under the Contagious Diseases Act, warrants the department in scheduling a country. Professor Duguid was sent to Liverpool by the Privy Council—it was before the organization of the present Board of Agriculture—to examine into this matter, and report. I received a letter from the secretary of the Privy Council, a very eminent man, asking to see me. I immediately waited on him. He said: "I have very bad news for you. We have been obliged, on the report of Professor Duguid, to order a large cargo of Canadian cattle to be slaughtered to-morrow, and the scheduling of Canada must follow, as a matter of course, because some of the animals are found to have Texan fever." I said: "Will you do me the great favour of sending a telegram to counteract that order, to stop the slaughtering of those animals for twenty-four hours, and be good enough to give me a letter to Professor Duguid, authorizing me to join him in an investigation of this question, before you carry out so extreme a step?" I went down in the night to Liverpool. I met Professor Duguid. I went to the cattle quarantine, and I called upon Mr. Elliott, who had made the report, to point out six animals in the herd which he considered to be the worst cases among the animals. He pointed them out. They were knocked down and slaughtered; and I was able to satisfy Professor Duguid that he had made a complete mistake, and that night he sent a report to the Privy Council admitting that he was entirely mistaken, and the animals were allowed, the next day, to be distributed over the country, and Canada was saved from being scheduled. Yet he is one of those experts upon whose fiat, along with that of Professor Brown, the paid officer of the Board of Agriculture of England, this trade between Canada and the United Kingdom was struck down without there being any sufficient foundation, in fact, for such action.

Mr. LANDERKIN. In what year was that?

Sir CHARLES TUPPER. The hon. gentleman will find, if he refers to the newspapers, that a large body of cattle dealers in Canada, of all parties of political opinion, tended me their grateful thanks for having saved the cattle trade of Canada on that occasion.

Mr. LANDERKIN. I only asked in what year it was.

Sir CHARLES TUPPER. The hon. gentleman will find that in the Library. He will find there a report on the whole question.

Mr. LANDERKIN. It is embalmed; for it is many years ago.

Sir CHARLES TUPPER. It may be embalmed, but it has not been forgotten. The hon. gentleman will find that the manner in which I discharged my duty on that occasion commended itself, not to the sneers and jeers of hon. gentlemen like himself, but to the good sense and intelligence of the independent electors of Canada of all classes, and of all parties. I give that as another reason why I challenged the accuracy of those gentlemen's opinions. But my challenge was not required. There stood the evidence of the gentleman who had been President of the Board of Agriculture, who had rejected their opinion, and this enabled him, two years afterwards, to declare that pleuro-pneumonia never existed in Canada, whereas, if he had accepted the statement of those gentlemen, that trade would have been destroyed two years before it was destroyed. The hon. member for North York (Mr. Mulock) has gone over his brief in a very elaborate manner, in order to convict the Government of Canada of having entirely mismanaged the matter, and made a great many blunders and mistakes in regard to it. I will give him his answer. The hon. gentleman wants to know why time was lost in answering the proposition, the absurd proposition made by the Board of Agriculture, to do that in Canada which it was impossible to do. What did the Board of Agriculture propose? Why, the board looked upon Canada in the same light as it viewed the United Kingdom, and thought we could apply, in Canada, the same principle, and the hon. gentleman has denounced the Government, and myself, then holding the position of High Commissioner, because we did not do what the Board of Agriculture demanded we should do. The answer is plain. It was simply a case of non possumus, we could not do it. No human man, no government could do what the board proposed. What did the board propose? The law requires that as regards England, in case of suspicion, the animal shall be slaughtered, and if found to show evidences of pleuro-pneumonia, the herd shall be slaughtered, and all the cattle that have come in contact with it shall be slaughtered. Why cannot we do the same thing here? Simply because pleuro-pneumonia does not exist in the country; simply because the first element of the proposal of the Imperial Government was wanting. It is only cases in which you have reason to expect the existence of pleuro-pneumonia, that you could slaughter an animal, and it is only when that slaughtering of the animal has proven that pleuro-pneumonia does exist, that you can slaughter the herd and all the animals that have come in contact with the one diseased. Well, Sir, what was our case? The condemned animal was traced to Pilot Mound, one of a large cargo of animals brought from, I suppose, 150 different farms throughout the North-west and Canada. What would this proposal of the Imperial Government amount to? It would amount to this: that we would have to slaughter all the animals in Pilot Mound, and on all the 150 farms around the country, because the experts in London who had been so grossly deceived two years before, had come to the conclusion that one or two animals had pleuro-pneumonia. The hon. gentleman (Mr. Mulock) has harped upon the word "ridiculous" I repeat it, Sir. I repeat that had the English Board of Agriculture understood the position of this country, they would discover that their proposition was, what Mr. McEachren, an eminent veterinary surgeon, probably the most eminent veterinary surgeon in Canada, pronounced it to be, and properly pronounced it to be, viz., a ridiculous proposal, and one that was utterly incapable of being carried out. There is not an intelligent farmer in the whole Dominion of Canada that would not have scouted such a proposal as the most monstrous and ridiculous that anybody could conceive. But, Sir, what did this Government do? The first moment that the charge was made, the Government sent intelligent experts and veterinary surgeons all over the North-west of Canada, to find if it was possible to discover any indication of pleuro-pneumonia in the country, and sworn testimony was adduced from the butchers and those who had slaughtered cattle all over Manitoba and the North-west, to prove that they had not discovered, in a single case, any evidence of pleuro-pneumonia. We could not follow the advice of the Board of Agriculture, because as I say, the first element of their advice was based upon the existence of the suspicion of pleuro-pneumonia, and an examination of Canada from end to end had failed to show a single case of suspicion. On the contrary, that thorough examination proved beyond controversy, that the disease had no existence within the boundaries of the Dominion. The Imperial Government, I think, were misled by a telegram—I will not say from what sort of source it emanated—to the London "Standard," stating that a number of animals had not been allowed to be shipped at Montreal. That was at once construed that we were keeping back the cases of pleuro-pneumonia and only sending animals that were supposed to be free from it. I telegraphed at once to the authorities here, and the answer was plain, that not one of those animals was even suspected of pleuro-pneumonia, and a statement was made as to lump jaw, and tuberculosis; diseases that did not warrant animals being excluded. Now, Sir, I think I have given the hon. gentleman (Mr. Mulock) the reasons why it was impossible for the Government of Canada to carry out the suggestion of the English Board of Agriculture. Before answering the despatch, the able Minister who then presided over the Department of Agricultuure here; the Hon. Mr. Angers, who devoted the most painstaking care to this subject, and who felt that it was to be answered with all the evidence that it was possible to collect in this country; the Hon. Mr. Angers took measures to have the most complete investigation that was possible to be had, in view of the fact that no pleuro-pneumonia existed in the country. Months were consumed in gathering overwhelming information in reference to this important question. The Hon. Mr. Angers says in his report:

> In the month of November last the undersigned ordered an expert examination to be made of the lungs of all neat cattle slaughtered at the abattoirs of the old settled provinces, during one month, in order to ascertain if any case of pleuro-pneumonia could be found. The number of sets of lungs examined was 3,085, namely, 1,789 at Montreal; 381 at St. John, N.B.; 334 at Halifax, N.S.; 308 at Toronto; 138 at London; 57 at Galt and 78 at Hamilton. No trace of pleuro-pneumonia was found.

We could not slaughter whole herds; we could not slaughter an animal, nor under the British laws could you have slaughtered one animal in compliance with the request of the Board of Agriculture, simply for the reason that there was not a single case that any person suspected of being a case of pleuro-pneumonia. But, we did the next best thing in our power, and that was to collect indiscriminately all over the North-west and Manitoba, the evidence of those who had slaughtered the animals, and which evidence was put before Her Majesty's Government to prove, that while we could not comply literally with the order, we had done all the Government could do to comply with their wishes and to give to the country and to the Imperial Government the most conclusive evidence, that no disease existed. The hon. gentleman (Mr. Mulock) has referred again and again to the fact, that some time ago animals were allowed to pass freely across the boundary in the North-west and Manitoba. It is well known that the quarantine restrictions were confined to the old provinces of Canada, and there was a very good reason why the same restrictions should not exist on the confines of Manitoba and the North-west. That reason was, that down to to-day, nobody has ever been able to assert, or even to insinuate, that a case of pleuro-pneumonia existed in the United

States within a thousand miles of the boundary of Manitoba and the North-west. That was the reason why it was not necessary to quarantine in the North-west. But, when this was brought before the public by some good-natured friend of Canada, who sent a cable to England to say that these animals were allowed to go to and fro ; we said to the Imperial Government : It is quite unnecessary to quarantine there ; there is no pleuro-pneumonia in that part of the country nor is there any danger ; but to render assurance doubly sure, we will enforce the quarantine there, and all through the Rocky Mountains down to the coast of British Columbia, from sea to sea. That is the condition of things to-day. Why, Sir, the hon. gentleman (Mr. Mulock) dwells upon this again and again, as if he were afraid these restrictions would be removed, and that unfortunately this Government might receive some consideration at the hands of the Imperial Government.

The hon. gentleman (Mr. Mulock) has spoken a great deal with reference to the committee that was appointed by the Board of Agriculture, and he has spoken in rather harsh terms of my not treating that body with very great respect, as he says. Well, Sir, I looked upon that committee and that investigation, as an investigation forced upon the Imperial Government because of the manner in which I had challenged the soundness of the opinion and the action of this board of experts. I defy any fair and candid minded man in Canada to examine the evidence that was taken before that body, without arriving at the conclusion that the aim and object of that investigation, was not to arrive at the question as to whether pleuro-pneumonia existed in Canada or not, but whether the reputation of these experts of the Board of Agriculture was to be protected. Sir, who formed this board ? Professor Brown, Mr. Cope, Prof. Duguid were on hand, and when any evidence was given touching the value of their opinions and ability, they would immediately recall them as witnesses to contradict anybody who reflected in the least degree upon their judgment. But what is the result ? There were no higher authorities in England on that board ; and every person who knows anything of the position of veterinary science in England knows that there were no higher authorities on that board than Professor John F. McFadyean, himself Dean of the Royal Veterinary College, of which Professor Brown was the head, and Professor Macqueen, Professor of Surgery in the Royal Veterinary College ; and yet these professors, under Professor Brown, refused to give evidence that would tend to show that pleuro-pneumonia existed in Canada. You have only to look at the testimony of these men to find that, although the colleagues of Professor Brown, they could not be induced to sustain his opinion that there was satisfactory evidence of the existence of pleuro-pneumonia in Canada. I said there never was a case ; but I must qualify that. I find there was one, and it is described in the admirable despatch of the Hon. Mr. Angers. The hon. member for North York says that the despatches of the Imperial Board of Agriculture have never been answered. I tell him that the despatch of the Hon. Mr. Angers, the Canadian Minister of Agriculture, has never been answered, and never can be answered. I say that he gave conclusive evidence that the charge that pleuro-pneumonia has ever existed in Canada is utterly unfounded and is incapable of being sustained by proof. What better evidence have we than the fact that Canada authorized me to offer the Imperial Government that if they were not satisfied with the overwhelming evidence produced, they might select the ablest and most experienced experts—Professor Brown, Professor Duguid and Mr. Cope, if they would come—to come to Canada to examine the matter for themselves, and Canada would pay all the cost. I say the Government did everything, and I did everything that man could do ; and I will now give the evidence that we did not work in vain. We have the strongest evidence that a colony, or the representative of a colony, was able to give that we did not labour in vain, but that the evidence we laid before the Imperial Government was convincing and conclusive. When I say the Imperial Government, I speak of the Colonial Office, which, as you know, is the medium of communication between Her Majesty's Government and all her colonies and dominions. Well, what was the result ? Why, Sir, there was not, from the Marquis of Ripon down, a man in the Colonial Office who was not as satised as I was that the charge that pleuro-pneumonia had any existence in Canada was utterly without foundation. One of the most unusual things, I suppose, that has ever been known to occur in connection with the Imperial Government was the Marquis of Ripon dissociating himself from his colleagues on this question. The position was this : The Liberal Government, as I need not tell the House, was a very weak Government. It had a majority of about 25, and not of a very reliable character, as the end proved. But, Sir, that weak Government was driven at the point of the bayonet by the Right Hon. Mr. Chaplin, the former President of the Board of Agriculture, and the friends of the British Agricultural Association in the House of Commons, who were determined 'per fas et nefas' to prevent Canadian cattle, or cattle from any country, being allowed to enter the United Kingdom. When the Government thus weak were assailed by the powerful interests that were opposed to the competition of Canadian cattle—for it was an important competition—they were driven, I say, at the point of the bayonet by a large body of the Conservative party in the House of Commons, headed by Mr. Chaplin, to adopt the report of these experts. So far did these gentlemen go that they introduced a resolution similar in terms to Mr. Long's Bill, declaring that under no circumstances should cattle from any country be allowed to come into England alive without being subjected to immediate slaughter. That motion was defeated by Lord Rosebery's Government by a very small majority. Therefore, I was not surprised when the party who were thus determined to protect these agricultural interests in England adopted the policy they have adopted, as embodied in the measure now before the House of Commons. But, Sir, I say that it stands on record that we were able to convince the Colonial Office, from Lord Ripon himself down to the humblest clerk,that Canada was free from pleuro-pneumonia, and that these restrictions ought to be removed. I give that to the hon. gentleman who spent so long a time in endeavouring to convince this House that we had not adopted the wisest and best methods. Whether or not they were the wisest methods must be tried by the result, and there you have the result that the medium of communication between Her Majesty's Government and this Government was entirely satisfied on that point. But, Sir, what more ? I was called upon very unexpectedly—reference has been made to it by the hon. gentleman—to address a great body of farmers in the city of Aberdeen. I endeavoured, in doing so to dissociate myself entirely from party, and when the persons who had opposed the previous resolution had animadverted strongly against Lord Rosebery's Government in regard to this question, and had intimated that these restrictions would be removed if they could get the Conservatives back into power, I joined issue with them there and then, and said that so far as my experience went, there was much more to be hoped for from the Liberal party in England than from the Conservative party. I denounced the law that put it in the power of three veterinary surgeons, irrespective of what the Government might themselves think, to strike down and destroy a great and valuable trade between the Dominion of Canada and Great Britain. What happened, Sir ? The Right Hon. Campbell-Bannerman, the Secretary of State for War in Lord Rosebery's Government, delivered a speech two or three days afterwards in Forfarshire, where an election was being held, and when he was challenged by the hard-headed Scotchmen there as to why Scotchmen who were engaged in fattening cattle were made to suffer because they chose to buy Canadian cattle as the healthiest and most profitable they could buy, what did he say ? He said that unfortunately the matter was in such a position that the Government had not the power, as the law now stood, to prevent it. And he said it would become well worthy of consideration whether there should not be an alteration in the law to prevent three veterinary surgeons, by their own fiat, from controlling the policy of the Government of England in a question of that kind. I may say that the hon. gentleman dwelt with very great effect upon this subject, but if he will read over with care this admirable report which was made by the Hon. Mr. Angers, he will find that the case was presented in the strongest and clearest and most emphatic manner possible.

Mr. MULOCK. That is the Order in Council of February, 1894.

Sir CHARLES TUPPER. That is the Order in Council giving all the efforts that had been made in order to show the entire absence of pleuro-pneumonia in this country, and so successfully and effectually was this established, that no person has been able successfully to challenge it, down to the present time. I went to the Colonial Office, when I learned that this inquiry was to be held, to know if I could attend it. Oh, yes, they said, the High Commissioner of Canada is quite at liberty to be present, but he cannot say anything. I could not cross-examine a witness or put a question to him. I was to be there, muzzled, as a spectator, without any power to take the slightest part for the protection of Canadian interests. I must say that the Colonial Office viewed that investigation in the light I did ; and although the Colonial Office had committed itself to a strong opinion on that question, they said, under the circumstances, it was impossible to have anything to do with such an examination as that.

But the hon. gentleman has referred, in rather disparaging terms to Mr. Hunting, He said that Mr. Hunting was employed by me.

Mr. MULOCK. No, I did not. I only said that I thought you had suggested his name as a witness.

Sir CHARLES TUPPER. He was more than a witness ; he was employed by me, but he was employed not as a witness. I had the authority of the Canadian Government to employ an eminent veterinary surgeon for the purpose of attending these examinations of lungs that were held to be diseased and suspected of pleuro-pneumonia. And I may tell the hon. gentleman who Mr. Hunting is. Of course, I had not the requisite information with reference to these matters, and I thought it was desirable that I should have some one engaged to assist me who had the requisite knowledge. I went to Professor Brown, and I said to him : The Board of Agriculture have been good enough to say that I might take part in this investigation, where there are lungs suspected of disease, and I would like to consult you as to the most eminent man at my service to aid in these investigations. And Mr. Hunting was employed by me on the assurance of Professor Brown that there was no more eminent man at my disposal for the purpose. I give that to the House as my reason for the course I pursued in engaging the services of Mr. Hunting. He was engaged in the investigation, and saw every one of these lungs. What did he say? He has declared, and he has staked his reputation as an eminent veterinary surgeon upon the fact, that there was not a single case shown which established that pleuro-pneumonia existed in Canada. He was sustained in that testimony by Professor McFadyean and Professor Macqueen, two most eminent men, both of them professors in the college of which Professor Brown was the head; and they sustained his opinion, after severe cross-questioning and examination to draw from them the testimony desired, namely, that there was evidence of the existence of pleuro-pneumonia in Canada. Dr. German Sims Woodhead was employed by me to make a microscopic investigation of the lungs of the animals that were declared to give evidence of the existence of pleuro-pneumonia, and his testimony was that they gave no such evidence. What more? Why, Professor Nocard, the most eminent veterinary surgeon probably in the world. I believe—there is not a more eminent one in the United Kingdom; Professor Brown, Mr. Cope, Professor Duguid, are not to be named in the same category with him—and yet Dr. Nocard, to whom portions of these lungs were shown, which had been declared by these other gentlemen to exhibit the evidence of pleuro-pneumonia, said there was a marked difference between them and cases of pleuro-pneumonia. I intended saying there was one case of pleuro-pneumonia, which we admitted—one case in which the lungs presented all the evidence of that disease. I will read the evidence, because it is a very interesting fact:

> No trace, in all these examinations of lungs, of pleuro-pneumonia can be found, but at Montreal an interesting fact was discovered. The lungs of one of the animals were found to be affected by pneumonia, accompanied by the "marbling," so often described in these papers as the characteristic of the disease found in the lungs of Canadian animals which forms the subject of this discussion. The cause, however, of the lesion was not far to see. A small branch of a rose bush, about 3½ inches in length, and ⅛ inch in diameter was found embedded in the lung, some of the prickles of the rose bush remaining untouched. It is supposed the animal had inhaled it and it worked its way down the bronchial tubes.

That is the only case in which there was a marked evidence of pleuro-pneumonia.

I can understand why the Board of Agriculture was misled. They said: If you have any cases of pleuro-pneumonia in Canada, we demand that you should examine what you have got; here are the lungs of animals brought from Canada, and they exhibit such and such indications, common to pleuro-pneumonia, and if that is not contagious pleuro-pneumonia, we want to know what it is. Well, we could not examine into that, because it has never been found in Canada. It is what Professor McEachern has correctly described as "transit pneumonia." It is a case in which animals, cows and steers, that have been subjected to great cold and great heat, or from any other cause, have attacks of inflammation of the lungs. That is pneumonia. It is what men have recovered from. Perhaps a half a dozen times in his life, a man has an attack of inflammation of the lungs, and is treated and gets better, and perhaps very little trace of it is left. But it is not infectious. You may herd all the cattle you like together that have inflammation of the lungs, just as you may herd men together, afflicted with that malady, and they will not communicate it from one to the other, because it is not contagious. That is what has misled gentlemen on the other side of the water. But, they say, we have investigated this disease, and that you cannot deny comes from Canada. I am not prepared to admit that any of these cases ever came from Canada at all, and I shall tell you why. When the Board of Agriculture passed this order, an arrangement was made that all the cattle that were slaughtered should have their lungs examined, and that all the suspected lungs should be sent from Liverpool to London. I said to the Board of Agriculture: You have no security that these lungs which come to you are the lungs of Canadian cattle. They replied: Oh, yes, we will give instructions of the most rigid character to prevent the possibility of anybody being misled. Well, what happened? A lung came up and was examined by the Board of Agriculture and found to be the most perfect illustration of a healthy lung that ever was seen in London, and they immediately sent it back to the inspectors at Liverpool, and asked them what they meant by sending up such a lung. What, do you suppose, was the answer? The answer was: We never sent it. And so I said to the board: If that can occur, as you admit it has occurred in a case here under examination, what is to prevent the surreptitious changing for a diseased lung obtained from another quarter and sent forward by parties who have the greatest interest in shutting out Canadian cattle from free admission? So I am not prepared to admit that in many of these cases the lungs ever belonged to Canadian cattle at all. But if they did, then I say this is the explanation of it. We cannot find the disease; we have found no lungs in Canada of the character of these Canadian lungs there. The solution of it is this—these animals probably contracted an inflammation of the lung three or four times, and recovered. They are put into a car in the North-west, and are sent a thousand miles by rail, crowded together, like sardines in a box. On reaching Montreal, they are put into a steamer and are sent three thousand miles across the ocean.

During the whole trip they are exposed to heat and cold, and they breathe a vitiated atmosphere; there are draughts, and the animals take sick. Inflammation is lighted up in a lung that has suffered from it before. That is transit pneumonia. That is a disease that we cannot investigate in this country, because you must send an animal, probably, a thousand miles in a car by land, and three thousand in a ship by water, before it can be developed. I do not intend to take up more of the time of the House. I believe the Government have done everything that was possible for a government to do. I have no hesitation to say that I never have taken a deeper interest in any question in my life; and I had the gratification of finding that the Colonial Office was convinced as firmly as I was, that the whole thing was a mistake, that it was a blunder on the part of the veterinary surgeons, but, unfortunately, as the Right Hon. Mr. Campbell-Bannerman said, under the law and the decision of the Crown officers, the Government, who wished to avoid scheduling Canadian cattle, found that could not be done. The hon. gentleman (Mr. Mulock) says we have no legal rights. I maintain that the exclusion of Canadian cattle has been in violation of the statute. That statute only gives power to the Department of Agriculture to shut out——

Mr. MULOCK. The hon. gentleman misunderstood me. What I intended to say was, that the Canadian Government had no legal recourse. They had no means by which they could legally compel the Imperial Government to change their tactics.

Sir CHARLES TUPPER. I took down the words of the hon. gentleman, and I think he will find them in "Hansard" as I have them here: "We have no legal rights." However, I accept his explanation. I think we have legal rights, and I think those legal rights have been violated.

Mr. MULOCK. They are not enforcible rights.

Sir CHARLES TUPPER. I say we have legal rights. Our cattle could only be excluded under the Contagious Diseases (Animals) Act. The British Government have only one power, and that is, to shut out cattle coming from a country in cases of which there is reasonable evidence to show that it is necessary for the protection of British cattle against contagious disease. They have shut out our cattle for between three and four years, when they had not reasonable evidence to show that the health of the cattle in England was endangered. I contend that, in the presence of the overwhelming mass of testimony as to the entire freedom of this country from contagious disease, it almost amounts to a violation of the Imperial statutes to enforce the exclusion of Canadian cattle, as has been done, and as is being done now.

But I believe this question is not as serious as the hon. gentleman supposed. I do not hesitate to say that, if the law is to remain as it is now, if a great business of this kind is to be at the mercy of three veterinary experts, who can at any moment strike it down, it is much better for this country to understand that it must turn its attention to other means of trade. Take the question of store cattle; how does it stand? Why, we sent large numbers of store cattle to Scotch feeders, and what was the result? The result was, that the profit in turning the produce of the country into prime beef is lost to Canada. Instead of our farms being enriched by the feeding of these cattle, they are impoverished by sending them away and the profits of making the prime beef go to the scotch feeders, instead of to the Canadian farmers. So I say there are two sides to the story. So far as prime beef is concerned, we can still continue to send it to Great Britain, and I am gratified to find that, in the face of this exclusion, there has been a large increase in the cattle shipments to the United Kingdom, even though the cattle had to be slaughtered on landing. There is the further question, to which attention is being directed, especially in connection with cold storage and fast Atlantic transit, of having the cattle fattened in the country, but also securing the advantage of the fifth quarter, the by-products being utilized in this country, and the animals sent in the form of dressed beef into the markets of the United Kingdom. There is an enormous traffic carried on today of a most profitable character between the United States of America and the United Kingdom in the way of dressed beef, and I see no reason, in view of this exclusion, why we should not turn our attention to that branch of industry. I have told these agriculturists who are so anxious to shut Canadian cattle out of the United Kingdom, that they are sure to meet with a keener and greater competition in the way of dressed beef which the farmers of this country would be compelled to resort to in competition with themselves. Now, Sir, I regret to have been obliged to occupy so much of the time of the House; but, after the plea of the hon. gentleman who preceded me, the impassioned plea that he made, justifying the Imperial Government in striking down our trade, as I contend, not only without reason, but in face of the most overwhelming testimony, I felt it was necessary to say a few words to show that this Government had not failed in discharging their duty.

Sir RICHARD CARTWRIGHT. I think I can promise the House that I will not say more than a few words, and not in the fashion the hon. gentleman has said a few words. The hon. gentleman's speech, it appears to me, is open to the criticism of being a little inconsistent. I took down his words about three-quarters of an hour ago to the effect that the policy the British Government were about to enforce was most injurious and most mischievous to Canadian interests ; but I now find that it is a blessing in disguise, and that in all human probability we are going to benefit and not to be injured by Mr. Long's Bill. Now, Sir, there are two totally distinct questions which the hon. gentleman has chosen to mix up ; one of these is how far the Government are to blame for the present state of things ; and the second question, and quite as important, is whether the action which they now propose to take, is the wisest under the circumstances. Sir, I believe, and I think that every hon. gentleman here believes—and I have heard no hon. gentleman speak otherwise—that there is no pleuro-pneumonia existing in our Canadian herds to-day. That is my opinion, and I do not think any hon. gentleman on this side would dispute it for a moment. But there is another question, Has the course of the Government been such as to give any just ground of suspicion to the English Government that would induce them to propose this somewhat stringent measure in defence of their heads ? Sir, let me ask, what was the wise course for the Government to have pursued ? Now, the hon. gentleman admitted correctly that we in Canada had been enjoying for years a very valuable privilege, and that very valuable privilege is being taken away from us. Sir, the onus lies on the Government to show, under the circumstances that have been narrated by my hon. friend, that they have been guiltless, that they have afforded no cause for the action of the English Government. The hon. gentleman's statement was this, that the privilege afforded to Canada, to the best of my recollection, is accorded to very few other states ; indeed I do not think there are two other states that receive the privilege Canada had. If there are, I would be glad if the hon. gentleman would name them.

Sir CHARLES TUPPER. I do not think there is any other.

Sir RICHARD CARTWRIGHT. Well, that was my impression. Canada had an exceedingly valuable privilege, the hon. gentleman and the Government knew that that privilege was regarded with extreme jealousy by a very influential class in England. It was their duty to give no cause for complaint ; and one question that we are fairly called upon to deal with to-night in regard to this matter is, Did the Government give any just ground of complaint, or did they not ? I think I will have a word or two to say presently on that matter. I want to speak briefly on this matter, as there are other gentlemen in this House whose opinions on this subject are those of experts, and better worth listening to, perhaps, than those of the Secretary of State, and certainly than my own. In the first place, I take exception to the hon. gentleman's preliminary statement. If my hon. friend was able to show that the Government had grossly neglected their duty, and if, as we all know, very unpleasant consequences to the people of Canada have followed, how can the hon. gentleman say that my hon. friend was in the wrong in exposing the conduct of the Government ? Why, Sir, he was in his clear right and duty in doing so. Now, let us for a moment review the facts. Canada was in possession exclusively of a very valuable privilege. How many millions that may have been worth to the people of Canada, I will hardly pretend to say, but I believe it was worth several dollars a head, many dollars a head, probably, for all the cattle, and they were very numerous, that we send to England. Sir, it appears to me, and the hon. gentleman's conduct and language to-night go far to justify the imputation, that the hon. gentleman has been aggressively controversial instead of diplomatic. It was not his business to attack and violently assail these parties ; it was his business to preserve our cattle trade to us if he could ; and I doubt exceedingly whether his conduct was at all calculated, at any rate, the best calculated, to bring about that desirable end.

Mr. MULOCK. Coercion.

Sir RICHARD CARTWRIGHT Well, coercion on the part of our High Commissioner towards the English Parliament is not altogether the best way to bring about the object he had in view. Now, Sir, what is the answer to my hon. friend ? My hon. friend proves that the conduct of the Government in this matter has been open, prima facie, to grave suspicion. Nobody disputes the value of the trade, nobody disputes that it is a trade which ought to be preserved by us, even if we had to take what seemed to us somewhat unreasonable precautions. Now, Sir, the Secretary of State, to the best of my recollection, was not present in this House on the numerous occasions on which my hon. friend beside me, and my hon. friends here, who are familiar with the mode in which this traffic was carried on, have pointed out, times without number, the excessively careless manner in which the Government carried out their obligations towards the British Government as regards the transit of cattle ; and, Sir, if they have any defence for that, I at any rate, have not heard it. Why, it was proved again and again that when the British Government had insisted on proper inspection being made of all the cattle that passed through our territory on the way to England, it was proved again and again that the Government had deliberately converted the inspection into a farce ; that they had allowed the inspection to be conducted by persons who had no real knowledge ; that they had allowed it to be conducted at night ; I believe that they allowed it to be conducted by railway employees, the servants of the men who were interested in carrying on the traffic with as little impediment as might be. All that was shown and proved. The hon. gentleman has had many warnings. Over and over again, for the last three or four years before the measure was fully put in force, over and over again he knew that our proceedings on this side were, as I said, jealously watched by influential classes in England; and it is clear that the conduct of the Canadian Government, I do not know how far the High Commissioner, who was then an officer of the Government, was to blame for it, but the conduct of the Canadian Government, although, as I say, I do not believe that there was any pleuro-pneumonia existing in our herds, was such as to show a grave disregard of the obligations which they had entered into with the Imperial Government, and by consequence, they afforded serious grounds for suspicion, which would readily be taken up and used to our disadvantage by those very parties to whom the hon. gentleman has referred. Sir, after all said and done, the really important question is this: Can we do anything to prevent this matter becoming law, and if so, is what these hon. gentleman propose to do the best mode of bringing it about? Now, I take leave to doubt exceedingly whether we will make one step forward by passing the resolution submitted by the Minister of Finance. I do not see that there is anything in that proposition which is in the slightest degree likely to induce the Imperial Government or Parliament to pause in their career. The farmers of Canada have difficulty enough in finding markets for their produce to-day, it is of great importance to them that this market should not be shut to their live cattle, whatever hon. gentlemen may say; it is of great importance to them that, if possible, this Bill should be delayed; that, if possible, a clause should be put into this Bill which would enable the Imperial Government to re-instate our cattle on proper proof being given to them that the Government of Canada were prepared to comply with all reasonable recommendations. The chief fault which I think can be laid to the door of the Government of Canada is, as I have often pointed out, that they did not honourably and scrupulously fulfil their obligations to the Imperial Government in this matter of the transport of cattle. To that I have heard no sufficient explanation given by any of the Ministers, or by any of their apoligists in this House, and I doubt very much whether any reasonable explanation can be given. But, Sir, after all said and done, the question is, Can we as business men do nothing better than just to pass this Bill and make this protest? It appears to me the hon. gentleman ought to make one suggestion still which would deserve some consideration. Now, I would like to hear the views of my hon. friends behind me who are fully acquainted with the details of this trade. But it seems to me it would have been worth our while, and is worth our while, to make an offer to the Imperial Government, not merely to have an examination, which has been suggested by the Secretary of State, but looking at the importance of this trade, looking at the value of this trade to our agriculturists, I would be willing for one—but I speak for myself personally, and merely make the suggestion—not merely that such an inspection should be made, but I for one would be willing to consider, if the Government saw fit and considered favourably the idea, of having, if need be, as there are only one or two ports of export from which our cattle go, proper officials paid by us but appointed by the British Government to inspect our various cargoes on departing from this country. And it is worth considering, looking at the enormous volume of our trade with England, looking at the fact that we shipped 80,000 or 90,000 of horned cattle to England last year, and that our total importations only reached 3,000 or 4,000 animals, whether, if it were necessary to preserve the larger trade, it might not be worth our while, if that is demanded by the British Government, to stop the importation of live animals into Canada. I do not altogether like that idea, but still the larger trade may be preserved at the expense of the minor one. Sir, my impression is that if the Government were well advised, they would withdraw the motion and make reasonable offers to the Imperial authorities; and it may be that they had better instruct their representatives on the other side to pledge themselves to carry out any engagement they may make a little more rigorously than has been done previously, and having withdrawn this motion, having made these offers, they might either obtain a respite of the passage of this Bill, or obtain the insertion of such clauses in it as would enable the Imperial authorities to reinstate the cattle of Canada on receiving—which I believe myself they could receive, and ought to receive—satisfactory assurances on the two points: first, that no pleuro-pneumonia exists here; and, second, that we will regularly in future comply with all such precautions as the British Government might fairly exact from us, so as to avoid any risk of the infection of their herds by the transportation of cattle in transitu. I offer these suggestions without prejudice, as we say, and for the consideration of those hon. members who have a practical acquaintance with this most important trade, which I do not myself possess, and which Ministers can hardly claim personally to possess.

Mr. McMILLAN. I desire to address a few words to the House on this most important question. Before recess the Secretary of State informed the House that the Bill now before the British Parliament was not one aimed at Canadian cattle. It seems to me to be a Bill almost entirely aimed at Canadian cattle, for the reason that cattle from the United States were scheduled some time ago, and only 6,182 cattle were taken into the United Kingdom from other countries, excluding Canada, and of these 32 came from Norway and 1,305 from the Channel Islands. These figures show the number of cattle imported in 1893 from other countries, except Canada and the United States. There is another statement of interest and importance. The London "Daily News" publishes an article, from which it appears that this journal considers the Bill is specially aimed at the exclusion of Canadian cattle. In all my examination of public prints as regards their utterances respecting the Bill in question, it has always appeared that the newspapers believe the Bill is to make the scheduling of Canadian cattle permanent, as it is only now temporary under Order in Council. There is another matter to which I desire to call the attention of the Government. If the Government are proposing to take any action and send any despatch to the British Government, I would ask them to intimate their intention to withdraw our quarantine against cattle brought into Canada from the old country for breeding purposes. As I understand, there is no pleuro-pneumonia in Britain at the present time, and has not been for some time past, and the withdrawal of these regulations would be very much to the advantage of Canadian stock-raisers. We find that all over the Dominion our stock has not been kept up to that high degree of excellence to which it had attained five or six years ago, and one of the reasons is that as the cattle trade has become less profitable, our stock-raisers have purchased fewer male animals in the old country, and a further reason for their action is that the ninety days' quarantine imposed and the necessary expense involved. There are few breeders who, having purchased valuable animals, will allow them to remain in quarantine in charge of other individuals. If it is true that there is no pleuro-pneumonia in Britain, and if we are able to assert, as I believe we can, that there is no pleuro-pneumonia in Canada, why should the Canadian Government when they approach the British Government on the subject of withholding action in regard to the scheduling of Canadian cattle, not announce that they will remove the quarantine on cattle imported from the United Kingdom, especially when it will be to the interest not only of all breeders in Canada, but to every farmer who pays attention to stock-raising. It is found all over the country by those engaged in the trade that when they desire to purchase animals for breeding purposes they cannot obtain animals of the same excellence as six years ago. Fewer animals of higher grade are coming into the country, and many of the stock-raisers have only second-class animals. That indeed is one of the complaints prevailing to-day. If our quarantine was withdrawn, our breeders would be able to bring first-class animals from the old country to Quebec and Montreal, where they would undergo a rigid examination, and if it was found that they were free from contagious disease, the owners should be allowed to take them to their farms. Let this Government in this way show that Canada is not asking anything as regards our herds that we are not willing to grant to British cattle. Not only would this withdrawal of the quarantine benefit our own breeders, but it would prove to the interest of breeders in the old country, because they would be able to ship to this country larger numbers of first-class animals. I hope the Government will consider this suggestion.

With regard to the scheduling of Canadian cattle, there is one name that I should like to mention in this connection. There was one gentleman who not only examined the lungs himself, but had them examined by veterinary experts in the different countries of Europe. That was Professor J. F. McFadyean, M.D., B.S.C., C.M., F.R.C. V.S., dean of Royal Veterinary College, Edinburgh, whom I have not heard referred to to-night. I must say that I have met that gentleman in the old country, and I have the honour of his acquaintance. He delivered a lecture before the Lancashire Veterinary Association on the 16th of December, 1891, and in that lecture he made the following statement :

> On the occasion of a visit to the continent during the past summer I personally submitted portions of the lungs of this animal to Professors Bang (Copenhagan), Schutz (Berlin), Johne (Dresden), Cosker (Vienna), Kitt (Munich), and Lupke (Stuttgart), and each of these distinguished pathologists without hesitation declared that the lesions present were those of contagious pleuro-pneumonia.

That lecture was published in the press throughout the length and breadth of England, and so my quoting it here will not do any harm to our case in England. Here is evidence not only from veterinarians in the British Islands, but in the different countries of Europe, declaring that these animals had pleuro-pneumonia. In view of this, is it to be wondered at that the British Government came to the conclusion that the disease existed in Canada.

Sir CHARLES TUPPER. May I ask the hon. gentleman (Mr. McMillan) what relation that has to the scheduling of Canada because of pleuro-pneumonia. The date you have mentioned is before it was claimed that Canadian cattle had pleuro-pneumonia, and before they were scheduled.

Mr. McMILLAN. It was just before they were scheduled, but this shows that pleuro-pneumonia existed in Canada, and you stated in your address to-night that no evidence could be adduced that pleuro-pneumonia had ever existed here.

Sir CHARLES TUPPER. What is the hon. gentleman reading from ?

Mr. McMILLAN. I am reading from the Board of Agriculture Contagious Diseases (Animals) Act, 1878 to 1893, which the British Government sent to Canada, and which I got in the Library here. With the evidence the British Government has before them from these eminent veterinarians on the continent of Europe, I am very much afraid that the Secretary of State has used rather strong language with respect to the British Government, and with respect to the experts whom he declares have been the cause of scheduling out cattle. He cannot get any concession by decrying the opinions of these trusted officials of the English Government. The hon. gentleman (Sir Charles Tupper) also said that my hon. friend from North York (Mr. Mulock) had censured the Government very strongly because they did not fulfil all the conditions asked by the Board of Agriculture. Now, what were the conditions that were asked ? I find in a letter dated January 29th, 1894, from the Board of Agriculture to the Colonial Office, the following :—

> I am directed by the Board of Agriculture to state for the information of the Marquis of Ripon, that the period is now approaching when the board may expect to receive inquiry as to the conditions under which the importations of cattle from Canada is to be carried on during the coming season, and they would be glad to be placed as early as possible in possession of the views of the Canadian Government with regard to the matter set forth in the board's letter of the 21st July last.

The Board of Agriculture asked to be supplied with copies of the statutes in force in the Dominion relating to the Contagious Diseases (Animals) Act, and asked for detailed information as to the machinery by which the requirements of those statutes are carried into effect, especially with regard to the submission of diseased lungs to veterinary officers well acquainted with the characteristics of pleuro-pneumonia. The board, at the same time, suggested that the Canadian Government should consider whether an additional measure could not be obtained by the total prohibition of the importation of live cattle into the Dominion, except for breeding, exhibition, or other exceptional purposes, and also, whether any further means could be devised for the prevention of any breach of the laws at the frontier. They go on to say :

> With respect to the question of further evidence as to the sanitary condition of animals in the Dominion, the board consider that further and very valuable information might be secured. They suggested that the animals rejected for shipping to this country should be slaughtered and the lungs examined by veterinarians familiar with the appearance of pleuro-pneumonia, and also that arrangements should be made similar to those adopted in England, for securing the notification to veterinary surgeons of suspicious cases so that slaughter and examination might be ordered by the proper officers.

During this time, the case of the animal on the "Hurona" complicated matters, and yet the Government either neglected or refused to comply with the request of the British authorities to send them our statutes, regulating the admission of cattle into the country. It was a reasonable request, and the Canadian Government should have attended to it at once. In that matter alone, I hold that this Government showed a very great want of discretion and diligence. They should be condemned for that. This statement goes on to say :

> The latter question has already been to some extent dealt with by the Canadian Government, by the extension of quarantine regulations, although these regulations even now do not supply the same measure of security as under the law in force in this country.

It has been stated that the regulations in Canada were very strictly enforced. I have here a question put by myself in the House of Commons on the 20th February, 1893, and the answer of the Finance Minister at that time showed that the regulations were not strictly einforced. The following is the question and answer :—

> **Mr. McMILLAN** (Huron) asked, Whether settlers' cattle are admitted into the Canadian North-west from the United States without quarantine ; on inspection only ? If so, is it the intention of the Government to enforce quarantine regulations against all American cattle entering Canada ? Have representations been made to the Government at any time, either written or verbal, of the danger of the British Government scheduling Canadian cattle if settlers' cattle were admitted into Manitoba and the North-west Territories from the United States without quarantine ?
>
> **Mr. FOSTER.** Settlers' cattle are not admitted into the Canadian North-west from the United States without quarantine, and they are admitted on inspection only.

The hon. Minister of Finance, with his usual manner of answering questions, answered this question in a very evasive manner :

Mr. LAURIER. Since when ?

> **Mr. FOSTER.** The Government is now enforcing quarantine regulations against all American cattle entering the Canadian North-west. No representations, either written or verbal, of the danger of the British Government scheduling Canadian cattle if settlers' cattle were admitted into Manitoba and the North-west Territories from the United States without quarantine, were before the Government previous to Canadian cattle being scheduled by the British Government.

I have evidence in my possession, if the fact is disputed, that the Government had notice that there was danger of the British Government scheduling Canadian cattle, if we allowed cattle to go into the North-west on inspection only.

Mr. LAURIER. Since when has this order gone into force ?

Mr. FOSTER. Since Saturday.

My question was put on the Notice paper on Thursday ; it remained there till Monday ; in the meantime, the Government passed an Order in Council that the quarantine should be strictly enforced ; when my question was put on Monday, they answered that the quarantine was enforced ; and, when the hon. leader of the Opposition put the question squarely, it was found that the Order in Council had been passed only the Saturday before, and after the notice of my question had been put on the paper. Yet they have the audacity to come to this House and tell the people of Canada that cattle were not allowed to go into the North-west on inspection only. There is not the least doubt that they were, because there was a remonstrance, stating that cattle did come in from the United States, and were entered by a certain test ; and the Canadian Government stated that they would have to be more rigid as to the manner in which cattle were allowed to come into Canada. Now, let me say a word or two about the accommodation provided for cattle which entered at Sarnia and passed through the country in bond to the eastern parts of the United States. In the first place, only veterinary surgeons were to be appointed inspectors of those cattle, and one was to accompany each train, and the inspection was only to be carried on during the day. But it was only a short time before these rules were relaxed. It was found that the inspection, if only taking place in the day time, would interfere to some extent with the traffic on the railways; and it was only a very short time before the inspection took place both by day and by night. Just think of an inspector going in the night, with a lantern, to inspect a carload of cattle for disease. As an experienced cattleman from my boyhood up, I can say that it is an utter impossibility for any one to inspect cattle in that manner. Another regulation was that these cars were not to be used for carrying Canadian cattle, and they were all to be cleaned and fumigated after leaving Canada, and before coming back again. Yet it was proven that these cars were used generally for the transportation of Canadian cattle, and that many of them were not clean, even the manure being left in them. Another regulation was that the cattle were to be taken from the cars at Lynn, and fed and watered there in an inclosure with a double fence, so that Canadian cattle would not come in contact with them, as it had been found at Quebec that animals could communicate pleuro-pneumonia to each other from the opposite sides of a single fence, a fine herd of Galloways, belonging to Mr. McRae, of Guelph, having been destroyed in that way. But the fences at Lynn were broken down, and proved to be no protection at all. There was also a regulation that the manure at Lynn was to be burned, but, instead of that, the farmers of that locality were allowed to take the manure from the yards, and the result was that the disease called anthrax broke out among the cattle of that locality. More than that, after a little time, almost all the veterinary surgeons were withdrawn, and the conductors of the different trains were appointed to inspect the cattle and to go along with them. Does any one believe that a railway conductor would stop a train, if he found that he could possibly get it through? The regulations that were adopted were a perfect sham. Mr. Smith, the veterinary surgeon of Toronto, admitted that they were: and one man who gave evidence, said that Professor Smith might as well have examined the cattle, sitting in his arm-chair in Toronto. It is also admitted that blank certificates were handed to the railway conductors, and were filled up by themselves. With such a loose system as this, it is a wonder to me that our cattle were not scheduled long before. During the time all this was going on, there was a report, and I believe it was correct, that pleuro-pneumonia existed in Illinois, and at the same time cattle from Illinois were being transported through Canada. The cattle industry in Canada is to-day a most important one, and I am very anxious to see it placed on a proper basis ; and I believe that the lines I have indicated to the Government with respect to removing the quarantine at Quebec and Montreal would be one step that would show the British Government that Canada was doing the best she could in the interest of Canadian breeders and in the interest of the breeders of the best stock in the British islands. I have always held that, where a government or an individual asks for a favour or an accommodation, their first duty is to remove any evil that is within their own power, before they ask for that favour or accommodation from another. I do hope the Government will take this matter into their consideration.

Mr. McMULLEN. Mr. Speaker, I have listened with considerable interest to the effort made by the hon. Secretary of State to reply to the very long and pointed statement of the whole case of the scheduling of our cattle in England made by the hon. member for North York (Mr. Mulock). The hon. Secretary of State, instead of taking up the points submitted by that hon. member, descended into a tirade of abuse and lost his temper, and failed to answer one single point that had been submitted to this House. Now, Sir, the whole history of this case is an exceedinly unfortunate one for the farmers of this country. The hon. Secretary of State said that the hon. member for North York could not have presented a better case, had he been the hired advocate of the British Board of Agriculture, as against Canada, in regard to the scheduling of our cattle. The statement presented this afternoon by the hon. member for North York, clearly and distinctly outlined the whole history of the events leading up to the condition of things with which we are now face to face.

The Government from the very time that American cattle were first scheduled, which was in 1878, entered into an extended correspondence with the British Government with the view of securing a continuance to Canada of the privileges she enjoyed. After a very extended correspondence, arrangements were come to. What were they? They were virtually that American cattle should be prohibited from coming into Canada at all. American cattle were not to be permitted to pass through Canada; and on the condition that this arrangement would be loyally and honourably carried out by us, we were permitted to continue to send our cattle to Great Britain. A very short time afterwards the railway companies pressed very strongly on the Canadian Government for some relaxation of that arrangement. After an extended correspondence between the hon. member for Three Rivers (Sir Hector Langevin), who was then in England, and the British Board of Agriculture, terms of compromise were eventually agreed upon. These were very strict, clear and definite; and the Canadian Government, through its representative in England, bound itself to see that they were honourably carried out. Notwithstanding that, the ink was hardly dry upon the paper on which that arrangement was written, when an effort was again made by the railway companies to have it relaxed; and after further correspondence, there was a final arrangement made, by which the railway companies were permitted to carry American cattle through Canada on certain conditions. These conditions were that the cattle were to be unloaded on the other side of the line, that they were then to be closely and carefully inspected, and that if found absolutely free from disease, they might be reloaded and permitted to pass through Canada, subject to certain other very stringent arrangements. These arrangements were not carried out. The inspections, as the hon. member for Huron has just stated, were not properly made. One concession after another, in violation of the agreement entered into with England, was made to the railway companies. These companies were allowed to have the cattle inspected at night and on the cars without unloading. Permission was given to have the cattle accompanied through Canadian territory by railway officials instead of by Dominion servants. Thus from one step to another, and from one point to another, the Government violated the covenants they had entered into with Great Britain, and the result of these violations was that our cattle became eventually scheduled.

The hon. Secretary of State has told us that there was no necessity for rigid inspection in our North-west Territories and Manitoba, because pleuro-pneumonia was not known to exist in the bordering states or within a thousand miles of our country. I would like to know if he thinks that Illinois is a thousand miles from our border? And whether he thinks it would not be possible, with the railway facilities existing in the United States, to carry cattle there from any section. Why, cattle are carried all the way from Texas to Chicago, which is a distance of more than a thousand miles, and there is no reason to suppose that they might not be carried equally long distances into our North-west Territories. The English Government gave as a reason why scheduling should take place, the very laxity with which the regulations were carried out as regards our North-west Territories. The hon. gentleman says that there was no necessity for rigid arrangements. Permit me here to read what Mr. Gardner said, as I find it reported in the report of our Agriculture Department:

> In a letter published in the "Times" of November 26 last from Mr. Herbert Gardner, the Minister of Agriculture, to John Long, M.P., of Dundee, Mr. Gardner stated that taking into account the importation of animals, both from Canada and the United States, there had been no less than ten cases of pleuro-pneumonia reported from the commencement of October to the date of his letter, the end of November, and that these formed part of seven cargoes. He, therefore, inferred (to quote the terms of his letter) that if cattle have been admitted into Canadian territories from the North-west states upon inspection only and that quarantine regulations were inefficiently carried out, it is not surprising that animals infected with pleuro-pneumonia should have reached this country from Canada as well as the United States.

You can see by that communication that Mr. Gardner was quite aware of the very lax manner in which our arrangements were carried out as regards the admission of American cattle into Canada. Owing to that and owing to the laxity with which the other regulations were carried out, our cattle were scheduled.

The hon. Secretary of State claims to have very efficiently and faithfully performed the duties devolving upon him as High Commissioner in England in the interests of the cattle trade. Let me point him to one case and ask whether he can explain what occurred. It was supposed that pleuro-pneumonia existed in one of our Canadian cattle that was landed and slaughtered. A cablegram was sent from here asking the hon. gentleman to at once procure a sample of the lungs of that animal and have them sent to Canada for analysis. Now, what happened? In answer to that telegram a small piece—and I shall read the report out of the blue-book, if the hon. gentleman denies the statement—of the lung, about four inches long, an inch wide and half an inch thick, was put in a bottle in some spirits and sent out. The bottle was fastened with paper and not properly sealed.

so that when it arrived out the spirits had evaporated and the piece of lung enclosed was in such a decomposed condition that it was quite unfit for analysis. That is a sample of the attention and the anxiety which the hon. gentleman manifested in the interests of the cattle trade. That was the manner in which he met this request to supply the Veterinary College at Montreal with the sample of the lung of the animal supposed to be affected with pleuro-pneumonia. From the very inception of the trouble down to the present, the utmost disregard, the greatest lack of activity and want of care on the part of the Canadian Government and of the High Commissioner and of every Dominion official, has characterized the whole business: and as a result the farmers of this country are deprived of the privileges which they would otherwise be now enjoying of shipping their fat cattle to the English market. But the Government did not discharge their duty efficiently, as they would have done, no doubt, if the interests of any other class had been at stake, and the farmers are brought to the unfortunate position in which we find them to-day. While the Americans enjoyed the privileges of sending their cattle free into the English market, they had veterinaries in every port in the British Islands where their cattle were landed for the purpose of taking part in any inspection that took place, with a view to protecting the American farmers' interests in that market. Did Canada ever send home a veterinary to look after the interests of the farmers in that market? Not one. What did we see when the case arose that unfortunately resulted in our cattle being scheduled? There was not a man to look after our interests, it was committed entirely to the veterinarians of England themselves.

Mr. IVES. Whose cattle were scheduled first?

Mr. McMULLEN. The cattle of the United States were scheduled first.

Mr. IVES. In spite of all their veterinarians?

Mr. McMULLEN. Does my hon. friend mean to say that there was the same ground for scheduling Canadian cattle that there was for scheduling American cattle? I state fearlessly that pleuro-pneumonia has not existed in Canada. But it did exist in the United States, and when that was proven, their cattle were scheduled.

Mr. IVES. Will the hon. gentleman tell me what was the use of sending veterinary surgeons there if there was no pleuro-pneumonia?

Mr. McMULLEN. You should have sent them for the purpose of guarding our interests when the question was raised as to whether there was pleuro-pneumonia in Canada or not: when first the suspicions of the veterinarians in England were aroused. The Secretary of State said that 211,000 Canadian cattle had been admitted into Great Britain after these experts had declared that they had found symptoms of the disease in cattle coming from Canada. Surely, that should have been sufficient warning to have some one there to guard our interests. But the High Commissioner never asked that his efforts should be seconded by an experienced veterinarian from Canada. Not a single move was made. But the United States made every effort possible to preserve that market.

Sir CHARLES TUPPER. Will the hon. gentleman say what the Americans gained by these efforts; did they accomplish anything?

Mr. McMULLEN. They preserved the market of England for years, but, notwithstanding all their efforts, they lost it.

Sir CHARLES TUPPER. It is only within the last few years that they did anything of that kind.

Mr. McMULLEN. I beg the hon. gentleman's pardon; I can prove that they had veterinarians there before their cattle were scheduled.

Mr. IVES. But they were scheduled all the same.

Mr. McMULLEN. Simply because they had pleuro-pneumonia. But our country has no pleuro-pneumonia. We had a High Commissioner in England and a Government here who say they were doing everything they could, and the result of their efforts is that although our country has no pleuro-pneumonia it is placed on the same footing as the United States which has. Now, to review the history of this affair, we know that in 1893 several cases of pleuro-pneumonia were alleged to have been discovered in cattle coming from Canada. But, notwithstanding that fact, no effort was made by the Canadian Government to show that pleuro-pneumonia did not exist here. The cases were: On May 1st, on the steamship "Brazilian," 2; on board the "Winnipeg," 1; and on board the "Hurona," 1. The hon. Secretary of State said there were only two. I beg to call his attention to the fact that he is mistaken, and that during that season four cattle sent from Canada to England were pronounced to be diseased with pleuro-pneumonia. Now, it has been said with a good deal of plausibility that possibly the disease was contracted during the journey, owing to the conditions in which the cattle lived while in transit, and that symptoms somewhat resembling those of pleuro-pneumonia were developed. If there was any ground for that, the Government might well have made an experiment to prove it. They might have taken a dozen head of English animals known to be perfectly clear of pleuro-pneumonia and inspected to the satisfaction of the English veterinarians and ship them across the ocean and back subjected to the conditions under which our cattle lived in transit, and then slaughter them when they got back. It might have been found that in those cases a disease something like pleuro-pneumonia might have developed just as in our cattle. But nothing was done. A striking evidence of the manner in which the Government has disregarded its duty in this matter is seen in the fact that a letter sent them by the British authorities on the 21st July, 1893, was virtually left unanswered until the 29th January, 1894, a little more than six months after the time it was sent. That letter was sent by the English Board of Agriculture making inquiries with regard to the regulations that existed between Canada and the United States repsecting the importation of cattle from that country to ours, and with regard to our laws, with regard to the quarantine, and also the inspection that had been made with regard to the existence of the disease. The Secretary of State said to-night that it would be impossible to carry out the instructions that were given by the English Board of Agriculture, because it would necessitate the slaughter of a great many herds of cattle. Well, Sir, it would have been a good paying investment on the part of Canada if the Government had slaughtered thousands of head of cattle if, by so doing, they could have met the demand of the English Government, and prevented the scheduling of our cattle. If we had had to spend millions of money in order to satisfy the home government and the Board of Agriculture that pleuro-pneumonia did not exist in our country, it would have been a profitable investment in the interests of our agriculturists. But there was no investment, there was no cattle slaughtered, there was no effort made. The Secretary of State says that investigations were made, that Mr. McEachran went to the North-west; and I presume the first thing he did was to go and inspect his own herds. He there manages a large ranch for the Waldron Ranching Company, he is their servant as well as ours, he is paid by them in the interest of that ranching company, and is paid by us; he is performing a double duty in this country. Now, I contend that we should have had a man that had no interest whatever in any herd or any ranch in this Dominion. We surely can afford, in the interests of the agriculturists in this country, to keep one man who is not under the thumb of any ranching company, or anybody else. There is no doubt that that ranching company required to bring cattle in from the North-western states, and Mr. McEachran, who was then veterinary for Canada, would, in the interest of the company he was serving, wink at cattle being brought in by the hundreds, and they were so brought in. The records of this country prove that there were from 40,000 to 50,000 head of cattle brought into the North-west in clear violation of the covenant of the Government of Canada with England. When we made that arrangement, cattle from the United States were virtually prohibited, but in face of that prohibition, in 1883, 1884 and 1885, cattle by the thousands were admitted into the North-west, in some cases without inspection, and in all cases without quarantine. Now, the English Government evidently became aware of the looseness with which arrangements between Canada and the United States were being carried out. The correspondence that I have read to the House to-night, the portion of a letter written by Mr. Gardner, clearly proves that they were aware that very great laxity characterized the admission of cattle from the American side into Canada; and he goes on to state the fact that if pleuro-pneumonia existed in the United States, as it did, how easy it was, and how possible it was, that the herds in Canada might get that disease, and that in the shipment of these cattle to England, part of them were diseased with pleuro-pneumonia. No doubt any reasonable man would come to that conclusion, and Mr. Gardner came to that conclusion. It has been stated on the other side of the House that this action is taken in order to protect the agriculturist of England against the competition of cattle coming from Canada and other countries. Sir, any man who takes up the record with an unbiased mind, or will go over the whole history of this unfortunate case from the start down to the present moment, cannot possibly come to that conclusion. Why, Sir, there is not the slightest evidence whatever to show that there was any desire on the part of Great Britain to schedule our cattle; it was only forced upon them by the laxity and indifference of the Canadian Government in carrying out the arrangement that had been entered into. Several letters were sent, remonstrances were made, again and again applications were made for replies to them, and the chief officials of the Boards of Agriculture in England declared that they were only anxious to be able to give Canada such a clean bill of fare in regard to her cattle, that she would not be subjected to the scheduling. They did everything they possibly could for that purpose. Mr. Gardner, in his reply to Mr. Long, drew attention to the indifferent and careless manner in which Canada had treated the whole question, and had failed to comply with the terms agreed upon. England admitted it was for the purpose of preventing her herds from being contaminated by coming in contact with American herds. For sixteen months the request of the chairman of the Board of Agriculture was not complied with, and during this time the Canadian Government had an opportunity of making a thorough investigation, and to reply fully and promptly to the point raised by the English Board of Trade, but they did not reply. On 21st July, at the time this letter was sent, the Minister of Finance and the Minister of Agriculture were about to start on a tour for the North-west. They went off and were received in Winnipeg, they travelled through the North-west, and all that time this great and important question was being neglected in the office of the Deputy Minister in Ottawa, the letter was lying in his desk waiting the return of the Minister of Agriculture to give a reply to this important demand that England had made ; but party interests and the probabilities of an election, were matters of more vital importance to hon. gentlemen opposite than the protection of the interests of the people of this country in regard to their cattle trade. Now, after the English Government proposed to make the investigation that the hon. member for North York has referred to, by a board of nine members, and after the establishment of that board, there was no person sent from here to represent Canada. The High Commissioner undertook that arduous duty. He was supposed to be equal to the occasion himself, although not a veterinary, not knowing very much with regard to cattle, possibly not able to tell whether an animal was diseased with pleuro-pneumonia or not. But after all he was there, and there was nobody sent from here. Mr. McEachran was not sent, there was no proper accredited veterinary in Canada that was sent for the purpose of taking part, taking an active interest on the side of Canada. The whole case was left to the English veterinarians to that board that was appointed, and our side of the question was positively neglected. The Secretary of State tells us that he was not able to ask questions, or to take any part in connection with the investigation. The investigation commenced on 7th May, 1894, and continued to 13th August, 1894. Then on 20th May, the first test of the lungs of an animal from the steamer "Toronto" was made, and after that test there was nothing further done, no effort to show that that animal was not diseased. If the Government had felt anxious to make a thorough, careful and exhaustive investigation in regard to pleuro-pneumonia in our herds, it could very easily have done so. It would not have been very expensive to have sent a properly qualified veterinary into every county in the Dominion, and have made a careful search for the disease ; then to have made reports under oath, and prepared the case in such a shape as to be capable of being presented to the home government, as positive proof that pleuro-pneumonia does not exist in Canadian herds. But not the slightest movement was made in that direction. Instead of sending forty-five immigration agents to the United States, forty-five veterinaries might have been sent throughout the country with greater advantage. The Secretary of State stated that there was no disposition on the part of the Board of Agriculture to remove this embargo. I was rather surprised to-night to hear the discourteous language used in regard to the Board of Agriculture and their officials. If we expect to regain the privilege we previously enjoyed in the British market, the Secretary of State will have to do as he did at Washington after the last general elections. The hon. gentleman is trying to evade the effective and pointed thrust made against the Government by the hon. member for North York (Mr. Mulock), and he is preparing for the general elections, which are not far distant. No doubt, he will turn a similar somersault to that achieved by him in connection with the last elections, when he told the people that he favoured reciprocity with the United States, and afterwards went to Mr. Blaine and took it all back. No doubt, the hon. gentleman will return to England after the elections, and he will then apologize for the harsh language he has used to-night with regard to men occupying prominent positions in England in connection with the Board of Agriculture. The question having been already so fully dealt with by the hon. member for North York (Mr. Mulock), and by the hon. member for Huron (Mr. McMillan), it remains for me now only to express my sincere regret at the present position of Canada as regards its cattle trade. I make this statement, because I know the inevitable result of this unfortunate scheduling of our cattle. The Secretary of State has referred to the desirability of establishing an export dead-meat business. I do not think such a trade can be successfully carried on. It is true, the United States export a very large quantity of dead meat, but, notwithstanding that fact, the exportation of live animals to England is increasing every year ; meat reaches the consumer in much better condition, when it goes across the Atlantic in the shape of live animals on foot, than as carcasses in refrigerator steamships. We know that consumers prefer meat that has reached England as live animals, and it is greatly to be regretted that the present situation has been brought about, whoever may be to blame, and, in my opinion, the whole blame for the present situation lies at the door of the Government and the Secretary of State, when he was High Commissioner, owing to the neglect that characterized his actions in England, and the action of the Government here, the result of which has been the introduction of a Bill into the English House of Commons to make perpetual a condition of things that has existed hitherto only by Order in Council, and which might possibly have been removed, if active and honest efforts had been made. Greater advantage would have accrued to Canada, if we had sent to England a number of veterinarians, instead of the High Commissioner. That gentleman cost the country $15,000 or $16,000 a year, and for that expenditure the Government could have retained the services of eight veterinarians, who, no doubt, would have been able to have averted the present condition of affairs, but, unfortunately, they were not sent. England now proposes to give us a little dose of our own medicine. It is said that this action has been taken in order to give a measure of protection to the British agriculturist by raising the price of his stock. No doubt, the people in England remember that we turned a deaf ear to their appeals in regard to iron duties, when the ironmongers and the boards of trade and chambers of commerce remonstrated in the most positive and clear way with respect to the thrust made by Canada on the English iron trade. When we appeal to them in regard to scheduling our cattle, they will be ready to say: How did you use us when we appealed to you in regard to our iron trade? You simply turned a deaf ear to our appeals. Hon members on both sides of the House are glad to be able to say that we have no pleuro-pneumonia in Canada. It is unfortunate to think that, notwithstanding that fact, the British Government is proposing to pass a Bill to permanently exclude our herds from the United Kingdom. Our cattle trade had grown to great importance both in Ontario and in the North-west, especially when we had the privilege of sending in live cattle without restrictions. It is difficult to see how our farmers are going to get along in the face of permanent restrictions in force in the United Kingdom on their cattle, and, instead of the condition improving, it appears to be gradually getting worse. The National Policy, in my humble opinion, is directly responsible for all the evils that have ever overtaken this country. England undoubtedly felt very keenly the action we took in 1878, in closing out her goods, virtually, and doing everything we could to produce within our own limits the goods which we required, thus shutting out the English products. When difficulties of this kind arise, no doubt they have a vivid recollection of the heartless manner in which we treated them, and, of course, they do not cultivate very much regard for us when we are suffering under the heel of the legislation which they now propose, and which is of serious concern to us. In order to show the absolute necessity for our having veterinary surgeons in England, I may mention that there was one case in which portions of the lungs of two animals that were supposed to have pleuro-pneumonia were sent to London, and when they got there, the High Commissioner was unable to say whether they were the lungs of animals that came from the United States or from Canada. How necessary it was, under these circumstances, that we should have had an active and efficient veterinary at these ports, to see that the diseased lungs were positively from a Canadian animal. How easy it would be for the lung of a United States animal to be substituted for the lungs of a Canadian animal, when we had no officer of our own there to see that such a thing should not happen. I must express my surprise at the remarks of the Secretary of State with regard to Professor Brown. I do not think it was at all prudent for the Secretary of State to speak so uncourteously of these English professional men. He would virtually lead this House to believe that these men had acted dishonestly, and that they sat down with a fixed determination to bring in such evidence as would result in the scheduling of our cattle. It was a very discourteous reflection to cast upon men who must occupy a distinguished position in their profession in England. If I had not known the Secretary of State (Sir Charles Tupper), and had not known how ready he is by times, to creep out of a difficulty by loading the blame upon somebody else, I would have been much more surprised at his remarks. The hon. gentleman (Sir Charles Tupper) told us of his wonderful action in going to Liverpool, and performing the extraordinary act of relieving a cargo of cattle that was about to be slaughtered, because they were supposed to have Texas fever. That great feat has been recited a thousand times in the newspapers, and on the floor of this House whenever the appropriation for the High Commissioner's office has been under discussion. That particular exploit of the High Commissioner has been brought forward many a time as a proof of the advantage of having him in London. Well, if he did zealously discharge his duty on that occasion, I am sorry to think that his zeal disappeared on many other occasions when it was as necessary as then. I express my sincere regret at the present condition of our cattle trade in the English market. I say it fearlessly, and I am prepared to prove it on any stump in Canada, that the responsibility for the present condition of things rests on the Government and on the shoulders of the High Commissioner. The farmers of Canada will hold them responsible at the approaching elections for the manner in which they have neglected the duty which they ought to have discharged in the interests of our cattle trade, and in the interests of our agricultural classes. I expect that if the present Bill passes the English House of Commons, the embargo will remain for a very long time, and the discourteous and ungentlemanly manner in which the High Commissioner has referred to the English officials to-night will be in no small degree responsible. If this Bill becomes law, the High Commissioner, after the language he has used to-night, should be the last man in the world to go over to England for the purpose of trying to get it removed.

Mr. O'BRIEN. It is much to be regretted in the interests of the great industry which we now profess a desire to serve, that the action taken by the Government is simply to affirm a proposition, which, judging from the debate, can produce no possible good result. And, perhaps, it is not the best occasion for hon. gentlemen on the other side of the House, to go over matters which, however they may reflect upon the character of those by whom they were carried out, will not tend to relieve us from our present difficulty. It is quite evident from this debate that the proposal of the Minister of Finance (Mr. Foster) cannot bring any possible advantage to those who are interested in this trade. The mere reaffirmation of what has been so frequently affirmed before, that is to say, that there is no pleuro-pneumonia in this country, and which proposition has been denied in England upon grounds which are not without foundation, is not one which is going to influence the legislation now before the Imperial Parliament. It is also equally evident from this debate, that the conduct of this Government, from first to last, in dealing with this question, is open to such serious censure that one cannot help feeling that any statements made by these hon. gentlemen in regard to this trade—especially the statements made by the Secretary of State (Sir Charles Tupper)—are statements which will not be accepted by the people and by the Government of England, as resting upon any sure foundation. What I have to say with regard to the Secretary of State is this: That if, in the long dealings he has had with the British Government, they have not been able to find that they can place more confidence in his statements than we have found from our experience of the last few weeks, then, they can place very little confidence in him in England. I do not assume that the Secretary of State was altogether derelict in his duty in regard to this matter, but to-night, in dealing with the proposal made by the Imperial Government as to the steps which should be taken to clear our skirts from the suspicion of having this dreaded disease amongst our cattle, he said: What an absurd thing it would be to prohibit the importation of cattle from the United States into our North-west Territories. The hon. gentleman could certainly have known very little about the cattle trade when he made that statement.

Sir CHARLES TUPPER. I made no such statement whatever.

Mr. O'BRIEN. Then my ears must have deceived me. I understood the hon. gentleman to say that considering there was no pleuro-pneumonia within a thousand miles of our frontier, it would be absurd to prohibit their importation into our North-west. If he did not say that, what did he say?

Sir CHARLES TUPPER. I said that although the fact remained that there was not the danger from cattle passing from the United States into Canada along the North-west frontier, owing to the fact that pleuro-pneumonia had never been found within a thousand miles of the boundary, yet, notwithstanding that, the moment the Imperial Government required it, we imposed the quarantine regulations. That is the statement I made.

Mr. O'BRIEN. Very well. The hon. gentleman says they imposed the quarantine regulations. That was not what the Imperial Government asked.

Sir CHARLES TUPPER. That was precisely what they asked.

Mr. O'BRIEN. What they asked was that the importation of American cattle should entirely cease. The hon. gentleman, in making that statement, shows that he knows very little about the business. If he knows anything about it he knows that if a man goes from Alberta or from any other part of the North-west Territories to purchase cattle in Montana or Dakota or any other of the north-western states where he would naturally go for that purpose, he would buy cattle coming from all parts of the union and largely from the state of Texas. So that his assumption is entirely without foundation. There is no place where a man could go to purchase cattle where they would be more subject to disease than in the states bordering upon our North-west. It was not quarantine that the Imperial Government asked for, but the prohibition of importation. But assuming the hon. gentleman's statement to be correct, that is just one of the points in which he failed to meet the views of the Imperial Government. The hon. member for North Wellington (Mr. McMullen) a few moments ago gave us an instance of the manner and spirit with which this Government have dealt with the cattle trade. The very fact, which is known to everybody, that it was simply the placing of a notice on the paper that caused the Minister to put in force regulations that ought to have been in force before, is evidence of the sort of spirit with which the administration of that trade was carried on; and when we know, as we do—because the fact has never been denied—that when the Imperial Government gave our railways the privilege of carrying cattle which might be infected, from our western to our eastern frontier, in order that our railways should have the advantage of that carrying trade—because it was of no advantage to the farmers or the people of this country—on condition that it should be carried on under strict regulations, it is in evidence that there was not one of these regulations that was not openly and notoriously violated. In that matter the Canadian Government were guilty of as gross a breach of faith with the Imperial Government as any government could be. That being the case, what faith could the Imperial Government put in any protestation or statement made by these gentlemen? These things were known to the Imperial Government. I do not say, because I do not know, that they were the immediate causes of the scheduling of our cattle. But we may assume that they threw the greatest possible suspicion on any statements made by our Government with regard to this trade, because when the Government would grossly violate regulations, at the risk not only of injuring the farmers of Great Britain, but also at the risk of loss to our own farmers, only in order to enable the railways to make a little more money out of the trade, it showed how little the Imperial Government could trust them to act in the interests of the agriculturists of Great Britain. But I do not think it is worth while to discuss this question any further. We have had abundant evidence to sustain, if it is needful to sustain it, the amendment of the hon. member for North York. But for my own part, while I think the resolution of the Minister of Finance is perfectly useless, as useless as the paper on which it is written, I do not think it would be advisable for this House, in the present condition of affairs, to pass the amendment of the hon. member for North York. If the one is useless, the other would probably be prejudicial to us; and as our great object, if we have any object at all in discussing this matter to-night, is to endeavour to find some practical method of escape from the danger with which we are threatened, it is better to let these bygones be bygones, and address ourselves to some practical proposal for getting rid of that danger. There are certain things which could be done, and which, if possible, ought to be done. If we can, at this late hour, notwithstanding all that has happened, notwithstanding the bad faith of our Government, approach the Imperial authorities with some practical proposals which would obviate the danger of infection, it is possible even yet that the threatened danger might be averted. I quite agree with the hon. member for South Oxford that that is a subject that ought to engage our attention to-night. Those interested in the trade, and who desire to see it maintained, should suggest to the Government some proposals which may be made even at this late hour to induce the Imperial Government to delay the passage of the Bill. With regard to the cattle in the North-west, from which a great proportion of our supplies come, I quite admit the truth of the statement made by the hon. Secretary of State that it would be impossible for us to have a system of inspection or slaughtering of cattle in the North-west Territories, or even, probably, in Manitoba, where, from the beginning of the year to the end, the cattle range at large, and mix together in enormous herds, without any possibility of watchfulness beyond the most cursory kind. It would be impossible to trace disease under such circumstances; and even if a case were found, it would be impossible to pursue the disease into the herd, as could be done in England or in Ontario, and destroy it. The only precaution that could be taken in Manitoba and the North-west Territories is absolutely to prohibit the importation of cattle from the United States. It would be a great sacrifice, no doubt, and a great inconvenience to settlers coming from the United States to the North-west; but it would be far better to make that sacrifice if doing so would save the greater trade in which we are all interested. With regard to inspection, believing as we all do that there is no pleuro-pneumonia in this country, the only practical form in which I think inspection could be carried on—I speak not with the knowledge of gentlemen engaged in the trade—would be by the Imperial Government appointing inspectors at all our ports and everywhere else that they think proper, to inspect cattle intended for shipment, our Government paying all the expense. They should be Imperial officers, with the duty of seeing that no animal suspected of having infectious disease should be allowed to go upon any vessels. And authorize them also, not only carefully to select and reject any cattle with regard to which there might be suspicion, but to slaughter them where suspicion did exist, so that it might be ascertained at once, from the clearest evidence, whether or not there was any disease in the cattle so rejected. By so doing it is possible that we might make the English farmer absolutely safe against the possibility of infection to his cattle from cattle shipped from this side of the Atlantic. It seems to me that these are the two methods by which it would be practicable to deal with the question—by absolutely prohibiting the importation of cattle from the United States, by putting an end to the transport by the railways through the country of American cattle, and by having the Imperial Government appoint officers, to be stationed at all our ports, with full power to reject any cattle they may consider suspicious, and to slaughter any cattle wherever they thought it desirable to do so. The same officers ought also be authorized to visit the herds throughout the whole of Canada, and be given absolute power of inspection, and to report in every case where suspicion exists. If some proposition of that kind were made, it might, possibly, bring about some beneficial result.

But simply to pass the resolution in your hands, Mr. Speaker, is absolutely futile. It may save the dignity of the High Commissioner (Sir Charles Tupper), but, as to doing any good to the cattle trade, it is absolutely useless.

For my part, although I think there is ample justification to vote for the amendment of the hon. member for North York (Mr. Mulock), I am not inclined to do so. And, as to voting for the proposal of the Government, it is a matter of very little consequence whether one does so or not. It is the desire of the House, and should be the desire of the Government, to make, if possible, amends for the previous neglect to comply with the many reasonable proposals made by the Imperial Government. Some of the proposals were, perhaps, not reasonable, and in their case representations could have been made to establish this ; but by complying with such of the proposals as are reasonable, and making these further proposals, it might be possible, even at this hour, to delay the progress of the measure in the British House of Commons until some such conclusions could be arrived at.

Of course, if the Government have come to the conclusion that we are better off without the trade of shipping cattle alive to England, it is not worth while to pursue the subject any further. On that point, there is, undoubtedly, a great deal of force in the contention that it would be better for us not to ship our stock to Scotland or elsewhere, but to feed them at home and get all the profits out of feeding them, and ship nothing but beef of the first quality. But I do not think that we should be restricted to resort to that alternative. It seems to me it would always pay us better to do so, and that the bulk of our trade would always go in that direction. Experience shows, undoubtedly, that an animal landed in Liverpool, if allowed to rest and to be taken to fairs throughout England, and to be slaughtered when wanted, and not compelled to be slaughtered the moment landed, would fetch a higher price and be more valuable in every respect, and gain a higher reputation for Canadian stock, than could be possible under any cold-storage system or the present system of slaughter. I think that, in all probability, when we get a little better off, and our farmers are able to spend a little more time in feeding their cattle, they will not be willing to sell young stock, as they have been doing. Still, I do not think it would be desirable to have an absolute obstacle placed in the way of that trade, especially as you will understand there is a great demand for that class of cattle, and it is a demand which makes the only opposition in England now to the passage of the Bill.

There is another objection made, from a totally different quarter and on totally different grounds, and that is the prohibition of the admission of Canadian cattle, such as took place before our cattle were scheduled, is a left-handed piece of protection to the English farmers. If that be the case, I do not know that these gentlemen who have been crying out for protection and hailing with joy and satisfaction every indication of protection in England, ought to grumble, even at this left-handed piece of protection. Our mouths are closed with regard to that.

Mr. GILLIES. Have you not always been a protectionist ?

Mr. O'BRIEN. No.

Mr. GILLIES. When did you cease to be one ?

Mr. O'BRIEN. That is not the question in hand at present. I have discussed that before, and am prepared to discuss it again. But the question now before us is, how we can best meet the difficulty in the way of this cattle business. Undoubtedly, our case is weakened by the fact that we are doing exactly ourselves, in our own interests, what the British farmer is charged with doing in his interest. If it be a measure of protection, why is it ? Because it prevents a certain degree of competition. I presume that you, Mr. Speaker, would call me to order, if I were to enter into a discussion of the National Policy on this resolution ; but I may say this, that, if the English farmer, in his own interests, is doing something which prohibits the importation of Canadian cattle, we did exactly the same thing when we put a duty on English woollen goods, for instance. We practically prohibit a very large class of English woollen goods, and it certainly does not lie in our mouths to find fault with the English farmer, if, for the sake of a little protection, he is going to prevent the importation of Canadian cattle. But there is no doubt our case is weakened, as it is weakened in every possible way in which we approach the Imperial Government, asking favours of this kind—asking even for what we think simple justice—by the fact that we, for our own selfish interests, have been willing to do exactly what we now charge the English Government with doing.

If the measure proposed by the Imperial authorities is simply a domestic measure, intended to protect any farmer from the danger of infection of his herds, it is a domestic matter, with which we have nothing to do. We may remonstrate, we may say it is very hard for us, as a portion of the Empire, not to be allowed the special privilege we ask ; but the English farmer can answer that very properly by saying, as the free-trade organs in England are saying now, these people are protectionists, why should not we be ? What right have they to find fault with us ? If they regard it from that point of view, we have nothing to reply.

If it is done for the sake of protection, we have still nothing to say ; but, at the same time, it is a matter well worth making a fight for, and, as I have endeavoured to impress upon the House during the few moments I have been speaking, we are not going to gain our object by passing a bald resolution, such as the one proposed. Nor are we going to attain our object by passing the amendment of the hon. member for North York (Mr. Mulock). We have sufficiently washed our dirty linen, and I think we ought not now perhaps—it would not be the part of prudence, even though properly justified to do so—to place upon the Journals of this House and bring before the English people a fresh reminder of all our misdeeds with regard to this British trade. Therefore, I am not inclined to support the amendment, even though I have ample justification for supporting it.

If the Government really desire to do anything for the farmers, if this motion is anything more than an easy way of getting down out of the difficulty and saving themselves all further trouble, by washing their hands of the matter, and saying to the farmers: Go to the cold-storage system; it will pay you best, and we will not take any trouble about the other trade—if the Government are really anxious to maintain this trade, there are two or three methods which they may propose to the Imperial Government, as methods they are willing to adopt, and ask that, for a time, at any rate, until these methods are tested, the progress of the Bill might be delayed.

Unquestionably, though the Bill does not profess to be levied against Canadian cattle in particular, no doubt practically that is what it amounts to. The main object is to probit the importation of Canadian cattle. Of course, it does not say so. It would be impossible for the Imperial Government to pass an Act in which that was openly declared. It would be contrary to all the instincts and ideas of the British Parliament, especially of a free trade Parliament to pass an Act which prohibited the importation of any class of cattle. For, so long as there is danger of infection, there will be no necessity for such an Act. I presume the Secretary of State is right in saying that legislation is necessary in order to enforce the prohibition of our cattle, and that is the reason why it is introduced, but whether he is right or not, whether legislation is necessary or not, we know that legislation has been framed and that it is rapidly going through the Imperial Parliament. And so I say that now is the time, late though it be, for some practical method to be proposed, not merely a bald resolution, which means nothing, and can effect nothing, but some suggestions such as I have ventured to lay before the House, which might induce the Government of England at any rate to stay the progress of this measure until some satisfactory arrangement has been arrived at.

Mr. LANDERKIN. As the constituency I represent is very deeply interested in the cattle business, I would like to say a few words on this question. I naturally feel strongly upon this subject, and I am naturally led to inquire, as the people of the country generally are, by what means this embargo upon our cattle was brought about. To those who are in charge of public affairs in this country, we naturally look to ascertain if they have been remiss in this matter. Have these gentlemen faithfully carried out the compact that was entered into between the Imperial Government and the Government of Canada in regard to this trade? If not, they deserve the censure of the House and the censure of the country. I am not going to go over the evidence on that point, the hon. member for North York (Mr. Mulock) in his speech last session showed very conclusively that the compact entered into had not been faithfully observed by this Government, and that those who were in charge of the administration of the law and the regulations, were not careful in the performance of their duty; in fact, did not perform their duty in anything like a satisfactory manner. The British Government has all along shown an anxious desire to serve the interests of the people of Canada in this matter. It was shown to-night by the hon. member for North York (Mr. Mulock) that on the 21st July, 1893, the British Government, in their anxiety to perpetuate this trade between the United Kingdom and Canada sent a letter to the Government here, which the hon. member read to this House. They asked the Canadian Government in reply to inquiries that they made in order that they might, if the evidence was favourable, restore this privilege to the Canadian farmer and the Canadian shipper of cattle. It has not been shown by the Secretary of State or the Minister of Finance that, up to the present time, any answer has been made to this pressing and kindly demand by the British Department of Agriculture upon the Government of Canada. Even from a business standpoint, that letter should have been answered. The British authorities wrote with the view to having the former relations re-established, and this should have induced this Government to give prompt consideration and a careful answer to that inquiry. They went on until the 29th January, 1894, when the Department of Agriculture of England, a branch of the Imperial Government, again wrote asking the Government of Canada to furnish the information desired. But, up to the present time, no answer has been given. I remember well that in the election of 1891, I was told on nearly every platform in the riding of South Grey that if there was a change of government our cattle would be scheduled because the people of England were very much more favourably disposed to continue these arrangements so long as the present Government were in power. It was only a very short time after, that that delusion passed away and the cattle from Canada were placed on the same footing as any others coming into Great Britain. In view of the evidence produced from official documents by the hon. member for North York (Mr. Mulock) this afternoon, I expected the Secretary of State would give a reply to the point raised. But instead of meeting the charges and the evidence upon which they are based, the hon. Secretary of State gives us assertion, not fact. He does not give a scrap of evidence to sustain his contention. He charges the hon. member for North York with striking down a great interest of the country. That statement he makes with all the force of his utterances of his former days. He tries to make the country believe that the hon. member for North York, to gain a party advantage, is willing to strike down this great industry. But when it is shown that the Government have failed to uphold this privilege of the Canadian people, the hon. Secretary of State takes some comfort that the action of the British Government would be a blessing in disguise. I cannot understand what he means by the two positions he takes with regard to this question. When the hon. member for North York does anything, he is striking down a valuable industry, but when the Government allow it to be done, why, then, it will turn out a blessing in disguise. I wonder the hon. gentleman did not give some better reason than that for the course the Government has pursued. I think the hon. Secretary of State has been very imprudent. He has made statements which I think are hasty and ill-considered, and I am a little surprised that one who has been in public life so long as the hon. gentleman should give mere assertion instead of argument and fact when dealing with a question of so much importance to the people of this country as the cattle trade. Now, when the evidence of the experts of the Board of Agriculture of England is produced and read by the hon. member for North York, how does he meet these statements ? He says these are paid officers of the Crown, and yet he afterwards produces the evidence of Dr. McEachran and others who were in the employ of this Government. When he tries to break down the evidence of Prof. Brown and others who were in the employ of the English Government, he comes back to Dr. McEachran and also tries to minimize the force of his evidence because he is a paid officer of this Government. In doing that he casts reflection upon the Civil Service of this country, a reflection not in keeping with the position he occupies in this House. These were disinterested people, they had no interest but to ascertain the facts and report them to the Board of Agriculture. Consequently when the Secretary of State seeks to injure and destroy their evidence, he is only destroying the evidence he spoke of afterwards and rebutting the testimony they gave. For my part, if there is any contagious disease, among the cattle of this country, I do not want to see them shipped to any other country. If there is any contagious disease among the herds of this country, I would like to have it discovered so as to prevent its spread among the rest of the cattle in this country. I am not so anxious to do business with other countries as to jeopardize all the herds of the land in case this disease should be found to exist. The Secretary of State says that it is very easy to diagnose pleuro-pneumonia. The best authorities on this question say that it may exist in an animal for fifteen months before it can be discovered, and then only by those who are competent authorities on the subject. Now, the hon. gentleman told us again to-night how on one occasion he had prevented the scheduling of a car load of cattle that landed in Liverpool. Well, I remember hearing that told by a gentleman who seconded the address here in the year 1884, and I remember him giving a great deal of credit to the Secretary of State for having done it. But when we came to examine the report we found that the Secretary of State did nothing on that occasion but to take off his coat and roll up his sleeves. He did not do anything else, according to the historian, than that ; and for that, all his friends here claim that he had great power and influence with the Imperial authorities. If he was able to do so much on that occasion by merely taking off his coat, why did not the hon. gentleman take off his coat in 1892 ? What was the reason he kept his coat buttoned up and allowed the scheduling of our cattle in 1892, if he had power to prevent it in 1884 ? Is it possible that the hon. gentleman became better known in England during those years, and that his statements subsequently were not relied upon, that his assertions did not pass as evidence as they did when he was a stranger to them ? How is it that after he became better known there, he had neither power or influence, and that in fact when he went to the Colonial Office and asked to be allowed to speak before this court, they refused him. The Colonial Office did not want to be trifled with. If he had evidence, why did he not produce it ? They wanted none of his assertions, he had produced his assertions before. In the way of diplomacy the Secretary of State has failed, and signally failed ; because when it was established by the highest authority in England that the disease had been brought there, he goes and says to those authorities, You do not know what you are talking about ; you are a set of fools ; you do not understand this question ; I understand the question. The consequence was that he was not allowed to speak at the conference. Now, what is to be the effect of this resolution of the Minister of Finance passing ? It was very likely drafted by the Secretary of State, because it is quite in keeping with the letters that he wrote, and the statements he made to the Agriculture Department. And what good is it calculated to do ?

That, in view of the foregoing facts, this Parliament, while not wishing to interfere in any way with legislation considered necessary in the United Kingdom, desires respectfully to protest against the permanent exclusion of Canadian cattle on the ground of the existence of pleuro-pneumonia in Canada, and to express in the strongest possible manner its belief that pleuro-pneumonia has not in the past, and does not at the present time exist in Canada.

Now, the Government here say that this is merely an effort to give a little protection to the farmers of Great Britain. If that is so, who are responsible for it ? Who have been telling the people of England that England is going to ruin if they do not get protection ? Let me read you just a few extracts from what they have said :

> The old land is going to ruin under free trade. Protection is the only thing that will save it, &c. "Mail," Government organ.
>
> The trend in Britain is towards protection. Glorious.—Sir Charles Hibbert Tupper.
>
> John Bull is a chump not to adopt protection.—Montague (in substance).
>
> The British flag is being driven out of civilized markets of the world by the silly free trade policy.—Sir Charles Hibbert Tupper.
>
> Davies' motion for reduction of tariff on goods chiefly imported from Britain—voted down by the solid Conservative party in the House of Commons.

Here was an olive branch held out to them, and after the entire Conservative party in this House voted it down, now they go and whine to the people of England. After we have offered a reduction of the tariff on goods coming from England, and after they have voted it down, they come seriously and ask this House to affirm this resolution. I can understand children acting in this way, but how responsible people who are entrusted with the management of the Government of Canada, after voting on this resolution of the hon. member for Prince Edward Island (Mr. Davies), come and ask the House of Commons to adopt this resolution of the Minister of Finance, I cannot understand. Had they supported the motion of the member for Prince Edward Island they might have had some ground. We hear them state in this House every session that England is going to decay, that England is declining, that her navies is falling off, her army is falling off, her trade is falling off, and yet we have the Minister of Finance seriously—I do not know if it is seriously—proposing this resolution to the Commons of Canada and asking England, after all they have done to discriminate against the motherland in our tariff, to let our cattle be exempt from the operations of the Bill now before the British Parliament. It is a most absurd position. The British Parliament would not listen to this request by a Government that has done so much to injure trade between Canada and England. It has been clearly established that regulations entered into between England were not carried out, that there was neglect in carrying them out. The charge was made clearly by the hon. member for North York (Mr. Mulock) and was substantiated, for the hon. gentleman showed that the neglect of the Government had been such that they could scarcely approach the mother country and ask favours for Canada. If the High Commissioner had been kept away from England, I fancy our cattle would never have been scheduled there. We have had unlimited and unrestricted trade with England for fifty years. It was never suggested that restrictions should be imposed until the High Commissioner began to meddle with political contests, until he travelled through the country attacking public men and public parties, and until he proceeded to England. I charge the High Commissioner and the Government with being responsible to the people for the existing state of things, which has entailed a loss of millions on the people of this Dominion. I say, moreover, that, under these conditions, the trade between England and Canada has very materially fallen off, as regards cattle shipments, the shipments being now $2,000,000 less in value as compared with previous years. When we notice this decline, brought about by the neglect of the Government, and then listen to the Secretary of State abusing England, her institutions, laws and commerce, and then hear the hon. gentleman ask this House seriously to consider the resolution now before it, the action appears to be a specimen of the highest folly and absurdity. I do not understand how hon. gentlemen opposite possess the necessary assurance to seriously make such a proposition. The resolution will be just as ineffective as is the High Commissioner. I believe if we keep the High Commissioner out of England, the embargo will be removed—let the office be run by a clerk, and complications will not arise. We can have the Secretary of State here, he can do neither good nor harm. His usefulness is gone here as well as in England, and after thirteen years' absence he does not understand the public questions. He cannot galvanize the Conservative Government into life and restore its unity, any more than he can restore our cattle trade to its former position in England. On the contrary, there are good reasons why hon. members should support the amendment moved by the hon. member for North York. That hon. member understands the question, and has given a great deal of attention to it, and he is confident, and the people generally are confident that the Government, by neglecting this great and vital interest have jeopardized our trade, a condition which has been brought about by factions and schisms that have existed in the Government during recent years.

Mr. FEATHERSTON. The cattle question is one that has been agitating the minds of the people for a long time, and has been agitating the minds of hon. members of this House ever since I came here in 1891. At that time the Minister of Marine and Fisheries had a Bill before this House for the purpose of carrying out the demands we were then making on the steamship companies that were carying our cattle across the Atlantic to Great Britain. I had the pleasure, at that time, of assisting him in obtaining what was required for the cattle shippers of this country. We had a grievance in regard to space provided on the vessels, the compartments being too narrow and too short, the result of which was that our cattle were knocked about, and arrived in such a bruised condition that the people in England thought they must be suffering from disease, and that the carcasses were not fit to be used as meat in the United Kingdom. I desire now to call the attention of the House to some of the obstructions offered at that time with respect to our cattle trade in Great Britain. A member of the Imperial Parliament, Mr. Plimsoll, was opposed to the importation of Canadian cattle and American cattle, on the ground that cattle shipments endangered the safety of the vessels, and thereby the lives of sailors. Objection was also made by the farmers of England. They did not want our cattle to come into competition with their cattle, especially on the open market. They were willing at that time to put up with the dead meat trade, but they did not want our cattle to be sold in competition with the cattle of the United Kingdom. This question has been agitating the minds of the people of the United Kingdom to such an extent that they have brought pressure to bear on the Imperial Government to lead them to place an embargo on Canadian cattle, as is the case to-day. Opposition also came from the association for the Prevention of Cruelty to Animals. No doubt this society had grounds for interference, as its agents saw our cattle landed in poor condition, as if they suffered abuse on the voyage, and no doubt this arose from the lack of that accommodation for which we were agitating in 1891. The only objection I had to the regulation imposed at that time was that the fees for inspection were charged against the cattlemen instead of being paid by the Government, as is the case in the United States. I now desire to draw the attention of the House to the number of cattle shipped during the five years during which I have had the honour of a seat in Parliament. In 1891 we shipped 108,947 cattle, and 32,157 sheep. In 1892, which was a year when the agitation commenced for the exclusion of cattle on account of disease having been found in some herds, we shipped 98,775 cattle, and 15,932 sheep. In 1893, the number was reduced, on account of the embargo placed on our cattle, the exports being 80,895 cattle, and 1,781 sheep. In 1894 we shipped 82,217 cattle, and 121,304 sheep. In 1895, we shipped 99,606 cattle, and 187,338 sheep. In 1891 very few Manitoba and North-west cattle were shipped. In 1895 we shipped 99,606 cattle, out of which 42,000 were sent from Manitoba and the North-west. Hon. gentlemen will therefore see that by making a comparison between 1895 and 1891, after the embargo had been in force for four years, our shipments of cattle were only 57,606 from Ontario and Quebec, as compared with 108,947 head in 1891. Any person who has any knowledge of the business must admit, that that has been a great loss to the provinces of Ontario and Quebec; while the cattle growing industry has become so great in the North-west that they are now shipping nearly as many as we are. Hence the reason that I advocate the system of slaughtering cattle for export to England, instead of sending them over alive as before.

I wish now to draw the attention of the House to the fact that our sheep exports increased very largely in the years 1894 and 1895. In 1892 after the embargo was placed on our cattle, our farmers had to divert their attention to sheep growing. In that year scarcely any were exported, as the farmers were raising their flocks so as to go largely into the business, on account of their not being able to carry on the cattle trade as previously. For that reason again, very few sheep were shipped in 1893, but in 1894 we shipped 121,304, and in 1895 we shipped 187,338 sheep to England. We cannot claim credit for all these being Canadian sheep, because 20 per cent of them were American. Last year I called the attention of the Government to the danger of allowing American sheep to be shipped with Canadian sheep to Great Britain, because American sheep were suffering from a disease called the sheep scab, and I thought, in the interest of the sheep trade, that the Government should take precaution to prevent the spread of that disease among our flocks. I predicted at that time, that our sheep would be scheduled in England as our cattle had been. My prediction unfortunately proved true, and a short time afterwards, the British Government put sheep on the schedule, so that to-day it is scarcely worth while raising sheep on account of the low price we can obtain for their carcasses in the English market. I venture to predict that the decrease of our sheep exports this year will be 50 per cent, as compared with those of last year. I find in the report of the Minister of Agriculture for 1895, the following report of Dr. McEachran, in respect to this question:—

> Professor McEachran reports that this disease is not known to exist in Quebec or the maritime provinces, and that it has been exterminated in the North-west Territories. This disease, is reported, however, as having been discovered on arrival in Great Britain on several steamers sailing from Montreal with sheep on board. It is probable that the disease as reported, was contracted from some of the large number of sheep exported from Chicago on Canadian ships, but of which no evidence was obtained before sailing.
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> Immediately on receipt of a cable from the High Commissioner reporting the discovery of scab on sheep arriving in England, departmental inquiries were made respecting the condition of the Canadian flocks. Professor McEachran immediately reported that very few of the cargo were Canadian and that the latter came from the province of Ontario.
>
> Professor Andrew Smith was then immediately directed to make an inquiry and he reported complete absence of scab in the locality whence the sheep sent forward were taken.

This report is from men who are supposed to be orthodox in the way of inspection, such as Mr. Smith. I know that some of the men he sent out to make examinations throughout the country, were men of practical experience, like Mr. Cowan of Galt. He made an inspection of the different flocks in the neighbourhood whence I come, and from which a great many sheep are exported, and he found no disease. There is no doubt in my mind that this disease came from American sheep, and the gain to our railroads, in allowing them to carry United States sheep through our country, is as nothing compared to the loss our farmers have sustained by their being deprived of the privilege of having their live sheep go into the British market. What are the facts, Sir, with regard to the request of the British Government that we should prevent the importation of American cattle through Canada, and which matter has been referred to by the hon. member for North York (Mr. Mulock). According to the Government statistics, we shipped last year from Windsor through Canada 162.750 head of American cattle. That has been going on for years and the English people must have been cognizant of that through the reports which we issue annually. We could not expect that they would submit to having American cattle coming in from the United States where disease is known to exist, and passing through Canadian territory, without placing an embargo upon us. They undoubtedly looked with a great deal of suspicion on American cattle being allowed to come through Canada, because they knew that pleuro-pneumonia and other diseases such as Texas fever existed among the American herds. Hence they placed an embargo on our cattle going into England. In 1891, the Americans imposed a quarantine of eight days on our sheep going into the United States, because as they said, Canada had not quarantined sheep imported from England, while the Americans had imposed quarantine regulations upon English sheep. I took an interest in this question at the time and I asked the chairman of the Agricultural Committee to intercede with the Government to pass an Order in Council quarantining English sheep, the same as the Americans did. His answer to me was, that the Americans did as they pleased and that we could not help ourselves. The result was that the Americans quarantined our sheep. If that had continued for six or eight months it would be the ruin of the Canadian sheep growing industry, because we were shipping thousands of our lambs from the west, and from Ogdensburg and other ports in the east to Boston and New York. After two or three days inquiry into this matter, I brought the question before the House, and our Government decided at last that they would impose similar restrictions upon British sheep coming into Canada as were imposed by the American Government on British sheep going into the United States. Less than eight days after that, the Americans removed their restriction on Canadian sheep going to the United States market, and consequently great benefits accrued to the sheep industry in Canada. I wish now, Mr. Speaker, to make some reference to complaints which have been made by our live stock breeders in the West.

In shipping our cattle, the different railway companies have been imposing about treble the rates that should be exacted for carrying thorough-bred cattle from one point to another. At the annual meeting of the Live Stock Breeders' Association, recently held, a committee was appointed to interview the railway companies. That committee visited Montreal yesterday, and interviewed the railway authorities there. Before going, they had the proceedings of their meeting published in the papers, so that the railway authorities were in a position to receive them on their arrival. The committee reported to me to-day that they had been received very cordially by the railway companies, and that all their requests had been granted. This was, no doubt, because they were reasonable requests, for any one making a reasonable request is most likely to obtain it. So, if our Government, at the time our cattle were first scheduled, had gone to the British Government in a business-like way, I have no doubt that they would have had influence enough with that Government to prevent our cattle being scheduled, and that trade being left in the very precarious position in which it stands to-day. Now, the regulations with reference to the space for cattle on the steamships were made in the year 1891; but, in 1894, the steamship companies interceded with this Government and induced them to agree to change the regulations in their favour. When the question came before the House last year, the Minister of Finance stated:

> I think I can give my hon. friend the information he wishes with regard to this matter. It is true as he has said that last year the space was fixed at 2 feet 8 inches, and that this year, on representation, it is proposed to fix the space at 2 feet 6 inches on the upper deck, the space below being the same as last year. I understand that it is the same space as is allowed on vessels which go from American ports, and the object was to enable steamboat owners to carry as large and consequently as paying a freight as possible, but at the same time under the impression that the cattle upon the upper deck would not be at all injured, so that both interests would be conserved. The cattle men have made and are making their representations. They are here to-day and are being heard by the members of the Government who have this matter in charge, and I have no doubt at all that satisfactory arrangements will be come to in a very short time.

I thought it very strange, at that time, that the Government would attempt to make any changes in the regulations on behalf of the steamship companies without consulting the cattle-shippers. But, seeing in the press that the steamship people had got the ear of the Government, they felt it necessary to make some move, and they sent a delegation to Ottawa to interview the Government on the subject. The delegation arrived just in time to prevent the change being made. Now, I think that, if the Government would consult with the stock-dealers and stock-breeders of this country on all such questions as this, they would have very little trouble in getting at what is best in the interest of the cattle trade. In conclusion, I would say that the interests of the farmers of this country should be the first consideration of the Government. This is an agricultural country. We have great timber limits and mineral deposits ; but, if the agriculturists are not prosperous, no other class of people will be prosperous. Therefore, we must look after our agricultural interests. I am satisfied that the prices of cattle are going this year to be much below what they have been for the last ten years. I am satisfied that this year men who feed cattle will not make it pay, but will lose money. I am sorry to say it, but it is my honest opinion, that this year will be the worst-paying year the farmers have ever had in this country. Our horses are liable to be excluded from the British market, as well as our cattle, if precautions are not taken to prevent diseased animals going there. The Americans have sent a great many diseased horses to England, and many of these are going from Canadian ports ; and, if we do not take steps to prevent the spread of disease among our horses, I fear that they will also be excluded from the British market.

Mr. MARTIN. I am very much surprised, Mr. Speaker, that no members on the Government side of the House have taken sufficient interest in this question to deal with it, apart from the two members of the Government who have addressed the House. This is a very important question indeed, and I must admit that my knowledge of the subject is not very great. It certainly is a question of great importance to Manitoba and the North-west Territories, because the shipments of cattle are beginning to form a very large proportion of the exports from that part of Canada ; and, just as we were getting into a position to make some money out of this business, unfortunately, the scheduling of cattle in the old country occurred. The first time I heard of this question was in the general election of 1891, when I was a candidate, on behalf of the Opposition, in Manitoba. It was urged by speakers on behalf of the Government, that, if the Liberals came into power, this disaster would be sure to occur. However, the Liberals did not come into power, but, about a year after the election, this scheduling did occur. Now, I understand that the hon. member for North York is of the opinion that the conduct of Canada in connection with this matter has been of such a character as to weaken very much the strong case which Canada otherwise would have had with the Imperial authorities ; and, after listening to the facts upon which he based that charge, it seems to me that no answer has been made to it by the hon. Secretary of State.

And it does seem to me that the conduct of Canada has been of a nature not to conciliate the English Government, but rather to place that Government in such a position that they could not help enforcing the law as it was there. Attention has been drawn, in this debate, to the language used by the hon. Secretary of State, as the representative of Canada, with regard to the action of the English authorities in this matter ; and I would draw attention to the fact that the late Minister of Agriculture, the Hon. Senator Angers, found it necessary, in the report which has been praised so highly to-night by the hon. Secretary of State, to apologize to the Imperial Government for the language which has been referred to here. I find that Senator Angers referred to the complaint that had been made with regard to this language as follows. First quoting from the Imperial document :—

> Whatever may be the opinion of the Dominion Government as to the diagnosis of the veterinary officers, it is surely going too far to say that the slaughter of the herd from which the diseased animals were taken, or of animals with which they have come in contact, would have been an action out of reason and ridiculous.

And then apologizing in this way :

> In respect of these remarks, the undersigned desires to explain to Your Excellency that it was very far from his intention, and that he would be very sorry to convey any impression of the nature of that attributed.

Yet we find the hon. Secretary of State reiterating these harsh expressions in the very strongest terms to-night, and even going further. We find him alleging that the officers of the Imperial Government, who made these reports, were actuated by improper motives ? Now, let us suppose that this Government had, in a matter which came under their cognizance, appointed officers to inquire and report, and that these officers had made a report on which this Government decided to act. And let us suppose that the action upon that report affected one of the provinces of this Dominion, and that the representative of that province had come here and demanded that the Government should not act upon these reports because they were made by officers in the pay of the Government, and therefore entirely inaccurate. That is the charge which the hon. Secretary of State makes against the Imperial officers. He charges them with having declared that they found pleuro-pneumonia where none existed, and with having so declared because they were paid officers, and made a report such as they believed their employers desired them to make. Well, if any province dared to make such a charge against the officers of this Dominion, and dare to make such insinuations to the Dominion Government, what would the Government reply ? They would say : You insult us, we are bound to act upon the report of our officers, and because we pay them is no reason to suppose that they would deliberately violate their honour and make a report which they might think was desired by us. Sir, such an insinuation would be considered the height of impertinence, and the hon. Secretary of State would make this chamber ring with denunciation of any province that dared to so reflect upon the honour of the servants of the Crown. Yet a province of this Dominion occupies as fully a strong position—in fact, a stronger position—as regards the Dominion Government, than does a colony of Canada towards the Imperial Government, because the connection between the provinces and the Dominion is very much stronger than between the colony and the Imperial Government, the tie in the latter case being, after all, practically one of sentiment. The Imperial Government have practically no control over us in local matters, and we certainly have nothing to say with regard to the manner in which they conduct their business. And yet, presuming upon our connection as a colony, our Government undertook to say to the British Government: You are acting improperly in this matter; you pretend a desire to keep your herds clear from pleuro-pneumonia, while, as a matter of fact, you are not actuated by that motive at all, but simply by a desire to keep your markets for your own farmers, and, therefore, instruct your officers to make false reports. It seems to me that to take a position of that kind makes us powerless advocates of our own case, and I cannot understand at all how members of the Government can charge members of this side as striking a blow at Canada when they explain the facts. We cannot change the facts. Because the hon. member for North York (Mr. Mulock) reading from the English blue-books their side of the case, does not strengthen that case in the least. But it is right that this House should know on what grounds the English Government have scheduled our cattle and on what grounds they are proposing now to practically prohibit the landing of our cattle at all in England. These grounds having been put forward by the hon. gentleman, he then called attention to the fact that England had expressed herself at all times, at any rate until the defeat of the Rosebery Government, strongly desirous of removing these restrictions from Canadian cattle, if they could be put in the position of doing so under their law. He drew attention to the fact that they have called upon Canada repeatedly to take the same care here that they take in their own country with regard to following up this disease. What is the answer of the hon. Secretary of State? Why, he says, he cannot do it because there is no pleuro-pneumonia here. Surely that is not an answer. All they ask us to do is, when an animal is suspected, to trace that animal up, and if it is found to be infected with pleuro-pneumonia, to slaughter the herd from which it came and all other cattle with which it came in contact. Surely we can agree to do that, and if there is no pleuro-pneumonia in Canada, we will not have to slaughter any cattle. But when an animal was traced to Pilot Mound, the hon. gentleman says he refused to carry out that very reasonable suggestion, because if he did so he would have had to slaughter the cattle on all the 150 farms from which cattle were collected for that particular shipment. I do not understand the regulation in that way at all. I understand that all that would have been necessary in that case would have been to find what particular farmer that animal came from, and then to cause all other animals on the possession of that farmer and all animals coming into contact with his cattle to be slaughtered. This the Government flatly refused to do. It does appear to me a very unfair suggestion to make that the hon. member for North York (Mr. Mulock) desires to strike at Canada through the Government, because he condemns the Government for refusing to do what the English Government, which is all powerful in this matter, suggested as a sine qua non for the removal of the restrictions. I notice that the hon. Secretary of State claimed that this scheduling of Canadian cattle was forced upon the Liberal Government in power at the time by the Conservative Opposition. He told us that the Rosebery Government was a very weak government, having only a majority of twenty-five which could not be depended upon, and, being weak, had been driven into this course against their will. I find that these alleged facts are not facts at all. I find that this scheduling of Canadian cattle took place on the 21st November, 1892. The Rosebery Government had not come into existence at that time, and did not come into existence for over a year afterwards. So what the statement that the Rosebery Government was a weak government could possibly have to do with the scheduling of cattle on the 21st February, nearly two years before they came into existence, and while Mr. Gladstone was still premier, I cannot imagine. There is the further fact that when this scheduling took place, Parliament, in England, was not in session at all, so how could a Conservative Opposition have any effect upon the Government? Mr. Gladstone had just been returned to power, the general elections having taken place in July, 1892. The government, instead of having a majority of twenty-five, had a majority of forty, so that they were comparatively strong. As a matter of fact, Parliament did not meet until the 21st January, 1893. Then, let us see about this resolution the hon. gentleman has been telling us about. On the 17th March, 1893, a long time before Lord Rosebery became Premier of England, this resolution, to which the hon. gentleman referred was moved in the House by Mr. McCartney, an Irish member:

> That this House is of the opinion that, subject to the exemption contained in section 2 of the Contagious Diseases Act, no foreign animal landing in the country should be allowed to leave the wharf alive.

A full discussion took place, and it was pointed out that this was practically an attack upon Canada. The Government showed no weakness. They did not appear to be afraid of Mr. Chaplin, but, on the contrary, Mr. Herbert Gardner's speech is a most defiant one, charging Mr. Chaplin and Mr. McCartney with making a political attack upon the Government, and an attack upon Canada ; and Mr. Gardner again stated in most emphatic language that the Government had been most reluctant to schedule Canadian cattle as they had done in the previous November, and they had every reason to believe that the Dominion Government would take such precautions as had been suggested to them and thus prevent any danger from pleuro-pneumonia, and pointed out that the case of pleuro-pneumonia which had been discovered among the Canadian cattle landing at Dundee from the steamers "Monkseaton," and "Hurona" had proably arisen from the contiguity of Canada to the United States, that they had really come from the United States. He also pointed out that the long line of boundary between Canada and the United States stretching, as it did, from ocean to ocean, made it extremely difficult to maintain the quarantine. He resisted definitely and boldly the proposition of Mr. McCartney, and when the vote was taken, instead of a small majority which the Secretary of State said, they had the very respectable majority of thirty-five, considering that their whole majority at the election a few months before was forty. So we find that the hon. gentleman cannot deal with a question like this which he is intimate with, which, at any rate, he ought to be intimate, having been a resident in England at this time, without making statements which have no foundation in fact. The hon. gentleman says this scheduling took place because Lord Rosebery's Government was a weak government, and could not depend upon its majority. The hon. gentleman must know that it occurred, not in Lord Rosebery's time, and that, in any case, his weakness was not in having Conservative opponents, but in the fact that his majority consisted partly of Irish Home Rulers who were not always ready to stand by the government, and who decided to stab it, and did stab it. But Lord Rosebery's Government had nothing to do with it. It was done when Mr. Gladstone was in power, and when, though he had a comparatively small majority, he had a strong and apparently united party behind him. So it does seem to me, Mr. Speaker, that the hon. gentleman was quite justified in the charge he made against the Government, and certainly if that charge is a true one, it is one which will sink deep in the minds of the people of this country. I am glad, as a Liberal, that those who have been opposing Canada in the old country are Tories, and that the Liberals have been standing right by us. I notice with pleasure that Mr. Herbert Gardner refers to the loyalty of Canada, calling her one of the brightest jewels in the Crown of England, and he regrets exceedingly that it has been found necessary to apply harshly the law of England against that colony. But we find that the Conservatives, Mr. Chaplin, Mr. McCartney, and others, all Tories, have been doing their utmost to get a general law passed to prohibit altogether the landing of live animals in that country. We find, Mr. Speaker, that all endeavours to get Canada to put this matter right, that all promises to make the matter right for Canada, if Canada would only do its duty, have failed, have disappeared into smoke, since Lord Rosebery lost power in England ; but, as soon as the Conservative Government came into power, the first thing they proposed to Parliament, when Parliament meets, is a law which finally excludes the live cattle of Canada from entering the United Kingdom. We find, Sir, that the Liberals in the Imperial House of Commons are protesting against the harsh action of the Government against Canada ; it is the Liberals there who are standing up for Canada. We are glad to know it, and I can say that the position is the same in both countries. In the English House of Commons the Liberals are fighting for fair-play to Canada, and in the Canadian House of Commons the Liberals are fighting for justice to Canada. It is true, they are also blaming the Government, but not for the mere purpose of opposing it, because, Mr. Speaker, the woods are full of reasons for attacking the Government. They are so plentiful that we have not time to allude to them. We would not waste our time in looking for opportunities of attacking the Government, so weak, so imbecile, so rotten, so lost to all sense of everything that is right and proper in the interest of this country, as the present Government is. But, when a great question comes up like this, where it is necessary for Canada to act, the Liberals are found doing their duty, even though incidentally they may find it necessary to pass censure upon hon. gentlemen opposite.

Mr. SUTHERLAND. As the cattle industry is one that affects largely the district I represent, and indeed the whole country, I cannot allow the resolution to be disposed of without making a few remarks with regard to it. I must say that, after seeing what has taken place, and after listening to the debate upon this resolution, I can hardly consider this a sufficient protest, or one that is likely to be of any practical benefit in protecting the cattle industry of Canada. I must also say that, in view of the fact that in past years this matter was brought to the attention of the Government, especially by the hon. member for North York (Mr. Mulock), and the whole question was laid before the House and the country, I can hardly help feeling that there has been some apathy, if not neglect, on the part of the Government. It has been said by many that, probably, the unfriendly attitude of this

Government in its tariff policy, by discriminating against Great Britain, has aroused some feeling there against Canada. However that may be, I think if the Government had been more energetic, had taken more interest in this matter at the time, and had realized the great importance of this industry, they would not have allowed this matter to drift along without giving it sufficient attention, and, probably, we would not have been in the condition we find ourselves in to-day, when the Imperial Parliament is likely to pass an Act for the permanent exclusion of our cattle from that market. I say it is very much to be regretted, and I am sorry the Government have not seen their way clear to make a more energetic protest. I hope, even after these resolutions are disposed of, that the Government, in view of the great importance of the question, may devise some other means by which this disaster may be averted, for it will be a disaster to the trade of our country, if this Act should be passed by the Imperial Parliament.

Amendment (Mr. Mulock) negatived, on a division.

Motion (Mr. Foster) agreed to, on a division.

THE REMEDIAL ACT (MANITOBA).

House resumed adjourned debate on proposed motion of Sir Charles Tupper: "That Mr. Speaker do now leave the Chair for the House to go into committee on Bill (No. 58) the Remedial Act (Manitoba)."

Mr. WALLACE. Before this motion is put, I desire to move an amendment.

> That all the words after the word "That" be struck out and the following added instead thereof:—"Regard being had to the opinion that is entertained that the said Bill, if passed, will be absolutely irrevocable so far as the Parliament and the legislature of Manitoba are concerned, and to the short period for which this Parliament exists, and that it is without any mandate from the electors respecting this question, it would be unwise and inexpedient to proceed with the said Bill."

I hope this amendment will meet with the approval of the Government, though I have some doubts upon that point. The Government has proceeded with this matter with so much haste and so little consideration, that I can scarcely expect they will adopt this amendment. We were told by the Minister of Finance, in the speech he made, that the Government proceeded with great deliberation; and he informed the House that this question had been before us for six years.

So far as my recollection goes, the first time the Parliament of Canada could have interfered in the matter or adopted any legislation was during last session, in March, 1895. The Government proceeded throughout with much precipitation. I have read the record of the proceedings. The decision of the Privy Council was rendered on 29th January, 1895. Before their decision reached this country the Premier, at the instigation of the counsel for the minority, had summoned the parties to appear before the Privy Council. Mr. Ewart on 4th February asked that the Privy Council meet to hear counsel for both parties in this case. On 16th February a memorandum was signed by the Premier to the effect:

> Memo.—Mr. McGee notify Ewart that Council will hear him on the 26th February, 1895, at 11 o'clock a.m.
>
> MACKENZIE BOWELL.

On the same day a communication was sent to the Government of Manitoba that they should appear before the Privy Council on the 26th. This notice was sent a distance of 1,200 or 1,400 miles, and the provincial government was called upon within ten days to appear and argue their case before the Privy Council. After the case had been heard and a decision given, a peremptory order was issued to the government of Manitoba, an order severe in its terms and which allowed them practically no latitude but compelled the provincial government to adopt the separate school system, which was opposed to the interest of the people and opposed to the legislation which the province had adopted five years before, and to which after five years' experience both political parties had pledged themselves, and which the people at two elections had endorsed without qualification or doubt, and the people, particularly at the last election, declared in favour of their public school system and against any spstem of separate schools. After an experience of five or six years of the public school system and of nineteen years of the separate school system the people came to the conclusion that the public school system was the most suited to the genius of the people. The resolution which I have the honour to submit states that the Bill if passed, will be absolute and irrevocable. Some hon. gentlemen have expressed a different opinion. It has been said by some eminent lawyers that such will not be the case, that if the Dominion Parliament passes legislation it becomes part of the statutes of the province and the province may change or repeal the statute. That opinion was not shared by the Government itself. The opinion of the Government in the report of the Privy Council dated February, 1895, is thus stated:

> In this connection, it was urged by counsel on behalf of the province that should Parliament legislate under these circumstances its enactment would be absolute and irrevocable so far as both Parliament and the provincial legislature are concerned.
>
> The committee, without necessarily adopting this view, observe that section 22 of "The Manitoba Act" may admit of that construction. The committee, therefore, recommend that the provincial legislature be requested to consider whether its action upon the decision of Your Excel-

> lency in Council should be permitted to be such as, while refusing to redress a grievance which the highest court in the Empire has declared to exist, may compel Parliament to give the relief of which under the constitution the provincial legislature is the proper and primary source, thereby according to this view, permanently divesting itself in a very large measure of its authority and so establishing in the province an educational system which no matter what changes may take place in the circumstances of the country or the views of the people, cannot be altered or repealed by any legislative body in Canada.

That being the view of the Government itself, they should be careful as to what steps they should adopt in the way of legislation. If this legislation is irrevocable both by the Parliament of Canada and by the legislature of Manitoba, it is legislation which affects our whole future, and if found to be unworkable—and it will be found unworkable—and if found unsuitable to the genius of the people—and I predict this will prove to be the case—then this Parliament is committing itself, without due consideration and full knowledge of the circumstances, to legislation which is irrevocable and absolute. I hold then that we are fairly entitled to ask, although I am afraid we will ask in vain, to allow this proposed legislation to stand, because we are now within a very short period of the end of this Parliament. The electors who sent members to this House were put on the voters' lists in 1889, no less than seven years ago. How many of those electors are electors to-day ? And what is of more importance perhaps, how many men who are qualified to have their names on the voters' lists are not represented in this Parliament ? This is the sixth session of this Parliament, an unheard of circumstance in the history of this country and the old country, and so Parliament is not representative to-day of the views of the people on this question. It may be, for example, that the views I hold are not the views of my constituents. I received a petition the other day from fifty of the electors of the riding of West York asking me to abstain from voting on this Bill. Whether that meant that I should not vote, or that I should vote for the Bill, is a question the petition does not make clear ; but if those fifty electors represent the views of the majority of the electors, then I have no right to vote against the Bill. But my opinion is that they do not represent the majority of the electors of the constituency, and the only way to decide the question is to allow this Bill to stand over until the people to whom we must appeal within the next few weeks shall decide this matter. More particularly as in 1891, when the elections were last held, this was not a question that was discussed before the electorate, except in a very meagre way. The elections were held on different issues altogether. The people were not consulted on this issue, and they not having been consulted, I say that we have no right—especially as we are at the threshold of another election—to put this legislation upon the statute-book. Other legislation passed by this Parliament can be repealed, but this we are told by the Government itself cannot be repealed, and therefore I say we have no right at the present time to thrust such a law upon the people of Canada, and upon the province of Manitoba. I do not intend to speak at greater length upon any points that have occurred to me with reference to this question, but as the hour is getting late, and as the leader of the House (Sir Charles Tupper) I know is quite wearied, I shall not trespass upon your time to further express other views that I had intended to ventilate to-night. I move this resolution, seconded by Mr. McNeill.

Mr. McNEILL. Mr. Speaker, it is not my intention at this hour of the morning to occupy the time of the House in discussing the very important amendment that has been placed in your hands. For my part, I do not hold that the Government are not justified in carrying out their views with regard to this Bill. I only regret very much that they hold the views they do hold with reference to it. It is, I think, reasonable from their point of view that they should endeavour to carry out their policy in reference to this measure. It is not fair, I think, to suppose, that because negotiations are going on just now, they should drop this measure on that account. I do not think they are blameworthy in this respect, because the negotiations may fall to the ground. But I futher consider, Mr. Speaker, that the nature of the vote which has been taken on this Bill on its second reading is a sufficient reason why the Government should proceed no further with this measure. There is no moral sanction behind this Bill. There is no vote of this House which justifies the Government in stating that the representatives of the people are in favour of the principles of this Bill. The majority on the second reading of this Bill was eighteen. If you subtract the votes of the members of the Government themselves, which would be ten in this House, and if you subtract the the vote of those who never intend to appear before the electorate again——

Some hon. MEMBERS. Oh.

Mr. McNEILL. I merely refer to those whose constituencies are being swept away, and those also whom we know do not intend to present themselves for re-election—I do not desire for one moment to speak in any disrespectful way of any member of this House ; I am speaking of a notorious fact—I say, if you subtract the vote of the Government themselves, the votes of those who will not be representing constituencies after the general election because their constituencies have been swept away, and also the votes of those who notoriously do not intend to present themselves to their constituents again for re-election: I say there is no majority behind this Bill.

Some hon. MEMBERS. Oh.

Mr. McNEILL. Hon. gentlemen may say oh, but the "oh" does not change the fact. I say there is no majority behind this Bill, as a majority of the representatives of the people of this country supporting the Government. Under these circumstances, I think it would be well that the Government should pause before they proceed further. It is not to be supposed that the province of Manitoba can pay much respect to a measure which has been passed under such circumstances. It is not to be supposed that the province can pay much respect to a measure which is being forced through a dying House of Commons in a sixth session, in such a way as to deprive the people themselves of their constitutional right to be consulted on a question of such enormous importance. Therefore, for my part, I would urge the Government to stay their hand, and at all events to deal with the House of Commons with some degree of consideration, and, if they do make up their minds to proceed with this measure, let them proceed with it in such a way as is consonant with the usages of British parliamentary procedure.

Mr. MARTIN. I would just like to say, that while I would be prepared to vote for this amendment I would not like to agree with the first portion of it which suggests, that this Bill, if passed, would be absolute and irrevocable so far as the Parliament and the legislature is concerned. I regret very much that this motion should be moved at such an hour of the night that gives a person no opportunity of discussing such an important suggestion. I regret also that the motion should have to be moved after the House had been engaged for so many hours in the debating of a very important question requiring attention on the part of the members of the House. I would be very glad indeed to have an opportunity of stating why I do not agree with that statement of law, that the Bill is absolute and irrevocable; but I feel it would be trespassing altogether too much on the good nature of the House to attempt an argument at this late hour, and I cannot expect that the House would give attention to my argument. I do not feel physically in a position to take it up at this late hour of the night. I wish, Mr. Speaker, to protest against an important measure of this kind being forced in such a way, that it cannot be fairly and calmly, discussed and considered by the members of this House.

Amendment negatived on a division.

Mr. SPEAKER. The motion is that I do now leave the Chair for the House to go into committee on the Bill.

Mr. LAURIER. For my part I have no objection that this motion should be carried, but I suppose the hon. gentleman does not intend to take up this important Bill at this late hour.

Sir CHARLES TUPPER. I propose only to go into committee.

Motion agreed to, and House resolved itself into committee.

(In the Committee.)

Sir CHARLES TUPPER. I would like to ask the hon. leader of the Opposition, whether there is any objection to passing the first clause?

Mr. LAURIER. Oh, certainly. That clause requires discussion.

Sir CHARLES TUPPER. Then, as it was understood between the hon. gentleman and myself that we should only dispose of any amendments and go into committee, I move that the committee rise and report progress, and ask leave to sit again.

Committee rose and reported progress.

ADJOURNMENT—CANADIAN VOLUNTEERS FOR THE SOUDAN.

Sir CHARLES TUPPER moved the adjournment of the House.

Mr. DAVIES (P.E.I.) I desire, now that the hon. Postmaster General is in his place, to repeat the question I put yesterday to the leader of the House, whether the Government are aware that the Princess Louise Hussars, of King's county, N.B., have volunteered for active service under the British Government on the expedition up the Nile, whether the application has been received, whether it has been forwarded to the British Government, either by despatch or by cable; if not, what has prevented it being forwarded, and what action the Government propose to take. I understand that this is the same company that volunteered in 1884 to go on the expedition up the Nile under Lord Wolseley; but its offer was received at the Home Office just a few minutes after the offer of the Australian volunteers, which prevented its acceptance. It is a cavalry company, 330 strong on a peace footing, and 600 odd strong when on a war footing. It must be gratifying to hon. gentlemen, that such an offer has been made, and gratifying to Canadians that our people not only talk about the unity of the Empire, but are prepared, in this practical way, to evince their faith in its unity.

Sir ADOLPHE CARON. I regret that, owing to my absence from the House, I have put the hon. gentleman to the trouble of repeating his question. I beg to state that the offer for service in the Soudan of the 8th Princess Louise (N.B.) Hussars, under command of Lieutenant-Colonel James Domville, was made on the 19th of March, 1896. A copy of the correspondence on this subject is herewith annexed. What the hon. gentleman has stated is quite correct, and will be found corroborated by the correspondence. I fully concur in what the hon. gentleman has said, that the offer by this Canadian regiment—one of the very best, so far as my recollection goes, among the cavalry regiments of Canada—of its services to England, shows the deep feeling which Canadians entertain to help the Empire whenever such action is called for. I will lay the correspondence upon the Table, so that the hon. gentleman can read it.

Mr. DAVIES (P.E.I.) Will the hon. gentleman kindly inform me, whether the offer having been received, has been forwarded by this Government to the War Office, if so, whether by despatch or by cable, and whether there has been any answer ?

Sir ADOLPHE CARON. I cannot say whether it has been communicated, but I have no doubt that it has been communicated to the Home Office ; but I have not the information to enable me to say whether it has been replied to or not.

ROYAL MILITARY COLLEGE.

Mr. MULOCK. I asked, yesterday, what the intention of the Government was with regard to certain recommedations respecting the Royal Military College. The hon. leader of the House asked me to renew the inquiry to-day.

Sir CHARLES TUPPER. I may say, in answer to the hon. gentleman, that the reply of Major General Cameron and the report of the visitors having but very recently come to hand, it is not proposed to consider that question until the return of the Minister of Militia ; but, in the meantime, I would call the attention of the Printing Committee to the importance of having these papers printed, so that they may be in the hands of every member of the House.

Motion agreed to, and House adjourned at 1 a.m. (Saturday).

HOUSE OF COMMONS.

MONDAY, 30th March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ROYAL MILITARY COLLEGE, KINGSTON.

Sir CHARLES TUPPER. I beg to lay on the Table of the House papers with regard to the Royal Military College, Kingston. There appears to have been an inaccuracy in the former document laid on the Table of the House. There was a page omitted, and this correct copy takes the place of the other.

Mr. DAVIES (P.E.I.) moved :

> That all the papers laid on the Table of the House this session respecting the Royal Military College, Kingston, be printed for the use of members, and that Rule 94 be suspended in reference thereto.

Sir CHARLES TUPPER. I have much pleasure in seconding that motion.

Motion agreed to.

FIRST READING.

Bill (No. 89) to incorporate the Yukon and British Columbia Trading and Development Company of Canada, Limited (from the Senate).—(Mr. Corbould.)

HUDSON'S BAY CANAL AND NAVIGATION COMPANY.

Mr. BOYD moved :

> That the House resolve itself into committee on Bill (No. 52) to incorporate the Hudson Bay Canal and Navigation Company.

Mr. DEVLIN. I would ask that this Bill be allowed to stand. I understand that certain changes have been made with regard to it in committee, and that they have not been printed ; and further, that the Bill has not yet been printed in French.

Mr. MARTIN. This Bill has been very much changed between its first introduction and as it now appears before the House, and I submit that the House should not go into committee as it now stands. In the first place, the Bill as introduced read as follows :—

> Whereas a petition has been presented praying for the incorporation of a company for the purposes and with the powers hereinafter set forth, and it is expedient to grant the prayer of the said petition ; Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—
>
> 1. Archibald Wright, Thomas C. Scoble, Nathaniel F. Hagel, Frank A. Fairchild, Hugh Armstrong, Richard Radcliffe Taylor, Josiah T. Robarts, George T. Orton, Edward D. Moore, Stewart Macdonald, William J. Boyd, Robert R. Scott, William Crawford, Colin Campbell, Richard W. Jamieson, David W. Bole——

Mr. SPEAKER. If the hon. gentleman is going to discuss the clauses in detail, I would point out to him that that is not allowable at this stage.

Mr. MARTIN. I do not pretend to discuss the clauses in detail.

Mr. SPEAKER. The hon. gentleman is reading the clauses of the Bill now.

Mr. MARTIN. I am reading the whole Bill. I do not wish to discuss the clauses in detail. I wish to discuss the principle of the Bill, and for that purpose I wish to read the Bill as it was originally introduced, and the Bill as it is now before the House, in order to show the change in principle and not in detail. There are two principles in the Bill. The first one is a canal from Lake Winnipeg to Hudson's Bay, and the second is that the incorporators wish to have control of all the rivers running into Lake Winnipeg. These are the two points I wish to discuss and not the details. It seems to me necessary, in order that the House should understand what the Bill is about, that I should read the Bill as originally introduced.

> —John A. Howard, Charles W. A. Kennedy, William Bathgate, Charles H. Allen, James Scott, William D. Douglass, Frank J. Clarke, John Dick, William W. Watson, Robert Gerrie, Alfred J. Andrews, Robert Rogers, Elias G. Conklin, James E. Steen, James C. Sproule, George H. Campbell and Thomas W. Taylor, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of the "Hudson's Bay Canal and Navigation Company," hereinafter called "the Company."
>
> 2. The head office of the company shall be in the city of Winnipeg, in the province of Manitoba, or in such other place as is fixed by a by-law passed at any annual meeting or special general meeting of the shareholders of the company.
>
> 3. The company may improve and connect the waterways for the purposes of navigation and traffic thereon, between Lake Winnipeg and Hudson's Bay, by canals or otherwise, and may erect and maintain dams for the purpose of such canals ; and may in like manner connect and improve the navigation of any or all waterways tributary to Lake Winnipeg so as to secure continuous navigation on the same.
>
> 4. The company may impose and collect such uniform rates, tolls, fees and fines, upon all persons and corporations using the canals and improved waterways constructed or effected by the company, as may from time to time be fixed by the board of directors and approved by the Governor in Council, but such schedule of rates, tolls, fees and fines shall not be less than sufficient to realize to the shareholders ten per centum per annum upon the actual cost of the said canals and improvements.

Mr. SPEAKER. I would point out that the rule with regard to this question is as follows. Mr. Speaker Brand ruled, in reference to the discussion on the clauses of a Bill, on motion for committee :

> On the motion that Mr. Speaker do now leave the Chair,
>
> Mr. Biggar was proceeding to examine the Bill clause by clause, when
>
> Mr. Speaker said the hon. member was not in order in going through the Bill clause by clause on the motion that "I do leave the Chair." The discussion of the clauses was reserved for committee, and his remarks must be directed to the general principle of the Bill.

Mr. MARTIN. True, Mr. Speaker. I am not going through the Bill clause by clause.

Mr. SPEAKER. The hon. gentleman is certainly going through the Bill clause by clause.

Mr. MARTIN. I am not discussing a single clause of the Bill.

Some hon. MEMBERS. Order.

Mr. MARTIN. Surely I can discuss.

Some hon. MEMBERS. Order.

Mr. MARTIN. I submit, Mr. Speaker, that for the purpose of understanding the general principles of the Bill, we must know what the Bill is.

Mr. SPEAKER. The hon. member may discuss the general principles of the Bill, and discuss the whole question if he chooses, but the rule is perfectly plain that he may not go through the Bill clause by clause.

Mr. CHARLTON. I do not know how the general principles of a Bill can be set out better than by reading the Bill, and I do not understand that my hon. friend intends to do more than that.

Mr. SPEAKER. My duty is to point out what the rule is.

Mr. MARTIN. I must ask leave, Mr. Speaker, to appeal from your decision to the House. It seems to me that it is impossible to understand any Bill before this House unless a member has the privilege of reading it. I only wish to read the clauses ; I do not now wish to discuss them. I therefore beg leave to appeal from your decision.

Sir CHARLES TUPPER. I hope the hon. member does not intend to raise a question of such serious import as an appeal from the Chair. Hon. members on both sides are alike interested in having the rules of order strictly maintained by the Chair, and I am quite satisfied that both sides will look with great regret upon a motion of that kind from any hon. member.

Mr. LAURIER. I agree that it would be in a certain sense very much to be regretted if there should be an appeal from the Chair. But I was about to point out to Mr. Speaker, that the hon. member for Winnipeg states that he has no desire to violate the rule or to discuss the Bill clause by clause ; but that, in order to make out the arguments he intends to present, he must of necessity go over the general scope of the Bill. Under such circumstances, I think the hon. member should be allowed to proceed ; and if it is found that his discussion of the Bill is too detailed, he may perhaps be called to order. But when the hon. member protests that he has no desire to violate the rule, but that he cannot discuss the Bill without going over its whole scope, it seems to me that there ought to be some relaxation of the rule, even if there be some infringement of it, which I am bound to say there does not appear to be.

Sir CHARLES TUPPER. I wish to call the attention of the hon. leader of the Opposition to the fact that the hon. member for Winnipeg set out by objecting to this Bill because a number of its clauses had been altered in the committee.

Mr. MARTIN. The hon. gentleman is quite mistaken. I did not do that.

Sir CHARLES TUPPER. I beg the hon. gentleman's pardon. The ground the hon. gentleman took was the change this Bill had undergone, and in order to establish that change, he proposes——

Mr. MARTIN. The hon. gentleman is quite mistaken.

Sir CHARLES TUPPER. He proposes, as I understand, to contrast the Bill as it was originally with what it is now, which involves necessarily a comparison of the clauses. I hardly think the hon. leader of the Opposition appreciated that point, or he would have concurred in the view the Speaker has taken.

Mr. MILLS (Bothwell). I think the position taken by the hon. member for Winnipeg is that he desires to read the Bill as it is. Mr. Speaker rules that an hon. member is not at liberty to discuss the clauses of a Bill on the motion to go into committee. I did not follow the rule closely when Mr. Speaker read it, to see whether it goes so far as to declare that a member cannot read a Bill without discussing it.

Mr. DEVLIN. Before this question is taken up, I would like to know what is to be done with the objection I raised to this Bill going into committee, that it had not been printed in French.

Mr. SPEAKER. If the Bill was not printed in French before the second reading, the objection might have been taken at that time ; but the objection that it has not been printed in French, or that the amendments have not been printed in French, or printed at all, cannot be taken at this stage. Of course, the hon. member for Winnipeg is quite within his rights in appealing from my decision. My mind is clear that on a motion to go into committee on a Bill, it cannot be taken up clause by clause.

Mr. LAURIER. I certainly should not desire to see an appeal taken from the Chair on this question. We should understand what the question is. My hon. friend states that he has no intention to discuss the clauses of the Bill. If he is going to do so, of course the ruling of the Chair should be supported ; but there is a misapprehension between my hon. friend and the Chair in that respect.

Mr. SPEAKER. I think the hon. member pointed out, when he first rose to discuss this Bill, that he proposed not only to discuss the Bill itself, but the amendments made to it in committee. Of course, every hon. member must know that that is entirely improper at this stage.

Mr. MARTIN. I do not wish, Mr. Speaker, to discuss the details of the amendments made in committee. But I wish to discuss the principles of the Bill. It relates to two things,—first, the construction of a canal between Lake Winnipeg and Hudson's Bay, and, secondly, the control of all the rivers running into Lake Winnipeg. The latter feature has been changed in committee ; but the promoters are asking control of Red River. These two points I wish to discuss ; but not the details, as to how the work is to be carried out.

Mr. SPEAKER. I think it is perfectly competent for the hon. member to discuss these two principles without going through the Bill clause by clause. At the same time, if the hon. member desires to appeal from my ruling, it is perfectly within his competence to do so ; and if he is disposed, I shall put the question whether the ruling of the Chair shall be maintained or not.

Mr. MARTIN. All I can say is, Mr. Speaker, that I am utterly unable to present this matter to the House in the manner in which I wish to do so, without reading the two Bills. Of course, at the suggestion of other members of the House, I will not proceed in appealing from your decision, although personally I believe I am correct.

Some hon. MEMBERS. Order.

Mr. MARTIN. I think I am in order in saying that. I find myself very much at a loss to go on with my argument under this system of procedure, and I have great difficulty in devising on the spur of the moment any scheme by which I shall make my argument understood by the House. However, I will do the best I can. This Bill, as originally introduced, provided for two things. The first was to build a canal and improve the waterways from Lake Winnipeg to Hudson's Bay. Hon. members will understand that the waters of Manitoba and the territories have their outlet in Hudson's Bay. The North-west Territories are drained by the Saskatchewan River, with its various branches and tributaries. This river flows into Lake Winnipeg. Lake Winnipeg also receives, at its northern part, the waters of a number of other rivers. A smaller river called the Little Saskatchewan, connects it with Lake Manitoba. Lake Manitoba also receives various streams which water the province of Manitoba. Then, in the southern part of Lake Winnipeg there falls into it the Red River, which rises in the United States, drains a large portion of North and South Dakota and Minnesota, and, going northward, receives, at Winnipeg, the Assiniboia River, which drains, practically, the whole of the province of Manitoba and a large part of the North-west, contiguous to Manitoba. The Assiniboia joins the Red River at the city of Winnipeg, and the two flow down together into Lake Winnipeg. Then these waters all find an outlet from Lake Winnipeg into the Hudson Bay by various routes. There is the Nelson River, and south of the Nelson, the Hayes River. These two rivers communicate with Lake Winnipeg by means of various lakes and other waterways. Now, this company intend to connect Lake Winnipeg with Hudson's Bay by means of Hayes River, and the lakes and other tributary waterways, which are part of the system of the Hayes River. The intention of the company is to improve those rivers and lakes, wherever they require improvement, for the purposes of navigation, and in such portions of the territory, where the river is not navigable, to build canals. It is stated, I believe, by the company, that there will be about fifty-one miles of portages, which will have to be connected by means of canals. The rest of the distance is navigable, except that it requires more or less improvement. Now, I would say, with regard to that portion of the scheme, that the people of Winnipeg are heartily in favour of it. They would be very glad indeed to have a canal system from Lake Winnipeg to the Hudson's Bay. There has been, in that country, ever since I went to the province, and prior to that time, more or less agitation for the obtaining of an outlet by way of Hudson's Bay. This House is familiar with that feeling, because it has been crystallized into legislation here ; but, up to this time, that legislation has contemplated a railway as the connecting link between Manitoba and the Territories and Hudson's Bay. That railway system is based upon the same idea as the present scheme, namely, that it is practicable to carry on communications between Port Nelson or Fort Churchill on the Hudson's Bay and the markets of the old world. Of course that is the fundamental question. Unless navigation is practicable between Hudson Bay ports and Liverpool, the whole system, whether canal or railway, falls to the ground, because no capitalists would put money into either, unless it were demonstrated that navigation was practicable between Hudson's Bay and the ports of the old world. Well, on that question, there is a great deal of difference of opinion. I understand that the hon. member for Montreal West (Sir Donald Smith), who has had very great experience, having been in charge of the Hudson's Bay Company, in one capacity or another, for probably thirty or forty years, is of the opinion that navigation is not practicable to an extent sufficient to warrant the investment of capital in any such enterprise, and his opinion is shared by a certain number of people. On the other hand, many of the people of Manitoba take the contrary view, and are firmly impressed with the belief that navigation is practicable and that if we had communication between Manitoba and the North-west Territories and the Hudson's Bay, the vexed question of cheap transportation would be solved.

An hon. **MEMBER.** Which view are you in favour of ?

Mr. **MARTIN.** Probably that will transpire before I get through. It is well known that this problem of cheap transportation is probably the most serious question with which we in the North-west have to deal. It has been accentuated very much, indeed, by the very low price which now prevails for wheat and other staples, wheat particularly ; and if it were possible to reduce the price of carrying wheat to the sea-board in the same proportion that the price of wheat itself has been reduced, the people of the North-west would be in a much better position to get along and make that country the prosperous, happy and great country, which no doubt it will be some day. But, unfortunately, the railway company claim that the rates which they now charge for carrying wheat out of that country are as low as the cost of taking the stuff out will permit them to charge, with any reasonable profit, and I must say, on behalf of the Canadian Pacific Railway, that they have, from time to time, met the petitions of the people, by reducing their rates upon wheat. The rates, however, are still very high, and really more than one-half the value of the wheat. Still, the position taken by the railway company is that they are not at present able to reduce their rates, and that it is not at all likely they will be able to reduce them. The Government, a year or so ago, appointed a commission to investigate this question of freight rates, and that commission reported that the freight rates charged in that country by the Canadian Pacific Railway were not unreasonable and compared favourably with the rates charged for similar distances in the United States. That report, to a certain extent, I suppose, is binding upon the Government, and upon this House, although I would like to say, with regard to it, that the people there are not at all satisfied with it. They contend that the Government did not appoint proper commissioners. One of these commissioners was Mr. Pierce, who is an officer of the Interior Department ; another commissioner was an officer of the Intercolonial Railway, and the third was another officer of the Interior Department, Mr. Allison. So all the commissioners were Government employees. It may be that their report is correct, still it is rather unfortunate that Government employees should be appointed to decide questions of so great importance. For it is generally understood there that the Government are favourable to the Canadian Pacific Railway Company, and do not enforce the law against them as strongly as they ought to do So, if it really is true that the present prices paid to transport wheat out of that country are as low as it is possible for the company to charge while making a reasonable profit, I say it is unfortunate that the commission was not composed of independent men, who were not under obligations, either to the railway company or to the Government. For it is charged that these gentlemen were under obligations, not only to the Government, but to the railway company. I do not know as to that, but that is the statement that is made. We have first the fact that the cost of taking stuff out of that country is very great indeed, nearly half the value of the wheat being paid for transportation. These commissioners have reported that the rates are not unreasonable, and, if that report is correct, these people must submit to these rates for the future, unless they can get some other outlet. That is the reason why the people of that country have, during all these years, been so much interested in the question of an outlet by way of Hudson's Bay. For that reason many attempts have been made to get a railway constructed to Hudson's Bay. In attempting to finance the building of a railway, as I have already explained, this question of the navigability of Hudson's Bay has been very much debated. Some years ago, the Government sent a steamer called the "Alert," under the command, I think, of Lieutenant Gordon, to those waters to investigate this important point. I have not Lieutenant Gordon's report at hand, but he reported very strongly against the navigability of Hudson's Bay. And I must say that that report has proved a very great hindrance to the raising of the necessary funds to construct the railway. Here was a Government expedition sent out, headed by an expert; and, after remaining there a season, they reported—speaking from memory, but I think I am correct—that during May, June and July there were large quantities of floating ice and that, practically, navigation was not open. I must say, however, that the promoters of the railway company have always claimed that that was not a satisfactory investigation. They have always claimed that the report really does not prove that these waters are not navigable, they still hold that they are navigable for a sufficient time to give a full opportunity for getting out the products of the country—but not during the same year; that is a feature of the case that I shall have to deal with. Since the "Alert" was sent up, and since Lieutenant Gordon made his report, many efforts have been made to induce this Government to send another expedition, better fitted up, to satisfactorily determine this question. The Government, however, have always neglected or refused to undertake this work, although I see now that it is announced that they do intend to send a vessel to these waters, but for the purpose of looking into the question of how far the Americans are violating the rights of Canada by their fishing there, and other questions of that kind, and that, in addition, this expedition will be charged with the duty of fully investigating the question of the navigability of the straits. But I understand that this expedition is to be gone some years, so that, whatever good it may ultimately do, it is not likely to be of any immediate benefit. I am glad that the Government intend to take this step. It is better than nothing at all. This project of a railway to Hudson's Bay was first put in the shape of incorporation, I think, away back in the year 1880, or perhaps 1881. Since then every effort has been made by the government of Manitoba, and some effort has been made by the Dominion Government, to get that railway constructed. A great many propositions have been made by the Government with the view to enabling the railway company to float this scheme. At one time a bonus of $1,000,000 was offered; at another time a guarantee of interest, I think at the rate of 5 per cent upon $4,500,000 of bonds. All these bonuses which have been offered from time to time by the Manitoba government, have elapsed by the effluxion of time. The most recent one, I think, was a bonus of $750,000. I may say that in all the bonus legislation of the province of Manitoba, with regard to the Hudson's Bay Railway, a condition was inserted that none of the bonus was to be available for the purposes of the company, unless, and until, the road was completed, and in operation from Winnipeg to Hudson's Bay. Apart from its being a railway connecting the country with the Hudson's Bay, the country which it passes through for a portion of the distance, something like 700 miles is not a country from which there is likely to be any local traffic; and that is the reason that the Manitoba legislature have always annexed to their offers of a bonus to the railway company, the important addition that none of the bonus shall be available until the road is actually completed through to the bay. Then I say the Dominion Parliament has done more or less to aid this enterprise. In the first place, shortly after the company was incorporated, a land grant was given to the company of 6,400 acres per mile, for the portion of the line inside of the province of Manitoba, and 12,800 acres per mile for that portion of the railway outside the province of Manitoba. Then, again, I think, in 1891, another bonus was offered by this Parliament. It was proposed to pay the company $80,000 per annum for twenty years, upon completion of 250 miles of railway. But there is this to be said with regard to this proposition, that it was most distinctly laid down by the Hon. Mr. Dewdney, Minister of Interior at that time, that the Government did not give this as a bonus to the Hudson's Bay Railway, but simply as a bonus to a colonization railway from Winnipeg northward 250 miles. The "Hansard" will show that Mr. Dewdney, on behalf of the Government, was very definite upon that point, and that he refused to endorse, so far as that bonus was concerned, the scheme as a railway to the Hudson's Bay. However, none of these offers have produced anything in the way of a construction of the road, except the forty miles to which I shall allude. Again, prior to the session of 1895, the present Government passed an Order in Council offering to give the sum of $2,500,000 to this company as a bonus for the construction of 250 miles, or $10,000 a mile, in return for which the Government were to take as security this other bonus of $80,000 a year for twenty years, and also, I think, the land grant. Now, that Order in Council was passed in accordance with a vicious habit of the present Government of passing Orders in Council without any authority at all, in order that Parliament might be bound. Now, I think Parliament should protest against that kind of thing. Of course, the Governor in Council has no power to pass an Order in Council of that kind ; the Governor in Council has no power to give a bonus to a railway company. Everybody understands that. And what was the Order in Council passed for ? For the purpose of pledging the Government's honour to give that bonus, so that when the question came into the House, unless the House was prepared to vote want of confidence in the Government of the day, the House would be bound to put through the bonus. That has been done in many cases, I am sorry to say. Land grants having been given to the company by Order in Council, without any authority whatever, when the question came before this Parliament, it came under very unfortunate circumstances. Unless the members of the House, in which the Government, at that time, had a majority of sixty or seventy—and I am sorry to find it has fallen now to eleven—unless that majority, composing a very large portion of the House, were prepared to give up their allegiance and oppose the Government, and put the Government in the position of having to repudiate their Order in Council, they were bound to pass it. However, Mr. Speaker, that Order in Council was passed under some other very peculiar circumstances ; and those circumstances were, that just about the time the Order in Council was passed, the Government decided to dissolve the House and have a general election. Of course, their object in passing the Order in Council was to influence the elections. Well, Sir, although the Government were pledged in that way, although they passed that Order in Council, a session of Parliament was duly held in 1895, and the Government failed, during that session, to lay before this House any legislation giving vitality to that Order in Council. This House has never been favoured with any explanation why it was that the Government failed to put upon the statute-book the provisions of that Order in Council. Eventually, almost at the close of the session, the Government did bring in a Bill with regard to the Hudson's Bay Railway. That Bill, instead of proposing to give a bonus of $2,500,000 to the Hudson's Bay Railway, proposed to divide the subsidy granted in 1891 into two portions of $40,000 a year each for twenty years ; it would give the company $40,000 for twenty years, provided they built 125 miles, and then give them the second $40,000 for twenty years if they built an additional 125 miles. But, Sir, there was this very strange proviso connected with that grant, that the Government could take it away from the Hudson's Bay Railway Company and give it to any company building a road up into the Lake Dauphin country in Manitoba. Now, that was looked upon by the people of Manitoba as an indication that the Government did not intend further to bonus or support a railway to the Hudson's Bay, because they took this power, I say, of giving it to another company, not as a Hudson's Bay Company at all, but simply as a colonization road, opening up a valuable portion of the province, the Lake Dauphin district, in which a considerable amount of settlement has already taken place, and which is without a railway. The Dauphin settlement is seventy miles distance from the Manitoba and North-western road, and the people are very much in want of a railway, and it is very desirable that the Government should aid them, if they are aiding any railway. But that is a different question from the necessity of diverting the bonus of the Hudson's Bay Railway to a railway of that character, because that would afford to Manitoba and the North-west an outlet on Hudson's Bay, which is a question of great importance, and the action of the Government with respect to that matter has always evoked great interest in that country. The Hudson's Bay Railway Company has never built any portion of the road. That, however, I must admit, is hardly a correct statement because in 1886 the company built forty miles of road from Winnipeg northerly. I am sorry to say, however, that the circumstances under which those forty miles were built were such as not to help the promoters of the road to finance their scheme to the bay, because the steel rails for the forty miles were obtained by the railway company from a steel manufacturing concern in England, and have never been paid for ; and every effort the railway company has made to float their scheme in London has been offset by the circulation of this fact, which had been made known to all financial houses in the old country, that the railway company were guilty of a most deliberate swindle in connection with the building of those forty miles. Those rails were obtained under false pretenses, they were put into the road, and have been lying there rusting ever since, but the unfortunate company from whom the rails were obtained have never been paid anything. Not only so, the contractors——

Mr. SPEAKER. I have listened to the hon. gentleman for a long time, in the course of which he has spoken of the Hudson's Bay Railway. I should like to know how the hon. gentleman is able to establish that his argument has any bearing upon the motion to go into committee on a Bill to incorporate the Hudson's Bay Canal and Navigation Company.

Mr. MARTIN. The bearing is this. I want to show how important this project is in connection with the Hudson's Bay scheme, and with a view to show how important it is to get that outlet, I am going into the history of what has been done in that direction as regards railway building. The project now under discussion is, I know, for a canal, but it is for the same purpose—to carry the produce of Manitoba and the North-west Territories out of the province and North-west by means of the Hudson's Bay route to the old country.

Mr. SPEAKER. I am unable to see the connection between the construction of the Hudson's Bay Railway and this canal, unless the hon. gentleman desires to argue that the passing of this Bill will retard the construction of the Hudson's Bay Railway.

Mr. MARTIN. I am speaking in favour of the Bill, which I wish to have passed. I am arguing as a reason for passing it that the people desire an outlet by way of Hudson's Bay, and I am showing what has been done during all these past years, how much bonus has been asked for, and I am now endeavouring to show that the province of Manitoba itself has actually invested $256,000 in this scheme. I consider both projects really one scheme. It is unimportant whether a canal or a railway is built, so long as the people obtain some outlet for their products by way of Hudson's Bay. Probably if the railway company had acted honestly they would have been able to induce the people of the old country to furnish the money with which to build the railway; but unfortunately the forty miles to which I have referred were constructed under circumstances that militated against the credit of the company, and I believe have prevented, in spite of the large bonuses which the Dominion of Canada and the local government were prepared to give to the scheme, the company successfully floating their bonds. In addition, there is the fact that they never paid for the steel rails which were put down over those forty miles of road, and there is the further fact that the contractors, Mann, Holt & Co. obtained a judgment for a considerable amount against the company for grading and other work of construction. There were appropriated by the province for the building of these forty miles provincial bonds for $6,400 per portion of the road constructed—it was never completed—did not cost, including the steel rails, more than $6,400 per mile. There was no fencing, no ballasting, the prairie was just turned up and the ties put down and the rails put down on the ties; I do not think it was even surfaced. But in spite of the fact that Manitoba handed over to the company over $256,000, or $6,400 per mile, of its bonds at 5 per cent, the contractors have a judgment for a very large sum against the company and the manufacturers of the steel rails have never been paid, and of course the road has never been operated. I understand the farmers have taken up the ties and burnt them for stove wood, I do not know whether they have taken away the steel rails or not, but the road has gone completely into disuse and the work done, of course, has been entirely lost. If it were desirable to use these forty miles, a large expenditure would be necessary to put the work in proper order so that it could be used. In view of these facts, it is most important for the interests of the North-west that if a canal is practicable a canal should be built, and I have from the first taken the ground that there should be no opposition offered to a company which would undertake the construction of a canal from Lake Winnipeg to Hudson's Bay. The company itself have given more or less particulars with regard to the practicability of its scheme, and, with your permission, Mr. Speaker, I will read some of the arguments put forward by the company in favour of their scheme. From this circular, I read as follows:—

> I should have mentioned that in addition to the railway companies which are projected to reach the bay, a new corporation is seeking a charter, and that is a canal, the building or constructing of a canal from Winnipeg to the Hudson's Bay by way of the Nelson River, or rather by way of the Red River and the Hayes River, which is parallel to Nelson River about 100 miles to the south of it. The route of this canal has been gone over during the last season by practical engineers. There has been what is known as a boat route for the Hudson Bay traders for the past hundred years and has been utilized by them for that purpose, and, therefore, is an interesting one and one that is perfectly practicable at a very small cost. I will read, as I think it is the first time that it has been brought before the public the report of the engineers that went over the route last year. They say:
>
> The proposition to connect Winnipeg with Hudson's Bay by the improvement of the existing waterways is neither novel or chimerical. The Red River of the north, flowing for 600 miles from south of the international boundary to its northern outlet on Lake Winnipeg, presents, with the lake, a navigable stretch of nearly 1,000 miles, broken only by the rapids on the Red River, a hiatus of not more than ten miles altogether. The Nelson, or Sea River, as the eastern branch of that river is called, is navigable for 38½ miles farther, to the point of departure on the proposed chain of communication. From that point north-easterly to Hudson's Bay, there exists navigable stretches of 320 miles, broken only by surmountable obstacles embraced in a total distance of less than 50 miles. The existing open channels are both wide and deep, and the banks are uniformly of sufficient height to admit of a greater depth of water by means of dams, where such are necessary, in order to group the rapids for canals and locks to overcome the descent. It is not proposed that a greater depth than seven feet of water shall be at present provided, as that would be sufficient to float barges of 500 tons capacity, such as recently have been constructed at Cleveland for use on the upper lakes and Erie Canal. These

barges are of whaleback pattern, and are stated to draw 5 feet 6 inches water loaded.

The canal is exclusively a public highway, upon which all vessels have a right of way ; the tolls upon which are regulated by government in proportion to its cost and capacity. No combination can control the cost of transportation over its length, which depends upon individual vessel owners, and is regulated altogether by the number of vessels competing for the traffic. Unlike a railway, therefore, it cannot be operated for the sole benefit of the stockholders, and is essentially a public highway. Not only is it in itself an enormous factor in transportation, bringing goods at the lowest cost of transport, but by its very existence it exercises an immediate and dominant influence upon railway charges which must bear comparison with its rates. Canals do not obviate the necessity for railroads, but rather the contrary, as has been proved in numberless instances in both the United States and Europe. Where canals have first existed, railways have been built paralleling their route, competing for the traffic that the existence of the canal has created. It may be said, therefore, that canals create railways rather than destroy their usefulness.

This is the route that the report covers :

For over 100 years the traffic of the Hudson's Bay Company between Norway House and York Factory was carried on in flat-bottomed boats capable of carrying a load of four or five tons, with a crew of nine men. These boats draw from 3 feet 10 inches, 3 feet to 3 feet 6 inches of water when loaded, and are provided with a mast and square sail, like lighters, as well as with oars. When coming up a rapid current, a line is attached to the boat, which is pulled or tracked up by four men walking on the shore, while the remainder of the crew pull or pole the boat. These are locally known as York boats. Leaving the Sea River about three miles below Sea River Falls, on the downward journey by the loaded boats, which are unloaded and tracked up when going against the current, a small river emptying from Hare Lake is entered and followed for about 30 miles in an easterly direction until the waterway comes to an abrupt termination at the height of land known locally as the Painted Stone Portage, 29 yards in width, and with a summit of about 4 feet midway between the eastern and western channel. It is a curious fact that the existence of a wide and deep channel on each side of such a narrow elevation has not hitherto attracted remark, while it presents the singular phenomena of two full-grown rivers or waterways, and with a current setting eastward, and the other with a current setting westward, each apparently without reason for existence from any drainage area, and the head waters of both of which are practically at the same level. The western channel of the Echimamish (signifying in Cree " the river that runs both ways ") is followed through alternate wide and narrow channels for 20 miles until Robinson's Portage is reached, which is three-quarters of a mile in width, with a descent to Franklin Lake of about 45 feet, thence for 50 miles passing through a rocky gorge with a wall from 70 to 80 feet high, and several rapids across Pine Lake and Windy Lake to the channel leading into Oxford Lake, whereon four rapids and one fall of five feet obstruct the passage. Thence across Oxford and Black Lake by Trout River to Knee Lake, whence the route lies through Jack River, with five rapids, Swampy Lake, Hill River, Steel River, and Haze River to York Factory. In the downward journey it is necessary to haul the boat over three portages only, viz. : At the Painted Stone, 29 yards ; Robinson's Portage, 1,315 yards, and Trout River Fall, 24 yards respectively. In the upward journey there are 21 demi-charges or tracking places, where a portage of 40 yards must be made at Island Portage. The distance over this route from Lake Winnipeg to York Factory is stated by Thompson to be 372 geographical miles.

Now, that is the route that this canal is supposed to be constructed upon. I will now give the distances of this canal between Winnipeg and the Hudson's Bay. The distances along the line of route heretofore described are approximately as follows :—

	Miles.
Winnipeg (city) to foot of St. Andrews Rapids	16
Head of Red River navigation to Lake Winnipeg	26
Mouth of Red River to Warren's Landing (Lake Winnipeg)	270
Warren's Landing to Norway House	23½
Norway House to Winter Portage (Sea River)	15
Winter Portage to Molson's Lake	12
Molson's Lake to Inlet White Water River	22
White Water River	12
Echemamish and Robinson Lakes to Portage	12
Robinson Portage	¾
Franklin Lake to Portage	12
Portage between Franklin Lake and Lake Max	⅓
Lake Max to Pine Lake	11
Pine Lake and Channel to Windy Lake	10
Windy Lake and Channel to Oxford Lake	12
Oxford Lake and Jackson's Bay	24
Jackson's Bay to Knee Lake and Portage (3)	8
Knee Lake	40
Jack River	10
Swampy Lake	10
Hill River to the Rock	26
The Rock to York Factory	109

Totalling up altogether 681½ miles, the last 100 miles of which is navigable for boats drawing 7 feet of water.

The navigable stretches for canal boats and steamers of light draught without improvement are approximately as follows :—

	Miles.
Head of navigation on Red River to Winter Portage on Sea River	334½
Musketabaan Channel, Molson's Lake and White River to Fall	36
White Water River, Echemamish River and Robinson's Lakes to Portage	24
Franklin Lake to Portage to Lake Max	12
Lake Max, Pine and Windy Lakes, and intervening channels to the first rapids on Winnipinapis	27
Oxford Lake and Jackson's Bay	24
Knee Lake	40
Swampy Lake	10
The Rock to York Factory	109

That is 616½ miles ?

The distances which would require to be improved are as follows :—

	Miles.
Rock cutting, height of land, White Water Falls, Robinson Portage, Lake Max Portage, Winnipinapis River (two cuts), Mission Portage (3 cuts)	4½

Dredging, sand and marsh, Winter Portage Bay, Musketaboon, Robinson Portage, Pine River, Mission Creek and Knee Lake Creek and three other points	14
Improvement by dams and rocks, Red River, Jack River, Hill River and other points	46½

That is 51 miles altogether in the whole of that distance, requiring any improvement to make it navigable from the city of Winnipeg to the Hudson's Bay. I do not think that all of that requires canalling. It includes all the portions where obstructions have to be removed, such as blasting shoals and removing boulders. Of course, that opens up an entirely new field.

What I contend is, that a vessel should be sent up there, manned by Nor'-westers, who want to find out what the truth is, and not by people who, perhaps, do not want to see the bay opened up. We will get more information in that way. I will just read one extract—of course, we have had several extracts dealing with the question—from the evidence of James Ward :

This portion of the circular has reference to the navigability of Hudson's Bay, which, as I have already explained, is a sine qua non, without which it is of no use to build a railway or construct a canal. Unless it can be demonstrated that the Hudson's Bay itself is navigable for a sufficient portion of the year to enable the enterprise to be a commercial success, there would be very little advantage in trying to induce English capitalists to put their money into either a railway or a canal. With regard to that, this is the evidence of James Ward :

> Left Stromness on the 6th July, 1882, on the Hudson's Bay Company ship "Prince of Wales," reached York Factory in five weeks and three days, were 19 days reaching Resolution Island at the eastern entrance of Hudson Straits. It took us 17 days to get through the straits on account of calm weather and floating ice. A sailing vessel cannot push through the ice without a fair wind. We would not have lost two hours in a steamer. When we reached the eastern entrance of the straits, we met five American whalers. They took the south side of the straits while we took the north. They made the trip through the straits in about three days and met no ice. Our voyage was an exceptional one. Captain Hurd, who commanded the vessel, told me that was his 46th trip through the straits and he had never seen so much ice before. After reaching Mansfield Island, at the western end of the straits, it took us but three days to reach York Factory where we arrived on the 12th August. Hudson's Bay was clear of ice and as smooth as glass ; have often heard old employees of the Hudson's Bay Company say that the bay was clear of ice about the first of June. The ice begins to form on the shores of the bay about the first of November, but the bay and straits are open all the year round. There would be no use for the Hudson's Bay Company's vessels leaving before July as they expect to bring back cargoes of furs from York Factory gathered at various points in the North-west, and if they arrived sooner than August, these cargoes would not be ready. I wish to express my firm conviction as to the feasibility of Hudson's Bay navigation. We did not meet with ice all the way through the straits. The most ice was met from Resolution Island to Wegg's Island. Very little was met after passing that place. As regards which channel is the best no man can decide that. It depends on the wind. If the wind is from the north the north side will be the best ; if from the south the south side of the strait will be the best.
>
> I wish to state that the 17 days we were in the straits ice did not delay us all that time. From the time we made Resolution Island we had head wind. We would beat up against the wind until Resolution Island would be lost sight of, and the turn of the tide would carry us back to the island. The current in the straits is very strong, no difficulty met with only when the wind blows with the current. I am surprised how people can doubt the navigation of the bay or straits on account of the ice. Not one man that has come over that route but believes in its practicability. Manfield Island will be a good place for a lighthouse and station. There is a little lake of good water on that island.
>
> The day before we made land we were sailing through large shoals of white whales, they being so numerous that we could see them turning on the ship's bows. All the ice met with in the straits was hummock ice, which was so rotten that when the ship ran against it, it would break. I believe more ice will be met in the straits in July and August than in May and June.
>
> I was in Franklin Bay in August, 1865, and met a party of Esquimaux who had come from the Gulf of Boothia in canoes and boats. The ice set south about one month before they were able to travel by water.
>
> JAMES WARD.
>
> Note.—The Gulf of Boothia empties through Fury and Hecla Straits (latitude 70° N.) into Fox's Channel, and thence through Hudson's Straits.

Then, the pamphlet goes on to say :

The reason the Hudson's Bay vessels have always left so late is because there is no object in their starting sooner, because they have to take the return cargo of furs that are brought down to the coast, and, therefore, they have to wait until the rivers and lakes are open in order to get cargoes. I have given the evidence of one man ; I could pile up evidence of that character that would make it perfectly plain to all who are intent upon the developing of that route, that it was a practicable route for a considerably longer period than we are led to believe it is by the Government reports. Those reports themselves are contradictory. Captain Gordon's reports of his first trip were much more favourable than his reports of the second trip and it really looked as if the second trip was made for the purpose of counteracting any effort the first trip would have. We want to know more about the fishing, because we would be glad to supply the fishermen with flour and beef, if they would supply us with fish. That is the way the trade is developed, and mutual benefits are conferred. If this canal is practicable, it opens up an entirely new field, because the route passes through regions that may possess mineral wealth, that can only be developed where water communication is available. It may be the means of Nova Scotia sending coal to the heart of the continent, with water transportation the whole way to Winnipeg. Hon. gentlemen know perfectly well that the cost of water transportation is about one-fifth the cost of transportation by rail, and, when it comes to heavy freight, a canal would be a great factor in assisting us in the development of the North-west. We could bring Nova Scotia coal at the very lowest possible cost, so far as transportation is concerned, into competition with coal from the south and west. That is what we want. That is the life of any country—competition. We have to sell everything that we produce at competitive prices chiefly in the British market, and we want to be able to buy everything that we purchase at competitive prices. When we can do that, then we can rank with the progressists of the age, and our country will advance in national greatness and strength.

Then the circular goes on to deal with the question of the amount of grain that is sent out to that country, this being another argument for the necessity of having some other outlet than we now have by way of the Canadian Pacific Railway or the American railways or the Great Lakes :

A number of bushels of wheat delivered to the elevators at Fort William, were, according to the information received from the Canadian Pacific Railway, as follows :—

	Cars.
1889	4,348
1890	3,604
1891	8,565
1892	12,430
1893	12,448
1894	16,055

Each car may be estimated at 600 bushels. All grain inwards is inspected.

Now, the figures for 1895 are not here, but I have no hesitation in saying that the export that year is double what it was in 1894. In that year, the Canadian Pacific Railway returned 6,055 car loads. Then the circular goes on to say :

So that from 1888 to 1894 the grain that passed through the elevator at Fort William, which is only a portion of the grain of that western country—some of it goes by way of Duluth and a great deal goes out in flour—increased from 4,000,000 to 11,000,000 bushels. The number of bushels loaded on vessels from the said elevators were :

	Bushels.
1887	1,980,653
1888	4,183,215
1889	3,191,702
1890	2,267,165
1891	4,914,328
1892	6,628,055
1893	8,197,971
1894	11,161,596

The Winnipeg Board of Trade report gives the following exports from 1886 to 1894 :—

Wheat (including Flour).

		Bushels.
Crop	(1886)	4,000,000
do	(1887)	10,500,000
do	(1888)	4,000,000
do	(1889)	4,500,000
do	(1890)	11,500,000
do	(1891)	14,000,000
do	(1892)	14,000,000
do	(1893)	12,000,000
do	(1894) estimated	15,000,000

Of the wheat crop of 1894, there was exported from Manitoba in grain and flour 15,150,000 bushels, of which 11,480,000 bushels went via Buffalo. Of the crop of 1895, up to December 1st, out of 8,183,175 bushels exported, 4,862,000 went to Buffalo, and 3,321,175 bushels went to the mills in Keewatin and Ontario. It will thus be seen that Canada gets only the advantage of a short haul, and no benefit from the lake freight, as, owing to the coasting laws, the grain destined for Buffalo must be carried in American bottoms.

As to the crop of 1895, a prominent grain dealer says the estimate of the province is too small, and his buyers assure him that the wheat crop is fully 40,000,000 bushels, oats 25,000,000 bushels, and barley 6,000,000, and other grains and flaxseed 2,000,000, or a total yield of grain of 73,000,000 bushels, which, with the North-west Territories' grain, would give a total crop of 79 to 80,000,000 bushels. He considers even this to be a conservative estimate, which may possibly be increased, but is hardly likely to be lessened, when all returns come in. Of this crop the Canadian Pacific Railway has moved about 8,000,000 bushels, and has in its elevators 2,000,000 bushels, while in all the other elevators there is stored about 6,000,000 bushels, shipped by other railways 4,000,000 bushels, accounting in all for about 20,000,000 bushels, leaving one-half the wheat crop still in the hands of the farmers, with no immediate prospect of realizing upon it, and no possibility of selling their coarser grain.

The pamphlet goes on to say :

That, I think, is a fair and reasonable statement of the condition of the crop for this year. It shows also the diversion of a large quantity of grain from Canadian channels. In consequence of the Canadian Pacific Railway having reduced the all-rail rate on their grain five cents a bushel, from Fort William to Montreal, there has been a considerable trade this winter which has contributed largely to increase the exports of Canada during January and February over the corresponding months of last year. The reduction of five cents has made it possible for the people of the North-west to ship by the all-rail route, whereas if it had been maintained at the old rate, it could not have been done with profit by the western producers. It only shows you what competition will do. It increased traffic on the railway in January and February over the corresponding months of last year very considerably. If that reduction was only applied over the whole of the Canadian Pacific Railway system, the company would find that the volume of trade would more than compensate them for the reduction of rates. Here is a report from the Board of Trade which I should like to read. It covers very much the same ground, so far as the export of the crop is concerned. In 1886 the crop export was 4,000,000 bushels ; in 1887, 10,000,000 ; in 1888, 4,000,000 ; in 1889, 4,500,000, and so on, and in 1894 it was 15,000,000 bushels. Those are the exports which show the variation in the quantity of grain exported each year. Then I wish to show hon. gentlemen the climatic difficulties we have to contend with in addition to the difficulties of transportation there. I am not one of those who think we should be silent as to the difficulties that we have to contend with lest we might keep away intending settlers. The settlers who come there knowing the truth will be much better satisfied to stay than if they are induced to come by false promises or by hiding the whole truth, and therefore I do not wish any one to think or realize that we have not got our difficulties to contend with naturally, difficulties that may be overcome by changes of policy and system, introducing competition. Those are difficulties which may be overcome by our own will, but there are difficulties which

> cannot be overcome, which are climatic and providential.
>
> I want to show the necessity for competition and the reduction of rates, and I want to show that we have climatic difficulties to contend with as well as the difficulties of monopoly. I want to show that in opening out that route there should not be a feeling of jealousy, because our grain is now going by New York instead of Hudson's Bay. And I want to remove from the minds of hon. gentlemen of this House the idea that they are going to be injured in any way by the deflection of the grain to the Hudson's Bay.
>
> * * * *
>
> I do not suppose hon. gentlemen in this House are yet prepared to endorse the Hudson's Bay scheme to the extent of supporting a motion that in the opinion of this House it would be expedient to develop the resources of the Hudson's Bay.
>
> * * * * *
>
> I will not enlarge upon the question of the grading or the transportation of grain from Fort William or its diversion to Buffalo, and, of course, so far as navigation is concerned, I have said all that is necessary for me to say, so far as it is applicable to the question I have put before the Government.

Now that shows the nature of the scheme which is suggested by the promoters of this Bill so far as concerns their claims to a right to construct a canal and improve the waterways from Lake Winnipeg to Hudson's Bay. It is very fortunate if it be true, that only fifty-one miles of canal construction is necessary in order to open up this waterway. As I have stated, I am in favour of that portion of the Bill, that is of granting to a private corporation the right to construct canals and improve these waterways, although, probably, these gentlemen will not be able to raise the necessary funds to develop the works they propose to take charge of, unless they can convince the investing public that Hudson's Bay and Hudson's Strait are navigable. There is an objection that has been very much urged against any of these schemes, and one that I suppose would apply to the same extent against the canal as against the railway, and that is that even granting that Hudson's Bay and Hudson's Straits are open long enough during the year to successfully carry on navigation, still it must be admitted that it is not possible to take out the grain the same year that it is grown. And though, as I have said, in Manitoba it very often happens that a very considerable portion of the grain is not taken out the same year, still farmers and grain dealers are always in the position to take it out that year if they see fit. If it were sent the other way, however, they would not have that option, but the grain would have to be stored in elevators either near the place of growth or at Fort Nelson or the other port, whatever it may be, through which this canal would go. Probably elevators would have to be erected at very great cost in which to store these immense quantities of wheat. And it has been urged, and I think it would be a matter that the promoters of this scheme would have to deal with in negotiating with investors, that it is a very great objection that the grain should be held over a winter. If a buyer were buying to ship by way of Hudson's Bay, he would have to calculate the price of wheat for the following season. It has been urged, it has been stated publicly by many wheat buyers, that it would be impossible to do that, that no wheat buyer could give the market price, say, in the fall of 1895, knowing that he would not be able to sell his grain until July or August, 1896. It seems to me that that phase of the subject will require very considerable explanation before capitalists will put their money into this scheme, as a scheme, for the purpose of taking out the wheat of Manitoba and the North-west. It may be that there is a complete answer to that objection. I hope there is. But surely it would be a very serious matter for a grain buyer in Manitoba to buy wheat at market price in one year knowing that he could not sell it until July or August of the following year when the new crop of India, the Argentine republic, Australia and many other wheat producing countries would be upon the market with the effect, possibly, of depressing the price. However, so far as the people of Manitoba and the North-west are concerned as I understand their views, they would be very glad indeed to help in every way they reasonably could any scheme for the purpose of obtaining another outlet for their products. This matter has been discussed frequently. It has been urged that the government of Manitoba should undertake to complete a railway connecting Manitoba with Lake Superior in order to compete with the Canadian Pacific Railway. I mention that as an instance showing how strong the feeling is up there in favour of some additional outlet for that country, in view of the fact that the price of wheat has fallen to such a low figure that it really cannot be produced at very much of a profit. In a year like last year, when we had a very large crop, no doubt the farmers of Manitoba did very well. If they could be certain of a crop like that they could profitably engage in the growing of wheat. But we have to admit that the crop of last year was abnormally large. We cannot expect every year to obtain an average of 25 or 26 bushels of wheat to the acre as we did last year, but that the yield falls sometimes to an average of 14 or 15 bushels or even less. When the farmer gets only 40 cents or at the best 50 cents a bushel for his wheat, the question that faces him becomes a very serious one. The position is serious that the people there have had to consider very earnestly the question of going into other kinds of farming. I suppose it is fortunate that the attention of the people there should be directed to other means of obtaining a living, for it is not advisable that the farmers should stake their whole year's work upon one crop. However, that country is specially adapted to the growing of wheat. It can grow the very best wheat in the world. There is no part of the world where the quality is better than that grown in Manitoba and the Territories, and there is no part of the world where the quality is as good, except, possibly, the American states immediately south, Minnesota and North Dakota; in those states they grow the same kind of hard wheat that we grow. But, apart from that, there is no place in the world where as good a quality of wheat can be grown, and it would be a great misfortune to that region, and to the whole of Canada, if, on account of the great cost of transportation, the farmers were obliged to abandon the growing of wheat. We can grow immense crops every year of coarser grains, oats and barley, in that country, but no price can be obtained for them. When we have a big crop, as we had last fall, the price of oats and barley falls to such a low point that there is no profit at all in raising it. The reason of that is plain; it is the heavy cost of transporting these coarse grains to the eastern markets. I am told by persons engaged in brewing in the province of Ontario, that their supply of good malting barley is not sufficient at the present time from that province. Those portions of Ontario that formerly supplied a large quantity of good malting barley, are not supplying the same quality of barley that they used to. It appears that, after some years of growing barley in a particular locality, the quality deteriorates, and I am told that brewers are obliged to abandon the places upon which they have relied for the supply of barley in recent years, and to seek new places. There is no doubt that there is no place in Canada where barley can be grown so successfully as in Manitoba and the Territories, and a good malting barley, too. During these last years, when barley fell as low as it did up there, very considerable quantities have been imported into Ontario, and I am told, by a very prominent brewer, that the malting quality of the barley grown in Manitoba is considerably higher than that grown in Ontario. So, Mr. Speaker, it is a matter of the greatest importance that the freight rates should be in some way reduced. We know that in England there is an immense market for malting barley. An experiment was tried in the province of Ontario, some time ago, at the instance of Sir John Carling, late Minister of Agriculture, with a view of growing two-rowed barley for export to the old country. That experiment was, unfortunately, not a success, but it has never yet been tried to any great extent in Manitoba and the Territories, for the simple reason that, even if it were possible to grow a satisfactory article of two-rowed barley in that portion of Canada, with the present freight rates, it would be quite impracticable to send it to England. I believe, from information I have, that two-rowed barley can be grown of the very best quality in Manitoba and the Territories, and, if you could send that two-rowed barley over to England, we would find a very large market for it, and it would become a very important article of export from that portion of Canada. But the trouble of the freight rates comes in again; so, Mr. Speaker, any proposition to afford competition with the present railway systems in that country, and especially a proposition to supply a canal upon which it is practicable to carry freight at much less cost than upon a railway, would be looked upon with delight by the people of that country. I am, therefore, in favour of the Bill, so far as that part is concerned. However, Mr. Speaker, this company is asking for privileges which are opposed very strongly by the people of Winnipeg, whom I represent here. They point out that it is necessary for the realization of their scheme that the Red River should be improved. I will admit that, if they construct their canal from Lake Winnipeg to Hudson's Bay, in order that it may become fully effective, it would be necessary that the Red River should be improved. There is a place on the Red River which has often been heard of in this House, called the St. Andrew's Rapids, which, for the purpose of navigation, require to be overcome by a lock, or locks. Now, the proposition of the promoters of this Bill is rather an extensive one. They propose to carry through to Hudson's Bay not only the products of Manitoba and the Territories, but also the products of that great portion of the North-western States which is drained by the Red River on the north, and, in order successfully to do that, it would be necessary to have a complete system of navigation upon the Red River. I admit that, but I say that it is not absolutely necessary for the success of their scheme that they should improve the Red River. So far as Manitoba and the Territories are concerned, the navigation of the Red River is a matter of very little importance, as regards sending out their products by way of this water route. Wheat and other stuff would have to be brought to the Red River, or to Lake Winnipeg, by means of railways, and, if you have to put stuff upon a railway at all, it would be just as cheap to carry it to Selkirk, to the mouth of the Red River, or to a point a few miles from where the Red River enters into Lake Winnipeg, as it would be to bring it to Winnipeg, or any other point upon the Red River, and this will apply to all that great portion of territory which is not tributary to the Red River. The amount of wheat that is grown in the valley of the Red River is comparatively small; the great bulk of it is grown in the western part of Manitoba and the North-west Territories; so that, as I say, it would be necessary to convey wheat from different portions of the province and the North-west Territory to Lake Winnipeg by means of railways; and, if you are going to put your wheat upon the railway, you might as well take it 15 or 16 miles further, and the railway company would charge no more. In fact, for a very considerable portion of the province, probably, Selkirk would be nearer than Winnipeg, because, if this scheme were successful, and a canal were actually constructed and operated new railways would, no doubt, be built, connecting different parts of Manitoba with Lake Winnipeg. If that were not done, if railways were not built through the province in connection with this water route, it would be largely ineffective. That has always been one objection to the Hudson's Bay Railway itself; it has always been pointed out, with regard to the Hudson's Bay Railway, that it could not compete successfully with the Canadian Pacific Railway and with the Northern Pacific in carrying wheat out of the country, unless it were in a position to go practically to every farmer's door, as other railways do at the present time. If you had to place the wheat, say, at Brandon, carrying it on the Canadian Pacific Railway to Winnipeg or Portage la Prairie for the Hudson's Bay Company, the Canadian Pacific Railway Company would charge local rates on the wheat, and that would practically prevent the Hudson's Bay Company carrying the wheat at any such rate as the Canadian Pacific Railway itself would charge to Montreal or Fort William. So that is another matter which has to be dealt with in considering the question of the construction of a railway to Hudson's Bay, and that matter has to be considered by the railway company. And the company proposed to build several branches from the mouth of the Saskatchewan into Manitoba and the North-west Territories. Of course, it would be very expensive to attempt to parallel the different railways now passing through Manitoba and the Territories, in order to have a railway go right to the doors of the farmers where the wheat is grown, and the same argument would apply to this scheme. Unless the canal company had railways of its own running through Manitoba and the Territories to gather up wheat to carry by that route, the Canadian Pacific Railway would be able to charge such local rates on the wheat sent by their lines to Winnipeg as would prevent the Hudson's Bay Company sending wheat by that route.

Mr. BOYD. Is that why you are opposing the Bill ?

Mr. MARTIN. I am not opposing it ; I am in favour of it.

Mr. BOYD. Do not be in a hurry.

Mr. MARTIN. While I admit that it would be advisable for this canal company to make improvements in Red River, as a portion of their scheme, it is not all essential to their scheme to have that power ; and if the improvements of the St. Andrew's Rapids on the Red River were not desired for any other purpose, there would be no objection to this company obtaining the privilege they are asking with respect to those rapids. But the people of Winnipeg for many years have been agitating for the improvement of the St. Andrew's Rapids for other purposes. That is where the desire of the people there comes in conflict with what is asked by this company. They hold that the St. Andrew's Rapids should be improved by the Government, that it is purely a Government work, and they have been urging upon the Dominion Government—they urged it upon the Mackenzie Government—to take charge of this work and improve the rapids. The Mackenzie Government did not take action. Since 1878, year after year, the people of Winnipeg have urged in every way within their power the advisability of having this work undertaken as a public work by the Government. The Government have made many promises. They have assured the people, especially at election times, that Canada would take charge of this matter. These promises have all been broken, the Government have never taken charge of it. I see it now announced in the Winnipeg Conservative papers that the Dominion Government are going to take up this important work; but again this announcement is made when elections are at hand. I hope it is not merely an election announcement, but that the Government intend to do something in that direction, because that is what the people want ; and why they want it is that in their opinion there would be a very large and profitable trade between Lake Winnipeg and the city of Winnipeg, if navigation were opened between those two points. The nature of the St. Andrew's Rapids is such that no boats of any considerable capacity can pass down from Lake Winnipeg to the city of Winnipeg, except at the highest water ; so the rapids afford, practically, a complete obstruction to navigation. The reason the Dominion Government has, up to the present time declined to take hold of this work is its excessive cost. Some years ago a Government engineer was detailed for the purpose of preparing plans and specifications for the work. An estimate was made, and I think the sum required was placed at $900,000. So far, the Government have thought that this is too much to expend on improving that navigation. However, an engineer connected with the city of Winnipeg has also made a plan of the improvement and has estimated the cost at $450,000, and that estimate, of course, very greatly removes the objection raised by the Government. The principal article that it is expected will be brought from Lake Winnipeg to the city, is firewood. This is a very important consideration in the province. It is thought by many persons that as Manitoba is a prairie country, we have no timber there. There is a very large quantity of timber in the country ; the only difficulty is as to its distance from Winnipeg, and the heavy cost of transportation by railway. There is a very large quantity of timber suitable for firewood between Winnipeg and

Rat Portage, and an immense quantity is brought into Winnipeg by the Canadian Pacific Railway from the east. A large quantity is also brought from south of the Assiniboia River, in the neighbourhood of Portage la Prairie; the timber there is principally poplar and oak, and it is carried into Winnipeg over the Northern Pacific. The excessive cost of transportation is shown by the fact that cordwood, which is sold in Winnipeg at $6 and $7 per cord, can be purchased in Portage la Prairie at from $2.50 to $3. It is believed by those who understand the question, that the market for firewood in Winnipeg could be entirely supplied from Lake Winnipeg at $2 per cord less than the present price. Wood would be largely substituted for coal, which is now very expensive, the hard coal having to be brought from Pennsylvania, and the soft coal from Lethbridge or the Souris district, which latter coal is of a very inferior quality. Besides that, the fisheries of the lake could be developed. Immense quantities of the very finest of whitefish are caught in Lake Winnipeg, and if navigation is improved there, the fish could be more easily brought to the city market. On the shores of Lake Winnipeg, and on some of the islands, there are large deposits of iron ore, and it has been found impossible to develop the iron industry there because of the difficulty of getting the ore to the smelters in the United States. Arrangements were almost complete some years ago for establishing a blast furnace at Fargo, and if the St. Andrew Rapids had been improved so that navigation had been complete from Lake Winnipeg down to Fargo, these vast deposits of iron ore could have been developed.

Mr. LISTER. What kind of iron ore is it?

Mr. MARTIN. It is magnetic iron ore. There is no doubt but that large quantities of it exists there, and there is one island, that is supposed to be entirely composed of this iron ore.

Mr. BOYD. Do you think there is any brass on it?

Mr. MARTIN. Marquette's representative has nothing else to recommend him but brass.

Mr. BOYD. If that is true, then, as the Irishman says, we can touch thumbs about it.

Mr. MARTIN. There are other industries which might be developed upon that lake, and if it were not for taking up the time of the House at too great length I should refer to them. I do not desire, especially at this stage of the session, to delay the House unduly. However, from the items I have mentioned, it will be seen that the people of Winnipeg are quite justified in taking the great interest in this matter which they have taken for years past. Every member who has represented that city in this House, since I first went there, has brought the question before Parliament. Col. Scott was elected member for Winnipeg in 1882, I think, and he urged upon Parliament the necessity of granting sufficient funds to complete this work. Mr. W. B. Scarth who succeeded Col. Scott in 1887, was well acquainted with the wishes of the people upon this matter, and on various occasions it became his duty to introduce large and influential delegations to different Ministers of the Crown who happened to pass through Winnipeg, and which deputations asked for the aid of the Government for this public work. Mr. Scarth brought up this matter in the House several times. In 1891, Mr. Scarth was succeeded by Mr. Hugh John Macdonald, and he urged the completion of the construction of this work very strongly upon the Government. I am sorry to say that while Col. Scott, and Mr. W. B. Scarth, and Mr. Hugh John Macdonald, were very warm supporters of the Conservatives, which unfortunately for Canada were in power from 1882 to 1891, and are even at the present time apparently in power; these gentlemen were unable to obtain anything more from the Government than illusory promises in regard to this matter. Well, Mr. Speaker, when this Bill was read the second time in the House, I sent a copy of it to the Winnipeg Board of Trade, and also to the Winnipeg city council, because while it appeared to me there were serious objections to it, I did not feel like taking the responsibility of opposing the Bill unless I knew that I had with me the feeling of my constituents. The board of trade called a meeting of their executive, and considering it a question of very great importance, the executive called a special meeting of the full board to consider the matter. As I suggested to them that time was pressing, and that the matter would be up in the Railway Committee, the board sent me the following telegram after their meeting:—

> Winnipeg, March 4th.
>
> The board heartily endorse project of constructing waterway, Emerson to Hudson's Bay, but cannot sanction sweeping privileges asked by company in connection with the control of streams flowing into Lake Winnipeg, or powers connected with disposition of stock. Our opinion is, that the opening of navigation from the city to the lake is a work that should be undertaken by the Dominion Government, and privileges secured by such work made free to all and uncontrolled by private corporations.
>
> (Signed) CHARLES M. BELL,
> Secretary.

Then, I received the following telegram from the city council:—

> Winnipeg, March 3rd.
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> The following resolution adopted by Winnipeg City Council this afternoon re Hudson's Bay Canal Bill:
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> "That while this council appreciates the fact that the improvement of Red River is most

> important to the city of Winnipeg and greatly to be desired, they believe that the work should be carried out by the Government and not by a private corporation, unless the greatest care be taken to safeguard the rights of the public; and while they wish the promoters of the scheme of constructing a waterway to Hudson's Bay every success, they think, Parliament should not grant any exclusive rights or privileges unless the Government have the right to take over such improvements at actual first cost, as a public work if it should be thought advisable, and unless Parliament protect the public by imposing proper limitations upon tolls and charges without regard to dividends, and also that the Government's approval be requisite for plans of all works, and not merely those named in section 7. Section 5 is indefinite. Section 8 should provide for city's consent as to tramway in limits.
>
> R. W. JAMESON, Mayor,
> C. J. BROWN, City Clerk."

It has been contended that the telegram from the city council is not opposed to this Bill; but there can be no question at all what the board of trade think. Their telegram is distinct, clear and definite, as to the board being entirely opposed to the handing over the exclusive control of any portion of Red River to a private company. The city council take precisely the same view. They object, just as strongly as the board of trade do, to a private company having the right to take charge of the improvements of St. Andrew's Rapids, and charge whatever tolls they like. They suggest that the public interest must be protected, and one of the ways of doing that is to have the tolls fixed by the Government without regard to dividends. Of course, that is entirely destructive of the proposition that the work should be constructed by a private corporation. No private corporation would put its money into a public work if the Government were to be allowed to fix the tolls, entirely irrespective of what the work had cost. In order to induce capitalists to put their money into this scheme, they must be allowed to take sufficient tolls from the vessels passing through the locks to pay interest on the investment. That is clear. It would be absurd to suppose that any company would take hold of the work unless they had that privilege. But the people of Winnipeg do not want that. The council say: "We must have the use of that canal at such tolls as the navigation can afford to pay—not at such tolls as the company may desire to charge for the purpose of paying dividends." My objections to this Bill would not be nearly so strong as they are if such provisions were inserted in the Bill as would eventuate in the tolls being fixed on that basis. As it is, the tolls are to be fixed by the Governor in Council; but it would be unreasonable to ask the Governor in Council, after the company put their money into the work, to fix the tolls at a rate that would destroy their capital. It is not to be expected that they would do that. So that to all intents and purposes the two telegrams are precisely the same. I may say that, in addition to these telegrams, I have received a number of letters from gentlemen of high position, who are largely interested in the city of Winnipeg, urging me to oppose this portion of the Bill. And it does seem to me that the omission of this portion of the Bill would not in any way affect the company's real scheme. Look at the title of the Bill. It is a Bill to incorporate the Hudson's Bay Canal and Navigation Company. That does not suggest improvements on the Red River; so that the company could go on and build their canal and improve the waterways from Lake Winnipeg to the Hudson's Bay without necessarily for that purpose having any control of the Red River at all. But they insist upon the control of Red River, which makes me think that their scheme is not a scheme for building a canal from Lake Winnipeg to the Hudson's Bay at all, but a scheme for the purpose, in this roundabout way, of getting control of that improvement on the Red River. That is what I suggest, and I think all the circumstances lead to that conclusion. It is admitted on behalf of these gentlemen that they have not the money to go on with the work. They propose to borrow the money. It has been announced that the Government of Canada intend, at last, to do something with St. Andrew's Rapids. Past experience would probably induce us to think that that promise was perhaps made in view of the election. I prefer to be more generous to the Government—more credulous, an hon. gentleman suggests. I will not put it in that way. I prefer to believe that the Government intend to do something with St. Andrew's Rapids, and I believe that is what this company think. They think that the Government, under the pressure that has been brought to bear upon them, realizing that they have lost Winnipeg from some cause or other, and that one of the causes is perhaps their failure to carry out the many promises they have made in regard to that work, have at last waked up to the idea that they have to be a little more honest and straightforward with the people of the North-west if they are to get any support from that country in the next election. This company have perhaps come to that conclusion, and they come here and apply for a Bill in order that they may get control of this work. But the fear of the people of Winnipeg is that they will get the control of the work, and that when the Government come to take charge of it, and to construct it as a public work, if they decide to do so—and I hope that if the present Government do not, the next Government will—they will be on hand with their chartered rights and with a certain amount of money expended, and will have to be dealt with and got rid of before the Government can take hold of the work. Of course, I am not at liberty at this stage of the Bill, to discuss the limitations or the conditions which have been proposed by the Government, and which are embodied in the reprinted Bill, with a view of keeping certain control over this work. You can make those conditions just as strong as you like, you may hedge them round in every possible way, it will be found, as it always has been in matters of this kind, that the Government will get the worst of it. If you allow a company to get franchises and privileges, when you come to take away that franchise and those privileges, you have to pay for them. That has been the experience of Canada from its inception to the present day. You have got to pay for these things, if you want to take hold of them as a Government; and, no matter how carefully you work out the details—and I do not think they are worked out very carefully—even supposing they be improved in Committee of the Whole, and put in such a shape as, apparently to insure against this anticipated evil, you will find, that, when the Government come to take charge of the work, they will be confronted by this company with an enormous bill.

Again, it has been suggested that, instead of taking hold of this work and constructing it as a public work, the Government should give a bonus to some private company for the purpose of constructing it. Now, it may be that the company think that that is the course which will be ultimately adopted. I have very serious objections to that course. I do not believe it would be satisfactory at all in the interests of that country, which is urging the expenditure of this public money. But it may be that the company think that the Government will pursue that course, because it has been announced in newspapers, supporters of the Administration, who are supposed to foreshadow the action of the Government. One of them, the "Nor'-wester," of Manitoba, which is said to be the special organ of the Minister of the Interior (Mr. Daly), has said, I believe, that it is the intention of the Government to fulfil its obligations to the citizens of Winnipeg by granting a bonus to some private company; and it may be that this company rely on this course being adopted, and that, if they get this charter, it will be simply a matter of a little political influence to get their plans approved of by the Government. If they get hold of the right man to send down here to interview the Government, they can probably arrange to have their plans approved of; and, once the plans are approved of, the company will be in a position to receive this bonus, if the Government adopt that system of acquiting themselves of that obligation, which they admit they are under, on account of the very numerous promises which they have made to the people. I say that this is most objectionable and against the interests, not only of the city of Winnipeg, but of the surrounding country, to get any rights there at all. If, after this canal is constructed and it is demonstrated that the products of the North-west can be taken out by way of Lake Winnipeg to the Hudson's Bay, and that navigation of the Hudson's Bay is practicable, and if, after these other difficulties to which I have referred, have been removed, the Government has not already improved St. Andrew's Rapids, I do not think any one would object to a franchise being given to this company. I may say that, at first, the company wanted to get a great deal more than they are now asking. They wanted to get control of the Red River and of all the rivers that fall into Lake Winnipeg, including the Saskatchewan, with which I, individually, am not very much concerned, because the Saskatchewan is a long way from my constituency, and, in fact, scarcely goes through the province I come from. But that project was abandoned by the Government. The company also proposed to have rights on the river connecting Lake Manitoba with Winnipeg, but that, too, was abandoned. They also proposed to have rights on the Winnipeg River, a very important river, which connects Lake of the Woods with Lake Winnipeg, but that was equally abandoned; and now they have come to this one question, which is, after all, the most important of all, from the standpoint of the people of Winnipeg. There is no opposition to the Bill, if the company would be prepared to leave out, for the present, any rights in connection with St. Andrew's Rapids. If the people of Winnipeg could be sure that no rights or franchises were given to this company which would prevent the Government of Canada improving the St. Andrew's Rapids, then our opposition to this Bill would disappear, and the people of Winnipeg would give all the support and encouragement to the company which they could possibly expect, so far as the main proposition is concerned, namely, the building of a canal from Lake Winnipeg to Hudson's Bay, because I believe that the people of Manitoba have lost all confidence in the Hudson's Bay Railway ever being constructed, so long as it remains in the hands of those who at present have it in charge, but I believe, also, that the general feeling is in favour of a road to Hudson's Bay. I must say that the extracts from Senator Boulton's speech, which I have read, and which have been circulated by the promoters of this Bill as a reason for passing it, show that there are strong reasons to suppose that a practical scheme can be carried out from Lake Winnipeg to Hudson's Bay; and, if such canal can be built, the necessity for a railway would not be so great, although, of course, a railway could run in summer, as well as in winter, while the operations on the canal would be confined entirely to the summer season. But, as I have already pointed out, a railway could not take the grain out the same season, so that, in that respect, a canal would be quite as effective for the purposes of the country as a railway. Then there is this great advantage of a canal over a railway that, in all probability, they would be able to charge much lower rates. The only object of building a railway to Hudson's Bay is to afford competition with the Canadian Pacific Railway, and reduce freight rates, and if these rates were not reduced not only on wheat, oats and barley, but on cattle as well, it would not accomplish the purpose that the people of Manitoba have in view. We must remember that it is 700 miles from Winnipeg to Hudson's Bay, and that after the first 200 miles there is not any means of affording local traffic, and never will be. I may be misinformed as to that country, but all that I have read or heard of it leads me to believe that west and north of the boundary line of Manitoba, is a barren country, with swamps and rocks and sterile land. If a railway has no local traffic, how can it give low rates on through traffic ? That is a very important consideration. There was a time in Manitoba when it was considered a sort of treason to discuss the question of the Hudson's Bay Railway. Whether there was any reason in the scheme or not, you must uphold it. But the attitude of the people on that question has changed. They are just as desirous of having a railway to Hudson's Bay as ever they were, and even more desirous of having competition with the Canadian Pacific Railway than ever before. But they insist now that in discussing this question all phases of it shall be considered, and this that I have suggested is certainly a phase calling for serious thought. At what rate will the railway people take the grain of Manitoba to Hudson's Bay ? Can they take it at such a rate as added to the rate from the Hudson's Bay port to Liverpool will be less than is now given by the Canadian Pacific Railway to Fort William, by steamer to Buffalo, and by canal or railway to New York. For we must recognize the fact that for some reason or other—some people blame the Government for it ; I am prepared to blame the Government for almost anything, but whether this is the Government's fault or not, it is, nevertheless, a fact—nearly all the grain sent by the North-west to Liverpool goes via New York. It is not carried in Canadian vessels ; in order to get to Buffalo it is necessary that it should be shipped from Fort William, in an American vessel. Then we must consider another question, Mr. Speaker. While the distance from Port Churchill or Fort Nelson to Liverppol is a great deal more than it is from New York to Liverpool, in all probability it will be necessary to have specially constructed steamers for the traffic on the Hudson's Bay route.

Mr. WELSH. Hear, hear.

Mr. MARTIN. If that be so—and I have no doubt the hon. member for Prince Edward Island (Mr. Welsh) could throw considerable light upon that question—we can hardly expect to get as low a rate from Fort Churchill to Liverpool as we do at present from New York to Liverpool. I understand that you can get a much lower rate from New York to Liverpcol than from Montreal to Liverpool, the reason being that there are at all times large numbers of tramp steamers that seek that port in hopes of doing business there. I would ask hon. members who are familiar with shipping matters if that is not the case.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. MARTIN. At six o'clock I was alluding to the important fact that has to be considered in this problem, that is, the enhanced cost of transportation from Hudson's Bay ports to the markets of the old world on account of the necessity of having specially constructed steamers to navigate that inland sea, and on account of the prevalance at all seasons, so far as I can understand the reports, of more or less ice in the straits ; and also owing to the fact that on account of its situation, it is not at all likely that there will be any such vessels plying to Port Nelson or Port Churchill, and trade would have to be carried on exclusively by a single line of steamers which the railway company, as originally incorporated, proposed to provide. While that is an argument that applies not only to the railway but also to the canal scheme, the other objections that has been made with regard to the long haul on the railway, and the lack of local traffic, would not apply so much to the canal scheme as they do to the railway scheme. I think that is an advantage in connection with the scheme as put forward by the promoters of this Bill, because it appears to me that if the facts are as they allege, and if it is an easily practicable scheme to construct canals and improve the waterways so as to obtain communication direct from Lake Winnipeg by canal boats into the Hudson's Bay, then I think it must follow that the freight rates would be less upon a waterway of that kind than they are by the other route which is at present taken by the products of the North-west when transported to the markets of the old world ; so that I think the advantages of this scheme are quite evident. Therefore, while I am strongly in favour of the principle of the Bill asked for, I am sorry that it has been coupled with a demand for franchises and privileges so utterly subversive to the rights of my constituents that I am obliged to oppose this scheme. If the promoters were willing to drop their franchises upon the Red River, or rather postpone the obtaining of those franchises until later on, I would be very glad ; however, they have seen fit to adopt the other course, and have insisted upon there being included in the Bill the right or franchise of improving the Red River. Now, Mr. Speaker, I do not care in what part of Canada it might be, I submit to this House whether it is a proper principle to adopt to hand over the control of any of the natural waterways of the country to a private corporation. I submit that that is a principle that has not been adopted in the past by this Parliament. Where a river or other navigable water required works for the purpose of improving it, where that river was of sufficient importance to justify it, in all cases the work has been done by the Dominion Government, and the moneys have been voted by the Dominion Parliament. I believe that in any other part of Canada a proposition to take away from the people agreat natural highway like the Red River would be resented as strongly as the people of Winnipeg resent the proposition to hand over the complete control of the Red River to this private corporation. The people of Winnipeg are interested more especially in that portion of the Red River to which I have referred, the St. Andrews Rapids, but this company really expect to control the whole river. They ask special power to improve some four or five places between Emerson and Winnipeg, in addition to the St. Andrews Rapids. If this charter is passed, and if the company go on with the works authorized under this Act, they would have absolute control of the Red River, they would be in complete possession of the most important river in Manitoba. There exists an additional fact to be noticed, that this company is not only a canal company, but it is a navigation company, and they take power in the Bill to build and purchase ships and boats. If this charter is allowed to go through and they actually build and improve the St. Andrew's Rapids with the vote which they expect, the large bonus from this Government, they will be in a position to drive every other navigation company off those waters, to control entirely the navigation between Lake Winnipeg and the city of Winnipeg. If, as I have suggested, it would be possible, when navigation opened, to deliver cordwood in the city of Winnipeg $2 a cord less than the present price, considering the large amount of cordwood that is required in the city of Winnipeg at present, without taking any account of the increase in the future, which is likely to be large, judging from the past, I say it would be a great monopoly, a very valuable monopoly, to get the absolute control of the Red River as this Bill proposes to give to this company. In answer to that it may be suggested that the Governor in Council have power to fix the rates. I attach no importance whatever to that. Mr. Speaker; I consider that is no benefit at all in the direction to which I have alluded. But it would be a hopeless task for the people of Winnipeg, or any people along that route who were satisfied with the tolls authorized by Order in Council in connection with those works, to appear before the Railway Committee of the Privy Council to protest against high tolls. The Railway Committee of the Privy Council certainly would ask such protestants whether the present rates would give undue profits to the company, and the company would probably be able to show that the rates did not give undue profits to the company, but stilll those rates might be so high as to give this company an absolute monopoly of the navigation on that river, because they could exact the full amount of tolls from the boats of every company or private individual, and give their own boats such a reduced rate of tolls as to enable them to make a paying trip, and the loss they might sustain on the capital invested in the improvements could be easily met and largely overcome by the monopoly of this trade which they would obtain. They would have the whole matter in their hands, and have practically a monopoly of supplying Winnipeg with cordwood, because if the facts I have stated are correct, they could cut below prices which have to be obtained on account of freight rates, and they could stop the importation of wood into Winnipeg over the Canadian Pacific and Northern Pacific. They could keep the whole business in their own hands and make such large profits out of it as would enable them to meet any moderate loss they might incur from their investment at St. Andrew's Rapids. So it is most unfortunate for the city of Winnipeg that the scheme should be encumbered with projects of this kind and I am inclined to believe that the company did not, bona fide, intend to construct a canal from Lake Winnipeg to Hudson's Bay, but they hope and expect, by putting forward such a scheme, to get hold of privileges and franchises of an exceedingly valuable character on the Red River, much to the detriment of the city of Winnipeg. This is the reason why I oppose the Bill, and why I urge that the Bill should not be passed by this House. There never has been a case where a Government of a country or the government of a municipality have handed over to private persons valuable privileges and franchises and have not seen the time when they regretted their action. We find natural monopolies handed over, monopolies which should be retained by the Government or the municipality in the interest of the people, so that when they became exceedingly valuable on account of the growth of the city or the country, the value that attaches to those privileges and franchises may accrue to the people at large instead of an interested few. That is a principle which has been demonstrated in the history of Canada and the United States time and again. Under these circumstances, the people of Winnipeg will scarcely be blamed for being desirous of conserving these interests for their own use and the use of their children, and the new-comers we expect in such large numbers in that country when we get a Government in power that understands how to deal with the question of immigration, and does not throw away the public money as does the Minister of the Interior. When that immigration comes and Winnipeg grows to the proportions which it should have reached long years ago, a city with a population of one hundred thousand, a growth which it would have reached except for the iniquities of the Government franchises like this under discussion will possess great value. Why, then, do the Government allow a private company to come here and secure privileges of this kind. I know that the telegrams I read to the House this afternoon from the Board of Trade of Winnipeg and from the city council were also sent to the Minister of Railways, but in spite of those protests from Winnipeg the Government propose to allow this Bill to go through in its present shape, and hand over this monopoly to this company. Hon. gentlemen opposite seek to palliate that offence to a certain extent by urging that there are provisions in the Bill which would protect the rights of the public. I am not permitted to discuss what those provisions are, I do not care what they are; I say that the experience of the past shows that you cannot bind these companies and corporations, that when it comes to an issue between a corporation and the Government, the people represented by the Government always get the worst of it, and we cannot rely on any provision on any provision in a company's Act. The only way we can protect a great public work or franchise, such as navigation rights on the Red River, in order to secure the benefits to the people at large is to refuse to give the Hudson's Bay Canal and Navigation Company, or any other private company, any privileges whatever upon that river. I would go this far: I would refuse to give those privileges even if that action were destructive of the whole scheme, because I consider them of sufficient importance to justify that step. Fortunately, it is not necessary to go that far. It is not necessary to destroy the scheme proposed by those gentlemen by refusing to give them a franchise and monopoly of the Red River. They can still go on and construct the canal, which is the main proposition they advance, and make it practically just as available for the purpose of carrying the produce of Manitoba and the North-west as it would be with the additional privilege of controlling the navigation of the Red River. Further concessions might be granted when the company have completed that work, after they have shown their bona fides, and that they have substantial capital behind them, and are not mere charter-mongers, as they appear to be, mere speculators, and in fact, I understand they admit that that is their position, that their business is to induce capital to go into this scheme, and they do not allege to have any capital to prosecute it. They do not allege, as I understand, that they have any capital ready to take it up. Well, then, after they have got the canal in working order from Lake Winnipeg to Hudson's Bay, if they desire to show that it is necessary for the further success of their scheme, to improve the St. Andrew's Rapids, and if, by that time, the Government of the day have not improved St. Andrew's Rapids, there might be some excuse for allowing the franchise they ask for. But, just at this time, when the Minister of Public Works tells us that the Government have seriously decided to do something with regard to this matter, after long years of delay, how unfortunate and how inopportune it is, that along with that statement, we should have the Government actively promoting this Bill which is to hand over that public work to a private corporation. I say that after the telegram which I have read to this House—and which was also sent to the Minister of Railways—from the board of trade, and from the City Council of Winnipeg, I cannot do less than urge as strongly as I know how upon the House, to pause before they commit this outrage on the rights of the people there. I have done so. I am afraid I have been talking to ears that paid little attention to what I had to say, but that is not my fault. Hon. gentlemen opposite, if they allow this Bill to go further, must take the responsibility. They must take the responsibility, if, in years hence, the country is called upon to pay this company large sums to get back from them that monopoly which we propose to hand over to them now for nothing. Does this company propose to pay the country anything for the monoply of the Red River for all time? Not a dollar. Do they ask us to hand it over to them because they have money to commence the work? Not even that, Sir. They tell us they want it as a speculation, and as a means of making money for themselves. They say, we trust to get some other people to furnish the money, and we propose to take the profits. That is what they say to us. And, it is calmly proposed here that we should take away from the people of the present day, and from future generations in that portion of Manitoba, these valuable rights, privileges and franchises. I protest against it, and I say that a proposal of that kind would be right in no part of Canada. I defy the promoter of this Bill, and I defy the Government who are standing behind him, to produce a single precedent in the history of Canada where the Government have allowed a work of this kind to pass out of their hands into the hands of a private company; and especially so, in the face of the very strong protests that have been made by the city most interested.

Mr. DALY. I am sure the members of this House will agree with me, that we have had a very extraordinary statement from the hon. member from Winnipeg (Mr. Martin). That hon. gentleman has taken up the time of this House for three hours and some odd minutes, discussing a private Bill. The hon. gentleman started out to discuss the Bill clause after clause, until interrupted by you, Mr. Speaker, and his attention was called to the rule of the House, which did not permit him following such a course.

Mr. MARTIN. I beg to say that I did not attempt to discuss the Bill clause after clause.

Mr. DALY. Of course, Mr. Speaker, the hon. gentleman (Mr. Martin) will say that in spite of your having ruled that he did. However, it is a matter of indifference to me whether the hon. gentleman (Mr. Martin) is willing to be ruled by the Chair or not, but hon. members are aware, that he opened his speech by reading the first clause of the Bill, which contains the names of the incorporators. What object, the hon. gentleman could seek to attain by giving the House the benefit of what they could read themselves in the Bill, and what bearing that had upon the subsequent argument of the hon. gentleman, I am at a loss to understand. Why, Mr. Speaker, the hon. gentleman has simply been killing time, because, in the first place, when interrupted by hon. gentlemen on this side of the House and queried as to the position he assumed, he said, that he was not opposed to the Bill. About an hour after having made that statement, he told the House that he was opposed to the Bill, and he gave the reasons why he was opposed to it. How, the hon. gentleman (Mr. Martin) could state to this House, that he was not opposed to the Bill, in view of the fact that he has notice of no less than seven amendments to it on the Order paper, I fail to understand. If he is not opposed to this Bill, why has he given notice of these amendments, and why has he taken three hours and a half discussing its provisions. The hon. gentleman (Mr. Martin) has given no good reasons to the House why this Bill should not receive the same treatment as any other private Bill of such an important nature. We have, Sir, the further fact, that the hon. gentleman (Mr. Martin) caused no less than seven postponements of the consideration of this Bill in the Railway Committee, evidencing the hon. gentleman's intention to oppose it at all hazards. And, the hon. gentleman (Mr. Martin) would like the House to understand that he is representing his constituents in the city of Winnipeg, in the action he is taking to-day. The hon. gentleman presumes to speak for the city of Winnipeg, and in his closing remarks he said, that the people of Manitoba, in future, would hold this Government responsible for handing over a monopoly of the Red River navigation to the promoters of this Bill. Sir, it seems to me a most extraordinary thing, that the hon. gentleman (Mr. Martin), having read a telegram from the mayor and the city clerk of Winnipeg—a telegram which was also sent to the Minister of Railways and Canals—and the House having had an opportunity of considering that telegram; it seems to me an extraordinary thing that the hon. gentleman would like this House to believe that this Bill is not framed exactly in accordance with the wishes of the people of Winnipeg. According to your ruling, Mr. Speaker, we cannot discuss the different clauses of the Bill, but any person perusing this Bill and perusing the telegram from the mayor and city clerk of Winnipeg, can come to no other conclusion than that the Government have safeguarded the interests of the people of the city of Winnipeg, and have paid attention to the position taken by the city council and the board of trade of the city of Winnipeg in reference to this measure. If hon. gentlemen will look at the different clauses which the member for Winnipeg seeks to strike out by his amendments, they will see that every interest has been safeguarded; not at the instance of the hon. member for Winnipeg (Mr. Martin), but at the instance of the Government itself. The Minister of Railways and Canals, looking after the interests of the people generally, and particularly of the people of Winnipeg, and those interested in the navigation of the Red River, has seen to it, that the Bill has been amended in such particulars as to provide against any of the contingencies which the hon. gentleman (Mr. Martin) would lead the House to understand would eventuate if the Bill were passed. Now, Sir, this is a very important measure. It is a measure that seeks to give relief to the people of Manitoba and the North-west Territories. The hon. gentleman, in his opening remarks, said, very truly, that if there is one matter in which our people are interested, it is the question of having an outlet for their surplus produce. As the House is aware, we have had a very large yield of grain this year——

Mr. DAVIES (P.E.I.) Will the hon. gentleman excuse me, as I am anxious to ascertain exactly on what this Bill depends? Do I understand correctly that any possible benefits that are to flow from its passage will depend absolutely on the navigability of Hudson's Bay?

Mr. DALY. I am not aware of that.

Mr. DAVIES (P.E.I.) Is that a necessary condition of the Bill?

Mr. DALY. I presume it would be. It would be very necessary to the carrying out of the desire of the promoters of the Bill, and for the utility of the canal and waterways proposed to be constructed under the Bill, that the navigability of Hudson's Straits should be ascertained.

Mr. DAVIES (P.E.I.) In determining whether one should vote for the Bill or not, the first condition upon which to satisfy his mind would be that the Hudson's Bay is, in fact, navigable for commercial purposes ?

Mr. DALY. Certainly, and that is a condition that can be met by the very strongest authorities.

Mr. DAVIES (P.E.I.) You will understand me as not questioning it at all. I have been re-reading to-day Lieutenant Gordon's report, and I was anxious to know if I was correct in that.

Mr. DALY. That is a matter on which one should be satisfied—that the straits are entirely navigable. I was going on to say, when I was interrupted, that this Bill seeks to incorporate the gentlemen named in it for the purpose of utilizing the water stretches that lie between the city of Winnipeg and Hudson's Bay. These have been enumerated by the hon. member for Winnipeg as consisting of the Red River, running from the city of Winnipeg to Lake Winnipeg, Hayes River and Nelson River. As the hon. gentleman has correctly told the House, this is not a new matter at all, because for years the only outlet which the people of the old Selkirk colony and the people of Rupert's Land had was by the very route which the promoters of this Bill now seek to make navigable for the carrying out of the produce of the country. The hon. gentleman told the House that he was not opposed to that feature of the Bill which has reference to the utilization of these waters ; but he confined his presumed opposition, after he had declared himself in favour of the Bill, to that portion which seeks to give to the promoters the right to improve the navigation of Red River. As the hon. gentleman has stated, the people of Winnipeg and of the surrounding country, have for a number of years applied to the different Governments of Canada with the view of getting the St. Andrew's Rapids improved. Surveys have been made of those rapids by the Government engineers and by the engineers of the city of Winnipeg. A difference appears to exist between the surveys and estimates made by those respective engineers as to the cost of the work. But, Sir, I am satisfied of one thing—that so far as the terms of this Bill are concerned, if it becomes law, it cannot interfere in the slightest degree with any interests in the city of Winnipeg, or any interests that can possibly be affected by making the Red River navigable. On the contrary, it will give to the people who are interested in the navigability of Red River, a chance which they have been looking for for years. If it should happen that the Government cannot undertake the work of removing the difficulties at St. Andrew's Rapids, Union Point Shoal, Elm Point Shoal, Two Point Shoal, South Bend Shoal, and the other shoals in the river that interfere with navigation, and if an opportunity is given to the company, under the safeguards provided in this Bill, to carry out this work, the people of Winnipeg will not say that the Government have done anything to inflict upon them any wrong, or to prevent these long-looked-for improvements being carried out. Now, Sir, what does that telegram of the mayor and city clerk of Winnipeg say ? It says :

> While this council appreciate the fact that the improvement of Red River is most important to the city of Winnipeg, and greatly to be desired, they believe the work should be carried out by the Government and not by a private corporation, unless the greatest care be taken to safeguard the rights of the public; and, while they wish the promoters of the scheme of constructing a waterway to Hudson's Bay every success, they think Parliament should not grant any special right or privilege unless the Government have the right to take over such improvements at actual first cost as a public work if it should be thought advisable, and unless Parliament protect the public by imposing proper limitations on tolls and charges without regard to dividends, and also that the Government's approval be requisite for plans of all works and not merely those named in section 7. Section 5 is indefinite. Section 8 should provide for the city's consent as to a tramway in limits.

The first objection taken by this telegram is that we should safeguard the rights of the public, and should not grant any exclusive right or privilege unless the Government have the right to take over such improvements. The Bill provides for the Government taking over these improvements, so that that difficulty is removed. Then, Parliament must protect the public by imposing proper limitations on the tolls and charges without regard to dividends. By the Bill, Parliament proposes to impose proper limitations on tolls and charges. Then, it is said that the Government's approval should be requisite for plans of all works, and not merely those named in section 7. The Bill as amended, and now before the House, provides that the tolls and charges shall be regulated by the Governor General in Council : so that that difficulty is removed. Further, it is asked that all the plans be approved by the Governor General in Council. That has been provided for. As to the consent of the city to tramways within the limits, the Government have incorporated in the Bill, section 13, which provides for all the safeguards that are given in similar Bills passed through the Railway Committee, namely, the usual model Bill clause ; and, strange to say, amongst the amendments which the hon. gentleman offers is one to strike out this model Bill clause, which the people of Winnipeg, through their mayor and city clerk ask should form part of the Bill, providing that the building of the tramway and any other works that may be constructed in the city of Winnipeg shall be surrounded by the usual safeguards provided by Parliament in Bills similar to this. So that every change that is asked for by the city council of Winnipeg or by the board of trade, has been provided for in this Bill. Yet, in spite of that, and in spite of the fact that the representative of the city council of Winnipeg, Mr. Alderman Andrews, who appeared before the Railway Committee——

Mr. MARTIN. Mr. Speaker, it is quite out of order for the hon. member to refer to what occurred in the committee. I was very careful not to do that. I would have anticipated points of this kind if I had been allowed to do so.

Mr. SPEAKER. I do not think there is anything to prevent any hon. member referring to what has taken place in the committee on a Bill that has been reported by the committee, except that he cannot discuss the conduct or language of members of the committee further than appears on the records.

Mr. DALY. What I was going to say was that the city council of Winnipeg had a representative here in the person of Alderman Andrews. Mr. Andrews appeared before that committee, and expressed himself perfectly satisfied with the Bill as it now appears before the House. The amendments that were made at the instigation of the hon. the Minister of Railways and Canals (Mr. Haggart), were quite satisfactory to him, representing the city council of Winnipeg, and yet, in spite of that fact, in spite of our having met, by the provisions of the Bill as now printed, every objection raised by the mayor and city clerk of Winnipeg, we find the hon. gentleman here consuming the time of the House for three hours, protesting against the passage of the Bill and asserting that he speaks on behalf of the citizens of Winnipeg. I am perfectly satisfied, Mr. Speaker, that when the citizens of Winnipeg have an opportunity of examining into the provisions of the Bill, they will not thank the hon. gentleman for the position he has taken here to-day, because I am perfectly satisfied that every right-thinking man, who considers the Bill in its present shape, must come to the conclusion that the citizens of Winnipeg, as represented by the city council and board of trade, will have nothing whatever to complain of.

But the hon. gentleman went outside the provisions of this Bill. Not satisfied with discussing the navigability of the Hudson's Straits or the position in which the St. Andrew's Rapids would be placed by the passage of this Bill, he undertook to discuss the question of the building of the Hudson's Bay railway and other matters pertaining to the relief which the people of Manitoba expect to get by the construction of that line of railway, as affording them another route for exporting their overplus of grain. I am satisfied that the hon. gentleman was quite within the truth when he said that the people of Manitoba now discuss this question of the building of the Hudson's Bay Railway or of other railways in that country in a different spirit from that in which they discussed them a few years ago. There was a day in the history of Manitoba when there was no warmer advocate of the Hudson's Bay Railway than the hon. member for Winnipeg himself. There was a day when that hon. gentleman and his colleague, Mr. Greenway, sought to drive the Hon. John Norquay from power by attacking him and his government upon the attitude they had assumed as regards this very Hudson's Bay Railway scheme. There was no warmer advocates of that scheme in Manitoba than the hon. gentleman and Mr. Greenway, prior to their becoming members of the government which Mr. Greenway formed in 1888. Why, it is a matter of history that this hon. gentleman (Mr. Martin) introduced a resolution in the legislature of Manitoba which proposed to guarantee four and a half million dollars of the bonds of this company to which the hon. gentleman referred this afternoon; and when legislation was introduced by Mr. Norquay, based upon that resolution, he had no warmer advocate of that measure than the hon. member for Winnipeg. The hon. gentleman now says that the Hudson's Bay Railway will never be a success so long as it is in the hands of its present promoters; but, strange to say, we have it, as a matter of history, that the hon. gentleman was a member of the government which gave the highest certificate which could possibly be given to the president of that railway.

Mr. MARTIN. Not the government.

Mr. DALY. It was signed by the Premier (Mr. Greenway). The letter of Mr. Greenway to Mr. Hugh Sutherland was signed by Mr. Greenway in this city. The hon. member for Winnipeg was Attorney General of Mr. Greenway's Cabinet at that time, and he was here at the time the letter was written by Mr. Greenway or by himself—I do not know which. At all events he never repudiated that letter, and the hon. gentleman gave the highest possible certificate that could be given by the member of any government to the present president of the Hudson's Bay Railway. What reason the hon. gentleman has for his change of mind, I cannot say.

Mr. MARTIN. I would like to say, if you will allow me, that I knew nothing whatever of that letter having been written; but if I had known it was written and had had an opportunity of dissenting from it, I would have done so. I did not agree to it at that time, and I never have since.

Mr. DALY. I am bound to take the hon. gentleman's statement, but I am aware of the fact that neither he nor any member of his government ever repudiated the action of his Premier when that letter was given by Mr. Greenway to Mr. Sutherland. But at all events, whether the hon. gentleman was a party to that letter or not, I have placed it upon record. It is in "Hansard," in a speech I made in this House two years ago, and at the time the letter was given Mr. Greenway and his government were satisfied with the president of the Hudson's Bay Railway Company and the promoters of that scheme.

Mr. MARTIN. No.

Mr. DALY. The president and promoters of that scheme then, are its president and promoters to-day. But a change came over the dream of the hon. gentleman, when the Northern Pacific Railway deal took place in the city of Winnipeg, of which I also gave the House a short history some few years ago. But I started out by saying—and that is the reason I mention these few facts,—that the hon. gentleman uttered a truism this afternoon, when he remarked that the people of Manitoba look a little more carefully into any railway scheme now than they did a few years ago. It is perfectly true that they do view with suspicion nowadays any railway scheme, and they have good reason for doing so. The people of Winnipeg and the people of Manitoba have had a very sore experience indeed in the matter of building railways in that province. They are burdened with a debt to-day that it will take them many years to redeem, owing to the action of the government that was in power in 1888 and 1889, of which the hon. gentleman was a member; and I have no doubt that the caution they exhibit to-day is the outcome of the warning which these people were given at that time and which is now going to stand them in good stead. They discuss these matters differently now from what they did in days gone by, and I do not blame them, because after the burden that was uselessly inflicted upon them by the building of the Northern Pacific in Manitoba, they have reason to be suspicious of all other railway schemes. But the hon. gentleman forgot to tell the House what he had to do with the building of that railway. He forgot to tell the House that he was a member of the government, which increased the debt of Manitoba from 1888 to the present by some two and a half million dollars; and he forgot to tell the House that one reason given to the people of Manitoba why it was necessary to build the Northern Pacific Railway, was that it would create competition with the Canadian Pacific Railway and thereby bring about lower rates of freight. He also omitted to state that the grain rates to-day are identical on the two lines, and that the people have got no benefit from the competition of the Northern Pacific, in the slightest degree, notwithstanding the statements made by the Greenway government in that particular. And suffering as they do to-day from the want of competition, they naturally look for relief to such schemes as that now before the House which will give them another outlet for their grain. I am not going to weary the House any further than to say that I am perfectly satisfied that, so far as the interests of the people of Manitoba and the North-west are concerned, all their rights are properly safeguarded in the Bill before the House, and that the people will realize, on reading the Bill carefully and on reflecting on the position the company takes, that the company are not getting anything more than we should give them. Why, it would be a matter of great relief to us if we can know that in that country we will have an uninterrupted line of communication from the city of Winnipeg to Lake Winnipeg and out to the Hudson's Straits.

The question of the navigability of these straits has been brought up here. To-day there can be no question of their navigability. The evidence is overwhelming, as given before a committee of this House, and before a committee of the Senate, and before a committee of the Manitoba legislature, and from the reports of men who are competent to speak, that Hudson's Straits, are navigable for five months in the year —

Mr. WELSH. No.

Mr. DALY—and that they can be readily navigated by vessels that are constructed specially for that service. The hon. member from Prince Edward Island (Mr. Welsh) takes issue with that statement. I would like to know if he has made a voyage to those waters, or if he knows more on the subject than others in this House.

Mr. WELSH. I know more about it than you do.

Mr. DALY. I would like to know what the hon. member knows about it.

Mr. WELSH. I will tell you, by and by.

Mr. DALY. Because, as against any statement the hon. gentleman may make in this House, we have the sworn testimony of others who are equally well up in navigation, and who have had as much experience as the hon. gentleman, and who state that these straits are navigable.

Mr. WELSH. For five months, you said.

Mr. DALY. I say they are navigable for from four and a half to five months in the year. The hon. member for Winnipeg said it was not demonstrated by the voyage of the "Alert" that these straits were navigable. The "Alert" was not a vessel that was calculated to find out whether the straits were navigable or not. She was a vessel that could not demonstrate to anybody, while she was in the straits, whether they were navigable for three months or five months. From the information before the committees I have referred to, it is clear that vessels properly constructed to contend with the ice, will demonstrate to a truism that these straits are open for from four and a half to five months in the year. If that is the case, it is all the more necessary that we people in that western country should make an effort to get to Hudson's Bay. The hon. member for Winnipeg doubted whether we should get much benefit from this work, because our wheat would be stored from one season to another; for instance, you could not get out this year wheat grown this year. The hon. gentleman knows that we get out in any year a very small proportion of the crops of that year, but that the larger proportion of the grain is stored in warehouses or elevators in Manitoba, or Port Arthur, or along the line of the Canadian Pacific Railway. All that the farmer requires to know is, that he is getting the market price for his grain, and if he is, it is a matter of indifference to him whether the purchaser stores it at Fort Churchill, Port Nelson, Port Arthur, or New York. We know that the mileage from Winnipeg to Nelson is figured at 650, while the mileage from Winnipeg to Montreal, by rail, is 1,400 miles. So the saving in the rail carriage alone and the sea freights that would be given by steamers coming into Nelson, will compensate the buyers, if a better price is given by them for wheat bought to be shipped by Hudson's Bay than that shipped via Port Arthur, or all rail, to Montreal. There can be no doubt, as the hon. gentleman says, that we suffer from high freight rates at the present. There will be no relief until we get another outlet. The freight rates we suffer from are not on the carriage of wheat by vessels, but those charged on the lines of railway. And the hon. gentleman admitted, as the fact is, that the railways could not charge less and pay expenses.

Mr. MARTIN. I did not admit that.

Mr. DALY. It was demonstrated in the evidence that was given before the commission, that the Canadian Pacific Railway is charging less per mile for bringing out wheat from Manitoba than is charged by the Northern Pacific, the Great Northern, the Union Pacific and other roads hauling freight from the Western states. But the point I was going to make is, that any serious difficulties in the way of raising wheat arise, not from the freights on vessels, but from the freights on railways. And, if we can get out our wheat to Hudson's Bay by 650 miles of railway, against 1,400 miles to Montreal, the farmer is going to get the benefit of the shorter haul by railway, and, so far as the ocean rates are concerned, they will be as cheap from Nelson to Liverpool as from Montreal to Liverpool.

Mr. WELSH. No.

Mr. DALY. I am speaking subject to correction, not on the part of the hon. member from Prince Edward Island (Mr. Welsh), but those who are aware of the facts, that offers have been made by leading shipbuilders in the old country, who will undertake to carry our grain from Nelson or Fort Churchill at as low rates as can be given by the St. Lawrence route.

Mr. WELSH. No.

Mr. DALY. They will get the same insurance as they get from St. Lawrence ports, in any season of the year. So that any difficulties that may arise in connection with the navigation of the Hudson's Strait, will be overcome just as soon as we get a line of railway to Hudson's Bay.

Coming back to the Bill—I was discussing the railway only because the matter was introduced by the hon. gentleman—we are satisfied that, not only should we have the railway, but also we should have the water stretches, lying between Lake Winnipeg and Hudson's Bay, utilized. If the grain we have raised this year in Manitoba and the North-west is any indication of what the grain-raising capacities of that country are, I think it is clearly demonstrated that, in the course of ten or fifteen years, we shall require, not only a double track on the Canadian Pacific Railway to Port Arthur, and the Hudson's Bay Railway, but also this canal for steamer navigation. For I think we can demonstrate beyond all doubt that the great grain-raising portions of the North American continent lies north of the 49th parallel, and that the grain raised there is at least the equal, and probably the superior, of that grown in any part of the world. So that this Bill is one in the interests of Manitoba, as a whole, and not of the people of Winnipeg alone, or those interested in the navigation of the Red River. It is a Bill in the interests of those who require low freight rates for their grain. And I am satisfied that the position taken by the hon. member for Winnipeg will demonstrate to the people of Manitoba and Winnipeg that their interests are not safe in his hands, but that, on the contrary, he is willing, for personal reasons by taking up the time of this House and the time of the committee to prevent the passage of this Bill, even though it is one in the interests of Winnipeg and of the province as a whole. As to the objection concerning St. Andrew's Rapids, when we are in committee on the Bill, and come to deal with the clause providing for the construction of dams and other works of the St. Andrew's Rapids, we shall be able to demonstrate to the House that we have surrounded the construction of these works for overcoming obstructions in the navigation of Red River, with such conditions that there is not a person in the city of Winnipeg who can say that the Government have not done their whole duty in the framing of this Bill.

Mr. WELSH. I am afraid that this is another wild-cat scheme. I am afraid that if we pass this Bill we shall incur further complications as we did with the Chignecto Railway scheme. I have listened to the hon. gentleman's yarn about the Hudson's Bay being open five months in the year. I denied it, I deny it now. I have had interviews with the secretary of the Hudson's

Bay Company in London, and I went over the whole scheme of the Hudson's Bay route with him, and I discovered that the Hudson's Bay is only navigable from some time in July till about the 1st of October, and sometimes only until the close of September. If you can make five months out of that, show me how you do it. Now, I do not like this Bill, for I believe it is the thin end of the wedge, which will lead to a demand upon this Parliament for a subsidy. They will issue bonds and deceive those capitalists for whom so much sympathy is felt on that side of the House. They will start this canal, perhaps not a penny paid up, and then issue bonds. When this Bill goes into committee, if it ever gets that far, I shall move that no bonds shall be issued by this company until three millions of the shareholders' capital is invested and spent in the construction of that canal. Talk about five millions for a canal of 800 miles. Why, fifty millions would not do it. Then we heard the hon. gentleman opposite talk about the rate of freight being as low from Hudson's Bay as from New York. Why, it is absurd.

Mr. DALY. I did not say New York, I said St. Lawrence points, Montreal.

Mr. WELSH. Well, Montreal. They can carry freight from Montreal for something like two-pence a bushel. Does he mean to tell me that a ship that can only navigate Hudson's Bay for three months in a year can compete in carrying freight with vessels sailing from sea-board ports that are open all the year around, like Portland, Halifax, New York and elsewhere ? It is absurd.

Mr. DALY. I am not talking about those places.

Mr. WELSH. I believe that those steamers will have to be powerful steamers in order to contend with the ice, and even then, three months is the longest season you can calculate upon during which those vessels will be able to navigate Hudson's Bay ; and the rate of insurance would be much higher in that bay than it would be on the St. Lawrence route. I think the whole scheme is a wild-cat scheme, and that in future we will be called upon to give them a subsidy ; there is no doubt about it. This country a few years ago was convulsed from one end to the other by the great Pacific Railway scheme. That was a large undertaking, and it was completed for the purpose of opening up the North-west, and making a connection with British Columbia and the Pacific Ocean. That was done at a cost to the people of this Dominion of a hundred million of dollars, to say the least. Although the company has the whole trade in its hands, it is not paying, the stock is not at par : even after this Dominion has contributed a hundred million dollars towards the enterprise. Now, here is another scheme for aid to build 800 miles of canal to compete with the Canadian Pacific Railway. What will that 800 miles of canal cost ? They say five millions. Why, that will pay no more than 5 per cent of the cost of it. I certainly look on this as a very wild scheme, and I think it behooves the members of this House representing other sections of the country besides the North-west to hesitate and think over the matter well before they sanction this scheme that is going to be a heavy tax eventually, I believe, on the people of Canada. It may not be so ; but I have invariably found that when companies come to this House looking for charters for railways—and I put canals in the same category—the end is a subsidy, or a grant of land, and the resources of the country are all given away to speculators. At all events, I shall certainly insist, if this Bill gets into committee, that a clause be inserted that the company shall have no right to issue any bonds to induce foreign capitalists to invest their money in this undertaking until at least three millions of the shareholders' capital is paid up and invested in actual construction, as a guarantee of good faith.

Mr. MACDOWALL. I only desire to say a few words on this subject. I think, in the first place, it would be very absurd that this House should refuse to allow this Bill to pass simply because some hon. gentlemen are afraid that afterwards Parliament may be asked to subsidize the scheme. There is nothing in the Bill at present that shows any such intention or prospect. When we consider the fact that the people of the North-west are very deeply interested in obtaining an outlet to this northern sea, it really disposes of the question. I think the House ought to be generous enough to lend their aid in passing the scheme. But even supposing the subsidy were asked, that of course would be a question for the future. And then I ask the question : Does not the giving of these subsidies really pay the Dominion ? It is a well-known fact that the Dominion of Canada prides itself on being an agricultural country. Only three or four years ago, as we find by the Trade and Navigation Returns, although this is an agricultural country, and although Manitoba and the North-west exported fifteen million bushels of breadstuffs, yet Canada was an importer of breadstuffs to the extent of 183,000 bushels more than she exported. That shows the immense value the North-west is to Canada. Now, the more we open up the North-west, the more people there will be to consume the goods and manufactures of the east. Therefore, I say that hon. gentlemen who represent eastern provinces should think twice, and think very seriously, before they throw cold water on any scheme that is likely to develop the North-west. I think my hon. friend who leads the Opposition will hardly endorse the sentiments of the last speaker

(Mr. Welsh), because his name has been lately mentioned in the newspapers as a candidate for a North-west constituency; and if he desires to fill the hearts of his supporters there with joy, he will have to join the Government in aid of this scheme that will give the North-west that outlet, which seems to be the great desire of every one who lives in that country. Now, Sir, the hon. gentleman who has just spoken says that the Hudson's Bay is not navigable. I myself have no more personal knowledge than he has. But I have this to say, that I have met many sailors who have come out from the north of Scotland, been brought out by the Hudson's Bay Company, and who have navigated craft in the Hudson's Bay, sailing in the Hudson's Bay Company's ships from one point to another in the bay, and their unanimous opinion seems to be that the navigation of the Hudson's Bay is not a bit more difficult than the navigation of the St. Lawrence through the Straits of Belle Isle. That seems to be their unanimous opinion; I myself cannot say anything more than what I have heard. But I believe that when you get sailors who have navigated the Straits of Belle Isle to Montreal, and also the Straits of Hudson's Bay, and from point to point within that inland sea, you should be inclined to accept their evidence. There is another important point that we should take into consideration in considering this canal scheme. We want to get capital into this country as well as population, in order to open up and develop the North-west. If this canal were an accepted fact to-day, I venture to say that millions of capital would come in from the old country that are kept out just now. I say that advisedly, because I know that a great deal of capital would come in, I know the people would bring it in if there were an outlet through this northern country, thereby making a shorter route to the old country. On this account hon. gentlemen can see that any representative of the North-west is called upon to consider the question very carefully before he assists in throwing out this canal scheme. The hon. member for Prince Edward Island (Mr. Welsh) referred to freight rates, and the remarks made by the Minister of the Interior. So far as freight rates are concerned, they depend upon two conditions: first, whether there is a sufficient quantity of return freight; second, the condition of the shipping trade. There are certain seasons when the shipping trade is very dull, and when vessel owners are willing to carry freight at very little over cost. We are all aware that when trade is very dull at Montreal, vessels sailing from that port will carry certain classes of freight almost as ballast, at all events at very low rates; and no doubt if the Hudson's Bay were opened out and the route were developed, the same conditions would prevail at Churchill as prevail in Montreal, Boston, New York or any other port on the Atlantic coast. The hon. member for Queen's (Mr. Welsh) has, therefore, not presented any argument whatever against the canal scheme. As to the question of insurance. Some time ago the president of the old Hudson's Bay Railway Company, which is now known as the Winnipeg and Northern Railway Company, hoped to be able to float this scheme successfully and build the first portion of the railway, and perhaps even the whole of it, and at that time he spent much time and the greatest care in ascertaining all the material facts connected with operating the road, and I have seen letters which he had received from insurance agents in London—this was some years ago—guaranteeing that insurance rates would be given to the Hudson's Bay route as they were to the Baltic and ports thereon. We know that the insurance question does not prevent a profitable trade being done in the Baltic, and we can therefore fairly run the risk, and we may consider the question of insurance as one of the remote questions to be settled afterwards, and one which will probably settle itself. One word more as to the remarks made by the hon. member for Prince Edward Island, and that is in regard to the cost of the work. The capital of the company is placed at $5,000,000, and the hon. member for Queen's (Mr. Welsh) estimates that at least $50,000,000 will be required to construct a canal of such an immense length. Has the hon. gentleman any idea as to what the length of the canal will be? Does he know how many locks will be required, what their length will be, what sort of material will be required to be excavated? It appears to me that if we had to build a canal for the whole distance from Winnipeg to Hudson's Bay, the objection put forward by the hon. gentleman would be a sound one; but when a canal is constructed, the cost depends largely on the rivers, lakes and springs that are utilized, the mileage of lockage which is to be constructed, and the character of the material to be excavated. Until the hon. gentleman has positive information as to what that material is, I would suggest that he drop that line of criticism, and when he obtains that information he may perhaps be satisfied as to the wisdom of granting a subsidy, if it should be required. I desire only to offer these few remarks in answer to the objection which the hon. member for Queen's (Mr. Welsh) has raised, and which, from my point of view, appears to be fallacious.

Mr. WELSH. How long during the year will the canal be opened, if it is built?

Mr. MACDOWALL. In reply to the hon. gentleman, I would say that the canal will be open probably about six months in the year, and I believe from the evidence I have heard of those who have navigated the Hudson's Bay, that probably the navigation of Hudson's Bay will be about nine months in the year.

Sir JAMES GRANT. I have listened with very considerable interest to the address delivered this afternoon by the hon. member for Winnipeg (Mr. Martin) respecting this great portion of our North-west. I was very much surprised that an hon. gentleman who represents the great agricultural district surrounding Winnipeg should embrace this opportunity of throwing cold water on a great project which is destined to build up the material interest and prosperity of that section of the country. We know perfectly well that canals and waterways were advocated many years ago in connection with the construction of the Canadian Pacific Railway, by Hon. Alexander Mackenzie, and the hon. member promoting the Bill (Mr. Boyd) who has taken the responsibility of placing this measure before the House, has undoubtedly the good of the country at heart, and if the canal proposed is built and tends to bring immigration into the country and to develop our great material resources, it will greatly aid in promoting the prosperity of this portion of the North American continent. We know perfectly well that so far as regards the territory between Hudson's Bay and the city of Winnipeg it is now merely in an incipient stage of development, and this is true so far as accurate knowledge of the section is concerned. The Government of Canada for many years past have undertaken the responsibility of acquiring a more accurate knowledge of this section of the Dominion.

Mr. DAVIES (P.E.I.) The hon. gentleman speaks of the development of that great section of country lying between Hudson's Bay and Winnipeg. Will the hon. gentleman—for I know he has informed himself—state what particular lines, what woods or materials or minerals or other products which exist there, can be developed in that section of the country ?

Sir JAMES GRANT. I am very glad the hon. member for Queen's (Mr. Davies) has asked me this very important and cogent question. Allow me to tell him that there is no portion of the Dominion whose prospects of development are greater than the territory between Hudson's Bay and Winnipeg. We know perfectly well the resources of the country are unbounded as regards the fisheries, the whalebone interest, the oil industry in connection with the great fish that are caught in the rivers, the salmon which are caught in the rivers, these valuable resources having been described by explorers who have visited that section of the Dominion. Investigations made within the last twelve months by two gentlemen who travelled from Labrador to Hudson's Bay show that there is a vast territory which is almost unexplored, and which deserves the most careful attention of the Government in order that its resources may be developed and produce that revenue which must follow from the opening up of a great section of the country. I am astonished beyond measure at finding hon. gentlemen willing to throw cold water on this great country. In the early history of Canada some of our principal rivers were thought not to be navigable on account of ice. History is truly repeating itself. No doubt vessels can be built which will be able to overcome the ice and find their way into Hudson's Bay during several months each year. We know that Hudson's Bay is about 1,000 miles wide by 500 miles long, that in fact it covers an enormous area, and does not lie within the arctic circle, as was formerly supposed, but lies in the same latitude as the northern portion of Scotland. I believe there is a great future before that section of the country. Only a short time ago I learned from a gentleman who had been exploring there that large revenues might be obtained from that section, and this was especially the case in regard to furs, that musk ox skins were collected by Esquimaux who could not find a market for them, and so these valuable furs were ultimately destroyed and lost to our country. I am very much pleased that the hon. gentleman has seen fit to introduce the Bill this session, for, even if it is not carried now, it will be in the incipient stage of development, and the time will come when the measure will be carried by this Parliament. There are large deposits of iron in that country, there are said to be coal deposits, and we know that there are large quantities of lumber in that region. It is high time that these valuable natural resources should be turned to practical account. We know also that there is a large area of agricultural land fit for settlement.

Mr. MARTIN. Where ?

Sir JAMES GRANT. Dr. Bell, of the Geological Survey, one of the first scientists in this country, is satisfied, from his personal observation of the number of large trees, of the vegetation, of the character of the soil, and of the large rivers which water this fertile country, that there is a large area of agricultural land there fit for settlement. What are the advantages, let me ask, of having an outlet through Hudson's Bay from that section of the country ? We know that Winnipeg is 1,200 miles nearer Liverpool, via the Hudson's Bay, than by the St. Lawrence route. Is it not of some importance to the hon. member (Mr. Martin), who has read so much literature this afternoon, and is it not important to his constituents, that this route should be promoted ? Should we not, this House of Commons, proceed in the matter, notwithstanding that the hon. gentleman (Mr. Martin) does not believe in the development of these resources, which are intended to build up the city which he has the honour to represent ? I have no doubt whatever as to the future of this country. I have no doubt whatever as to its resources. The fertile sections that lie north and west of it, to Prince Albert, and eastward again : sections of the country that are hardly yet explored, must find an outlet for shipment of the immense quantities of grain that will be grown there in the near future. We know, as was told us the other day by the Secretary of State (Sir Charles Tupper), that our North-west country has grown more wheat than the whole of Great Britain during the last twelve months. If that was the case last year, what will it be ten years hence ? Do you suppose that the Canadian Pacific Railway will be able to carry all the grain to market ? Is it desirable that it should go by Buffalo to the New York markets ? Is it not far better that it should be placed in elevators at Hudson's Bay, or Fort Churchill, and shipped to Great Britain ? When this can be accomplished, you will find thousands of population coming in, for the dozens that are there to-day, to lend their aid to develop that country. I trust that a canal or a railway scheme intended to develop the great resources of the Hudson's Bay Company, will receive the full and fair consideration of these individuals who are interested in developing the resources of that country. Such a scheme, carried to accomplishment, is absolutely necessary for the future of Hudson's Bay and the surrounding territory.

Mr. LISTER. I desire, in the first place, to correct the statement which I have heard the hon. gentleman (Sir James Grant) make on two occasions, namely, that the North-west has grown as much wheat during the last year as was grown in Great Britain. While I am just as pleased as the hon. gentleman at the progress Manitoba has made, I desire to say that Manitoba has only grown about half as much as was grown in Great Britain.

Some hon. MEMBERS. That is not so.

Mr. LISTER. Yes, it is so. It seems to me that hon. gentlemen on the other side of the House have entirely wandered away from the issue before us. The productiveness of Manitoba is not questioned by us, nor is the practicability of navigating the Hudson's Bay for from three to six months in the year ; but the Bill we are considering asks us to incorporate certain gentlemen for the purpose of constructing a canal from Lake Winnipeg to Hudson's Bay, along the Hayes and other rivers. What my hon. friend from Winnipeg (Mr. Martin) objects to, is not the construction of the canal, but he says that, in the interest of the city of Winnipeg and in the interest of the people of the North-west and of Canada generally, it is not good policy that the Government should hand over the control of a great waterway to any private corporation. That is the question which this House has to consider, and, furthermore, we have to consider whether the Bill, as amended, properly protects the interests of this country and the interests of individuals concerned. My hon. friend from Selkirk (Mr. Daly) seems to speak in a complaining spirit of the hon. member for Winnipeg (Mr. Martin) occupying three or more hours in addressing the House upon the Bill now before us. Surely, the hon. gentleman (Mr. Daly) will not pretend to say that, if a Bill has inherent defects, it is not the duty of every hon. member in this House familiar with the facts, to stand up for three hours, nay, if need be, ten hours, in opposition to the measure. My hon. friend (Mr. Daly) talks about the large number of amendments that the hon. member for Winnipeg (Mr. Martin) has placed upon the Order paper. My hon. friend (Mr. Martin), in proposing these amendments, hopes to make the Bill a proper measure, and to protect, as far as possible, the rights of people of the country at large. My hon. friend from Selkirk (Mr. Daly) says that this Bill protects the public interest. I deny his statement, and I can only conclude that he has not perused the Bill, or he would not make it. What the telegram from Winnipeg asked the Railway Committee of this House to do, was not to place in the hands of the Governor the fixing of the tolls upon the canal, but it was to place in the hands of the Governor the fixing of tolls, so that the tolls would be in accordance with the traffic upon the canal, and not in order to enable those who might invest in the scheme to pay themselves 10 per cent upon their investment. The Bill now before the House, with all its amendments, contains no provision of that kind, and it does not, in that sense, safeguard the interests of the people of Winnipeg. My hon. friend from Selkirk (Mr. Daly) has thought it proper on this occasion, as on many other occasions, to introduce into this discussion certain matters of ancient history connected with the Northern Railway and the Hudson's Bay Company. Whenever the hon. member for Winnipeg (Mr. Martin) speaks, the Minister of the Interior avails himself of the opportunity to follow him—somewhat to the amusement of the House generally—and, if the chance offers at all, he never fails to remind us of certain transactions which, he said, took place between the hon. member for Winnipeg and those railways. Mr. Speaker, the hon. member for Winnipeg (Mr. Martin) is always able to defend himself, and, so far as those transactions are concerned, he will probably have, before the night ends, an opportunity of again pointing out to the House that the charges made by the Minister of the Interior have been slanderous.

Mr. SPEAKER. Order.

Mr. LISTER. Very well ; I have not been entirely frank, Mr. Speaker. We will put it in that way. My hon. friend from Prince Edward Island (Mr. Welsh) pointed out to the House that in the case of incorporated companies of this kind, companies authorized to create a bonded indebtedness in the English market, there might be, in this case, as there is in a notable other case with which the Secretary of State is familiar, a moral obligation on the part of the people of this country to indemnify the purchasers of the bonds. The mere fact of legislation passing this House authorizing the contracting of debts on the part of the corporation, is something that should induce the House to examine carefully the project under consideration. Now, so far as this particular scheme is concerned, there is nobody in this House who objects to it. My hon. friend from Winnipeg (Mr. Martin) stated that he was in favour of the construction of a canal from Lake Winnipeg to Hudson's Bay. If these promoters are able to find capitalists willing to invest their money in this scheme, it will be the folly of the capitalists themselves if it is not profitable. They certainly should have no claim on the country. Whether Hudson's Bay is navigable for three months or four months or five months, there is no doubt that the construction of the proposed canal would be, to some extent, an advantage to the people of the North-west; and for that reason, every member of the committee, and I believe every member of this House, is favourable to the undertaking. But what is objected to is the proposition that the Government or Parliament should hand over to a private corporation the control of one of the great waterways of this country; and that is what this Bill proposes to do. It is true that under the terms of the Bill, Parliament reserves to itself power to take over from this corporation any works that may be constructed upon the Red River, in the words of the Bill, at the actual amount expended by them in such construction. But assuming for a moment that Parliament is wise in divesting itself even temporarily of the control of that great waterway, the question arises, do we not run a great risk in placing this power in the hands of a private corporation? Works will be proceeded with, moneys will be expended in part construction of these works, and the time may come when the Government, in the exercise of the powers which this Act gives it, may conceive it to be in the interest of the country to take over from these contractors the control of Red River. Then the question of compensation arises; and, although the Bill may be, apparently, plain in its terms, we know from experience that when you undertake to deprive a corporation of any property upon the terms of compensation, the compensation demanded is generally enormously in advance of the actual cost. But that is only one of the views to be taken of this Bill. The great objection is that the Red River is a great waterway, and that it should be the policy of the Government never to yield or surrender to any corporation or individual the control of that waterway. I submit, Sir, that it is the bounden duty of a Government to control and to place in a fitting condition for the public wants, the great waterways of the country. As well might the Government have turned over to some private corporation the construction of the Sault Ste. Marie Canal. As well might they say to some private corporation: Go into the St. Clair River and construct a canal there or take out some impediments to navigation, and you shall have control of the stream. As well might they turn over to private individuals the great river that runs alongside of us, or the great St. Lawrence itself. These are great waterways belonging to the country, and it is the duty of the country to keep control of them. But, Sir, under this Bill it is proposed to turn over Red River to this corporation, a corporation composed of very respectable men, I have no doubt, but men who, I believe, have no capital to put into it. The intention is that capital shall be invited, that bonds shall be issued for the construction of this work, and the hope and expectation is that the Government will aid in the construction of a portion of the work by public subvention. In that way, it is thought, whether the work should turn out profitable or not, that the aid obtained from the Government will, at all events, secure the interest on the bonds for a number of years, and the bonds will be disposed of, as they were in the Chignecto Ship Railway scheme. Now, Sir, the North-west country generally has been a perfect paradise for exploiters. We have had pretty near all the fertile lands of that country taken up by railways, some of which have been built, and some which never will be built—railways which the bondholders will remember to their regret as long as they live, and of which their children will be reminded afterwards. We have had the timber limits, the grazing lands and coal lands of the country exploited. We have had the rivers of the country granted to corporations for the ostensible purpose of irrigating the country. In fact, Sir, everything that the ingenuity of man could see any money in has been taken up, and the last thing that remains is the Hayes River and the Hudson's Bay. And now it is proposed by this Bill to take up the Hayes River, running from Hudson's Bay into Lake Winnipeg. As it stands now, I do not suppose that the river is of much account by reason of the rapids in it. If any individuals thought proper to improve it, that would be their own business. But in order to make that a valuable franchise, in order that something tangible may be shown to the public—because these gentlemen, shrewd men as they are, know very well that in presenting a scheme of that kind to the public they would be simply laughed at—they asked that the control of the Red River, from the international boundary line up to Lake Winnipeg, shall be given to them for the improvement of the rapids north of the city of Winnipeg. The Bill before the House gives them that right, and provides that the tolls shall be fixed by the Governor General in Council, not with regard to the receipts of the canal, not with regard to the work which it may actually do, but at such rates as will pay interest upon the investment. These men come to the Governor General in Council and show that they have expended half a million or more dollars upon this work, and surely the Governor in Council, in fixing the tolls, will fix them at such a rate as will pay a reasonable interest on the investment. Unless they have some assurance that that would be done, the scheme would be a mad one indeed. These men are not building this canal simply for the benefit of the public, but in order to make something out of it, either by selling the franchise or by partly performing the work and getting the Government to take it over, or by selling the bonds of the company after a subvention has been granted by this Government. The object of these gentlemen is to make money out of the scheme. It is not for the good of the North-west, but for the good of their own pockets that they are working, and they would be fools if they undertook the work upon any other terms. But the question we have to decide is whether Parliament should grant this corporation a charter upon those conditions. The Opposition is willing, we offered in committee, and we have offered here, to consent that this Bill should become law, provided the Red River is not included. The promoters of the Bill refuse to take it upon those terms. For my part, if the Hudson's Bay is open for six months in the year, if that is to be one of the great outlets for the products of the North-west, which are to increase so enormously in the opinion of many, I do not see that it makes any particular difference to those gentlemen whether they get the Red River or not. Give them their charter, let the Government retain possession of the Red River, let the Government do what is necessary to make that a navigable stream —that is what the people want. But rather than have no improvements, as I understand the hon. member from Winnipeg, the people of Winnipeg would be willing that it should be handed over to a private corporation, provided the interests of the public are properly safeguarded. My hon. friend from Winnipeg has pointed out to the House the advantages that this scheme would offer to the people of that city. What they are desirous of is not so much to get the Hudson's Bay as to get access to Lake Winnipeg itself. It is claimed by that hon. gentleman that it is a matter of vast importance to the city to have good navigation to Lake Winnipeg itself. Because of the fuel which abounds in the vicinity, because of its fishing richness, because of the timber that surrounds the lake, and the minerals, and many other reasons, it is particularly desirable that the Red River should be navigable for all vessels that may want to go to Lake Winnipeg and back. As I understand it, it is not a matter of so much consequence, to the people of Winnipeg at all events, whether they get to Hudson's Bay or not.

We have heard a great deal about the navigation of Hudson's Bay. The Government took the trouble to send out an expedition to Hudson's Bay, which, I understand, made a report that has not been entirely satisfactory, and I understand it is the intention of the Government to send another expedition there for the purpose of thoroughly testing the duration of navigation upon that lake. But one can readily understand that it can only be navigated during three months or three months and a half, and then only by vessels specially constructed of great strength, the natural difficulties are so great as to almost deter people from undertaking to transport the products of the country by that route, instead of by the Canadian Pacific Railway and the great lakes to the east. We have had under consideration for many years the question of the building of a Hudson's Bay Railway. That scheme has had a somewhat varied history. When the Government proposed going before the people, shortly before the last sitting of Parliament, and when it was perfectly well known that the people of the North-west, whether wisely or not, were anxious to get that railway built to the Hudson's Bay, the Government secretly, by Order in Council, known to themselves and probably known to the gentlemen who are promoting the railway, undertook to spend two and a half million dollars for the purpose of aiding the construction of 125 miles of that road. The proposed line would run through no settlement and could be of no advantage to the country, because there was nothing binding on the company to construct the road any further. Two and a half million dollars were given secretly by Order in Council, without the authority of an Act of Parliament, without any authority whatever except the sweet will of the Government on the eve of the elections, for the purpose of constructing this section of road, and the further purpose of influencing he electorate of Manitoba, who believed that its construction of that line would be of advantage to them. The press, from one end of the country to the other, denounced it, the people denounced it, the supporters of the Government disclaimed responsibility and so great did the indignation of the country become that the Government dared not carry out the little scheme formulated in their Council Chamber. That was about the same time that they issued the famous remedial order, and issued it for the same purpose.

Mr. SPEAKER. The hon. gentleman is certainly going outside the question.

Mr. LISTER. Perhaps I am. If there ever has been a man in Parliament who has well represented his constituents, that man is the hon. member for Winnipeg (Mr.

Martin). He has ever been the fearless advocate of the rights of the people of that country when the other representatives from that province were silent. He has ever been the true advocate of the interests of the people of the North-west country, and the people of Winnipeg knew what they were doing when they sent that hon. gentleman to Parliament.

An hon. MEMBER. Wait till the next election.

Mr. LISTER. At the next election the people will know what to do. The hon. member for Winnipeg has not been promoting schemes or corporations or things of that kind in Parliament, but he has been here day after day attending to the best interests of the people of the North-west. And this is the man whom it has become fashionable on the Conservative side to assail from day to day and to impute motives to. The hon. gentleman is quite competent at any time to meet any man on the other side from the Secretary of State down. Now, Mr. Speaker, this Bill ought not to pass. This is a Bill turning over to this corporation valuable franchises——

Mr. MACDOWALL. If the hon. gentleman will allow me for a moment, I would call his attention to the fact that the hon. member for Winnipeg, whom he has been praising so much as looking after the interests of the people of that country, says that this Bill should pass. I am surprised that the hon. gentleman should oppose the hon. member for Lambton, who says the Bill should not pass.

Mr. LISTER. Is this a question or a speech. I would like to ask, Mr. Speaker, if the hon. gentleman is in order.

Mr. SPEAKER. No.

Mr. LISTER. The hon. gentleman is always out of order. The hon. member for Winnipeg is in favour of this Bill passing, but without giving to this company the right to control the Red River. I am willing and everybody is willing that the Bill should pass under those circumstances. But the objection is that the Government is handing over to a corporation one of the great waterways of the country which it is the duty of the Government and should be the policy of the Government to retain under its own control, and under no circumstances to hand over to any corporation temporarily [illegible] manently. If the promoters of this Bill are willing to eliminate from the Bill everything relating to the Red River, there will be no difficulty about the Bill passing this stage and going into committee. But with that clause in the Bill, even with the safeguards which the Minister of Railways provided, it would be unwise to pass it. I am bound to say that the hon. Minister took a good deal of interest in the measure and probably did what he thought was necessary. But I contend that the policy of giving even temporarily to a company control of this river was not a good policy. If this is done you cannot properly safeguard it in the public interest. The Bill does not properly safeguard it, because it does not provide that the tolls to be collected shall be such as the navigation warrants, regardless of the capital invested in the undertaking. That is what the people of Winnipeg ask for, and the Bill does not contain that. It should be safeguarded so that it shall not be a question of interest on investment, but of what the traffic can afford to pay. That is what has been contended for from the beginning and that is what my hon. friend from Winnipeg and others are willing to concede, if the promoters of this Bill are willing to accept it. Another difficulty which the Government will encounter is, that if these works on the Red River are constructed and the Government at any time decide to take them over, grave difficulties will stare them in the face as to the amount of compensation to be paid. The Bill says that the amount to be paid shall be the amount actually invested by the contractors. The Government will find great difficulty in ascertaining what the amounted invested is. We all know that in cases such as this great influence is brought to bear upon the Government. There is a general and natural feeling that the men who have invested their money should have something for that investment. The actual cost of these works is always magnified when the Government becomes the purchaser. Then if the work ever goes on—and that is doubtful—bonds for an enormous sum of money will be issued and sold, and when the works come to be taken over these bonds will be found to be in the hands of innocent purchasers. You will be taking from these people for commercial purposes the most valuable franchise you have granted them; and when you come to settle for it, you must of necessity consider the interests of the men who have loaned the money to the undertaking. You will be compelled to consider that phase of the question and, in fairness to the people who have invested their money you will be obliged to pay a larger sum than the works have actually cost. Taking the Bill from every standpoint, I submit that it should not become law with the grant in it to this company of the power to control the Red River.

Sir CHARLES TUPPER. I do not intend to detain the House very long, for this subject has already received a good deal of consideration. But there are two or three points to which I wish to draw attention. I feel the force of a great deal of what has been said by the hon. member for West Lambton (Mr. Lister) and I quite recognize the point he raises as to the inadvisability of a great waterway like the Red River being placed in the hands of a company. But the hon. gentleman is no doubt aware that this subject of the improvement of St. Andrew's Rapids and the promotion of useful navigation between Winnipeg and the lake has engaged the attention of the Government for many years. A very careful survey has been made at that important point, and the Government have felt they owed it to the country, to, at the earliest moment that was in their power, undertake the construction of that work at the St. Andrew's Rapids that would enable the vessels to navigate from the city of Winnipeg to Lake Winnipeg. On that point we appear all to be at one. The hon. gentleman will see, however, that he underrates the provisions that have been made to safeguard that important matter in the Bill. The Bill provides that certain things may be done between Lake Winnipeg and Hudson's Bay via the River by canals or otherwise, "and may in like manner improve the navigation of the Red River, except in those portions of the Red River known as St. Andrew's Rapids." The next clause provides that the company "may, upon obtaining authority from the Governor in Council, improve, for the purposes of navigation and traffic thereon, these portions of the Red River hereinbefore excepted." Therefore the hon. gentleman will see that, consistently with the view the Government have always held since this matter was carefully examined and considered that portion of the work is excepted from that which the company may engage in ; and if this Bill passes in its entirety as it is here stated, they will have no power to touch that portion of the work at St. Andrew's Rapids without the express permission of the Governor in Council.

Mr. LISTER. Will the hon. gentleman excuse me for a moment. The Bill provides that the company may improve the navigation of the Red River except these portions, St. Andrew's Rapids and others, and that the right to do that is given them under the Bill. That is to be done, the right is given to do that.

Sir CHARLES TUPPER. No, the hon. gentleman will find that, if this Bill passes in its entirety as it is now before the House, the company will have no power to touch the work at St. Andrew's Rapids on the Red River, because that is distinctly excepted from the Bill.

Mr. LISTER. I beg your pardon. The last two lines of section 3 say "the improvement of which rapids," that is, the St. Andrew's Rapids, "and shoal by the company shall be subject to the provisions hereinafter contained."

Sir CHARLES TUPPER. Quite so. That is to show that, if this Bill passes, these parties who have this charter have no power to touch that work at all ; because, if the hon. gentleman will look at the next clause, he will see that until they receive the specific authority of the Governor in Council, they cannot touch this work. Now, I do not believe that a blow will ever be struck by the company, under this Bill, on this work at St. Andrew's Rapids. As I said before, it is a work that the Government have long felt it was absolutely necessary to undertake so soon as the financial position of the country would enable us to grapple with it. I do not think, therefore, that the hon. gentleman need be apprehensive, guarded as the scheme is, with the known policy of the Government as it is. I believe it will be found that, while it will be open to them to do that which the hon. gentleman says both sides of the House wishes they should have permission to do, to construct a canal to the Hudson's Bay from Lake Winnipeg, the portion to which the hon. gentleman takes exception is completely guarded, and with that protection I am satisfied the House will rest content. It will require the most serious consideration on the part of the Government, and it would be under very exceptional circumstances, that they would permit the control of a work of so much importance on the great Red River to be undertaken by any private company. Now, Sir, I cannot help but expressing my surprise that the hon. member representing the city of Winnipeg (Mr. Martin) should take up hours of the time of this House in denouncing a measure upon which the hearts and feelings of the people of Manitoba and the North-west are more centred to-day than on any other question that is before this country. I cannot understand why any hon. gentleman should be induced to denounce and endeavour to hold up to ridicule, as impracticable, a work upon which not only the sentiments of the people of Manitoba and the North-west are centred to-day as upon no other question, but a work that I believe, having studied it carefully for many years, is of the most vital consequence to the progress and development of that great country. Now, Sir, I have always been recognized in this House as one who believes thoroughly in Manitoba and the North-west. Indeed, I may say that, in my judgment, the rapid development and progress of Canada as a whole depends more upon the development of that great prairie region between the Red River and the Rocky Mountains, than upon any other scheme that can be devised. The hon. member for Winnipeg has endeavoured, though unsuccessfully, I am sure, to lead this House to believe that this Government only takes this question up on the eve of an election ; that when an election is coming on, then the question of the Hudson's Bay Railway assumes very great proportions. Now, I will protect myself against that insinuation by reading, if the House will indulge me, some remarks which I made, not on an occasion when I was interested in an election in the North-west, but at a meeting of the Royal Geographical Society in London, in 1888, when I never expected to have the honour of sitting in this House again.

On that occasion, a paper on the Hudson's Bay and Hudson's Straits as a navigable channel was read by Commodore A. H. Markham, of the Royal Navy, and I followed the reading of the paper with a few observations. I may remark that elaborate authorities have been quoted here by hon. gentlemen opposite to show that the navigation of the Hudson's Bay is impracticable. Sir, there is no person in this House, there is no intelligent man in this country, who does not recognize the vast importance to Canada of this outlet for that great prairie region, with its boundless capabilities, and there is no person who does not recognize the value it would be to Canada, if it should be proved that there is a navigable route from Fort Churchill to the mother country through that inland sea. Then, why, I ask, should hon. gentlemen exhibit such eagerness, such impassioned eagerness to denounce as impracticable a measure that lies at the very foundation of the prosperity of Manitoba and the North-west? Authorities have been quoted for that purpose, but no authority can be quoted, so high upon that point as the authority of Commodore Markham, now Admiral Markham, one of the most distinguished admirals in the British fleet, a man who has obtained the very highest position in the great profession to which he belongs, whose words are entitled to the consideration of every person who is interested in that question. Commodore Markham accompanied the "Alert" into the Hudson's Bay, for the purpose of satisfying himself with regard to the navigation of those waters. He examined the whole subject very carefully, examined it in the light of history and of experience, and he returned to England impressed and completely satisfied as to the entire feasibility of the navigation of the Hudson's Bay for between four and five months of the year. I may mention that Admiral Markham did not read this paper, because he was away at sea, but it was read by his brother; and I had the pleasure of listening to the detailed history of the navigation of Hudson's Bay and Straits from the very commencement of such navigation down to the period when Admiral Markham visited those waters himself. He went on with his examination, step by step, taking all the testimony and historical evidence that could be adduced, and he arrived at the conclusion, as I have said, that the navigation of the Hudson's Bay for between four and five months of the year, as a great commercial route, was perfectly feasible. Now, on that occasion, I had the pleasure of listening to that elaborate argument, and I would ask the attention of hon. gentlemen opposite to the statement that the return voyages of the Hudson's Bay Company's fleet take place in September and October, and on many occasions they find the straits clear of ice and free for navigation down to the end of November; so that hon. gentlemen will see that Admiral Markham is within the mark, when he places the period of navigation at between four and five months. Upon that point I will quote his own language, in an article which he published, over his own signature, in "Good Words":

> My opinion regarding the feasibility of an ocean route between England and Hudson's Bay is decidedly a favourable one, and I have so reported; whether it could be successful in a financial point of view is a question for others to decide, it is one that did not lie within the scope of my instruction to answer, nor have I sufficient knowledge of the requirements of the propose railroad even to offer an opinion on it.

I may say that Admiral Markham, having gone through the Straits of Hudson's Bay returned by a canoe voyage from Hudson's Bay to Winnipeg. He continues:

> The country through which I travelled is admirably adapted for the construction of a line, no tunnels are necessary, and but few cuttings, whilst the rivers and streams, that would cross the line of route are so narrow, that the expense of throwing bridges across them would be very small indeed.

I call the attention of hon. gentlemen particularly to this:

> I only hope that the result of my journey will not be altogether fruitless, and that we may soon hear that Winnipeg and Hudson's Bay have been connected by rail; the consequences of such a connection will, I am quite sure, be the commercial development of a very large extent of country, and the increased prosperity of the Dominion of Canada. For such a consummation all those who pride themselves on the greatness and welfare of the British Empire will assuredly pray.

I am afraid, Sir, there are hon. gentlemen here who are not in a sufficiently devotional spirit to pray for a consummation so devoutly to to be wished. On that occasion—and it was not on the eve of an election, and certainly it was not in any way my intention to take part in one,—I spoke as follows—I am now reading from the proceedings of the Royal Geographical Society, June, 1888:

> Sir Charles Tupper said he had listened to the paper with unqualified pleasure. It was impossible to look at the map of North America without seeing how vitally important every question became that had a bearing upon the increase of facilities for intercourse between Canada and the British islands. The American Consul, M. Taylor, who has lived for more than twenty years at Winnipeg, whose knowledge of the country is not exceeded by that of any other person in it, and who might be assumed to speak in an entirely disinterested manner, had stated that of the remaining undeveloped wheat fields in North America, three-fourths were to the north of the boundary line.
>
> During the last season, sixteen million bushels of grain were produced in Manitoba and in the North-west Territories. It was therefore manifest that it was of the utmost importance to obtain the nearest and best route for disposing of the produce. The chief outlet from that great granary was at present by means of the Canadian Pacific Railway, which ran from Van-

couver down to Montreal and Quebec, from whence the grain was taken by ocean steamers to England ; but another outlet was by the great inland navigation from the head of Lake Superior to the Straits of Belle Isle. A line of communication via Hudson's Bay would bring Winnipeg, the capital of Manitoba, 1,100 miles nearer to this country than via New York. That fact gave immense importance to the investigation which had been made in connection with the navigability of Hudson's Bay. It was perfectly apparent that if the territory were only half developed it would tax beyond their capacity all the resources of the Canadian Pacific Railway, and also the resources of an additional line of railway to Fort Churchill. The Canadian Pacific Railway company, which owned 14,000,000 acres of this great wheat field, would be only too glad to see additional facilities afforded between that region and Europe.

Under these circumstances, it was very gratifying to learn that Commodore Markham was able to add his personal testimony to the experience of those who had endeavoured to open up that country and to give so many reasons for entertaining the belief that it might be found practicable to establish a comparatively safe route for the trade of several months in the year. It was true that the officers sent there by the Canadian Government had not taken so sanguine a view, but Commodore Markham was a higher authority than anyone who had been employed there by the Government.

If it could be demonstrated that for four or five months in the year a fairly safe communication could be established by that line, he had no hesitation in saying that the day was not far distant when a railway would be made from Winnipeg to Fort Churchill. The Government of Canada had not only sent various expeditions to Hudson's Bay for the purpose of testing its navigability, but they had obtained from the Canadian Parliament, seven million acres of land for subsidizing and constructing a line of railway seven hundred miles long, from Winnipeg to Fort Churchill.

I have already stated that this speech was not made with a view to an election, but was a frank and candid statement made in my judgment in the best interest of Canada, and to place in a favourable light before the world the advantages that would accrue to Canada, and especially to Manitoba and the North-west, from the construction of that line of railway, opening up a route to the mother country so much shorter and having so many advantages as this route would present. If I was correct in the statement that at no distant date, and I think events have shown I was not inaccurate, the crop of Manitoba and the North-west would more than tax all the facilities which the Canadian Pacific Railway could offer as an outlet for those products, and there would be also abundant traffic for a line of railway which would bring the North-west and Manitoba so much nearer to the mother country by way of the Hudson's Bay route—if I was warranted in making that statement when the wheat products of Manitoba and the North-west was only 16,000,000 bushels, how much stronger does the case stand to-night when I have already shown that during last year something like 36,000,000 bushels of wheat were raised in Manitoba and the North-west. The hon. gentleman who has just taken his seat (Mr. Lister) is labouring under a great delusion with respect to the wheat crop of Great Britain during the past year. I see where the hon. gentleman has been led into error. He has taken 1894 instead of 1895, and that is the way in which the hon. gentleman has been induced to make a comparative statement so disparaging as regards the wheat crops of Great Britain and the North-west and Manitoba during the past year. If the hon. gentleman will look at the Statesman's Year-book for 1896, he will find on page 68 that the total wheat crop of Great Britain is there put down for 1895 as 37,170,000 bushels.

Mr. LISTER. The hon. gentleman said it was twice as much as our own.

Sir CHARLES TUPPER. It was the hon. member for West Lambton (Mr. Lister) who said that the wheat crop was twice as large as the wheat crop in Manitoba and the North-west. The hon. gentleman must not put his words in my mouth, when I am producing the evidence of the fact that he has underestimated the wheat crop of Manitoba and the North-west by one-half.

Mr. LISTER. You misunderstand me. I was referring to the hon. gentleman who preceded you, the hon. member for Ottawa (Sir James Grant) ; he put it as twice as much as the wheat crop of Great Britain.

Sir CHARLES TUPPER. I did not understand the hon. gentleman to do so. But I understood the hon. member for West Lambton (Mr. Lister) to say, and I believe he was reiterating a statement made by another hon. gentleman on a recent occasion, that the wheat crop of Great Britain during the past year was 60,000,000 bushels.

Mr. LISTER. I did nothing of the kind.

Sir CHARLES TUPPER. I did not say so. But the hon. member for West Lambton (Mr. Lister) said that the wheat crop of Great Britain was twice as large as that of Manitoba and of the North-west, and that is the statement I am controverting. I may say that the "Statesman's Year-book" is not exactly accurate. The most accurate authority in Great Britain, in regard to that question is known as "Beerbohm," and I also take the London "Standard," a paper of the highest eminence, a paper that devotes very much attention to important agricultural questions. If the hon. gentleman will look at the London "Standard," he will find that they correct Beerbohm's estimate, and give as the actually correct estimate, and give the authority for it, that the amount of wheat grown in Great Britain during last year was 4,600,000 quarters, or 36,800,000 bushels. I was therefore within the mark when

I stated that the crop of Manitoba and the North-west was about equal to that of the crop of Great Britain during the past year. Sir, I do not intend to dwell upon the point further than to say that if, under existing difficulties, under the depression which has existed, under the loss of crops from frost and drought, we have produced so much wheat in 1895, with a handful of agriculturists to be found in that country, some 25,000 all told; if we could do so well under such difficulties, now when they are beginning to understand how to raise wheat in the North-west, what will not be produced in that immense granary, which has been so graphically described by the American consul who lived for twenty years in Winnipeg. And, Sir, what would not capital and industry do at a very early date in that country? There is no gentleman here who does not know that in a brief space of time, with the attention that is now drawn in the United Kingdom to the vital importance of building up British colonies instead of foreign countries, and of sending British labour and capital into the colonies instead of foreign countries, there is not a gentleman here who does not know that in a comparatively short space of time, neither the Canadian Pacific Railway with all its appliances, nor the Hudson Bay Railway, if it were in operation to-day, would be able to furnish a sufficient outlet for the products of that great country. Mr. Speaker, I do not intend to take up much of the time of the House, but I cannot forbear saying that I wish hon. gentlemen opposite could be induced; I wish anything could induce them to have a little more faith in their country than they appear to have. When measures are brought forward to open up and develop this magnificent territory that is under our jurisdiction, I wish anything could induce these hon. gentlemen of the Opposition to look with more favourable eyes upon our efforts, and not be disposed to criticize them in that narrow and carping spirit which is most deadly to our efforts to bring in that capital and labour, which is all that is required to make that a magnificent domain. I believe that there is nothing to which the energy of the Government of this country could be directed with greater advantage than to carrying out these projects which Admiral Markham has shown, so far as navigation is concerned, are perfectly feasible; projects, the feasibility of which the ablest authorities agree upon, and which after being examined in London by large and influential ship-owners, they have professed themselves ready, as I am informed, to undertake the naval portion of the work, and they say: Construct your line to the Hudson's Bay, and we will bind ourselves to put on admirable steamers for the purpose of carrying to the mother country, the traffic that you will bring to us there. Hon. gentlemen opposite—whenever they have an opportunity—seem disposed to disparage everything connected with the development of our country.

Some hon. MEMBERS. No.

Sir CHARLES TUPPER. Yes. Who does not know that the Hudson Bay itself, opened for nine months in the year—not the Straits, I admit, not navigable for nine months in the year—but who does not know that the waters of the Hudson's Bay are warmer than those of Lake Superior. That has been established beyond controversy, and there is a large portion of the Hudson's Bay open and navigable for nine months in the year. Who does not know that if we had a railway capable of bringing down the valuable fisheries of the Hudson Bay—to say nothing of it as a fur-bearing country—down to the United States, just across our borders in Manitoba; who does not know the immense business that might be developed in that respect.

Why, Sir, I am occasionally taunted by hon. gentlemen opposite for holding very extravagant views in regard to the future of this country.

Some hon. MEMBERS. Hear, hear.

Sir CHARLES TUPPER. Sir, it is nothing new for these hon. gentlemen to raise this question. When I stood here in 1880, and endeavoured to convince hon. gentlemen opposite that this country would act wisely and well, to construct a transcontinental railway to connect us with the waters of the Pacific, how was I met? Sir, I was met by the denunciation of these hon. gentlemen. I do not say that anybody descended so low as to characterize it as a wild-cat scheme. That is language that I do not think does any credit to Parliament or to any hon. gentleman who resorts to it. In 1880 I was met by the united phalanx of a great party sitting opposite, who denounced that project from the start to the finish, and who did all that men could do to break it down. I was met by a united party opposite, who held the project up to the country as a project that would ruin Canada, and that would destroy its credit.

Some hon. MEMBERS. Order.

Sir CHARLES TUPPER. I am entirely in order, Mr. Speaker, since you have permitted the hon. member for Winnipeg (Mr. Martin) and the hon. member for West Lambton (Mr. Lister) to discuss this question in the manner they have done to-night. Why, Sir, when the hon. gentleman who led the Opposition in this House in 1880, and who led it with an ability that has never been equalled; when the Hon. Edward Blake went to the shores of British Columbia he made a speech there in which he said: I did all I could to prevent the construction of this trancontinental railway, but now that it has been done, I am here to confess that I was wrong. Sir, I had faith in the country then. When hon. gentlemen opposite to-night denounce measures that I believe lie at the very foundation of the progress and prosperity of Canada, I remind them that the past history of the country justifies me in claiming the confidence of the people, as I did claim it and obtained it, and justifies me in throwing grave doubts upon the judgment of hon. gentlemen opposite.

Mr. DAVIES (P.E.I.) Mr. Speaker,——

Mr. FOSTER. How about that wheat ?

Mr. DAVIES (P.E.I.) I will come to that in a minute. Do you mean the 640,000,000 bushels ?

Some hon. MEMBERS. No. The sixty million bushels.

Mr. DAVIES (P.E.I.) I certainly should begin to lose faith in my country if I heard many such speeches delivered by the leader of this House as the one he has delivered now. That hon. gentleman seemed to speak without any sense of responsibility at all, and his speech, I will say, would do just as well if applied to any other project, as to the one which is before the House to-night. He spoke about the condition of our North-west Territories and about his action in 1880 with reference to the Canadian Pacific Railway. What has that got to do with the construction of a canal to the Hudson Bay, or to the north pole ? Surely the hon. gentleman does not ask the House to accept any of his prophecies as being at all within the region of probability, because nearly every prophecy he has ever made, has been falsified by the facts. The hon. gentleman will excuse me if, as one member of this House, on the very threshold of the few remarks I shall make, I take exception to the quotation which he made from Mr. Blake's speech in British Columbia. Although I have not the speech in my hand at the present moment, I challenge the accuracy of the quotation which the hon. gentleman made.

Sir CHARLES TUPPER. I did not profess to give a quotation from it. I professed to give the substance of it.

Mr. DAVIES (P.E.I.) The hon. gentleman (Sir Charles Tupper) professed to read a recantation of his policy in this House, which, he said, was made by the Hon. Edward Blake. I profess to say here with some authority that that statement is inaccurate. I know Mr. Blake's policy. I was one of those who stood behind him in this House and supported him in that policy. I have never known Mr. Blake to withdraw, for one moment, from the belief that the policy he then proposed to the House was the best policy the country could have adopted. I can tell the hon. gentleman that there are hundreds of thousands of men in this country to-day who believe that if Mr. Blake's policy at that time had been adopted instead of the wild policy which the hon. gentleman advocated, this country would be very much further advanced in prosperity and wealth than it is. A great many of the evils under which we are labouring and suffering to-day are directly chargeable to the reckless policy which the hon. gentleman foisted on this country. If there is stagnation and depression in trade in Canada, unparalleled in our history, upon that hon. gentleman's shoulders more than upon anybody else's must rest the responsibility. I can tell him that some of the cleverest and best men on his own side of the House were entirely at variance with him in his policy at that time, and events have since proved that their heads were level and his was not. The hon. gentleman talks—and I submit to the House whether there is any reason in his talk—of want of faith in the country exhibited by men on this side of the House. In what respect have we shown want of faith ? We have told the world at large time and again that we believe thoroughly in the great material resources of this Dominion, that we have absolute faith in its people, its climate and its future ; but we have no faith now, and we never have had any faith, in the men who misguide the destinies of this country. Sir, is it because we do not support every scheme that is suggested by a private company that the hon. member dares to charge us with want of faith in the country ? How many men sitting beside him to-night have the slightest faith in the scheme now before the House ? The hon. gentleman comes forward to support it, and I ask him and his followers has he produced one scintilla of evidence to justify one of the statements he has made ? The hon. gentleman told us—and I listened with a good deal of curiosity to see how he would support the statement—that Admiral Markham had made certain statements with regard to the navigability of Hudson's Bay, which he was about to establish. The hon. gentleman took up the pamphlet—"Good Words," I think it was—in which there was a popular essay by Admiral Markham on Hudson's Bay, and not one word did the hon. gentleman read to the House, from that essay, showing that the Admiral had committed himself to any of the statements which the hon. gentleman said he had. Some glittering generalities he quoted, but where is Admiral Markham's authority for the statement that Hudson's Bay is navigable for three or four months in the year—and when I speak of the Bay being navigable, I mean, of course, through the Straits. The hon. gentleman did not do it. He read a very pleasing summary of some remarks which he had made before the Geographical Society. It is most interesting to listen to the hon. gentleman, either here or elsewhere ; for he always speaks nicely and in a way that makes it interesting to listen to him. But when you come to analyse what he has really said, and get down to the data on which he bases his statements, is there a man in this House who would venture to commit himself to this scheme on any single authority which the hon. gentleman gave to this House? And, mind you, we are listening to the leader of the House advocating a scheme which will probably commit this country to an expenditure of millions of money. Although it is called a private scheme, that is the very thinnest of disguises from the fact that this company are coming here to seek a subsidy. The very Bill contemplates a subsidy. In the fourth clause it speaks of the amount of subsidy to be paid by the Government of Canada to the company. On the very face of the project, not only is a subsidy contemplated, but indirectly Parliament lends its sanction to it; and we see what is to be done with regard to that subsidy when we have the leader of this House, from whom the taxpayers and the representatives of the taxpayers of this country might have hoped for a calm and reasoned speech, indulging in glittering generalities, in abuse of his opponents, and in a loud trumpet call to his followers in this House to support the scheme, whether it is good or bad. I stand here to condemn this conduct, and the hon. gentleman personally, when he asks the House to follow him in such a scheme without being prepared to produce evidence to show that it is not only feasible, but a judicious scheme, to which the taxpayers should be invited to grant their money. The hon. gentleman is absolutely without excuse. He not only failed to quote one single line to show that Admiral Markham had committed himself to the statement which he said he had, but under his hand were the reports of the men he himself had sent to Hudson's Bay, certifying that the statements he made were not correct, and that Hudson's Bay is not navigable longer than from about the first of July to the last of September, or three months at the outside. In 1883, Commander Gordon was sent out to Hudson's Bay, and made a survey and report. In 1884 the Government very properly sent him back. In 1885 he returned again. He made three separate and distinct surveys. Now, upon this point I wish the hon. gentleman to understand that the whole Opposition are at one in recognizing the enormous importance of obtaining an outlet for the great granary of the North-west. We will not scruple to join in voting any reasonable sum of money to ascertain, if possible, that the navigation of Hudson's Bay is practicable. We do not want to limit the Government in that respect. If they are dissatisfied with the official reports which have been made, let them get other reports; let them be as conclusive as you please; but do not ask us to commit this country to an expenditure of millions of money by reversing the official reports as they stand. These reports run over three years, and what do they show? Are we to shut our eyes to these reports, for which we have paid enormous sums of money? Every one knows that a more careful, accurate or painstaking officer than Commander Gordon never was in the Dominion of Canada. His character stands at the very highest as a prudent, careful, level-headed man, who jumped at no conclusions, and whose report is most valuable, because he not only gives you his conclusions, but the data on which they are based. I remember going most carefully over these reports at the time they were laid before the House. I spent this afternoon refreshing my mind by re-reading them and I could not help admiring the extraordinary pains that were taken by that distinguished officer and by the men who accompanied him, to ascertain the real facts of this matter. I call the attention of the House to these statements. I am reading now from the report of 1884. After giving a summary of his investigation during every day of the three months he was in the gulf, he winds up in the following words:—

> In the foregoing pages the accounts given by the observers at the several stations of the formation and movements of the ice have been given. In a narrative portion of the report the ice met with by the "Alert" has also been recorded, but as it has not been described in detail, I will here make some further remarks concerning it. Our observations show that during the first half of the month of June, a belt of ice, varying in width from 30 to 50 miles, extended the whole length of the Labrador coast, from Cape Chudleigh to Belle Isle. Off the Hudson's Strait at this time the field extended from 35 to 100 miles to the eastward of Resolution Island. On the 16th of June when I endeavoured to enter the strait the ship was beset in heavy ice about 20 miles to south-west Cape Best. This ice was very heavy and some of it in large sheets, but at the turn of the tide the pact generally slacked off a little when a ship was worked on under steam or sail as opportunity offered; this state of affairs continued until the 6th of July, when, owing to the damage done to the ship, we had to return to St. John. Except on one occasion no large amount of open water was seen from our masthead, the ice was always seeming to be tight to the westward of the ship. I measured the thickness of many of the pans. Some were 22 feet, but the common kind was floe ice about 10 feet in thickness. On the 4th of August, when we got back from St. John there were still a great deal of ice in the straits, and some of the pans were of great size, many of them being over half a mile in length. There was at this time undoubtedly a run of clear water to the westward, had I taken a more southerly course, but, in the "Neptune," we had found, in 1884, that the ice all lay over the south shore and this made me decide to try the north shore again this year.
>
> The Hudson's Bay officers who navigate the straits state that the movements of the ice are both irregular and uncertain, that sometimes they find the north shore clear first, in the following voyage the position of affairs may be completely reversed. I consider that the ice met with in August this year was such that had I been simply endeavouring to force my way through the straits I could have been clear with less than five days detention, even taking the route which

> I did, and had I taken a more southerly course I should most likely have got through with a couple of days delay.
>
> No ice, other than a few bergs, was met with after leaving Stupart's Bay, on 22nd August.
>
> In the " Alert " the height of the topmast head from the water line was 99 feet, which gives a horizon of almost 11 miles.
>
> I am indebted for the following notes to the Rev. Abbe Verreau, taken from the manuscript journal, kept by Captain Wm. Falconer, who was a sloop master in the Hudson's Bay Company's service in the years 1868-69. Captain Falconer states : "In the month of July, when the above Hudson's Bay Company's ships commonly got their passage through the strait outward bound, it is almost blocked with ice, some of which is aground in 100 fathoms of water, and this with the large quantities of floating ice, makes the passage dangerous, and detains the ships, some years, till the latter end of August, before they get clear of the straits."
>
> The ice mentioned in the above quoted paragraph as being aground in 100 fathoms of water is undoubtedly intended to apply to icebergs, some of which I have myself seen aground in from 80 to 100 fathoms. On the north side of the straits remain some of these large masses of ice getting aground at high water of spring tides will remain fast for weeks if they do not break up. Captain Falconer states that the bay was only navigable from the latter part of July to the middle of October. On 8th August, 1868, he reports heavy field ice off Severn House ; yet, on that particular year he states that the Hudson's Bay ship from England arrived on the 11th August, one of the early dates.

I will not trouble the House with reading many more extracts, but there are one or two that I think it important to read. On the next page, he says :

> It is therefore certain that during the months of May, June and July, large fields of ice were present in the entrance of the straits, and the question remains, at what date was this ice in such a condition as to permit the passage of vessels strengthened for meeting the ice, but which could be used as freight steamers. For in all questions as to feasibility of the navigation I am not considering the date at which one of the Dundee whaling of Newfoundland sealing steamers could be forced through, but when a strongly built iron steamer, sheathed and otherwise strengthened, could make the passage * *
>
> I am of opinion that the straits were passable at the eastern entrance about the date that we returned to St. John for repairs, viz., 5th July, but any ship going in at this date would still have been subject to these delays, but might have made for 25 to 40 miles a day. * * *
>
> Everything goes to show that though there would have been very frequent delays, still it would have been possible for a steamship to have got through the straits by the 15th or 20th July. * * * As to the closing of navigation in 1884, Mr. Laperrière reports, at Cape Digges, that on 25th October the ice was solid in every direction, and at Nottingham Island a similar entry is made on the 27th. A distinction must be made between the closing of navigation by the formation of young ice, and the presence of a large field of heavy old ice which is cemented together by the formation of young ice between the pans. In the first case any ordinarily powerful steamer could go through without risk, but in the second case the most powerful of whaling or sealing steamers would be helpless. The western end of the straits is always subject to incursions of this heavy ice, from Fox Channel, and epecially so in the months of September and October, when strong north-easterly and north-westerly gales are frequent, and we have no evidence that in both seasons, 1884 and 1885, this heavy ice came down in October.
>
> As to the length of season for practical navigation, if we regard the presence of field ice as the only barrier, the information which we have got would point to the months of July, August, September and October as being the months in which the straits are passable. As a rule, in July there will be delays, but to vessels strengthened and sheathed there would be no danger in making the passage.

That was his report in 1885 of the results of his survey in 1884 before he had finally concluded his investigation. That officer was sent back by the Marine Department, in the year 1886, and I shall quote you a paragraph or two from his final report, after he had made the third year's investigation, to show what conclusions he had finally formed as to the navigability of those straits. In order that the House may understand his report thoroughly, I shall quote one paragraph from the instructions given him by the Minister of Marine, so that the House may see what he was instructed to do. The instructions are signed by Mr. Foster, the present Minister of Finance :

> It is desirable that you should proceed to the mouth of Hudson's Straits with as little delay as possible, so as to avail yourself of the very first feasible opportunity to make the passage through. If you are prevented from at once entering the straits, you will occupy your time in taking accurate observations of the extent and condition of the ice, the prevailing winds, and the currents at its mouth.
>
> At the earliest possible period, consistent with the safety of the expedition, you will push through the straits, in order to demonstrate the earliest date of opening navigation and the time required to pass through the ice, noting carefully all the incidents of the passage.

With these instructions he proceeded, and his very valuable report is here, which will well repay perusal by any hon. gentleman who wants to understand the subject. I shall not weary the House with the details, but call your attention simply to the conclusion to which Lieutenant Gordon came, after giving the data on which he formed his conclusion. At page 90 of his report, he says :

> Having now made voyages on three years to Hudson's Straits, and having carefully examined the report by the observer as to the formation and movements of the ice in Hudson's Straits, I have the honour to submit the following statement in regard to the navigation of these waters.
>
> In discussing this question I think it well to state that I am not required to report on the commercial aspect of the case, and whether Hudson's Straits navigation can be made to pay, nor do I, in the seasonal limit given, mean to state that it is impossible for a ship occasionally to get in earlier or leave later ; but having care-

> fully considered the subject, I give the following as the season during which navigation may, in ordinary years be regarded as practicable for the purposes of commerce ; not, indeed, to the cheaply built freight steamer, commonly known as the "Ocean Tramp," but to vessels of about 2,000 tons gross, fortified for meeting the ice, and of such construction as to enable them to be fair freight carriers. These vessels must be well strengthened forward ; should have wooden sheathing, and be very full under the counter ; the propeller should be of small diameter and be well down in the water. I place the limit of size at about 2,000 tons because a larger ship would be somewhat unwieldy, could not make such good way through the loose ice ; and being unable to turn so sharply she would get many a heavy blow, that the smaller ship would escape.
>
> I consider that the season for the opening of navigation to such vessels as the above will, on the average, fall between 1st and 10th July. The position and movements of the ice I have already discussed, and need not here repeat. The closing of the season would be about the first week in October, partly on account of the descent of old ice from Fox Channel into the western end of the straits ; this old ice being rapidly cemented into solid flow by the formation of young ice between the pans ; in such ice, no ship, however powerful, could do anything to free herself. At this time, too, the days are rapidly shortening, and snowstorms are frequent though not of great duration.
>
> The tidal currents in Hudson's Straits add very considerably to the risks of navigation. These currents are in velocity from three to six knots per hour, and the uncertainty of this effect on ships has already been pointed out in the case of the "Fury" and "Hecla." I have myself, when fast in the ice in thick weather, tried the ground log, and have made out apparently the rate and direction in which we were being carried, but in almost every instance, when we began to haul in the line, it fouled some spur of ice beneath, and weights and line together would be lost.
>
> The last, and indeed the most serious, difficulty that I anticipate is in the faulty working of the compasses, especially at about the critical ground of Digges Island. Mansell Island can, under most circumstances, be kept clear of by the lead, but in the neighbourhood of Digges Island nothing but the most sleepless vigilance and the greatest caution will save a ship from disaster.

Now, between the first and tenth they can go in, and navigation closes the first week in October, and so you have the larger part of July, the whole of August and the whole of September, two and a half or three months, at the outside. Then he gives two paragraphs to show why that is so, but it is not necessary to enter into these details. He continues :

> Further, in an iron ship any severe concussion changes the magnetic condition of the ship, hence when working through ice constant changes would be taking place in the ship's attraction and, consequently, in the compass errors.
>
> I am further of opinion that in an iron ship, making the voyage between, say Liverpool and Hudson's Bay, on arrival off the western end of the straits, the compass will not work.
>
> Altogether I consider the navigation of Hudson's Straits being more than ordinarily difficult, with shores inhospitable and bleak, presenting such a picture of loneliness and desolation, that it takes some time to get accustomed to it. The only safety in thick weather lies in the constant use of the lead and keeping a bright lookout, as the dead reckoning is frequently in error to a considerable extent.

Now, we have here an official report, accurately made up from data gathered from day to day, during a period of three years, and from the log-books of Hudson's Bay sailors, who have been trading there for many years, and from examinations of the captains of these Hudson's Bay ships. And the hon. gentleman asks us to take instead the superficial opinion of a gentleman who once went into Hudson's Straits, and never went back, but came out overland by way of Winnipeg. To state the facts, I think, is to show how ridiculous it is to give such evidence in the face of that official report, which the hon. gentleman had, or ought to have had, under his hand. Why did I read it ? To show the utter absurdity of the statement that this side of the House was animated by want of faith in the country. Does not the country, do not the taxpayers want to know the facts ? Are they to be led about, to follow every will-o'-the-wisp that is flaunted on the midnight air by the eloquence of the hon. gentleman—eloquent words, but with conclusions based upon no data at all. We are here, Sir, not in a region of fancy, but in a region of facts and realities, and, as business men, we want to deal with the real facts, not with probabilities, or possibilities, or fancy predictions of what may be in the future. We have in this report the facts of the case. It may be, that the future investigations may modify, or, to some extent, alter the conclusion which Lieutenant Gordon reached, but, until these conclusions are altered or modified, the Government ought not to ask us to engage in large financial operations in the teeth of the report Lieutenant Gordon has made. Now, one word regarding the reference made to my hon. friend from Lambton (Mr. Lister). I believe the hon. member for Lambton was not so far astray in the construction he put upon the Bill. The Bill hands over, practically, to this company the control of the Red River. The hon. leader of the House points out that there is an exception to these operations known as the St. Andrew's Rapids.

Mr. DALY. An important one.

Mr. DAVIES (P.E.I.) But this House is asked to hand over the control of the Red River, including the St. Andrew's Rapids, with one limitation, and that is, that, before they can construct the work, they must have the authority of the Governor General in Council, approving of the kind of work they are going to build ; nothing more. The Bill provides that the company

> May in like manner improve the navigation of the Red River, excepting those portions of the Red River known as the St. Andrew's Rapids,

> Point Shoal, the Elm Point Shoal, the Two Point Shoal, and the South Bend Shoal, the improvement of which rapids and shoal by the company shall be subject to the provisions hereinafter contained.

These are the only limitations upon the exclusive right of control. The next clause goes on :

> The company may, upon obtaining authority from the Governor in Council——

Mr. DALY. Hear, hear—a condition precedent.

Mr. DAVIES (P.E.I.) Let me read it, and I will show you the construction I put upon it :

> —improve for the purposes of navigation and traffic thereon, those portions of the Red River hereinbefore excepted, provided that the plans and specifications of such improvements and the works connected therewith shall be first approved by the Governor in Council, and that the works shall be carried out and completed under the superivision of the Governor in Council.

Now, it strikes me that the meaning of that is, that the character of the work is to be approved by the Governor in Council, and not that the Governor in Council is to give his approval of the construction of the work itself.

Sir CHARLES TUPPER. Both.

Mr. DAVIES (P.E.I.) I think it is perfectly plain that the Governor in Council would never attempt to prevent proper works which commended themselves to his judgment. The object is to ensure the construction of proper works, and not to prevent building altogether. That is the view I take of it, and it does seem to me, looking at the prominent fact which meets you at the threshold of the argument, that the Bill ought not to be passed until you are satisfied of the navigability of Hudson's Straits. Until that is done, I think you are doing wrong in chartering this company, to be floated in the London money market, with your approbation and approval, in the face of this report that, except about two and a half months in the year, Hudson's Straits are not navigable. This open period begins in July and ends in September. When is the wheat crop garnered and ready for shipment ? You would be shipping, at the very best, the previous year's crop to come in competition with the current year's crop, shipped by way of Montreal or New York. I have no means of judging whether Lieutenant Gordon's report is strictly accurate or not. But I am bound to assume that it is accurate, and, in view of that report, it would surely be an unwise policy, a fatuous policy, to charter a company to construct a canal to Hudson's Bay, and allow that company to go into the money market of the world with our imprimatur upon it, unless we are satisfied that, when they get their grain to Hudson's Bay, that bay is navigable, so that the grain can be taken to Liverpool. What will be said in the London market if you give your imprimatur to that Bill ? It will be said that the Parliament of Canada, that ought to know, never would have passed the Bill until they were satisfied beyond a doubt that the grain could be carried easily and practicably by the Hudson's Bay route. But we are not satisfied, and nobody that I have heard, except the leader of the House, has ventured to assert—and he did it either in ignorance of Lieutenant Gordon's report, or without having refreshed his mind upon it—nobody has ventured to assert that Lieutenant Gordon's conclusion are not accurate, and should not be accepted by this House.

Mr. HAGGART. I have but a few words to say in reply to the hon. gentleman who has offered this extraordinary opposition to the Bill that is before the House. The Bill received no opposition in the Railway Committee except from the hon. member for Winnipeg (Mr. Martin) who insisted that certain clauses should be inserted in it. If I may be pardoned for referring to what took place in the committee, I may say that I stated what the Government's decision was in reference to it, namely, that they had always contemplated improving the navigation of the Red River to Lake Winnipeg. I informed the hon. gentlemen who were promoting the Bill that before it could pass the Government reserved to itself the right, if they allowed them to construct that work, of making such conditions as would entirely safeguard the public. I was very careful in the clauses that were drawn out. I got the views of the committee on the subject, and had the Bill drawn up by the Minister of Justice, and, I say, it carefully guards, in every particular, the public interest in the construction of that work. The hon. gentleman says that the Government and the people of this country give their imprimatur to a Bill, because we simply give this company a charter. This is a monstrous doctrine, which I never heard before advanced by any person in this House. The hon. gentleman deals in extravagant statements. Who ever heard of the Government of a country giving its imprimatur to a Bill when they give to a company its entity, or a charter for the purpose of constructing a particular work ? No person ever dreamed of such a thing. The leader of the House has stated this evening that every care has been taken for the purpose of guarding the public interest in constructing that communication, between Winnipeg and Lake Winnipeg. That surely cannot be an objection to the Bill. The hon. member for Queen's, P.E.I., (Mr. Davies) says that our imprimatur is not to be given to the Bill ; but the hon. member for Winnipeg, who represents that city, and is most interested in it, says that the Government imprimatur or charter, ought to be given to this company, but, at the same time, we must guard the interests of the people of Winnipeg, who are so deeply interested in this navigation. After that statement of the leader of the House to-night, I suppose the hon. member from Winnipeg will withdraw his opposition to the Bill. The leader of the House has stated, after having plans and specifications prepared regarding the improvements of St. Andrew's Rapids, that in the construction of that work, the public interest will be carefully guarded by the Government. The hon. gentleman attacks the leader of the House because he says that Commodore Markham gave him authority to say that the straits are open for four and a half months in the year. He questions that Commodore Markham made any such statement. I will read his report upon the subject, showing that instead of four and a half months in the year, navigation is open for nearer six months in the year. But, first, here is what Sir Edward Parry says:

> Long experience has brought those who frequent this navigation to the conclusion that, in most seasons, no advantage is to be gained by attempting to enter Hudson's Strait earlier than the first week in July. The annual disruption of the ice, which occupies the upper and middle parts of the strait, is supposed not to take place until about this time. In the course of one single year's experience in these parts, we have seen nothing to recommend a practice different from that at present pursued by the ships of the Hudson's Bay Company.

And Commodore Markham says:

> I heartily concur with every word in this quotation, for it exactly corresponds with my own experience. But the fact must not be overlooked, that this advice is addressed to those who attempt the navigation of the strait in sailing ships. Steam has made a great revolution in ice navigation. A well-found steamer is able to make her way with ease through the ice in Hudson's Straits in June and July.

Notice those two months, June and July.

> When a sailing vessel would be hopelessly beset, incapable of pushing on.

I might quote dozens of extracts from Commadore Markham to the same effect to support the statement made by the leader of the House.

> Early on the morning of 11th July we arrived off the station on the north side of the strait, and anchored in a snug little bay called Ashe Inlet. The observers were found to be in perfect health, and they had spent a pleasant winter, having been well supplied with reindeer meat by the Esquimaux. They informed us that the ice did not form in the strait before December, and that the channel was perfectly free for navigation during the entire month of November.

How many months does that make, from 1st July to the end of November? The hon. gentleman, in making his remarks some time ago, admitted that the commander of the "Alert" was, perhaps, against this contention. This distinguished officer in the British navy stated that there were four and a half to five months of navigation.

Mr. DAVIES (P.E.I.) Where does he state that?

Mr. WELSH. Some one told him so. It is hearsay evidence.

Mr. HAGGART. Does the hon. gentleman not understand the meaning of these words: "Steam has made a great revolution in ice navigation. A well-found steamer is able to make her way with ease through the ice in the Hudson's Straits in June and July"? Does he not state that parties who were stationed there all winter informed him that the ice did not form in the straits before December, and that the channel was perfectly free for navigation during the entire month of November?

Mr. DAVIES (P.E.I.) The hon. gentleman asked me to accept that as Lieutenant Markham's own opinion, but the latter says that observers told him so and so. He does not give that as his own conclusions.

Sir CHARLES TUPPER. They were put there for that purpose.

Mr. DAVIES (P.E.I.) But Lieut. Markham drew the very opposite conclusion, that the straits were not navigable after the 1st of September.

Mr. HAGGART. The hon. gentleman is raising quibbling objections. The leader of the House said that the information he received from the report of Commodore Markham was that for four and a half months the strait was navigable, and the quotations I have read bear out that opinion of Commodore Markham. The hon. gentleman made a great deal of fuss about it. He said that the leader of the House was drawing his long bow. Has he drawn a long bow any more than did the hon. gentleman, when the other night he stated that the wheat crop of Great Britain was twice that of Manitoba and the North-west.

Mr. DAVIES (P.E.I.) The hon. gentleman read from the "Statesman's Year-book" of 1895, showing the production of 1894, which was 60,000,000 bushels. I read it, and I gave my authority at the time.

Mr. HAGGART. The hon. gentleman was correcting a statement made by the leader of the House, which he designated as absurd, and the hon. gentleman was stating the crop in 1895.

Mr. DAVIES (P.E.I.) No, no.

Mr. HAGGART. It is so reported in "Hansard."

Mr. DAVIES (P.E.I.) No.

Mr. HAGGART. Yet the hon. gentleman finds fault with the statement from Commodore Markham in regard to the navigation of Hudson's Bay.

Mr. LANDERKIN. Read from "Hansard."

Mr. HAGGART. I am not permitted to do so by the rules of the House. If I am permitted, I will read the statement.

Mr. SPEAKER. Order.

Mr. HAGGART. I will not read it, Mr. Speaker, unless I have permission to do so.

Mr. DALY. It is at column 4516.

Mr. HAGGART. I have never before heard of any strong opposition being offered to a private Bill of this character. Whether the company are able to obtain the necessary capital is entirely out of the question. The object of the Bill is for the promotion of a great work which will benefit Manitoba and the North-west. The work is to be constructed out of private capital, and it will be part of the project to connect Winnipeg with Hudson's Bay. The only objection I have heard is to that part of the scheme as regards the navigation lying between the United States boundary and Winnipeg. That point is, however, fully guarded, especially as regards the responsibility of allowing the company to commence the work. The Bill provides :

> 4. The company may, upon obtaining authority from the Governor in Council, improve, for the purposes of navigation and traffic thereon, those portions of the Red River hereinbefore excepted, provided that the plans and specifications of such improvements and the works connected therewith shall be first approved by the Governor in Council, and that the works shall be carried out and completed under the supervision of the Governor in Council.

So it is for the company first to get the consent of the Governor General in Council before they commence any of the improvements. In the next place all plans and specifications must be submitted to and approved by the Governor in Council. Further, the tolls and rates to be charged by the company with respect to the waterway are to be established by the Governor in Council. Several hon. gentlemen opposite oppose this Bill, but the hon. member for Winnipeg (Mr. Martin) supports it. He says he has no objection to the scheme, he believes Hudson's Bay is navigable, that further investigation into the subject of the navigation of the bay and straits may tend to show that this is a feasible scheme, and there is no objection to giving the company the right to build this particular part of the work from Winnipeg to Hudson's Bay. He does not agree with the objections taken by the hon. member for Queen's (Mr. Davies) and the hon. member for West Lambton (Mr. Lister). Those hon. gentlemen are opposed to the whole scheme, because the Government by giving an entity to a corporation for the purpose of building the work give their imprimatur to the Bill.

Mr. DAVIES (P.E.I.) I am sure the hon. gentleman does not wish to misrepresent my position. I am opposed to the scheme until hon. gentlemen opposite can show that the navigation of the Hudson's Straits is feasible. If I am satisfied on that point, I am not opposed to the scheme, providing the country is not asked to give money to it.

Mr. HAGGART. There never was a proposition to give one cent to it.

Mr. DAVIES (P.E.I.) The hon. gentleman must know that the Bill on its face contemplates the granting of a Government subsidy.

Mr. HAGGART. It does not. The section to which the hon. gentleman refers was put in at the suggestion of the hon. member for Winnipeg (Mr. Martin).

Mr. DAVIES (P.E.I.) I do not care at whose suggestion it was inserted.

Mr. HAGGART. So hon. gentlemen opposite may give something towards the construction of this particular undertaking, and it is perhaps to guard against such extravagance on the part of the hon. member for Queen's, P.E.I., and his friends when they come into power, that objection is taken. That section was not put in at the instance of the incorporators, but I repeat, it was embodied at the suggestion of the hon. member for Winnipeg, who wanted to insert a further safeguard—that the Government in taking over the work should not only have credit for what was contributed, but should appropriate the moneys that municipalities had contributed to the undertaking. The hon. member for Queen's asks that proof be furnished him that Hudson's Bay is navigable for over two months and a half every year. That is a point for the incorporators of the company to ascertain in connection with the investment of capital in the undertaking. The Government by granting this charter to a private company does not by any means state that either Hudson's Bay or Hudson's Straits is navigable for one day in the year. The incorporators seem to be fully satisfied that that part of the bay and straits is navigable for such a period, and that they will be able to secure the investment of money in the company. This Parliament simply gives the company liberty to proceed without giving any imprimatur to the company, but simply allows this company to receive a charter as have hundreds of other corporations, at the hands of this House.

Mr. CASEY. The discussion on this Bill has certainly covered a much wider range than is usual on a private Bill, and perhaps necessarily so. There is no doubt the question of the navigability of Hudson's Bay enters more or less into the question as to whether it is advisable to charter this company or not, and it has therefore been unavoidably discussed. I wish to put one point before the House in that connection. I hope that in the anxiety of many hon. members to oppose what they consider to be an ill-advised scheme, they will not be too ready to assume that Hudson's Bay is not navigable for a considerable portion of the year. I consider that that question is still open—whether Hudson's Bay is open for five months of the year or not. I hope no one in the House will use an argument or make an assertion going to show there is doubt about the navigability of Hudson's Bay during most of the summer.

I quite agree with the hon. member for Winnipeg (Mr. Martin) and other members, who look to Hudson's Bay as a possible future outlet for the products of the prairie country generally, who look to the country surrounding it as a very valuable territory, and expect to see a considerable volume of trade passing through the Straits in future. A great deal has been said respecting the report of the expedition sent there a few years ago to inquire into this matter. I held at that time, and I hold still, that the expedition did not adopt the best methods to find out whether Hudson's Bay was navigable or not. An excursion was made into the bay and out of it before navigation closed. Explorations were made in the bay. Certain explorers were left to winter on the shore of the straits, and some on an island. The conclusion drawn by the head of the expedition was that it was not feasible to navigate that sheet of water, but I argued then, as I argue now, that more than the report of that expedition is necessary to settle this question finally. Men, camping in the winter on the shores of the Straits, are not able to ascertain during the winter, after the shore ice has formed, whether that channel is navigable in the middle or not. They are not able to tell anything about the navigability of the bay itself, during the winter. The ships which come out about the usual time, and leave the bay when ready, cannot possibly say whether the straits were navigable or not, after they left.

Only one satisfactory method of inquiry is possible, namely, to send an expedition of ships, provisioned for more than one season, to have these ships explore the bay, be frozen in there, if necessary, stay in the bay until the following spring, record the time they were frozen up and the time they got out, and all that has happened to them in the meantime. I believe it is of the greatest importance to the prosperity of the country, and to the interests of the prarie districts particularly, to have such explorations made. I may say that my own impressions are more favourable to the navigation of that bay than those which have been expressed by a number of gentlemen on this side of the House.

After reading the report, as I did some time ago, I am more inclined to agree with Markham's account than with the other commander's, and to believe that the straits may be navigable for a considerable number of months. I hope that, whether under this Government, or under a new and a better Government, full means will be taken of ascertaining the truth regarding this matter. I believe that Hudson's Bay is a valuable property, and that it has been too much neglected. I believe that this Government are to be blamed for neglecting to enforce the rights of Canada over that bay, as well as for neglecting its exploration with a view of its navigation. I am in accord, Sir, with the remarks of my hon. friend from Queen's (Mr. Davies) to a certain extent. I believe that, until we have satisfactory knowledge of the navigability of that bay, it is a matter of, at least, doubtful advisability to charter a canal company to connect it with inland navigation. The question as to the imprimatur which has been referred to also comes in here.

It is a question, how far investors in other countries would hold this Parliament responsible for the charter, if it turned out that a profit did not arise out of the enterprise. If it turned out that it was going to be a Chignecto scheme, or something of that kind, that promised no profit after it had been constructed, we might be accused of giving assurances of an outlet in a direction where an outlet might not turn out to be available. But I do not look upon that question as the one which will decide my vote upon this Bill. I give the greatest importance to the question, as to how far this company would control the navigation of the Red River and of other navigable waters involved in their proposed route. If it be true, that this Bill would give such control of the Red River navigation, or of other navigable waters, as should not be placed in the hands of a private company, then the Bill should certainly be rejected, whether Hudson's Bay be navigable in the summer or not. That is a legal point, as it depends upon the construction of the words in this charter. I have read the charter over, and I have heard the opinions given by legal gentlemen here upon it. I think I have heard as strong arguments in favour of the view that this company would, by this charter, be given an undue control of the system of navigation, as I have heard on the other side. In fact, I think that the weight of legal opinion is, that this charter would give the company undue control over the Red River navigation. That I consider to be a vital point for me in deciding how I should vote on this question, and, unless I hear these arguments rebutted more strongly than they have yet been, I shall find it my duty to vote against going into committee on this Bill on that ground.

Mr. HASLAM. Mr. Speaker, I just wish to say that, in my opinion, it would appear to an outsider, or to one who is not very much interested in this question, that a great deal of the talk that has been indulged in here this evening is really a subject for merriment, more than anything else. The whole trend of the arguments of hon. gentlemen opposite was, as to the great fear that English investors should suffer. Well, do hon. gentlemen opposite pretend to act in this House as protectors for English investors, who are supposed to know their own business ? Here is a country and a people who are the recognized financial leaders of the world. Everybody who gets in a tight place, has to go to the English capitalists for money, and, forsooth, we are told here to-night by hon. gentlemen opposite that these English capitalists are not competent to look after their own interests. The idea is tried to be forced upon us that a small body of men in this House must look after the English capitalists, because they are not able to look after themselves, and this body of men in the House are, I believe, as completely ignorant of the whole circumstances of the case as it is possible for men to be.

Mr. MARTIN. Give us some light.

Mr. HASLAM. I think I can give you some light on the subject, although you have lived in Winnipeg for a while. I know a little about it, perhaps more than you do, and I have been in Winnipeg before you were.

Some hon. MEMBERS. Order—address the Chair.

Mr. HASLAM. I beg your pardon, Mr. Speaker. He talked across the floor to me, and I presumed I could talk back to him. As a member from British Columbia, I am interested in the navigation of the Hudson's Bay. Let me point out to hon. gentlemen that the Hudson's Bay Company have been able to navigate that bay for sixty years, and I have never heard of them losing a ship yet. They have gone in and out there for sixty years with sailing ships. I have never heard of them running into Hudson's Bay with a steam vessel, and every one knows that a sailing vessel is not as well able to run clear of floating ice as a steam vessel is.

Mr. DAVIES (P.E.I.) Who questioned the navigability of Hudson's Bay ?

Mr. DALY. You did.

Mr. DAVIES (P.E.I.) I did not. I questioned the time it was navigable.

Mr. HASLAM. We all know that a steam vessel can navigate the same water for a much longer season than a sailing vessel can, where ice has to be contended with. Now, Sir, so far as the difficulties on the Red River are concerned, the St. Andrew's Rapids offer obstacles, I know. But, if I understand it rightly, one of the principal sources of revenue which this canal company counts upon is from the transportation of wheat south of the line. It is there that the principal part of it will go. A railway will still be necessary to draw the wheat, from the western boundaries of Manitoba to the foot of the Rocky Mountains, and the principal part of the wheat from that section of the country would go by rail. It would not go in the Winnipeg Lake direction at all, because it would have to be sent as long a distance by rail to reach the Red River and take advantage of the canal, as it would have to go by a new railway from York Factory, or wherever the terminus might be. At any rate, this route would, I am sure, open up a large tract of wheat-growing country for settlement.

I understand from the general argument that the intention now is that wheat shallbe carried on the Canadian Pacific Railway to the banks of the Red River, and there barged. I do not agree with that argument at all, because I believe that a new railway would be necessary from York Factory to the Rocky Mountains—either that or advantage might be taken of the Saskatchewan River ; but there are rapids in that river, so that I think a railway would be necessary. But, apart from that, the principal source of revenue for the canal would be on the American side of the line. So far as the navigation of the Hudson's Bay is concerned, I think it is the duty of the investors who are putting their money into the project to ascertain that for themselves. I do not think that this Government is binding itself to anything in giving a charter to construct the canal. It does not guarantee that Hudson's Bay is navigable for one day. Therefore, I cannot see how any gentleman from the west can oppose the Bill. It certainly is in the interest of the country, and it is the duty of the investors to find out the obstacles, and not Parliament.

Mr. DAVIES (P.E.I.) Is it the duty of the investors if the money is lost ?

Mr. HASLAM. The investors are quite capable of taking care of themselves. This Government is deriving no revenue from the canal, and I do not think it has any right to spend money in that direction. I cannot see how there is any objection to this Bill on the ground of the responsibility of the Government, for the Government are taking no responsibility. They do not assure anything. They give the right to construct the canal, and that is all that they are asked for.

Mr. FRASER. The hon. gentleman who has just sat down need not have read a lecture to any of us on the want of wisdom, for he did not add much to the debate by his own sublime wisdom. The whole question before this House is, as the hon. member for West Elgin (Mr. Casey) put it, whether we should give these valuable waterways to any company. That is the whole question, to my mind, and I am not going to be bound by the consideration that Winnipeg wants it, in deciding how I shall vote on the question. I think there is a good deal too much of this saying that because some people want a thing, they should give it. The question is a national one, whether, in dealing with a great waterway, we should grant something in one part of the country that would not be granted elsewhere under similar circumstances. I was very much surprised to hear the hon. Secretary of State speak of helping this country because of the great depression that existed. That was news to me, coming from that side of the House. I think the hon. gentleman might also have spared the attempt to work up his followers by attempting to show that gentlemen on this side of the House were always running down their country. There was an issue raised as to the quantity of wheat produced in Manitoba ; and whatever difference there is in the statements made by two hon. gentlemen on that question, I submit that it is not as great a difference as that between the quantity actually produced and the quantity prophesied by the hon. Secretary of State. I thought, to say the least, that modesty or the failure of his prophecy, ought to have prevented him turning his guns on this side in regard to that. The fact is that any project which receives the sanction of the Secretary of State is now viewed by the people of this country with some concern. To use the word of the hon. Minister of Railways, the imprimatur of the hon. gentleman is rather against it. Indeed, it reminds one of the man who went to a banker to get a small note discounted. The banker said he knew the man to be a very good man, but that it was the rule of the bank to have an endorser. So the man went out to get an endorser, and, having got one, he returned with the note. When the banker saw the endorsement, he said : "But for the rule I would have given you the money before, but with that endorser I would certainly not have given it." The endorser had destroyed the man's chance of getting the money. So it seems that any project that receives the hon. gentleman's sanction is doomed to failure at the start. We may work ourselves up to a high point of expectation as to what is going to be done ; but this House has been hearing for fifteen years what was going to be done. Now, we must look for something else. That country was going to go forward by leaps and bounds ; and now we hear from the Secretary of State that there are only 25,000 men engaged in agriculture there. It would be hard work for them to produce 640,000,000 bushels of wheat. The truth is, that anything that has not in it the elements of permanency and success, according to the data before us, ought not to receive the sanction of this House. If you look over all the Bills that have been passed by this House, and the prophecies made as to what they were going to accomplish, you will be astonished at the gullibility of members of this House, who, to-night, cheered the statements of the Secretary of State as to what this Bill was going to accomplish. My chief objection to this Bill is that it puts a great waterway in the hands of a number of men, I care not how wealthy they may be. Waterways, like railways, are the avenues of trade. I think the Government made a great mistake in tying up the land of that country by giving so much of it to companies. It is still a greater mistake to give the control of a great waterway to any body of men. It is for that reason I oppose this Bill. So far as the Hudson's Bay is concerned, I know very little about it except from what I have read in the reports of officers sent out by this Government. In my own county, there are a number of captains who have been trading up there, very intelligent men, and they tell me that its navigation is not practicable, I am not going to say that that is conclusive. The hon. gentleman who has just spoken has said that for sixty years the Hudson's Bay Company have been going in there with vessels. They have been doing that for two hundred years ; but did it strike him that that company could not give this Government any information to warrant them in deciding that that bay was navigable, even after all that time, and that the Government had to send out men to examine the question for themselves. This satisfies us that there is still much to learn on that subject. But my reason for opposing the Bill is that I believe we should not give these valuable franchises to any company.

Mr. MACDONALD (Huron). I wish to make a few remarks on this question. I am of the opinion that no public charter should be given by the Government to any company until the Government establish beyond doubt that such an undertaking is feasible and in the interests of the country. If the Government does not know whether the Straits are open sufficiently long in the year to be of any advantage to that section of country, in my opinion it is their duty to again send parties up there to take observations, as they did a few years ago. I have read very carefully the report of Lieutenant Gordon who was sent up in 1883, and if we can rely on the evidence he has given, it strikes me very forcibly that the scheme is not feasible, or at least that navigation of the straits can only be had about three or three and a half months in the year. In some years, Lieutenant Gordon says, navigation would not even last that long, though in other years it may exceed that time, but the average will not be longer. If that be the case, is it not very imprudent to take a step which will involve this country in the heavy expenditure for perhaps an utterly impracticable scheme. The Government are in duty bound to settle the question in their own minds before entering any scheme of this kind. One hon. gentleman said, a few moments ago, that it was not in the interests of Canada to look after the interests of any large corporation which was about to invest its money in a scheme of that kind. I think it is. The hon. gentleman will bear in mind that some years ago the wild-cat scheme of a Chignecto Railway was put through this House by the

Government, and that in consequence of the support given it in this House, English capitalists were induced to invest money in it, with the result, as I was told by one of the directors three weeks ago, that the company has sunk three and a half million dollars in a scheme which will never bring a single dollar either to it or the country. Why, members from the eastern provinces, who ought to be the best informed in the matter, are those who oppose the strongest any extension of time to the company which undertook to complete this wild-cat scheme. Again, if the Hudson's Bay route were open to Churchill, we are told that the wheat grown in Manitoba in the one year could not be marketed in the same season. But to that objection, the reply is made that a large proportion of our western wheat is stored up in elevators at Fort William and other places. That is true, but we must not overlook this fact, that if the wheat market in England becomes stronger, we could at once ship to the old country from these elevators via New York, Boston or other routes, and get the benefit of the increased prices. If, however, that wheat were stored at Churchill, on Hudson's Bay, we could not do that, but would have to allow it to remain there until the following season, by which time the English market might have declined again. So that our farmers in reality would lose a large sum which otherwise they might gain. Then, again, how could the wheat-buyers determine what prices to pay, when, not being able to foresee the condition of the markets at the time they would be able to ship the wheat via the Hudson's Bay route. The result would be that they would buy on the safe side, and our farmers would not realize as much as they would under present conditions. Those who remember the earlier history of this country, when wheat-buyers purchased wheat stored at the various ports along the western lakes, awaiting the opening of navigation, know that these buyers would only give from 38 to 50 cents a bushel, because they were buying on an uncertain market, and that is just what would take place if the wheat were stored at Churchill awaiting the opening of navigation in Hudson's Bay. Suppose a canal were built to Hudson's Bay, have we any expectation whatever of finding a company which would undertake to construct vessels for that particular route—vessels which would have to be constructed of extra size, capacity and strength to meet the difficulties of that route? Do you really suppose that a company would build a special line of steamers for the purpose of working only three or four months and which would have to lay up the balance of the year or seek employment in other sections. When we consider all these things, it strikes one that it is neither wise nor prudent for the Government to place the franchise of any of our large streams or rivers in the hands of other people, before the feasibility of the whole scheme was established beyond doubt, and we were in a position to practically decide what was best in the interests of the country. But when the Government and their supporters find they are beaten in argument, they turn round and accuse the Opposition of always running down the country. Now, I challenge any one to point to one sentence used by any member of the Opposition decrying the country. We have faith in the country if we only had the proper men at the helm of state to guide its destinies. We have faith in the country, but not in the Government which has misgoverned it for the last sixteen or seventeen years. The hon. Secretary of State said that we had opposed the building of the Canadian Pacific Railway. If he knows anything about the history of that road, and he ought to know something about it, he must know that the Liberal party was not opposed to the construction of the Canadian Pacific Railway, but to the policy upon which the Conservative party proposed to construct it. We were opposed to building the Canadian Pacific Railway as rapidly as the Conservative party built it. I am satisfied that had the railway been pushed through by sections, and the money used in constructing it kept within the country, instead of being paid out to men collected from all quarters of the world, the vast majority of whom left the country and carried a large portion of it away with them—in other words, if we had gone on spending money every year among the farmers of the North-west by giving them employment in building sections of that road, we would have kept millions of dollars in this country which have long ago left it. It may be said that there was a compact with British Columbia to construct that road within a limited time; but no doubt some means could have been obtained to satisfy British Columbia for a few years, and all that money which went out in paying imported labour—the labour of Chinese, Italians, Americans and other foreigners—would have been paid out to our own people. It would have been all spent among the farmers and labourers of the North-west Territories, and in that way have added greatly to their prosperity. Again, if the advice of the late Mr. Mackenzie and the Liberal patry had been taken, the Canadian Pacific Railway line would not have been located where it is; and the best evidence we have of the wisdom of the plan advised by the Liberal party is the fact that the Canadian Pacific Railway are now thinking of extending their road just through that section of country through which Mr. Mackenzie intended originally to have constructed it had he remained in power. Again, the very point on Lake Superior which Mr. Mackenzie wanted to make the terminus of the Canadian Pacific Railway there, and in which he was opposed by the Conservative party of that day, is the point now selected by the Canadian Pacific Railway as its terminus upon Lake Superior. Then again, the Hon. Alexander Mackenzie and the Liberal party wanted to cut the lands up into squares of 20 miles, so that the people going into that country might be settled in large sections without leaving intervening sections in the hands of speculators. And the Liberal-Conservative party opposed that policy, and to-day, within 15 miles of the railway, at any rate, every alternate section belongs to the company, so that, when the hard-working pioneer goes in there, he is not only improving his own lands, but he is adding to the wealth of the Canadian Pacific Railway by his labour. This prevents the settlement of the country by separating the people so widely, and preventing that compactness of settlement which would enable the people to support schools and churches and build bridges and roads. Any one who will consider the policies of the two parties at the time the Canadian Pacific Railway was building, must come to the conclusion that the Liberal policy was the better of the two. And yet Conservatives will rise on the platform today, and declare that the Liberals were opposed to the construction of the Canadian Pacific Railway. Coming back to the question, I would ask if it was a wise policy to place such large privileges in the hands of private companies without a fair knowledge of what is to be the end of the scheme of which this is the commencement ? For my part, I will oppose the measure on the ground that it is unwise in the present stage of our knowledege of this route to give so large a franchise to this company.

Mr. FLINT. The discussion of the question has taken a wide range, and, I think, properly so, because there is more in this Bill than appears at a superficial glance. A little study and observation seem to show that the promoters of the Bill have something more in view than their mere charter and the operations of an ordinary company. In fact, the Bill is of a quasi-public character, dealing, as it does, with enormous interests, covering a vast area of territory in a comparatively undeveloped country, and requiring an enormous amount of capital to carry the project to a successful issue. Glancing at some of the provisions of the Bill, as amended, as it affects one of the works contemplated by the Government from time to time, and which must be performed within a few years (the improvement of the navigation of the Red River so as to overcome the navigation of the St. Andrew's Rapids) we find this company practically getting a monopoly of the heavy contract which must be undertaken in the near future in order to complete the navigation around these rapids. On glancing at clauses 3 and 4, we find that the only portions of the route excepted from the practical operations of the company are St. Andrew's Rapids, Union Point Shoal, the Elm Point Shoal, the Two Point Shoal, and the South Bend Shoal. These portions can only be improved by the company upon the authority of the Governor in Council, and then only after filing with the Government plans and specifications of the work to be done, which must be satisfactory to the Governor in Council. But the effect of this Bill is practically to give control of the contract which the Government must some day give for this work. Moreover, this company will probably demand, and will make a strong claim upon this Government and Parliament for large public subsidies to carry on the work of the company. There is this further consideration, that foreign capital is to be invited to assist in carrying on this work. I dissent from the view that it is a matter of no consequence to this Parliament, or anybody but the investors themselves, in what form measures of this kind are passed. I think Parliament does assume a moral responsibility to the capitalists of the old world, in consequence of the charters we give and the privileges we hand over to incorporated companies, and which may be made use of to inveigle capital into what are known as wild-cat schemes. The credit of Canada has been injured before now by the failure of companies similarly chartered. I view this question as one of not merely local interest. The company is a most ambitious one, demanding large powers as a canal company, a telegraph company, a telephone company, a shipping company, and the proprietors of an enormous quantity of real estate, besides practically controlling the navigation of the Red River, and, in fact, of all these lakes and rivers running into Hudson's Bay. I think the company would have shown more wisdom and prudence, if it had not come before Parliament to demand such wide powers over such a large territory. Now it has been contended by some hon. gentlemen that it makes no difference in deciding the propriety of granting this charter, whether the Hudson's Bay was navigable for one month or six months in the year. I think that position is not at all tenable. I contend that there has been no successful attempt to show that the Hudson's Bay or Hudson's Straits are navigable for any sufficiently lengthy period of time. Unless it can be shown that navigation can be carried on with success in order to transport products from the North-west to the mother country, then this whole scheme must be a failure. Unless it can be demonstrated that navigation is practicable for such a period of time as will suffice to carry the products of the North-west to the mother land, the scheme must fall to the ground. The whole basis of the scheme and the whole reasoning upon which it is founded, will fail unless it can be demonstrated that the Hudson's Bay is navigable for each year for a sufficient period of time to carry away the enormous crops which the North-west and Manitoba will produce in a single year. A great deal has been read to show that the navigation of that bay is open practically for at least five months in the year. The quotations made by the Secretary of State fall very far short of any proof of that kind. Now, we have the advantage of having in the records of Parliament several important contributions giving precise facts which are of vital importance in coming to a conclusion upon this matter. The celebrated expedition of Lieutenant Gordon in the Hudson's Bay, with definite instructions to ascertain exactly the difficulties and the peculiarities of the navigation of that bay and strait, have been given to the Government and to the public, in reports which are accessible to all, and they show conclusively that in the middle of June in the year 1884, the ice was very thick and dangerous and very difficult to contend with. The "Alert" only reached Fort Churchill about the end of August, and by the 24th November everything was closely sealed up in ice. The report also shows that in 1885, as late as August, the ice in the Straits around Nottingham Island was closely packed. These reports show that if navigation was not absolutely impossible, it was so precarious and so irregular as to be practically useless to trading steamers, which are calculated to make reasonable time with valuable cargoes. The experience of the following year showed that in the early part of October everything was closely sealed and the exit from the straits was practically closed for that year. We come next to July, 1886, and as late as the 9th, 10th and 11th there was no open water in sight, and even on the 15th and 16th the ice was tightly packed. If there was not open water as late as the latter part of July that year, certainly the indications for successful navigation by a large number of steamships carrying valuable cargoes must be considered unfavourable, unless proof can be given that this was one of the most exceptional years known. I also find a letter from Captain Spicer, dated March, 1883. He is one of the most experienced navigators of Hudson Bay and Straits. He affirms that there is no average length of time for navigation in those waters, and that no two years are alike. In this opinion, he coincides with the opinions expressed by Commodore Markham, and Commander Gordon. He further points out that there is great danger in navigating the straits, whether early or late, owing to the storms and the strong currents; that it is impossible for any captain to decide within two weeks when he will arrive at the straits. These statements made by authorities on the question, although not absolutely and finally conclusive, certainly afford a prima facie case for a more thorough inquiry than has ever yet been made as to the practicability of the navigation of Hudson's Bay and Straits, covering a long period of time. Undoubtedly, a large portion of the bay is open all the year round, except as regards floating icebergs. It is obvious, however, from all our reports that the water along the shore becomes frozen very early in the season, as early as 1st August, and the frozen area extends several miles from shore, and includes all the harbours, estuaries and landing places, so that, practically, they are hermetically sealed except two months or, at the most, three months of the year. It is apparent to every fair-minded man that we cannot build up a successful transportation trade as regards the crops of the North-west by this route if the country develops during the next ten or fifteen years as suggested. The powers of nature in matters of this kind it is impossible for human skill or science to overcome. We may tunnel mountains and bridge rivers, but storms of winter and icebergs are entirely beyond the power of man to overcome; and it would be insane folly on the part of the Government or Parliament to give to any company the powers sought by this Bill, particularly when we know what has been the history of charters of this kind and the effect they have had on our credit from capitalists abroad being lured into investing in undertakings of this extraordinary nature. This Bill should lie over for further consideration, and when a new Parliament meets, the promoters could appear before this House with a modified application, supported by the results of a more thorough inquiry, and the House could then grant them powers which are reasonable. I therefore move, seconded by the hon. member for East Huron (Mr. Macdonald):

> That this Bill be not now referred to a Committee of the whole House, but that it be referred to a Committee of the whole House this day six months.

Mr. MARA. The hon. member for East Huron (Mr. Macdonald) has spoken, and cannot, therefore, second the amendment.

Mr. BORDEN. I second the amendment.

Mr. MARTIN. The hon. the Minister of the Interior (Mr. Daly), as usual in discussing matters of this kind, took the opportunity of alluding to various matters connected with local politics in the province of Manitoba; most of which I have dealt with before, although it has never appeared to me to be very material to this House or to matters before this House, what my conduct, with regard to provincial measures in the province of Manitoba may have been. Of course, I am fully responsible to the people of Manitoba for what I have done, and for what the government of which I was a member, have done, and we have never sought in any way to shirk responsibility for our conduct. I have noticed in this House, that when the Conservative party were attacked because of different matters, it has been a favourite reply of theirs to say, that at the elections the people have supported them. I might point out, using that argument which is perhaps not altogether a correct one, that in the province of Manitoba, the government of which I was once a member have been supported very strongly indeed every time they have appealed to the people. And, it has been observed at several of the general elections, one especially in which the hon. Minister of the Interior took a very active part against the local government; it was observed by the people there, that wherever the hon. gentleman (Mr. Daly) went, the majorities for the Greenway government candidate were very great.

Mr. DALY. Was that in 1892 ?

Mr. MARTIN. Yes.

Mr. DALY. We carried four out of the five constituencies in which I took an active part, and the Greenway candidates were defeated.

Mr. MARTIN. I do not know about the constituencies——

Mr. DALY. I do.

Mr. MARTIN. The hon. gentleman was very careful to visit most of those constituencies, where——

Mr. SPEAKER. What relevancy has all this to the question now before the House ?

Mr. MARTIN. I do not think it has any relevancy, but the Minister of the Interior was allowed to allude at very great length to my conduct in the province of Manitoba, and it seems pretty hard that I should not be allowed to reply, if that course was allowed to be taken by a Minister of the Crown. I protest, and have always protested against the local matters of Manitoba being dragged into this House. The Minister of the Interior never gets up to speak that he does not allude to matters that have occurred there, and surely, Mr. Speaker, I am at liberty to deal with the question just as well as he is.

Mr. SPEAKER. I think that this whole discussion has largely been irrelevant to the question now before this House, and perhaps I may be pardoned for saying, that the hon. member for Winnipeg (Mr. Martin) was the first transgressor in that respect. It seems to me that I cannot allow this discussion to wander into the local politics of the province of Manitoba. I did allow the hon. member (Mr. Martin) to refer to the fact, that the local legislature had granted a subsidy to the Hudson's Bay Company, because he stated that it was necessary for his argument, in showing that the people of Manitoba were anxious to obtain communication with Hudson's Bay. But surely, the discussion that is now going on has no relevancy whatever to the question before the House.

Mr. MARTIN. Mr. Speaker, I submit to your ruling, of course, but it is the first time that I have seen one member attacked by another, and then, when he is attempting to reply, especially to a Minister of the Crown, being ruled out of order for dealing with the very matters which the Minister referred to himself.

Mr. DALY. I did not attack the hon. member (Mr. Martin). Anything I stated with reference to the hon. member was to answer his position with reference to the Bill under discussion, and to point out that he had not always taken the same course that he does to-night, in opposing a measure of this kind.

Mr. MARTIN. The hon. Minister referred to the Northern Pacific Railroad. What has that got to do with it.

Mr. SPEAKER. I listened to the reference of the hon. Minister of the Interior (Mr. Daly) to the Northern Pacific Railway, and I gathered from his remarks at the time, that that was a scheme that was intended to cheapen the transport of grain from the North-west Territories to the seaboard, and therefore, I thought it had some relevancy to the question now before the House. But I frankly confess, that listening to what the hon. member (Mr. Martin) has just said, I cannot discover any relevancy at all between the local elections in Manitoba and the question before the House.

Mr. MARTIN. I understand your decision as to that, and I shall keep my remarks closely to the points raised by the Minister of the Interior. In dealing with the Hudson's Bay Railway, the hon. gentleman charged me with not having been consistent, and with having a very different view at one time with regard to the Hudson's Bay Railway, from that which I have now. Nothing I have said in this debate to-day will justify such an expression as that. I have not said anything against the Hudson's Bay Railway. I have pointed out certain objections that have been raised by other persons to the Hudson's Bay Railway. I have alluded to the question of navigation which has been very largely dealt with by other members of this House, and I stated that the promoters of the Hudson's Bay Railway believed that Lieut. Gordon's report was not a correct report, and were not prepared to accept it. The hon. Minister was quite correct in saying, that I did support a resolution in the legislature of Manitoba, offering to aid the Hudson's Bay Railway to the extent of a guarantee of 5 per cent, I think it was, upon four and a half million dollars of bonds. But, afterwards when I assumed responsibility by becoming a member of the government, I joined the government in refusing to give that guarantee, because on looking into the matter, we came to the conclusion that $180,000 a year was more than the province of Manitoba could afford to pay. We have never refused to put into force this guarantee, because we were opposed to the Hudson's Bay Railway or because we did not recognize the great advantage that road would be to the country provided the statements made in its behalf by its promoters were realized. But it was on an entirely different ground from that. It was on the ground that $180,000 a year for twenty years to aid one railway institution, was more than that province with a total revenue of about $500,000 a year, could afford to pay, even granting everything that was said on behalf of the company. I have to admit that in doing so I was inconsistent, but I agree with those sentiments I have heard expressed in this House, that a public man is justified in being inconsistent if he comes to the conclusion that he was wrong. A public man has no justification simply to keep himself consistent; no matter what he may have done at another time, he is to do at the time what he believes to be in the interest of the province he represents. So far as the charge of inconsistency is concerned, I am quite willing to admit it; but the charge that I have varied in my attitude towards the Hudson's Bay Railway, is not correct. What I did say, and what I still adhere to, is that, if the Hudson's Bay Railway is an enterprise such as its promoters claim it to be, and as the Secretary of State urged on its behalf to-night, it is an enterprise the onus of which should not fall upon the small province of Manitoba, but upon the great Dominion of Canada, because its benefits will be in a much larger degree for the North-west Territories than for the province of Manitoba. I have always claimed that, if that road is to be built with public money, the greater part of that money should come from the Dominion Parliament, and I adhere to that statement. The hon. gentleman has referred to the building of the Northern Pacific Railway, and, while that might have had some reference to the question before the House, because it was a manifestation of a desire on the part of the people of Manitoba to get competition with the Canadian Pacific Railway, I do not think the Minister of the Interior introduced the reference for any such purpose. At all events, with regard to his statement that the province of Manitoba had been burdened with a very large debt on account of the construction of that railway, I can say, as I have said before, that I defy him or any other member of this House to point to an instance in the history of Canada, or in any part of it, where over 300 miles of railway have been built for so small a subsidy as was given by the government of Manitoba to the Northern Pacific Railway. In addition to the company giving us over 300 miles of railway, they reduced the freight rate on wheat from Winnipeg to Lake Superior from 24 cents to 21 cents per 100 pounds. That railway cost the province of Manitoba a cash bonus of $1,750 a mile, whereas the Government of which the hon. gentleman is now a member, built some 500 or 600 miles of railway in the province of Manitoba, through the Canadian Pacific Railway Company, for which that company was paid a bonus of at least $32,000 per mile. It was given 6,400 acres of land per mile, which realized to the company a good deal more than $5 per acre. In addition to this, the province of Manitoba had $1,100,000 invested in a railway which was taken over by the Northern Pacific Company, and that company paid us that amount in hard cash for that railway. I quite agree with you, Mr. Speaker, that these matters are not relevant to this discussion, and I do not intend to deal with them at any length. I object to dealing with them at all, because I do not think it concerns this House whether the government with which I was connected, was a good government or a bad government. That is a matter for the people of Manitoba to deal with, when the election comes round. To show that I had not always held the view of this scheme that I hold now, the hon. gentleman referred to a letter, signed by Mr. Greenway, the Premier of the government of which I was a member. I must say that Mr. Greenway is a very good-natured man, and he was induced in some way or other—I do not know how—by Mr. Sutherland to sign this letter. The letter gives that gentleman a character which I think he is not entitled to; but, when the hon. gentleman suggests that I was responsible for it in any way, he is quite mistaken. I did not know of it, and did not hear of it for several years after it was written, and I do not think it is much to the credit of the gentleman who received that certificate of character, to throw it back at the man who gave it, and to endeavour to injure him politically for a kind act of that sort. I may say that at one time it was intended to issue that letter in Manitoba as a campaign document, and for that purpose to have it lithographed, in order to show it in Mr. Greenway's handwriting; but it was found that, instead of being written by Mr. Greenway, it was in the handwriting of Mr. Sutherland, the only part of it in Mr. Greenway's handwriting being his signature, which he may have given under a misapprehension—I do not know. So much for the remarks of the Minister of the Interior, which, as I said before, have not much reference to the question before the House, and I regret very much to have been obliged to detain the House by answering them. The hon. Secretary of State dealt more with the subject before us, and the hon. Minister of Railways suggests that, after his statement, my opposition to this Bill ought to be withdrawn. It occurs to me, rather, that the promoter of the Bill ought to strike out those clauses, because, if the remarks of the Secretary of State have any meaning at all, they practically mean that these clauses are nugatory, that they are of no use, that they will not be acted upon, because he said that no blow would be struck by the company on the works on St. Andrew's Rapids. If that be so, why are we detained discussing this matter at such length? Why do the Government insist on these provisions, if they do not intend to allow this company to get any benefit from them ?

The hon. Secretary of State (Sir Charles Tupper) very unfairly referred to remarks of mine. He said that I had presented the Hudson's Bay scheme as utterly impracticable. I would refer him to the remarks of his hon. colleague, the Minister of Railways (Mr. Haggart), who pointed out that I had done nothing of the kind, but had supported the Bill, so far as the Hudson's Bay route is concerned, and used every argument I was aware of in favour of a charter being given to the company so far as that part of the scheme is concerned, and that my only objection to the Bill was the rights and privileges given to this company, and which the hon. Secretary of State declares the Government do not intend to allow the company to exercise. I am very sorry that the hon. gentleman is not in his seat, because I always regret having to reply to a gentleman who is not present to hear me. It is a little selfish, to say the least, for the leader of the House to keep members sitting here at this late hour, while he is comfortably ensconced in bed, for I understand he has a bed close at hand, and that when it gets on to this hour——

Mr. SPEAKER. Surely the hon. gentleman is not going to trespass on the patience of the House by discussing a matter that is altogether foreign to the subject before the Chair ?

Mr. MARTIN. I was simply saying that I regret the hon. gentleman is not here to hear what I have to say.

Mr. SPEAKER. That is sufficient without telling us where he is.

Mr. MARTIN. I am very sorry, Mr. Speaker, to be out of order so often. The hon. gentleman is a very strong advocate of the Hudson's Bay Railway. He considers that any member of this House who does not accept as gospel truth every word he utters about Canada or any part of it, is running down the country. He made the same charge when hon. gentlemen on this side ridiculed his prophesy that by 1891 Manitoba and the Territories would produce per year 640,000,000 bushels of wheat. The hon. gentleman to-night made the wildest and most extravagant statements with regard to the matter before us, and because we put no faith in his statements he denounced us just as vigorously as he did then, and suppose the House were to accept his statements and involve this country in a large amount of debt, and then find out a few years later how utterly unfounded they were, he would simply laugh at us, as he does with regard to his prophesy about our production of wheat. He gives as a reason why the Hudson's Bay Railway should be built that in a few years the quantity of wheat grown in that country will be so large that the Canadian Pacific Railway and the Northern Pacific will not be able to carry it away. I do not look forward to any such rosy future. I do not think it is all likely that the amount of wheat produced in the North-west and Manitoba will be very greatly increased. It certainly cannot until more people go in there, and they are going in now very slowly. But the hon. Secretary of State has stronger reasons than those he laid before the House for supporting the Hudson's Bay route. According to his own statement, he has very strong love for Canada ; but the country knows that whatever may be his love for Canada, he has really and honestly great love for the distinguished family of which he is the head, and when I tell this House that the eldest member of that family, the future Sir Stewart——

Mr. SPEAKER. I think the House must be out of all patience with the hon. member. I must insist on his keeping himself to the question. What have the members of the family of the hon. Secretary of State to do with this question.

Mr. MARTIN. I propose to show that.

Mr. SPEAKER. The hon. gentleman is entirely out of order.

Mr. MARTIN. How can I be out of order before I have stated my point ?

Mr. SPEAKER. The hon. gentleman is certainly not discussing the question before the House. His remarks are not at all relevant, and in that respect he is out of order.

Mr. MARTIN. I am following as closely as I can the speech of the hon. Secretary of State.

Mr. TAYLOR. That has nothing to do with the question before the House.

Mr. MARTIN. Perhaps it has not, but I notice that the hon. Secretary of State was not called to order, and I take the ground that if he was in order I must be in order likewise when I reply to it.

Mr. SPEAKER. The hon. gentleman can surely confine himself to the question before the House. If hon. gentlemen will not confine themselves to the question before the House, the discussion will be interminable.

Mr. MARTIN. I do not know what the question is, if I am not in order in replying to previous speakers. The only object I have in making a second speech is to reply to the arguments brought forward by the Government.

Mr. SPEAKER. The hon. gentleman can reply to the arguments adduced with regard to this question before the House, but he must keep within parliamentary rules. If he is determined to violate those rules, I must call the House to aid me.

Mr. MARTIN. I had a notion that I was confining myself strictly to the discussion.

I am quite prepared to submit to the Chair, but I must say I cannot understand what I am to do. The only object I have in making these remarks now, is to meet the arguments advanced by hon. gentlemen opposite who were not called to order ; and I assume that if they were not called to order, I would be perfectly in order in replying. It appears, however, that while they were in order I am not.

I heard Mr. Blake's policy with regard to the Canadian Pacific Railway discussed at very great length. I do not know whether I shall be out of order in following up that discussion. I do not know whether it is in order, but if I am not in order, I suppose the Speaker will call me to order. I do not agree at all with the statement made by the hon. Secretary of State with regard to the position of the Liberals on the Government's Canadian Pacific Railway policy. I quite agree with the statements made here to-night that the policy of the Liberals was a proper policy. I believe that Canada has been very greatly injured, indeed——

Mr. SPEAKER. Perhaps the hon. gentleman will allow me to point out what the hon. Secretary of State said. I understood him to say that the Liberals, notably Mr. Blake, who was leader of the party, opposed the construction of the Canadian Pacific Railway, but afterwards when the work was constructed, it was found to be of such great benefit to Canada that Mr. Blake changed his mind with regard to the opposition he had offered to the construction of that work. It was perhaps not entirely pertinent to the motion before the House, but the object was to elucidate an argument the hon. Secretary of State was making that in the construction of this canal a work was being put before Parliament that would be of very great benefit to Manitoba and the North-west Territories.

Mr. MARTIN. It is quite true the hon. Secretary of State did wind up his remarks in that way, but it was the end of a very long discussion which he started by charging members on this side of the House, including myself, with running down the country in connection with the scheme, and refusing to take his statement and the statements of the promoters of this company. So far as we venture to challenge or discuss any of these statements, we were declared to be running down the country. And he proposed to illustrate that by showing that the same party ran down the country in opposing, step by step, the propositions of his Government to construct the Canadian Pacific Railway, and he went on at great length and showed how the Liberal party had shown their lack of faith in Canada in that course, and completed that statement by what you have referred to, Mr. Speaker—that Mr. Blake had stated in Victoria or Vancouver that he had come to the conclusion that he had been wrong. Now, I say I dispute, entirely, the charge that the criticisms the Opposition made in this House regarding the manner in which the Canadian Pacific Railway was constructed were a proof that the Liberal party had no faith in their own country. They were a proof that the Liberal party understood their country, understood their country, understood Manitoba and the North-west Territorie and British Columbia a great deal better than did the Government of the day. And I say that every criticism—perhaps not every one, but the great bulk of the criticisms directed by Mr. Blake and his allies in this House in 1880 against the contract that was thus entered into had been proved to be true. Take the question of the monopoly that was created——

Mr. SPEAKER. The hon. member must not enter upon such a discussion. It is quite competent for him to say that the statement that the Opposition were opposed to the construction of the Canadian Pactific Railway, and thereby evidenced their lack of faith in the country is incorrect. But the discussion of the Canadian Pacific Railway contract would seem to be taxing the patience of the House beyond reason.

Mr. MARTIN. The hon. Secretary of State took exception to the statement made by some men on this side with regard to this being a wild-cat scheme. He thought a member of the House was descending very low, indeed, to refer to any scheme as a wild-cat scheme. I protest against that argument. I submit that if a scheme is a wild-cat scheme, it is perfectly proper so to refer to it, and there are many schemes which might have been thus denounced and exposed in Parliament in their early days greatly to the advantage of Canada and those capitalists who afterwards invested their money in them. It is perfectly proper, in dealing with a work of this kind to deal with the facts as they are. If the facts justify the work, let the work be proceeded with and completed. But if we are to get a canal constructed to Hudson's Bay on statements that are inaccurate and untrue, we must suffer for it in the long run. It is quite right for an hon. member to go carefully into a scheme and bring up the objections against it. It is not important that a member should praise a scheme ; you can always rely upon the promoters to do that. But when the scheme comes before Parliament, it is most reasonable that the objections should be brought forward and being brought forward, they should be considered. If you can get rid of these objections you plant your scheme upon firm ground. That is what I have endeavoured to do in discussing this measure favourably—because I am in favour of it, that is in the canal part of it. The Minister of Railways very tersely and correctly outlined my position, quite in opposition to the view taken by the hon. Secretary of State who seems to have heard me quite differently. I am quite in favour of the canal scheme, and am giving it every encouragement and every assistance. But I do not think it necessary for the scheme that these privileges in connection with the Red River should be handed over to that company. And I feel myself quite justified for having had this matter debated at considerable length in Committee on Railways and Canals, and also in this House, having extracted from the leader of the House and the responsible spokesmen of the Government that in this House the statement that the Government do not propose to allow this company to strike a single blow on St. Andrew's Rapids. Now, that is all I have asked for, from beginning to end. I contended that they should not be allowed there at all, and what I now object to is, that the Government, having announced its object, now point to the Bill and say that it does not permit the company to enter upon this work at all without the consent of the Governor General in Council. Then they say that the policy of the Governor General in Council has been determined, and that they intend to take hold of this as a public work themselves. Now, surely, it is very wrong to put upon the statute-book a law directly opposite to their intentions. Is it for the purpose of misleading proposed investors in this canal, that you are going to give them privileges which are entirely nugatory, that you are going to put upon the statute-book a valuable monopoly in favour of this company, while, at the same time, you have a string by which the Government can refuse to give it to them, and the Government have already, the Minister tells us, decided to refuse to give it to them. Surely, the position is not a tenable one. Look at it in this way ; There is to be a general election in this country within a few weeks. Suppose this Government should not be returned to power, their policy will not be binding upon their successors. Their successors may decide to allow this company to take hold of that franchise. I object to this Parliament handing over its functions in a matter of this kind to the Governor in Council. The question whether a great monopoly is to be built up, the question whether valuable franchises are to be handed over to a private corporation, is surely a question for this House to pronounce upon, and not a question for the Governor in Council. The only reason we are urged now to allow this provision to remain in the Bill is, that the Governor in Council will never act upon it, but, as I pointed out, that determination is only binding upon the present Government, and practically only binding on the Secretary of State. If the Secretary of State goes back to the High Commissionership in London, and the present Government are returned to power, they can well say : We are not bound by that, and they can go on and pass an Order in Council, and hand over all these franchises to this company. On the other hand, suppose the hon. member for North Simcoe (Mr. McCarthy) comes into power after the next election, he would not be bound in the slightest degree by the statement of the Secretary of State ; it would be quite competent for him and his Government to put into force this Order in Council, and hand over to this company its franchises. I object to that ; I say it is not a right thing for Parliament to do, and, if that objection is removed, all my opposition to this Bill vanishes. But they insist upon keeping it there, in spite of all declarations that it does not mean any thing. They insist upon keeping the power there which may transfer the control of the monopoly of that great river from this Parliament to the Governor in Council. Now, the Minister of Railways has referred to the stand taken by the Government in the Railway Committee. When the Bill first came up, it was announced on behalf of the Government, that they were in favour of it, just as it stood, and the committee were prepared to put it through. However, I wearied the committee, no doubt, considerably by my strenuous opposition to the Bill, and I took up a good deal of time in endeavouring to point out how wrong the policy of the Government was. I had the pleasure of finding that the Government entirely changed their views and of seeing the Minister of Railways come down and attempt to put in some restrictions that would to a certain extent protect the public. But I do not think that the interests of the public are at all protected by the restrictions that are put in there, because, as I say, the control of this monopoly is transferred from Parliament to the Governor in Council. Now, a great deal has been said with regard to the navigability of the Hudson's Bay and Hudson's Straits. I quite agree that any question of a Hudson's Bay Railway, or a Hudson's Bay Canal, must depend entirely upon the navigability of the waterway. There is no doubt that Lieutenant Gordon's report is very strongly against the navigation of the strait ; but I do not know that, even according to his report, it may not be possible to obtain all the navigation necessary, in order to take wheat out of the country, granting that it is not taken out the same year in which it is grown. If we are to hold the wheat over one year, probably the three months that Lieut. Gordon says the straits are open for navigation, would be a sufficient time to get all the wheat out of the country. The only difficulty that arises is that the season of navigation being so short, you are bound to have specially constructed ships to go into the Hudson's Bay. If you only have three months navigation, it would be very difficult indeed to induce capitalists to put the necessary money into these ships. We were told this evening by the Secretary of State that capitalists are already prepared to furnish the money to construct the ships. Well, I beg leave to doubt that statement. It was entirely unsupported by any proof, and I think past experience should justify me in saying that until the statement is proved by something more than the assertion of the Secretary of State, I do not think we can lend it any weight in this discussion. It does seem to me that when English capitalists come seriously to consider the question of furnishing money for a work of this kind, the question of the length of the season of navigation would appear to them to be an important one. I do not wish, however, to have the impression left on the House that I agree with Lieut. Gordon's report. I have heard advocates of the Hudson's Bay Railway charge the present Government in the clearest language with having instructed Lieut. Gordon to report as he did.

I believe the Minister of Finance was Minister of Marine and Fisheries at the time, and I should be very glad if he would throw light on the matter. I will not challange him without proof, but I have heard this charge made, that the report sent in by Lieut. Gordon was intentionally a false report, that he did not find the facts as he reported them, but that he was expressly instructed to report against the feasibility of navigating the Hudson's Bay and Straits, and had simply acted on his instructions. That is a very serious imputation to make against Lieut. Gordon or the Government. If the Government gave such instructions to one of its officers to take such a course, the Government would certainly subject itself to the strong censure of the House and the country. If Lieut. Gordon would allow himself to be guided by such instructions, that is a reflection on his personal and professional reputation. I utterly discredit this story in the absence of proof. But unless we charge Lieut. Gordon or the Government with intentionally misstating the facts with respect to these different trips which the officer made to Hudson's Bay, what answer is there to Lieut. Gordon's report ? Either he was incompetent or he was dishonest. We cannot believe the statement put forward by the railway company that he was intentionally dishonest, in the absence of proof ; and he has the reputation of being a very competent officer. So his report stands, and until it is removed in some substantial way, it must stand more or less as a very strong argument in regard to the statement put forward in it. In view of the fact, and the contradiction given to the report of Lieut. Gordon by Commodore Markham, who was sent by the railway company as their agent in connection with the matter, I must say that his contradiction is a very weak one ; all his statements are second-hand, and placing his statements against the report of Lieut. Gordon, who speaks from his personal experience, we must believe in Lieut. Gordon rather than in Commodore Markham. But a great many persons, speaking from their own personal knowledge, state that navigation in the straits is possible during a longer period than Lieut. Gordon is prepared to allow. Under these circumstances, the only satisfactory way in which to clear up the matter is to have further investigation, and I am very glad the Government intend to do something in this direction, although what they propose to do is entirely inadequate and insufficient, on account of the great delay that will occur before we can obtain any authentic report on the proposed explorations. I think, Mr. Speaker, I have referred as fully as I can under your ruling to the different points brought forward against the stand I have taken. In fact, most of the speeches on the Government side have not in any way affected the stand I have taken on this Bill, and the speech of the Secretary of State has shown that my position is the correct one, and I am quite justified in sustaining it by the instructions of my constituents as to the necessity of making this a great public work. I understand the Secretary of State to take my view, and accordingly it would be much more honest and straightforward for the Government to make this Bill conform with the views expressed by the leader of the House.

Mr. LANDERKIN. This question has been discussed very fully by members of the House, and the people will no doubt be grateful to the hon. member for Winnipeg for having taken it up. The hon. gentleman voiced my sentiments in protesting against handing over the navigation of the Red River to any private corporation. I am opposed to that principle. If it be in the public interest that the improvement of the St. Andrew's Rapids be undertaken to allow free navigation, the Government should do the work. We have had considerable experience in Ontario in tieing up rivers and navigable waters, and have had many battles over them. I am opposed to handing over any highway or waterway to a private corporation, however efficient the company may be. It is a vicious and unsound position, and it should not be carried out. I have faith in the North-west. I have many friends and relatives living in Manitoba, and they are all inspired with great faith in the country. I do not know that the speech delivered by the Secretary of State was quite in keeping with the subject before the House. I do not know on what ground he made the observation that we on this side of the House had no faith in the country. The Secretary of State imputes motives to the Opposition, which they do not deserve. The Opposition have faith in this country, and it is because they entertain such faith that they oppose the hon. gentleman and the Government to which he belongs. The hon. gentleman has the idea that he owns this country, and not only this country, but the Empire, and there is no foundation, historically, for holding that idea. It is absurd to say that because we do not have faith in that hon. gentleman, owing to his past record, we are decrying the country. We know how unsafe it is to hand over any franchise to the Secretary of State; we know how dangerous it has been in the past. I will never consent by my voice or vote to hand over any franchise belonging to the people, to any company controlled partially or wholly by the Secretary of State. The Secretary of State says he has faith in the country. He has a right to have faith in the country, which has supported him for the last forty years.

Some hon. MEMBERS. Question.

Mr. LANDERKIN. If I am out of order I withdraw the expression, but everybody knows the statement is substantially true, although it may in a parliamentary sense be incorrect. The hon. gentleman had such faith in this country that he left this country and many people think it was for the country's good.

Mr. SPEAKER. Order.

Mr. LANDERKIN. I am replying to the statement of the Secretary of State.

Mr. SPEAKER. The hon. gentleman must confine himself to the question before the House.

Mr. LANDERKIN. When the Secretary of State tries to intimate that the Opposition are not loyal, that they are decrying the country, I have a right to reply, and hurl the statement back.

Mr. SPEAKER. The hon. gentleman can say he has faith in the country. There is no objection to that, but if the hon. gentleman goes into a history of the Secretary of State, that is hardly relevant to the question.

Mr. LANDERKIN. It is not necessary for me to go out of the country to refer to the political career of the Secretary of State (Sir Charles Tupper). When he enters into a wholesale tirade against the Opposition, I surely have a right to reply. The Secretary of State appears to delight in clinging to the coat tails of Mr. Blake. In every speech he makes, he refers to Mr. Blake's career in some way, so as to try and gain some support from Mr. Blake's name. To-night the Secretary of State told us that Mr. Blake admitted he was wrong. I deny that statement. I read Mr. Blake's speech at Victoria, and Mr. Blake never made any such statement as was attributed to him. The Secretary of State tries to get a little prestige in this House and in the country by clinging to Mr. Blake. Well, the Secretary of State and the Government he presides over, must be in a pretty hard place when they resort to such tactics as that. I am proud of this country, Sir, and I say that the best thing that could happen for the sake of the progress of this country, is to have a change of Government. Are we going to take away the constitutional rights of the people of this country, and to place their natural heritage in the hands of this Government? No, Sir, I do not believe in such a thing as that, and I think the member for Winnipeg is entitled to the thanks of this House, the thanks of the people of Winnipeg, and the thanks of the people of Canada for the courageous course he has taken on this question. He stands here for the rights of the people, and in the interests of the country, and he wishes that the rights of the people should be maintained to them, and not be centered in a Government which cannot be trusted. The Secretary of State delivered a speech to us to-night, and I am surprised he did not read a telegram. I never knew him before to make a speech in which he did not read a telegram of some kind or other. He read an eight-year old speech of his to-night, to show that he was not doing this for an election dodge. What else in the world is this scheme being proposed for now? Why was it not brought up before? Why is it not postponed for a few months when Parliament must meet again, and why are not the people of the country and the people of Manitoba allowed to express their opinion on the matter. As to the navigation of the Hudson's Bay and the Hudson's Straits, I do not know anything about that myself. I have read the reports of Mr. Gordon, but the feasibility of this scheme rests altogether upon the navigability of those waters for any lengthened period in the year. If the period of navigation is very brief, what good is there in this project. If, on the contrary, navigation remains open longer, of course it might confer great benefit. The Canadian Pacific Railway is quite capable of doing the business of that country for many years to come, and this country has no right to impede its development by encouraging an opposition route, for the present, at all events. I think that railway, in the first place, should have been built on the plan suggested by Mr. Blake, and if Mr. Blake's idea had been carried out in the construction of that road, it would have been better for the North-west, better for Manitoba, and better for the Canadian Pacific itself.

Mr. SPEAKER. The hon. member is entirely out of order. The hon. member is an old parliamentarian, and he must know that a discussion on the Canadian Pacific Railway is not the question now before the House.

Mr. LANDERKIN. I am not quite so old a parliamentarian as the Secretary of State, and if I followed his example I hope you will excuse me. It is not often I follow his example anyhow. His arguments, of course, were dressed up in glittering generalities, and I tried to reply to them in the same way.

Some hon. MEMBERS. Order.

Mr. LANDERKIN. Now, Mr. Speaker, in reference to the building of this road, or of this canal, for it seems to be a combination of a railway and a canal. I think it would be well if the promoter of this Bill would allow it to remain over until another session. Whoever will be here next session will be prepared to deal with the question, and will have the benefit of the speeches made in this moribund Parliament on the subject. We should not give away the rights of the people in that river to any company, no matter how good their standing may be. Then, they are to have a subsidy. Why do they wish a subsidy? If the Secretary of State would stand up and say that this is not an ante-election scheme, I would have my idea about it. I know that the Secretary of State would not have anything to do with influencing elections by an outlay of public money. It would not be parliamentary for me to say he would, and I have so much respect for the Speaker that I wish to confine myself within parliamentary rules. I am very anxious to do everything I can to advance the interests of Manitoba and the North-west. The Liberal party have always stood for the North-west. We have our friends there, and we desire to see them get along. Under the system pursued at present, I do not think that country makes the advances it should. I have been struck with the courage and ability which the hon. member for Winnipeg has displayed in advancing measures in the interest, not only of Manitoba and the North-west but in the interest of the Dominion as well. I think he has set an example of perseverance and industry that is to be commended.

Mr. TAYLOR. In blocking legislation.

Mr. LANDERKIN. He has blocked nothing. He is only blocking a company against getting rights that belong to the people. I remember, Sir, in the first political address I issued, one of the principal planks was that rights belonging to the people should not be given to any government or company; and since I have been a member of this House, I have adhered to that principle, and I am here to-night advocating it, because I believe it is vital to the welfare of the country.

Amendment negatived on division, and House resolved itself into committee.

(In the Committee.)

On the preamble,

Mr. MARTIN. I think there are many reasons why the preamble should not be considered proven, or rather I consider that it is partially proven and partially not proven. So far as the petition prays for the right to construct a canal from Lake Winnipeg to Hudson's Bay, I am in favour of that. I find in this pamphlet the following reasons why this power should be granted to the company. (The hon. member read lengthy extracts from the pamphlet referred to.)

Mr. DALY. I do not wish to interrupt the speech, but it is evident from the tactics the hon. gentleman has pursued yesterday afternoon and evening and this morning that it is not his intention to allow the committee to make any progress. The responsibility must rest with the hon. gentleman and with hon. gentlemen opposite for not permitting this very useful and necessary piece of private legislation to go through. I wish to say on behalf of the Government that were it not that we have very important legislation to attend to to-day, I would be willing to sit here until twelve noon or later if necessary, in order to show the hon. gentleman that he cannot force the hand of the Government or of the House, and also were it not for the fact that we would tire out "Hansard" and the officials, I would say go on. But, under the circumstances, and the responsibility resting on hon. gentlemen opposite, and on them alone, and as the hon. gentleman persists in his tactics, I move that the committee rise, report progress and ask leave to sit again.

Committee rose and reported progress.

Mr. COSTIGAN moved the adjournment of the House.

Motion agreed to, and House adjourned at 2.35 a.m. (Tuesday).

HOUSE OF COMMONS.

TUESDAY, 31st March, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

DEATH OF MR. AMYOT, M.P.

Sir CHARLES TUPPER. Mr. Speaker, before the Orders of the Day are called, I rise to discharge the melancholy duty of drawing the attention of the House to the fact that the fatal shaft has struck one of the members of this House in the full vigour of his manhood, and has deprived us of the privilege of seeing him here again. Lieutenant-Colonel Amyot, who has, for fifteen years, been a member of this House, has, I believe, obtained the respect and confidence of hon. members on both sides. Although having the courage of his convictions, and defending them with great vigour and force, he has been, at the same time, known, inside and outside of the House, as a gentleman of most genial manners; and whatever asperities may have been caused, at any moment, in the discussions which took place here, they were immediately forgotten outside of this chamber. A descendant of one of the oldest and most respected French families of Canada, Lieutenant-Colonel Amyot was called to the bar, I believe, at the date of confederation, in 1867; and as an advocate, as a member of this Parliament, as a journalist, in all relations of life, he has so borne himself as to have obtained the respect and confidence of all who knew him. It will be long remembered that when the unhappy rising took place in the North-west Territories, Lieutenant-Colonel Amyot, who commanded the Voltigeurs, of Quebec, went to the front with that noted force, which had long been connected with the history of Canada, and aided in suppressing that insurrection and in maintaining law and order in the country. That circumstance attracted great attention in the mother country, and that it was felt that the people of the French races in the province of Quebec had vindicated their title as most loyal subjects of the Crown, when, under the peculiar circumstances of that insurrection, they were found ready to discharge, in the most faithful and efficient manner, the duty they owed to their country in restoring law and order in that territory. I have had the pleasure of long personal acquaintance with the late hon. member, and I can only say that the longer that acquaintance existed the more warmly I was attached to Lieutenant-Colonel Amyot, and the more highly I respected the motives that actuated him as a member of this House. As the House well remembers, he has not always sat on one side of the House; but whether he sat on the one side or on the other, every member of the House, I believe, felt that he acted under a conscientious view of what his duty was to Parliament and the country. I am quite sure that every member of this House will join in expressing the most sincere sympathy with his family and friends in the loss they have sustained, as well as our regret at the great loss which this House and the country has sustained by his lamented death.

Mr. LAURIER. Mr. Speaker, I have but very few words to add to what has been so well said by the leader of the House on the present occasion. The sudden demise of our late colleague, Colonel Amyot, reminds us once more of a truth, which, indeed, is as old as the world, but which seems to strike us each time with new intensity, that our tenure of life is, after all, but a shadow. No one would have supposed, who saw Colonel Amyot not later than a week ago, full of energy and activity, that the hand of death was already upon him. If there was a trait which peculiarly characterized Colonel Amyot, I think both friend and foe will agree with me that he was a born fighter. In the course of a checkered career, he had distributed his blows right and left; but now that he is no more, I suppose it behooves all of us, both his friends and his opponents, to remember only his good points, and to forget the disputes which we had with him in his life. In his checkered career he has made a good many friends and some bitter enemies; but now that he lies in his grave, his enemies, I am sure, will be the first to pay a warm tribute to the undoubted qualities which he exhibited in his life.

PAY OF SESSIONAL EMPLOYEES.

Mr. SPROULE. Before the Orders of the Day are called, I wish to bring to the attention of this House a matter of importance, especially to those who are interested; and, to put myself in order, I intend to follow my remarks with a motion that the House adjourn. According to the arrangement made the year before last, in voting the Estimates for contingencies of this House, I find that last year, owing to the protracted length of the session, which extended beyond the 30th day of June, when all the Estimates voted at the previous session lapsed, many of the employees of this House had to be paid out of the Estimates that were voted last year for the present year, and, on that account, I have no doubt there was a considerable reduction in the amount voted for that purpose. At the present session we have the unfortunate state of affairs existing of a large number of the employees of this House being without their pay for the last two weeks—those employees who are paid every two weeks. These include door-keepers, thirty sessional clerks, forty-five sessional messengers, French translators, amanuenses, eighteen pages, charwomen, gas men, servants, and all other temporary employees of this House and of the Senate. Owing to the draft upon the Estimates last year voted for this purpose, I understand the money has run out. At the expiration of the seventy-sixth day of this session this money was all spent, and though the session is not nearly over, there is no estimate from which to pay these parties who are working for us. It is to be regretted that this should continue as it has done, because these people above all others are unable to do without their money. They are working for very small pay, they are temporary employees, and they cannot be expected to have means to fall back upon to defray their expenses, but are dependent upon the pittances they get every two weeks for the purpose of paying their board and other necessary expenses. Some two weeks ago—on the 12th March, I believe—the estimate was run out. The two weeks' term is up and now they have entered upon the third term, and still no provision is made for them. Now, that is a great hardship for these people, for the reasons I have already given. It makes it impossible for them to meet their obligations, as no doubt they had provided to do anticipating prompt payment of their wages from time to time. It makes it unfortunate also for those who are boarding them, and those who are trusting them. It also tends materially to injure their credit and their standing in the community in which they are living. The question naturally arises, why has this not been provided for ? It was known that this difficulty existed. It must have been known some time ago that this session would not be over before seventy-six days of the session had passed. Therefore, it seems that it was incumbent upon the Government to provide, by Supplementary Estimates or otherwise, for these employees of the Government. I understand the matter has been brought to the attention of the Government. These employees are not in a position to do anything themselves, and they are obliged to await the convenience of those who provide the means wherewith they may be paid. Now, during the early part of the session we did very little work. A great deal of time was wasted, practically, on account of the bill of fare which the Government presented to us not being sufficiently advanced or in proper shape to keep this House employed. It was not due to any fault of these employees that the work did not go on and reach a conclusion at an earlier date. If there is any fault at all, it is with the Government themselves. It is certainly not the fault of the Government's following in this House, because they have been ready at all times to render assistance in carrying out legislation, or to deal with any matters that are presented to the House. This being the case, I think the Government should have provided an estimate to meet the demands of these temporary employees. As yet we have not heard when the Supplementary Estimates will be down. I presume that provision will be made in these Supplementary Estimates for the payment of these employees, but I am told that they cannot be paid until the Supply Bill is assented to. Why should the Government let the matter remain in abeyance ? It is a matter of importance to these little pages, to these charwomen, and others who are dependent upon their wages for their maintenance that they should get their pay promptly, and, therefore, we do not see any reason why there should be any delay in providing the money for them. We think the Government should attend to it at once, and propose Supplementary Estimates for the purpose of getting these people their pay. It may be that it is expected that the House will pass the main Estimates in regular form and after that the Supplementary Estimates. But it can scarcely be expected in reason that these people should wait until that time, for if we make the same progress we have been making in this House for weeks past, we cannot expect the Estimates to pass for some time to come. In fact, it seems extremely doubtful that the Estimates can be passed before Parliament closes by the effluxion of time. I move that the House adjourn.

Sir CHARLES TUPPER. I regret that the hon. member who has made this motion should have done so in the absence of the Minister of Finance. No doubt if some intimation had been given of the hon. gentleman's intention to bring the matter up, the Minister of Finance would have been in his place. I therefore ask the House to allow the matter to stand over until the Government have an opportunity of considering it. A statement will be made to-morrow.

Mr. LAURIER. There can be no reason why the Minister of Finance is not in his place. He is bound to be here like the rest of us. Unless there is some good reason given, unless he is out of town——

Sir CHARLES TUPPER. No, no.

Mr. LAURIER. Then why should he not be here ?

Mr. GIBSON. I was astonished to find the statement that was contained in the Ottawa correspondence of the "Globe" to the effect just stated by the hon. member for East Grey (Mr. Sproule). It is disgraceful that this great Dominion of Canada should be lax in the payment of its employees. Fancy, Mr. Speaker, these little boys who sit at your feet, many of whom are the sole support of their widowed mothers waiting for their two weeks' pay, and this House told that the matter cannot be even considered until the Minister of Finance arrives. It is a standing disgrace to the Ministers that they have not had wisdom and foresight enough to provide for the wages of their employees. I venture to say they have provided for their own salaries, and that in the earlier part of this session they might have made provision for the wages of employees such as these whose cases we are discussing. You know, as a business man, Mr. Speaker, we all know, that there is nothing by which we judge the credit of a business man so much as the regularity with which he pays his employees. And yet this great Dominion, of which so much boasting is done by the Ministers when it suits them, is under the guidance of men who are remiss in providing for the wages of the staff in our employ. This is not the first time matters of this kind have come before the House. A year or two ago I had occasion to bring before this House the subject of the payment of men on the Welland Canal. The irregularity of the Government pay-day was such that it varied from the 14th to the end of the month, and the store-keepers and those dependent on the Welland Canal service were at a loss to know when the money might be expected. I am bound to say that when the matter was brought to the attention of the Minister of Railways and Canals a change for the better was made. There is no one in this House but ought to be ashamed to think that we are presided over by a Government that is so incompetent as not to provide for the salaries of the poorest of its employees, and I think the leader of the House should make provision now that these employees should be paid. I am sure that if one of them was really desirous of doing justice to these people, it would be an easy matter to provide the $2,500 or $3,000 to pay a couple of week's wages, and not have ground given for complaint by members on both sides of want of attention on the part of the Government. I hope the hon. gentleman who leads the House will see that these people are provided with their wages, and that we shall hear nothing more of this kind brought up of the Dominion of Canada running behind two weeks in the payment of the employees of this House. No business man would allow his pay to get behind twenty-four hours, and it is humiliating to think that the Dominion of which we are all so proud has not provided for such an ordinary expense as the wages of employees.

Mr. McSHANE. I am sure that if the leader of the House had risen in his place and stated that he would at once get the money for these people whose wages are overdue and who should have been paid before now, not one dissenting voice would have been heard, but he would have had a unanimous vote, which he does not often get in this House. I ask the hon. gentleman not to delay this matter. We all know poor people want their money. We all know that times are hard.

Some hon. MEMBERS. Hear, hear.

Mr. McSHANE. I am very glad to hear hon. gentlemen on the other side so strongly endorse my sentiments. I will say no more but only ask again that the leader of the House shall rise in his place and say that this money will be paid to-morrow.

Mr. CASEY. The grievance which is now complained of is apparently a very real grievance and one which should not have been allowed to rise. Why, Sir, if public funds were so low, probably some member of the Government might have done as I understand my hon. friend from Charlotte (Mr. Gillmor) once did when a member of the provincial government, and a similar case arose—he gave his own cheque for the shortage. Some member of the Government should have done so in this case, and have seen these poor folks out of the difficulty. But, if there was no member of the Government worth enough to do that, there is no doubt they could have had a vote in this House, without the slightest objection, for such a small subsidy as will be required for the purpose of paying these wages. But this mismanagement is only one other proof, not enormous in itself, but going to make up a very considerable pile, of the total business incapacity of hon. gentlemen on the other side of the House. The tenants of the Treasury benches do not understand the business they are engaged in, they cannot even pay the clerks—using the word "clerk" in a general sense to denote the employees under them. I say they are giving many signs of their incapacity to carry on the business of this country. There are other signs, the meaning of which cannot be misread. Whoever approaches this building today, by a track which resembles a side-road in a back township, with stones in some places sticking up through the mud, and in other places with six inches of slush on top ; whoever walks over the rotten sidewalks that surround this building ; whoever notices the general dirt, and decay, and disrepair of all the surroundings of these Houses, cannot fail to come to the conclusion not only that the tenants are incapable of carrying on the business, but that they mean to quit very soon. There is every sign that the tenants are going to quit, leaving the property in wreck and ruin.

Mr. OUIMET. Are you sorry for it ?

Mr. CASEY. No, I am not sorry they are leaving, nor will the country be sorry, but we are sorry they are damaging the property to such an extent before they get out. However, I hope that their downfall will not bring with it the loss of pay to people who can ill afford to lose it.

Mr. LISTER. Hon. gentlemen may treat this subject lightly, if they think proper, but it is a much more serious matter than would at first sight appear. We were told, the other night, that, unless we did something for the Chignecto Railway, in the way of voting $2,500,000——

Mr. SPEAKER. The hon. member is wandering from the question.

Mr. LISTER. I was just going on to point out how it might affect the credit of this country, and I was illustrating my point by saying that the Government claimed that the credit of this country would be seriously affected, unless we spent $2,500,000 for that enterprise.

Mr. SPEAKER. The hon. gentleman is still out of order.

Mr. LISTER. I am coming back to the question. What will the English people think ? What will the London bankers think who hold the bonds ? What will our creditors generally think ?

Mr. SPEAKER. The hon. gentleman cannot discuss these extraneous questions.

Mr. LISTER. I want to say that the nonpayment of the pages, that the non-payment of these poor charwomen, most of them, I believe, widows with large families, the poor messengers, and that class of individuals we see about this House, who have come from every section of the country, the sessional writers of this House, who are worked day and night, with hardly a minute to themselves, and all the other employees of this House—what will be said in England, when it is known to-morrow, telegraphed over, that the Canadian Government is not able to pay the charwomen and these other humble employees, working about the public buildings in Ottawa? Why, Sir, is the exchequer empty? Is there nothing in it? Have the hon. gentlemen who sit on the Treasury benches been left behind three weeks, or did they get their last month's salary? Hon. gentlemen won't say whether they have paid themselves or not. I am bold enough to venture the opinion that, if the accounts were looked up, every Minister on the ministerial benches will be found to have received a cheque for his pay, and these cheques have been cashed. But, Sir, when it comes to the class of people to whom a few dollars is an absolute necessity, for the purpose of supporting themselves and their family, the Government has been so much engaged in fighting amongst themselves, in hatching conspiracies, in deposing leaders, in stabbing colleagues, that they have not had time to make the commonest preparation for these poor people who are dependent upon the wages they earn for their daily support. Why, Sir, it is amusing that the leader of the House should get up and ask that this question should not be gone into, because, forsooth, the Minister of Finance is not present. The whole amount involved is about $2,500. Why is it that the Minister of Finance is not here? What business has he to be away from this House when important questions, such as this, are brought up, and the leader of the House is unable to answer them? He has no excuse. I say, Mr. Speaker, that the Government deserve the greatest possible censure at the hands of this House for neglecting what is their manifest duty, for neglecting the payment of these people, and in that neglect they have been guilty of disgraceful conduct. What other parliament in the wide world could furnish a parallel? Even down in Venezuela could such a spectacle be presented to the country as is presented here—a country bankrupt in means? I will venture to say that that republic pays its pages, and messengers, and charwomen, working about the public buildings. But here in this great country, where we boast of our high civilization, our educational institutions, the honest administration of public affairs—here in the nineteenth century, the charwomen about these public buildings at Ottawa have not received their pay, and are begging, probably, the merchants, the grocers, and butchers throughout the town to give them a little more credit in order that they may keep starvation from their doors. This is the condition of affairs, and the Government have made no provision for it. If you have no money in the treasury, if the box is empty, why, in the name of common sense, don't you discount a note and pay these people? I am sure there will be found men on both sides of this House who will be willing to endorse it, rather than have to face the country with the disgraceful spectacle of the servants of the Dominion of Canada not being paid. I say, Mr. Speaker, that no words that can be uttered are sufficiently strong to censure the disgraceful conduct of the Government in power to-day for allowing these poor people to go unpaid, making it necessary for my hon. friend who moved the adjournment of the House, to call the attention of the House and the country to it. Every hon. gentleman must be amazed. It is something new to us. We never expected the Government could sink so low as to allow the Dominion of Canada to occupy the position that it does to-day.

Mr. ALLAN. While this matter is under discussion, there is another grievance to which I desire to call the attention of the House, to which the Government has evidently considered of a very trivial and unimportant character, but which is of very great importance to the people whose interests are involved. I wish to refer to the loss suffered by a number of farmers in the county of Essex from the slaughter of their hogs last fall, by order of the Government, their claims for which have been filed for months in the department, and for which there has been no provision made in the way of funds. A disease broke out among the hogs, traced to the feeding of refuse from a canning factory, and an outbreak of cholera was feared. The Government inspectors visited the locality and pens, and ordered, in many instances, the hogs to be slaughtered. Under the law, as it exists, the farmer is entitled to one-third of the value of his hogs. In one case, a farmer's hogs were slaughtered to the value of $250.

Mr. SPEAKER. Perhaps the hon. gentleman can tell me what relevancy that has to the question before the House.

An hon. MEMBER. The adjournment of the House has been moved.

Mr. SPEAKER. The motion to adjourn being made for the purpose of bringing up a specific subject, the discussion must be confined to that subject.

Mr. ALLAN. It is much to be regretted that provision has not been made for the payment of employees of this House. I trust the Supplementary Estimates will be brought down at an early day, as well as Estimates to cover the matter to which I have referred.

Mr. MULOCK. I think in view of the discussion which has taken place, the House is entitled to a statement from the Government as to whether or not they intend at once to remove this scandal, this grievance. The Minister leading the House intimated that he could not deal with the subject to-day or at the present moment because of the absence of the Minister of Finance. It appears to me that by this time the Minister of Finance ought to be in his seat to speak for himself, and if the discussion is now to be discontinued, perhaps the leader of the House will tell us what the Government contemplate doing in respect to the matter. The Government invariably on the eve of elections poses as the friend of the workingman. Where is the friendship of the Government manifested on this occasion ? We have seen for days the public press calling the attention of Parliament to this evil. On Thursday and Friday last attention was called to this public default. You cannot pick up a journal in Canada to-day but it will contain some reference to this default, and the country is indebted to the hon. member for East Grey (Mr. Sproule) for his consideration in calling the attention of the House to this matter. There are sitting in this House men who consider themselves specially the champions of the cause of labour. Where are their voices on this occasion ? Where is the hon. member who represents Montreal East (Mr. Lépine) ? Where are the hon. members for Hamilton ? They are not here when a real grievance is brought forward. Where is the hon. member for East Elgin (Mr. Ingram), who claims to be specially the champion of the cause of labour ? Where is he to-day when members of the industrial classes, the toiling and money earning classes have their cause before this House ? Where are those men who come here as specially authorized to represent labouring interests ? Mr. Speaker, I endorse all that has fallen from the lips of the hon. member for West Lambton (Mr. Lister). We have a Cabinet enjoying huge salaries, led by the Secretary of State, who has enjoyed an enormous salary during the last thirty years at the hands of this country. How can he be deaf, and on the eve of the elections too, to the cries of the labouring people ? Why, Sir, a member of this House cannot go into a room an ante-room or a corridor in any part of this great building, which has cost millions, without being confronted by some of the creditors of this country. I look at the young pages, on the steps of your throne, Mr. Speaker ; they are creditors of Canada. You go into the lobby and see widowed mothers waiting for the few dollars due them. When you pass through a door you remember that the door-keepers have unpaid claims for a few weeks' wages. In the lobby and everywhere you are confronted by charwomen who are creditors of Canada. If you go to get a secretary you find that he is unpaid. You cannot get a bit of translation done without meeting an unpaid creditor. Yet the Finance Minister is now sitting in his seat probably indifferent to the whole matter, although he promised some time ago to bring down Supplementary Estimates to make provision to remove this grievance. But the hon. gentleman did not keep his promise yesterday to have the Supplementary Estimates laid on the Table of the House, and unless the hon. member for East Grey had brought this matter to the attention of the House he would probably not have had the Finance Minister in his seat to answer, if he can, for his default. Did not the hon. gentleman yesterday promise to lay the Supplementary Estimates on the Table of the House ? I heard him do so. Yesterday is past and gone, but there are no Supplementary Estimates. Parliament will soon come to an end—the 24th of April will soon be here. Do hon. gentlemen opposite propose to let Parliament expire without the country paying its just dues to this class ? Are these people to wait until Parliament again convenes, until a new Supply Bill is put through ? What public scandal is here occurred. And yet this same Government is quite prepared to ask Parliament to vote millions of money for any rotten and fraudulent scheme such as the Chignecto Ship Railway. At the same time these individuals are posing as the friends of labour and the working classes. I think when the Secretary of State a short time ago stated that the credit of Canada would be greatly impaired because of unpaid bonds lying in vaults in London, he should have remembered that the credit of Canada will be infinitely more prejudiced by the fact that the Government has the incapacity or indifference or whatever it may be called to fail to provide for the unpaid claims of ordinary labourers and employees in the House. If these people had not given value for their claims and if there was any question as to the genuineness of their claims, then some allowance might be made ; but they have earned their pay just as much and more than every hon. member on the Treasury benches. I would like to know if those pages have not put in their time as honestly as the Secretary of State or Finance Minister or any member on either side of this House. I do not find that the indemnity to the members is stopped or the salaries to the members of the Government or the salaries of any of those who are strong and able to take care of themselves. The only class that is submitted to an injustice is the class composed of the weak and helpless people who cannot speak for and help themselves. We have a Government which continually professes the keenest interest in the workingman and the greatest regard for his rights. The present instance is an apt proof of their sincerity. All they have for this class is a few words of sympathy and nothing substantial. For what are these gentlemen paid their large salaries ? Are they paid to discredit this country, to do wrong, to allow rights to go unredressed and injustice to be done ? If there is one obligation greater than another upon those in power, it is the obligation to be just to those who are under them. Under these circumstances, I cannot conclude without again expressing what I believe will be the voice of this country, our deep regret that the Administration has allowed discredit to come upon Canada's fair name by doing an injustice to a certain class. Hon. gentlemen opposite boast of the prosperity of this country and of the financial skill of the Government. This is one of the proofs of that remarkable financial skill, and I might fairly say that you may take this one instance as a fair sample of the skill of the Government generally in dealing with the financial matters of this country. We may ask that their record be judged by the well-known maxim "ex uno disce omnes."

Mr. **LEPINE.** (Translation). Mr. Speaker, I just heard the hon. member for North York (Mr. Mulock), in the course of his remarks, ask where are the representatives of the working classes in this House, and why they do not stand up and champion the interests of that class under these circumstances. Well, I may tell the hon. member that I am here to champion the interests of the workingmen. I further tell him that I was quite surprised to hear him make the statement that every time there arose in this House a question concerning the interests of the labouring classes, the labour representatives were never found at their post in this House. If I did not rise in my place at once, like the hon. gentleman opposite, and ask that the employees of this House be immediately paid their salaries, it is because I also wished to bring up the case of the French translators of the "Debates," who are equally without their pay. I also wished to hear what the hon. gentlemen had to say on the matter, for, whenever the toiling and money-earning classes had their cause before this House, the hon. gentlemen opposite always failed to raise their voice in their favour, and I do not understand why they now champion with so much zeal the cause of labour.

Mr. **BELLEY.** (Translation). It is because they are afraid of the Remedial Bill.

Mr. **LEPINE.** (Translation.) For instance, when the question of establishing a labour bureau, and other important matters in connection with the labour interests, were brought up in this House, the hon. gentlemen opposite always failed to co-operate with us. However, I am bound to say that I now share in their expression of opinion about the matter now before the House. While I may not use as strong language as has been used by the hon. gentlemen in censuring the Government, still I say that it is much to be regretted that provision has not been made for the payment of the employees, and what is still more strange is that the appropriation made last year for the payment of the French translators of the "Debates" has run out. What has become of that money ? I am at a loss to say. Quite possibly the Government may not have the necessary money to meet the demands of all the employees of this House ; but, as to the French translators of the "Debates," an appropriation was made last year for their salaries, and I am at loss to know where that money has gone to. But the fact is that they are still without their pay. At any rate, it is much to be regretted that the Government or the Treasury Board have not asked for a special warrant to be issued, or set apart some fund or devised some plan so as to pay regularly the messengers and all the other employees of this House. This is a matter of urgency, which claims the immediate attention of the Government. As the hon. gentlemen know, those employees are working for a very small pay and are dependent upon the pittances they get every month to defray their expenses ; otherwise, they are forced to run themselves into debt or to borrow from shavers, thereby losing a large portion of their earnings. I am very glad that the matter has been brought up in this House, for I do not see why in the world the Government should be running behind two weeks in the payment of the employees of this House. As to the remarks fallen from the hon. member for North York (Mr. Mulock), that whenever questions interesting the cause of labour and the industrial classes were brought up in this House, I was not in my seat, I deny the statements as utterly groundless. I admit, that quite lately, when a Bill concerning the labouring interests was brought down, the hon. promoter of the Bill was not in his seat when the Bill came up ; but the hon. gentleman forgets surely how often he himself has failed to answer to the call, for reasons best known to himself, when Bills of which he was the promoter, came up for debate. I hope, therefore, that the Government will take the proper steps so that the employees of the House may be paid, without delay, their just claims.

Mr. **McKAY.** If hon. gentlemen opposite think they are going to deceive the workingmen of this country by the mock sympathy which they are manifesting to-day for an imaginary grievance, they are greatly mistaken. When there is any real grievance of the workingmen to be redressed, I am always ready to stand up in this House and plead their case, but not to talk buncombe such as we have been treated to to-day. The workingmen of this country know who are their friends and so do the farmers, and they are not to be caught with such chaff as hon. gentlemen opposite have threshed out on this occasion.

Mr. **FRASER.** The hon. member for Hamilton thinks it is an altogether imaginary grievance when people are not paid their salaries. What a stretch of imagination the hon. gentleman must have. Supposing I gave the hon. gentleman my note and it were not paid at maturity, he would consider it simply an imaginary grievance that I did not pay it. He ought to be a poet. In my opinion, the grievance is a very real one, when the wage-earner is not paid his wage, it is certainly a very real one to the person who ought to get his pay and does not, though it may not be to gentlemen like the hon. member for Hamilton. Perhaps the hon. gentleman's present situation and future prospects are such as to lift him beyond the dull prosaic domain of reality and into the coloured realm of imagination. But to the poor toiler such flights are impossible, and the question whether or not he gets his salary in order to supply the daily wants of his life is a very real one. While I may not use as strong language as has been used, the matter brought up by the hon. member for Grey indicates to me that there is something wrong somewhere. Here is a rich country.

Mr. GIROUARD. Very rich.

Mr. FRASER. And the richer it is the more disgraceful it is that we cannot pay our employees. There is no fear of the hon. gentleman who has interrupted me losing anything, and therefore he seems to think that those who are not paid their salaries have no ground to complain. The jeers with which this question that has been raised is greeted is not creditable to the members of this House. I am not going to pose as the friend of the workingman or of anybody else, but I am a strong believer in the principle that the labourer is worthy of his hire, and that our first duty, irrespective of everything else, is to see that he is paid his wages. It is all very well for the hon. member for Hamilton, who has a big account to his credit in the bank, to speak of this as an imaginary grievance ; but it is a real grievance to the widow who has to depend on the earnings of her boy, and who finds herself, through the default of the Government, unable to supply him with the change of raiment with which every mother likes to supply her child at this spring time of the year. If no other good comes out of this discussion but the recognition of this one fact, that the Government should so arrange, should set apart some fund or devise some plan so that they can always obtain the means to pay their employees and thus prevent recurrence of this disgraceful state of affairs, this little discussion will not have been in vain. I trust that the Government will see that those in our employ, and who labour as hard as the members of this House, should never be again put in this position.

Mr. CRAIG. No doubt the hon. member for Grey was perfectly right in bringing up this matter ; but, at the same time, I think that the request made by the hon. leader of the House that the hon. member should wait until the Minister of Finance was here was a perfectly proper request and should have been granted at once. I have no sympathy at all with all this mock sympathy to which we have been treated. There are men on the other side of the House who talk about the workingmen, and who, I am satisfied, do not care a straw whether these people are paid or not.

Some hon. MEMBERS. Order, order ; withdraw.

Mr. CRAIG. I will withdraw that word if it is not parliamentary.

Some hon. MEMBERS. It is all right.

Mr. CRAIG. If it is parliamentary, I will stick to it. As I looked at some of those hon. members opposite who were talking in this strain, I felt satisfied that they knew that they were not expressing sentiments which the country would receive as sincere.

Some hon. MEMBERS. Order.

Mr. CRAIG. While I do sympathize sometimes with what is said on the other side of the House, I must frankly say that there are times when members of the Opposition talk in such a way as not only to alienate the sympathy of members on this side of the House, but talk in such a way, also, as to alienate the sympathy of the country from their views. Sir, I do admire the leader of the Opposition, because, on every occasion, he acts as a gentleman in this House, but I do not know that it would be parliamentary to say that there are members behind him and around him who sometimes do not act in that way.

Some hon. MEMBERS. Order.

Mr. CRAIG. Whether it is parliamentary to say so or not, I must say that I think so. Now, Sir, to show how sincere was the sympathy of the member for West Lambton (Mr. Lister) for the employees of this House, I wish to recall a few of his statements. Speaking of the messengers and sessional writers, he endeavoured to make out that whether they got their pay or not, they do not earn it. I would like to know what the employees think of such talk as that. He was pretending before this House to sympathize with them, and pretending before the country to sympathize with them, and yet——

Mr. LISTER. I call the hon. gentleman to order. The hon. gentleman (Mr. Craig) is saying what he knows is not true.

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. member for Lambton (Mr. Lister) must not make that statement in this House.

Mr. LISTER. I was just saying to the hon. member for Durham (Mr. Craig) what he said to me.

Some hon. **MEMBERS.** Order—take it back.

Mr. SPEAKER. I did not understand the hon. member (Mr. Craig) as accusing the hon. member for Lambton (Mr. Lister) of making statements that he knew were not true. If the hon. member for Durham (Mr. Craig) made that statement, of course it was out of order ; but it does not excuse the hon. member for Lambton (Mr. Lister).

Mr. CRAIG. I do not know what statement is complained of.

Mr. LISTER. The statement made by the hon. gentleman (Mr. Craig) was that I was ridiculing the messengers and others in this House; that I was pretending to sympathize with them when I did not, in fact, sympathize with them. In other words, that I was pretending to be what I was not. I want to say to the hon. gentleman (Mr. Craig), that so far as he is concerned he has no sympathy with the labouring classes.

Some hon. **MEMBERS.** Order.

Mr. HUGHES. I wish to ask, Mr. Speaker, if the hon. member (Mr. Lister) has retracted the statement he made with regard to the hon. member for Durham (Mr. Craig).

Mr. LISTER. The hon. member for Lambton (Mr. Lister) has not retracted his statement.

Mr. SPEAKER. The hon. member from Lambton (Mr. Lister) must withdraw the statement.

Mr. LISTER. Of course I do. You say it is unparliamentary, and, in obedience to your wish, I will withdraw it.

Mr. CRAIG. What I said was that while the hon. member for Lambton (Mr. Lister) was pretending to sympathize with these employees——

Some hon. **MEMBERS.** Order.

Mr. CRAIG. While the hon. member for Lambton (Mr. Lister) was pretending before the country to sympathize with the employees, at the same time he left the impression on my mind, and I think he wanted to leave the impression on the minds of the people of the country, that a great many of these employees were not necessary, and were not doing any work.

Mr. LISTER. Your mind is very plastic.

Mr. CRAIG. I was a little surprised, also, to hear the member for North York (Mr. Mulock) so very sympathetic for the workingmen. I am glad that he is sympathetic for them, because I never knew it before. While I do not wish to talk about private affairs at all, yet I must say that it does not look well for some men to stand up in this House and pose as friends of the workingmen, and, at the same time, try to make out that other members are not friends of the workingmen. The member for West Lambton (Mr. Lister) told the House that I was everything that was good, and so forth. Of course, I suppose he meant that. I suppose it would be unparliamentary for me to say that he did not mean that. I may tell the hon. gentleman, however, that I am not standing up here to claim anything for myself. It is not necessary for me to pose as the friend of the workingman, because I believe that the workingmen of Canada are intelligent enough to know who their friends are, without being told about it. It is not necessary for the friends of the workingmen in this country to stand up and protest their friendship. From what I could gather from the statement of the member for East Grey (Mr. Sproule), it appears that money has not been appropriated for the last two weeks to pay these employees of the House. Well, I have no doubt that the necessary steps will shortly be taken to pay them. I say that while I do not find fault with the member for East Grey (Mr. Sproule) bringing this matter up, yet I think he might have spoken to the Government about it, and got an explanation. However, he had a perfect right to bring it before the attention of this House if he wished to. The leader of the House asked that the matter be deferred until the Finance Minister was present, and I think that after that request, the discussion was out of order, if not from a parliamentary point of view, at all events from a common sense point of view. However, I suppose it was valuable, in that it gave some hon. gentlemen an opportunity to pose before the country.

Mr. McMULLEN. I must express my surprise at the manner in which the hon. member for East Durham (Mr. Craig) spoke of the members on this side of the House. The discussion by hon. gentlemen here was honestly in the interests of those employees who have not been paid their salaries. For the fourteen years which I have sat in the House, I have not known of any occasion when the employees of Parliament were, from day to day, without being paid. I do remember on one occasion, when the lamented Sir John Abbott was Premier, Parliament was asked to consent to the passage of Estimates to pay the salaries of the employees, and the Opposition consented at once. The Minister of Finance is now in the House, and although he has been listening to the discussion, he has given no explanation as to why the Government have not made provision for paying our employees. Since I came to this House, I have never known a session during which so little courtesy was extended by the Government to the Opposition. The Government benches are almost empty every day, and few of their supporters are present. These employees want to get paid, and the Minister of Finance has a right to explain why they have not been paid. I trust he will do so now.

Mr. SPROULE. As the hon. Finance Minister is in his seat now, perhaps he would make the explanation which the hon. leader of the Government said he would make.

Mr. FOSTER. I did not happen to be in, I am sorry to say, at the time this discussion commenced. I have, however, heard a certain portion of it, and I apprehend that it commenced about the fact that the vote for the House of Commons for the present year has become exhausted, owing to the fact that last year's Parliament sat after the 1st of July, and, consequently, payments which it was supposed would be left for this session, were taken up last session. Owing to that fact, the vote is at present, I understand, exhausted, and must be supplemented. The Supplementary Estimates, which will be brought down in the course of a very short time, will make provision for the services of the House of Commons ; and I hope that, when this vote is brought down, we shall not find hon. gentlemen opposite, who are to-day so sorry that these services remain unpaid, interposing against the country voting money for them. I do not think anything very serious has happened to the public credit of the country. A fine opportunity has been given to the hon. member for North York (Mr. Mulock) to make a speech, which is a fine example of melodrama, and shows the hon. gentleman, in that respect, to decided advantage. I hope there will be no financial crash in London, or Berlin, or Paris, in consequence of this.

Mr. MULOCK. How about the men who have been a week without any pay ?

Mr. FOSTER. As soon as possible, the Supplementary Estimates will be presented to the House, and the House will be asked to vote them.

Sir RICHARD CARTWRIGHT. I do not wish to take part in the discussion ; but the hon. gentleman most faithfully promised that these Supplementary Estimates would be down last night, at the latest.

Mr. FOSTER. If possible.

Sir RICHARD CARTWRIGHT. And really I think he would consult the interest of the public service generally, as well as that of these servants who have to be paid, if he would bring them down without delay. I was going to ask the hon. gentleman last night, when the debate was over, for what reason the Supplementary Estimates had not been brought down, as promised, and also when he would bring them down, for the last time of asking.

Mr. FOSTER. The Supplementary Estimates are now in the printer's hands. Such occurrences as that of last night tire me out so much, and there is so much other work of a departmental kind to be done, that it is difficult to prepare the Estimates. My hon. friend knows that there is something more to be done than to print them. When I made the promise, I did so, expecting that there would not be so many things to cause delay, mainly the late sittings of the House.

Motion to adjourn negatived.

THE ARMENIAN ATROCITIES.

Mr. CHARLTON. I desire to call the attention of the First Minister to a motion which stands in my name on the Order paper, and which I desire to ask the Government to take over as a Government notice. I refer to the motion with regard to the atrocities in Armenia. The First Minister is not unacquainted with the character of the motion, and, I think, it has met with his approval. It is a copy of the motion passed in the British House of Commons, with these words added :

> And that for this purpose, concurrent action by the Christian powers of the world, including the United States of America, may be secured.

The whole motion is as follows :—

> That this House expresses its deep sympathy with the sufferings of the Christian population in Asiatic Turkey, but trusts that further endeavours will be made to ameliorate their lot, and that for this purpose, concurrent action by the Christian powers of the world, including the United States of America, may be secured.

It is not necessary for me, Mr. Speaker, to enter into any discussion of this question, further than to say that the Christian public of this country are deeply interested in the matter.

Mr. SPEAKER. The hon. member cannot discuss the question.

Mr. CHARLTON. I am not going to discuss the question. I am merely alluding to the fact that there is great public interest in this matter ; and I rise simply to say that, as the motion cannot be reached, standing in my name, I ask the Government, in view of the interest taken in the matter, to make it a Government order, in order that it may come with more authority and force, and may be acted upon.

Sir CHARLES TUPPER. I may say, in reply to the hon. gentleman, that the Government warmly sympathize with the resolution which he has placed on the paper ; but it would be impossible for me to engage to make it a Government order, until we are further advanced with the public business. After the exhibition which we have again had of the disposition of hon. gentlemen to prevent the public business being done——

Some hon. MEMBERS. Order.

Sir CHARLES TUPPER—I think I must decline to burden the Government with further business until greater progress has been made with the indispensable public business that is now before the House.

Mr. CHARLTON. I am sorry that I was unable to catch the remarks made by the First Minister. I understood that this motion was to be taken over by the Government.

Sir CHARLES TUPPER. I have just explained that the Government sympathize most strongly with the resolution, but I can make no engagement to burden the Government with any other business until we make further progress with the indispensable public business now before the House, however strongly we sympathize with the hon. gentleman's object.

SITTING OF THE HOUSE ON GOOD FRIDAY.

Mr. LAURIER. Before the Orders of the Day are proceeded with, I beg to call the attention of the leader of the House to a matter which deeply concerns the convenience of the members. We have all understood that the Prime Minister stated in another place that the House would sit on Good Friday, if it were going to interfere with any proceedings ; and I would like to know from the hon. gentleman who leads the House, whether that is the case or not.

Sir CHARLES TUPPER. I would like to ask the hon. leader of the Opposition—because this is a matter in which we are all interested—whether he himself feels any objection to sitting on Good Friday ? It is most important, in relation to the present condition of the public business, that not a day or an hour be lost in pressing the public business ; but I do not hesitate to say that I would not press the House to sit on Good Friday, if it were going to interfere with any conscientious scruples on the part of one hon. gentleman on either side of the House.

Mr. LAURIER. I beg to say that the hon. gentleman's question, so far as I am personally concerned, is perfectly unfair, and I do not propose to answer it. The hon. gentleman has no right to ask what my personal scruples are in the matter. If I have not scruples, others may have. But Good Friday is a statutory holiday, and a day on which we have not been accustomed to sit, and I simply ask the hon. gentleman whether it is the intention of the Government to sit on that day ?

Sir CHARLES TUPPER. As the hon. gentleman did not raise an objection, I thought I was treating him with courtesy by consulting him across the floor. I have to say, as the hon. gentleman raises no objection, that we do propose to sit on Good Friday.

Sir RICHARD CARTWRIGHT. As the hon. gentleman has made an appeal to the members, I am bound to tell him, although not given to raising conscientious scruples, yet, as a member of the Episcopal Church of England, I, for one, entertain extremely strong objections to sitting on Good Friday. I do not know how that day is regarded by other gentlemen ; but I know that there is no day in the whole calendar on which our sitting would give greater offence to people of the Episcopal Anglican persuasion, than Good Friday, which, in our eyes, is, perhaps, the most sacred day of the whole year. Therefore, I, for one, enter the strongest possible personal protest against any proposition to sit on that day.

Mr. DAVIES (P.E.I.) I desire to add to what the hon. gentleman has said the expression of my own feelings in the matter. I saw the notice given by the hon. gentleman a day or two ago and was very much surprised to see it, and I took occasion to give notice of an amendment. I wished to bring to the hon. gentleman's notice the fact that a very large body of Christians, the Anglican Church, would look with the greatest abhorrence on the conduct of this House in sitting on Good Friday. In the first place, such action is utterly unprecedented, and in the next place it would do violence to their conscientious convictions. There is no day held in such holy esteem by the Anglican Church as Good Friday. Compared with it, all other days sink into comparative insignificance. We know that hon. gentlemen on both sides entertain different views on the propriety of observing this day in the year which calls for yearly observance it is the day which the Christian church has set apart for the observance of the tremendous event which that day is set apart to celebrate. I know personally that there are thousands of good Christians in this country who would be absolutely shocked beyond expression if we were to sit on that day. The hon. gentleman knows that I am sure. He knows that services are held in the Anglican churches, not only the ordinary morning service, but also services during the greater part of the day. He knows that those who belong to that communion are obliged to absent themselves from their public duty on that day, and although we cannot all look alike on these matters, still I hope that respect will be paid to the principles of that communion as well as the principles of any other communion. I ask the hon. gentleman what would be said in England if the proposition were there made that the House of Commons should sit on Good Friday. It is not conceivable that such a proposition should be made, and it would not be listened to for a moment. It would be looked upon by the great Anglican Church as an outrage on their cherished convictions. I hope the hon. gentleman will reconsider his position, and not introduce a precedent which would be productive of very bitter feeling on the part of a very large section of the community.

Sir CHARLES TUPPER. Before answering the question in the first instance, I endeavoured to elicit what I now elicit, and I have no hesitation in saying, that I do not think, under the circumstances, it would do to ask the House to sit at a time when our sitting would infringe the conscientious scruples of any of the members. After the statement made by the two hon. gentlemen who have just addressed the House. I beg to say that we shall not sit on Good Friday.

THE REMEDIAL ACT (MANITOBA).

House again resolved itself into committee on Bill (No. 58) the Remedial Act (Manitoba).—(Sir Charles Tupper.)

(In the Committee.)

On section 1,

The Lieutenant-Governor in Council of the province of Manitoba shall appoint, to form and consitute the separate school board of education for the province of Manitoba, a certain number of persons not exceeding nine, all of whom shall be Roman Catholics.

2. Three of such members, recorded at the foot of the list of the members of the board as entered in the minute book of the Executive Council of the province of Manitoba, shall retire and cease to hold office at the end of each year, which for the purposes of this Act shall be held and taken to be the second day of October annually, and the names of the members appointed in their stead shall be placed at the head of the list, and the three members so retiring in rotation and annually may be eligible for reappointment.

Mr. DAVIES (P.E.I.) It might have been expected that before we entered on a discussion of the first clause, attention would be called to the almost impropriety, I was going to say, of our proceeding, in view of the negotiations now going on at Winnipeg. I myself was in hopes that the hon. leader of the House would have taken this opportunity of informing us how far these negotiations had progressed and what probability there was of their being brought to a successful issue. It would be a matter of very great satisfaction to hon. gentlemen on both sides, I think I might say, if some amicable arrangement could be reached by which this vexed question could be withdrawn from the political arena. It is certainly the earnest desire of members of this side of the House, at any rate, that we should lock horns—to use a common expression—with the Government, in the coming elections, on the great trade question. We are desirous that the verdict of the country should be obtained on that issue and not be clouded by or mixed up with a question which unfortunately will give rise to racial or religious prejudices of one kind and another. I had hoped that before entering upon the discussion of this Bill in committee, the Government would have proceeded with other pressing business and let this Bill stand until they were able to assure the House that the negotiations had failed—an assurance which I, for one, would be very reluctant to receive indeed.

Sir CHARLES TUPPER. I may say in reply that when the Government announced that they proposed to open negotiations with the Manitoba government, we distinctly stated that it was our intention to continue to press the passage of this measure. The hon. gentleman knows that we are not occupying the position a Government usually occupies with regard to Parliament. He knows that the decision which has been arrived at that this House must rise not later than the 24th April, makes it absolutely impossible, with any regard to public business and the position of this most important measure, that any course can be taken except steadily to press this measure to a conclusion; and so far from that course interfering in any way with the negotiations, I regard it as calculated to have precisely the opposite effect. If this measure, which is now before the committee, becomes law, it will be a comparatively simple matter for the government of Manitoba to make such arrangements as will prevent its being brought into operation; but if it is to become law, it must be proceeded with steadily until concluded. If, on the other hand, it was abandoned or withdrawn, and the time lost for putting it upon the statute-books, and the negotiations did not succeed, the minority in Manitoba would be left in the same deplorable and helpless position in which they have been for the last five years. Under these circumstances, the Government propose to press this measure with all the vigour and energy in their power until it is placed on the statute-books.

Mr. DAVIES (P.E.I.) At any rate the hon. gentleman's statement does not lack definiteness this time. I must say that I did not so understand the statement he made the other day. I understood that he would press the Bill to a second reading, but not that he would press it persistently from day to day through the committee stages. I can well understand, at the period of time when the Government differed from the Opposition as to the proper policy to pursue, that they should have determined to follow out the course which the hon. gentleman now outlines. But when the Government changed their policy and made what I venture to say—and I do not say it with any desire to taunt them at all—was an honourable back down, and a back down which we were prepared to accept in the proper spirit, by adopting the policy which my hon. friend (Mr. Laurier) has time and again so persistently pressed upon them of seeking to have this matter amicably settled, I did think they would have determined that their repentance should be a sincere repentance. Now, I ask the hon. gentleman how can the country at large believe for a moment that the Government are sincerely desirous of reaching an amicable conclusion? They choose commissioners, two of them selected from the Government, and one of them an outside party, and send them to consult with the Manitoba government with the object, as they alleged, of reaching an amicable conclusion, of reaching a fair, reasonable compromise, of ascertaining by personal discussion between the parties, if some modus vivendi cannot be reached that will put this question to one side and withdraw it from the political arena by a settlement upon a basis that will be satisfactory to the Roman Catholic minority as well as to the Protestant majority. If the hon. gentleman will permit me, I will call his attention to what he said to this House when he made his official statement on March 9th. Surely we are justified in hoping for better things than coercive legislation after this statement :

> In view of the assurance that the government of Manitoba are willing to have a conference, the Government propose, so soon as the second reading of the Remedial Bill is carried, to have a conference with Mr. Greenway's government with a view to arrive at a settlement of this question on terms that will be satisfactory to his government and the minority of Manitoba, but in the meantime to proceed with the question before the House de die in diem as previously arranged.

Mr. OUIMET. I rise to a question of order. I question the right of the hon. gentleman, at this time, to re-open the general discussion of the expediency of the line of policy pursued by the Government. We are in committee, and I believe the discussion must be limited to the clause before the Chair. We are on clause No. 1, and I would ask you, Mr. Chairman, whether, on that clause, we can discuss the general policy of the Government.

Mr. DAVIES (P.E.I.) Before you decide, Mr. Chairman, I wish to point out one or two reasons why, in my opinion, the hon. gentleman's point of order is not well taken. We are now asked to discuss the first clause of this Bill. I think, whether rightly or wrongly, that there are very grave reasons of state, paramount reasons of state, why you should not proceed with the discussion of that first clause in committee, reasons so grave that they prevail not only in the minds of members on this side, but in the minds of the majority of members of this House, if left to themselves. And I submit that men of common sense must see that if this Bill is to be dealt with at all, you cannot press it through at the moment when you are negotiating for an amicable settlement outside the Bill. The thing is a mere burlesque. I was going to use language hardly parliamentary, perhaps, but I feel it is almost an insult to the members of this House to ask them to discuss the details of a coercion measure at the very time when you say you are quietly and amicably trying to make an arrangement outside the law altogether. If I am right in the fact that this paramount state reason stares us in the face and cannot be ignored, surely we may discuss it before entering upon the clause itself. I submit that for your consideration.

Mr. DEPUTY SPEAKER. I wished at first to remark to the hon. gentleman that we were in committee, and had to discuss the clause before the Chair when the hon. gentleman commenced an attack upon the Government. I thought it pertinent and allowed the hon. gentleman to go on and take his own course until this moment. But since the Government have answered and declared that it was their intention to go on in committee, I must remind the hon. gentleman that we are in committee, and must discuss the Bill clause by clause.

Mr. MILLS (Bothwell). Of course we accept your ruling, Mr. Chairman, but there is this very important consideration in connection with it. We have before us the question of the propriety, and it may be the legality of proceeding with the consideration of this clause at all. But hon. gentlemen on the other side of the House know that the law from which we derive our authority to proceed in committee, contemplates this as the last place of resort for the consideration of this question. Well, what have you done ? Since this Bill came before the House you have appointed a commission to meet the government of Manitoba and discuss this whole question. Now, by the appointing of that commission, and by entering upon the discussion with them, you have admitted yourselves that this House has not jurisdiction, at present, to deal with this question, because you are discussing and dealing with another party in respect of this question. Why, look at the provision in the British North America Act. That provision authorizes the Government to hear the appeal from the minority, it authorizes them to inquire into the question of whether or not any right or privilege has been violated. They have ascertained that fact.

Some hon. MEMBERS. Order.

Mr. MILLS (Bothwell). I am asking, Mr. Chairman, whether it is not proper that we should discuss this matter preliminary to the discussion of this clause.

Sir CHARLES TUPPER. Mr. Chairman, the point of order has been raised whether in committee the question to which the hon. gentleman refers may be discussed. The House is in committee on this Bill, and the point of order is raised that only the clause before the House, and not the general policy of the Government, can be discussed.

Sir RICHARD CARTWRIGHT. I may point out to the hon. gentleman that if the point of order is all that stands in the way, it would be perfectly germane for the committee to rise.

Mr. DEPUTY SPEAKER. I am sure everybody wishes to proceed with the business before the Chair. What has been said by the hon. member for Queen's (Mr. Davies) and the hon. member for Bothwell (Mr. Mills) might have been said before we got into committee, but we are now in committee, and the point of order has been raised and I would ask the committee to proceed with the clause, and not with the discussion upon the general principle of the Bill.

Mr. McNEILL. If we are not allowed to speak——

Sir CHARLES TUPPER. You cannot speak to a point of order after it has been decided.

Mr. McNEILL. We can at least appeal from the ruling of the Chair, and discuss it upon that point.

Sir CHARLES TUPPER. No, you cannot. Mr. Chairman, the hon. gentleman must obey the ruling of the Chair, or he must appeal from it. If he appeals from it, the question will be settled at once, but it is not subject to debate.

Mr. DEPUTY SPEAKER. The hon. gentleman can appeal from the ruling, but he cannot discuss it.

Mr. McNEILL. I move that the committee rise.

Mr. MULOCK. And report progress, and ask leave to sit again.

Mr. DEVLIN. Does the hon. gentleman add to his motion, "and report progress and ask leave to sit again."

Mr. McNEILL. Yes.

Mr. MULOCK. I would like to ask the leader of the House for his statement that he thinks that by our proceeding with the Bill we shall assist the negotiations at Winnipeg. How will our going on help to make those negotiations successful ?

Sir CHARLES TUPPER. I do not propose to discuss anything but the clause of the Bill before the Chair. The Chair has ruled that this is the only discussion we can have, and I do not propose to discuss any other questions.

Mr. DAVIES (P.E.I.) Do I understand you to rule, Mr. Chairman, that on a motion that the committee rise and report progress and ask leave to sit we cannot discuss the question which I introduced ? I think I have the right to proceed with that discussion. I contend that it is unwise to proceed with the Bill at all at this time, in view of the negotiations pending at Winnipeg. There are two ways that this can be looked at. One is a question of propriety, and the other—and the graver question, raised by the hon. member for Bothwell, and which I will leave to him to argue—is whether you are morally or legally justified in proceeding at all, being simply a legislature acting in the last resort.

Mr. DEPUTY SPEAKER.

Sir CHARLES TUPPER. I rise to a question of order. The Chair has decided that the only discussion that can take place at this stage is a discussion on the clause now before the committee. The Chairman having decided that, every word the hon. gentleman is saying is in violation of that decision.

Mr. DAVIES (P.E.I.) The hon. gentleman will excuse me if I point out to him what he has not heard. When the Chair ruled that, I stopped and did not advance a step. Then the hon. member for North Bruce (Mr. McNeill) moved that the committee rise, report progress, and ask leave to sit again.

Mr. DEPUTY SPEAKER. No, the hon. member for North Bruce rose to speak, and I decided that he could not discuss the judgment of the Chair, but that he could appeal from it, and the matter rested there. I did not hear the hon. gentleman move that the committee rise.

Mr. McNEILL. Yes, Mr. Chairman, I did move that the committee rise.

Mr. DALY. I heard the hon. gentleman make that motion.

Mr. DEPUTY SPEAKER. Then I will put that motion.

Mr. DAVIES (P.E.I.) Before that motion is put, I wish to say, in the first place, that everybody will see the vast importance of the decision we are going to come to just here. The hon. gentleman has sent two members of his Government, the Minister of Justice and the Minister of Militia, accompanied by the hon. member for Montreal West (Sir Donald Smith), as a royal commission to negotiate terms of peace with the Manitoba government. Now, Sir, this is in the nature of an armistice between contending parties ; and surely while it lasts, while this flag of truce is being held out, there ought to be no active warfare carried on. Now, I am bound to assume, I am willing to assume, I state openly that I do assume, that hon. gentlemen on the other side are animated by a sincere desire to obtain an amicable settlement. I cannot conceive it would be otherwise. As I view this matter, it is in the highest degree to be deprecated, by both the Government and the Opposition, that this great question should remain to be fought over at every hustings in the coming election.

Sir CHARLES TUPPER. That is just what we intend to prevent.

Mr. DAVIES (P.E.I.) I think the hon. gentleman is not taking proper means to prevent that. I think if we both agree upon that object, that it is desirable to withdraw this from the arena of party politics, then we have got a further step in advance towards the conclusion that we ought to reach upon the question now before the

Chair. Now, Sir, what have we ? I have not heard, nor have I seen in the papers I have read, that there is any information from Winnipeg as to the progress which is being made by these commissioners. I see they have met each other, that the meetings have been exceedingly cordial, and although the details have not leaked out, enough is known to show that they have discussed frankly and fully the differences of opinion which exist between the respective Governments. I see by the morning telegrams that enough is known to show that they have been in executive session all day yesterday, considering what ? Considering, I assume propositions which must have been made to them on the part of the Dominion Government, and considering what counter propositions they may make to the Dominion Government ; considering, them I hope honestly, and I believe honestly, desiring to reach a practical and final settlement of this question. But just at the crucial point, when men's minds should be kept quiet and moderate, and no expression of opinion should be given on either side calculated to embitter the relations which already, unhappily, exist between parties, just at this crucial moment, you throw down the gauntlet and challenge a discussion in this House, and necessarily invite—you cannot help it—strong expressions which, perhaps, it would be well not to make at all, which certainly can have no other effect than to retard the universally-desired settlement. I will venture to say that there are but few firebrands in the Dominion of Canada who do not desire that this question shall be settled by the committee now sitting. It will be a great thing for parties, it will be a great thing for Canadian politics, it will go far to sooth and smooth religious and racial difficulties, which promise to be very bitter unless they are so settled ; and I cannot for the life of me conceive what motives can prompt the Government, while that royal commission is pursuing its amicable sittings from day to day—what motive can prompt the Government to invite this House to enter upon a dire conflict on this controversial point at this very moment. It can have but one effect, to retard, if not destroy absolutely, any hope of settlement at all. I must confess that so far as I am concerned, I will hold the Government responsible, I will hold the hon. gentleman responsible if these proceedings fail of achieving the object in view ; I will hold him responsible for it, because, I say, he has taken a course which, above all others, is calculated to destroy a hope of settlement. Now, supposing this was argued before men of common sense. Supposing I went down to the maritime provinces and talked to one or two hundred men, men of average common sense, and asked them : Do you believe the policy of forcing that committee to sit and discuss the coercion Bill day after day, at the very moment the commissioners were trying to obtain a settlement with Manitoba, was calculated to promote a settlement or retard it ? What would be the universal verdict ? Why, they would say : The men are mad, or else they do not desire to obtain that which they would lead us to believe they did. They do not mean business. They do not hope to achieve a settlement, or they never would take the very course which they are taking, and which is the most calculated to prevent and retard it. I would appeal to the hon. gentlemen, if they have any desire for a settlement at all, if these words are not true. The hon. Minister of Marine and Fisheries let fall a hasty expression one day which indicated what we thought a desire on his part, not to have a settlement. He withdrew it afterwards, he said he was misunderstood, and asked to have his statement amended ; and we are bound to accord to him a desire that this matter should be so carried on that, if possible, an amicable settlement can be reached. I appeal to him if it is fair or right, under these circumstances, to press this matter in the way the hon. gentleman is doing now, and which, he says, he intends to do night and day. Not an hour is to be lost, all other business is to be put to one side, and public proclamation is to be made to the people of Manitoba : We are going to force this Bill through committee, whether you will agree to a settlement or not. Sir, if you do that, if my hon. friend's contention is right, and I cannot conceive how it can be otherwise than right, what have you got to say to the proposition he advanced, that your power to act depends entirely upon this House being a court of last resort, and you have already precluded this House from acting as a court of last resort, because proceedings for amicable settlement are still pending, and you say you hope they will be successful. I respectfully submit, Mr. Chairman, that this is a matter we ought to consider calmly, and, I hope, that the motion of the hon. member for North Bruce will be carried.

Sir CHARLES TUPPER. The hon. gentleman has taken very good care, in the address he has just delivered to the committee, to evade the point which I put to the House as the reason that made it absolutely necessary, in case of the failure of the commission, that we should proceed as I have stated. The hon. gentleman has found it convenient to lose sight of the fact that we have but a few days before the end of this session ; and, therefore, if hon. gentlemen who take every means of preventing this Bill from becoming law, who have shown from day to day a determination to prevent the passage of this Bill, if they can succeed in inducing this committee to suspend the discussion of this question, they know perfectly well that there is no means by which this question can be settled before a general election. Now, that is a perfectly plain reason. We are not in a position in which we would be in an ordinary session; if we were, then I fully admit the reasons of the hon. gentlemen for delay. But it is perfectly well known that one of two things must happen, either this Bill must be proceeded with steadily and continuously, and pressed to a conclusion, or if we suspend operations for a few days, all hopes of passing it this session are at an end. And then what the hon. gentleman fears, will take place. Then the country will be inflamed from end to end; there will be a question of race and religion to divide the people of Canada, instead of the public issues that now exist between the two parties. I say, therefore, and every hon. gentleman who wants to put an end to this important question, should favour and promote the passage of this Bill, which was exhaustively discussed before we entered into committee. Everything that could operate on the public or on the mind of any hon. gentleman, has been gone over and over again—the subject is exhausted. I appeal to hon. gentlemen opposite who do not wish, and there are many of them, to see this unhappy question made a subject of strife at the general elections, to assist the Government in proceeding with the discussion of the clauses of the Bill, and enable the Bill to become law, in case the negotiations which are in progress at Winnipeg, should fail, as we have too great reason to fear that they may. I believe there is no hon. gentleman on either side of the House, I hope there is not even one, who would not be glad to see these efforts succeed in a complete settlement of the question. But, under the circumstances in which we are placed with regard to the determination of the question, it is perfectly obvious that we would be branded with insincerity, and properly branded, by every friend of the measure and by the country as a whole, if we failed to use all the influence in our power, consistent with the forms of the House, to bring this measure to a successful conclusion. I feel it is scarcely fair, at this stage of the session, and with the public business pressing for solution, that day after day should be consumed in endeavouring to prevent anything being done, instead of hon. members assisting to carry through the business of the House.

Mr. CHARLTON. The leader of the House is somewhat agitated about this matter.

Sir CHARLES TUPPER. Not at all.

Mr. CHARLTON. And the hon. gentleman has been pleased to attribute to members on this side of the House motives which he is not warranted in attributing to them. I infer, from the language of the hon. gentleman, that the negotiations at Winnipeg have failed. He does not say so in so many words, but the inference drawn from the hon. gentleman's statement is, that such is the case. I can account for the determination of the Government to proceed to press this Bill on no other ground. If those negotiations are still in progress, if there is any reason to hope that they will prove successful, I hold that the Government are not warranted in proceeding with the discussion of this Bill in committee. I endorse fully the statement made by the hon. member for Queen's, P.E.I. (Mr. Davies), that the course taken by the Government in proceeding at this juncture to discuss the provisions of the Bill, is a course calculated to excite animosities, race and religious prejudices, to increase the excitement that now exists in the country, to have an effect on public sentiment in Manitoba, and to secure ultimately the defeat of the object which the Government profess to have in view. If the Secretary of State is not thoroughly convinced that these negotiations will fail, if he does not, indeed, know they have already failed—and, if that is the case, he might take the House into his confidence—the Government have no right to proceed with the discussion of this Bill. It is indelicate, it is improper, it is impolitic, it is a course calculated to engender poltical animosities and religious and racial strife. The hon. gentleman tells us that, if this Bill is to become law, the measure must be pressed day by day, for there is barely time enough to pass it through this House. If the Bill fails to go through, what damage does the country suffer? It simply means that time is given to the people for that degree of consideration which the short time remaining of this session does not afford. This Bill should not be considered by this House. This House has no mandate from the people in regard to it. This House was elected on the voters' lists, dated back in 1888. This Government is endeavouring to pass a Bill through the House when it is a moribund House, six years old.

An hon. MEMBER. Five years old.

Mr. CHARLTON. Six sessions old. The Government has no right to endeavour to pass such a Bill through the House. This is a measure that should be considered by the people of Canada. They should send their representatives here, after the next general elections, charged with the duty of considering a measure. How many of the present members will not go before the people for election? How many members will not come back here, and who do not care anything about the principle of the Bill, as to whether it meets the views of their constituents or not? How many members who will vote for the Government, will receive appointments, accidentally, perhaps?

Mr. DEPUTY SPEAKER. Order. I do not think the hon. gentleman has a right to impute bad motives. This question was brought up before the whole House, and was ruled upon, and that ruling should prevail in committee.

Mr. CHARLTON. I am not referring to any hon. gentleman. The Secretary of State holds a seat that was surrendered by an hon. gentleman who is now in the Senate. It is charged that this hon. gentleman knew very well that he would receive that appointment. I do not charge it, and the Secretary of State has declared that he knew nothing about it. It reminds me of the story of a darkey. He was accused of stealing chickens, a charge which he denied. There was a chicken found in his hat. He was asked to explain the fact. He said he was perfectly unaware of the fact, and that the chicken must have crawled up the inside of his pants. We cannot accuse the hon. Secretary of State of having given the promise; it was a singular coincidence, and it is possible that such coincidences may occur again. At all events, a good many hon. gentlemen will not go back to their constituents, but will find refuge in appointments to customs-houses, post offices, judgeships, senatorships, and so forth. This House is not fit to deal with this question under consideration. The people have no confidence of this House, and there will be many votes cast that do not represent the views and wishes of the people. If the leader of the House advances such an argument, or makes such a statement, that this Bill must be pressed day by day or it cannot be passed, he is simply stating that we are considering a measure with which this House should have nothing whatever to do. We had better proceed with the legitimate business before this House; we had better pass Estimates to cover payments for charwomen and messengers. We had better proceed with the other business that is properly before the House, rather than consider a measure which is not properly before it. It is an outrage upon the liberties of the people, that any attempt should be made to deal with this question, for the House is sitting in its sixth session, it is living on borrowed time, as is, indeed, the Government itself. The leader of the House should not charge hon. members on this side with insincerity. We entertain very deep feelings on this question. We believe in constitutional parliamentary government. We believe that members of Parliament are chosen to represent the views and wishes of their constituents. We believe the people should ratify a measure of this kind, when the opportunity presents itself. We believe Parliament should have been dissolved long ago, and the people given an opportunity to pronounce their opinion on this question; the members would then be charged with a mandate on this question, and, in this way, we should deal with it in the light of public sentiment and in a manner which the great majority of the people would approve. We have every reason to believe that the great majority of the people of Canada would reject this measure. We know that it is distasteful to the great majority, I repeat the observation I made before, that dealing with this question at all, is an outrage by this Parliament upon public rights and upon public liberties.

Mr. O'BRIEN. The Secretary of State (Sir Charles Tupper) laid a great deal of stress upon the fact that we have but a very few days in which to discuss this question. Well, whose fault is it that this House is driven to the end of the session before they can discuss the Bill? It is not the fault of the House. Let the hon. gentleman recall the history of this session before he presumes to blame this House, because this Bill has necessarily to be forced through, as he says, at this late period of the session. This House met on the 2nd of January and adjourned until the 9th. Whose fault was that? Then the House adjourned again until the 14th of January, and why was that adjournment?

Mr. MULOCK. There was a strike on.

Mr. O'BRIEN. As the hon. gentleman says, there was a strike on. Whose fault was it that one-half of the Government were calling the other half traitors, and the other half calling the other imbeciles. Let the Minister of Finance give an explanation of that. Then the debate on the Address lasted until the 16th of January, just six days, not a very extraordinary time for a debate when questions of such great importance were before the House. The Estimates were brought down on the 27th of January, and then began the debate on the Budget. If this Bill is of such great importance, how was it that the Government allowed forty days to elapse from the beginning of the session before submitting it to the House.

Mr. McCARTHY. And forty nights too.

Mr. O'BRIEN. It is perfectly clear that the fault of delay, if fault there is, rests with the Government. Had they been sincere with regard to this measure, they would have had this Bill printed and laid before the House as soon as it met. That is the course that is pursued in England with regard to important matters. But here, at the end of the session, an important measure is announced which is not even mentioned in the Speech from the Throne. When the Bill is brought down, two or three weeks elapsed before it is printed, and then a discussion is brought on before the public have had an opportunity of knowing what the merits of the case are. The Government knew at the beginning of the session as well as they know now, that their time was limited, and that Parliament could not sit after the 24th of April. Had they placed the Bill before the House at the opening of the session, they would have had ample time to press their measure. But, Sir, the manner in which they have acted gives rise to the well-founded suspicion, that the Government were not, and never have been in earnest about this matter. If they were determined to pass it, they would not have wasted forty days before bringing the Bill down. It does not lie in the mouth of the Secretary of State, under these circumstances, to talk about obstruction. Apart from that altogether, we have to consider the question raised by the member for Queen's (Mr. Davies), that it is an improper thing to press this measure at a time when negotiations are going on in Winnipeg. The very fact that the Government are doing this, gives rise to another suspicion, that they were not sincere in sending that commission to Winnipeg. If they were sincere in trying to get an amicable settlement, they would have awaited the sult and proceeded with other business just as important as this is ; and they would afterwards have taken up this measure if the negotiation failed. To press the measure now is simply indecent, if it is not an evidence of absolute insincerity on the part of the Government that they wished that this commission should succeed. Apart from those considerations, the position taken by the member for North Norfolk (Mr. Charlton) is absolutely unanswerable. We are perfectly justified in using every parliamentary means to prevent this Bill passing, because we say : this is not a Parliament which ought to deal with the matter. What harm will happen to the minority if this matter lies over for another session, because we all know that the House must meet again before the 1st of July. Why should we not be allowed an opportunity to go to our constituents and ask them whether they wish that this Bill should pass or not. Suppose this Bill does pass at this session, will the minority be any better off than if the Bill passed in July next? Will it not be of great advantage to have this Bill passed by a House that is competent to deal with it, instead of having it smuggled through at the end of the last session of Parliament ? Such a course is unparliamentary, is unconstitutional, and will result in the greatest possible disadvantage. The Secretary of State says he wants this question out of the way. Does he suppose that the passage of this Bill, in the manner in which he is trying to pass it, will put this question out of the way. If he does, he is mistaken, and every candidate that goes on the hustings next election will be asked to explain his conduct in regard to this Bill, and by his vote on this Bill he will be judged. We are justified in asking not only that the committee rise now, but we are justified in taking every constitutional parliamentary method to prevent the passage of this measure, which in our opinion this House is not competent to deal with. I will support the motion that the committee do now rise.

Sir RICHARD CARTWRIGHT. If the Secretary of State had any justification whatever for hoping that this question would be settled by the passing of this Bill, there might be more or less of a strong argument advanced to this House, in its favour. But, I think that every man on both sides of this House, is perfectly aware of one thing, and that is, that so far from this measure being a finality, it will be merely the beginning of never ending strife if the Bill is passed in its present shape. This Bill, I repeat, settles nothing. I do not believe myself that this Bill was intended to settle anything. My own impression is, that this Bill is a compromise measure which could never have originated unless there were two totally distinct factions operating in the Government, without any real settled policy in their minds on this important measure. Now, Sir, I am not going to repeat the arguments used by my hon. friend from North Norfolk (Mr. Charlton), or my hon. friend from Muskoka (Mr. O'Brien) with respect to the extreme and gross constitutional impropriety of this House attempting to deal with this question at all. I think there never was a case in which a stronger argument could be made against this House meddling at all, as I attempted to show on the second reading by tolerably full and detailed reasons, which, to my mind, no hon. gentleman has pretended to answer, as to the constitutionality of our action in the matter. But the question is now more a question of diplomacy, as my hon. friend beside me has properly put it ; and I hope I was not correct in my understanding of what the hon. Secretary of State said, that he thought there was great danger of these negotiations failing. Did he say that ?

Sir CHARLES TUPPER. Yes, I did say that I feared that these negotiations might fail.

Sir RICHARD CARTWRIGHT. I am very sorry to hear it.

Sir CHARLES TUPPER. It is an expression of opinion. I am afraid these negotiations will fail.

Sir RICHARD CARTWRIGHT. I am sorry to hear it. I had hoped—as I suppose all sides had hoped—the contrary, and it is a very early date for such an expression to be given by the hon. Secretary of State. I am afraid, if, after they have sojourned two or three days in Winnipeg, the Secretary of State virtually announces on behalf of his ambassadors that these negotiations have failed——

Sir CHARLES TUPPER. No, I did not. I did not go so far as that. I said that I had great fear that they had failed. So I have.

Sir RICHARD CARTWRIGHT. Such language, coming from a gentleman in his position, can only have one meaning, and I am very sorry to hear it. I am very much afraid that it will be found that one reason for the failure has been the most undiplomatic conduct of the Government in pressing this measure forward. I believe, Sir, that if this measure had not been proceeded with, it would have been accepted by the Winnipeg government as a pledge of the sincerity of the Government; and there would have been a far greater likelihood of these negotiations being conducted to a successful termination. But, of course, if the negotiations have failed, there is no more to be said, except that we believe the conduct of the Government and their indiscretion in refusing to make reasonable concessions are very largely to blame for it. The hon. gentleman has taken it upon himself to accuse the Opposition of obstructing this Bill. Sir, we know very well that there are two kings in Brantford, and there are two parties in the Cabinet. We know what was the cause of the division between them on January the 2nd. We know that it was not wholly and solely because their delicate and tender consciences could not be reconciled to the idea of serving under Sir Mackenzie Bowell, under whom they had served for eleven months, but that the reason was that Sir Mackenzie Bowell and some of his colleagues were honestly determined to implement their pledges, while another large section of the Government were not; and that is the reason why we met on the 2nd of January, and why the second reading of this Bill was not brought up for two months after that date, in a session expressly called together for the purpose of considering this measure, and none other; and I tell the Secretary of State and the gentlemen behind him that if it be impossible to pass this measure, it is due to nothing but their own divisions, their insincerity, their contests among themselves, and their extremely improper conduct in holding a sixth session for this purpose, and yet leaving us for three months before proposing to go into committee on the measure. I repeat that I am very sorry to hear the hon. gentleman's statement that these negotiations have probably failed, because in one thing I do agree with him, that it would have been most desirable to have had this question amicably settled by Manitoba, if possible. But what is to be expected when only at this time of day the hon. gentlemen adopt the policy which my hon. friend has been advocating for the last three years? Had they been sincere, their attempt to have a conference with the Manitoba government would not have been left till the end of March, but would have been made before this Parliament met. There was time and opportunity then, and it is due to their neglect, their procrastination, and their want of sincerity in regard to this matter, that this whole trouble is due.

Mr. FOSTER. Mr. Chairman, the remarks that have been made by the four or five hon. gentlemen who have discussed this question are noteworthy. All of them commence by charging the Government with insincerity. They then gave certain reasons why Parliament should not be called upon to proceed any further with this Bill. The discussion is noteworthy in this respect, that these gentlemen, before they took their seats, completely tangled themselves up in contradictory assertions, which together most effectually prove their own utter insincerity in the position they take against the passage of the Bill. Take just one instance. Here is my hon. friend from Muskoka (Mr. O'Brien), who first declared that this Parliament could not take up and pass this Bill on account of the shortness of the time—that it was an outrage that we should be called upon within the few days that were left to take up and pass this Bill.

Mr. MULOCK. And discharge other duties.

Mr. FOSTER. And discharge the other duties of the House. But before the hon. gentleman got through he completely shifted his ground, and declared in just so many words, that if this Bill had been ready on the 2nd day of January, still this Parliament should not pass it, because it had no constitutional power to do so. He shifted his ground again. His first reason was that it was an outrage because of the shortness of time; his second reason was that even if it had been introduced at the first, it would have been an outrage, because the constitutional power of this Parliament to deal with it had lapsed; and his last reason was that whether it had been introduced on January 2nd or on the 24th of April, he would have been just as much opposed to it in the one case as in the other on the question of principle. You see the different reasons; they cannot all be the true reasons. My hon. friend (Sir Richard Cartwright), who echoed that reason when it was given by the hon. member for Muskoka, said that we were trying to force through, in a few days, a Bill which should have been taken up in the early part of the session, as if that was their reason. I ask my hon. friend from Albert (Mr. Weldon), and my hon. friend from Bruce (Mr. McNeill), whether they would have voted for this Bill if it had been introduced on the 2nd of January, any more than they would to-day? So that their reasons, given variously, are contradictory one of the other; and when they are brought to the same plane, what do you find? That they are opposed to the passage of this Bill, whether it was brought in late or early. There is sufficient time left for Parliament, in ten days, to pass this Bill. Let us look at this thing in a common-sense way. We are told that this Bill has 112 clauses, and that it is impossible in a fortnight to pass such a Bill through this House. It is well enough for gentlemen who do not look fairly at the question, or for people outside who do not understand the measure, to make this assertion. In the 112 clauses there are not more than ten which should provoke discussion as to principles, and the principles of those ten clauses have been discussed day in and day out, week in and week out, in this House already. The great majority of the clauses are simply administrative clauses, which should provoke no discussion.

Once you pass about eight or ten of the principal clauses of that Bill, in which the principles of legislation are involved, you have passed everything of that Bill except what is merely administrative, and need cause no discussion, because, in nine cases out of ten, the clauses are the very ones, word for word, of the Manitoba School Act at present in force. Let us take, if we can, a reasonable view. One member gets up and says: You have no right to pass this Bill, and it should not be passed because it is an outrage. Who is to judge of what Bill shall pass in a parliament or a legislature ? Is it not the majority ? And is it not eminently fair, is it not a principle of parliamentary legislation, that after you have given the principle of a measure the most full and fair and lengthy discussion, and after the majority have acceded to that principle, the majority should have a fair and reasonable chance of carrying out that legislation, the principle of which was affirmed on the second reading of the Bill. Is it not a negation of the principles of parliamentary legislation, and especially of that principle which hon. gentlemen opposite talk so much about, the right of the majority, for a dozen or fifteen or twenty men in an assembly to say : Because we do not agree with the principle of the legislation, which the majority have affirmed, we are therefore justified in preventing the legislation from passing by every means in our power. I do not think we would go far if we were to proceed upon that principle. In the name of common sense, have we not discussed the principle of this Bill to the full ? Is there any point which has been left out ? If there is, let it come up and be discussed. There is plenty of time to pass the clauses in this Bill, the principle of which has been affirmed, after long discussion, by a majority of the House ; and it is but fair and reasonable to ask hon gentlemen on both sides to give facility for its passage. Something is attempted to be made of the fact that negotiations and legislation are proceeding side by side at the same time, and it is declared to be an outrage that we should attempt to negotiate on the one hand whilst attempting to legislate on the other. Let us understand that. Are there not peculiar circumstances with reference to this measure ? If this Parliament had an unlimited time, if its term of sitting were not so near its end, that would be an argument which might fairly be made, that we should allow a reasonable time for these negotiations to be carried on, in order to see whether an amicable settlement could be arrived at or not, because, after all, if they did fail—and wherever there are negotiations there is the liability of failure—there would still be ample time for Parliament to carry out the mandate given to it by the second reading of the Bill. But that view does not hold in this case. We are confronted with peculiar circumstances. We have this Bill which we wish to put through, the principle of which the majority have affirmed, and Parliament is rapidly approaching the limit of its existence, and therefore it is but common sense and fair that the Government should, if it thinks best to do so, that the majority should, if it wish to do so, proceed with the legislation 'pari passu' with the conference being held. That is all the more reasonable because our determination to proceed with the legislation is not an after-thought undertaken after the negotiations had been entered into. It was the condition of that conference—it was so stated to this House, and both parties to the negotiations knew it, and when our delegates went to Winnipeg, and were met by the delegates of Manitoba, they both knew it—that owing to the peculiar circumstances of the case, the negotiations were to go on, but the Bill was not to be delayed. Nor was there any impropriety in that. If the negotiations be successful, what harm would there be if the Bill went on side by side with them in the meantime, and approached its completion ? The Bill would then be harmless, and the results of the negotiations would have force and power. It was a thing that the Government were bound to consider, in the interests of the minority affected by the Bill, that if those negotiations, prolonged day after day, did not result successfully, every day that was consumed, the power and strength of the Government to pass legislation was consumed as well, owing to the approach, day by day, to the limit when Parliament must rise, and legislation would no longer be possible. Now, is it not fair that we should take those things into consideration ? I appeal to the hon. leader of the Opposition, I appeal to him as a parliamentarian, whether or not, after this long debate upon the principle of this Bill, and after the principle has been affirmed by the majority, it is not in the interests of good parliamentary procedure that we should settle down to discuss the clauses of this Bill as much as they need discussion, and pass them, if the majority wishes that they should pass. Now, let me say this in conclusion—I do not want to take up time upon this question, but I do want to put these few ideas before the House and the country—I wish to say this, that there is not one word of truth in the allegations of insincerity that hon. gentlemen on that side publish and declare against the Government and against the members of the Government. They make assertions for which they have absolutely not one tittle of proof. They have not one tittle of proof for those statements they have made concerning the trouble that arose in this and the other House and for the assertions they make concerning the feelings and the utterances of the different members of the Government. If it is any good for my hon.

friend to know it, I can tell him that, so far from his diagnosis of the case being correct, it is entirely incorrect. There was not the slightest shade of difference, as far as remedial legislation was concerned, that had anything to do at all with any difference in the Government in January last.

Mr. MULOCK. That is not what the Premier said.

Mr. FOSTER. I care not what my hon. friend says, I go by the record and by what I know, and I say there is not the slightest foundation for any statement of the kind and hon. gentlemen opposite know in their hearts that there is not. They try to show that there is a difference among the members of the Government, and that it is due to their pulling two ways on this remedial legislation. That is not true. The members of the Government, unitedly and unanimously, stood upon what they considered to be their duty in carrying out the constitution of the country, and they have not wavered on that point and do not to-day. And I can tell my hon. friend that if ever a measure was put before the House with a perfect unanimity and good faith on the part of the Government and a perfect feeling of doing what the constitution made it necessary for them to do, and what the wrongs of the minority made it necessary for them to do, it is that legislation which has been placed before this House by the Liberal-Conservative Government. I think we ought to proceed as gentlemen and legislators, having some confidence in the statements which are made by one another, with this Bill and discuss its clauses and not consume time—I will not say in obstruction—but in discussion which must be going over the same ground which was gone over in the debate on the second reading of the Bill.

Mr. MILLS (Bothwell). I think that a great deal of what has been addressed to the committee by the hon. Finance Minister (Mr. Foster) has not been relevant to the motion of my hon. friend. The hon. gentleman has discussed the unity of the Government, their perfect accord, and their sincerity in pressing this measure upon the attention of Parliament. I am not going to controvert any statement the hon. gentleman has made with respect to those matters. I content myself with advocating the motion made by my hon. friend from North Bruce (Mr. McNeill). Let me say that I think this Bill presents very serious difficulties. And, as I dealt with perfect sincerity in discussing this measure upon the second reading, I propose to be equally sincere in the opinion which I shall express upon the measure at this moment. What we discussed upon the second reading of the Bill largely were the rights and privileges which were conferred upon the minority under the legislation of Manitoba in 1871, and subsequently down to 1890. I think I have made sufficiently clear the opinion which I entertained upon this subject upon the second reading. I do not for a moment call in question the minority's rights and privileges or the fact that the minority are entitled to redress. But I am anxious that we shall conform to the law in attempting to give effect to the law. It seems to me that when we examine the conduct of the Government and look at the measure submitted to this House we shall see that if that conduct had been unexceptionable the measure is of such a character as not to give any substantial redress to those who claim at the hands of the Government and on whose behalf the Government profess at this time to act. Sir, when we look at the provisions of the British North America Act on this subject, we find that after the Governor in Council had considered the measure, and after they had ascertained that the minority have a grievance, their duty was in the first instance to call upon the local government to redress that grievance. Now, the local government is, within the sphere of its authority, a sovereign body. It must be approached by this Government as an equal. The intention of the law, it is perfectly clear, was that the two governments in dealing with these questions should be upon the same footing that two independent and sovereign states would be settling any questions of difference that might arise between them. Now, how has this Government approached the local government since this question arose, since the last decision of the Judicial Committee of the Privy Council ? Have they attempted to secure action on the part of the local government, have they discussed or negotiated with the local government, have they sought to ascertain how far the local government was willing to go in redressing the grievance ? Up to this hour, or up to the hour when the commission was appointed, no negotiations were had, and no attempt was made in conformity with the law to secure action by the local government. Now, I say when you look at the provisions of section 22 of the Manitoba Act, you see that the clear intention was not to come here at all until you have failed in all attempts to deal with the local government and legislature. Now, you have got here ? I want to know by what authority you are here. How is it that you assume to press upon this House the duty of legislation, while at the same time you have not exhausted your powers in dealing with the local government, as proven by the fact that at this very moment you are carrying on negotiation and discussion with the local government. I say it is perfectly clear, you have no standing here, you have no right to press this legislation upon our attention, because the duty of this House to deal with the question arises only upon the absolute failure of all attempts at negotiation with the local government and the local legislature. That being so, why does the Government undertake to press this measure upon the attention of

Parliament. The Government speak as though this were a measure of redress,—such a measure as the law contemplates—a remedial measure. I shall look at that point more fully in a moment. But I ask the House to consider the provisions of the law in reference to our authority, and that is that an appeal under this section, if not duly remedied by the proper provincial authorities in that behalf, then, in such case and so far only as the circumstances of each case require, the Parliament of Canada may make remedial laws. Now, by what you have done you have declared that the circumstances of the case do not require any action at all. You cannot claim that the circumstances call for action while you are still carrying on negotiations and thereby admitting that redress may be given elsewhere. How can you, in the face of that provision, undertake to legislate ? One hon. gentleman has said that if Manitoba does come to an agreement with us and does not act, we shall have the Remedial Act, in case they should fail to carry out their agreement. I would like to know what your Act is worth under these circumstances. I would like to know, when the very ground of your constitutional authority to legislate is non-existent how can you undertake to legislate ? Apart from that, when we look at the character of this measure, this point is further impressed upon us. The hon. Minister of Finance said that while there were 112 sections in the Bill, there were only some eight or ten upon which there could be any controversy. I have read over this Bill with a great deal of care and I find that there are controverted questions with regard to taxation, controverted questions with regard to exemptions from taxation, controverted questions with regard to administration, and controverted question with regard to rights and privileges. Now, as I understand the rights and privileges in this case they are rights and privileges in respect of education. But I find that you legislate here for the restoration of school boards. These are a part of the machinery of government. The government may divide its administrative machinery in any way it sees proper. A certain portion of that machinery might continue to exist for twenty years, and if the government, at the end of that period came to the conclusion that it was a cumbrous and inefficient means of administration it could put an end to it without interfering with any right or privilege. These rights or privileges apply to education alone and to the religious instruction given. These are the matters that the minority have the right to have restored somewhere or other by the local legislature of Manitoba in the first instance. You have the right to act after you have failed there. But you have not failed there ; you are negotiating at this moment, and, that being so, where is your authority for coming here at all. I press that matter upon the attention of the Government, and I do it earnestly. I have been ready to go with the Government as far as they are obeying the law. But I resist them with all the power I possess when I find they propose to remedy this grievance not in consonance with the law but in opposition to its provisions. In all these matters when you are calling upon others to obey the law and give effect to the law, you should obey the law and give effect to its provisions yourselves. I say that is a matter of first consequence, and it is not being done under the provisions of this Bill. On the second reading of the Bill I pointed out what I thought an important ground for the defence of the right of the minority by showing that permissive words were used always with regard to Parliament and with regard to the Crown. There was no higher authority than the sovereign and Parliament. But when I look at the very first section of the Bill how does it read :

> The Lieutenant-Governor in Council of the province of Manitoba shall appoint, to form and constitute the separate school board of education for the province of Manitoba.

The Lieutenant-Governor is the representative of Her Majesty. He is the representative of sovereignty, as much as the Governor General himself. The Lieutenant-Governor in Council represents the Queen in Council, and by what authority do you command the Lieutenant-Governor in Council to do a certain thing ? If that section were before us, I would call the attention of the House to the fact that the creation of a board of education is not a right or privilege. It may become a necessity, if the local government were to refuse to provide machinery of some kind or other ; but you have undertaken to deal with that here as if it were a right or a privilege. I think it is neither the one or the other. Now, I say that the Government, having their Supplementary Estimates to submit to us, ought to bring them down. They must bring them forward some time during the session, and do they not assume, by what they are undertaking to do here, that the negotiations in which they are engaged now, and in which they ought to have been engaged six months ago, must necessarily be a failure ? I say I am most anxious that these negotiations should succeed. I believe that to-day it is in the public interest and that the peace, welfare and good government of this country for some time to come will largely depend upon the success of those negotiations. But the Government undertake to press this measure here, which I am perfectly sure will give to the minority of that province, whose wrongs it professes to redress, nothing but a lawsuit to every man who contributes a dollar in taxes. I say that that is about all that is accomplished by this Bill. I do not wish to go into the discussion of these clauses containing what I regard as the irreparable defects of this measure, as it stands. But, Sir, it is of some consequence that this House should lend whatever moral weight it possesses to the commissioners that the Government have appointed to negotiate with the government of Manitoba; but, instead of strengthening their hands, and increasing their power to deal effectively with the government of Manitoba in respect to this question, you are reducing their authority to the minimum, you are doing what you can practically to produce a failure, by udertaking to go on and pass this legislation here. I do not care how scanty might be the redress offered by the government of Manitoba, but I am perfectly sure that, if the government of Manitoba had been approached in proper time, and in a proper spirit, the redress would not have been scanty.

Mr. IVES. Will the hon. gentleman allow me to ask him a question? Do you consider that the government of Manitoba, with Mr. Greenway at their head, are so peculiarly constituted, that they require to be coaxed, to be approached cautiously, and with the utmost 'sauvitor in modo,' for fear they should not do justice? Is it necessary to go up to them with sunny smiles? Are they not men of sense? Don't they know what they ought to do?

Mr. MILLS (Bothwell). I dare say they are men of sense; I have no doubt on that point. But let me say, that this measure which the hon. gentlemen are promoting, is a measure providing, under the circumstances, for redress, through the political department of the Government, and not through the courts. Being through the political department of the Government, every government ought to have the popular sanction and support for what it undertakes. It has its duty to discharge, and it ought to educate public opinion up to the point of obedience to those duties. The local government admit their difficulties, the local government admit that the members of the legislature were pledged to a different construction of this clause of the Manitoba Act before the last judgment was delivered by the Privy Council. They say so in the communication to the Government here, and they invite the Government here to an investigation. Well, what do they mean? I pointed out already that the local government, in effect, asked you to assist them in reconciling public opinion to obedience to the spirit and intention of the second judgment of the Judicial Committee of the Privy Council. Well, what assistance did you lend them? What aid did you give them? Is it not as much to the interest of the Government here that the electors of Manitoba should approve of the remedial legislation, no matter where it may originate, as it is to the government of Manitoba? Has the government of Manitoba an interest different and opposed to the interests of this House in that regard? I say, no, I say that the interest is the same. I say that it was the duty of the Government here, when that invitation was given, to recognize the difficulties that were in the way, that were, in effect, pointed out by the government of Manitoba, and to take proper measures to secure remedial legislation through the proper quarter. Now, that was not done. Supposing there had been a dispute between the Government of England and the Government of the United States; would either have undertaken to take the other by the throat as the Government here has undertaken to take the government of Manitoba? I say, if there had been difficulties in the way, as they often do arise between states, there would have been forbearance, there would have been a disposition to wait until a proper moment came, until the proper opportunity arose. But you did not wait, you did not recognize the difficulties that were in the way; you did not deal with Manitoba, in that regard, as one state deals with another where there is a misunderstanding or difficulty between them, and as the law intended you should do whenever this question came to be dealt with. I say, that being so, in my opinion, this House ought not to proceed with this Bill, but it ought to proceed with other matters, until they see what the results of the negotiations are going to be that are now pending in Winnipeg.

Mr. IVES. May I ask the hon. gentleman, what other matters?

Mr. MILLS (Bothwell). Why, the Estimates.

Mr. IVES. When we proposed the Estimates, the hon. gentleman said that this session was called for the special purpose of pressing remedial legislation.

Mr. MILLS (Bothwell). So we do say with regard to the Estimates for another year. But I mean now, the Estimates for the current year, for which there is no adequate amount.

Mr. IVES. The messengers, I suppose.

Mr. MILLS (Bothwell). Well, if the messengers were the only parties to provide for, we would have smaller Estimates than we have had submitted as supplementaries since I have been in opposition. But I am pointing out that it is the duty of this House and the Government to give all their moral weight to the commission that is discussing this matter in Manitoba, and to do what they can to make that commission a success; but when they undertake to go on with that legislation here, they are doing their best to make that commission a failure.

Mr. DALY. The speech that has been made by the hon. gentleman who has just taken his seat, is the very best proof this Goverment have for framing the remedial order in the terms in which it was framed. We have been charged by hon. gentlemen opposite, and by hon. gentlemen on this side, who oppose us, for having couched this remedial order in too drastic terms. Now the remedial order is succinct and definite in its terms. It sets out by reciting the position of the minority in Manitoba, it sets out the authority of Parliament, and it sets out the hearing of the appeal, and that the Government decided there were grievances. Then it directs the local government of Manitoba to remove these grievances by supplemental legislation in the terms of the order. In compliance with subsection 3 of section 22 of the Manitoba Act, the minority have appealed to the Government, and the Government having heard that appeal, they were seized of jurisdiction in the matter. They adjudicated the case, and their adjudication is evidenced by the remedial order. That remedial order was sent through the proper channel to the provincial government; that government had proper time allowed to consider it; they did consider it, and they refused to comply with the terms of the order. I contend that the position of the Government is, that the provincial government having refused, as they did in their reply, to comply with the terms of the remedial order, this House is vested within the provision of subsection 3 of section 22 of the Manitoba Act with power to consider this question, and any negotiations that have been entered upon, or are in progress between the two governments, or any correspondence that has passd between the Dominion Government and the government of Manitoba since the receipt of the first answer from the provincial government, cannot, in the slightest degree, prejudice the position of this Government, and cannot prejudicially affect the position of this House as being seized of the necessary authority to deal with this question. I think the arguments of hon. gentlemen opposite on this point are entirely idle. All we require to do is to carry out the terms of the law, and it being conceded that Parliament has authority, it cannot be argued that if the Government have undertaken negotiations with the local government, that fact will dispossess Parliament of the authority vested in it by regular protest. Such would, indeed, be an extraordinary position to take. This Government could negotiate for weeks or months without interfering with the legal position of Parliament, and, in fact, no negotiations could affect our position, it having once been admitted that by virtue of the appeal, by virtue of the remedial order and the reply of the local government in refusing to comply with that order, this Parliament is vested with the necessary authority. The Bill has been introduced, its principle has been adopted on the second reading, and the House is now in committee to consider the various clauses; and any negotiations cannot possibly interfere with the legal position of Parliament.

Sir RICHARD CARTWRIGHT. The Bill, I may inform the hon. gentleman, materially interferes with the negotiations in progress. We are not looking at the question now simply from a legal point of view. The action of the Government is equivalent to that of an individual showing a stick while endeavouring to conciliate some one, which is admittedly poor policy. There is still hope, I trust, in spite of what the hon. Secretary of State has announced, that we may arrive at some reasonable agreement with Manitoba, but there is no chance of arriving at such an agreement if, at the same time, the Government are threatening the province. That is what the action of the Government amounts to, and we may rely upon it that the majority pay more attention to the acts within this House than to the words of the Dominion commissioners. As the Finance Minister has referred to his abhorrence of insincerity on the part of the Government and himself, and that their acts have afforded evidence of the sincerity, I would remind the hon. gentleman that the bolters of last January were not the first bolters on this question in the Government. Did we not see three members go out in July on this educational question, and that one member, and probably the most important one, is out still. There is no use attempting to disguise the fact which everybody knows, in and out of Parliament, that the language and conduct of hon. gentlemen were at great variance, one with the other. We know perfectly well the kind of language that was used in Verchères by the Minister of Public Works, and the kind of language used in the county of Haldimand by an absent member of the Government, whose health does not yet enable him to return and vindicate his wounded honour and remove the reflections cast upon him by the hon. member for West York (Mr. Wallace).

Mr. FOSTER. You should take care of your brother's honour.

Sir RICHARD CARTWRIGHT. I take care of my own honour, and I have never found any difficulty in doing so. But I leave to the hon. gentleman the task of taking care of his honourable colleague's honour, and there is a good deal of reason for doing so, in view of the extraordinary charge publicly preferred by a late colleague against another colleague with respect to that matter.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Motion (Mr. McNeill) that the committee rise, negatived.

On section 1,

Mr. DAVIES (P.E.I.) Before the first clause is passed, I desire to submit for a few moments, an argument as to the constitutionality of that clause. Before the Bill passed its second reading, I had the honour to submit to the House an argument to the effect, that the clauses of the Bill, speaking in a general sense, which undertook not to define what the rights and privileges were, but to administer the general education laws of Manitoba, were ultra vires. Of course my remarks were very general, and now that we are on the first clause of the Bill, I desire to repeat my argument in perhaps a more extended form. In calling attention to this vitally important portion of the Bill, I desire the House to remember that the consensus of opinion among the legal gentlemen on both sides, is : That so far as this Parliament is concerned, this Bill, when once passed, is irrevocable. I am aware that one hon. gentleman on the other side, for whose opinion I entertain a very high respect, differs from my opinion on that point. Apart from that single difference of opinion, I think I am right in saying that the consensus of opinion of the legal fraternity on both sides, is, that when this Bill passes this Parliament, so far as this Parliament is concerned it is irrevocable. We cannot repeal it, we cannot amend it, we cannot, in my humble opinion, supplement it. So far as the portions of the Bill are concerned which point to further legislation by this Parliament, I am inclined to the opinion that these declarations will be found to be mere empty words. I merely mention this en passant, to lead up to the legal argument I desire to present. If that is so, hon. members of course will not view this legislation as they are accustomed to view ordinary legislation. I know how difficult, if not impossible it is, for the ordinary legislator to divest himself from the underlying belief, that the legislation which he is engaged in passing is something which, if not perfect, could be perfected afterwards. We know very well that in Great Britain, where they legislate upon any given subject having plenary powers, there is no restriction upon the constitutional powers of Parliament. In this country where our powers are restricted by a written constitution, we are perhaps a little more careful, for our attention is being constantly called to the fact that our powers are limited. I think I am right in saying, that the ordinary member in Parliament, when he is assisting in the passing of any law, assists with the idea in his mind, that after all said and done, if the law is not perfect it can be perfected at the next session. I call the attention of hon. members to the fact that in my humble opinion at least, when we pass this law, we exhaust our powers and we cannot amend it and cannot revoke it. If that is so, it requires extreme and extra caution on our part. I venture to say I will be in the judgment of both sides of the House, when I take the position that the House will not commit itself to legislating upon any important line in the Bill, unless they are quite satisfied that such legislation is within their powers. Now, a view was expressed by an hon. gentleman holding a very leading position in this House with respect to our powers in this regard, which I ventured at a previous stage of the debate to combat. If that view were correct, there need be no discussion on this clause of the Bill at all. The hon. gentleman intimated as his decided opinion, that when Manitoba legislated in the direction of taking away certain rights and privileges which belonged to the minority by law, then ipso facto the power was transferred to this Parliament to legislate. If that were so, of course our powers would be plenary in that regard, and we would have no trouble in determining whether we are within our lines or beyond our lines. If that were so, we would have the same power to legislate as the Manitoba legislature has. Now, we start with the proposition which both sides accede to, that the power of Manitoba to legislate on the question of education is exclusive and plenary. There is of course the restriction which brings the matter now before the House, but, speaking generally, and speaking popularly, and not scientifically perhaps, the power of the Manitoba legislature to legislate upon this subject of education is exclusive. Now, what is our power ? I need not go over it very carefully, because my hon. friend from Bothwell (Mr. Mills) defined it again in his speech this afternoon. We have a strictly limited, conditional power. If we could once get hon. members who choose to give any attention to the subject to understand that point, they will perhaps then appreciate better the importance of the particular objection we take against this section. We have no power to legislate in regard to education. Our power is strictly limited to begin with, and strictly conditional. We cannot legislate at all unless certain conditions exist. I do not think it is open to us in committee to go beyond the Bill itself to ascertain about these conditions, and so I will assume, for the purpose of my argument, that conditions exist which entitle us to legislate in some respect. I start with that assumption, whether it is right or wrong. The question now is : How far can we legislate, and what can we legislate upon ? In order, Mr. Speaker, to determine that point, I have to call the attention of the House for a few moments to the words of the section. They have been gone over so frequently that they are familiar to most hon. gentlemen.

Sir CHARLES TUPPER. Hear, hear.

Mr. DAVIES (P.E.I.) The hon. gentleman will understand, that, for the purpose of presenting a consistent argument to the House, and not for the purpose of wasting time, it will be necessary for me to recall the words of the section. The main part of section 22, gives exclusive jurisdiction to the provincial legislature to make laws in respect to education, and that exclusive jurisdiction is given, subject to certain conditions following. Then we come to the second subsection, which has been determined to be a substantive one in itself, and which enacts :

> That an appeal shall lie from any act of the legislature affecting any right or privilege of the Protestant or Roman Catholic minority in relation to education.

Now, let us see what that provision means. It is an exception to the general law which relegates to the legislature of Manitoba the right to control education generally. In legislating for education generally, the province is not restricted. It determines what educational system shall prevail, and the machinery by which that educational system shall be carried out. Now, I cannot find within the four walls of this section, any clause, word or paragraph, which, under any circumstances whatever, transfers to this Parliament the right to deal with the administration or the machinery of the law. I can find transferred to this Parliament, under certain conditions, a power to restore to the minority certain rights or privileges with regard to education, which have been taken from them. But there our power ceases. After the remedial order was passed, if the Manitoba legislature had in two or three sections carried out the remedial order—had exempted Roman Catholics from taxation in support of public schools, had enabled them to pay their taxes for the support of their own schools, and had determined that the law, as amended by them, should be administered by a single board of education—is it arguable that, under these circumstances, this Parliament could interfere and say, "You have restored the rights and privileges which were taken away from the Roman Catholic minority ; but the manner in which you administer the law is not satisfactory to the Dominion Parliament, and we propose to alter the mode of administration." I would like to submit that question to any legal member of this House. Suppose the Manitoba legislature had substantially carried out the remedial order, and had given to the Roman Catholics the rights and privileges which the remedial order said had been taken away from them, but had decided that the old system of administering the law was too cumbersome and too expensive, that it involved a lot of officials with whose presence and salaries they proposed to dispense, and that they would administer the law by means of a single board, is there a lawyer in this House who would say that it was within our power to amend their law, and divide their board of education into two sections ? The thing is absolutely ludicrous. One has only to state it baldly to show that we have no such power. The administration of the law is a matter which purely and solely belongs to the local legislature, and we have no right to interfere with it ; we cannot amend, modify, or control it. The right and privilege is one thing ; the manner in which the province confers the right, administers it, or carries it out, is another thing. The latter is entirely in their power ; the former may, in certain circumstances, be in yours. That view was in the minds of the Judicial Committee of the Privy Council when they gave judgment. The concluding paragraphs of that judgment, although they were, to my mind, obiter dicta, still possess the very great authority which appertains to so high a court. In concluding their remarks, they indicated how, in their opinion, the rights might be restored, and what did they say :

> It is certainly not essential that the statutes repealed by the Act of 1890 should be re-enacted, or that the precise provisions of those statutes should again be made law.

They are exceedingly careful to refrain from expressing any opinion as to what legislature should make these enactments :

> The system of education embodied in the Acts of 1890 no doubt commends itself to and adequately supplies the wants of the great majority of the inhabitants of the province.

That system of education was, of course, held by a previous judgment of the Privy Council to be intra vires and constitutional. They go on :

> All legitimate grounds of complaint would be removed if that system were supplemented by provisions which would remove the grievance upon which the appeal is founded, and were modified so far as might be necessary to give effect to these provisions.

Now, what was the grievance upon which the appeal was founded ? I will accept the definition given in the remedial order. The Roman Catholics had a right—we will say for the purpose of argument—to exemption from taxes for public schools, to apply their own taxes to their own schools, and to have their separate schools. Well, what indication is there in that judgment to show that there shall be two boards of education, two inspectors, two boards of examination, or in point of fact, a dual system of any kind ? In fact, I just come back to the proposition I advanced before, that all these are matters of administration which do not affect the right or privilege in the slightest degree, and have nothing whatever to do with it. Therefore, I submit to the House, as a matter of constitutional law, that you have no power in mandatory or any other terms, to direct the provincial legislature to constitute a separate Board of Education for the purpose of administering a separate school law. You may have the power—I am not discussing that now, because we have not reached the section relating to that—to declare that there shall be separate schools in some sense or way, and that the Roman Catholics shall have the right to control their taxes in a certain way, and the right to have the same religious teachings in the schools that they had before. I am assuming, for the purpose of the argument, that you have that power ; but when you have done that, you have exhausted every power you have, and any attempt to go beyond it is clearly unconstitutional and illegal. I would like to ask any hon. gentleman who does me the honour to reply to these remarks, under what section or clause or word of the Manitoba Act does he contend that you have the power to constitute a separate Board of Education ? A separate board necessarily involves a large expenditure. What authority or power is vested in you to impose a taxation for that purpose upon the province ? It is not to restore a right or privilege. It is only to restore a certain machinery which was found to be unworkable, and which it was expressly within the rights of the province to remove or alter. If you read the concluding paragraphs of the first judgment of the Privy Council, you will see that the power to administer the law, to declare how many officers or boards there shall be, to declare whether it will be a cheap or a dear law, to declare whether the machinery shall be cumbersome or simple, or shall be modified from time to time as the circumstances of the province require, are matters belonging to the local legislature entirely, and under no conceivable conditions or circumstances can this Parliament have the right to interfere with them. The province may make an administration which is effective, simple and good, or one which turns out to be bad and ineffective. That is their business. They are the best judges, and we cannot interfere with them any more than we can in the administration of any other law relegated to them under the constitution. But assuming that I am wrong, assuming that we have the power to interfere with the administration of the law in Manitoba and not solely with the existing grievance of the minority, have we that power under the remedial order ? We have not. There is one thing which, to my mind, is abundantly clear. While doubts have been raised as to the power of this Parliament to interfere within the terms of the remedial order by giving less than the remedial order calls for, or whether we are bound to go exactly to the full extent of the order and have no discretion at all—and on that point I express no opinion at present whatever—this other point is abundantly clear, that we have no power to go beyond it. No one suggests that, in the exercise of the discretion which the third subsection vests in this Parlament, we can go beyond what the remedial order has prescribed. To me it seems perfectly clear that the intention was that before the remedial order should go out at all, a very exhaustive investigation into all the facts should be made and a judgment come to upon those facts, which would be a guide to Parliament.

Sir CHARLES TUPPER. We have heard all that before about twenty or fifty times.

Mr. DAVIES (P.E.I.) The hon. gentleman will have the pleasure of hearing it again.

Sir CHARLES TUPPER. Very likely. I expect to hear it fifty times over.

Mr. DAVIES (P.E.I.) I am trying to present closely a sound legal argument, if the hon. gentleman will give me the pleasure to listen, and I have not used any expression beyond what is necessary to present the legal argument fairly to the House. I want to say that the power of this Parliament to act is confined to the terms of the remedial order, and unless you can find within the four corners of that order the express power to constitute a separate board of education, you cannot constitute it,—even supposing you have the power in the case where the remedial order prescribes a separate board. It was argued, I think, by the hon. Minister of Public Works (Mr. Ouimet) that sufficient could be found in the remedial order to justify the interference of this Parliament. I do not think so. That order says :

> It is hereby adjudged and declared that by the two Acts passed by the legislature of Manitoba, the rights and privileges of the Roman Catholic minority, in relation to education, prior to the 1st of May, 1890, have been affected, by depriving them of the following rights and privileges :
>
> (a) The right to build, maintain, equip, manage and support Roman Catholic schools in the manner provided for by the said statutes which were repealed by the Act of 1890 aforesaid.
>
> (b) The right to share proportionately in any grant made out of the public funds for education.
>
> (c) The right of exemption of such Roman Catholics as contribute to Roman Catholic schools from all payment or contributions for the support of other schools.

The changes made by the Act of 1890, in the mode of administering the education law of the province are not found fault with, except in the respects that are specifically mentioned in these three subsections ; and I understood the Minister of Public Works to answer that the constitution of a separate school board is necessarily to be inferred from subsection A. I do not think he is correct. Subsection A merely provides that the provincial Parliament are to restore to the minority the right to build, maintain, equip, manage, conduct and support their schools.

Sir CHARLES TUPPER. Hear, hear.

Mr. DAVIES (P.E.I.) That does not involve necessarily the constitution of a separate board of education. The trustees, under the Acts of 1890, can build the schools and maintain, equip and support them, entirely apart from the fact whether there are two boards of education or only one board. An effective concession to the minority of their rights mentioned in subsection A does not depend, directly or indirectly, upon the existence of one board or two boards ; and that being so, it is perfectly plain to me that you have no power to legislate whatever. I conclude my arguments by summing up those two points. In the first place, you have not got the power at all, even if the remedial order had so decreed, to alter the administration of the educational law as prescribed in the Manitoba Acts. Manitoba has plenary power to constitute one or two or three boards of education, just as it pleases, and this Parliament has no right whatever to interfere. If the system be an expensive one, the Manitoba legislature can alter it and substitute an inexpensive one, or can reverse the position as the circumstances and exigencies of the case require. If I be wrong in that branch of my argument, I say secondly that inasmuch as the remedial order does not expressly or by implication direct the return to the dual system or the reorganization of separate school boards, you certainly, as you are not empowered to legislate one inch beyond the terms of that order, are powerless to do what it has not directed you to do. Under these circumstances, I submit that this first section is beyond our power and we ought not to pass it.

Mr. CASEY. When we are invited to consider this clause further, we are necessarily met by the considerations which were under discussion this afternoon : considerations tending to show that we should not proceed with the discussion of the clauses of the Bill under present circumstances, and these considerations have not been met by anything that has been said on the other side. The hon. the leader of the House told us that he was afraid the negotiations in Winnipeg would not succeed. Now, when the commissioners were sent to Winnipeg, we were given to understand that the proceedings before that commission would not be made public until they were concluded. The commissioners themselves have been very careful not to tell what was going on. What object can the hon. Secretary of State have in making a statement of that kind ?

Mr. DALY. I do not wish to interrupt the hon. gentleman, but I would like to call your attention to the fact that he is not discussing the clause of the Bill. He is not aware, perhaps, that the previous discussion was finished and that we are now on the clause of the Bill.

Mr. CASEY. If it be the case that my remarks are out of order on the discussion of this particular clause, I shall move that the Chairman do now leave the Chair, for the purpose of putting myself in order.

Mr. DAVIN. That would be out of order now.

Mr. DALY. I submit that that motion is out of order in view of the fact that nothing has intervened between the last motion and this.

Mr. CASEY. Speaking to the point of order, I would remind the hon. Minister of the Interior, or perhaps I should say inform him, that these two motions are distinctly in order as alternatives in Committee of the Whole. You can move that the committee rise, report progress and ask leave to sit again, and then you can move that the Chairman leave the Chair. My motion is quite in order, and I move it merely to put myself in order on the point I am discussing. I had supposed that the old discussion was going on until a moment ago, when I was informed that it had closed.

Now, I ask for what purpose the hon. Secretary of State told us anything about the proceedings of the Winnipeg commission, unless for the purpose of influencing the opinion of this House in this matter. Why did he say that he did not believe that the negotiations would be successful, if it were not to induce the House to go on considering the Bill, notwithstanding that these negotiations were in progress ? He has given us a hint of what he thinks about the matter. He does not pretend that this is a report from the commissioners ; he does not say that he is violating any confidence, or that he is telling something that the commissioners were supposed to keep to themselves. He does not tell us that he is giving out secrets ; it would be unfair to assume, even in this case, that he is doing so. We can only take it for granted that he is giving us an idea of what he desires to happen, and that he is using it for the purpose of inducing this House to go on with the Bill.

Now, Mr. Speaker, he says that the Government would be branded with insincerity if they did not press this Bill in the House, at the same time that they are negotiating with Manitoba. The hon. gentleman is a great maker of phrases. By this phrase he may claim in the future to rank with his colleague, the Minister of Finance, who for some time enjoyed the imputed glory of inventing the phrase, "splendid isolation." The one phrase will, perhaps, be as famous in Canadian history as the other. "Branded with insincerity" is a good phrase, and, I think, exactly describes the position of the Government in connection with these negotiations. What can we say of a Government that sends a commission to Manitoba, to consult with the government there as to the possibility of getting along without passing this Remedial Bill, while, at the same time, forcing this Bill through the House by means of the majority at its back, but that in its dealings with Manitoba it is "branded with insincerity ?" I thank the hon. Secretary of State for the phrase, and the country will thank him for it, as it describes exactly the attitude of the Government in connection with Manitoba in this matter.

The hon. gentleman told us that they could not afford to postpone the discussion of the Bill in this House while awaiting the result of the negotiations, because the remainder of the session was too short ; that there was a fixed time for the ending of the session, and we had not time for passing the Bill if it proved necessary, after hearing the result of the negotiations. If it were impossible to negotiate, and afterwards pass the Bill in case the negotiations failed, what did he mean by sending that commission to Manitoba ? Was not that a proof of insincerity ? Does not that brand him with insincerity ?

Mr. BELLEY. No.

Mr. CASEY. I am astonished that my hon. friend (Mr. Belley) should say so. I am astonished that he, or any French supporter of the hon. Minister's should say that it was not a proof of insincerity on the part of the Government. Do we not know that the Minister of Public Works promised his French colleagues in Quebec, promised all the French Canadians in Quebec, promised the church in Quebec, that this Bill should be the remedial order, the whole remedial order, and nothing but the remedial order ? This Bill is not the remedial order.

Mr. BELLEY. No, it is a Bill.

Mr. CASEY. If my hon. friend chooses to play upon words, then, to satisfy his accurate taste in English, I will say that this Bill does not include even the material points of the remedial order. But even with this Bill, which is so different from the remedial order, that one of the church organs in Quebec says it will not be constitutional if passed—even with such a Bill, the Government at this stage, when they know that negotiations and the carrying of the Bill afterwards are incompatible—have the insincerity, for the sake of satisfying the opinion of Manitoba, for the sake of satisfying Protestant opinion, to pretend to send an embassy to Manitoba, and my friends the French Conservatives see no insincerity in that ! I repeat, Sir, that, if there is anything in the argument of the Secretary of State that it is too late to both negotiate and legislate on this matter, he has given—if it be a parliamentary word—the most damning proof of his insincerity ; and if that is not parliamentary, I will say the most branding proof, using his own word.

Mr. DEPUTY SPEAKER. I wish to remind the hon. gentleman that while he may call the Government insincere, he has no right to call any member of the Government insincere. If he has applied that word to the Secretary of State, I will ask him to take it back.

Mr. CASEY. In deference to your ruling, I am willing to speak of the Secretary of State as representing the Government ; I charge the Government, then, as a whole, with insincerity.

Mr. OUIMET. I do not think it is right that the hon. gentleman should be allowed to waste time in withdrawing his own words.

Mr. CASEY. I do not think the Minister of Public Works should be allowed to waste my time, and the time of the House, with irrelevant and unseemly interruptions. I am not wasting the time of the House.

Mr. IVES. Obstructing.

Mr. CASEY. I am not obstructing. I am here arguing that the Government are insincere in the line of tactics they are pursuing. I am here to prove that the Government are the true obstructionists in this matter ; I am here to prove that the Minister of Public Works, amongst others, is, by every interruption, an obstructionist. I am not here to enable the Minister of Trade and Commerce (Mr. Ives) to comprehend an argument.

But I say, if it be too late to negotiate and to legislate, each in its proper turn, we should drop the one or the other. The Government are attempting to do both, or they are pretending to do both, they are pretending to negotiate, and they are also pretending to force legislation. I do not believe myself that they expect, or desire, this legislation to pass the House. They have shown no proof of their desire to get this legislation through the House. They prorogued the House last session, with the promise that this legislation would be ready on 2nd January, when the House met again ; they had not that legislation ready till 3rd of March. In the meantime, they had their little "ruction" amongst themselves, which has been pretty fully characterized already, and which was of a nature to compel us to doubt their good faith, as a Government, in anything they did, after the hollow reconciliation that was patched up between them. Then, after having passed this Bill through a stage, they have entered upon the stage of negotiation.

If they meant to pass this Bill through, no matter what Manitoba was going to do about it, why negotiate at all at this stage ? Why not go on and pass the Bill, and then try and make terms with Manitoba afterwards? If the contention is correct that it is a reasonable thing to negotiate and legislate at the same time, it would be just as proper to negotiate after the Bill had passed the third reading. Sir, this negotiation was undoubtedly presented to the House as an alternative to passing the Bill. Let me read to you the remarks of the hon. member for Montreal West (Sir Donald Smith), one of the commissioners appointed by the Government, whose sentiments were endorsed by the Government, in appointing him on that commission :

> Once more, Mr. Speaker and hon. gentlemen, I would express the earnest hope that the school question may be settled, and settled to the satisfaction not only of this House, but of the whole country. But I look, Sir, to see this Remedial Bill pass its second reading by acclamation. But, Mr. Speaker and hon. gentlemen, I do not look upon it that by voting for the second reading of this Bill, hon. gentlemen are necessarily committed to the voting of the third reading of that Bill.

There is the statement of a man whom the Government appointed as a commissioner to Winnipeg, and the hon. Minister of Trade and Commerce, one of the leading members of the Government, cheers that remark when I quote it. He cheers the statement that it does not follow that because a man votes for the second reading, he is bound to vote for the third reading of the Bill. I leave him to explain his cheer and the inference from it. I leave the Government to explain the inference from their adoption of this gentleman's language, by appointing him on that commission. The member for Montreal West continues :

> If there should be a conference in the meantime, and I trust there may be a conference, I am so hopeful of the result of that conference that I do trust there will be no Remedial Bill required in this House.

And that sentiment was cheered by hon. gentlemen on the other side of the House, and cheered by hon. gentlemen on this side of the House, and exactly met, as I believe, the public opinion of the country. We were all glad to hear that there was a prospect of the question being disposed of without this Remedial Bill being pressed to a third reading.

Now, Sir, on that statement of the member for Montreal West, the Government appointed him a commissioner to Winnipeg, along with two members of the Government itself. It was clearly understood, from the language used, that they went up there to see if the necessity for this Bill could not be got rid of. That gentleman who was appointed commissioner, the member for Montreal West, stated to a reporter of the public press, that many gentlemen on the other side of the House, voted for the second reading of this Bill on the distinct understanding that they should never have to vote for the third reading, and that it would never come to a third reading. Now, under these circumstances, the conference has met at Winnipeg.

Then, we had the first note of change from the Minister of Public Works the other day, the second note from the Secretary of State to-day, and I hear the third note from some irresponsible bird of passage here on my left. These gentlemen gave the House distinctly to understand that the Government would not be satisfied without getting what was satisfactory to the minority in Manitoba. They wanted to go beyond that. They sent a commission to Winnipeg to make a settlement which would satisfy the Manitoba minority. But whether the Manitoba minority are satisfied or not, this Bill must be shoved through this House by force and arms. I would ask, as did my hon. friend from Bothwell, if the Manitoba minority are satisfied with any arrangement that may be made in Winnipeg, where does the jurisdiction of this House come in ? If Manitoba does what is satisfactory to them, and satisfactory to the Government commission, how, in the name of all that is constitutional, can we ask this House to remedy a grievance which no longer exists ? If the commission succeeds in removing the grievance, how can we be asked to go on with the Bill ? If the commission succeeds in removing the grievance, there is no excuse in attempting to legislate here.

On the other hand, if the commission does not succeed in removing the grievance, this House has a right to know what proposals were made to Mr. Greenway, and what counter-proposals were made by Mr. Greenway, before it comes to any decision on this Bill. I say it would be outrageous, in the strongest sense of the word, to ask this House to pass any Bill of this kind, without reference to its particular clauses, until we know what attempts have been made to come to an arrangement with Mr. Greenway, and what proposals he makes in reply. I can assure the Government and the members sitting in this House, that the country will hold every man to a very stern account who dares to vote for any Bill whatever to coerce Manitoba, until we have heard what the result of this commission at Winnipeg is. The House is entitled to know that result before it passes this Bill, and hon. gentlemen opposite never will get the Bill passed until we know the result of that commission.

I have dealt with the question as to whose fault it was that the session was too late to go on with both proceedings separately, negotiation and legislation. I must characterize the Government's attitude towards Manitoba at certain times as it was characterized very cleverly the other day in a cartoon in one of the papers. A man is seen approaching a house, which is guarded by a dog that is apparently snarling, and at the same time wagging its tail. He is a little afraid of the animal, and a bystander says to him : " Do not be afraid ; do you not see the dog is wagging his tail ? " To this the man replies : " Yes, but he is growling, too. Which end am I to trust ? " The people of Manitoba are in that dilemma about the attitude of this Government. One end of the Government is growling, and the other is wagging its tail. An hon. friend asks, which is the tail ? It is impossible for any one except a person more skilled in natural history than I am to determine. One end of the Government is growling and the other is wagging—you may take your choice which is the head and which is the tail !

The Secretary of State told the House that there is not time to pass the Bill now under consideration. The Finance Minister told the House that this was a Bill which could be passed in ten days. I suppose we could pass it in that time if we were prepared to swallow it whole. But to expect that this House can pass within ten days a Bill that has taken this Government the best part of a year to prepare, even with all the ability they possess, is absurd. This

Bill is of a new kind; there is no precedent for it; there is nothing by which to gauge the practicability and constitutionality of its individual clauses. We are endeavouring to regulate by Dominion laws what is ordinarily regulated by provincial laws, and it therefore requires the greatest care and consideration to ascertain whether it is workable even if it is constitutional. We are working with untried machinery, and it is absurd to ask us to pass such a Bill in ten days, while at the same time the Government are asking Manitoba to do what is necessary. If that does not brand the Government with insincerity to one party or the other in the discussion, I do not know the meaning of language.

The Minister of Finance has told us that we are contradictory in urging, at the same time, that the Bill was introduced too late, and that it should not be passed no matter when it had been introduced. The two propositions are perfectly compatible. If the Government meant to pass this Bill, they certainly introduced it two months too late, for they ask us to pass it at the fag-end of the session. On the other hand, if they had wished to pass it, they should have called the House together at an earlier date, say in November, when there could have been an adequate discussion. But they followed the other line, by which it is impossible to have a full discussion of this proposed measure.

The Minister of Finance further stated that no harm would be done if this Bill were passed, even if satisfactory arrangements were made with Manitoba. I affirm that it would do harm by making it impossible for the provincial government to work in harmony with the Dominion Government in carrying out any arrangements made for the benefit of the minority. These are the points I desire to urge why consideration of the Bill should be postponed, and I call on every hon. member to consider well, before he votes for the third reading of this Bill, the position he will occupy, if we go on with it without knowing what is going on in Winnipeg.

Sir CHARLES TUPPER. I am very reluctant to say a single word to detain the committee, but I feel it is a duty I owe to the House and a duty I owe to the country. The hon. member for Queen's, P.E.I. (Mr. Davies), in a very impassioned manner, expressed his deep regret at the possibility of this burning question, this question calculated to excite the most unfortunate feelings and most unfortunate conflict that it is possible to excite in a country, being placed before the people. The hon. gentleman said he was most anxious that this question should be removed from the arena of political controversy, and that other great questions between the two political parties should be the issue at the coming general elections. I will not for a single moment question the sincerity of the hon. gentleman's statement, but I wish to put to him and to this House and to the country the real position of this matter. The hon. member for South Oxford (Sir Richard Cartwright), when I made a motion asking for additional time for the Government, stated that if the Government had arrived at an opinion that this House must terminate on 24th April, it would furnish a very strong ground for the Government being awarded further time for the transaction of public business. I am in the judgment of the House when I say that the Government have persistently, from the commencement, endeavoured to do everything that was in their power to advance public business. This great and important question was discussed for a very long period, an unusually long period, and the House had to listen to the same statements and the same arguments, reiterated again and again by hon. gentlemen on the opposite side of the House. Hon. members had to listen to interminable speeches containing nothing relevant to the question under discussion. But the Government submitted as patiently as they could to the course hon. gentlemen thought fit to take in the obstruction of this measure on its second reading. After the fullest and most deliberate discussion that any question has ever obtained in this House, a division took place, and with what result? Sir, with the result that the Government was sustained by a majority of its own supporters in this House, and that that majority was largely swollen by a large contingent of hon. gentlemen sitting on the other side of the House. Notwithstanding the fact that a number of gentlemen supporting the Government, warm and determined supporters of the Government—among whom I do not include the hon. member for East Grey (Mr. Sproule), because no person could have listened to that hon. gentleman's speech without seeing that his object, in common with some gentlemen with whom he was allying himself, was for the purpose of breaking down and destroying the Government of which he proposed to be a supporter. If further evidence of the position of that hon. gentleman is required, it is to be found in his attempt at obstruction to-day, by attacking the Government of which——

Mr. SPROULE. I rise to order, Mr. Chairman. I wish to ask you whether it is parliamentary to use that language. I may say in explanation, that I brought this matter to the attention of the House after seeing these boys asking for their pay, and the second time that they came around they were told by the accountant that there was no money for them. I was also told that the matter was brought to the attention of the Government. In bringing it to the attention of the House in the very moderate way I did, I performed what I thought was my duty, and I had no intention of obstructing the business in doing so.

Sir CHARLES TUPPER. I ask the hon. gentleman——

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. No doubt the word "obstruction" is unparliamentary.

Sir CHARLES TUPPER. I ask the hon. gentleman if he mentioned to the Minister of Finance, or to any member of the Government that he proposed to enter into a discussion on this question.

Mr. SPROULE. I may say in answer to the hon. gentleman, that the Minister of Finance was not in the House. I went twice to see him, but he was not here until after the debate had commenced. Had I waited until the Minister of Finance was in his chair, I could not bring it up to-day. I was quite within my right in doing so.

Sir CHARLES TUPPER. The leader of the House, of whom the hon. gentleman professes to be a supporter, was in his place, and he made no communication to him.

Mr. McNEILL. I wish to know, Mr. Chairman, whether there be any member of this House who is above the rules of the House.

Mr. DEPUTY SPEAKER. I have declared that the word "obstruction" is unparliamentary.

Sir CHARLES TUPPER. I have much pleasure, in obedience to your ruling, to withdraw the word "obstruction." But, Sir, I want to draw the attention of the House to the position in which we stand, and it is a very grave position, not only in regard to gentlemen in this House, but in regard to the country. This Government has felt compelled, in order to maintain the law and the constitution of the country, to lay this measure before this Parliament. The most abundant opportunity has been given to gentlemen on both sides of the House—and which opportunity has been largely availed of by hon. gentlemen opposite—for the discussion of this question on the second reading of the Bill. The result was, that the Government not only had a majority on its own side of the House, but that majority was swollen by some seven votes from gentlemen who have usually co-operated with the leader of the Opposition; I believe, I may say, invariably co-operated with him. I draw the attention of the House to this fact, that a majority—a very substantial majority under the circumstances—was obtained, notwithstanding that a large number of devoted friends and supporters of this Government felt compelled, in regard to pledges that they had made to their constituents, and in regard to the strong feeling that existed in the province of Ontario, to withdraw their support from the Government on this measure. Notwithstanding that loss of support on the part of a large body of gentlemen who most reluctantly felt compelled to vote against the Government, it was decided by a substantial majority of this House that the principle of the Bill should be affirmed. Sir, there is an end to parliamentary government: under our system of government, there is an absolute end to parliamentary institutions, if, after the solemn decision of this House, we are, from day to day, to be met with such tactics from the Opposition. If I am not permitted, Sir, to use the word "obstruction," I do not know how it is possible for me to describe their conduct. If a member of this House is not able to state that which is palpable, not only to every gentleman in this House, but palpable to every intelligent man in this country, what shall I say? There is a determined attempt in this House to defeat the Government in carrying out and bringing to a conclusion this unhappy question that has arisen, and not arisen through any fault of the Government. No man can witness what has taken place in this House today without seeing that there is a determined attempt to prevent and retard the business of Parliament. A large portion of the time of the House was consumed by bringing forward a question that every hon. gentleman knows would not have been brought forward but from the necessity under which the Government were placed not to raise any question for discussion, that possibly could interfere with the progress of this Bill. Not only was that done, but when we got into committee, how shall I describe what took place? Why, Sir, from that moment to this, what term can be used to describe the scene, except that it was one of the most open and palpable obstruction——

Mr. DAVIES (P.E.I.) I rise to a point of order.

Some hon. MEMBERS. Sit down.

Sir CHARLES TUPPER. The hon. gentleman (Mr. Davies) had better sit down.

Some hon. MEMBERS. Order.

Mr. DAVIES (P.E.I.) Mr. Chairman, you have already ruled that that term is contrary to the rules of the House, and the hon. gentleman persists in using it again, and I ask you to call him to order now.

Mr. FOSTER. The hon. gentleman (Sir Charles Tupper) did not use the word obstruction with reference to any member, or to any individual. Neither did he make the charge that obstruction was being used. He simply asked a question as he had a perfect right to do.

Mr. DEPUTY SPEAKER. I have ruled, and every member of the House knows it, that the word "obstruction," attributed to any particular member is out of order. But, generally speaking, the word "obstruction" is not unparliamentary.

Sir CHARLES TUPPER. The member for Prince Edward Island (Mr. Davies) will find that, lawyer as he is, he is not exactly in a position to make rules for the regulation of debate in this House. I say, that no person could witness what has taken place to-day without coming to the conclusion that there is a determined attempt to prevent the progress of this important Bill. Now, Sir, I want to ask hon. gentlemen to follow that out and see where it will land them. When a large majority of this House has determined that it is vitally important to the country that this measure should pass, I ask hon. gentlemen to remember the responsibility that will rest upon any section of this House, be it large or be it small, who take up the position of moving, "that the committee rise," and "that the Chairman rise and report progress," and moving these motions alternately to the end of the week. I ask is that obstruction or is it not ? I say there is no other term in the English language that will properly characterize it, and that it is strictly a parliamentary term for me to use in that relation. Sir, I want to invite the attention of the House to this, and I want to show to hon. gentlemen the position in which they are going to place themselves. The House knows perfectly well, that committed, as the Government is, to the passage of this measure, believing, as the Government does, that the passage of this measure is vital to the peace, and prosperity, and happiness, and well-being of this country. I want to put it to hon. gentlemen, where are they going ? They are going to be responsible, in the first place, for defeating a measure which a substantial majority of this House say ought to pass. In the second place, they are going to put themselves in the position of preventing the Estimates which are vital and essential to the progress of this country, from passing. They are going to put themselves in the position of compelling the waste of half a million of money for an extra session. And, Sir, I do not believe they will make much capital out of the defeat of this Bill by unfair and unparliamentary means. I believe the country desires that this measure should be disposed of at once and for ever. The hon. gentlemen will have to face these things and I have no hesitation in saying that there is no question on which an appeal can be made to the electorate of this country, on which I shall feel that the Government can occupy stronger ground than the defeat of this important measure by means such as we have had to encounter down to the present time. I say we will exhaust all the physical power we possess to pass this measure—at the risk of health, it may be at the risk of life ; and at my age I may be permitted to say that I for one do not shrink from that ordeal. I may be permitted to say that if it were necessary to sacrifice life itself, I should feel bound to do it—as perhaps it is not improbable that may be the result—looking at the vital importance which I attach to the settlement of this question. I say, Sir, that there could not be an appeal to this country on which I believe we would occupy sounder, stronger or surer ground, than we should in appealing to the intelligent and independent electorate of Canada in regard to the desperate means and the enormous waste of public money inflicted on the country by the conduct of hon. gentlemen opposite. I say, Sir, that I for one am prepared to exhaust every physical power I possess by staying here night and day in order to carry this measure through committee. If hon. gentlemen opposite persist in endeavouring to kill this important measure, to destroy the effect of the whole of this session, and to waste half a million of public money in an extra session, I say I shall be prepared to meet them, first, by doing all that the physical powers I possess—and in this I believe hon. gentlemen who sit behind me will be prepared to co-operate—in bringing it to a satisfactory conclusion ; and failing that, to go to the intelligent electorate of this country to decide between the conduct of the Government in regard to this important measure and the public business of this country, and the unparliamentary means adopted by hon. gentlemen opposite to obstruct the public business. I say that to adopt the policy which is carried out by hon. gentlemen opposite under the circumstances, is to put an end to parliamentary government. There can be no successful parliamentary government in any country if a minority, because they are voted down by a substantial majority in Parliament may resort to measures of this kind to defeat the object of that majority. Why, Sir, what has happened in the United Kingdom. It was precisely such conduct on the part of a minority there that compelled the Imperial Government to adopt the harsh, the most unfortunate, the most deplorable means to which a parliament can be compelled to resort—the closure. I want to know whether hon. gentlemen want to force on the Parliament of Canada so objectionable and unfortunate a measure as that. I say there will be no means of carrying on parliamentary government in this country without resorting to the closure if such means as we have had to encounter to-night are maintained or continued.

Mr. LAURIER. Mr. Chairman, I am sure the hon. gentleman, who is an experienced parliamentarian, cannot expect that such liberties as he has just taken can be allowed to pass unchallenged or unnoticed. Why, Sir, the hon. gentleman has dared to speak of obstruction on this measure.

Some hon. **MEMBERS.** Hear, hear.

Mr. LAURIER. Let us look at the facts. This measure, Sir, was introduced for discussion on the 3rd of March. This Parliament had been called to examine and determine that question on the 2nd of January. Who obstructed business between the 2nd of January and the 3rd of March ? Who is reponsible. I want to know, for the loss of two months of the time of this House ? The men sitting on the Treasury benches—they are responsible. If they had been able to settle up their differences before the 3rd of March, we might have had the discussion of this measure before that time. But it was only at last when they had been able to patch up their differences, that we came to the discussion of this measure. Then, what took place on the second reading of the Bill ? The hon. gentleman has dared to say that there was obstruction on the second reading of this Bill. He stated that in so many words not ten minutes ago. Who is responsible for obstructing, and where did it come from ? From this side of the House ?

Some hon. MEMBERS. Yes.

Mr. LAURIER. Some man says "yes," echoing the words of his leader—a worthy follower of his leader. Sir, look at the record, and you will find that just as many men have spoken on that side of the House as on this.

Some hon. MEMBERS. More.

Mr. LAURIER. And more. Look at "Hansard," and you will find that more pages have been occupied by members on the ministerial side of the House than by members on this side ; and on the third day after that debate was concluded, we went into committee on the Bill. Now, the hon. gentleman has the audacity to say that there was obstruction on this side of the House to-day because an important question was brought up by a gentleman who has hitherto supported the Government, though if I heard the Secretary of State aright, he has just been read out of the party. On that question six gentlemen spoke, three from the ministerial side and three from the Opposition side. And this is what the hon. gentleman calls obstruction. Then, when we have got into committee on the Bill, my hon. friend beside me raises a very important point. He brings to the attention of the House the fact that the Government have done at last what they should have done long ago—sent commissioners to Winnipeg to negotiate ; and he simply suggests—not as a matter of right, but as a matter of courtesy, a matter of diplomacy, a matter of good-fellowship—that this Bill should not be proceeded with while the negotiations are pending. And this is what the hon. gentleman calls obstruction. Sir, there has been no obstruction on this Bill, and there is no desire on the part of the Opposition to obstruct it. I am quite willing, for my part, to go to the country on the merits of the Bill. I do not want to obstruct it. The Opposition have taken their course on this Bill ; the country understand it and are prepared to judge between the Government and the Opposition on the question. But, Sir, there is no desire on the part of the Opposition to obstruct the Bill. The obstruction only comes from the hon. member, who has perhaps spent more time on this question than any one else. I am anxious, for my part, that we should discuss this Bill, and I desire nothing else than that we should as soon as possible go to the country, and let the country judge between us.

Mr. SPROULE. The hon. gentleman who leads this House has seen fit to read a lecture to the members of this House as to their duty. He speaks of the great importance of passing this Bill, and he says the deliberate intention of the member for East Grey was to destroy the Government. I emphatically deny that. I also, at the same time, assert my right to differ with the Government or the Opposition upon any question that engages the attention of this House, when I believe they are out of accord with the sentiment of the country. I cannot help coming to the conclusion that they are, from the evidence I see before me from day to day ; and if I should venture a judgment, it would be to the effect that seven-tenths of the ratepayers of Ontario to-day are against the Government on this measure.

Some hon. MEMBERS. No, no.

Mr. SPROULE. If you read the press, if you take the assemblies that are meeting every day throughout the country and passing resolutions, if you travel amongst the electorate of the country and listen to the opinions the people freely express, you cannot come to any other conclusion. The hon. gentleman says that the passage of this Bill is vital to the peace and tranquility of the people. Why, this measure is the very thing that is stirring up strife from the very foundations of society in this country and stirring up an agitation, the results of which no one can foresee. The hon. gentleman declares that he regards it as of first importance that this measure should be forced through. Is he aware of the feeling in the country against the measure ? If he is not, then he must have been, like Micawber, asleep for the last five years during which this agitation has been going on ; and I do not wonder at it, because he has just come over from the tranquil island across the sea to Canada where this agitation has been carried on for the last five years. When he tells this House that it is of paramount importance that this measure should be forced through by every means in the power of the Government, he misjudges both the temper and the sentiment of the people. He says that if defeated the Government will appeal to the country. Why, we have been asking the Government to go to the country for months, the people have been calling on the Government to appeal to them for their verdict, the people are anxious to declare their minds on the question ; and I say to-day that the hon. gentleman dare not go to the country, because he must know that the country will pronounce against him. I am justified in saying this, because the evidences are too striking not to force themselves upon every one. Take my own province and take the province of Quebec—take these two great provinces which have separate schools to-day, and what is the vote they gave on the second reading of this Bill ? Eighty-one against and sixty-seven for the second reading. Does the hon. gentleman take that as an evidence of the strong feeling that exists throughout the country in favour of the passage of this measure by every means in its power ? Why, it is the very reverse. These are the provinces that, above all others, ought to know the virtues and advantages of separate schools, because they have ample experience of their working ; and the vote given on the second reading by the members from these two provinces shows the feeling that exists in them against the measure.

Mr. LaRIVIERE. Does the hon. gentleman infer that the members from the province of Quebec who voted against the Bill are opposed to separate schools ?

Mr. SPROULE. They voted for the motion to give the Bill the six months' hoist, which is the natural motion to kill any Bill.

Mr. LaRIVIERE. Do I understand the hon. gentleman to infer that those who voted for that motion from the province of Quebec voted against separate schools ?

Mr. SPROULE. I ask the hon. gentleman if those who voted from Ontario against the six months' hoist all meant to vote for the Bill. Why, the very same day some of them voted against the measure.

Mr. LaRIVIERE. If the hon. gentleman will answer my question, I will answer his.

Mr. SPROULE. Are all those who voted against the six months' hoist in favour of separate schools ? I do not think they are. We have no evidence that they are, and we have no right to assume that they are. Take the other provinces, will any one say that the members from Manitoba and the North-west Territories, who voted for it, are in favour of that Bill ? Can you take up a single paper in Manitoba and the North-west Territories that does not condemn the Bill ? Take the two provincial elections that were held in succession in Manitoba, did they not give evidence that the people of that province condemn the Bill ? Could Mr. Greenway have carried that country by such an overwhelming majority, if the people there were not opposed to this Bill ? If I analyse the vote and ask the members individually their views on separate schools, can any one doubt what their reply will be ? Take the evidence which is at hand since the vote was taken, and it shows most emphatically that those members who voted for the second reading, instead of representing, misrepresented their constituencies. It shows that instead of doing what the country wanted them to do, they did what the country did not want them to do.

Mr. MACDOWALL. Is the hon. gentleman in order in saying that the members of Manitoba and the North-west have misrepresented their electors ?

Mr. SPROULE. I say that if we can believe the evidence we have, we can come to no other conclusion. Take, for instance, the Regina "Leader," owned by the hon. member for Assiniboia (Mr. Davin)——

Mr. MACDOWALL. I do not wish to press my point of order, but I should advise the hon. gentleman not to believe the papers.

Mr. SPROULE. If the hon. gentleman has no point of order, what is he wasting the time of the House for ? I take the Regina "Leader" that was owned by the hon. gentleman (Mr. Davin) who voted in this House in favour of the Bill. It condemns him and asserts that the vote he gave was entirely contrary to the wish of his constituents, although up to within a few days of the time that vote was taken, he argued against it. I take the other member for Assiniboia (Mr. Macdonald). If I understood anything from him, it was that the sentiments of his people were almost unanimously opposed to this measure, and yet, strange to say, he voted for a second reading. Can I accept these votes as an evidence of what the people want out in that country ? I say that if I can believe the evidence which comes to us from the time that vote was taken or before that, we can come to no other conclusion but that these gentlemen are misrepresenting the sentiments of the people rather than representing it. Coming to Ontario, is it necessary for me to analyse the vote of that province ? Dare the hon. gentlemen who voted for that Bill go back to the people of that province to-day ? I challenge contradiction, when I say they dare not go back. We were told the other evening by the hon. Minister of Railways and Canals (Mr. Haggart) that the people of this country were unanimous in favour of the Bill, and would be unanimous when the time came for them to record their verdict. I challenge the hon. gentleman to resign to-morrow and come into my riding, and I will resign and run against him. I challenge the hon. leader of the House. I challenge any hon. gentleman in the Government to do the same, and then if they dare accept my challenge I can prove to them what the public sentiment is on this question beyond any contradiction, because it will be shown so plainly that they will not be able to close their eyes to it. Look at the vote. Why, this measure was carried by the votes of the members of the Government themselves. In England it would be held, if a government were obliged to carry a measure by the votes of the Ministers of the Crown themselves and the votes of a few of their opponents, that they had not the confidence of the country. That is the position practically in which the government stands to-day. Take out the votes of the Ministers of the Crown and a few they culled from the Opposition, and where would they be ? Decidedly in the minority. Now, then, I say we have the best reasons in the world for believing there is no urgent need for passing this Bill. We were told that it was very important the second reading should take place. What appeal did the hon. leader of the House then make ? He said : We are prepared to send a commission to Winnipeg to try to settle this question with Mr. Greenway, but we want first to pass the second reading. What was the natural inference to draw from this language ? It was that when the second reading was passed, the flag of truce would be raised and we would not proceed with the measure.

Some hon. MEMBERS. No, no.

Mr. SPROULE. Did the hon. gentleman say that he would go on with the other stage of the Bill.

Mr. FOSTER. Yes.

Some hon. MEMBERS. Yes.

Mr. SPROULE. Emphatically no. I have looked over his language since, and he did not say a word about going on with it. He said that the Government wanted to pass the second reading and would then send up a commission ; and the natural inference was that they would then stop the Bill while trying to treat on amicable terms with the Manitoba government. Are they doing that? No, they are holding up the flag of truce and at the same time raising a whip of scorpions over their backs to strike them. Is that method of proceeding likely to lead to the best results ? Under the circumstances, is it a wonder that the commission, as the hon. gentleman intimated to the House, is likely to end in failure. Is it to be wondered at ? For I say it is coercion of the very worst kind on the people of that country, and against their will, and against their wish. And I do not wonder they refuse to be coerced. Are we to be told that members supporting this party are trying to defeat the Government because they oppose what they believe to be wrong and against the opinions of the country ? Are we supposed to be afraid to express our views ? Have we no rights in this House ? We have rights that we are prepared to assert even against gentlemen who are trying to coerce this House as much as they are trying to coerce Manitoba. The hon. gentlemen say the Government do not want to introduce any question that would take up the time of the House. They did not want to take up the question of providing a few thousand dollars to pay the sessional clerks, messengers, and other employees, although it would not have been objected to by any hon. member on the other side of the House, although it might have been passed in fifteen minutes without objection or obstruction from anybody. And then, because an hon. member who has been in the House as long as I have, draws the attention of the House to a matter of this kind, am I to be told that I did wrong, that I did not communicate with my leader or go around and see the Minister of Finance. I thought it was such a simple matter that no person would object to it, and I was innocent enough to think that I had a perfect right to bring it up as I did. And I think still that I had that right, notwithstanding the castigation I have received from the leader of the House, which, I may say, I regard as of very little force in controlling me either in this House or outside of it. The hon. gentleman refers to the statement that the vote on the second reading did not express the views of the electorate. I say it did not. I have given my reasons why I think it did not. I have given my reasons why I believe that if to-morrow this House were dissolved and we were to go to the country, these hon. gentlemen would wake up to a realization of the fact that the country is strongly against them, and is strongly against this measure, and the country wants an opportunity to express its views. The country wants an opportunity to speak upon this question. What harm would it be if this Bill were not put through at this session. The hon. gentleman says that it is most important that it should be put through It cannot go into operation for three months, because the Lieutenant-Governor in Council has three months in which to make the appointments, and if he does not do it in that time then the Bill comes into full operation. We must have another session of Parliament within three months from now. What harm would it be if this Bill did not pass at this particular session, but the country had an opportunity to speak its view upon it ? What harm could be done to the minority in Manitoba or to the majority, or any one else ? I am satisfied no harm can be done, and the country would appreciate an opportunity of having a say upon this vexed question which has engaged attention so long. The hon. gentleman says the limited time at our disposal is the reason for pushing this Bill forward. They wasted about forty days the first part of the session, without doing anything. Who obstructed the work of Parliament early in the session ? Was it the seven Ministers who struck and went out, or was it the others that were dancing attendance on the Government here for weeks waiting to do the work for which we were called together, but which there was no Government to go on with it. We have come now to the last twenty-three days of the session, and the hon. gentleman seems to think it is important that we should work night and day. But for the first forty days we danced attendance here around the Parliament buildings with nothing to do, while the expense of the session was going on just the same. Did we have the Estimates brought down ? Did we have the Budget speech made ? No ; we were waiting for the hon. member to be brought in as the salvation of the country, who was, by force of will, to push through everything with such vigour that there was to be no obstruction or opposition. He has succeeded most remarkably, I must say. He has raised great hopes, but he has effected very little in the way of legislation, and if he continues for the next twenty-two or twenty-three days at the same rate, the country will have an opportunity yet of speaking upon this question. The hon. gentleman said that as soon as the Bill was read the second time negotiations with Manitoba would be begun. In other words : We will hold that as a whip over them ; we will offer to negotiate but we will make them do what we say. It is an old saying but not less true that you will catch more flies with sugar than you will with vinegar. You are not likely to force the people of Manitoba to do what you say by holding this whip over them and saying to them : We want you to do this or we will make you do it. They do not propose to be coerced. They are free-will agents, and believe that they have rights in this country as well as the hon. member who leads the House, or the Finance Minister, or any other. It has been well said that legislation of this kind should be passed only as a last resort. Did we exhaust all the means of negotiation before bringing on this measure ? The hon. gentleman who leads the House says that it was a last resort, the Finance Minister said the same thing. But it is to go on pari pasu with the negotiations with Manitoba, and is to be held as a whip over that province. I say that is not fair. When we went to negotiate with the United States over the Behring Sea question, what did we do ? Did we not first seek what is called a modus vivendi, so that quarrelling might be stopped while we sought by negotiations a friendly means of settling the question ? And when an attempt is made to bring peace between contending armies is not the same principle recognized ? A flag of truce is raised ; warlike operations cease, and the representatives of the two sides meet and try to arrange for terms acceptable to both sides. Why do not we do the same in this case ? We do not take that course, but we simply say to Manitoba : We will make you do what we wish. It is not in human nature to be driven in that way ; and Manitoba, I am inclined to think, does not propose to be so dealt with. Hon. gentlemen are entiled to all the capital they can make out of the announcement that they are trying to pass this measure. They are entitled to all the capital that this measure, which they say is so strongly favoured by the country, can bring them. Go to the country, and see whether the whole country is with you. If the country is with you, then we can pass the measure, having a mandate from the people to do so, but until the country has had an opportunity to pronounce on this Bill, we are justified by the agitation that has been kept up and by what we see here from day to-day, we are justified in trying to prevent this measure from becoming law.

Mr. PATERSON (Brant). The hon. gentleman who moved that you leave the Chair, did so because he had begun his remarks under the impression that the debate on the former motion had not been closed. No doubt it was properly closed, but I know that though I came into the chamber as soon as the bell sounded, I found that the motion was withdrawn or declared lost. And considering the point was a very important one, and that there were other gentlemen who wished to speak upon it, he felt bound to make the motion he did which has drawn upon him and upon the members of this side generally, the outpouring of the vials of wrath by the leader of the House. Now, I do not think that the proceedings so far, and the language, and tone and manner of the leader of the House tend to forward this Bill. If I may say anything with reference to the progress of the Bill, I should say that the hon. gentleman's language and manner tend more to hinder the progress of the Bill than any other thing. I am disposed to accord to him all the respect I can on account of years, but I am forced to say more than I would for his conduct in this House. Although not of the same years of life as the hon. gentleman, so far as party life and experience are concerned, the hon. member for West Elgin (Mr. Casey) is quite the equal of the hon. leader of the House.

Mr. CASEY. Much longer a member of this House.

Mr. PATERSON (Brant). As the hon. gentleman reminds me, he (Mr. Casey) has been much longer a member of this Parliament than the hon. gentleman himself. I think, therefore, the tone he has assumed is unwarranted. There were parts of his speech rather laughable. The idea of the hon. gentleman standing on the platform declaring that the conduct of the Opposition with regard to this Bill would cost the country half a million of dollars, will sound rather ludicrous to those who remember the hon. gentleman's own dealings. The hon. gentleman has announced his intention of sitting here and forcing this Bill through. It is not supposed, under constitutional government that the way to place laws upon the statute-book is by the use of physical force. It is generally recognized that mental force is more needed in matters of that kind. I should not like to see the hon. gentleman exhaust the physical abilities either of himself or of those opposed to him. But what I would like the hon. gentleman to try to do, would be, not to exhaust his mental energy, but to bring his mental energy to bear, in order that the discussion may proceed, and that the Bill may go on. Now, who is in charge of the Bill ? The Secretary of State is in charge of it, apparently, and yet the point is raised by the hon. member for Queen's (Mr. Davies), a constitutional point——

Sir **CHARLES TUPPER.** Disposed of a dozen times already.

Mr. **PATERSON** (Brant). Never been disposed of, never been raised, never been discussed. It is propounded by the hon. member for Queen's and supported by reasoning and arguments that call for a reply. Instead of making a reply, I am sorry to see that, even while he was speaking, the leader of the House was most unseemly, I would say, almost insulting in his expressions. Now, that is not the way to do. The Minister of Finance says it will require ten days to consider this Bill. We have just entered upon its consideration, and the very first clause, a legal gentleman of high standing says, in his opinion, is unconstitutional, and he says, at the same time, that gentlemen of equal eminence on the other side are rather disposed to differ with him. Well, there are a great many laymen in the House, and, while we do not subordinate our judgment altogether to that of the legal gentlemen in the House, I am bound to say, with all modesty, that the laymen of the House do place a value upon the legal opinions, as enunciated by lawyers who are the very first in constitutional knowledge in the House : and, for my part, I desire to hear that question discussed. Here we have these eminent legal gentlemen declaring that the very first clause of this Bill is unconstitutional. In that case, in what position will the Roman Catholic minority be in ? They will be involved in a law-suit at the very start. Then again, the Secretary of State has alluded, in almost insulting terms, to the discussion that took place on the second reading of the Bill, when he characterized the speeches which had been delivered, as irrelevant. Has the hon. gentleman not sufficient modesty to recollect the fact that, of all the speeches that were delivered in this House on the second reading of that Bill, none of them were so irrelevant as the speech in which the hon. gentleman introduced that Bill ? He went on for nearly three-quarters of an hour, until he was interrupted, and only when recalled to himself, did he bring himself away from days gone by, thirty years in the past, from subjects that had no bearing upon this subject at all. Yet this is the gentleman who rises in the House to-night and declares that, in the discussion that took place on the second reading, when the most eminent lawyers of the House took part and every one who spoke, did so under a sense of responsibility, yet their speeches, he says, were irrelevant to the subject. Now, with reference to the motion that the committee rise and report progress, the reason that was assigned seems to me very reasonable indeed. There is the constitutional point brought up by the member for Bothwell (Mr. Mills), and, whatever opinions may be entertained of that hon. gentleman, I think it is generally conceded that, while he is not infallible, when he takes a constitutional point, there is some merit in it. He has taken a constitutional point, that, while you are negotiating with the government of Manitoba, and although the First Minister intimated that the negotiations were likely to fail—a thing, I think, he had no right to do, judging from the news we have in the papers to-night that negotiations will not end until to-morrow—but the member for Bothwell argued that, constitutionally, while these negotiations were going on, and until this House is in possession of the facts that the Manitoba government were not prepared to act in the matter, this House is not invested with authority to deal with this question. Well, he may be right, and he may be wrong. But why does not some gentleman on the other side attempt to answer a question like that, instead of rising, and, by mere force of words and of abuse, endeavouring to push this Bill through ? Sir, the Secretary of State talks about closure, and he has done his best, without an Act of Parliament on the statute-book to enable him to invoke it, to shut off free discussion by disorder and noisy conduct that are anything but creditable to this chamber. Sir, that process of proceeding is not debate at all. Again, I repeat, the questions that are brought up are constitutional questions, and the member for Queen's was entitled to have his argument replied to. I am bound to say, so far as I was able to follow his argument, and not having heard any reply to it, from the other side, that he has convinced me, although my opinion may be changed, that that very first clause is beyond the power of this legislature. But, over and above that, it does seem to me that the other point that is taken, that this committee should not proceed with this Bill until you have a definite answer given that the Manitoba government will not do anything, is deserving of consideration, and that to push this Bill forward now will tend to thwart and prevent them arriving at a happy conclusion. Then, there is the other point that is raised by the hon. member for Bothwell, that you are not invested with the power to proceed with this Bill until the committee is is possession of that fact. Therefore, I say that, instead of charging obstruction, or anything approaching it, it seems to me this is a proceeding that demands recognition at the hands of the Government. If the position of the Minister of Finance is correct, that ten days will be sufficient to discuss this Bill, and I suppose he has given some thought to it, then there is no necessity for putting this Bill through now, because there are almost twice ten days at our disposal, and there are other Government measures on the paper to be dealt with, and the Supplementary Estimates to be brought down ; for two or three days, until we can get an answer from the Manitoba government, other business can go on, and you will not be involved in the difficulty that is pointed out by the member for Bothwell. Sir, I did not intend to speak at this time, but I thought it well that, when the leader of the House was taking the position he did, and indulging in the language he did, and imputing motives that he did, to point out that he was not justified in his criticism. It is evident that there was something that had angered him in some way, something, I think, that could not have sprung legitimately from anything that has been said or done from this side. Whether there is a Cabinet trouble that has ruffled his temper, I do not know ; but if there has been anything more of that kind in the Cabinet, do not pour out your spleen upon unoffending members of the House. Certainly, so far as I am concerned, I have not made these remarks with a view of retarding proceedings, but because I feel impelled to make them from what has transpired.

Mr. McNEILL. I do not intend to take up much time at present, but I may have something more to say later on. At this time, I only wish to make one or two remarks. I regret very much indeed that the leader of the House has thought it right to say that those who desire to discuss the clauses of this Bill, and to discuss matters connected with this very important measure, are to be held responsible for the holding of another session of Parliament this year. I think that is a very unfair statement to make.

Sir CHARLES TUPPER. I made no such statement. They were hon. members who did not want to discuss the clauses of the Bill, that I complained of, not those who want to discuss the clauses.

Mr. McNEILL. If the hon. gentleman had done me the great courtesy of listening to what I said, he would have observed that I did not confine my remarks to the discussion of the clauses of the Bill, but I also referred to matters connected with this very great measure. I think it is, as I have said, not very fair to make a charge of that kind; and I think it is singularly unfortunate, from the point of view of the Government, because, if there is anything more clear than another, and anything more certain than another, it is, that the people of this country will very clearly understand that those who wasted two months of this session doing nothing, so far as promoting the business of this House is concerned, are the people responsible for delay. The idea suggested here, that we are to be called upon, because the Government chose to waste two months out of the three or four months, to swallow this measure, holus-bolus, that the representatives of the people are not to be allowed to discuss the measure without being liable to charges of this kind being hurled against them, seems to me to be too absurd. I wish the hon. gentleman to understand that the people, at all events the people of Ontario, expect this measure will be discussed, and fully discussed, and I wish to say further, when it is said there was a full and fair discussion allowed on the second reading of the Bill, that I deny the proposition. I say there was not a full discussion allowed on the second reading. I say there were scores, or dozens, at all events a good score, who desired to address the House on this important measure at one or two o'clock in the morning, and who were told that they would be obliged to remain here and discuss it, because the House would not be permitted to rise and so give them an opportunity to discuss it subsequently. I say there were hon. members who were induced to hold back their speeches on this question, and who then found themselves closed out by by an arrangement, so that they did not get a fair opportunity of discussing this measure. The statement, or insinuation, that there was an attempt at obstruction during the second reading of the Bill, is an improper insinuation, and an absolutely incorrect statement. There never was a more fair discussion in this legislature, or in any British legislature, than the discussion had on the second reading, so far as those opposed to the measure were concerned. The discussion was not fairly conducted on the part of those promoting the Bill, because they endeavoured to prevent those who differed from them getting a fair opportunity of placing before the people their sentiments and views with respect to it. Therefore, for the leader of the House to come here to-day and make an assertion, a charge, against those conscientiously opposed to the measure, is a most improper course of conduct, from my point of view, at all events. I think it is scarcely less improper to accuse hon. gentlemen who have for many long years acted in conjunction with the Conservative party in this country, men who are just as good Conservatives as the leader of the House, just as fully imbued with the belief in the benefits of Conservative principles as he is, men who are prepared to make as great sacrifices for those principles as he is, or ever was, to accuse those hon. members, because, forsooth, they dare to differ with him, of being false to their principles and false to the party they have all their lives supported, is an accusation which the hon. gentleman should have blushed to make. If it was necessary to import a gentleman from the mother country to come to this House and make accusations of this kind against hon. members of the

Conservative party who, as I say, are just as much attached to that party and are just as much believers in the principles of that party as he is, I can only say that the party must indeed have been reduced to a terrible position by those who were leaders of the party at that time. The hon. gentleman who sits beside me (Mr. Sproule) has been in this House for eighteen years, and, during all that time, he has been a consistent supporter of Conservative principles, and now, because he differs on an important measure, because he conscientiously presses his views on this House, he is to be dragooned by the hon. gentleman, and to be practically read out of the party. So far as I am concerned, I will not be read out of the party, even by the hon. gentleman, or by any one else. I am as good a Conservative as is the leader of this House, and no taunt he can fling across the House will be sufficient to drive me out of the party in whose principles I so fully believe.

I have heard a great deal of high-flown talk about the necessity of guarding the rights of the minority in Manitoba ; I have heard a great deal about trampling on the conscientious convictions of the minority in Manioba, but I have heard no evidence adduced to show that the minority in Manitoba are in favour of this measure. I know very well, and I venture to say there is scarcely any hon. gentleman who does not know, there are many members of the minority in other provinces of this Dominion who are not in favour of separate schools.

Mr. WELDON. Hear, hear.

Mr. CAMERON. Name.

Mr. McNEILL. If I chose to give the names, I could give a great many, but I do not choose to give them. I make this statement, and, if the hon. gentleman is prepared to contradict it, he will make a very bold assertion.

Mr. CAMERON. I should like the names.

Mr. McNEILL. I would ask the hon. gentleman this : Does he not know any such persons himself ?

Mr. CAMERON. I know of none.

Mr. McNEILL. Who are not in favour of separate schools ?

Mr. CAMERON. None.

Mr. McNEILL. No members of the minority in the hon. gentleman's own province who are not in favour of separate schools ?

Mr. CAMERON. I do not know one.

Mr. McNEILL. I am very sorry for the hon. gentleman, because his knowledge is not as great as I have given him credit for. I make this statement, that I know personally many members of the minority in Ontario who have told me, at all events that they are not in favour of separate schools; and, if the hon. gentleman does not accept my statement, I must, I suppose, acquiesce ; but that is my statement, and it will go for what it it worth. But have we any evidence whatever that the minority is in favour of any such measure. I know that in my own county of Bruce, and I suppose it might be interesting to my hon. friend that I should mention this incident ; in the county town of Bruce, I know that for years there was opposition by the Roman Catholic minority there to the establishment of a separate school in that town. I know that they fought against it for years. I know that many of the leading members of that body there opposed the establishment of a separate school in Walkerton. But eventually their opposition was overcome and a separate school was established. Now, I suppose I may be told that I would be trampling upon the rights of the minority in Walkerton if there were any interference with that separate school, but so far as my information is concerned, I would be doing what the minority would like to see done. Under all the circumstances, I think that all this high-flown talk about trampling on the rights of the minority is somewhat beside the mark, until we have some evidence that the minority really wish to have continued the separate schools which had been interfered with by the Act of 1890.

Mr. BELLEY. That is enough.

Mr. McNEILL. My hon. friend says "that is enough," and perhaps it is too much, but I further wish to make this remark, and I know my hon. friend will allow me to make it. I was really very much surprised to-day when the hon. member from Bothwell (Mr. Mills) addressed the House, to see the manner in which his remarks were received by some members of the Government and by some members on this side of the House. A few days ago I heard the hon. gentleman (Mr. Mills) spoken of in terms of adulation. I heard him described as the sage of Bothwell and as the philosopher of Bothwell, and I heard it said that his views on constitutional questions carried the greatest possible weight with those who occupy the Treasury benches at the present time. But to-day I found a perfectly different view taken of the utterances of my hon. friend (Mr. Mills) on matters of constitutional law. I found to-day that there was no attention whatever paid to his views or to his advice, and that every evidence was shown that what he said was considered as of no consequence whatever. I do not know what the reason of it may have been, but I confess I was somewhat surprised and not a little amused at what I saw and what I heard. Now, I heard it stated in the course of the afternoon, that the arguments of my hon. friend from Muskoka (Mr. O'Brien) were altogether contradictory, and that they were inconsistent one with the other. If I remember aright, what the hon. gentleman stated was this: In the first place, he said that the Government ought to have brought this Bill down sooner; in the next place, he said that there was not the time now left to discuss the Bill; in the next place, that this Parliament has no right to deal with the Bill, and lastly, that it is a bad Bill. I cannot see what there is inconsistent in those arguments, for it seems to me that they are perfectly consistent one with the other. It is surely consistent to say that the Bill ought to be brought down sooner, whether it is a good Bill or a bad Bill. We give credit for the belief that it is a good Bill in the view of the hon. gentlemen who have charge of it and who support it, and it is reasonable to say that a measure of this kind ought to have been brought down somewhat sooner. I think it is fair to say that there is no time to discuss a measure of this kind now, and that it is also fair to say that this Parliament has no right to deal with it, more especially from the fact that from the beginning to the end of the discussion no argument that I have heard has been advanced in reply to that fatal objection to this Bill, namely, that this Parliament has no right to deal with it. We have heard from the leader of the House that this matter has been discussed at great length, and so it has. A great many speeches have been delivered from the Treasury benches in regard to the question, but not one single argument has been adduced in reply to the statement that this dying Parliament, without any mandate from the people, has no right to deprive the people of their constitutional right to pronounce upon this measure. No one has answered it because no one can answer it. No one has dared to answer it, because this Parliament knows that no one can answer it, and that is sufficient ground and sufficient excuse for those who hold that it is their duty to resist the passage of this measure. Those who hold that the people have a right to be consulted on this measure, those who hold that the people are being violently deprived of their constitutional right, have surely the right to endeavour to give to the people that constitutional right which it is now being endeavoured to wrest from them. So far as I am concerned, as I said during the debate on the address, from that point of view, I shall consider it my duty to oppose this measure at every stage that it is brought before the House, when I have an opportunity of doing so.

Mr. **FRASER.** I do not know that I would have spoken at this stage of the Bill were it not for the remarks of the Secretary of State. When he pointed out to the Opposition what the effect of their action was to be on them before the country, I commend to him now the quiet, dignified and manly words of his whilom friend, as to what the effect of his conduct is going to be on his party. No one could have listened to the speech of the hon. gentleman (Mr. McNeill) without feeling that there must be a wrench somewhere, when a man who is considered the most loyal and the most thoroughly high type of an old English Tory in this House, should have felt himself called upon to have given the rebuke that he did to the Secretary of State. I was pleased to hear that the Secretary of State was ready to die, and ready to sacrifice himself and all his relations on the altar of his country, at this time. It was certainly a sight to make the angels weep. At his age, with faltering steps, old, yet full of that manly vigour that arises from the consciousness of doing a duty and doing it well, here he was standing up against the guns of the Opposition, ready to fall and die. Well, now, that was a sight. It was something new in this Parliament. The most vigorous man here is not ready to die for his country, except under very exceptional circumstances; but here was a man courting death, and feeling that in the line of courting death he was serving his country as he never did before. Sir, if this were not a very grave question which we are discussing, the ridiculousness of the position of the Secretary of State would be most laughable. Let it not be forgotten that if the 'ipsi dixit' of the Secretary of State is not taken, and that if a single argument is advanced against it, then we are to be accused of obstruction. Before he sat down he attempted to leave the impression, not directly by word, but very nearly by word, that back of him were men who were ready, by physical brute force, to force this measure through Parliament, even though there were ever so many arguments against it. That is not the position for any one to take in Parliament, and that is not the way to gain the point the Secretary of State professes to have so much at heart. Is this not a question that should engage the attention of Parliament as no other question has? Let it not be forgotten that if we undertake to discuss a question relating to banking, we understand that it comes within the purview of this Parliament. But this is a question on which we have never legislated, and on which there may be a conflict between two Parliaments. It is a different question from any other that the Parliament of Canada has ever legislated upon, and we are told that unless we allow it to go through without saying a single word, we are obstructing. Why, it took many years in the United States for one of the most distinguished jurists that ever lived, Chief Justice Marshall, to find out what the constitution of the United States meant. It has taken them a hundred years to understand where the conflict between the state and the federal government comes. We have been learning the same thing in the last twenty-seven or twenty-eight years for we have had a number of conflicts. But this is the first time that this Parliament has legislated upon a residuum of authority that was vested in the local legislature in the first place; and it is a matter to be more carefully considered than any question that has ever come before Parliament. The Secretary of State seems to think nothing of the fact that we may have interminable law-suits, or that we may have to change our constitution if we wrench it; and is he going to arrive at a conclusion satisfactory, in the first place, to the best thinking men in this country who understand the constitution, and, secondly, to the province of Manitoba and the Dominion of Canada, by saying, you are obstructing it if you say a word against it? When it was brought home to the hon. gentleman that as much time was consumed in the discussion of this question on the other side of the House as on this side, I could not help thinking that it was with very bad grace that he accused this side of obstruction. Have men no right to discuss a question that they think of sufficient importance to demand discussion, and must it be said that they are obstructing if they do that? I ask if there was a gentleman who spoke on the other side in favour of the measure who was not honestly trying to give his views to the House and the country? Was he attempting to obstruct? Yet it would be just as fair for gentlemen on this side to say that such men are obstructionists as it was for the Secretary of State to say that gentlemen on this side are, because they discuss the measure from their point of view, deeming it of sufficient importance to merit discussion. The truth is, there is a piece of play in saying that there is obstruction. There is no obstruction, and the hon. gentleman knows that there is no obstruction; but it serves the purpose of carrying on this piece of play on the part of the Government, for the purpose of enabling them to go to certain parties in the country and say: "Oh, just look at that obstruction on the part of those who say anything against this Bill; and the aged gentleman who has lived on his country, is now ready to die for his country to resist that obstruction." Where are the men who will not stand by a man of that kind? Fancy how their hearts will beat to-morrow morning when they read what is flashed all over the country, that Sir Charles Tupper rises in his place and offers his body as a sacrifice to the people who want this work to be done. He was ready to make a personal sacrifice—to live and die for his country. Back of it all, I can see another line running through the hon. gentleman's speech, knowing, as he must know, that the country is not in favour either of a policy of this kind or of his method of settling a vexed question; and he wants to make it appear that he is willing to sacrifice himself. As I have said once before, that is a calculation based upon an under-rating of the intelligence of the very voters he expects to get. Suppose, for example, that a judge sitting on a bench says to litigants who are before him: "This is a matter that should be settled; go together and settle it." What would be thought of that judge if, after the litigants got together to see whether a settlement could be arrived at, he said: "In the meantime, call your witnesses and go on with the case; we will produce evidence to show that the plaintiff is a villian and the defendant a scoundrel"? But would it not be far worse if the plaintiff said: "We will go on and settle, but in the meantime I will insist on going on with the case." That is exactly this case, because the Government have approached the province of Manitoba. Surely it was common courtesy to wait until they learn whether or not any settlement can be arrived at on broader ground than the forcing of this measure through. No such thing is done in private life. When two parties agree to endeavour to bring about a settlement of their dispute, the practice is not to push the case, because the very pushing of it induces an irritation that prevents a settlement. If I might tender advice on that subject, the Government would stand better with the country on both sides if they said: "We have sent our commissioners to Manitoba, and we will wait their answer before going on with the measure." Instead of that, they accuse us of obstructing because we say, as I do now, that we have no authority to pass this measure in this House. In Nova Scotia the Board of Public Instruction is composed of the Government sitting in a different capacity, and the Superintendent of Education. You might as well say that this Parliament might pass an Act providing that the government of Nova Scotia shall constitute a board of education for the province of Nova Scotia. Could it be done? Our Act in Nova Scotia is satisfactory to the people of Nova Scotia. We had a statement that will answer what the hon. member for Inverness (Mr. Cameron) said, when the hon. member for North Bruce (Mr. McNeill) was speaking. The hon. member for Halifax (Mr. Kenny) said it was satisfactory—that is, a free school system, without the slightest touch of anything like separate schools.

Mr. CAMERON (Inverness). They have separate schools in practice.

Mr. FRASER. They have no such thing as separate schools in practice. In the city of Halifax and one or two other places, they are differently conducted, and why was that done?

Mr. CAMERON (Inverness). Have they not separate schools in Halifax?

Mr. FRASER. They have not, neither by law nor in any other way. They have not separate schools in practice, for the schools are subject to the same inspection and everything else; but the schools where, before the Act was passed, our Catholic friends had control, were taken, the board of education pay rent for the buildings, and they come exactly under the same laws as any other schools, except that in them religious teaching is allowed either before or after the hours. And these schools a large number of Protestants attend every day. In all the schools the same books are used, the same inspection takes place, the teachers must pass the same examination, and the payments go into a common fund, which is paid out to the Catholic and Protestant schools in proportion to the number, and as a consequence good schools prevail in Nova Scotia and the people there recognize that sentiment which does not seem to prevail in this House, or Manitoba would be asked to settle her school question in the same way. The point was raised that there was some semblance of separate schools in Halifax. Well, when the education Act was passed, Halifax was the only city in the province of Nova Scotia, and there the school board was composed differently. The Government appointed half the number and the city council the other half. There might be a majority of Catholics on the board at one time and a majority of Protestants at another, and to-day, in every large town in Nova Scotia where they have a council, the same rule prevails, namely, the Government appoint three and the council three.

Mr. WHITE (Shelburne). The hon. gentleman must know that is not the case.

Mr. FRASER. In every incorporated town.

Mr. WHITE (Shelburne). Trustees, but you were talking of commissioners.

Mr. FRASER. The trustees are the same. In Halifax they are called commissioners, but in all the towns they are called trustees, but as to the duties performed there is no difference between them. They were called trustees at first, but in Halifax, which was the only place in Nova Scotia that was an incorporated city at the time the Act was passed, they were called commissioners. There is no difference between them as regards what they have to do. There is no special legislation relating to Halifax except that it has a school board, and these men are appointed under the Act, because there was only one city in Nova Scotia at the time. Will any hon. member say that in the carrying out of the Act, there is any difference in Halifax compared with anywhere else ? No, but what happened there two or three years ago ? When a school was required to be built and when the Archbishop of Halifax wanted to build that school and pay for it himself, the commissioners, composed of Catholics as well as Protestants, would not consent but insisted that they should build the school, and they did so at the expense of Halifax. There is no friction whatever. I will tell you more, what the good sense of the people enables them to do. There are five schools that are largely attended by the Catholic children and there are eight largely attended by the Protestant children, and when the commissioners meet, the Protestant commissioners say to the Catholic commissioners : You name the teachers in the Catholic schools and see to the arrangements of the Catholic schools, and we will look after ours. That was agreed to as a sensible arrangement. And when the hon. member for Halifax said that the Act was satisfactory to Nova Scotia, I would like to know if there is a member from Nova Scotia who denies that.

Mr. CAMERON (Inverness). I deny it.

Mr. FRASER. I venture to say that there is not another member from Nova Scotia, except the hon. member for Inverness, who will say the Act is not satisfactory, and he only does it as a pretext for attemtping to show that it was necessary to pass this legislation.

Mr. CAMERON (Inverness). What I say is this, that the minority in Nova Scotia would like to have by law that which they now have by practice.

Mr. FRASER. Then I can only refer the hon. gentleman to his hon. colleague from Halifax who said that everybody in Nova Scotia was satisfied.

Mr. CAMERON (Inverness). He did not say anything of the kind.

Mr. FRASER. I will let these two hon. gentlemen settle the difficulty between them, but I will venture to say that the hon. gentleman will not find a corporal's guard to back him in saying that any person desires that by Act of Parliament the common school system in Nova Scotia should be changed which has worked so well. That being the case, does it not strike the hon. member that when that can be done in a province like Nova Scotia, where a very large minority of the people are Catholics, could be equally done in Manitoba ? I wish that the people of Ontario and Quebec were just as well advanced in toleration, as we are in Nova Scotia, with the exception of the hon. member for Inverness. We have learnt the lesson there, that even if there is a conscientious difference between us, there is a method by which we can come together and avoid the friction that is attempted in this House, by Act of Parliament, to be inflicted upon the people of Manitoba. Now, if the Act is unconstitutional, what will follow ? I am not attempting to role of a prophet, but simply stating what experience in the past has shown, when I say that nothing could happen more to disturb the peace of Canada than to pass this Act, which is going to be inoperative and which is ultra vires. You will have all the heart burning that will follow when people who honestly want a certain state of things are finally disappointed by the very act which pretended to give them the rights they claimed. I spoke a moment ago of how the matters was dealt with in Nova Scotia:

> Subject to the provisions of the Towns and Corporations Act of 1895, each school section shall have a board of three trustees and no section shall have more than one board. The powers and duties imposed upon the trustees shall, in corporate towns, be enjoyed and discharged by commissioners of schools appointed for such towns except as otherwise provided in this Act.

And in the towns three are named by the local government and three by the town council. And these appointments are made without any reference to the religion of the appointees. The Act works so well that questions of distinction between Catholics and Protestant are scarcely ever heard of, and that is due to the fact that those who represent the minority in Nova Scotia,—and I refer particularly to one man of great brain, heart and soul, the great Archbishop Connolly, who did more to settle the matter in Nova Scotia upon the firm basis on which it is now than any man in that province—accepted the situation and worked harmoniously with the majority. What did that great and good man, Archbishop Connolly do? Believing as firmly as any other man in Canada of the religion to which he belonged, in separate schools, he took in the situation and he got that which best could be got under the Act and was satisfied. The good sense and kindness of his Protestant friends gave to him that which under the Act he could not have got as a right, and that has been continued since. Is not that an object-lesson to this Parliament? Are you going to precipitate a conflict between the central authority and the local authority, and run the risk of years of litigation, simply to make it appear that certain self-chosen martyrs are ready to die for the minority. That is the sum total. Martyrs. Crowns, bliss. Oh, what martyrs! I am not surprised that one of their followers should groan. He understands that there is not much of the martyr about them. Now, ought we not to discuss this matter, not only in view of the Act itself, but in view of the operation of other Acts in the Dominion that are working well in the best interests of the province? I am here to bear testimony to the Act in Nova Scotia that it is faithfully carried out, and that nothing could be better suited to the province. And I believe the same would be the result in Manitoba. I was very much struck with a point raised by the hon. member for East Grey (Mr. Sproule) as an argument against undue haste in this matter. It will be three months before this Act can go into operation at all, so nothing will be lost by delay. The leader of the House says that $500,000 will be lost by holding another session, and that the country will frown upon the Opposition for being the cause of it. Why should we have spent $500,000 for this session? Was there any necessity for it? Could effrontery go further than to declare that it would be an imposition to hold the first session of the next Parliament when these gentlemen have caused the sixth session of this Parliament for which there was no necessity at all. And the country is to regard these gentlemen as statesmen because they came here on the second of January, and now within a few days before the end of the session they have not taken a step in the direction of what they have been talking about so much, and what they called this session specially to perform. It was two months before we began the discussion, and now the matter is to be forced through with all the physical powers at the back of the Government. Two months were spent in doing nothing and now the Opposition are warned that the country will hold them responsible because, at eleven o'clock, on a particular night they are not ready, at the threat of the Secretary of State, to pass this Bill and say nothing about it. What about all the time occupied at the beginning of the session? In the election in Cape Breton it was freely stated that nothing could be done with the Remedial Bill until the Secretary of State was in the House. So long as it suits these hon. gentlemen loss of time is nothing at all, but when the loss of time may run contrary to the plan of the Secretary of State and the Government for gaining votes by pretending a violent interest in the minority, we are warned of punishment that the country will mete out to us. And we are told that in order to carry out the idea, some are ready to die upon the altar of their country. When I read Foxe's book of martyrs, I thought the age of martyrs was gone. But it is not; there are still those who are ready to immolate themselves. The hon. Secretary of State miscalculates the intelligence of this country if he thinks that he is going to gain the country merely by the threat the people will hold us responsible for that in these closing days of the extra and last session of a moribund Parliament, which has outlived its usefulness, as it almost outlived its time, we do not do his bidding without question. This Parliament does not represent the electorate of Canada. I was very much struck when attending a public meeting lately, at a renomination of a gentleman who represents a county in this Parliament, a conscientious man, who was nominated before the last revision was made. And when he found that between 2,000 and 3,000, or nearly half the electorate had changed in that time, he placed his resignation in the hands of his friends saying: I cannot receive a nomination representing 3,000 voters who do not exist and come before you and claim that I am the nominee of my party. This Parliament does not represent the men who are now ready to vote, for many of those who sent us here have left the country, many are in their graves, and many, from other causes, have dropped from the electoral list and the places of all these classes have been taken by new men. Therefore, when the point is raised that there will be a conflict of authority over this Bill, I think there is every reason why we should discuss and consider the question. For we are making the constitution of the country now. Let no man forget that. The action of this Parliament is going to be taken as explaining and, perhaps, making the constitution so far as it affects conflicts between the central and the local authorities. We ought, therefore, to be careful how we move. I submit that no answer has been given to the points raised by the hon. member for Bothwell (Mr. Mills) and the hon. member for Queen's (Mr. Davies). I think an answer ought to be made to those points. But if the Government have come to the conclusion that no answer is to be given, and that this Bill is to pass without explanation, and depending altogether upon an attempt to put the Opposition in a wrong position because they claim to make statements about what they think the Act is, then we can understand it. And the challenge is thrown out that force must be used. For myself, I laugh at that. I do not think that that is the way a great question like this should be approached. If it comes to an issue of that kind, and no alternative is offered, then, speaking for myself, and for myself alone, I tell the Secretary of State that I will oppose force to force so long as I remain here representing the people and charged to express an opinion on behalf of those people upon the issues that are raised. I think that issue should not be raised, but if the Secretary of State throws that out as a taunting challenge, for my part, I am ready to accept it, and try the case upon that issue.

Mr. WELDON. I think that due consideration should be shown to an Administration called upon to deal with points of law when the legal adviser of the Government, the Minister of Justice, is not now in his place in Parliament, but is engaged in discharging very grave duties in another part of the country. Still, I do not forget that several members of the Administration are barristers of distinction in their several cities and provinces, and I, for one, would like to hear an answer by some of the lawyers of the Administration, particularly from the Acting Minister of Justice upon the point taken by my hon. friend from Bothwell (Mr. Mills). For, if that point is well taken, we certainly are leading the country into a swamp in asking this House, at the present time, to advance this legislation. Every hon. member, whether he agrees with the hon. member for Bothwell or not, will see that the point raised by the hon. gentleman is an important one. If that point, I say again, be well taken, then it is an absolute waste of time for this assembly to go on making progress which is no progress, but really retrogression, to take steps which the law does not allow us to take. It seems to me fair to ask that the legal adviser of the Administration, who is now here, should deal with the point taken by the member for Bothwell, for the consideration and guidance of this committee. The practical point in this connection, namely, that it is not conciliatory, that it does not advance the scheme of a local compromise, for us to go on debating in a way that must arouse more or less acrimony, seems to me worthy of the greatest consideration, and I am persuaded that that must greatly impress the common sense of this country. It is better to look to Winnipeg for a solution, to say to the members of the administration there : Now, there have been faults on both sides ; we think there were faults on your side—as I believe there were at the initiation of the measure, six years ago—but there seems to have been faults on both sides, a lack of consideration, a lack of prudence of speech sometimes, sometimes haste, where slower going would have been more judicious, sometimes, I think, intemperate speeches in this House, which had better not have been spoken—recognizing faults on both sides, let us forget the past and see if we cannot, as men who love our country, and they who love their province, all who desire that a peaceful and moderate compromise may be arrived at, let us put our heads together and effect it. It is surely reasonable to say that a long and bitter debate here, while these negotiations are going on in Winnipeg, can do nothing but harm, although, as the Secretary of State has pointed out, some progress may be made in those two or three days. But, if the member for Bothwell is right, that is an unlawful progress, a mischievous progress. The practical point is, that you cannot get men in a yielding temper, when you keep up your talk of threat and denunciation, as you are bound to do, if you carry on this discussion. The hon. member for Queen's read from the "Hansard" of 9th March the statement by the leader of the House, from which he drew the inference that I think is irresistible, that the leader of the House gave us to understand that, if this Bill were put through its second reading, and as soon as the delegates were sent to this Winnipeg conference, we would no longer go at this high pressure speed—'de die in diem' were the very words used by the leader of the House—implying that, after conciliation had begun, after the commission had taken the olive branch and gone westward, the discussion would not be pressed forward with such insistence. I was, at all events, one who was misled by that statement to the House by the leader of the House, and found it impossible to reconcile it with the statement made some days later. I think it was understood all round that once the

Bill had passed its second reading, there would be a time of slackwater, when our negotiators had gone away to the west to seek a compromise. I heard with regret the statement made by the Secretary of State, as to his want of hope for success, though I did not understand the statement to be so strong as the hon. member for South Oxford understood it. I thought it an expression by the Secretary of State that he had not such a hope as he would like to have of the success of these negotiations. On the question as to whether this clause now before the committee is valid, it will, I think, be necessary to have much fuller, and more patient, and more technical, and better considered arguments than we have yet had. The argument so far is on one side, and, surely, a prima facie case has been made out. Most lawyers of the House will agree that a prima facie case has been made out. Although the members who are in favour of this Bill, and who apprehend obstruction, do not wish to waste the time of the remaining hours of the session, yet I think we will not waste time, but rather save it, by making a clear answer to those points of law which are pressed by those who take the view that the clauses are beyond our power. The Minister of Finance intimated, as he has been reminded more than once, that ten days would be enough for the passage of this Bill. There are twenty-one days left to us, counting out Sundays, and, if ten days are taken for this Bill, eleven days will be left for other public business. Now, I have a suggestion to make, but I am afraid it will not be considered with the patience and care that it deserves, and that is, that this Bill be dealt with as some other important Bills have been dealt with during the years I have been in the House, that it be considered as having been read, and carefully discussed, and then put before the whole country, where it may be studied by all classes of people, and then, at the coming session of Parliament, which, at furthest cannot be many weeks distant, let it be taken up again and passed, if the new Parliament should so choose. This Bill only came before this Parliament at the end of February. Now, in the case of the Criminal Code, that Bill was printed, and distributed, and studied, and Parliament had the advantage of the opinions from all sorts of experts throughout the country, when the matter came to be dealt with in the ensuing session. In case of the Bankruptcy Bill, which was a measure of great importance, it was printed and submitted to the legislature, and copies of it were sent away to boards of trade, bankers, and wholesale merchants, and various classes of interested people ; and their views were carefully collected, and made to bear upon Parliament. Now, I suggest this as an answer to most of the objections that have been taken by those opposed to the Bill, that the matter be thrown over and deferred until the House meets next session. I know I shall be told that a question that excites race and religious feeling should not be an issue before the electors. Mr. Chairman, we are bound by destiny to face this question. However much we may desire public peace and public order, that question is up, and it cannot be laid. Call it an evil spirit, or call it a good spirit, or what spirit you like, the spirit is abroad, and it cannot be laid. The man who takes the view that we can lay that spirit by passing this Bill, is the rosiest optimist in North America. You cannot get rid of the question that way. You will embitter the opinion of a large part of the population in that way. The point taken by my hon. friend from North Bruce (Mr. McNeill), is, I am sure, shared by hundreds of thousands of our people, that this is a moribund Parliament, this is a sixth session, this is a phenomenally long Parliament, and we had no mandate from the people in 1891 to settle this matter. We are members chosen by electors put on the list seven years ago or more. In the province of New Brunswick I never heard a whisper about the Manitoba school question in any serious way, in that election. I have no constitutional means of knowing, except through my correspondence, what the electors of Albert may think on this matter. Some write one way, and some write another ; certainly, the overwhelming weight of opinion is in favour of the view I am trying to express in the House ; but, except in so far as I can gather from my correspondence, I have no constitutional means of knowing what is the mind of that county. As some of my friends frequently remind me in this House, I may be cruelly undeceived, when the election comes. It may be that the opinion of the overwhelming majority is not fairly expressed by the letters I have received from the county. I am quite conscious that I am not now qualified to express their opinions, in a constitutional way, and, indeed, I have no constitutional means of knowing their opinions. I think, too, the answer was a good one that was made by more than one hon. member, who said that twenty-nine days in January, twenty-nine days in February, thirty-one days in March, or, all told, eighty-nine days have elapsed since we filed through the door of this chamber to go to the other chamber and hear His Excellency's address to the two Houses of Parliament assembled. That is a long time to have elapsed. Knowing that this session was to be specially given to a discussion of the proposed Remedial Bill it was proper that the House should be given an opportunity to fairly and fully consider it, and that the largest amount of time possible should be given for its discussion. I think the statement has been fairly made that we have not had such an opportunity, and it is not the fault of hon. members opposed to the Bill that so small a portion of time has been given so far to the discussion of the measure. Hon. members had the right to expect that the Bill would be drafted and brought down at the opening of Parliament. And why was that not done—whose fault was it? The hon. member for Guysboro' (Mr. Fraser) has truly said that the House was not called upon to wait for the measure, that an opportunity for considering it should have been at once given, and that it is now too late to drive us by threats and by any suggestion of force. That might, perhaps, have been fairly done if the Government had put whip and spur to their own actions, if they had done their duty. But they did not do their duty. The Administration have not, as they were in honour bound, used due energy in introducing this Bill, but threats of all day and night sittings are now made, threats of force, that should not be made to a free Parliament, and these threats that will not advance the progress of the Bill. It is attempted to apply the cloture in the most obnoxious form known, but we have not yet silenced free speech in Canada by the use of the cloture. While I think the Administration are in honour bound to give all possible, honourable and proper support to the Bill, and bring all the pressure that constitutionally, honourably and legitimately they can bring to advancing the Bill, they are not bound, and they are not warranted in undertaking to coerce a free Parliament. I quite agree with what was said by the hon. member for North Bruce (Mr. McNeill) as to the relevancy and duration of the discussion on the second reading. I may fairly say, for my own part, that while I noticed I spoke by the clock one hour and a quarter, it was out of consideration to the House that I did not speak at greater length, and if I had spoken that length of time, or half that length of time, I could have spoken with relevancy to the question. So far from having a full, free and temperate discussion, we were not allowed it, because, being deprived of sleep and nervous energy, being depressed on account of the enormous length to which the discussion had been drawn, commencing, as it did, on Wednesday afternoon, and continuing night and day until Friday, I had not a proper opportunity of discussing the subject. No one can speak as well in the middle of the night as at a reasonable hour during the afternoon. Hon. members were weary, and, under pressure, they were not allowed to speak at length. I have seen much longer discussions on the Budget than occurred on the second reading of this measure, which is of incomparably greater importance. I put one fact against the other. Who can conceive of a question of such unrivalled importance as this, a question that is shivering parties, that is threatening the existence of both parties, being disposed of with undue haste? There may not be great excitement, but there is a profound and deep feeling which is much more to be regarded than excitement. It was not, then, too much to ask for more days of discussion to be devoted to the second reading of the Bill. Parliament has sat in this chamber for thirty years—this is the thirtieth session, or thereabouts. These clauses under which we take power to introduce and deal with this question, and to pass, may be, this remedial law, have lain there slumbering for thirty years. I say, slumbering. In one case a school law was passed by the legislature of New Brunswick, my own province, and during three successive years an attempt was made to destroy that law. Those attempts, I thank the fates, were unsuccessful. Once again a school law was passed by the legislature of Prince Edward Island, a neighbouring province. An attempt was made here again to interfere with the law, and that attempt was futile. With these exceptions, during thirty years, no attempt has been made to use those powers. It is not, then, too much to ask that when these powers are applied for the first time, they shall be used with the greatest care. That part of the Manitoba Act which gives us the appellate power has hung like a loaded weapon on the wall these thirty years. Should not every man say: Let it lie there, except it is imperatively necessary to take it down. Should we not exercise the utmost care in handling it? I advance these considerations, and as the paramount consideration, the fact that we have run thirty years without the exercise of the power now invoked, and we must go very slow in making use of it.

I have followed the defence made by the hon. member for Guysboro' (Mr. Fraser), of the Halifax school system, and although I did not hear all the hon. gentleman's speech, I heard the latter part, and so far as I heard, the hon. gentleman he was, to the best of my knowledge, giving a fairly correct exposition of that system on practice. I think it will be of interest to the House to read a short statement by an officer who is very familiar with the condition of the schools in that city, but whose name I do not feel free to give—but I will give it to any hon. member who desires it—because that officer would not like his name to be kicked about in a public discussion. I asked from that officer a statement on points of fact, as to how many Protestant scholars there were in schools in which there were Catholic scholars, if any; and how many Catholic schools there were in which there were Protestant scholars, if any. I need not repeat the explanation made by the hon. member for Guysboro' (Mr. Fraser), that the city is formed into a school district, that the trustees are called commissioners. As the hon. gentleman stated, there are a certain number of Protestant and a certain number of Catholic commissioners, the numbers being divided pretty much in the ratio of population. The Catholic children attend the schools in which they are in a great majority, and the same applies to the Protestants, but as a matter of fact, there is an appreciable number of the children of one faith in schools patronized most largely by the children of the other. With the consent of the House, I will read a short statement, which will be interesting to hon. members who are following this part of the question:

> There are and always have been several Protestant children attending every one of the so-called Catholic schools of Halifax. The percentage varies greatly at different times, say from 3 to 8 per cent in St. Mary's and St. Patrick's schools, and from 2 to 5 per cent in Summer Street school. In Young Street school (Catholic) last year, of 550 pupils, about 75 were Protestants ; at present there are only about 40 Protestants.
>
> In Dutch Village school (Catholic) about half the pupils are Protestants. Protestants who attend Catholic schools do so because they wish to go to the nearest school. In all the Catholic schools there are religious exercises before or after school. Protestants are excused from these exercises. Occasionally during school hours there may be a very short prayer by the pupils in concert or a religious song in which Protestants sometimes take part from choice or as a matter of habit.

This gentleman is replying to questions I put him, and in reply to my second question he says :

> In nearly all the Protestant schools (so-called), there are a few Catholic pupils. In one Protestant department, of fifty pupils, I found seven Catholics. I think Richmond school is the only Protestant school in which there are no Catholics at present. In the Protestant schools the religious exercises (not prescribed) consists of the singing of sacred songs and generally the reading or reciting of a few verses from the Bible, and the repeating of the Lords' prayer in concert. All this is done before the roll-call. The Catholics are generally present, but do not always take part.

My third question was with reference to the county academy, and this gentleman says :

> In the academy there are at the present time ten Catholics (boys and girls). They sit in the principal's room while the other pupils are in the assembly hall at religious exercises. The Catholics of Halifax have two high schools of their own—one for boys and one for girls. In these high schools for girls, Protestantism has been generally represented.

I think it only fair to this gentleman, who differs somewhat from myself, to read the concluding part of the letter, which will give more support to the friends of the Remedial Bill, than I can see my way to give :

> Will you pardon the presumption of a few general observations. There can be no purely unsectarian schools except where they are wholly managed by agnostics. A good religious Methodist or Presbyterian teacher singing Moody and Sankey's hymns, teaching history, or even saying the Lord's prayers is unconsciously and necessarily undermining the faith of a Catholic child. I cannot blame a Catholic who prizes unquestioning faith in the Catholic Church above everything else, for refusing to send his child to the average public school taught by a Protestant. On the other hand, images and pictures of the saints in a school taught by a good Catholic must necessarily influence the tender mind of a young child. We must therefore have sectarian schools whether we wish it or not. The state in its own interests (while not interfering with the conscience of average men of common sense) must determine the secular teaching of the schools. The state alone has the power to compel universal education. The churches have tried it and failed, even under the most favourable circumstances as in Scotland, but while the state undertakes to give the education which its safely demands, why can it not allow the utmost freedom in religious matters. It has no right to prescribe any religious exercises of any kind, nor should it permit any pupil to be put to any inconvenience on account of his religious belief. If the teacher or the priest chooses before or after school hours to teach religious dogma to those who want it, it costs the state nothing to allow it.

I commend this strong statement to those who support the Bill.

> In all that relates to the secular part of education the state should allow no separate school boards or different text books. There should be the same qualification demanded of all teachers, and the same standards of inspection of schools. How strange it would be to have two co-ordinate sets of law courts to adjudicate upon the same classes of cases. No stranger than to have two sets of officials to conduct the schools necessary to train for citizenship. It would of course be a matter of wise politics and justice to see that Protestants and Catholics were fairly represented on the school boards—to appoint Catholic teachers where the majority of pupils were Catholic—to allow the Catholic teachers to be nominated by the Catholic members of the board—to have separate schools as in Halifax, wherever the populousness of a section would allow of more than one good school. Here in Halifax, we have for the most part not only the utmost harmony but a generous rivalry beneficial to both parties. If the conflicting parties at Ottawa and Manitoba simply want to do what is best for the country, I think their success would be greatly facilitated by friendly conferences and mutual concessions, and for that reason I would be very sorry to see the Remedial Bill passed until there were better opportunities given for compromises to be made.

The gentleman signs his name to this letter. I would be glad to show the letter to any hon. gentleman who wishes to see it, and I am perfectly sure of the accuracy of this gentleman's information. I think it tallies substantially and entirely with the representations made by the hon. gentleman from Guysboro', as to the condition of the Halifax schools.

Mr. CAMERON (Inverness). I would like to ask my hon. friend (Mr. Weldon) : Are these schools in compliance with the laws of Nova Scotia ?

Mr. WELDON. Do you mean the Halifax schools ?

Mr. CAMERON (Inverness). Yes, any of them.

Mr. WELDON. I cannot give the hon. member a better answer than is given by the gentleman who wrote this letter. He knows the writer as well as I do, and I have no doubt he would be influenced by his statement. I shall hand the hon. gentleman the letter.

Mr. CAMERON (Inverness). That letter only proves that all these schools are in violation of the Nova Scotia law.

Mr. WELDON. I do not so understand it at all. I think the arrangement is this——

Mr. CAMERON (Inverness). Why have any arrangement, if there is a law on the matter.

Mr. WELDON. If the hon. gentleman (Mr. Cameron) will allow me to explain my view, I will do so, and I shall not complain of his interrupting me if I do not answer his question. The position is this, as I understand: That the Nova Scotia school law calls Halifax city a school district, and gives the commissioners and trustees a great deal of freedom of action. I have always understood it was in pursuance of a concordat reached between the late Archbishop Connolly and the present Principal Grant who was the spokesman for the Protestant people at the time. As I have always understood, what they do in practice is this: In St. Mary's, in St. Patrick's, and in the Summer Street schools, the teachers are practically appointed by the Catholic members of the board, and the Protestant members do not concern themselves at all about it. Conversely, when they are appointing teachers for any of the large Protestant schools, the Protestant members of the board are allowed to deal with that matter. The letter explains that better than I could, and I have no doubt about the accuracy of the information as to the way in which the religious exercise part of the matter is dealt with.

Mr. CAMERON (Inverness). Does not that prove that the practice in Halifax is by agreement and not by law? The statute does not tolerate anything of the kind.

Mr. WELDON. I do not think it is against the law in any way.

Mr. CAMERON (Inverness). That religious instruction is against the law.

Mr. WELDON. I have not the statute at hand just now.

Mr. CAMERON (Inverness). I know it.

Mr. WELDON. As I understood that gentleman who wrote me—I will put the letter in my hon. friend's hands in a moment—these religious exercises are given before roll call, so that technically they are not within school hours. I understand it to be an essential feature of the Nova Scotial law, that the school building is in the hands of the trustees, and they can let, Greek or Turk or Saracen, or any one else, use the building before or after school hours. In the country districts for six hours, and in the city districts for five hours, the school children must have the building for secular teaching, but before and after these hours, or on Saturday or on Sunday, any one who gets leave from the trustees can hold any exercises in the building which he thinks proper. I do not think there is anything contrary to the law in that practice.

Mr. CAMERON (Inverness). It is in direct violation of the law.

Mr. WELDON. My hon. friend from Shelburne (Mr. White) reminds me of a sentence in that letter which I read, but which escaped my attention. I will read the sentence again. Speaking of the Catholic schools, he says:

> Occasionally during school hours there may be a very short prayer by the pupils in concert, or a religious song in which Protestants sometimes take part.

So there cannot be anything objectionable, because the Protestant children take part.

Mr. CAMERON (Inverness). Would you legalize this practice?

Mr. WELDON. It certainly is a very little violation of the law.

Mr. CAMERON. Would you legalize this practice?

Mr. WELDON. For my part, Mr. Chairman, I should go a long way to give the use of the schools—if this Parliament has to deal with such a Bill I shall certainly feel bound to go a long way to give anybody of any religious community, the right to come to the school-room, so long as it does not interfere with the teaching of the children.

Mr. CAMERON (Inverness). Would you give them that by law?

Mr. WELDON. By law.

Mr. CAMERON (Inverness). That is all we want for Manitoba.

Mr. WELDON. Then my hon. friend and I are rowing in the one boat.

Mr. CAMERON (Inverness). That is all this Bill gives.

Mr. WELDON. I do not care one pin, if the thing does exist, whether it exists in this way or in that way. It does exist in Nova Scotia and I think with excellent results. Practical people regard it as about as happy a solution of this most troublesome question, as has been reached in any country we konw of. My hon. friend from Westmoreland (Mr. Powell) says that for all practical purposes they are separate schools. It seems to me that for all practical purposes they are not separate schools. After all, we are disputing about words. The description given there applies particularly to the city of Halifax. The Nova Scotia members can state more accurately than I can what is the case in the towns outside. I lived for some years in Dartmouth, across the harbour from Halifax, the second largest city in the province, and there the schools are public schools. There are no separate schools, and nothing that can be called such. I know something of the conditions in the province of New Brunswick. In my own county, there is not a separate school, nor anything like it there. There are not many Catholics in the county, and they are largely congregated together, and in the districts where they live, they organize and have their own teachers, and administer the schools very much as they like. These systems are excellent in this way, that they give the local authorities a large discretion, so that in Catholic districts there are Catholic trustees and Catholic teachers, and the great advantage these teachers possess is, that they get their share of public money. I complain of this Bill that it does not provide that the Catholic teachers in the west shall have any public money.

Mr. McDOUGALL (Cape Breton). Is the hon. gentleman not aware that in the town of New Glasgow there is a large educational institution, with a large number of pupils, in which the teachers are Catholic, and do not get any public money ?

Mr. WELDON. Will the hon. gentleman tell me why they have not organized under the public school system, as they have done in Halifax ?

Mr. McDOUGALL (Cape Breton). Because the law will not allow them.

Mr. CAMERON (Inverness). It depends entirely on the trustees of the district. The minority in Nova Scotia have a great deal to be thankful for at the hands of the majority. They have their schools by the toleration of the majority ; and, if the minority in Manitoba had been treated in the same way, they would not have very serious reason to complain. Where the majority are generous, forbearing, patient and tolerant, we are thankful, because they act, not in accordance with the law, but in violation of it.

Mr. WELDON. And the reason, above everything else, in my opinion, why the majority in the province I represent, and the majority in the province of Nova Scotia, are forbearing, patient, tolerant, is, that in the public schools of those provinces Catholic and Protestant children sit together, and learn from their earliest years friendship for each other. I believe nothing has contributed so much to accentuate religious differences in the province of Ontario, where, notoriously, the firebrand has a better field for action than in our provinces, as the fact that in Ontario one generation of children has been divided by this unwise system of separate schools. With a public school on one side of the street, and a separate school on the other side, the Protestant children in one and the Catholic children in the other, distrusting each other, sometimes fighting each other, having bitter rivalries, they are making a very bad start for citizenship. That is the reason why I pointed out the other day that in the Australian colonies and in South Africa, where the people are English, they have never yet committed themselves to the experiment of this double-barrelled system of schools. I use that phrase, not offensively, but for accuracy of description. We have our greater difficulties, because we have two nationalities, and experience does seem to show that these double-barrelled schools—two schools in one village, or in one district—keep alive feelings of distrust and ill-will, which every man in this House, Catholic and Protestant, Frenchman and Englishman, wishes would die out.

Mr. FOSTER. Is there not a great difference, in making that comparison, in this way, that those colonies are not federations, and federations of people belonging to different creeds and religions ?

Mr. WELDON. I think that in Ontario, in 1863, the system of separate schools was not adopted by the majority of the members who represented Upper Canada at the time. I have taken the responsibility of saying that, if the Nova Scotia system is acceptable to my hon. friends who differ from me in faith, for my part, when the time comes, they will have my assistance to obtain that system for the prairie province.

Mr. CAMERON (Inverness). By law ?

Mr. WELDON. Yes, by law, most emphatically.

Mr. GILLIES. Then, you are in favour of separate schools.

Mr. WELDON. Even if it carries that, I make that statement with much deliberation. But it does not involve separate schools.

Mr. POWELL. I would like to ask the hon. member, if, in the province of Nova Scotia, the sisters do not teach Catholic schools in the conventual school districts ; and, while the books are the same as in the other schools, is there not a difference in the oral teaching of history ?

Mr. WELDON. If my hon. friend will reduce his question to writing, I will have an exact answer from the authorities, who know better than I do. It is a good many years since I had the opportunity of visiting the schools at Halifax. But before I was a member of Parliament, I used to visit the principal schools there, among them St. Mary's School, in the centre of the city. The Archbishop and some of the professors of my own college also very commonly visited these schools ; and I can speak with more accuracy as to their condition ten years ago than I can speak as to their condition to-day. I cannot give my hon. friend a very exact answer.

Mr. POWELL. Will the hon. gentleman go this far ? Do not the sisters teach in conventual schools in the province of Nova Scotia, are those schools not spoken of and recognized as Catholic schools, and is there not that about them which satisfies the Roman Catholic conscience, so that the Roman Catholics send their children there ? And is there not something about them that suits the Catholic conscience, that they send the children there ?

Mr. WELDON. I cannot answer for the outlying parts of the province as well as other hon. gentlemen in this House.

Mr. FORBES. No sisters or nuns, as the hon. member for Westmoreland calls them, are allowed to teach in the public schools unless duly qualified or holding a license.

Mr. WELDON. To the best of my knowledge, the hon. member for Queen's is entirely right, and I do not like to speak too positively in matters regarding which my knowledge is some years old. One word now with reference to New Brunswick schools. The hon. member for St. John (Mr. Hazen) is here, and I think he is with me in saying that the system is there practically the same as at Halifax.

Mr. HAZEN. The system at St. John is this, that the Catholic children, with scarcely an exception, go to schools by themselves and the Protestant children go to schools by themselves. The schools attended by the Catholic children are taught by Catholic teachers, and those attended by Protestant children are taught by Protestant teachers. That is practically the system in St. John to-day.

Mr. DAVIES (P.E.I.) All these teachers are certificated teachers, and teach from the same school books prescribed by the school board.

Mr. HAZEN. Certainly they are all qualified teachers, and the same books are used, but the point that the hon. member for Albert (Mr. Weldon) makes is that it is desirable Catholic and Protestant children should go to the same schools and should mix together, and that does not prevail in St. John.

Mr. WELDON. That is quite true in Halifax, I regret to say ; but as a practical man of affairs, who cannot have everything he would like, that seems the most acceptable compromise between what we would like and that our Catholic neighbours desire: I would far rather have the children all go to the same schools in the cities as in the country parts ; but, as a public man who has to deal with this question, I will take the responsibility and give the answer I gave to my hon. friend from Inverness, who, I am thankful to say, is in the same boat with me. Now, I ask him to help me and those who think with us, to kill this Bill.

Mr. CAMERON (Inverness). No.

Mr. WELDON. He must act with me because the Bill does not work in the direction he desires at all. He has to turn his back on that Bill and his face to the Nova Scotian solution of the difficulty. That is the best solution, and I understood my hon. friend to say he was with me. I hope that in time wiser counsels will prevail, and that we will be found settling down to the system pursued in New Brunswick, Novt Scotia, Prince Edward Island, Victoria, New South Wales, South Australia, Queensland, Tasmania, and the great colony of the Cape, where there are large numbers of Catholic people and capable, intelligent Catholic bishops just as able and loyal to their church and faithful to their flocks as the bishops of any part of the world.

Mr. CAMERON (Inverness). I desire to say but a few words on this question. I must flatly contradict the assertion that the Nova Scotia law is acceptable to the minority there.

Mr. LAURIER. Did not my hon. friend hear the hon. Secretary of State, the other evening say that it was passed with the consent of the archbishop ?

Mr. CAMERON (Inverness). If my hon. friend, the leader of the Opposition, will just allow me to finish my sentence, probably he would understand my meaning better than by cutting me short. They are not satisfied with the law as it exists. They may be satisfied, in a large portion of the province, with the administration of the law.

Mr. LAURIER. Would the hon. gentleman allow me to ask him if he heard the hon. Secretary of State declare the other evening that the law, as it exists, was passed by him with the acceptance of the Roman Catholic Archbishop and the Roman Catholic members of the legislature ?

Mr. CAMERON (Inverness). He was aware that this arrangement was arrived at between the majority and the minority, and under that arrangement the law has given general satisfaction in the province. But if my hon. friend from Albert (Mr. Weldon) will say that this arrangement practised in Nova Scotia will be established by law there and in Manitoba as well, he will concede a very great deal more than the law as it exists in Nova Scotia concedes. I call the attention of the House to the fact that there was a good deal of discontent with the law in Nova Scotia until this arrangement was arrived at, and under this arrangement, as practised in the city of Halifax, and in the eastern part of Nova Scotia, the law gives very general satisfaction. As my hon. friend from Albert says, it is largely discretionary on the part of the trustees to have religious exercises and to allow the Bible to be used as a text book in violation of the law.

Mr. McCARTHY. No.

Mr. CAMERON (Inverness). Yes, there is nothing in the law allowing it.

Mr. McCARTHY. There is nothing preventing it.

Mr. CAMERON (Inverness). And then it gives the trustees power to have separate schools where the majority desire them. To that I have no objection. I have no objection to religious exercises taking place in Protestant schools or to the Bible being used as a text book in Protestant schools any more than in Catholic schools, but I am in favour of separate schools for all denominations ; and if the law gives satisfaction in Nova Scotia, it is simply because the majority administer it in such a way that it does not create very great friction in very many sections, but there are sections in Nova Scotia where it does. The law in Nova Scotia and New Brunswick are nearly the same. I hold in my hand the debates of the Nova Scotia legislature in the session of 1870, and I find that on the very first day, after the Speech from the Throne was read, an amendment was moved to this effect, by Mr. Purdy, of Cumberland :

> Mr. Purdy said that in order to provide information for the discussion of the address he would request the government to lay on the Table copies of all correspondence between Mr. Rand, late Superintendent of Education, and Inspector Benoit and the trustees of the Arichat schools. Also copies of correspondence between Rev. Mr. Byrne and Mr. Rand. Also copies of correspondence between Bishop Binney and the Attorney General respecting irregularities in the public schools of Arichat.

The irregularities which existed then have been practised ever since under the arrangement made between the majority and the minority. But a superintendent lost his head who insisted that the law should be carried out in its entirety and not violated in any section of the province. Consequently the session began with the discussion of that question, and just as the Governor was summoned to prorogue the House, the question was still under discussion. During that whole session three-quarters of the discussion of the local legislature was on that vexed question. But fortunately, under the generous treatment which the minority receive at the hands of the majority in Nova Scotia, a great deal of the friction which existed at that time has happily passed away. But if any person tells me that the minority would not prefer to have by law that which they now possess by the grace of the majority, he is very much mistaken. In some sections of Nova Scotia I am sorry to say, although the law is permitted to some extent to be violated, yet in other districts they refuse to have it so done if the trustees are not favourable to the minority. As I have already intimated it altogether depends upon the trustees. As to New Brunswick I find an editorial in the "Union Advocate" of 20th November, 1895, explaining the manner in which the law of that province is administered, and I desire to call the attention of my hon. friend for Albert (Mr. Weldon) to this as showing the condition of things which exists in his own province, and I think not far from the constituency which he so ably and so well represents. This refers to Newcastle.

Mr. WELDON. That is a long distance away.

Mr. CAMERON (Inverness). But his sympathy ought to extend to all parts of New Brunswick seeing that it extends to the minority of Manitoba according to what he has just told us. This "Union Advocate" referring to a large building put up by the Catholics of Newcastle, speaks of it as follows :—

> The ladies of the congregation will next week make a third move. They commenced to teach in this town some 26 years ago. They then occupied the presbytery. Having lived in the presbytery six years, the Hobart property was purchased. From this residence they now move to the large and more commodious building, which has cost, including land, &c., some $20,000.

A very respectable school-house, I should say :

> The building can easily accommodate 60 boarders, while at least, 200 pupils can conveniently gather within its walls. The nuns who are most accomplished teachers, give instruction in every department, from the primary to the grammar school grades included.

They use the school books prescribed by law the same as in Nova Scotia :

> This convent is one of the very few educational buildings which, after the enactment of the public school system, has continued to live and flourish without financial aid of any kind from the government or municipality. Our Catholic fellow-citizens pay a double tax, one—the tax imposed by the school system, the other—which they voluntarily impose upon themselves.

This is from a Protestant source. It concludes :

> We congratulate our fellow-citizens on the completion of this work of love, and trust that they may, for a long time to come, reap the benefits derivable from a system of instruction whose foundations are solidly laid, whose principles are based upon our common Christianity, whose beneficial results will be visible in the rising generation.

Now, as they comply with all that the law requires and as they would cheerfully give a little religious instruction which they desire to impart either before or after school hours, I hope my hon. friend from Albert will co-operate with other reasonable Protestants in New Brunswick and give them his influence to secure what they desire.

Mr. WELDON. Why do not they get it now ?

Mr. CAMERON (Inverness). Because under the law they are under the management of the trustees absolutely and if the trustees were willing to grant it they would have it. But as they refuse them, they must submit to the law. But it is not going to prevent separate schools in Newcastle because they have already expended $20,000 on a school building, they use the school books prescribed by law and they turn out more graded teachers in proportion to the number of pupils, I venture to say, than any school in New Brunswick. That is a strong statement, but I have been a school commissioner since 1864 until the present time, and I think I ought to know something of this subject. As I was saying, anything satisfactory in the law in the province of Nova Scotia is by the tolerance of the majority, and I am bound to say that throughout the province, with few exceptions which I hope will soon disappear, the law gives satisfaction.

Mr. FLINT. I woud like to ask the hon. gentleman if it was not correct, as stated by the Secretary of State, that the school law of 1864 introduced by himself had the support of Archbishop Connolly and Bishop McKinnon ?

Mr. CAMERON (Inverness). My hon. friend may be asking a question which I cannot answer. I was in the United States of America at the time and as to the arrangement between them I am not a competent witness on that question. If he was in public life at that time and knows the facts, let him say.

Mr. FORBES. Were not you a member of the House in 1867 ?

Mr. CAMERON (Inverness). The law was passed long before 1867.

Mr. DEPUTY SPEAKER. I would remind hon. gentlemen that the question is on the motion of Mr. Casey that the Chairman do now leave the Chair.

Mr. CASEY. In rising to withdraw my motion that you leave the Chair, I desire to say that I moved it with no intention of obstructing business but for the purpose of having for a short time what seemed to me a necessary preliminary debate as to whether we should continue to negotiate with a club in one hand and a sweet cake in the other. I am glad, however, that that motion has given the hon. Secretary of State and the hon. member for Inverness (Mr. Cameron) an opportunity of airing their views upon the question at considerable length. I am glad it has induced the Secretary of State to show the true inwardness of his mind on this subject and to declare that he intended to follow the course alluded to and which the country will judge —that he meant to carry the Bill through the committee by physicial force. I think it would be better, perhaps, if he would use his physical powers less and his brains a little more. I should not have spoken at the time I did, but that there was no reply from him or any of his friends to the argument from the hon. member for Queen's, P.E.I. (Mr. Davies). It seems that the Secretary of State expects his followers to swallow these clauses without discussion. I find no fault with the Secretary of State for not discussing them, he evidently does not understand the Bill, and he does not even pretend to understand the argument of the hon. member for Queen's. Now, if his mind is so enfeebled by disuse during those years when he has been fattening at the public crib in England, that he cannot see an argument when it is presented——

Mr. DEPUTY SPEAKER. Order, order.

Mr. CASEY—or if he refuses to answer an argument which he does comprehend, it is time for this House to understand it. It is well for the House that he threatened us with the cloture as he did, that he held out the threat that if this Bill was discussed at what we considered proper length, he would attempt to introduce cloture. His threat is impotent, but the language is so irritating that I, for one, am very glad it was put before the country at large. We do not object to these ebulitions of anger on the part of the Secretary of State when he turns round and bullies old and faithful followers who have been members of this House as long as he has. We enjoy that, although we think it is an unpleasant exhibition of temper on the part of a man of his age and experience. From a party point of view, it is exactly what suits us. I prophesied some time ago that he would be the " hoodoo " of the party, and he is doing his best to realize my prophecy. Now, Sir, having said what I wished to say, I beg to withdraw my motion.

Mr. WALLACE. Before the hon. gentleman's motion is withdrawn, I wish to make a few observations. A little while ago the hon. member for Inverness (Mr. Cameron) said he did not know one Catholic opposed to separate schools. I think that is a very extraordinary statement to make. I know that in the province of Ontario there are a great many districts where there are sufficient Roman Catholics to support separate schools, and no doubt they are urged to do so by their clergy, but they prefer to use the public schools. Now, the city of Windsor is a very conspicuous example of this kind. Out of a population of 15,000 or 16,000 of whom one-third is Roman Catholic, I am informed that there is not a single separate school, although there is a population of five or six thousand Roman Catholics living close together.

Mr. CAMERON (Inverness). Will my hon. friend allow me to explain ? The term separate schools requires definition. My hon. friend thinks that a separate school is one thing, and we who desire to have separate school, have a different idea of them altogether. If the schools in Windsor have no religious instruction imparted in them, if there is nothing prescribed by the trustees, or principal, or teacher, that is obnoxious to the minority, of course, in one sense, we look upon them as separate schools. It is only where religious instruction is given in a public school that the minority desires to have a school of its own which may be in exact accord with the law of the province, and yet not have any religious instruction in it ; and we call it a separate school simply because we are permitted by law to absent our children from the public school where religious instruction is given to which we cannot conscientiously subscribe.

Mr. WALLACE. The hon. gentleman must be aware that the system in Ontario is entirely different from that in Nova Scotia. In Nova Scotia they have no separate school system established by law, but in Ontario they have a separate school system established by law where the full procedure of the separate school system can be carried out. But in the city of Windsor, where there are between five and six thousand Roman Catholics within a small area, and where there are, no doubt, more than one thousand scholars of school age, they are so well satisfied with the public school system that I am told by Mr. Audette, who has been a public school trustee, public school inspector and a high school trustee, that they have no separate schools, and the laity have no desire to have separate schools When the hon. member for Inverness says he does not know a single one of the minority opposed to separate schools, I can point to the fact that five thousand people in the city of Windsor alone are opposed to separate schools.

An hon. MEMBER. They are not opposed to them.

Mr. WALLACE. I think it is a fair and legitimate conclusion to draw from the fact that they prefer the public schools, to say that they are opposed to the separate schools. I know that that feeling among Roman Catholics in favour of the public schools, is not confined to Windsor. In the part of the country where I live there is a separate school near by, but the people prefer to live out of the school limits, because they are not then compelled by law, or by the pressure of their clergy, to send their children to the separate school. They know by experience that the education given there is better than that given in the separate schools. Now, the hon. gentleman asked the member for North Bruce (Mr. McNeill) to name any one who was opposed to separate schools. I can name dozens of people within my own knowledge. I can name some people in Ottawa who are opposed to the separate school system, and who, having had experience of separate schools, would desire, and do desire that their children should attend the public schools instead of the separate schools.

Mr. CAMERON (Inverness). **Mr. ROBILLARD.** Name.

Mr. WALLACE. I name Mr. Coffey. If the hon. gentleman does not know Mr. Coffey, I must say that he belongs to one of the best known families in Ottawa. He told me, within one week of this time, that he was totally opposed to the separate school system, and that he wanted public schools for his children to be educated in.

Mr. DEVLIN. Does the hon. gentleman refer to Mr. Coffey, the Registrar ?

Mr. WALLACE. I met the gentleman—I do not know whether he is registrar, or what position he occupies, but it makes no difference. He appeared to be a sensible, level-headed and intelligent man, and he does not desire his children to be educated in the separate schools. This was stated to me and to others, when we were discussing the question.

Mr. CAMERON (Inverness). He may be an agnosite.

Mr. WALLACE. I do not think the hon. gentleman is fair in imputing agnosticism to a gentleman he does not know.

An hon. MEMBER. Do you know him?

Mr. WALLACE. He said he was a member of the Roman Catholic faith, and he was opposed to separate schools. That is the statement I make.

Mr. DEVLIN. I know Mr. Coffey very well, and he is registrar.

Mr. WALLACE. If the hon. gentleman will sit down, I will proceed.

Mr. DEVLIN. Yes, because I think the hon. gentleman is misrepresenting the views of that gentleman.

Mr. WALLACE. If the hon. gentleman says I am misrepresenting his views, he is stating distinctly what is not true.

Mr. McNEILL. I was told this day by a well-known gentleman, who is a Roman Catholic, that he was opposed to separate schools.

An hon. MEMBER. Name.

Mr. DEVLIN. The hon. gentleman (Mr. Wallace) would let you go on without any trouble.

Mr. CHAIRMAN. Order.

Mr. WALLACE. I could name many people in my own riding who are opposed to the separate school system, and who are members of the Roman Catholic Church.

Mr. LaRIVIERE. Do not forget O'Donoghue.

Mr. WALLACE. I appeal to the members of the Government not to press this question at the present time. It is well known to those who have taken the trouble to investigate, that public opinion is not in favour of pressing this Bill.

An hon. MEMBER. How do you know ?

Mr. WALLACE. I will tell the hon. gentleman how I know. I received a petition a few days ago from fifty prominent members of the Conservative party who have supported me in West York, asking me to abstain from voting on this question. I thought that was a very improper action, but some of them explained to me that they did not want me to vote with Mr. Laurier for the six months' hoist. I could not accede to their request, because parliamentary practice lays down that the six months' hoist is the most effective way to kill a Bill, and I was very anxious to have this Bill killed.

Sir CHARLES TUPPER. Hear, hear.

Mr. WALLACE. Is it something new to hear that announcement from me ?

Sir CHARLES TUPPER. I am not surprised at the hon. gentleman wanting to kill the Bill, but the hon. gentleman proposing the means of killing it.

Mr. WALLACE. In war any one who supports you in the fight is welcome. When the Secretary of State went to Cape Breton for election, any man who came forward and said he was going to support the hon. gentleman, was, no doubt, taken to his bosom. Therefore, when an hon. gentleman is going to assist you in voting down this Bill, in killing this Bill, I accept his assistance with the greatest pleasure.

Mr. FOSTER. And boost the leader.

Mr. WALLACE. I do not know that I have any leader, particularly just now, on this question. I had a leader in this House and in the Conservative party, but the leader has deserted. I feel like the old Indian. He said he was wandering around, but it was not the Indian that was lost, but the wigwam. I repeat, that the Government should not press this Bill at this stage of the session. At the very moment when they are asking the province of Manitoba to hold a conference, when, in fact, that conference is being held, and the best efforts of both parties are being put forward to effect a settlement, or get the province to settle the question, does any sane man believe that is a good time in which to attempt to force through this Bill ? I am told, but I hope to receive a contradiction from the leader of the House, that the intention is to force members of Parliament to sit here, day and night, until the Bill is passed. An hon. member says certainly, but I do not hear any members of the Government support that monstrous proposition. It is a barbarous proposition that hon. members, who are supposed to be present during the business of the House, should be asked to sit twenty-four hours each day to carry this Bill. Do I understand the leader of the House to say that such is the intention of the Government ?

Mr. DEVLIN. He is treating you as you treated me a moment ago. He won't answer you.

Mr. WALLACE. I asked the members of the Government whether that was their intention, and not one has deigned to give a reply. If the hon. gentleman will not contradict it, I will assume that the statement I have heard is correct, and that it is the intention of the Government to force the House to remain in session day and night until this Bill is passed. I think that is a very unfair proposition.

Mr. BELLEY. Not at all.

Mr. WALLACE. I do not think the Government will succeed in that direction, because human nature is the same all over, and the people will resent an injustice of that kind. We will not submit to such an injustice, more particularly as the Government in pressing this Bill have not up to date shown any particular wish to press it upon the attention of Parliament.

An hon. MEMBER. Oh.

Mr. WALLACE. The hon. gentleman says " Oh." I do not know what he means by " oh," but if he means a negative——

Mr. PRIOR. It is only an expression of pain—go on.

Mr. WALLACE. Why, Mr. Chairman, don't we know that this Parliament met on the 2nd day of January, three months ago almost. Don't we know that the Government announced in July last that they intended to hold the session on the 2nd of January for the express purpose of pressing this Bill to a conclusion, if Parliament were willing to pass it. The members of this House had reason to expect the Bill would be placed before them as soon as the House met. But do we not also know that through no fault, at any rate, of the Parliament of Canada, the House adjourned from day to day because of reasons that the Government alone were responsible for. Not until the 16th February did the Minister rise to move the introduction of this Bill, and for many days afterwards it was impossible for us to get a copy of it. It was not until the 3rd day of March, when the House had been in session more than two months, that the Bill came up for second reading. Did the Government show any desire to press on this Bill which they had all along professed to be of such paramount importance. These gentlemen now say : Oh, we must sit night and day so that the House of Commons must accept this Bill, whether in their judgment it is a correct Bill or not. I presume that the members of this House will resent such a course. I can see around me many hon. members who gave their vote for the second reading of the Bill, and given their vote as I conscientiously believe, with many qualms of conscience and with great anxiety, to say nothing more. I could say something more, and something that I know, but for the present I will confine myself to that statement. These men voted that way, not because they did it of their own free will, but because they were strongly pressed by members of the Government and by the leader of this House in particular to vote for that measure. They voted that way, but if they had been left to their own wish and desire, and if they had carried out the wishes of their constituents—which, in my opinion, they were either bound to do or resign their seats—they would have voted another way. It will now appear to the country that these gentlemen are so anxious to carry this Bill that they are to sit day and night to have it carried into law. Well, I wish them much joy of the job they have undertaken. I wish them joy when they go back to their constituents for approval ; and when they say to their constituents : Yes, we not only voted for the second reading of the Bill, but we nearly ruined our health, and we ruined the health of those opposed to the Bill, by sitting up day and night in order to carry that great Bill that you, our constituents, are so strongly in favour of. I apprehend that when they go back to their constituents and tell the story, they will not receive a very warm welcome at any rate.

Mr. INGRAM. It is no fault of yours if they do not.

Mr. WALLACE. I can tell the hon. gentleman quite candidly that it will be no fault of mine if they do not have that matter discussed very fully in their constituencies. I shall make it my pleasure and my duty to visit whatever constituencies that I please, or that the people invite me to. More than that, I shall express my opinion on this Bill as I please, and I certainly shall not be deterred from doing what I intend by the hon. member for West Elgin (Mr. Ingram).

Mr. INGRAM. And he will return the compliment.

Mr. WALLACE. Well, he had the compliment returned last night. I was asked a moment ago why I thought the people were not in favour of the passage of this Bill. I was anxious to know the opinion of my constituents, and I receievd an invitation from the citizens of a portion of my riding to attend a meeting, which I did last night. It was held at a small place called Humber Bay. There are not many houses in it, but there was a large attendance of people, perhaps five or six hundred, and I explained the course I had taken, and the course the Government had taken on this question. There was a very enthusiastic gathering. The "Mail-Empire" calls it a rousing meeting, and a resolution was passed there endorsing the course that I had taken, and the "Mail-Empire" says that resolution was carried amid much enthusiasm, and carried unanimously. I will have to ask hon. gentlemen to give me a little more attention. I am not in a hurry myself.

Sir CHARLES TUPPER. That is quite obvious.

Mr. WALLACE. The resolution says :

> That whereas certain gentlemen of the riding of West York have arrogated unto themselves the right to dictate to our representative, Mr. N. Clarke Wallace, we, in meeting assembled, at Humber Bay, take this opportunity of most emphatically denying their right to represent the electors of West York in attempting to coerce Mr. Wallace ; be it resolved, that this meeting of electors of West York, assembled do most heartily endorse our representative in all his past actions in the House in connection with the Remedial Bill, and that we have the utmost confidence that, in the future, as in the past, he will do all he can to prevent the enactment of so odious a piece of legislation.

That is the resolution which the "Mail and Empire" says was carried with great enthusiasm and unanimously by a general meeting of the whole community, at which five or six hundred people were assembled. I think I may fairly conclude that that opinion is representative of the riding of West York, and if so, why not of other ridings throughout Ontario ? I conclude that that meeting is representative of the feeling that prevails all over the province of Ontario. Therefore, I would ask the Government to pause and not force legislation on the people of Ontario and the other provinces until they ascertain whether the people approve of that legislation. As has been pointed out this evening, and with great force, if the Estimates for 1896-97, are not passed this session, and I presume that they will not be passed at this late stage of the session, it will be necessary for Parliament to meet within a few months of the general election, and then what shall we find ? We shall find this question discussed in every constituency in this Dominion, and members sent here with the direct and expressed opinions of their constituents on the question. That is the legitimate and proper course to take, and the Government should not attempt to force this measure upon the people of this country, and the people of Manitoba especially, without knowing whether they are acting in accordance with the will of the people of Canada or not. In enacting this legislation, I say that the members of this House are not in my opinion carrying out the wishes of their constituents. I know that in many cases they are not doing so, and the members themselves know as well as I know, and better. The Controller of Inland Revenue (Mr. Prior) knows that he got a majority in 1891 of about 600, but that when he went back in 1896, with all the prestige of a Minister of the Crown, he was only able to get a majority of about 100, or one-sixth of his former majority. In this connection I might call attention to the statement made by that hon. gentleman the other night when I was not present, with reference to myself. He said :

> In that competition I might say that it seemed extraordinary to find that an hon. gentleman who sits in this House, and still calls himself a Conservative, who still says he belongs to the Conservative party, although he is not in accord with the Government on this question, saw fit to telegraph to the Orange lodges in Victoria, stating that on no consideration could they vote for me, but they must vote for the Opposition candidate, who was a free trader and a supporter of the leader of the Opposition.

That is the statement of the Controller of Inland Revenue, and so far as I am concerned I say it is incorrect, and he has no proof which he can produce to his House of the correctness of that statement. Therefore I would ask him to produce his proof or withdraw the statement.

Mr. PRIOR. Mr. Chairman, a member of one of the Orange lodges in Victoria had a letter or a telegram, I am not sure which, printed in the press,—and every Orangeman in town admitted it—from Mr. Clarke Wallace, stating in answer to a letter from Mr. Hugh Macdonald, a member of the Orange lodge, asking whether the Conservative Orangemen could vote for myself or not. Mr. Clarke Wallace's answer to that was that they could not.

Mr. WALLACE. I have just two remarks to make as to the kind of explanation the hon. gentleman has made. The first is that he dare not repeat the statement that I wrote to the Orange lodges.

Mr. PRIOR. I did not say Orange lodges.

Mr. WALLACE. This is a copy of the statement taken from "Hansard," and the hon. gentleman is a little too late in denying it.

Mr. LaRIVIERE. What has that to do with the Manitoba school question.

Mr. WALLACE. The Controller of Inland Revenue thought it had a good deal to do with it when his majority was reduced from 600 to 100. I say I did not see fit to telegraph or write to the Orange lodges in Victoria.

Mr. PRIOR. I said wrote to the Orangemen.

Mr. WALLACE. I take the statement the hon. gentleman made.

Mr. PRIOR. That is quibbling.

Mr. WALLACE. The statement is untrue, and the hon. gentleman cannot prove it. The next statement he makes is that I said that on no consideration could they vote for him, but they must vote for the Opposition candidate. I challenge him to produce the proof of that.

Mr. PRIOR. I cannot do it to-night.

Mr. WALLACE. Nor any other night, because it is untrue. I received a telegram from a gentleman in Victoria whom I did not know, and I sent a telegram back in reply. I did not impose my own opinion upon them. I have the telegram here, and it does not bear out either of the statements the hon. gentleman has made. I was asked by telegraph if somebody had wired me, and if I had sent a reply. I wired back, yes, I had sent a reply. and I sent a copy of the same reply ; that is all. The telegram I received was :

> What do you think is the duty of an Orangeman and a Conservative in this contest, Prior, a protectionist and a coercionist, or Templeman, a free trader and opposed to coercion ?

My reply was :

> No true Conservative or Orangeman should in my opinion vote for any man pledged to support remedial legislation by the coercion of Manitoba. My resignation is my protest.

I say, therefore, that the hon. gentleman, when he made these two statements, made statements of which he had no proof, and could not have proof, because they were not true.

Mr. PRIOR. The hon. gentleman is quibbling.

Mr. WALLACE. It does not bear out what the hon. Controller of Inland Revenue (Mr. Prior) has said. Prior or Templeton were not the only two in Victoria qualified to be members of Parliament.

Mr. PRIOR. They were the only ones who were nominated.

Mr. WALLACE. There was nobody nominated, when I sent those telegrams. I sent them long before the nomination.

Mr. PRIOR. No, you did not. What was the date ?

Mr. WALLACE. I sent it before Christmas. When was the nomination ?

Mr. DEVLIN. You sent it as a Christmas box.

Mr. WALLACE. I sent it on the 23rd December, or thereabouts. The hon. gentleman was not nominated then, and I suppose it was open for anybody to nominate whom they pleased.

Mr. PRIOR. Everybody knew who were the candidates.

Mr. WALLACE. I stated what my opinion was then, as I state what my opinion is to-day. I do not hold two opinions on any such question. I am consistent with the course I take. I maintain the same position to-day and shall maintain it a little longer, too. I was going to refer to another matter. It has been stated in this House and in the newspapers a great many times that the Government of Canada had approached the province of Manitoba in the most conciliatory way, that on the 26th July, 1894, this Government sent a message to the Manitoba government to be considered by them and laid before the legislature, and that the Manitoba government totally ignored the letter. I think our hon. friend the Minister of Finance made that statement very explicitly in this House.

Mr. FOSTER. No.

Mr. WALLACE. What the Minister of Finance did say was this :

> Politically, what was the action of the Government ? It invited Manitoba to redress the grievances complained of—and here I have to complain of one thing, that hon. gentlemen opposite, and the leader of the Opposition, especially, have distinctly and constantly ignored, namely, the first communication which was sent by this Government to the Manitoba government and legislature on the 24th July, 1894, inviting them to the consideration of the grievances complained of, and expressing the strongest hope that they would take these matters into consideration and remedy these grievances. This was done, Sir, in 1894, before the decision of the Privy Council. This Government asked the Manitoba government, moreover, that they should lay that request before the legislature of Manitoba. But the government of Manitoba refused the invitation to consider the grievances.

That is a pretty explicit statement. Now, I am sure that the hon. Finance Minister will be delighted and surprised to find that the government of Manitoba did not refuse but did consider the grievances, that they examined into them carefully, and wrote a courteous letter, after full examination of the subject. The hon. Minister of Finance did not tell the House that, and I know he could not have seen the answer of the Manitoba government, for he would be the last man to attempt to mislead the House.

Mr. DALY. I quoted that in January.

Mr. WALLACE. I not only have not heard it quoted, but I am sure the Minister of Finance did not, or he would not have said that the government of Manitoba refused to consider the grievance.

Mr. FOSTER. I have not only heard it quoted, but read it dozens of times and know all about it, and my words, I think, perfectly carry out the meaning. It was well known by every one, because it has been stated over and over again, that the invitation of the 24th July was not only sent to the Manitoba government but the legislature as well, and that the government of Manitoba replied that there was no grievance for them to redress and that they did not present the invitation to the legislature. I used the word "consider" and it may be that if I were writing out my remarks cautiously and carefully, I would have used some better word than "consider," but every one knows that the Manitoba government did not attempt at all to redress the grievance but refused to redress it, and in fact said there was none.

Mr. WALLACE. There is no man in this House or country who can make a smoother or slicker explanation, and I never heard the hon. gentleman fail before.

Mr. FOSTER. There is no failure about that, it is plain on the face of it.

Mr. WALLACE. There is no man in this House who is a more perfect master of language and who has a better choice of words to explain exactly what he means than the Minister of Finance, and it is not an isolated sentence, but a whole paragraph leading to the same conclusion, that the government of Manitoba refused the invitation to consider the grievance. That is a plain, straight statement, without any quibbling or twisting, and when he says he did not mean that but means something else, and that if he were considering the question anew he would use some different words, I must come to the conclusion that he could not have seen the reply, because I know that if he had seen the statement made by the government of Manitoba, he would not have used the language, he did. The whole paragraph carries out the same meaning. What does he say ?

> I have to complain of one thing, that hon. gentlemen opposite, and the leader of the Government especially, have distinctly and constantly ignored,——

Now, what explanation would he make of that ?

> —the first communication which was sent by this Government to the Manitoba government and legislature on the 24th July, 1894.

He says they have distinctly and constantly ignored it. That is plain, in my opinion, as it is possible for any statement to be. Did they ignore it ? Not at all. The first point to which I would call the attention of the House is this, that it was not this Government at all but another government which sent that invitation on the 24th July, 1894, couched in such conciliatory and courteous language. Who was it that made out that invitation ? It was written, I presume, by Sir John Thompson, the then leader of the Government. The bludgeon that was presented to Manitoba, the remedial order, which was sent to them in March, 1895, was sent by another Minister of Justice, under a different policy and plan altogether, and by another Government and another Premier. They were two different governments and two different policies. The one was the plan and policy of the Government led by Sir John Thompson, and I cannot draw attention too strongly to that point. The Government of Sir John Thompson had a distinctly different policy. That Government had the policy of conciliation, but hon. gentlemen now have the policy of forcing this legislation upon the province of Manitoba, willing or unwilling. What does this letter of Sir John Thompson say ? He asks that it be transmitted to the Lieutenant-Governor of Manitoba with the request that he lay the same before his advisers and before the legislature of that province. He laid it before his advisers. If it were not laid before the legislature—and that is one of the excuses of the Finance Minister—it must have been the fault of the Lieutenant-Governor, who was the servant and agent of this Government.

Some hon. MEMBERS. Oh, oh.

Mr. WALLACE. He says that the committee, having taken the matter into consideration have the honour to recommend that a copy of the memorial above referred to, and a copy of this letter, if approved, be referred to the Lieutenant-Governor, with the request that he would lay the same before his advisers and before the legislature of that province. That is, that the Lieutenant-Governor would lay it before the legislature of that province. If that were not done, it was the fault of their servant, the Lieutenant-Governor of Manitoba.

Mr. FOSTER. My hon. friend is not serious in that contention.

Mr. WALLACE. I take the language as I find it here. If the Lieutenant-Governor says: I want this presented to the House, they would present it to the House or he would have the power to dismiss his Ministers if they refused his request. But I was speaking with regard to this difference between the policy of Sir John Thompson's Government and the policy of this Government, and I was showing the conciliatory and courteous way in which negotiations were carried on under Sir John Thompson, as distinguished from the mandatory character of the orders given in 1895. What is the language used? It is as follows. After reciting the statements made in the petition of the archbishops and bishops presented to the Government for disallowance, it goes on:—

> The committee therefore humbly advise that Your Excellency may join with them in expressing the most earnest hope that the legislatures of Manitoba and of the North-west Territories respectively, may take into consideration at the earliest possible moment the complaints which are set forth in this petition, and which are said to create dissatisfaction among Roman Catholics, not only in Manitoba and the North-west Territories, but likewise throughout Canada, and may take speedy measures to give redress in all the matters in relation to which any well founded complaint or grievance be ascertained to exist.

That is the courteous and proper language of the Government of that day to the government of Manitoba in regard to this question. The Minister of Finance has distinctly, in two places, given this House to understand in the plainest terms that the request of Sir John Thompson was met with refusal to give any consideration. He said they refused to entertain or consider the grievances.

Mr. FOSTER. Did they consider the grievances?

Mr. WALLACE. I think they did. Here is the report of the committee of the executive council of the province of Manitoba, dated 20th October, 1894. They start out with saying:

> The Honourable the Attorney General submits to Council the following report:—
>
> "That he has had under consideration the report of the committee of the Honourable the Privy Council of Canada, approved by His Excellency on the 26th of July, 1894.

That is the communication of Sir John Thompson. Then they recite the statement made in that communication, copied from the memorial of the archbishops and bishops and proceed:

> The true facts may be briefly stated as follows:—Previously to the year 1890 there had been two sets of schools, Protestant and Catholic, and provision was made by law for their maintenance and government. The maintenance was effected by a special school rate, levied upon each district for its own purposes, a general municipal rate, levied by the municipality and divided among the school districts in the municipality, and a grant from the government, which came out of the provincial treasury. In 1890 the above system was entirely changed, and a single set of schools was established. These schools are maintained by rates and grants as above set forth. They are non-sectarian public schools. The laws make no distinction between Catholics and Protestants, or between denominations of any kind.
>
> It is true that Catholic people complain that they are not treated as they should be, but the ground of complaint has not been properly stated. It is said that an unfair distinction is made against Roman Catholics. As a matter of fact, no distinction has been made against any one. The Roman Catholics demand that they shall be singled out from the rest of the community, and that special class legislation shall be afforded to them, as against all others. Our law is attacked because the legislature has refused to thus favour and distinguish them, as against other citizens. The ground of complaint, therefore, is not that an unfair distinction is made against Roman Catholics, but that the legislature declines to make an unfair distinction against others in favour of Roman Catholics.
>
> No citizen of the province has any justification in fact for claiming that he has not the same rights and the same privileges respecting education that any other citizen possesses.
>
> In addition to establishing the above principle in the public school legislation, of and subsequent to the year 1890, it has been made the duty of every ratepayer to contribute to the support of the public schools.
>
> The statement that the Catholic people are compelled to pay for the education of Protestant children is not ingenuous. Such a statement creates a false impression.

I think that is an important statement, because it gives a concise view of the ground upon which the legislation of Manitoba is based.

> The correct statement of the fact is that all taxpayers contribute to the education of all

children whose parents send them to the public schools. All taxable property is assessed for public school purposes, and all citizens have the same right to make use of public schools. The Catholic people have the same power to avail themselves of the advantages of the schools as the Protestant people. The religious exercises are non-sectarian, and are not used, except with the sanction and with the direction of the trustees, elected by all ratepayers without distinction of creed. If a Catholic refuses to take advantage of the public school, and decides voluntarily to maintain another school, he is exercising his own judgment in the same way as any person who prefers to send his children to a private school, to the support of which he contributes. Neither of such persons, however, by so doing, gains any immunity from the payment of school rates.

As to the question of confiscation of school property, it is to be observed that the same question was the subject of argument before the Judicial Committee of the Privy Council in the case of Barrett versus Winnipeg, and that tribunal expressed the opinion that the Roman Catholics were somewhat better treated than the Protestant people in regard to the disposition of school property under the Act of 1890. In so far as the Act of 1894 is concerned, there is no ground for the statement attributed to the memorial, that it decrees the confiscation of school property in the districts which had not submitted their schools to the new law. The Act of 1894 has reference to the distribution of grants of money raised by taxation upon all taxable property. It deals with the public school system and in no way affects the ownership of any property of a school district which does not submit to the Public School Act, and which is therefore not a public school.

They say, further :

It is further to be observed that, inasmuch as the Public Schools Act of 1890 has been held to be within the jurisdiction of the provincial legislature, and the Act of 1894 is but the amendment of the Act of 1890, made for the purpose of more fully carrying out the plain intention and policy of the first Act, it is sufficiently clear that the Act of 1894 is within the jurisdiction of the legislature, and deals with a subject which the provincial authority has power to regulate. Disallowance of the Act of 1894, as suggested by the memorialists would be a most unjustifiable attempt to prevent the legislature from performing that duty which has been judicially declared to appertain to it, and it may be assumed that such disallowance would call forth an emphatic protest.

The government and legislative assembly would unitedly resist by every constitutional means any such attempt to interfere with their provincial autonomy.

Mr. DALY. Why don't the hon. gentleman read the paragraph before that ?

Mr. WALLACE. I omitted that, because I thought it might weary the House. But I will read that paragraph if the hon. gentleman wishes :

The questions which are raised by the report now under consideration have been the subject of most voluminous discussion in the legislature of Manitoba during the past four years. All of the statements made in the memorial addressed to His Excellency the Governor General, and many others, have been repeatedly made to and considered by the legislature. That body has advisedly enacted educational legislation which gives to every citizen equal rights and equal privileges, and makes no distinction respecting nationality and religion. After a harassing legal contest the highest court in the British dominions has decided that the legislature, in enacting the law of 1890, was within its constitutional powers, and that the subject of education is one committed to the charge of the provincial legislature. Under these circumstances, the executive of the province see no reason for recommending the legislature to alter the principles of the legislation complained of. It has been made clear that there is no grievance, except it be a grievance that the legislature refuses to subsidize particular creeds out of the public funds, and the legislature can hardly be held to be responsible for the fact that their refusal to violate what seems to be a sound and just principle of government creates, in the words of the report, dissatisfaction amongst Roman Catholics, not only in Manitoba and the North-west Territories, but likewise throughout Canada.

I think that is a strong presentation by the government and legislature of Manitoba of the reasons why they have refused to subsidize a particular creed out of the public funds. Now, that is the substance of their report, and that report does not ignore the report of 1894, but deals exhaustively with every question brought up in it. The statements made by the Archbishop and bishops in their petition, were given by Sir John Thompson in this communication, and the government of Manitoba were asked to consider those statements. They have done so, and therefore it cannot be said that they ignored this communication in any way. Now, Sir, in view of the fact that the government of Manitoba examined this question, I say, they have acted as patriotic citizens of this country in their school legislation. Surely they are as patriotic as the citizens of any other province, and they are as anxious to promote the well-being of the community. Perhaps they have a still greater desire than other provinces to promote immigration into that country. The older provinces have been settled for many years, and are pretty well filled up to-day with cities, towns and villages. The province of Manitoba is most anxious to have people go there and settle, and they are even less likely than other provinces to put any obstruction to the course of immigration. They are holding out their arms and inviting men from all parts of this Dominion to go there and settle. Of all the provinces of the Dominion, Manitoba is the least likely to have legislation that will be inimical to settlement, that will be injurious to the country in any way. They are anxious as we all are to promote their prosperity, and their educational laws are as fair as those of any province. Attention has been called repeatedly to the case of Nova Scotia, and we are told how fairly they have dealt with the minority. But are the people of Nova Scotia more intelligent than the people of Manitoba ? Are they more anxious to do right than the people of Manitoba ? Is there any reason why Manitoba should not act as fairly to the minority in every respect as the people of Nova Scotia, or any other province of the Dominion ? I think there is no reason why they should not. Therefore in considering this question in 1890, they were anxious to promote immigration, they were desirous of attracting settlers to go there and occupy their lands. They have had six years experience of this system of public schools, and nearly twenty years experience of the separate school system. After a trial of both systems, after comparing one with the other, after considering all the consequences to immigration and to the future prosperity of their province, they have come to the conclusion that the public school system was the best, and they have come to that conclusion with remarkable unanimity. It is not a snatch verdict, it was not a decision taken when the public mind was obscured by other issues. At the last election this was the most important, almost the sole issue before the electors. It was not only the well settled policy of the Liberal party, but the Conservative party adopted the same policy, and declared that if they were in power, they would uphold the public system. That being the case, I think we can fairly assume that the people of Manitoba are almost unanimously of opinion that the public school system is the best one for that province. Now, that being the case, why should the Dominion of Canada attempt to force an obnoxious school system upon an unwilling province ? We know that the old cry of provincial rights is a strong cry, and no where so strong as when it is applied to the educational system of a province. In no respect is the cry of provincial rights more justifiable than when an attempt is made to interfere with the educational system of a province. Every province must certainly be held capable to determine its school legislation better than the Dominion could do it for them. The Government should give further attention to the consideration of this Bill, and not force it on the people at the present time. While we knew in July last that the Government were committed to the principle, we were told that there was little probability that Parliament would be called together to pass a Bill. The people have not had a full opportunity of considering the question. Parliament will meet again in a short time, and hon. members, fresh from the people, can give the measure close attention, and any decision at which they arrive would represent public opinion. Parliament should represent the people, but, in my opinion, the Government are proposing to legislate in opposition to the wishes of the majority. Members have no mandate from the people, for this was not an issue of any moment at the last general elections. At recent elections where this question was discussed, no member elected was instructed to advocate the establishment of separate schools in Manitoba, but they were returned in favour of an opposite policy. In Manitoba and Ontario the majority of the people are decidedly opposed to separate schools being established in the prairie province. The opinion of the people of Manitoba was distinctly expressed at the recent provincial elections, when the Government was almost unanimously sustained. In view of these facts, we can fairly ask the Government not to force this legislation through Parliament at the present time. I have already indicated popular opinion in Manitoba, as expressed at the recent local elections. Ontario is opposed to this Bill, and I believe British Columbia is of the same opinion as Manitoba. So far as the eastern provinces are concerned, the province of Quebec has given a majority against passing this remedial legislation.

Some hon. MEMBERS. No.

Mr. WALLACE. I do not make that statement on my own authority, but I saw it published.

Mr. MACDONALD (Huron). There were twenty-nine votes against the Bill, and thirty-two for it.

Mr. WALLACE. The figures just given by the hon. member for Huron show that the opinion of the members from the province of Quebec is pretty evenly divided. They have, therefore, not expressd any positive opinion on the question, and I am very glad of it. Ontario, by a majority of seventeen, declared at the late division, against the proposed legislation, and at the next elections the majority will even be larger. Let the Bill, therefore, stand over and be considered by the next Parliament, which will come with a mandate from the people, and with further information in regard to it. So far as I can gather information, and I have large facilities for doing so, the people are strongly opposed to this proposed measure, and it is one which we have no right to impose on the people of Manitoba. The Government may say that they are pledged to pass this Bill to a conclusion. To whom are they pledged ? If they mean they are pledged to this Parliament, no doubt this Parliament will willingly absolve them from their pledge. Are they pledged to any one else ? They have no right to give a pledge to any one else. They may say that they gave a pledge in July last. But, in view of the circumstances of the country and present conditions, I am prepared, as the representative from West York, to absolve them from any such pledge, so far as that constituency is concerned. When I speak of West York, I speak for the majority of the electors there. Let the Government, then, take this matter into consideration, and decide that this measure is not one that should be pressed through during the present session. There are other matters for the House to consider, among which may be named the supplementary Estimates for 1895-96. There should be time for their consideration, and there are other matters with regard to legislation which deserve the attention of this House. The Government has now announced that they are determined to carry this measure through this session. It looks to-day as if it would not be carried through, notwithstanding that statement. They have not denied the statement of the hon. member for Gaspé (Mr. Joncas) that they are going to sit day and night until they force members, through physical force, to submit to this measure, whether they are willing or not. For my part, I feel a great reluctance to submit to this measure, and if the Government attempt to force me, it will not have a very conciliating or soothing affect upon the member for West York. I hope they will pause in their mad career.

Mr. IVES. Do you want any soothing ?

Mr. WALLACE. I do not. I never asked for anything but fair-play, and my temper will not be soothed by an attempt to force me to sit here day and night to submit to this measure.

Mr. McDOUGALL (Cape Breton). We will give you permission to go home.

Mr. WALLACE. I am not authorized to delegate my duties as a member of Parliament to somebody else, not even to the member for Cape Breton.

Mr. IVES. You might be authorized on the first of the month.

Mr. WALLACE. It is not long before a good many in this House will be authorized to hand over their authority to somebody else. It looks at present as if some of the gentlemen who voted for the school question will be more likely to do so than I.

Mr. INGRAM. They will take their chance.

Mr. WALLACE. Their chance is not good. I have occupied the time of the House now for a few minutes, and I hope I have not wearied hon. gentlemen.

Mr. BELLEY. Not at all.

Mr. WALLACE. I am glad to have the approval of the hon. member.

Mr. BELLEY. Not at all.

Mr. WALLACE. I thought I had the approval of the hon. member for curtailing my remarks, but if he wishes I will go on. I have some very interesting statements to make which I postponed the other evening in deference to the wish of the leader of the House. I do not think it is fair that I should be asked to postpone them again, but as I do not wish to weary the House I suppose I may do so for the present, at all events.

Mr. DEVLIN. Mr. Chairman, I wish to make one correction. I understand my hon. friend (Mr. Wallace) to say that Mr. Coffey was opposed to separate schools. Now, when I offered an objection to that statement, I did not wish to be anything but courteous to the hon. gentleman (Mr. Wallace), because the House knows that I have only the most kindly feelings for him. I simply wished to put Mr. Coffey right in regard to that statement. I know Mr. Coffey. I know that he is the registrar, residing in the city of Ottawa, a very prominent Catholic in this city, one who is highly respected and looked up to, and this is the first intimation I have received, or that I think any one acquainted with him has received, about opposition, on his part, to separate schools.

Mr. WALLACE. I did not say he was the registrar, because I do not know. I know he is a citizen of Ottawa, and that he opposed separate schools. That was the statement I made, and the only statement I am authorized to make.

Mr. DEVLIN. I do not think the hon. gentleman (Mr. Wallace) was authorized by Mr. Coffey to make the statement on the floor of this House, that Mr. Coffey was opposed to separate schools, and I think it was manifestly unfair——

Mr. WALLACE. In what way ?

Mr. DEVLIN. In what way ? To come here and reveal a conversation that the hon. gentleman (Mr. Wallace) has heard outside of this House. Was he authorized by Mr. Coffey to make use of his name here ? Was he authorized by that gentleman to come to the floor of this Parliament, and to state that Mr. Coffey was opposed to separate schools. Was the hon. gentleman aware of the fact that he may have been doing considerable damage to that gentleman? Sir, it is a most shocking thing for the member for West York (Mr. Wallace) to do.

Mr. WALLACE. I wish to say, Mr. Speaker——

Mr. DEVLIN. Let the hon. member keep his seat. The hon. gentleman (Mr. Wallace) was not courteous to me, when, in defence of a citizen of Ottawa, I asked a fair question. Now, I will treat him in the same manner. I wish the hon. gentleman to understand that if he thinks he can bully any gentleman in this House he is greatly mistaken. We are not trying to force any one here. We are asking for fair-play; that and nothing else. That is what we ask, and that is what we seek. It is that for which we contend, and in order to obtain it, we are prepared to put up with a great many insults, and to endure a great deal of fatigue. I wish to say, that I believe that Mr. Coffey was misrepresented by the hon. member from West York (Mr. Wallace), because if he is the Mr. Coffey that I know, and who is so well known in the city of Ottawa, he is the gentleman who, in 1886, fought hard and earnestly for separate schools.

Mr. FAIRBAIRN. I did not intend to say a word in this debate, were it not for the remarks made by the hon. member for West York (Mr. Wallace), a man for whom I had the highest esteem all my life, a man whom I went a long way to oblige, and a man to whom I have given a good many votes, to keep him in the position he now occupies of Grand Sovereign of the Orange Order. When that hon. gentleman (Mr. Wallace) said here to-night, that I was coerced to vote as I did on the second reading of the Bill, I have a right to rise in this House and to rebuke that remark of the hon. gentleman. I want to tell the hon. member for West York that I think I represent as many Orangemen in this House as any man, taking the population according to the square mile, outside of the cities. I say that the Orangemen of Canada are a body of men that I am proud of ; a body of men that are a credit to this country. I want to tell that hon. gentleman here to-night, in good faith and in good feeling, that there was not one man in South Victoria who asked me how I was going to vote on this question. I want also to tell the hon. gentleman (Mr. Wallace), that there was not one member of this Government, or not one member of this Parliament, who asked me how I was going to vote. I want to tell the hon. gentleman (Mr. Wallace) that my Protestant ideas and principles are just as strong as his, but I am a lover of fair-play, and the minority in Manitoba have a grievance, and I, as an Orangeman, am willing to relieve them from that grievance. I tell the hon. gentleman that I speak for conscience sake in this matter. I have a feeling for the men who went to that country as pioneers, and who had the heavens for a blanket and only the sod of the prairie for a pillow ; and when the descendants of those people come and ask for fair-play from the people of this country, I think it would be a pity if we could not give it to them. The hon. gentleman knows as well as I do that the Protestants of that country asked that they might enjoy the same privileges as the Protestant minority of Quebec enjoyed, and their request was granted, by the Canadian Government. But when the descendants of the old pioneer missionaries of that country are reduced to a small minority, and a Grit government gets into power and takes away the rights and privileges which they had enjoyed under the government of this country, I say—and I will not take back on any platform in Canada anything I say here to-night—that these men have my sympathy, and therefore I voted that this Government should give that minority their rights. The minority in Manitoba might have been Protestant, just as they are Catholic, and I wonder how the hon. gentleman would like it if a Protestant minority were subject to Catholic schools. For my part I would not wish it. I believe in fair-play ; and when the hon. gentleman accuses me, after thirty-five years of public life, of being coerced to vote as I have done, I draw the lines on that hon. gentleman.

Mr. WALLACE. Did I refer to the hon. gentleman ?

Mr. FAIRBAIRN. You referred to every member on this side of the House.

Mr. WALLACE. I beg the hon. gentleman's pardon. I did not refer to every member from Ontario. I said there were members.

Mr. FAIRBAIRN. You alluded to me, when you looked at this side of the House.

Mr. WALLACE. The hon. gentleman says I looked at him. Perhaps I did.

Mr. FAIRBAIRN. I wish to tell the hon. gentleman that it comes with bad grace from him, with reference to me, at least. There was no more anxious man in this House than myself when he was on trial a few years ago, and when Sir Adolphe Caron assembled his whole forces for the relief and saving of the hon. gentleman, in the absence of our leader, Sir John Thompson, who was absent on that most important mission in connection with the Behring Sea question ; and it comes with bad grace from him to speak in the way he does to-day of men who take their political lives in their hands on behalf of justice. I offer my regrets and rebukes for that kind of remark, when it comes near home. I have given a vote, and I have given it conscientiously without being asked by anybody. After the argument made by the hon. Secretary of State upon the second reading of this Bill, it seems to me that those people in Manitoba should have settled this difficulty in three hours. As a juror of this country, I fail to see that the argument laid down by the hon. Secretary of State has been answered or confuted yet. I, as a juryman, if sworn as before a court, could not help giving the verdict I did, according to the evidence presented to this House. Every fair-minded man would have to admit the same thing, if he was a sworn juror. Now, I want to say to the hon. leader of the Opposition that I regret exceedingly that I, as an Orangeman since the year 1855, have to stand on the floor of this House and vindicate the rights of the Catholic minority in Manitoba when the leader of the Opposition will not stand up for the rights of the minority of his own religion, for the sake of political clap-trap. I say as an honest man and having the courage of my convictions that it is greatly to be regretted that a man would sacrifice the rights of his own church and his own people for the sake of a little political capital. I pity the hon. gentleman. I remember very well a day or two after the opening of this debate, when I was standing up in defence of the hon. gentleman, and saying that I was pleased to see him in good health and good form and good voice, and that he had made a good fight in such a bad cause, always having a sympathy for the "under dog" in a fight, a nice little curly-headed French Canadian remarked : "Mr. Laurier speak well, speak long, but, my God, he say nothing." I agree with that bright, black-eyed young French Canadian that Mr. Lauirer spoke well, and spoke long, but he said nothing. He never pretended to answer the arguments of the leader of the House. I say it is an outrage upon the stability of this country that these people in Manitoba cannot enjoy the same educational privileges as the Protestant minority enjoy in Quebec. I would go a long way to allow them to have the same privileges, and I think the least we can do is to give them the privilege of putting their hands in their pockets to provide for the education of their own children. The religious teaching of our children is a sacred right that all Canadians have a right to enjoy. The hon. leader of the Opposition made a remark in his first speech which I think was in bad taste. He pitched into his clergyman. If my clergyman interfered with anything pertaining to my farm, I would cross swords with him very quick ; but I think any clergyman has a right to look after the religious interests of his own flock. I had not looked at that letter until after I had heard the hon. gentleman's remarks. Then I went and hunted it up, and I really thought it was very fair, and gave good advice to the hon. gentleman, and he might be proud to follow a shepherd like that. Now, Mr. Chairman, I do not intend to prolong the debate. I did not intend to say a word until I heard the remark of the hon. member for West York which I thought it was my duty to rise in my place and contradict. I pity the leader of the Opposition for the fact that he will sacrifice his religious principles for a little political capital, nothing more nor less. As I have spoken impromptu and without notes, I regret that I have been unable to do justice to this important subject.

Mr. INGRAM. Mr. Chairman, I do not feel that I am called upon to offer any excuse to this House for taking up its time in saying a few words on this question. I have listened with a great deal of attention to this debate all through up to this time. I did not intend to take any part in it, but simply to give a silent vote ; but having listened to the hon. member for West York (Mr. Wallace), a gentleman for whom up to the present I have always entertained the highest regard and respect, having listened to his arguments on this question on two different occasions, I have concluded that his arguments are very inconsistent. He is now complaining because the Government is pressing this Bill to become law. Why ? Because he says that the Government are endeavouring to bulldoze hon. gentlemen in this House in order to bring that about. Then, in the next breath, he finds fault with the Government because they called this session together for the 2nd January, and because, after calling it together on the 2nd January, they did not present a Remedial Bill on that day. Again, my hon. friend is inconsistent, because he says no matter what kind of a Bill this Government presents to relieve the grievance of the minority of Manitoba, he will oppose it at every stage. Then my hon. friend says that the gentlemen who see fit to support this Bill are bulldozed by the Government. I would like to ask the hon. gentleman whether he is responsible to his constituents for the vote he gives on this occasion. If he is, every hon. gentleman in this House also is, and I say, as one who has taken no part in any discussion on this question up to the present, that I have for years back honestly and conscientiously believed that the minority in Manitoba had a grievance and that grievance should be redressed. I would much prefer the government of Manitoba would settle this question, but I am afraid, judging from their conduct, that they do not intend to settle it themselves at all. Then again I remember that a couple of years ago, the late Sir John S. Thompson, while addressnig an audience in the city of Toronto, said, notwithstanding the strong feeling in that city against remedial legislation for Manitoba, that that question was left to the highest court in the land, and that if the Judicial Committee of the Privy Council decided that this Parliament of Canada had no right to remedy the grievance, Parliament would not remedy it, but if, on the other hand, this Parliament had a right to remedy it, the Parliament of Canada would be equal to its duty and would remedy it. There was a solemn pledge given at that time. What do we find the leader of the Opposition stating in Toronto, and I ask hon. gentlemen, not on this side of the House, but on both sides, has the hon. leader of the Opposition acted consistently since he made that statement ? He said, speaking on this question of remedial legislation, that he did not wish to make political capital out of it. I ask the hon. gentleman if he has been consistent ? He certainly has not, for if I understand the English language properly, I have heard, week in and week out, month in and month out, that the hon. gentleman was in favour of a commission of inquiry into the grievances of the minority of Manitoba. If he wished to be consistent in that view of the case, instead of adopting the resolution, which, I have heard it stated in this House, and I have not heard the statement contradicted, was placed in his hands by the hon. member for

North Simcoe (Mr. McCarthy)—if that statement be not true, if the hon. member for North Simcoe had nothing to do with that motion, I would be very glad to hear the hon. gentleman rise in his place and say so.

Mr. LAURIER. What motion ?

Mr. INGRAM. For the six months' hoist.

Mr. LAURIER. I would be sorry to suppose that the hon. gentleman believed that I cannot frame a motion myself. I have nothing to do with the hon. member for North Simcoe, either directly or indirectly.

Mr. INGRAM. I am very glad to hear it. I am always willing to give credit where credit is due. I have heard the statement made and am glad to hear it contradicted. With respect to the grievances of the minority in Manitoba, some twenty years ago or more, I had the privilege of living in that province, and know something of its early history, and I do firmly believe that there was a compact entered into whereby the rights of the minority were guaranteed for all time to come. I remember that when they were talking of abolishing the Senate there, the Senators did not wish to vote themselves out of existence simply because they thought the rights of the minority might be interfered with. That was in 1874, and I understand that the Senate was abolished in 1876, after the guarantee was given that the rights of the minority would be protected. From everything I can learn on this question, I conscientiously believe we are in duty bound to try and remove the grievances of the minority there. In my opinion the minority had rights there which were guaranteed to them and which were taken from them ; and that being the case I feel it my duty, as a representative in this House, to support the legislation which has been introduced here and which will remove that grievance. Some hon. gentlemen find fault with the Government because they do not withdraw this Bill. I say that would be a dangerous thing indeed. What would it mean ? It would mean that Mr. Greenway would not settle the question. On the other hand, if the Bill is pressed through, and Mr. Greenway should see that it is likely to become law, that would be an excuse for his representing to those who are opposed to remedy the grievances of the minority, the electors there, that this Bill being likely to become law, it was preferable that Manitoba should retain control of her educational system, and therefore it would be advisable for Manitoba to remedy the grievances herself, rather than lose this control. There is another matter which the hon. gentleman for York (Mr. Wallace) talks about promoting, and that is immigration into Manitoba. He is very desirous of promoting immigration. But according to the programme he lays down, he would placard the border lines of Manitoba with the words "No Irish or French need apply." Is that the way to promote immigration into any province in this country ? Every Canadian must recognize that in every province of the Dominion there are more or less conflicting interests, and that every province should be willing to give to others what it would wish others should give to it. If you want to encourage immigration to Manitoba, you are not doing your duty by this Dominion and by this province if you debar any class of the citizens of this country or any other country from going into that province simply on account of their religion. My hon. friend wanted to know where there was a constituency in Ontario which had expressed itself in favour of remedial legislation or anything like it. Why, when this Government issued its remedial order, the county of Haldimand was open, and the hon. gentleman from North Simcoe went out there. What did he do ? He foisted a candidate on the people of Haldimand against their wishes. He had a caucus held in the hotel—a hole and corner meeting attended by three or four of them—and they foisted a candidate on the people of Haldimand whether they wanted it or not. What was the question discussed at that election ? It was the question of remedial legislation for Manitoba. The then Secretary of State (Mr. Montague) appealed to the people of Haldimand on that question. The people by an overwhelming majority elected him, and that question was the issue fought out in that county.

Now, we have the hon. member for Guysboro' (Mr. Fraser) who is a lawyer and who takes credit to himself for being a very brilliant lawyer. He says this is a very difficult question to solve. This Bill was introduced into this House on the 15th February. Since then, hon. members have had the opportunity of reading it day by day. The second reading was moved on the 3rd March, and in the course of the debate we heard it often said that this was a difficult question to solve. Now, I ask any honest man in this House—of course, they are all honest men—any hon. member, this plain, practical question : If hon. members of this House who have had every opportunity of perusing the official documents, men who are broad-minded and liberal spirited—but who, for all that, I am free to admit, become a little heated in the discussion of this question—if these men, after considering the question and reading carefully all the documents and hearing it discussed again and again, find this a difficult question to solve, if they cannot give an honest, candid decision as to the rights of the minority—how, in the name of common sense do you expect the bulk of the people of this country, who know nothing of the merits, to pronounce upon this question ? I ask all men who have the best interests of this country at heart : Is it well to have a discussion of this question take place in the country ? As one who believes in Canada, and wishes her well, I believe that that should be avoided. I think this question should be settled now, and by this Parliament. While I would like to see it settled in Manitoba, yet, if they decline to do it, it is the duty of the representatives of the people in this House to enact this Bill into law. There are certain sections in the Bill that I, for one, do not agree with, and, at the proper time, I shall raise my voice against them. But in doing so I am not acting against the minority, I am simply doing my duty to the people, as a whole. If hon. gentlemen, instead of talking against—I won't say time, though that is hinted—but against every phase of this Bill, will devote some time to perfecting it, I think the results will be much better for all. It is said that the Conservatives in Ontario associated themselves with the P.P.A. and acted against the Catholics, and, therefore, they are inconsistent in coming to this House and supporting remedial legislation. I am one who believed in Mr. Meredith's platform, and I did all in my power to secure the election of supporters of that gentleman.

An hon. MEMBER. What did the hon. member for North Simcoe (Mr. McCarthy) do ?

Mr. INGRAM. I will tell you later on what the hon. member for North Simcoe did to attest his Protestant principles. I always believed that the Separate School Acts that were passed, one in Quebec, giving certain privileges to the Protestant minority, and in Ontario giving certain privileges to the Roman Catholic minority, were final. I believe that when John Sandfield Macdonald was asked to make certain amendments in the Separate School Act, he declined to do it, and I believe that was the reason given. A number of amendments carried out by the present leader of the Ontario Government have been strongly opposed. I am not in favour of separate schools, and I have no hesitation in saying so. I was brought up in a public school, attended by Protestants and Catholics alike. But, though I am opposed to separate schools on principle, if there has been a solemn compact with the minority in Manitoba, whether Protestant or Catholic, that certain rights shall be conceded, I believe in standing by that compact, even though it means the continuance of separate schools. I was opposed to additional amendments in the separate school law of Ontario, and I do not think there is anything inconsistent between that and a willingness to maintain the compact made with Manitoba. But I cannot understand how hon. gentlemen, supporting the position of Sir Oliver Mowat on the school question in Ontario, granting amendments to the separate school law, can decline to give fair-play to the minority in Manitoba. Now, this question has been before the courts for five or six years. And it has been before the people about the same length of time. I would like to know if it is not about time it should be settled. Who are the men who are trying to stir up strife ? I find that my hon. friend from North Simcoe (Mr. McCarthy) whose stock in trade is Protestant principles, and if this question should happen to be settled before this House rises, I am afraid that that hon. gentleman, and some others, will lose their occupation in politics. I think it is for that reason that some of these hon. gentlemen prefer to have it an open question.

Mr. HUGHES. Did he help Mr. Meredith?

Mr. INGRAM. No, but he took good care in the city of Toronto, to speak some words in favour of Sir Oliver Mowat. It is said that some hon. gentlemen on this side have voted for the second reading for a consideration. I am glad to say I am not one of those who voted for a consideration. I have voted as I believe to be right, and, notwithstanding that I represent probably as Protestant a constituency as there is in Ontario, I am prepared to take my stand on this question although my hon. friend from West York (Mr. Wallace) has intimated that he intends to take part in the contest in that county. I assure the hon. gentleman that he will be quite welcome, and if he fares as the hon. member for North Simcoe did. I shall not be surprised. That hon. gentleman had about eighty per cent of the Conservative party before he came there, and after that he dropped 60 per cent, and he has not turned up since. He had a McCarthy club started there, and they dropped out of existence. I fancy they will be still worse before they are through with the campaign. As this discussion has taken a wide range, perhaps I may be allowed to refer to another little matter. My hon. friend from West Elgin (Mr. Casey) has exercised a fatherly care over me, and on several occasions he has thought proper to write letters over his own signature to the press in my city about the feeble old leader that the Conservative party are troubled with now. I find also that his fervour on this subject seems to have led him to make some statements that are not borne out by the facts. I have heard that hon. gentleman in this House say that if he ever did an opponent any injury, he would be only too happy to rectify it. I hold in my hand a letter, a copy of which was written to the hon. gentleman, who, I am sorry to see, is not in his place in the House to-night, but I think it bears out my statement, and shows his feeling towards the leader of this House. It reads something like this :

(Copy of letter to George E. Casey, M.P.)

George E. Casey, Esq., M.P.,
House of Commons, Ottawa.

Dear Sir,

Some days ago I noticed by the newspaper reports that you had made a reference to me in the course of your speech during the Budget debate. Preferring not to trust to the necessarily imperfect, because condensed, reports in the newspapers, I have waited until I could have an opportunity to read in your remarks in "Hansard." You are reported as follows :—

"He was given 90 days to complete his investigation. That term was up on 29th January ; but for ten days or more before his engagement was up, he was one of the most prominent speakers for the Secretary of State in Cape Breton. While he was in receipt of public pay he was taken away from the duty he was sent to perform, and sent down at the public expense to canvass for a member of the Government in Cape Breton."

I do not doubt that you based this statement on what you believed to be reliable information, but you have been altogether misinformed. My investigation was concluded on 28th January, as my report shows, and I did not speak in Cape Breton till 30th January. I was not in receipt of public pay during any part of the time I was in the riding, nor did I travel at the public expense, as the latter part of your statement suggests. I have said that your statement was based on what you supposed to be reliable information—I would be sorry indeed to think otherwise—yet I remember meeting and speaking to you in Ottawa on 21st January, and I hardly see how you could have succeeded in persuading yourself that I was at that very moment in Cape Breton, and had been there for some days. I write you not so much to defend myself (although had your statement been accurate, it would not be very creditable to me), but because (putting myself in your place) I would feel that if I had unwittingly done an injury to another, I should like to be put right at the earliest possible moment.

Yours respectfully,
A. W. WRIGHT.

That letter was written to my hon. friend on 9th March, 1896, and up to the present time my hon. friend from West Elgin has not seen fit to rectify the wrong he has done this gentleman ; but he happens to be a Tory and that seems to be a great fault in the eyes of some hon. gentlemen opposite.

Mr. WALLACE. I wish to refer for a moment to a statement made by the member for East Elgin (Mr. Ingram) that I was inconsistent when I found fault with the Government for not bringing down their Remedial Bill earlier, and then I complained that they were forcing it through the House in an unwarrantable manner. I cannot see any inconsistency in the matter. I did blame the Government that they did not introduce their Bill at the beginning of the session in order that we might have an opportunity of discussing it in reasonable and proper hours. I thought that if it had been introduced in the earlier days of the session, we might have considered it much more fully than we can do now when we are told that we must sit twenty-four hours straight ahead. Now, with reference to the statement made by the hon. member for Ottawa county (Mr. Devlin) he says that I have unwarrantably used a certain person's name as being a supporter of separate schools. I have simply to tell the hon. gentleman that he does not know what he is talking about. He does not know whether I have used the name unwarrantably or not. I say that I have not unwarrantably used any person's name.

Mr. DEVLIN. Then the hon. gentleman had authority to use his name.

Mr. WALLACE. The hon. gentleman need not be quite so fast. The statement was made publicly, and there was no secrecy and no privacy. It was made in my presence, and in the presence of a number of other people, in a public place.

Mr. DEVLIN. Not at a public meeting. It was a private conversation, and the hon. gentleman revealed it here, something he is in the habit of doing.

Mr. WALLACE. The hon. gentleman says it was a private conversation. The hon. gentleman not being there, does not know anything about it.

Mr. DEVLIN. I know perfectly well what the hon. gentleman stated here.

Mr. WALLACE. Now with regard to the statement made by the hon. member for East Elgin that in the county of Haldimand separate schools were in issue, I think the hon. gentleman is entirely mistaken.

Sir CHARLES TUPPER. Separate schools are not an issue here.

Mr. WALLACE. I think they are quite in issue here. The hon. member for North Simcoe and his friends no doubt made it an issue so far as they could in that election. But I also make the statement that the Government and their supporters did not make it an issue, and did not want to make it an issue. They said that a mandatory order had been issued, that that was simply an order, that it meant nothing, and was only issued to obey the demands of the Privy Council. I know there were men advocating the election of the present member for Haldimand on that occasion, who were opposed to separate schools, and are opposed to the Government in passing this present legislation. But I acknowledge that the member for North Simcoe made it an issue so far as he possibly could in that contest, but I say that the other side did not.

Mr. GILLIES. Was not Mr. Sifton down there ?

Mr. WALLACE. That is what I say, that the hon. member for North Simcoe and his friends did make it an issue so far as they could do so. But it takes two men to make a fight, and although Mr. McCarthy and Mr. Sifton endeavoured to make that an issue, the opposite side desired that it should not be made an issue. I am quite sure that there were many men there working for the election of the present member, who were directly opposed to separate schools.

Mr. MILLS (Bothwell). We have come into committee for the purpose of discussing these clauses, and I ask the attention of the committee, for a few moments, to the clause now under consideration. If the Bill is to go through in the form in which it is, it will be quite out of place to undertake to discuss its provisions. I have stated before to the House, and I am quite sure the opinion I have expressed has been generally acquiesced in by the lawyers, that the rights and privileges which the minority have under the constitution are rights and privileges relating to education. In the first place, the legislature of the province of Manitoba has the exclusive right to legislate in respect to education, subject to certain conditions. That gives them the general power to deal with the subject of secular education. That power applies to every public school, and separate schools being a public school system are, so far as that education which the state thinks necessary, in its own interests, as much under the supervision and jurisdiction of the state as are any other schools that may be established, and as much as those schools which are non-sectarian in their character. So the education which is subject to the rights and provisions of the constitution is as to religious education. which the parents are entitled, if they see fit, to have given to their children in those schools. That being so, the subject of the management of the schools, the manner in which the board shall be constituted, is a matter wholly within the exclusive jurisdiction, and does not come within the provision of rights and privileges. It was open to the legislature of Manitoba, if they thought proper, to establish a Roman Catholic and a Protestant board. They may have existed for a number of years, but the continuance of those boards can never become a matter of right or privilege to anybody. The legislature, under their responsibility to the whole province, may object to that mode of administration. They may appoint a superintendent of schools, who has no responsibility as a Minister, as we had in Ontario for a number of years ; or they may have a Minister for the purpose of administering the law. So far as administration is concerned, there can be no denominational rights in it whatever ; it is a matter of government, it pertains to the administration of the affairs of government, and not to the subject of education, which may come up in the schools. That being so, it seems to me—assuming this question is properly before the House, and I pass over that point altogether—the Government here ought not to undertake to interfere. in the first instance, and primarily with the question of administering it. That should be left to the local legislature. If the Government were in doubt that the local legislature will not take charge or control those institutions as public institutions, they might, as a matter of necessity, in case the government failed to discharge its duty in this regard, and is incident to the discharge of those functions which the law attaches to them, say that in case the government fail, a certain method of administration will be adopted. But that, the government will see, is not what is proposed here. The section says :

> 1. The Lieutenant-Governor in Council of the province of Manitoba shall appoint, to form and constitute the Separate School Board of Education for the province of Manitoba, a certain number of persons not exceeding nine, all of whom shall be Roman Catholics.

I say that the Government have no right to propose anything of that kind whatever. They might say that in case the local government fails to make proper provisions for the administration of those schools, then certain duties shall be discharged here; and those would arise, if they can arise legally, as incident to the proper administration of the system established ; but the Government cannot impose on the local government, a duty, and cannot take from a local government the power of administering those schools if they think proper. I wish to press that matter on the attention of the Government, because, in all these administrative clauses the Government are simply providing a series of lawsuits which must inevitably be decided against the validity of these provisions of the Act.

Mr. WELDON. It is very important that this question should be correctly dealt with. It seems to me a fair request has been made by the hon. member for Bothwell (Mr. Mills). That hon. gentleman has stated his argument briefly, but perfectly clearly. Whatever the hour may be, the hon. gentleman was justified in asking consideration for this clause. We may be wrong, but the laymen will have to judge between us, and they have a right to have an answer given to the argument addressed to the committee by the hon. member for Bothwell. At present, I am not able to see any answer that can be effectively given. The hon. gentleman may be wrong, and all of us may be wrong, but before the clause is declared carried, we must ask for some statement from the Government, and I undertake to keep my mind as open as possible and to approach the question in a judicial spirit.

Mr. DALY. The hon. member for Albert (Mr. Weldon) rose when I was about to reply to the argument of the hon. member for Bothwell. I understand the position which the hon. gentleman takes, is that this clause is one which relates to the administration of the school law, and is not one that goes to the rights and privileges relating to education. What were the rights and privileges that the minority in Manitoba enjoyed prior to 1890, and what were the grievances of which they complained ? They enjoyed certain rights, and amongst others representation upon the Board of Education that was formed in Manitoba at the time. According to the School Act of 1881, the Lieutenant-

Governor of Manitoba had power to appoint a board of education composed of not more than twenty-one members, twelve of whom were to be Protestants and nine Roman Catholics. That board was subsequently divided into two sections, the Roman Catholic and the Protestant sections, each of which had its duties assigned. Among the duties of the Roman Catholic section, were the management of the schools, the making of regulations, and the general government and discipline, the examination, grading and granting of licenses to their teachers, the power to select books, maps and globes to be used in the schools under their control, and all matters pertaining to the administration of the laws, so far as they related to the separate school branch of the Board of Education. By the Act of 1890, all the powers that were exercised by the Roman Catholic section of the board were swept away. Now, that right having been removed, it is one of the grievances that the Roman Catholic minority complain of, and in the petition they presented to the Government they complain, that they were deprived of certain rights which are set out as "a," "b" and "c" in the remedial order, and "a" says:

> The right to build, maintain, equip, manage and support Roman Catholic schools in the manner provided for by the said statutes which were repealed by the two Acts of 1890 as aforesaid.

The rights that they enjoyed to maintain, equip, manage, conduct and support Roman Catholic schools, were the rights given to them, under the sections of the Act I have quoted, relating to the Board of Education. The hon. gentleman (Mr. Mills) shakes his head. I heard the member for Queen's (Mr. Davies) say this afternoon, that the trustees were invested with that authority. That is not so. That authority was given to the Roman Catholic section of the Board of Education and not to the trustees. By the passing of the Act of 1890, the Manitoba minority were deprived of the rigths and powers that were given to the Roman Catholic section of the Board of Education, under the Act of 1891. They were deprived of the rights they enjoyed under that law, and that is one of the grievances they ask to have remedied. The court has said the complaint is well founded, and that the right of appeal was given to the Privy Council in Canada. That appeal was heard, and we have made our order, and by that order we have asked the local government, by supplementary legislation, to restore those rights. Among the rights the Roman Catholics have asked to be restored to them is, the privilege to control the management of their schools, and all the rights that were given to their section of the Board of Education. The local government did not comply with our request, and I contend that by that refusal we are vested with authority. By the section under discussion we are seeking to restore the position that the Roman Catholic minority enjoyed in Manitoba as to the Board of Education. The wording of section 2 is almost a transcript of section 1 of the Act of 1881. That Act provided that the Lieutenant-Governor in Council of the province of Manitoba was bound to form and constitute a board of education, composed of a certain number of members not exceeding twenty-one, twelve of whom should be Protestant and nine Roman Catholics. What we seek to do in the clause under discussion is to provide that a separate school board shall be formed of a number of persons not exceeding nine. Now, if under the power that is vested in us, we have not the power to restore the rights of the minority "a," "b" and "c" mentioned in the remedial order, then of course this Bill goes by the wall. Amongst the rights they ask we should restore to them, is the provision that the late law contains, namely, that they should have a separate board. We must provide some machinery for administration, and as the local government have failed to comply with our order, we have got to restore to the Roman Catholic minority the law as it existed, or as nearly as it existed, prior to 1890. We are not at all going beyond the terms in the remedial order in the clause as framed here, but we are going fully within the terms of that order. In the short time I had to consider the point raised by the hon. gentleman (Mr. Mills), I can only conclude that if his argument goes so far as he seeks to make it go to this clause of the Bill, then it will apply to a great number of other clauses. I think, under the circumstances that we can only come to the one conclusion, and that is, that we must rely upon the authority that is invested in us by virtue of the proceedings that have been taken, the remedial order, and the refusal of Manitoba to comply with this order; to go as far as we possibly can to restore to these people all their rights. We cannot create a board of education exactly as it existed prior to 1890, but we can, and I think we have the power to, create a board of education that will give the Roman Catholic section of that board, the same rights and privileges that they had prior to 1890.

Mr. MILLS (Bothwell). I think the hon. gentleman (Mr. Daly) misapprehended the argument that I addressed to the committee.

Sir CHARLES TUPPER. Not at all.

Mr. MILLS (Bothwell). The leader of the House says not at all.

Sir CHARLES TUPPER. Not at all, he answered it completely.

Mr. MILLS (Bothwell). Then I apprehend that he has made a very bad defence on behalf of the Government in regard to this clause of the Bill. The hon. gentleman's argument is, that everything that was put into the School Act in favour of a particular class of the community, was a right and privilege. Now, these are not the words of the statute at all. The words of the statute are "a right or privilege in respect to education." What is the meaning of those words? The local legislature have the power to legislate on the subject of education generally, and that power is declared to be exclusive. So far, then, as the non-sectarian or secular education of the whole community is concerned, it is absolutely under the local government, and it cannot become a right or privilege to be considered here at all. The right or privilege is a matter that pertains to the Roman Catholics or the Protestant minority. How the law shall be administered is wholly distinct from the right to be given. In the province of Ontario we had a superintendent of schools, who was outside of Parliament altogether, and was supported by a council of public instruction, who assisted him in the choice of school books and in the regulation of the course of study. Upon that board I believe every religious body in the province was represented. That system lasted for thirty years. If the hon. gentleman's contention were correct, it would have been out of the power of the province of Ontario to abolish that council of public instruction and the office of superintendent, and to appoint a responsible minister in their place. But the government of Ontario went on the assumption that the administration of the law was a part of the machinery of a government and not a right or privilege which could attach to any citizen in respect to education. Now, a government establishes a certain number of schools as public schools and mark out a course of study in those schools. No church has a right to interfere. No body of the community has a right, except through the legislature, to determine what that course of study shall be. In order to see that the moneys are not misapplied, and that that system of education is being efficiently carried out, the government appoints inspectors. It provides the necessary machinery for its own protection, in order to see that the work of the state is proporly done. Now, the fact that a government, instead of appointing a responsible minister, may have established two boards, one Protestant and the other Roman Catholic, cannot be a right or privilege under the statute. It is not a right or privilege in respect to education, but in respect to administration, if it is a right or privilege at all. It is not a part of the institution of learning: it is a part of the machinery of government, by which supervision over that institution of learning is exercised, and therefore cannot be a right or privilege. The hon. gentleman says that these people complained, but their complaint does not create a right or privilege.

Mr. DALY. The hon. gentleman will agree with me that the board of education was the creative power of the schools formed under it.

Mr. MILLS (Bothwell). Suppose the board of education had been abolished and Manitoba had appointed a minister of education, and had allowed the religious instruction to remain as it was before, would they have any standing before this House or the country? Would they have any ground for coming here at all? There would have been no right or privilege that the law touches. The hon. gentleman says that we may need a board for the purpose of administering the law which you pass here. I am not disputing that; but I say that if the local legislature choose to administer the matter, you must leave it in their hands to be done in the way they determine it shall be done. If they undertook to provide an unfair machinery for administering those schools, that would be a ground for disallowing a statute—for protecting the minority by the royal prerogative. But it is only in case they fail to discharge their duty that you are entitled to make provision, it must be a provision for the creation of a board by yourselves, and not a mandatory duty imposed on the Lieutenant-Governor or his council. You can impose no duty on them; you have no authority to do so. Anything to be done by the Lieutenant-Governor is to be done on the advice of his responsible Ministers in the province, and you can neither dictate to the Lieutenant-Governor nor to the advisers of the Lieutenant-Governor as to how those duties shall be discharged. That would not be parliamentary or administering the affairs of the province in accordance with the wishes of the majority of the province. That would be treating the local government as a subordinate and non-sovereign body subject to the authority and dictation of Parliament, upon whom mandatory duties might be imposed. That is not the law, and I earnestly press upon the attention of the Government, that they cannot make it law by enacting it here. Every provision of that sort would be ultra vires of the authority we possess. What you are entitled to do, assuming that the matter is properly before this House, is to look after the religious education that was given, and to see that the right to bestow that is restored. That is a right or privilege, given not to a church, but to the parents who are of the Roman Catholic faith and who are a minority of the Queen's subjects in the province. It is solely for that religious education that this right or privilege it to be applied. Now, what is a subject of common jurisdiction and of general application, indistinguishable in the various classes of the population, is not a right or privilege belonging to a minority; it is a right or privilege belonging to the entire population. The right or privilege belonging to the minority is the right to see that their children receive a religious education in the schools, in conformity with the doctrines or teachings of the church to which those parents belong; and the machinery you choose to provide must be dependent upon the failure of the local government to provide the machiery, and it must be for the purpose of protecting that right or privilege, and cannot relate to anything else.

Mr. IVES. Mr. Chairman, prior to the Act of 1890, there existed in the province of Manitoba, under legislation, a board of education composed of twenty-one members, of whom nine were Roman Catholics and twelve Protestants. That board was divided into two sections—the Roman Catholic board having charge of the Roman Catholic schools, and the Protestant board having charge of the Protestant schools. It was a right or privilege of the Roman Catholics to have their schools managed by their co-religionists forming the Roman Catholic board, and it was a right or privilege of the Protestants to have their schools managed by the Protestant members of the board. The greater included the less. The hon. gentleman says that the right or privilege was the right or privilege of the whole population. It was the right or privilege of Protestants and Catholics to have their own schools managed and governed by their own co-religionists, and the hon. gentleman entirely misapprehended the provisions of the law which existed prior to 1890, if he does not understand that both Catholics and Protestants in Manitoba enjoyed the special right and privilege of having their schools managed and governed by their own co-religionists.

Mr. MILLS (Bothwell). Does the hon. gentleman argue that if the local government had allowed the law with regard to giving religious instruction to remain, and had abolished those boards, and appointed a Minister of Education, that it would have been beyond its power, because it would have taken away a privilege?

Mr. IVES. If the Minister of Education had been equally acceptable, if he had filled the bill, so to speak, so far as either population was concerned, then there would have been no grievance.

Mr. MILLS (Bothwell). Does the hon. gentleman mean that the Minister of Education would have had to belong to the two churches at the same time.

Mr. IVES. No, I do not. I mean to say that if his management of the schools was not satisfactory either to the Protestants or Catholics, either one, if a minority, could have appealed, under this section, to the Parliament of Canada for redress. This question has been decided by the Judicial Committee of the Privy Council. If that committee decided anything, it decided that the Roman Catholic minority enjoyed the right and privilege of having their own schools, managed by their own co-religionists.

Mr. DAVIES (P.E.I.) Will the hon. gentleman point that out?

Mr. IVES. The hon. gentleman has read this judgment over and over again, and surely he does not require me to point out to him the very words. No one can be ignorant of the fact that the Privy Council decided that the management of the Catholic schools of Manitoba by a Catholic board was the chief right and privilege of which the Roman Catholics of Manitoba have been deprived. Here is the quotation from the judgment:

> Before these passed into law there existed denominational schools, of which the control and management were in the hands of Roman Catholics, who could select the books to be used and determine the character of the religious teaching. These schools received their proportionate share of the money contributed for school purposes out of the general taxation of the province, and the money raised for these purposes by local assessment was, so far as it fell upon Catholics, applied only toward the support of the Catholic schools. What is the position of the Roman Catholic minority under the Acts of 1890? Schools of their own denomination, conducted according to their views, will receive no aid from the state. They must depend entirely for their support upon the contribution of the Roman Catholic community, while the taxes out of which state aid is granted to the schools provided for by the statute fall alike on Catholics and Protestants. Moreover, while the Catholic inhabitants remain liable to local assessment for school purposes, the proceeds of that assessment are no longer destined to any extent for the support of Catholic schools, but afford the means of maintaining schools which they regard as no more suitable for the education of Catholic children than if they were distinctively Protestant in their character.

These are the rights and privileges which, according to the judgment of the Privy Council, were enjoyed by the Roman Catholic minority prior to the enactments complained of. Now, the hon. gentleman says that we have no jurisdiction because it was not a right or privilege of the Roman Catholic minority of Manitoba that their schools should be managed by their co-religionists.

Mr. MILLS (Bothwell). I did not say that.

Mr. IVES. Then I fail entirely to apprehend the hon. gentleman's arguments.

Mr. MILLS (Bothwell). I did not say they would not have the right to elect their own trustees. What I am calling the attention of the hon. gentleman to is that a function of government, the appointment and constitution of the board, is no part of the rights or privilege of the minority. That is part of the machinery of government, and the government may discharge that duty in whatever way they may think best.

Mr. IVES. Does the hon. gentleman not think that, inasmuch as that board was composed of Protestants and Catholics, who were divided by law into distinct committees——

Mr. MILLS (Bothwell). That is not a question of public policy.

Mr. IVES. One of which controlled the Catholic, and the other the Protestant schools—does he not think that the Parliament of Canada may re-enact the Catholic board, they might even re-enact the Protestant board.

Mr. MILLS (Bothwell). I do not think so.

Mr. IVES. The authority is in Parliament to-day to deprive the legislature of Manitoba of the control of Protestant as well as Catholic schools, in the sense that we might restore the old board.

Mr. MILLS (Bothwell). No.

Mr. IVES. One section of which would control the Protestant and the other the Catholic schools.

Mr. MILLS (Bothwell). The hon. gentleman will see that the provisions of the statute with respect to these schools relates to minorities only. The majority takes care of itself.

Mr. IVES. I say that if we have any jurisdiction at all, we may restore the law, as it existed, before it was repealed.

Mr. MILLS (Bothwell). As to the rights and privileges only of the minority.

Mr. IVES. Yes, but you complain that we cannot restore the Catholic section of the board because we do not restore the Protestant section.

Mr. MILLS (Bothwell). No; what I contend is that the creation of that board is not a right or privilege. That is outside your jurisdiction altogether.

Mr. IVES. If there is anything in the world which we have jurisdiction to do, it is to create a body similar to the one which existed before to control the schools, for which we are providing, and to restore the privileges taken away.

Mr. MILLS (Bothwell). No.

Mr. IVES. If we have not that authority, then these clauses mean nothing; the judgment of the Privy Council means nothing, and we have no jurisdiction in any direction.

An hon. MEMBER. Which?

Mr. WELDON. We propose to destroy one and establish one, instead of two, or rather, a better expression would be, to fuse the two and have but one system.

An hon. MEMBER. Destroy one and keep one.

Mr. WELDON. If the hon. member will listen with more patience, he will learn more. They decided to fuse the two into one. That is probably the truest expression. That is what the legislature undertook to do, and if they had done this with greater care to avoid irritation, with more patience, with more sympathy, there would have been none of these matters that have irritated the Catholic people, and I have no doubt the fusion should have been carried out as well as it was in Nova Scotia. It seems to me their lordships had in view the position which has been taken by the hon. member for Bothwell, that the legislature was within its right in doing away with these two systems and replacing them with one, but that the rights of conscience must be respected. And I submit that the long quotation made by the Minister of Trade and Commerce is no answer to the point raised by the hon. member for Bothwell. The hon. member shows that this administrative machinery is permissive; the minority have the right to have their rights of conscience restored, but it is not necessary, in order to respect the rights of conscience, to provide in the law any such clause as clause 1 of this Bill. I still submit, Mr. Chairman, that unless some better answer can be given than has been given by the two Ministers, we are still in the state of uncertainty that we were, or rather some of us are in unhappy certainty, with a strong feeling that this law which this Parliament is giving to these people is of no value, it is merely giving cause for litigation, merely sowing dragon's teeth in that prairie country.

Mr. OUIMET. I wish to call the attention of the committee to the fact that what existed before the Act of 1890 was a system of separate schools. The Judicial Committee of the Privy Council has decided that the abolition of that system was an injustice against which the minority could apply for remedy by way of appeal to this Parliament. What they are entitled to is a system of separate schools. We are now trying to pass a law which ensures to the minority a system of separate schools—nothing else. That system of separate schools cannot exist without the machinery which is provided in this Bill. The necessary machinery is provided to enable the Catholic minority to manage their schools in the same way they managed them before. Is there any other way by which this can be done than the way enacted in this Bill? If there is no other way, the Judicial Committee of the Privy Council having decided that we can restore to the Catholic minority their schools, it must follow that this machinery is necessary, and that therefore we have the power to create it. Now, one other point raised by the hon. gentleman. He says that we have not the power to impose upon the Lieutenant-Governor the obligation or the duty to appoint a separate school board.

I say that we are not imposing upon the executive of the province any duty, but only giving them the power possessed by him before.

Mr. MILLS (Bothwell). The hon. gentleman has not read the Bill.

> The Lieutenant-Governor in Council of the province shall appoint——

and so on.

Mr. OUIMET. That was a privilege. It was a power they possessed before, and a power we cannot take away from them.

Mr. WELDON. Oh, oh.

Mr. OUIMET. The hon. member for Albert knows better how to laugh at other people than to reason for himself. I think he has greater power in laughing at people than in answering them. We have to deplore the fact that we have not had here the benefit of the advice of the hon. gentleman. Has he ever stated on his responsibility as a lawyer any proceeding that this committee should take ? No ; he has never risked his reputation as a lawyer by laying down a principle according to which we should act. He has only raised difficulties and then laughed at the embarrassment created by his own specious argument. He has not given to this House the benefit of his great legal attainments by showing what are our powers, in which direction we should go, and where we should stop. I do not think it is right for the hon. gentleman only to raise difficulties and then laugh at those people who conscientiously desire a solution of this question that will enable this House to do justice to the minority. To resume my argument—we only confer upon the Lieutenant-Governor of the province a power, that he had before and that the Judicial Committee of the Privy Council has determined that we could not take away. We can legislate within the powers and rights and privileges that the minority had before, but we cannot go beyond, except when it becomes necessary in order to set the machinery at work if they refuse to lend their assistance. And it is provided that if they will not use the privileges that they had before, if they will not fulfil the duty that they had to perform under the old law, then the Governor General will step in and perform that duty, which must be performed, as a matter of necessity, if we mean that the Roman Catholics shall enjoy the rights we now pretend to restore to them.

Mr. WELDON. Just a few words to set myself right with the hon. Minister. If I was laughing is was because I was good natured and not irritable, and certainly not with the idea of showing disrespect to the hon. gentleman. I was looking at the clock and thinking how unwise it was to be sitting here at so late an hour, that an hon. member of the admitted intellectual force of the Minister of Public Works would listen to the hon. member for Bothwell read the words that the executive "shall" appoint, and say that they only conferred a power upon them—a privilege. If I laughed, my mirth must be excused, because it is hard to see how a Minister, unless we allow for the fact that it is three o'clock, could make such a statement. The hon. gentleman does me an injustice in what he says concerning myself. He could not have heard me when I spoke on the second reading of the Bill or to-night when I had the debate with my hon. friend from Inverness (Mr. Cameron). I did take the responsibility of making several substantial suggestions and indicating a method which would exactly carry out the advice of the Privy Council, and that would give substantive relief to the grievance of the minoirty in Manitoba. So that so far from a desire to sneer at all attempts to enact a remedial law, I have myself taken the responsibility of indicating in what way I would move forward to enact a remedial law which, of course, would involve the withdrawal of this Bill, and the institution of a new appeal, addressing to the local authorities a new order, and founding upon that a new statute, which I apprehend will be the course that will have to be followed by any government that will undertake to settle this question finally. The hon. Minister has unwittingly done me an injustice, for I am very far from sneering at any suggestions for redressing the grievance.

Mr. MLLIS (Bothwell). I wish to call the attention of the Government to this clause once more. I admit that my contention has been that the work of administration primarily belongs to, and ought to be discharged by the local legislature, through the instrumentalities they create. You omit that, and you undertake to say what the machinery shall be. You undertake to substitute yourselves in place of the local government and legislature, and say that the Lieutenant-Governor in Council shall appoint, and so on. I say that the creation of the machinery should be left to the local legislature, but you frame a clause that in case the local legislature fails to discharge its duty as a matter of necessity incident to the work of education, you will provide an alternative. But you do not provide an alternative, you primarily substitute your authority for that of the local legislature.

Mr. IVES. Supposing the Lieutenant-Governor complied, then everything we ask for will have been done. Supposing they do not comply, what happens then ? Then the Lieutenant-Governor in Council names the board, and what have the Manitoba government to complain of in that case ?

Mr. MILLS (Bothwell). They have much to complain of. I pointed out the other day, if my argument had any value at all in maintaining the constitutional duty resting upon this House, that mandatory words are never applied to a sovereign body, or to the Crown. You have put those words in this statute, and more than that, you have declared that the Lieutenant-Governor in Council shall perform a certain duty. I say the Lieutenant-Governor in Council represents the sovereign, and you have no power to command them.

Mr. IVES. You argued that if we said "shall" it meant "may."

Mr. MILLS (Bothwell). No, I argued that if you said "may" it meant "shall." But you use the words here which Sir George Bowyer says should never be used towards the Crown, because they are disrespectful. It is a denial of sovereignty to maintain that you have the right to command the Crown. The Lieutenant-Governor in Council cannot be ordered by you to do a single thing, and what is more, they have a right to decide for themselves. Let me impress upon the Government that in regard to administration, the local government and legislature have a right to decide for themselves what machinery they will create for the purpose of discharging their duties, and you cannot create that machinery for them. In case they fail to discharge their duties, then you may create the machinery for yourselves.

On section 3,

Mr. OUIMET. I suggest to add "The Department of Education of the province of Manitoba."

Amendment agreed to.

Mr. DUPONT. (Translation.) I believe, Sir, that subsection 2 of section 3 should be struck out, and that the Separate School Board should be empowered to make regulations for the schools under its control. In that way we would avoid conflicts apt to arise between the Department of Public Instruction of the province of Manitoba and the Board of Education, which may be appointed by the Manitoba government, or, in their default, by the Federal Government. I wish to call the attention of the Minister of Public Works to the fact that there is an apparent anomaly between sections 3 and 4, and whether he considers, as I do, that those two clauses clash with each other. As the hon. gentleman knows, I gave notice that I would move certain amendments, and the object of one of those amendments was to have section 3 struck off. I gave notice of those amendments, having been invited to do so by the hon. Secretary of State, and by the hon. Minister of Justice, when those gentlemen addressed the House upon the second reading of this Bill. Upon that occasion, Sir, we were invited to move any desirable amendment as we might wish to move to the Bill now before the House. I believe that it would be far more conducive to the interests of the minority to take away from the Manitoba government the right to make regulations which might perhaps completely nullify the rights which we confer, under section 4, upon the Separate School Board of Education. I, therefore, simply move: That subsection 2 of section 3 be struck out.

Mr. OUIMET. There is an apparent clashing between this clause and the next one. One clause gives special privileges to the Bureau of Education, whilst the other confers general powers to the Department of Education. The old joint board has disappeared, no doubt, but it has been replaced by the Department of Agriculture, in whom there are vested the same powers that existed in the general Board of Education, while we confer on this separate Board of Education all the powers that the Catholic section, sitting as a distinct section, held. I may tell the hon. gentleman, in order to calm his apprehension, that this very question has been discussed with very great care and attention with the counsel representing the minority, Mr. Ewart, and he has insisted that this clause should be in the Bill in order, as he contends, to avoid any doubt that may arise as to the constitutionality of the measure we have now before us. The judgment of the Privy Council provides that we should take away none of the rights and powers that exclusively were vested in the general Board of Education. All we can do is to restore to the minority the rights they formerly possessed and exercised through the Catholic section of the defunct board.

Mr. DUPONT. (Translation.) If the hon. Minister of Public Works will allow me, I may remind him that the general Board of Education he speaks of was done away with under the law of 1890, and, therefore, that it no longer exists. As to those powers, you confer them on a new organization.

Mr. BRODEUR. (Translation.) I entirely share in the opinion given expression to by the hon. member for Bagot (Mr. Dupont), and I admit that there is not only an apparent but a serious anomaly between part of section 3 and part of section 4. Under section 3, we confer upon the Department of Public Instruction the right of making regulations in relation to the general organization of separate schools, and under part of section 4 we confer upon the Separate School Board of Instruction the right to make regulations of the same character, or which are apt to lead to the same results. Under these circumstances, conflicts are likely to arise as to the enforcement of that section of the law, and it would only be wise on our part to do away with any cause of controversy of that kind. The hon. Minister of Public Works argues that the Privy Council judgment confers on this Parliament the right to legislate, but that it does not give us the power to modify in any way whatsoever the law now in force in Manitoba. I think he is labouring under a profound error. Under the Privy Council judgment we have a right to restore the position and the rights which the Roman Catholic minority enjoyed in Manitoba previous to 1890. Now, my contention is that we must restore to the Catholic minority the very same privileges they enjoyed previous to 1890. Under subsection 2 of section 3, are the Catholic minority restored to the position which they enjoyed formerly ? I say no. Under the old law the Board of Education in Manitoba was composed of Catholic and Protestant members. The board, I think, was composed of twenty-one members, nine of whom were to be Catholics and twelve Protestants. The Protesants and Catholics, whose representation upon the Board of Education was in such a proportion as I have said. had a right to vote on all questions brought up before the board, whilst now the Department of Public Instruction is composed only of Protestant members, and the Catholics have no voice in the matter, are no longer members of the Board, and, therefore, they are no longer enjoying the position they were in previously. On those grounds, I am ready to support the motion of my hon. friend from Bagot (Mr. Dupont).

Mr. DUPONT. (Translation.) I wish also, like my hon. friend from Rouville (Mr. Brodeur) to call the attention of the House to the fact that the Department of Education in the province of Manitoba is now exclusively composed of Protestants. The hon. Minister of Public Works ought, I think, to make allowance for that difference.

Mr. OUIMET. (Translation.) If my hon. friend will allow me, I may tell him, by way of explanation, that a similar debate arose previously in another place. I may tell him that I did myself support the proposition which he now brings up before the committee. I have debated that point with Mr. Ewart, the counsel for the Manitoba minority. Subsection 2 of section 3 had even been struck out, but Mr. Ewart insisted upon that provision being reinserted in the Bill. He is of opinion that, through the omission of such a provision, the validity of the Bill might be jeopardized. It is, therefore, at the formal request of the counsel for the Manitoba Catholics that this clause was inserted in this Bill. If the hon. member for Bagot (Mr. Dupont) wishes to assume the responsibility for having this clause struck out, I do not see much harm in that, except the danger anticipated by Mr. Ewart, that of the law being ultra vires. The Bill would thereby incur a serious risk. I think my hon. friend would do well to drop his amendment.

Mr. DUPONT. (Translation.) I am quite willing to pay all due deference to Mr. Ewart's opinion. I do not want to substitute myself to him as counsel for the Manitoba minority, but it seems to me that his opinion is at least open to discussion, respectful as I am of that opinion. I fail to see why, while framing a Bill with a view to restoring to Catholics the rights they enjoyed previous to 1890, we should be bound to confer rights relating to separate schools upon the present Department of Public Instruction, a body different from that which was in existence at the time public instruction was under the control of a council composed of Catholics and Protestants, and which is altogether dependent on the Manitoba government. In my opinion, the Manitoba government by their refusal to modify their law so as to meet the wishes of the minority and do them justice, have forfeited all their rights in educational matters as far as the Catholic minority are concerned.

Mr. OUIMET. (Translation.) My hon. friend will observe that under subsection 2 of section 3, general powers are conferred upon the Department of Public Instruction in the province of Manitoba, whilst under section 4, specific powers are vested in the Separate School Board of Instruction ; now, it is perfectly agreed upon that whenever general and specific powers are conferred, and there arises a conflict between them, it is the specific powers which prevail. Whenever regulations made by the Department of Public Instruction of Manitoba come into conflict with the particular regulations passed under section 4, it is the latter which must prevail.

Mr. BRODEUR. (Translation.) I do not think that Mr. Ewart's objection should prevail. I believe that we should restore the position which the Catholic minority formerly enjoyed. The Council of Public Instruction, previous to 1890, was composed of Catholic and Protestant members, and had the right to make regulations for the administration and general government of their schools. While under the present Bill, instead of both Catholics and Protestants being put on the same footing, the general government of the schools is wholly conferred on the Protestant board.

Sir ADOLPHE CARON. (Translation.) Not at all.

Mr. BRODEUR. (Translation.) Certainly. Section 3 says :

> 3. The Department of Education may, for the observance of the separate schools, make regulations for the registering and reporting of daily attendance at all the separate schools in the province, subject to the approval of the Lieutenant-Governor in Council.
>
> 2. The Department of Education may also make from time to time such regulations as they may think fit for the general organization of the separate schools.

Now, the Catholics and Protestants who formerly composed the Board of Education, had the right to make the regulations mentioned in section 3 of this Bill, whilst, under the Bill now before the House, you confer on the Department of Education, which is wholly composed of Protestants, the right to make such regulations. If I understood aright the objection urged by the Minister of Public Works, he told us that, through the omission of such a provision, the validity of the Bill now under discussion might be jeopardized. But, I ask, why not put on the same footing the Board of Education and the Separate School Board of Instruction ?

Mr. OUIMET. (Translation.) No, on the ground that if the Manitoba government were to refuse compliance with this Bill, you would be putting in the law a clause which might hamper the working of the whole machinery.

Mr. BRODEUR. (Translation.) Not at all. If, however, the Department of Education failed to discharge their duty, you could do as you did on the second reading of the Bill, namely, confer on the Federal Government, or on the separate school board, the power to make the regulations under discussion. But what I look upon as unfair is this : That, formerly, both sections of the board, Protestants and Catholics, had conjointly the right to make those regulations, whilst now that power is vested in a Protestant board. The hon. Minister of Public Works shakes his head and seems to deny the correctness of my statement. He is well aware that the Board of Education is exclusively composed of Protestants.

Mr. OUIMET. (Translation.) Not necessarily so. It may be so in fact, but it is not so by law.

Mr. BRODEUR. (Translation.) Well, if that department were so harmless, what is the use of establishing a separate school board ? The reason is that the Government feel no confidence in the Board of Education, and that is the reason why they seek to establish a separate school board composed of Catholics. What I ask is only fair ; we are merely seeking to restore the position which the Roman Catholics enjoyed in Manitoba as to the Board of Education.

Mr. BELLEY. (Translation.) In my opinion, it would be very imprudent on our part, after the counsel for the minority, Mr. Ewart, and the Government and the law officers have given the Bill under discussion a very close study, to have subsection 2 struck out ; because, by so doing, the whole economy of this Bill might be jeopardized. Now, is there actually such a material difference between section 3 of this Bill and the old law ? To my mind, there is no difference worth mentioning. Under the old law, the Board of Education was composed of a certain number of Catholics, but they were in a minority ; they were nine against twelve. The majority was always to be Protestant, and never, at any sitting of the board, were the Catholics to be in a majority. Therefore, the latter always found themselves, as far as the regulations for the general organization of schools were concerned, under the control of a Protestant majority.

Mr. BRODEUR. (Translation.) They had a right to be heard, at any rate.

Mr. BELLEY. (Translation.) Undoubtedly, but the difference is quite immaterial. If you strike out that part of section 3, you imperil the whole Bill. I understand that we have no power to restore to Catholics more rights than they enjoyed previous to 1890 ; and, if we strike out subsection 2 from section 3, if we take away that power from the Department of Public Instruction, we will have to give it to somebody else.

> The Department of Education may also make from time to time, such regulations as they may think fit for the general organization of the separate schools.

That power would, therefore, have to be vested in the separate school board ; now, I contend that we cannot confer on them such a power, because that would be conferring on the Catholics a power which they did not enjoy under the old law. To whom, then shall we give it ? We have no other alternative left but to confer it either on the separate school board created under this Bill or else to leave it in the hands of the Department of Education, as provided for by the Bill under discussion. There is a wide difference between the regulations set out in section 3 and those of section 4. Subsection 2 of section 3 merely mentions the general organization of schools, whilst section 4 involves the management and discipline of schools. To my mind, there is no conflict between these two sections. I believe that both sections ought to be preserved, if we wish to make the Bill constitutional ; for, the provisions of section 3 must come in somewhere, and, if not in this section, they will have to be inserted in section 4.

Mr. McISAAC. I agree with the hon. members for Bagot and Rouville, but do not desire to detain the committee, and I therefore move :

> That subsection 2 of section 3 be struck out.

Mr. DALY. The result of the action taken is to make the law uniform, and as it existed prior to 1890. The Board of Education, under the old law, consisted of the Protestant and Roman Catholic sections, and the powers that were vested in the whole of the old board were given to the Department of Education, under the Act of 1890. If we were to vest in the board, under this Act the powers vested in the Board of Education, we would be giving that board greater power than the Catholic section of the board possessed previous to the Act of 1890. We desire not to go outside the powers vested in the old section of the board.

Mr. LaRIVIERE. I disagree with some of my hon. friends on this question. I see power is given to the Department of Education and the Board of Education to organize school districts, and therefore there might be a conflict of power and authority. On the other hand while it is contended that we cannot enlarge the power we confer on those respective bodies there is no objection to some of those powers being reduced, and therefore if subsection 2 is struck out, I do not see we interfere at all with the constitutionality of the Bill, because we only remove a power that is reinstated and does not exist under the local law. I am perhaps interested more than any one, but I am willing to assume the responsibility of striking out subsection 2.

Amendment (Mr. McIsaac) negatived.

Section, as amended, agreed to.

Sir CHARLES TUPPER. Although we have not made very substantial progress, still we have made some progress, and I therefore move that the committee rise, report progress and ask leave to sit again.

Committee rose and reported progress.

BUSINESS OF THE HOUSE.

Sir CHARLES TUPPER moved :

That after Monday next, for the remainder of this session, the House shall sit on Saturdays, beginning at 10 a.m., with a recess from 1 to 2 p.m., and that Government measures shall have precedence on such days.

Sir RICHARD CARTWRIGHT. That cannot be moved now. That motion is before the Orders of the day, and it is passed.

Sir CHARLES TUPPER. It is a Government notice of motion.

Sir RICHARD CARTWRIGHT. But it is passed. We have got into the Orders of the day. You cannot go back.

Sir CHARLES TUPPER. The hon. gentleman may interpose this difficulty, but it does not prevent it being moved to-morrow.

Sir RICHARD CARTWRIGHT. On Thursday.

Mr. SPEAKER. The objection having been taken by any single member, it is fatal to the motion.

Sir CHARLES TUPPER. I did not suppose that after I had met the hon. gentleman's religious scruples with reference to sitting on Good Friday, that he would object. I think it is a very ungracious return, but as he has done it, I propose when the House meets at three o'clock to make the motion.

Mr. MULOCK. You cannot do it to-day.

Sir CHARLES TUPPER moved the adjournment of the House.

Motion agreed to, and House adjourned at 3.40 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 1st April, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 90) further to amend the Railway Act (from the Senate).—(Mr. Haggart.)

EXPROPRIATION OF LANDS BY RAILWAYS.

Mr. McGILLIVRAY moved for leave to introduce Bill (No. 91) respecting railways.

Mr. RIDER. Explain.

Mr. McGILLIVRAY. The object of this Bill is to provide that railway companies shall not have power hereafter to appropriate lands for railway purposes without paying for them. As matters now stand, railways, in many instances, have expropriated lands for which they have never paid. This Bill provides for the payment of the land, or for a lien upon the land until paid.

Motion agreed to, and Bill read the first time.

BINDING TWINE MANUFACTURED IN THE CENTRAL PRISON.

Mr. McMULLEN asked :

Whether any sum or sums of money are due or unpaid for binding twine sold, as set out on page I—43 of the Auditor General's Report ? If due, by whom, and what security is held for payment ? If paid, when was payment made, and in what way ? Has payment, for twine sold, been made in anything else but cash ? Has security been deposited for twine sold ? If so, what does the security consist of ?

Mr. DALY. I am not yet in a position to answer the question, as we have not received the information from Kingston. I thought the hon. gentleman had got all the information we could give him in the committee this morning.

Mr. McMULLEN. But the House is not in possession of that information.

Mr. DALY. As soon as it comes, I will give it to the hon. gentleman.

HAULAGE OF PRIVATE CARS.

Mr. CHARLTON asked :

Has the Government a reciprocal arrangement with Canadian railway corporations, and with any railway corporations in the United States, under which the private cars of officials of such railway corporations are hauled free of charge over Canadian Government railways in consideration of the free haulage over such railway lines of the private or official cars of Canadian Cabinet Ministers and Government railway officials ? If such an arrangement exists, is any check or account kept by which the respective amount of services thus performed by the various railway corporations which are parties to such understanding or agreement, can be ascertained ?

Mr. HAGGART. The answer to the first part of the question is, no. As to the second part, I may say that no check or account is kept.

MAILS FROM ROACH'S POINT TO KESWICK.

Mr. CHARLTON asked :

1. Who is the contractor for carrying the mails between Roach's Point and Keswick ?
2. When does such contract expire ?
3. What is paid for such service ?
4. Has said contract been renewed, or has any arrangement been made for its renewal ? If so, at what price and with whom ?
5. Were tenders invited before arranging for such renewal ?
6. Were any offers made for performance of such service after expiry of the existing contract ? If so, at what sum ?
7. If said contract was renewed at a higher sum than that for which any other person offered to perform such service, what is the reason for passing over a lower offer ?

Sir ADOLPHE CARON. The answers to the hon. gentleman's questions are as follows :—1. James Cake. 2. 30th June, 1896. 3. $130 per annum. 4. The contract has been renewed for $130 with James Cake. 5. No. 6. No offers were received at the department. 7. No offers were received at the department.

POSTMASTER AT CARMUNNOCK.

Mr. GIBSON (for Mr. Grieve) asked :

1. Has a postmaster, in place of the late Thomas Moffatt, been appointed at Carmunnock, in the county of Perth ? If so, who has received the appointment ?
2. Has a change been made in regard to the location of the post office ? If so, to what point has it been removed ?
3. Have any petitions been received by the Government requesting the appointment of the son of the late postmaster, also protesting against the removal of the post office from its former location ?

Sir ADOLPHE CARON. 1. Yes. Mr. David Harrison was appointed to succeed Mr. Moffatt, 4th January, 1896. 2. The appointment of Mr. Harrison is stated to have involved the removal of the post office from the 16th concession, township Elma, (its former site) to the 14th concession of the same township. 3. A petition has been received since the appointment of Mr. Harrison requesting the appointment of the son of the late postmaster to the office, and objecting to its removal from its former site.

DUTY ON PULP WOOD.

Mr. RIDER asked :

Is it the intention of the Government to impose an export duty on pulp wood exported from Canada, viz. :—

(a) Pulp wood in the rough ?

(b) Pulp wood finished ready for grinding ?

If so, on what kinds, how much per cord, and when will it take effect ?

Is the Governor in Council authorized to impose such export duty by an Order in Council ?

Will the advice of Parliament be asked by the Ministry before imposing an export duty upon any kind of pulp wood ?

Mr. IVES. The Government have no intention at present to impose an export duty on pulp wood of any description. The Governor in Council is authorized to impose such export duty by an Order in Council in the case provided for by section 13 of the Customs Tariff Act, but not otherwise. The advice of Parliament, of course, would be asked before imposing an export duty, did the case not fall under the exception provided for by the 13th section of the Tariff Act of 1894.

EXPORT OF BUTTER AND CHEESE.

Mr. DUGAS asked :

Whether the Government is aware that Americans export their butter and cheese under the name of Canadian butter and cheese ? If so, is it their intention to adopt means to prevent a state of things injurious to Canadian production?

Mr. FOSTER. The Government is not aware that butter and cheese from the United States are exported under the name of Canadian. The Dairy Products Act, 1893, says :

> No person shall apply any brand, stamp or mark of the word "Canadian" or "Canada" as a descriptive term, mark or brand upon any cheese, or upon any box or package which contains cheese or butter, unless such cheese or butter have been produced in Canada, and no person shall knowingly sell, offer, expose, or have in his possession for sale, any cheese or butter so branded falsely. Any person violating this section is liable to a fine not exceeding $20, and not less than $5, for every such cheese, or box, or package.

It is the intention of the Government to continue to enforce this law.

THE SWEATING SYSTEM.

Mr. LEPINE (for Mr. Ingram) asked :

Is it the intention of the Government to take any action in the direction suggested by Mr. A. W. Wright, in his report upon the "Sweating System," and will any of the legislation recommended in that report be introduced during this session ?

Sir CHARLES TUPPER. In reply to the hon. gentleman, I have to say that there are many important and valuable recommendations in the report, all apparently well calculated to accomplish the end aimed at, namely, to prevent the introduction and extension of the "sweating system," so-called, into the Dominion, and also to improve the condition of the working people in other directions. The commissioner has not attempted, when making his recommendations, to distinguish between the legislative remedies that might be within the jurisdiction of this Parliament, and legislation which would have to be enacted, if at all, by the several provincial legislatures. While the Government is desirous to do all that may be within its power to prevent the introduction or spread of the evils of the "sweating system," and in other ways to improve the condition of life and labour among the working people, care will have to be taken not to go beyond what Parliament may constitutionally do. Owing to the pressure of other business, it is doubtful if it would be possible, during this session, to give the legislative measures recommended by the commissioner due consideration.

ASSETS OF THE DOMINION.

Mr. CHARLTON asked :

Are the following assets, the par amounts of which are deducted from the gross amount of the public debt, considered by the Finance Department to be sound and convertible assets, good for the amounts at which they are entered upon asset statement of the Dominion, viz. :—

1. Albert Railway Company, loan account .... $	14,725.56
2. Fredericton and St. Mary's Ry. Bridge Company	300,000.00
3. Grand Trunk preference stock	121,739.65
4. Hamilton coupons	16,781.35
5. Quebec Harbour 4 per cent ..	3,748,519.62
6. St. John Bridge and Railway Extension Co. 4 per cent ..	433,900.00
7. Three Rivers Harbour debentures 4 per cent	81,760.97

8. How long a time has elapsed in the case of each of the above-named assets, deducted at their par value from the gross public debt, since interest was paid to the Government upon the same, mentioning each separately ?

9. If any of the above-named assets are worthless or of doubtful value, what reason does the Government give as a justification for treating them as sound assets convertible at par, thereby leaving the impression that the net public debt is smaller than is actually the case ?

Mr. FOSTER. On the Albert Railway loan account the last interest was paid on the 31st December, 1887. On the Fredericton and St. Mary's Bridge Company the interest was paid on 30th June, 1889. On Grand Trunk Railway preference stock, $608.70 was paid in 1881. The Hamilton coupons do not bear interest. On the Quebec Harbour debentures the last interest was paid on 30th June, 1890. On the St. John Bridge and Railway Extension Railway Company there are no arrears. On the Three Rivers Harbour debentures, $15,000 of interest arrears were paid in 1895. As to whether the assets are considered good and the like of that, that is a question of opinion which, I suppose, might elicit different views.

Mr. CHARLTON. What is their market value ? I beg leave to say the question is not answered. Have they a market value ?

Mr. FOSTER. The question is answered.

LOBSTER REGULATIONS.

Mr. FRASER asked :

Do the Government propose changing the lobster regulations at present in force in Nova Scotia during the present year ? If so, when will such change be made ? If such changes are contemplated, what will the extent of such changes be and will they be uniform ? What change, if any, as to the close season do the Government propose making ?

Mr. COSTIGAN. Numerously signed petitions have been received from the counties of Guysboro' and Halifax asking that the close season for lobsters be lengthened, while petitions have been received from other sections asking that the close season be shortened. The matter is under the consideration of the Government.

PHILADELPHIA CENTENNIAL EXHIBITION.

Mr. GIROUARD asked :

What was the expenditure incurred by the representatives of the Government at the Centennial Exhibition at Philadelphia, in 1876 ?

Mr. FOSTER. The total expenditure on account of the Canadian Commission at the Philadelphia Exhibition, for salary, expenses for living, travelling and otherwise, was $39,670.04. The total expenditure in connection with the Philadelphia Exhibition was $93,549.

LOCKS AT FORT FRANCIS.

Mr. GIROUARD asked :

What was the amount expended by the Government of Canada, from 1874 to 1878, in constructing the locks at Fort St. Francis ; what use has been since made of the said locks, and what revenue has the Government derived therefrom ?

Mr. HAGGART. The amount expended by the Government, from 1874 to 1878, in constructing the locks at Fort St. Francis, was $253,622.29. The only use made since of those locks is for dumping saw-dust. No revenue is derived.

THE NEEBING HOTEL.

Mr. GIROUARD asked :

When did the Government of Canada purchase the Neebing Hotel at Fort William ? What was the amount paid for the said hotel and the ground on which it stands ?

Mr. HAGGART. The Government purchased the Neebing Hotel in 1875 for

$5,029.76 The amount paid for ground on which it stands was $600 per acre.

CANADIAN SEALERS.

Mr. McDOUGALL (Cape Breton) asked :

Is the Government aware that Canadian sealing vessels calling at ports in the colony of Newfoundland, and taking or shipping men, have to pay a duty on all supplies and ammunition on board such vessels ; notwithstanding that the same is not landed in such ports ? Will the Government make inquiries with a view, if possible, to removing this unreasonable tax upon Canadian sealers, and the refunding of the paid duties under such law or practice ?

Mr. COSTIGAN. In reply to the hon. gentleman, I beg to say that one complaint has been received by the Department of Marine and Fisheries, that the authorities at St. Johns, Newfoundland, exacted duties on the stores of a sealing vessel. Inquiries are being made into the matter, and steps will be taken to forward representations to the Newfoundland government. The Government has already dealt with a similar practice pursued by the Newfoundland government, in regard to exacting duties on casks and salt taken to Newfoundland in fishing vessels, but not landed there. In this latter case, the Colonial Secretary of Newfoundland, acquainted the Canadian Government, for the information of parties frequenting Newfoundland and Newfoundland Labrador, that instructions had been issued to the Customs Department, directing that in future such articles shall be reported as intended for export, or the duty paid and refunded upon the production of certificate of such export having been entered in Canadian ports.

PREFERENTIAL DUTY ON BUTTER.

Mr. DUGAS asked :

Is it the intention of the Government to continue their policy with the British Government, in view of obtaining preferential duty in favour of Canadian butter and cheese ?

Mr. FOSTER. It is the intention of the Government to continue its policy of endeavouring to obtain preferential duties in favour of all Canadian products in the British markets.

ARTHABASKAVILLE AND ST. PAUL DE CHESTER MAIL CONTRACT.

Mr. LAVERGNE (translation) asked :

1. Whether the Postmaster General has received a complaint, dated 7th March, 1896, against the mail carrier between Arthabaskaville and St. Paul de Chester ?

2. Has the Postmaster General noticed that, according to the said complaint, the mail was not delivered at St. Paul de Chester on the 29th February last, and on the 2nd, 4th and 6th March instant, notwithstanding that, under the contract between the Government and the said mail carrier, the mail is to be carried every day, and notwithstanding that the temperature on the said days was such that many persons were enabled to travel without difficulty between Victoriaville and Arthabaskaville and St. Paul de Chester ?

3. If the Postmaster General received the said complaint, what action has he taken in the matter ? Has an inquiry been held ? Has the inspector been instructed to proceed to the locality and ascertain the truth or falsehood of the facts stated in the complaint ? Do the Government purpose providing a remedy for the grievances mentioned in the complaint ?

Sir ADOLPHE CARON. (Translation.) In reply to the first part of the question put by the hon. member I say. Yes ; and to the second part, No. As to the third, I have to inform him that an inquiry was held by the inspector, who proceeded to the locality and found out that, notwithstanding that the contractor was to a certain extent guilty of remissness in fulfilling his duties, still, under the circumstances, the road was so bad that he had found it almost impossible to carry the mail. The contractor was severely reprimanded and warned as to the future, in order that such dereliction of duty may not occur again.

ST. PAUL DE CHESTER AND ARTHABASKAVILLE MAIL SERVICE.

Mr. LAVERGNE (translation) asked :

1. Has the Postmaster General received a complaint, dated 3rd March instant, against the mail carrier for the route between Arthabaskaville and St. Paul de Chester ?

2. If so, what action has been taken in the matter ? Has the inspector been instructed to proceed to the locality, in order to verify the facts mentioned in the said complaint ?

3. Is it the intention of the Government to provide a remedy for the grievances set out in the complaint ?

Sir ADOLPHE CARON. (Translation.) To the first part of the question, Yes. As to the second, I may say that the inspector has been directed to hold an inquiry into the matter mentioned by the hon. gentleman. As to the third part of the question, the contractor has been warned not to be guilty in the future of the least dereliction of duty in carrying out the terms of his contract.

MAIL CONTRACT—ARTHABASKAVILLE AND ST. PAUL DE CHESTER.

Mr. LAVERGNE (translation) asked :

1. Whether the Postmaster General has received a complaint, dated 2nd January, 1896, against the postmaster of St Paul de Chester, and the mail carrier who carries the mail between Arthabaskaville and St. Paul de Chester ?

2. If so, what action has been taken in the matter of the said complaint ? Has an inquiry been held ? Has the inspector been instructed to proceed to the locality, in order to inquire into the truth of the facts mentioned in the complaint ?

3. Is it the intention of the Government to provide some remedy for the grievances set out in the said complaint ?

Sir ADOLPHE CARON. (Translation.) In reply to the first part of the question put by the hon gentleman I say, No. In reply to the second part, I beg to inform him that the inspector was directed to proceed forthwith to the locality and to hold an inquiry as to the accurateness of the facts mentioned in the complaint. As to the third part of the question, the Government cannot answer it before the inspector has reported on the matter.

HALF-BREED ALLOTMENT.

Mr. CHARLTON asked :

1. Has the Government, at the request of Father Lacombe, endorsed by the bishops of St. Boniface, St. Albert and Prince Albert, or upon any other solicitation or request, granted, or decided to grant, a tract of land in the North-west Territories for the colonization of the North-west half-breeds ?

2. If such grant has been made, or if it has been decided to make it, what is, or will be the area of the grant, and the location of the same ?

3. Will the grant thus made, or to be made, be entirely under the direction and control of the bishops and missionaries of the Roman Catholic Church in perpetuity, to distribute and turn it to use at their own will, for the purposes of the proposed colony, and upon such terms and conditions of occupancy, and eviction, as such bishops and missionaries may provide and determine ?

Mr. DALY. In reply to the hon. gentleman, I beg to say : 1. There has been no actual grant of land, either given or promised, but a lease of a tract of land has been promised on certain conditions, the object being to place half-breed settlers thereon. 2. The tract which may be used for this purpose is not to exceed four townships, being townships 57 and 58 in ranges 9 and 10, west of 4th meridian—that is, between Edmonton and Battleford, north of what is called Frog Lake. 3. The Order in Council making provision for this matter has been before Parliament now for a considerable length of time, and any one who reads it will see that the lease will not be entirely under the direction and control of the bishops and missionaries of the Roman Catholic Church in perpetuity, but will be subject to the control and direction of the Government of Canada through the Minister of the Interior.

PRINCESS LOUISE DRAGOONS OF NEW BRUNSWICK.

Mr. DAVIES (P.E.I.) I would like to ask the hon. Postmaster General (Sir Adolphe Caron) if he would kindly make the statement now respecting the matter which I brought to his notice the other day. I asked him whether an offer had been received from the Princess Louise Dragoon Guards of New Brunswick, tendering their services for the Soudan expedition, and the hon. gentleman brought down some papers which he kindly laid upon the Table, and which I had the opportunity of reading. My main question was as to whether the offer received had been forwarded to the British Government, either by wire or despatch, and I may say that since then I have received a number of telegrams from interested parties urging me to press the question and obtain an answer at an early date, because offers were coming in from all parts of Canada to Lieutenant-Colonel Domville from parties who desired to join the expedition, and it was important he should be able to answer at an early date these volunteers who had offered their services. I understood privately that the Postmaster General would be able to make a public statement to-day in regard to the matter.

Sir ADOLPHE CARON. In regard to the question which the hon. gentleman has asked with respect to the tender of services by Lieutenant-Coloned Domville and the Eighth Princess Louise Regiment, I replied to it at the time, but I informed the hon. member that I was not in a position to state whether the offer made by Colonel Domville had been transmitted to the Imperial Government, and I think that is really what the hon. gentleman is more anxious to know than the fact of the tender of services having been made, because it was known that these services had been offered. Acting on behalf of the Minister of Militia during his absence, I ascertained on the following day, when I went to the department that the tender of services had been received, as disclosed by the papers which I placed on the Table of the House. Major-General Gascoigne, in command, considered that he could not recommend that the tender for these services should be accepted. I considered, however, as my attention had been called to the matter by the hon. gentleman, that an offer such as had been made by Colonel Domville, should be transmitted to the Imperial Government, and I gave instructions to that effect. In consequence of those instructions, the tender of services of Colonel Domville and the Eighth Princess Louise Dragoon Regiment was transmitted to the Imperial Government, through the ordinary channel, the Military Secretary of His Excellency the Governor General.

Mr. DAVIES (P.E.I.) Was it sent by cable ?

Sir ADOLPHE CARON. I should imagine so, but I do not know whether it was cabled or not ; if it has not been cabled, I will see that it is cabled. I can also say to the hon.

gentleman that, if it has been cabled, no answer has been received from the Imperial Government.

THE YAMASKA BRIDGE.

Mr. BRUNEAU. (Translation.) Mr. Speaker, on Wednesday last, I was obliged, at six o'clock, to leave off reading the correspondence in connection with the motion which is now in your hands. I may therefore, be allowed to read another letter which I wrote to the Government in the same connection :

Sorel, 29th September, 1892.

To the Hon. J. J. C. Abbott, Prime Minister of Canada :

Honourable Sir,—On the 14th of June last I had the honour of writing to you, asking you on behalf of the Commercial Board and of the Corporation of Sorel, as well as in the name of the county of Richelieu, which I represent, in the House of Commons, to kindly co-operate with us and use your influence with the Canadian Pacific Railway Company, in order to induce the latter to reconstruct the bridge on the Yamaska River.

On the 16th of the same month, in acknowledging receipt of my letter, you stated that it had been referrred to the Minister of Railways. On the 22nd August last, the Department of Railways sent me the reply that the Minister could not see his way to interfere in the matter, as there was nothing in the Railway Act which empowered him to compel a railway company to reconstruct a bridge ; but there was a complaint was made of a railway bridge being unsafe for traffic to pass over it, instructions were given for an inspection to be made by an engineer in the employ of the department. A few days later, on the 24th August last, I wrote another letter to the Minister of Railways, calling his particular attention to an editorial in the newspaper "Le Monde," suggesting to the Government to grant a subsidy which would enable the Canadian Pacific Railway Company to reconstruct without delay the bridge in question. The suggestion offered by that paper seemed to me so well grounded, that I thought it my duty to strongly endorse it and to ask the Government to take action upon it without delay. There was actually urgency, for, as I wrote :

"If the Canadian Pacific Railway Company were to decline rebuilding the Yamaska bridge, we would find ourselves at Sorel, this fall, completely cut off from all railway communication. As you are aware, the Montreal and Sorel Railway is closed to traffic and no longer operated, and in order to communicate with Montreal, the commercial metropolis, we will be constrained to go and take the cars, either north or south, at some place several leagues distant from Sorel. I cannot be brought to believe that the Government will decline acting upon our demand, in view of the grounds alleged."

At the time of writing, the Canadian Pacific Railway Company has officially notified its employees that the trains will stop running between St. Guillaume and Sorel, on the 1st October next.

It is a matter of surprise to me that I have not yet received any reply from the Government, and not even an acknowledgment of receipt of my letter of the 24th August last ; and, as I anticipated, the Canadian Pacific Railway Company has stopped running its trains. As I already said, I cannot be brought to believe that the Government will decline doing anything in our favour. The traders, not only at Sorel, but from Sorel to St. Guillaume, as also the whole population of that part of the country, are disquieted and that on good ground, and clamour for the interference of the Federal Government.

I previously gave the reasons warranting such a demand. I refrain from urging the same, but I am bound to inform the Government of the decision come to by the Canadian Pacific Railway Company, which is so prejudicial to the commercial interests of all the parishes situated on the line of that railway. I have not yet lost all hope of obtaining justice and a favourable decision from the Government, leaving to them the credit or responsibility as to future developments.

Yours truly,

A. A. BRUNEAU.

Such is, Sir, the correspondence which I wished to bring before the House, in order to point out the responsibility which partly rests on the Government, as to the sum of $50,000 referred to in my motion, and which has not yet been made use of. With these few prefatory remarks, I move that the papers mentioned in the following notice of motion be laid on the Table :—

Copies of all documents, memorials, petitions and correspondence between the Government and the Board of Trade and Corporation of the town of Sorel and other persons, in relation to the granting of a subsidy for renewing, repairing and rebuilding the railway bridge on the South Eastern Railway, across the River Yamaska, at the village of St. Michel de Yamaska ; copies of all documents, petitions and correspondence between the Government, the persons aforesaid, the Pacific Railway Company, the South Shore Railway Company and the United Counties Railway Company in relation to the application and use of the subsidy of $50,000 granted under the Act 57-58 Vic., ch. 4, for the repairing and rebuilding of the said bridge.

Mr. LAVERGNE. (Translation.) I wish, Mr. Speaker, to add a few words to the remarks fallen from the hon. member for Richelieu in support of his motion. The counties situate on the line of the old Southeastern Railway, which is now part of the Canadian Pacific Railway system, are highly interested in having the information moved for by the hon. member for Richelieu (Mr. Bruneau). The counties of Drummond and Yamaska would hail with delight the news that this road is again going to be operated. I dare not say, for my part, that any blame should be cast upon the Government ; but, of course, my hon. friend from Richelieu is better informed on the matter than I am. I know, on the contrary, that the first time I came up here with a deputation of my friends in order to interview the Government, we met with a hearty welcome. It is a matter of regret that no railway company is yet prepared to gain the subsidy which has been offered by the Government. I have not got into the habit of paying compliments to the Government of the day ; yet, I may say that when we interviewed some of the Cabinet Ministers, we met with a kind reception, and the answer given was undoubtedly of a most encouraging nature. Previous to pledging themselves to grant a new subsidy, in addition to that subsidy offered for the rebuilding of the bridge on the river Yamaska, the Government wish to satisfy themselves that the company will operate the road and give security to that effect. I say, therefore, for my part, that I have not to complain of the way in which the interested parties have been treated at the hands of the Government. I am bound to second the motion of my hon. friend from Richelieu (Mr. Bruneau), for it will be most welcome news for the citizens of the counties of Drummond and Arthabaska, and, I may also add, those of the county of Bagot, when they hear that there is some hope that the subsidy which they have been promised will be turned to good use, so that this road may be operated again, after remaining idle for several years. The papers moved for by my hon. friend from Richelieu (Mr. Bruneau) may throw some light upon the matter, and may also be calculated to afford new information to the interested parties who, I doubt not, will receive them with pleasure. Such information may also be calculated to encourage and induce companies to take this affair in hand. I have no hesitation in saying that the closing of this road proved almost a disaster for the population of the counties of Drummond and Yamaska, who were accustomed to enjoy railway facilities with Sorel, which was their great distributing centre, and also with the city of Montreal during the summer season. It is almost a calamity for them to be thus deprived of the railway facilities which that road afforded them. It is not my intention, Sir, to enter into any lengthy remarks on the matter. As I just said, I do not complain of the way in which the interested parties have been treated at the hands of the Government. By taking the necessary action to have this road operated again, the Government would confer a great benefit on the population of that region situated on the line of this railway.

Motion agreed to.

DUNCAN AND LARDO MINING DISTRICTS.

Mr. MARA moved for:

Return of a copy of the report of Mr. F. C. Gamble, resident engineer of the province of British Columbia, relating to the examination of the Duncan and Lardo Rivers, in the district of Kootenay?

He said: My object in moving for this return is to call the attention of the Government to that portion of the Kootenay district known as the Lardo section, a section that is believed to be as rich in minerals as the famous mining camps of Slocan, of Trail Creek and of Toad Mountain; but its progress has been retarded, owing to the dangers and difficulties of navigating the Duncan River and the cost of transporting supplies, mining tools and machinery, as well as the almost impossibility of moving ore out of the camp. The Slocan Camp, which is almost contiguous to Lardo, has passed the prospecting stage, and has now mines turning out thousands of tons of ore a year. Last year, ore of the value of over $1,000,000 was shipped from the Slocan, and it is believed that that amount will be more than trebled during the present year. The camp has many well-developed ledges, ledges that have been proved, either by sinking or by tapping at low levels, and are now considered to contain the largest bodies of high-grade argentiferous galena on this continent. Considerable work has been done in the Lardo district, and the following assays, furnished to me by reliable parties, will show that the prospects of this section are as good as were those of the Slocan three years ago:—

On 2-Mile Creek there are four prospects of low grade galena giving assays of 38 oz. silver, 60 per cent lead.

On Glacier Creek, three claims give assays from 125 to 400 oz. silver.

The Gallopp group of mines assay from 90 to 400 oz. silver.

On Houzer Creek there are large bodies of low grade galena averaging 50 oz. silver, 60 per cent lead.

On East River there are three claims of antimonial silver assaying from 200 to 600 oz. of silver.

On Bear Creek there are three prospects giving assays from 100 to 200 oz. silver.

Tributary to Hail's Creek, a number of prospects show galena, gray copper and gold, and also carrying stringers of high grade silver.

These are all tributary to Duncan River, and would be accessible, if the river were improved. The obstructions to navigation on that river consist of snags, log-jams and overhanging trees, which I am assured, can be removed at a comparatively small cost, and give 30 miles of navigation for powerful light-draft steamers, and will reduce the cost of freight from $50 to $5 per ton. The Kootenay district contributes more per head to the general revenue than any other part of Canada, and is thereby entitled to assistance in making its rivers navigable, so as to give easy access to miners and prospectors. I know no part of Canada where money can be more advantageously spent than in that part of Kootenay, because, for every dollar expended, the Government will for years to come reap a benefit of at least 100 per cent. I, therefore, wish to press the importance of this motion upon the hon. the Minister of Public Works.

Mr. WALLACE. Mr. Speaker, I wish to say a few words, entirely in corroboration of the statement made by the hon. member (Mr. Mara). From my own personal observation in that section of the country, I am quite safe in saying that a small expenditure such as is recommended by the mover of this resolution (Mr. Mara), would be a proper and a profitable investment for the Dominion of Canada. I am told by gentlemen who are living there, that a very small expenditure indeed by the Dominion Government will open up the navigation, and that the cost of transport will be reduced from $50 as at present, to $5 a ton, or even less than that. I think this Government can be fairly asked to contribute something to open up this mining country, because I believe that to-day, mining is one of the great industries and interests which the Government of Canada should pay considerable attention to. There is no part of Canada—not on the surface either, but by actual tests—which has proven to be richer and more valuable in ores than the Kootenay district. In the Slocan and other districts they have already got past the experimental stage. They have explored and they have developed to some extent, and in many places they have actually begun the work of operating and producing the ore. I am safe in saying, that during the present season four or five million dollars worth of ore will be exported from the Kootenay district alone. In addition to that, there is an enormous revenue accruing to the Government, because those engaged in mining there consume the highest priced articles on which the highest duties are paid. They are thus contributing very largely to the revenues of the country. They are also opening up a portion of the country that is developing enormous mineral wealth, and while other portions of the world are receiving the attention of wealthy capitalists who are investing their money in mining enterprises, I think the Dominion of Canada would be justified in paying some attention to our own mineral resources, by inviting investment on the part of capitalists in Great Britain, and the United States, who are only awaiting the opportunity to make presumably profitable investments in these mining enterprises. There is no place in the world to-day where money can be more advantageously placed in mining than in the province of British Columbia, and more especially in the Kootenay district, to which reference has been made by the hon. gentleman (Mr. Mara). I hope that not only will the report be brought down, but that the Government will see their way in this instance, to open up the navigation of the Duncan and Lardo Rivers, so that the valuable mines which have been prospected there and partly worked may be further developed. They cannot be properly worked under present circumstances, because as the hon. member states, the cost of freight alone is $50 or $60 a ton, and it would need to be a very profitable mine indeed that would stand this very heavy cost of transportation. I therefore think this portion of our Dominion should receive the generous assistance of the Government.

Mr. OUIMET. I am sure the House will agree with the hon. gentleman who moved this resolution (Mr. Mara), as regards the very great importance of that country where these improvements are asked for. Every day, that portion of the Dominion is developing in importance and in wealth, and I am sure that the House will not grudge the little expenditure that will be recommended in order to improve the facilities of transport in that region, so as to facilitate the working of those mines and the settlement of that part of the country. The Department of Public Works is fully alive to the importance of this matter, and they have already taken measures to ascertain what works in that direction are needed. They will certainly undertake these improvements if the cost is not altogether too great. The report will be brought down in a very few days.

Mr. MARTIN. I quite agree with all the hon. member for West York (Mr. Wallace) has said in regard to the great capabilities of the Kootenay district of British Columbia. I had not the pleasure of hearing the remarks of the hon. member (Mr. Mara), so that I do not know what he said. So far as the improvement of the Duncan and Lardo Rivers is concerned, I would draw the attention of the member for Yale (Mr. Mara) to the character of the reply made by the Minister of Public Works. It might be called the stereotyped reply. It has been heard in this House for years and years and years, and it is heard more especially in this House on the eve of an election. I do not think the residents of the Kootenay district would be justified in placing any great amount of reliance upon the very general words which the Minister of Public Works used in regard to this matter. I have no doubt that the hon. gentleman who introduced the motion (Mr. Mara), will expect to use that statement as an evidence that the Government are pledged to improve these rivers. However, if the statement of the Minister of Public Works is examined, it pledges the Government to nothing whatever. His reservations leave plenty of loopholes, out of which the Government will very easily escape if they desire to do so. The treatment by the Government of the Kootenay district up to the present time, has been very unsatisfactory, and the people living there feel that the Government do not appreciate at all the great resources which that portion of British Columbia possesses. I hope that what has been said to-day by the hon. member for West York (Mr. Wallace) will bring strongly to the attention of the Government the great resources of that region, and will induce them, not only in this respect, but in many other respects, to deal, with more knowledge and more efficiency, with the interests of that portion of British Columbia. The Government do not seem to have been aware at all of the great developments that are taking place there, or the large increase of population that has taken place in the last year at certain parts, notably at the town of Rossland. I can say that, so far as the mail communications are concerned, the Government have been very much at fault, and the people are complaining. It is said that, when some important matters occurred not very far from the Kootenay district, it was two or three weeks before the newspapers reached them. The mail communications are very bad, and the Government do not appear to pay any attention to the just complaints of the settlers. They do not seem to appreciate the difficulties of the people there, and do not make any effort to open up new mail communications in order to give the people their mail matter in any kind of reasonable time. I am very glad that the hon. member for Yale (Mr. Mara) has at last waked up to the necessity of saying something in this House about his constituency. I do not know whether that arises at all from the fact that he has as an opponent a gentleman who is making a very active canvass and interesting himself very much in the hon. gentleman's constituency. Heretofore, the hon. gentleman has had the advantage of being elected by acclamation, and I am afraid that his safe position has, perhaps, inclined him to feel that it is not necessary to pay any very great attention to the needs of his constituents. However, I am very glad to see that he has improved in that respect, and that he is pressing upon the Government, not quietly or in the dark, but openly here on the floor of Parliament, as I claim a member should do, the necessity of their paying a good deal more attention than they have heretofore paid to the interests of that constituency.

Mr. MARA. Mr. Speaker, I am very much obliged to the hon. member for Winnipeg (Mr. Martin) for his kind assistance, as, indeed, I always am for any assistance that may be offered to me by any hon. member on the opposite side of the House. But it is quite evident that his assistance to-day is what might be called left-handed assistance—not that he wants to help me, nor to help Kootenay, but that he thinks that by dealing in generalities, and introducing matters that have no connection with the motion, he may do me a little harm, or help my opponent. If the hon. gentleman had been in his seat during the time he has been in Parliament as faithfully as I have been, or, if he would take the trouble to read the pages of "Hansard," he would know that not a single session has passed over in which I have not called the attention of the Government and the House to the importance of Kootenay, and the rich discoveries of that district, the advancement it has made in a short time, and to its wants and requirements. If he has not been here to listen to the remarks that I have made from time to time, and has not taken the trouble to read the pages of "Hansard," perhaps he will do so now. As he has referred to my silence, I will say this, that I have no hesitation in allowing his record in this House and mine to stand side by side. Whenever I do address the House, and it is not often, I am listened to carefully and attentively, and I have, perhaps, the satisfaction of knowing that what little I have had to say has received some attention at the hands of the Government. I hope I shall never be placed in the position in which we know one hon. member has been placed in, of being called to order ten or a dozen times in one day.

Mr. MARTIN. Does the hon. gentleman refer to the Secretary of State ?

Mr. MARA. I hope I shall never occupy the unenviable position of being threatened to be named by the Speaker, something which I do not know to have ever occurred before in the House of Commons. I hope that neither I nor any other member on this side of the House will place himself in such a position as to threaten to appeal from your decision, Mr. Speaker, or to require his leader, with shame and indignation, to interpose to prevent such an unseemly spectacle. Now, with regard to what is called the stereotyped reply of the Minister of Public Works to-day, I do not look upon it in that light. I may say that my attention was only called to this particular work last September, when I visited Kaslo in company with the hon. member for West York, who was at that time Controller of Customs. A deputation, headed by the mayor, waited upon me, and asked me, if I would bring to the attention of the Government the importance of improving this river, and they also asked the assistance of the hon. member for West York, who attended the meeting. I lost no time in bringing the matter to the attention of the Government ; and, although this interview took place in September, Mr. Gamble, the engineer, has already examined the river ; his report is in the Department of Public Works, and, I believe, he has recommended a small expenditure. I have also reason to believe that his recommendation and mine will be acted upon, and that this work will be done. Referring to mail communication, I know that there have been complaints, and serious complaints, by the people of Kootenay regarding the slow delivery of the mails during the winter. I have brought these complaints to the attention of the Postmaster General, and I believe that in nearly every case the grievances have been remedied. That papers were some two weeks on the road about two months ago, arose from the fact that, during a cold spell, a portion of the Columbia Lakes was closed by ice, and the inspector of post offices, fearing that that might occur again, the mails were, during that time, sent by the American system of railways around by Spokane, and took several days longer to reach their destination. One serious grievance the people of Kootenay have is, that they are unable to send registered letters direct from Trail, Rossland and Kaslo of Spokane. But this is a matter over which our Government have no control. Representations have, from time to time, been made by the Postmaster General to the Post Office Department and the American authorities, but they will only grant one registered pouch between Nelson and Spokane. Our Government have implored them to allow a registered mail to be sent from the different points I have named, but so far this privilege has been refused by the American government, and the blame naturally falls upon the shoulders of the Postmaster General and his department. However, I may say this with regard to mail matters, that the Postmaster General has always listened attentively to every complaint I have made. He has sent instructions to the post office inspector, and I believe that at present the mails are being carried as expeditiously as possible, and that every mail service which has been asked for in Kootenay has been granted.

Motion agreed to.

MR. F. C. GAMBLE'S REPORT ON THE COLUMBIA RIVER, B.C.

Mr. MARA moved for:

Return of a copy of Mr. F. C. Gamble's report relating to the examination and proposed improvement of the navigation of the Columbia River from Revelstoke to Beaver.

He said: The arguments I advanced in favour of the last motion are applicable to this one, so that I need not repeat them. There is a large stretch of the Columbia River, from the railway bridge at Revelstoke, which is navigable, and the Revelstoke Board of Trade have petitioned the Government to have some of the obstacles removed which, if done, it is believed, will induce parties to place a steamboat on that route. There is at present considerable traffic between Revelstoke and the mines to the north. Last year several American companies having purchased extensive gravel benches, are now about putting in hydraulic machinery. In a paper which has just come to hand, I observe the following item:—

> The first carload of machinery for the Columbia River Hydraulic Mining Company, who are operating on the Columbia just above the mouth of Smith Creek, arrived to-day from Chicago, and another carload has been despatched. This is pretty good evidence that this company means business and are preparing to conduct operations on a large scale. The owners are evidently satisfied with the report of their expert, Professor Mason, who spent the whole of last summer prospecting the ground, and who will return here Monday to superintend the erection of the plant. Tom Horne has the contract for boating the machinery up the river.

This hydraulic machinery and other large machinery has to be transported a distance of some thirty miles up the Columbia River in boats that will carry from eight to ten tons. The rates of freight are high, about $100 a ton. With a steamboat, the rate would possibly be reduced to about $10 a ton. This also is one of those improvements which, I think, the Kootenay district is entitled to, and I hope not only to get what is called a stereotyped reply, but to have that reply followed up by actions which speak louder than words.

Mr. OUIMET. I do not give what has been termed a stereotyped reply, but I have no objection to that qualification being given my answer in such cases, but the hon. gentleman should also admit that these answers are not only stereotyped in their terms, but in their sincerity as expressing the readiness of the department to inquire into every application and do everything they can in the way of effecting any useful improvement in any part of this country, by spending, to the best of their ability, and for the greatest good of the country, the very little money that is placed at their disposal. That I may claim credit for. Our department is fully alive to everyhing that is going on in the whole country without giving any undue preference to any particular section. To every need to which it is within our jurisdiction to attend, the department gives its greatest attention. To that extent, I have no objection to the hon. gentleman saying that to every application he has made upon the department and myself, our course has been stereotyped in this sense, that we are always ready to do all that can be done, as we shall do in the present instance.

Mr. MARTIN. I quite agree with the hon. gentleman I did not intend to say anything except this, that his answer to this, as to the other question with reference to the Duncan and Largo Rivers is the stereotyped answer of the Government, and it is very far from meaning that the Government have any intention whatever at present of giving assistance at all to the improvement of the Revelstoke River. I wish to point out that, in order that the hon. member for Yale may not do, as I anticipate he may possibly attempt to do, namely, show by the hon. gentleman's answer that the Government have decided to make these improvements. His answer, looked at in one light, might be susceptible of such a construction, but I desire to point out that he has not committed the Government in any way to do anything in this matter any more than he or his predecessors have done in years past with regard to a great many improvements concerning which the department have never done anything. The hon. gentleman, of course, says that he will consider the matter and give due weight to everything that he has heard, and do what he can, but what I wish to point out, for the information of the people of Yale, is that the hon. gentleman has not undertaken to do anything. As he says himself, he has simply given the stereotyped answer which is proper for all requests of this kind, that the Government will take them into their consideration. I reiterate what I said before, that in other parts of British Columbia, more especially in the newly-developed mining parts, the Government have been away behind the times. They have not given their aid, as they should have, to attracting to Canada the investments of large amounts of foreign capital. The only capital of any account that has been invested in the Kootenay district up to date is that invested by Americans. They have gone there because of their own knowledge of the country, having been engaged in mining in similar districts south of the line. The Americans have been large investors there and some of them have made fortunes in silver mining and gold mining. But the experience of South Africa has shown what large amounts of capital there are in the old country that can be made available for investment in mining enterprises. The amount of money that has gone from London to South Africa for investment in the mines there is simply fabulous. And I hold it to be the duty of this Government, having the administration of the affairs of a country so rich as the Kootenay country, to do everything in their power to bring capitalists to the district. It is certainly their duty to see that the settlers and miners who go in there shall have as fair treatment as the people of any other part of Canada in mail facilities and everything of that kind. And I charge—and in this I know I voice the feeling of the people in that country, for I read it in their newspapers from week to week—that they are being neglected especially in the matter of mail facilities by this Government. I am glad the hon. member for Yale has brought this matter openly before the House, in order that we may have an opportunity of drawing the attention through this debate to that part of his constituency. I shall not follow him in making personal attacks with regard to anything outside of his duty to his constituents. He is quite at liberty to attack me ; I fancy I can stand all the insinuations the hon. gentleman made against me. I do not know that calling me names and pointing out my delinquencies helps the hon. gentleman in regard to his delinquencies to his constituents. I fancy that when the hon. gentleman goes before his constituents for re-election and his failure to attend to the wants of his constituency are discussed, he will not be able to answer as he has attempted to answer in this House to-day by pointing to the fact that I am a very bad man and have done very bad things. His constituents will hardly accept an answer of that kind. They will hold him to a very strict account, especially as I see he is not going to be elected by acclamation. Not wishing him any harm, I hope he is not going to be elected at all. He will have to fight for his seat in any case and will have an opportunity to convince his constituents, if he can, that he has been attending to their interests in this House.

Mr. DALY. The hon. member for Winnipeg (Mr. Martin) says it makes little difference to him what the hon. member for Yale says about him personally. I have no doubt of it, and it makes little difference to this House how the hon. member for Winnipeg chooses to conduct himself. He made an attack upon the hon. member for Yale and Cariboo (Mr. Mara) and insinuated that he had neglected his duties in that he did not bring to the attention of this House the requirements of his district. The hon. member for Yale and Cariboo was in this House for some years prior to the hon. member for Winnipeg, and I venture to say that there has been no more hard-working representative from any constituency in the Dominion that the hon. member has proved himself to be. It may be true that he does not take up the time of the House in useless discussions as the hon. member for Winnipeg does, but when he does address the House he speaks upon subjects which he can talk about with knowledge and he discusses every question fairly. Now it is within my knowledge, if not within the knowledge of the hon. member for Winnipeg, that through the efforts of the hon. member for Yale and Cariboo, subsidies of $3,200 per mile have been secured for over 100 miles of railway in the territory which he represents. There is the Columbia and Kootenay line from Robson to Nelson which was built with the aid of a grant of $3,200 per mile from this Government, secured through the efforts of the hon. member for Yale and Cariboo. There is the Nakusp and Slocan Railway, another railway that was built for the purpose of enabling the miners to get out their ores and get in their goods, a subsidy for which was secured in the same way. Then there is the Revelstoke and Arrow Lake Railway. The hon. member for Winnipeg will find that that railway was subsidized at the instance of the hon. member for Yale and Cariboo. Any one who has been through that country knows that these railways had to be constructed under great difficulties through heavy rock cuttings. The hon. member for Yale and Cariboo will receive the thanks of his constituents for having made the efforts he did and for having succeeded in getting the Government aid for these enterprises. Why, Sir, there is no other part of Canada that has a larger railway mileage for the number of its population than has this very Kootenay district, and that railway mileage has been secured largely through the efforts of the hon. member for Yale and Cariboo in getting subsidies for the railways I have mentioned. Another attack the hon. member for Winnipeg makes is based upon the statement that mails do not reach these points as regularly as could be desired. The hon. member for Yale explained that this was due to the unprecedented freezing of the Arrow Lakes—or rather not unprecedented, but unusual as to the length of time they remained frozen. The mail service was interrupted and the mails had to be sent around by Spokane. That is not the fault of the Government or the hon. member who represents that district. Facilities have been provided which are ample for ordinary seasons and by means of which mails, as a rule, run with the utmost regularity, I think the people in the Kootenay district will accept the statements of the hon. member for Winnipeg at their true value and will rather believe the hon. member for Yale and Cariboo, whom they have known as having large enterprises there and whom they have trusted for years. I say without fear of contradiction, as the Minister representing that province, that there is no more indefatigable member who has had business to do with my department than the hon. member for Yale and Cariboo. He has persistently endeavoured and has succeeded in getting at the hands of the Government everything he could for his constituency.

Mr. CASEY. It seems we have fallen upon an afternoon of stereotypes. First we had the stereotyped answer of the Minister of Public Works to the stereotyped pre-election question, and now we have the stereotyped statement of the Minister of the Interior.

Mr. DALY. We get your stereotyped voice.

Mr. OUIMET. You will never have the honour of being stereotyped.

Mr. CASEY. I hope not. The stereotype business belongs to the fossil side of this House, not the progressive side. The usual answer which the Minister of Public Works has given, is, he says, stereotyped sincerity also. Indeed his statement might have been drawn out with blanks in this way : My hon. friend the member for blank has asked about improvements at blank blank. I wish to say in answer to his question that, as this constituency has been often brought to the notice of the Government by my hon. friend from blank, we will give our attention to the question, and if it does not cost too much, we will do something for that constituency of blank. Then the member for blank, when he goes home, of course will use the stereotyped answer in the stereotyped way.

But my hon. friend the Minister of the Interior travelled a little out of the record so far as official answers on the floor of the House are concerned. He made, as I said, a stump speech, for it is only on the stump, and not usually across the floor of this House, that we hear it stated in an open and straightforward manner that justice was done to a certain part of the country, or that mail facilities were afforded, as a special favour to the member for that riding. Why, the Minister of the Interior says it was because the member for Yale asked the Government for this subsidy for 100 miles of one railway, and others whose length he did not give, at the rate of $3,200 per mile. That aid was given, not because the Government knew anything about the matter themselves, not in order to do justice to that district, not out of any desire to advance the interests of British Columbia, but because the member for Yale kept at the Government about it. Well, that is certainly a big advertisement for the member for Yale. It is just the sort of thing that is usually talked on the stump, but I have never heard a responsible Minister, if the hon. Minister be responsible, make such a statement across the floor of the House before. Sir, it is a most serious thing for the rest of the country to take into consideration. We are told here by a member of the Cabinet that these things were done just because the member for that riding kept at the Government about it. One hundred miles in one railway at $3,200 a mile——

Mr. DALY. The three railways together are 100 miles.

Mr. CASEY. Well, the country is called upon to pay that much for railways in the district of Yale, not because the Government know themselves that the district needs it, but because the member for Yale kept at them until he got them to do it. That is not my statement, but the statement of the Minister of the Interior. I am sure the Government is sorry that he exposed the proceeding so fully as he has done. It was far better to leave it in the stereotyped form as given by the Minister of Public Works, and to say that the Government would do all, and had done all, that the interests of the district called for from their own sense of justice.

Mr. LISTER. We have had to-day another of those amusing instances where the Minister of the Interior thinks that it is necessary to follow the hon. member for Winnipeg (Mr. Martin).

Mr. DALY. To keep him straight.

Mr. LISTER. I have been in the House a good many years, the member for Winnipeg has been here for a couple of years, and I cannot recall a single instance of the member for Winnipeg getting up to address this House without being followed by the Minister of the Interior.

Mr. DALY. Lots of them.

Mr. LISTER. It is always necessary that the Minister of the Interior should follow the member for Winnipeg. When the Minister of the Interior thinks it necessary, in view of what has taken place here to-day, that he should give the member for Yale a certificate of character, he has certainly given him a very excellent certificate, but in giving that certificate to those who have read it and heard it, the question naturally suggests itself what is the motive for the hon. gentleman speaking so highly of the member for Yale. When we remember that the Minister of the Interior is a Minister of the Crown, with all the emoluments and honour that that position involves, and that he is anxious to retain the honourable position which he occupies, that in order to do that it is necessary that the member for Yale, as one of the members of this House, who has always given the Government a most slavish support, should be recollected, one cannot withstand and fully appreciate thoroughly the reason why the Minister of the Interior should have given that certificate of character to-day. Now, the Minister of the Interior complains that the member for Winnipg has taken up some of the time of this House. I have no doubt, Mr. Speaker, that if the Minister had his own way, nobody on this side would be allowed to oppose any measure introduced or agitated by the Government of the day. But fortunately, under the system of government which we have, every member is entitled to express his views, and to express them as fully as he pleases, notwithstanding the fact that the Government may not be pleased with what he says. The hon. member for Winnipeg would be recreant to his constituents and to the country at large if he did not make his voice heard here. Sir, it must be consoling to the people of Manitoba, of the North-west and of British Columbia that there is some man in this House willing and able to represent their interests, to lay them before the House and the country, and who does so whenever an opportunity presents itself. It was a most astounding statement for the Minister of the Interior to make that this Government should have aided a railway in British Columbia, not because the Government knew that the railway was necessary in the interest of the country, not because it was necessary for the development of the enormously rich mines which have been discovered in the Kootenay district; none of these reasons appear to have actuated the Government in granting the aid; but we are told now, on the eve of dissolution, when an election must take place within a few weeks at the furthest, that it was because the member for Yale asked the Government to vote $320,000 for that purpose. Therefore, what the Government did was not for the country, it was not for the purpose of developing the interests of that section of Canada, but simply because we are now told on the eve of an election in British Columbia, that the hon. member for Yale asks the Government to do what the Government says it has done. I suppose this railway is in the interest of that country, it is not for me to suggest even, Mr. Speaker, that while it may be in the interest of the country, and no doubt it is, it is greatly in the interest of many of the political friends of the hon. member for Yale, greatly in the interest, perhaps, of the hon. member himself, but greatly in the interest of many of his political friends in that section of the country. Sir, will the people of the country accept the statement of the Minister of Public Works? Will he accept the certificate of character by the Minister of the Interior at this particular juncture for just what these statements are worth? The Government are going to the country and they want to be returned, they are doing all they can do in that direction, and both these statements are made for the purpose of influencing the votes in that section of the country.

Motion agreed to.

IMMIGRATION OF BOYS INTO CANADA.

Mr. CASEY moved for:

Copies of all correspondence between the Department of the Interior and D. J. O'Donoghue, Secretary Legislative Committee, Trades and Labour Council, Toronto, concerning the alleged misquotation in the report of the Committee on Immigration, 1895, of a certain letter relating to the success of Dr. Barnardo's boys as settlers in Canada.

He said: In making this motion, I may explain briefly my reasons for doing so. In the report of the Agriculture Department last year, the question of the importation of boys and girls from Great Britain, through the Barnardo Home, was dealt with, and figures were given in the body of the report to show the success that attended that importation. These figures were said to be based on a letter produced before the committee by Mr. Burgess, Deputy Minister of the Department of the Interior, and received from Dr. Barnardo, or his agent, at Toronto. The statement made, by the report of the committee, was that at least 85 per cent of those boys who had come to Canada and arrived at adult age—the Barnardo boys—are now permanently established on farms managed or owned by themselves.

That clause of the report naturally attracted a great deal of notice throughout the country. It excited the notice of the different organizations of workingmen, who were startled to find a statement which they believed to be so incorrect, put forward on the authority of a parliamentary committee, and scattered broadcast over the world as such. The Trades and Labour Council of Toronto, in particular, through its secretary, Mr. D. J. O'Donoghue, at once began correspondence with the Department of the Interior in reference to this report. They got very little satisfaction. Sometimes it was reported to them that the deputy was not at home; at other times it was reported that the deputy did not know anything about the matter. So the correspondence went on, the representations of this important body being treated in a very slighting manner throughout. The Trades and Labour Council of Toronto is a most important body, and its representations deserve, and should have received the attention of the department. Every citizen has a right to make inquiries from a department, on business that comes within its purview ; still more so is that true with regard to an important organization which is instituting special inquiries, and such an organization should be treated with respect and its inquiries answered in the fullest possible way.

During this correspondence which I will not trouble the House to read—I have the end of it that comes from the Trades and Labour Council—continuing from August, last year, to January of the present year, the Department of the Interior never even took the trouble to send to Mr. O'Donoghue a copy of the full report and evidence of the Committee on Agriculture. It was not until Mr. O'Donoghue had called the attention of the chairman of that committee to the matter, and until I had reminded him of the matter in the House, that Mr. O'Donoghue received a copy of the report, which should have been furnished him at first by the Department of the Interior. I am not blaming the chairman of the committee, but I hold that it should have been furnished by the department, which should have placed him in possession of information in regard to the matter. When the correspondence is produced it will be found that the statement made in that letter was, not that 85 per cent of the Barnardo boys had settled on lands of their own, but that 85 per cent of the Barnardo children were living in Canada in houses of their own or as tenants, or with farmers, and were doing fairly well. That was the statement made in the letter : but the statement in the report of the committee was a misleading one, that 85 per cent of the boys had become landowners and permanent settlers in Canada. I have brought the matter up in order to call attention to the mistake in the report, and to obtain equal publicity for the correction of that mistake as was given to its publication ; to allow the Minister to speak for the Department of the Interior and to defend, if possible, the discourtesy of that department in dealing with an important organization ; and to allow the chairman of the Agriculture Committee to explain how it was that a statement at variance with the evidence laid before the committee got into the committee's report, to which he attached his name.

Mr. DALY. I have no objection to the correspondence being brought down. I think when it is laid on the Table the papers will not bear out the statement made by the hon. gentleman, that there was any neglect on the part of the department regarding the correspondence with, or the letters written by Mr. O'Donoghue on behalf of the Trades and Labour Council of Toronto. On the contrary, it will be established that on receipt of the first letter from Mr. O'Donoghue, Mr. Burgess, deputy of the department, whose evidence was in question, was not at home. A copy of Mr. O'Donoghue's letter was, however, sent to Mr. Owen, agent of Dr. Barnardo, and as soon as his reply was received, it was communicated to Mr. O'Donoghue. It appears that the fault lies entirely with the stenographer, or whoever it was who took down the evidence which Mr. Burgess gave before the Committee on Agriculture. With that report, Mr. Burgess and the Department of the Interior have nothing to do. Just so soon as the attention of the department was called to the matter, and the department was able to communicate the fact to Mr. O'Donoghue, the officials did so. There was no intention whatever to slight, in any way, the Trades and Labour Council of Toronto, which is an important labour organization. I never heard of the matter until the notice was placed on the Order paper. It appears that a letter had been received by the department from Mr. Alfred B. Owen, who wrote as follows :—

> Not a few boys, now grown to manhood, are well established on farms of their own, upon which they were originally set up by the farmers with whom they were placed on their first arrival in the country.

Later on, in speaking of the large percentage of the Barnardo boys, compared with other immigrants, who remained upon the land engaged in agriculture, Mr. Owen mentions 85 per cent of the whole number as a fair estimate, but nowhere does he state that at least 85 per cent of the children brought to Canada by these institutions, and arrived at adult age, are now permanently established on farms managed or owned by themselves. A copy of Mr. Owen's letter in the department bears this out. Mr. Burgess states that he never said that 85 per cent of the Barnardo boys are now permanently established on farms ; in fact, he made no such statement before the committee. The correspondence of Mr. Owen does not carry out the idea that such statement is made. I am very glad the hon. gentleman (Mr. Casey) has brought this matter to the attention of the House in order that the explanatory statement may be publicly made.

Mr. SPROULE. As the chairman of that committee last year, I may say that I do not think there was any intention to show any discourtesy to Mr. O'Donoghue, in not answering his letters, and I am quite sure that the accidental mistake that occurred was not intentional. The object of the committee in putting this letter in as part of the report was, that any one who read the report, could see just exactly what it contained, because it was from Mr. Owen, who was the representative of the Barnardo Home. In summarizing that letter, it was accidentally said that 85 per cent of those boys were settled on land of their own, instead of stating that they were established on the land, which was, I believe, the exact wording of the letter. The report was drawn up very hurriedly at the end of the session, because we had only one day to present it to the House. It was read over before the committee, and no member recognized the mistake, so that it inadvertently passed. However, it was not regarded as of very much importance one way or another, what the summary was, so long as the letter was there in full to be examined by any one who took sufficient interest in the report to read it. I can well understand the difficulty Mr. Burgess had in getting this information at the time Mr. O'Donoghue wrote first, because the report of the committee was then being printed, and Mr. Burgess did not have it at hand, so as to recognize the mistake. At the time the first letter came, it so happened that he was out of the country, attending to his official duties, but when it was brought to his attention, an answer was sent to Mr. O'Donoghue. I do not know that Mr. Burgess was able to ascertain, just then, where the mistake was, and, therefore, he could not give a satisfactory explanation to Mr. O'Donoghue as to it. At the beginning of the session, Mr. O'Donoghue wrote to me, as chairman of the committee, but, as I was not then chairman, I did not feel at liberty to answer in that capacity. After the committee was organized and I was appointed chairman, I sent Mr. O'Donoghue a copy of the report, and I drew his attention to the difference between the actual wording of the letter and the summary published. Since then, I have heard nothing more about it, and I presumed it was satisfactory to Mr. O'Donoghue. I repeat, again, that the mistake was quite accidental. There was no intentional disrespect intended to Mr. O'Donoghue, or to the class of men whom he represents. It was an accidental occurrence, and was not intended either to mislead the public, or to do anything that should not be done towards those gentlemen on whose behalf Mr. O'Donoghue was writing.

Motion agreed to.

MR. JOSEPH BELIVEAU.

Mr. BRUNEAU (translation) moved for :

Copies of all petitions, letters and correspondence in favour of an indemnity for Joseph Béliveau, for injuries incurred by him while working under the Public Works Department at Sorel.

Mr. Speaker, I wish to say but a few words in support of this motion. The hon. Minister of Public Works is well acquainted with the facts alluded to in my motion, and I believe that in the interest of that employee of the Public Works Department, it would only be fair for the Government to have an investigation made to ascertain the cause of that accident, and the circumstances under which Mr. Joseph Beliveau came to injure himself. I gather from the statute of 1893, that the Government paid a sum of $1,000 and a further sum of $500 to a workingman who had injured himself while in the Government service. I believe that it would be bare justice in a case like this, for the Government to have an investigation made as to the circumstances of the accident referred to in this motion, and to take such action as might be suggested by those charged to investigate the matter.

Motion agreed to.

INTERPROVINCIAL BRIDGE—NEPEAN POINT.

Mr. DEVLIN moved for :

Copies of all correspondence, papers, and documents, relating to the construction of a bridge at Nepean Point, in the city of Ottawa, and joining the provinces of Quebec and Ontario.

He said : Mr. Speaker, the motion has reference to the construction of what is known as the Nepean Point bridge, a bridge interprovincial in its character, and connecting the city of Ottawa with the city of Hull. On two or three previous occasions, when I had the honour of bringing this matter before the House, I put questions to the Government in regard to any aid they intended giving this bridge, and the answer made to me was, that the matter was receiving the consideration of the Government. I believe the Government have been approached by large deputations from the city of Ottawa and from the county of Ottawa, asking for aid towards this public enterprise, and, more than that, a circular of importance has, I believe, been addressed to the members of this House, laying the matter before them and setting forth the reasons why public aid should be given towards this bridge. It is an important work, and, when constructed, will be of great benefit to the city of Ottawa, to the city of Hull, and to the Ottawa and Gatineau valleys. There are many railway companies that are most anxious that this work should be proceeded with. I may mention, in particular, the Pontiac Pacific Junction Railway, which has already received large aid from the Dominion of Canada and from the provincial government of Quebec, but it, nevertheless, cannot reach its point of destination in the city of Ottawa, owing to the fact that this bridge has not been constructed, and at the present time all trains belonging to that company have to use the bridge known as the Canadian Pacific Railway bridge. The delay in the construction of this bridge has also impeded greatly the progress of the Pontiac Pacific Junction Railway. There is also the Ottawa and Gatineau Valley Railway, another important railway running through the county of Ottawa, which cannot reach the city except by means of the Canadian Pacific Railway, and which will not be able to reach the city independently until this bridge is constructed. I am led to understand that the Canada Atlantic, as well as various electric railway companies, have also an interest in the construction of the bridge. I said a moment ago that it is a work of interprovincial character. It will be of special benefit to two very important points in the two great provinces of Canada, Ontario and Quebec. Every member of this House knows that during recent years that portion of the city of Ottawa known as Lower Town has suffered in many ways. In a commercial sense it has certainly gone down, and this is attributed largely to the fact that the important railway depot which was there formerly has been removed to Upper Town, and that a great deal of the traffic which then found its way to that portion of the city has been lost to it. This bridge will be of great benefit to that portion of the city of Ottawa ; but I do not wish to deal with that aspect of the matter, because I know that anything in regard to it may be brought out with greater effectiveness and force by the representatives of the city of Ottawa in this House. I see one of those gentlemen in his seat, and he can, I know, ably set forth the claims of the city of Ottawa to the immediate construction of this bridge. It will be of vast benefit to the county of Ottawa, the county of Pontiac, and I may add the county of Argenteuil, because it will put these sections into communication with the city of Ottawa, the province of Ontario, and the great American markets to the east. There is perhaps no part of Canada richer in resources than that known as the Gatineau Valley. It is the seat of great mines, and the seat of unrevealed resources which will one day constitute a large portion of the wealth of this Dominion ; and the people of that valley look most anxiously to the construction of this bridge as a means of bringing their products to the best available markets. I have brought this matter to the attention of the Government in the hope that very substantial aid will be given for the construction of this bridge. The city of Ottawa some two years ago voted a large bonus to the enterprise ; but I believe conditions were attached which have rendered it impossible for the company to touch that bonus up to date. The Ontario government has likewise voted aid, and it is stated that the government of Quebec is only awaiting action on the part of the Government of the Dominion in order likewise to vote a certain sum. I hope that when the Estimates are brought down, in them will be found such a sum as will enable the company to proceed with this great work, which is one of interprovincial importance and of general advantage to Canada, and calculated especially to prove of immense benefit to the two provinces of Ontario and Quebec.

Mr. HAGGART. Mr. Speaker, I fully agree with the hon. member for Ottawa County (Mr. Devlin) in the remarks he has made with reference to the importance of the undertaking called the Nepean Point Bridge. I know the advantage it will be to the city of Ottawa, and to the different lines of railway which the hon. gentleman has mentioned—the Pontiac road, the Gatineau road, and the Canada Atlantic. I know that the people of the city of Ottawa, the county of Ottawa and the city of Hull have set their minds on this undertaking, and that it would be of immense advantage to this section of the country. Several deputations have waited on the Government to ask for aid to this undertaking, and the Government, I may say, are inclined to favour it. As the hon. gentleman says, the Ontario government and the Quebec government have shown their interest in the enterprise by contributing to it, and the city of Ottawa has done the same. I have not the slightest doubt that I shall be able to persuade my colleagues to put a sum in the Estimates for the assistance of the undertaking. I have no objection at all to bringing down the papers. The plans and estimates are in my office. The bridge is intended to be not only a railroad bridge, but a means of communication for vehicles and passengers. I will take the earliest opportunity of bringing down and laying on the Table the plans and all the correspondence in my possession.

Mr. LAURIER. I am afraid this is somewhat the kind of stereotyped answer of which we have heard this afternoon, though I am bound to say that the Minister of Railways is a little more explicit in his promise than his colleague the Minister of Public Works. I concur in every word that has been uttered by the hon. member for Ottawa County as to this work being one that deserves encouragement from this Parliament, if the resources of the country can stand it, as I believe they can. The work has been subsidized by the government of Ontario, and also, I believe, by the city of Ottawa, or is about to be ; and I understand that the government of Quebec is favourably disposed towards it. But, as the Government is aware, the subsidies lapse after a certain number of years ; so that if action is to be taken, it ought to be taken at once. As to the advisability of assisting the enterprise, I suppose both sides of the House are agreed. The question remains, of course, whether the condition of the public finances at this time would admit of aid being granted. If so, I am sure there would be no objection on the part of the House to according the grant which the Government propose.

Motion agreed to.

THE POSTMASTER AT PETERBOROUGH.

Mr. BURNHAM moved for :

Copies of all departmental orders reducing the salary of the postmaster at Peterborough, and all correspondence relating to the same.

He said : Mr. Speaker, in making this motion, I desire to ascertain the Government's reason for making the reduction in the salary of the postmaster. The present postmaster of Peterborough has occupied that position for some twenty-seven or thirty years. An inquiry was made by the Post Office Inspector at Toronto as to the revenues of the post office in the summer of 1894. The postmaster at Peterboro' heard nothing directly about it until about a month or two afterwards, when he ascertained that his salary had been reduced from $3.800 to $2,000 a year, and everybody acquainted with the facts, is of the opinion that he was very unfairly treated. A communication was sent him by the Postmaster General, giving the reasons for the reduction of his salary. It appears that during that year some irregularities were committed by a clerk in the registered letter office, and the clerk was tried by the police magistrate. He pleaded guilty, and was sent to penitentiary for a number of years. One of the reasons given by the Postmaster General why the salary of Colonel Rogers was reduced, was that it was part and parcel of the policy of the Government to reduce the salaries of these officials, who received very large salaries, amounting to $4,000 or $5,000 a year, and that he came within that category. That reduction was made in August, 1894, and from that time to this no official occupying a similar position has had his salary reduced. The hon. Postmaster General says that he made a reduction in the case of the postmasters at Brockville and St. Thomas, but in those cases the postmasters had died, and their successors reappointed at reduced salaries. I am not finding fault with the policy of the Government in reducing the salaries of postmasters to $2,000, which is a fair salary, but I contend, at all events, that the policy should be carried out on fair principles. I have shown the House that not one of those gentlemen holding similar positions has had his salary interfered with since. At a time when the revenue from the Peterboro' office was $17,000, the salary of the postmaster there was reduced from $3,800 to $2,000. For the purpose of comparison, I draw the attention of the Postmaster General and the House to the salaries paid other postmasters, which salaries have not at all been interfered with, and to the revenues from these offices, to show that most unjust discrimination has been exercised against the official at Peterboro' :

Post Office.	Revenue.	Salary.
Peterborough	$17,200 19	$3,800 00
Brantford	22,430 64	4,540 96
Chatham	14,506 76	3,360 00
Guelph	19,161 06	4,600 00
St. Catharines	14,689 79	3,500 00
Woodstock	15,202 00	3,600 00
Stratford	11,813 60	3,000 00
Lindsay	9,252 57	2,250 00
Port Hope	7,642 81	2,240 00

I do not object to the principle of reducing the salaries of these postmasters, where they get a higher salary than $2,000 a year, and where there is a Government building, but, in the case of Peterboro', the postmaster was an old and tried servant with a large salary, having children at college whom he was obliged to take from college, because of this reduction without notice. Another reason given for the reduction was, that certain irregularities had occurred in his office. Well, the irregularities complained of consisted of the abstraction of letters by this clerk, who confessed his guilt and was sentenced, and the postmaster was called upon to refund the moneys abstracted, which he did, although not legally bound to do so, so that he stands in the position of having been twice punished. The following is the statement made by the department :—

> Shortly after I became Postmaster General my attention was called to the very large salaries paid to some of the postmasters in the large towns in Ontario, varying from $3,500 to $4,500 a year, and I decided after considering the matter to reduce them all to a maximum of $2,000 a year, which it seems to me is quite sufficient. In pursuance of this decision I took advantage of the vacancy in the post office at St. Thomas and at Brockville to reduce the salaries of the postmasters at those places to $2,000 a year, and I have done the same at Vancouver.
>
> Towards the close of last session several letters were stolen from the Peterborough post office and the clerk to whom Colonel Rogers, the postmaster, had entrusted the management of the post office was convicted of the theft and sent to the penitentiary. During the investigation it transpired that Colonel Rogers had paid little or no attention to the work of the office, leaving it entirely to his assistant and other clerks. My attention was called to this state of affairs by several members of the House of Commons and I promised that I would at once carry out with regard to the Peterborough post office the decision I had previously come to—to reduce the salary of the postmaster to $2,000, and I do not see how I can reverse the action I took after a full discussion of the matter with these members who had brought it under my notice.

Now, there was no investigation held at the police court, because the clerk on trial pleaded guilty, so that the facts were not all brought out. It seems unfair to punish a man twice. It seems unfair, after calling on him to refund these moneys, which had been abstracted by this clerk, and after he had done so, to then reduce his salary. It has been stated also that the salaries paid by him to the clerks were so small as to subject them to temptation. But, when the department reduced Mr. Rogers' salary, they took over the same clerks, who had until then been paid by him, and have since paid them the same salaries ; so that there is nothing against Mr. Rogers in that argument. I bring this matter before the House because it is a case of unfair and unjust treatment to an old and respected officer, who has given faithful service, and who, according to the testimony laid before members of the Government by the leading business men of the place, has always given every attention to the duties of his office, so that there was nothing to warrant his being treated in this exceptional manner. If it be part of the policy of the Government to reduce these salaries, it is all right, but there is no fairness in their having singled out this particular man and interfering with nobody else.

Sir ADOLPHE CARON. A question such as the one which the hon. gentleman has brought to the notice of the House could be much more conveniently discussed when the papers are brought down, because there are details and data in the official report which may not perfectly agree with those stated by the hon. gentleman. It had, therefore, been my intention, when the papers came down, to discuss the matter. I wish simply to-day to assure the hon. gentleman that there could be no possible reason why we should act unjustly towards the postmaster of Peterboro' (Mr. Rogers). There is no feeling of hostility on our part towards him. I never had the pleasure of meeting him until he came to Ottawa to discuss this question. I must also say that it is the policy of the Government, and, I think, one that is in the interests of the public at large, to reduce the salaries of postmasters in places like Peterboro'. In the case of Colonel Rogers, he was receiving very large pay over and above the salary stated, namely, some $1,100 for the rental of the boxes, and I thought that, comparing what he received with the salaries of officers in large centres, it was in the interests of the public to bring all these post offices under one common system as regards salary, which would be more in keeping with the work done and the revenue obtained from them. That is the reason why this change was made. We have been gradually operating the same system in various other post offices. The hon. gentleman states, as is quite possible, and I am quite prepared to accept his statement, that the circumstances which led to the change in other places were different from those which led to the change in this case. Some changes have been made in the case of postmasters who died and who were replaced by new nominees of the Government, who accepted the position at a reduced salary. That is quite true, but, as I have already stated, I do not wish to go into the question until the papers are laid on the Table of the House. When the papers are before us, I think I shall be able to show that there was no possible feeling of hostility, and no idea of perpetrating an injustice in the case of Col. Rogers. I think I may say that the salary which Col. Rogers is receiving now, though no doubt a large reduction from what he was receiving, is adequate to remunerate him for the work involved in his position and in proportion to the revenue of the post office. I am sorry that my hon. friend who has brought the matter up should have said that there could be the least feeling against Col. Rogers. As the hon. gentleman said, and as the papers will show, there were complaints made, but they were cleared away, and it was not because of those complaints that the reduction was made, but in accordance with the policy adopted by the department and applied to other post offices in a similar position to that of Peterboro'.

Mr. BURNHAM. As to what the Postmaster General has said, I desire to remind the House that I have not found fault with the principle, for I think that was quite proper, but I am complaining of the manner in which it was done. It was done without notice, and therefore there was an element of unfairness in it. As to the statement of the Postmaster General that Col. Rogers was getting a large salary through box rents, his net salary, as I have stated, was $3,800. Out of the box rents he had to pay the rent and other expenses.

Sir ADOLPHE CARON. It was a large salary.

Mr. BURNHAM. It was $3,800—too large.

Motion agreed to.

DREDGING AT THE MOUTH OF THE THAMES.

Mr. CAMPBELL moved for :

Return showing how much money has been expended by the Government in dredging at the mouth of the River Thames, Ont., since the year 1887. To whom the said amounts were paid, and the nature of the work done. Also, copies of all documents, letters, telegrams and petitions asking for further sums to be expended at that point or bearing on the subject.

He said : During the few years I have had the honour of occupying a seat in this House I have on many occasions called the attention of the Minister of Public Works to the importance of the work mentioned in this motion. The point where dredging should be done is at the mouth of the River Thames in the county of Kent. This is a navigable stream for twenty-five miles from its mouth. For the whole of that distance it runs through a fine section of country past the city of Chatham. The river is navigable for vessels drawing twenty feet of water, but, unfortunately, at the mouth of the river a bar has formed which prevents the entrance of vessels drawing more than about seven or seven and a half feet. This impediment to navigation is a very serious hindrance to trade in that part of the country, as large vessels coming in have to have their cargoes transferred or lightened before they can cross that bar. I have not been altogether unsuccessful in my efforts to call the attention of the Minister of Public Works to this important subject. About three years ago the Minister placed in the Estimates a sum sufficient to dredge a channel through the bar. This, of course, was only a temporary work, and we hope that a permanent work will be constructed there at an early day. The temporary work then done has since been obliterated, the channel that was dredged through the bar having filled up. Great pressure has been brought to bear upon the Government during the last two years to have the channel cut anew. The boards of trade and the city council of Chatham have presented petitions and memorials, and deputations have waited upon the Minister of Public Works asking that this work should be done. Last year the Minister promised me faithfully that the work should be done. At the close of the session he said that as soon as the session was over he would have the dredge go up there and cut a channel through the bar. I fully expected that he would carry out his promise ; but unfortunately he did not do so. An officer of the department went up there and made certain inquiries, but that was the end of it, no more being done.

Now, the work can be very easily done. There are two dredging companies in the city of Chatham ; they have large and powerful dredges, and would be glad to undertake this work, provided the Government did not send one of their own dredges. But it could be easily done by one of the dredging companies there, who would undertake it at a very reasonable expense, and would do the work in a very short time. Now, the people would like, of course, to have a permanent work done to obviate the necessity of asking the channel to be dredged out every year. But, failing to get that, they would be satisfied if a certain amount of money were appropriated for dredging yearly, and a certain amount of dredging was done, so that vessels could go across the bar and get into deep water. I think, Mr. Speaker, that the attention of the department having been called so often and so persistently to this matter, and they having promised over and over again that they would attend to it, it is now their duty to see that this work is done without any further delay. It is, I need scarcely say, of the utmost importance to the people of that part of the county. I would like to hear from the Minister of Public Works what he proposes to do in reference to this matter.

Mr. McGREGOR. I endorse every word that has fallen from the lips of my hon. friend from Kent (Mr. Campbell) with reference to the necessity for that work. The River Thames is quite an important river, and we all know that the city of Chatham, in whose interest we ask that this work be done, is a nice little city of about 10,000 inhabitants, who are very industrious and enterprising. There is deep water on this side of that particular obstruction, the member for Kent speaks about, and deep water on the other side. Now, there are two good dredging companies at Chatham, and this Government has a dredge lying at Amherstburg, called the "Ontario" that could remove that obstruction in less than three weeks. The amount of shipping passing through that channel is quite large. The larger portion of the lumber required in that district is taken in through that channel, and the necessity of changing from larger vessels to those of a smaller size by reason of this obstruction, makes the cost of transport much greater. Then the coal going to the western districts is increased in price for the same reason. I may also mention that the clay in the neighbourhood of Chatham is of a good quality for the purpose of making brick. That brick has to go down in small boats rather than large ones, which increases the cost of the bricks, so that the cost of transportation is increased both for the coal and lumber coming in, and for the brick going out. Moreover, there is a large agricultural district in the vicinity which ships large quantities of wheat, beans, and other products of that kind, and the boats have to be much smaller than they would need to be if that obstruction was removed. If a permanent structure was made there, I think it would not cost more than $10,000 or $12,000 to keep the water in a small space so that the sand would not spread where it does. I hope that the Minister of Public Works will see his way clear to allow a sum to be placed in the Estimates for the purpose of clearing out that obstruction, and assisting the people in that district.

Mr. OUIMET. All the papers will be brought down and laid before the House. It was the intention of the department to have some dredging done last summer, but they could not secure the services of a dredge. The matter will be attended to at the opening of navigation.

Mr. MILLS (Bothwell). This is a very important work, and if I remember rightly, there is a considerable portion of a former work done here that has never been paid for. There are claims standing against the department on the part of Mr. McKay, who says that he did work there for more than three times the amount for which the Government have ever given him compensation, and that he has been unable to get compensation for the balance. I hope that when the hon. gentleman takes into consideration the propriety of dredging the Thames and making provision for it—because, as regards the propriety, there can be no doubt—he will also consider the other matter which I have mentioned, and the papers concerning which, I think, were in his department before he actually became a Minister. Then I would remind the hon. gentleman that there is another matter which requires his attention. There is another river in the immediate vicinity in which he and one of his colleagues, on two successive sessions in the House, have promised to remove obstructions and to secure proper dredging. I may tell the hon. gentleman that vessels, during the whole of the period of navigation last summer, were obliged to lighten and to put off a considerable portion of their cargo in coming up to Sydenham. I trust these matters will receive the immediate attention of the hon. gentleman and his colleague, the Minister of Marine and Fisheries.

Motion agreed to.

It being Six o'clock, the Speaker left the Chair.

After Recess.

MANITOBA AND NELSON VALLEY RAILWAY.

House resolved itself into committee on Bill (No. 65) to incorporate the Manitoba and Nelson Valley Railway Company.—(Mr. Davis.)

(In the Committee.)

On section 3,

Mr. DAVIS moved :

That the word Gladstone be substituted for Arden.

Mr. LISTER. What is the distance between the two points ?

Mr. DAVIS. Sixteen miles. Arden is west of Gladstone.

Mr. MULOCK. I observe that a reference is provided to the Minister of Railways. It is not usual to leave an agreement at the discretion of an individual member of the Government. This discretion should be left to the Railway Committee of the Privy Council, although practically the discretion will be in the hands of the Minister.

Mr. MASSON. In the case of the Toronto, Hamilton and Buffalo Bill, discretion was left to the Minister of Railways. Action can be taken more quickly in that way.

Mr. MULOCK. I am not in favour of too rapid action being taken in regard to the assent of the Government to railway amalgamations and agreements affecting public rights. A little more deliberation will be in the interest of the enterprise.

Mr. HAGGART. I have no objection to the suggested change.

Mr. LISTER. The company seeking incorporation under this Bill is taking a very wide range for their operations. The Bill provides that the line shall commence at or near Winnipeg or between Winnipeg and Portage la Prairie and run west. What is to be the length of the line ?

Mr. HAGGART. For some distance it will parallel the Manitoba and Northwestern. If that company objects to this new company paralleling the route, there is the opportunity afforded of entering into an amalgamation. This road will practically parallel lines running up to Edmonton.

Mr. LISTER. The capital, $1,000,000, seems to be very insignificant in view of the magnitude of the undertaking.

Mr. SCRIVER. It was increased in committee from $500,000.

Mr. LISTER. It seems to me that this is not the kind of charter that should be given to any body of men. Under this charter they have power to construct a road of 1,500 miles, with a capital stock of $1,000,000, upon which it is only necessary to pay 10 per cent, or $100,000. I do not think the time of this Parliament should be taken up in granting charters for visionary companies, which are only intended to prevent genuine companies from going on with the work. It is important, in the interests of the province, that the charters granted by this Parliament should be for bona fide undertakings. On the face of it, this charter is for the purpose of speculation, or the intention is, to have the road built by subventions of public money. There can be no municipalities there to grant aid. I move that the capital stock of this company be $5,000,000 with 10 per cent paid up.

Mr. CASEY. My opinion is that we should throw out this charter altogether, as well as all such wild-cat schemes. It is a wild-cat scheme to propose to build a road of such length as this with even $5,000,000 capital. The late Hon. Thomas White once spoke of the North-west as going to be permeated, before long, with a gridiron of railways. Well, Sir, it is permeated with such a gridiron now, but the railways are all on paper. It is a distinct drawback to the progress of that prairie country, which is suffering for the want of real railways, to be putting through this House such a great number of paper railways every year. The responsibility for this largely rests with the Government. I do not know whether the promoters of this Bill are friends of theirs or not, but the Government have been too willing to support the passage of imaginary railway schemes through this House. The promoters of this Bill may happen to induce some speculator to purchase this charter, and to make it valuable to some extent, by frightening off intending competitors. That is the only good that can come of it. I repeat that these schemes injure Manitoba, and I shall support the amendment of my hon. friend (Mr. Lister). I do not suppose that this company can even put up the $100,000 required under the Bill, as at present, not to speak of the $500,000 which would be necessary, if the amendment is passed.

Mr. HAGGART. The Government were not at all interested in the Bill. It was considered very fully in the Railway Committee, and there was no objection taken to the amount of capital. The promoters stated their case before that committee, and I am not aware that I even spoke a word on the subject.

Mr. CASEY. I do not say that the Government is interested in this Bill, but the Minister knows quite well that no Bill is likely to go through the Railway Committee without the consent of the Government. I repeat that the Government is too willing to give their endorsation to schemes of this kind. It was supposed by most of those present at the Railway Committee, that an amendment was carried there to increase the capital stock. I complain that the Government did not perform their duty, as guardians of public legislation, when they do not oppose such schemes as this.

Mr. LISTER. I have not in any way reflected upon the Minister of Railways in the matter.

Mr. HAGGART. I referred to the hon. member for Elgin (Mr. Casey).

Mr. LISTER. I do not say that the Government are interested in any way in this Bill. It is a matter that concerns the House alone. Without any intention of being careless in the Railway Committee, it nevertheless happens that Bills often pass there which are not criticised as carefully as they might be. The rule of the committee has always been to make the capital stock of the company in some way commensurate with the magnitude of the work they undertake. If I had been present at the Railway Committee, I certainly would have moved to increase the capital stock. It is ridiculous to say that a road 2,000 miles long should only have a capital of $100,000 paid up.

Mr. DALY. Taking the main line and its branches, it cannot be over 1,300 miles.

Mr. CASEY. Is it not absurd enough with 1,300 miles ?

Mr. DALY. No.

Mr. CASEY. The hon. gentleman thinks it is not absurd to charter a company to build 1,300 miles of railway with a capital of $1,000,000, and $100,000 paid up. I do not think the hon. gentleman is as gullible as he pretends to be. I have no doubt that he knows it is absurd, and he supports this absurdity.

Mr. MULOCK. I do not know that it makes much difference what amount of capital stock is required in these companies, because the stock in railway companies has come to be regarded simply as a means of controlling the company and not as a means of building the road. I think our Railway Act provides that such stock may be given in payment, for certain classes of services, or that it may be sold at a discount. I suppose it may be given away. On the face of it, to any one not familiar with our practice and law, it does suggest rather a sham institution. For instance, in a railway company to build 650 miles of railway with a capital stock of $1,000,000, even if it were all paid up in solid cash, the proprietors would not be putting in $1,500 a mile, which would go a very short distance towards the building of the road. The railway would have no very substantial pecuniary foundation so far as the promoters were concerned, and it would only become successful according as the promoters were able to put it upon the public, either by selling bonds or by obtaining Government aid. I think this Bill, on the fact of it, is a Bill to create a charter to enable a certain set of men to use their best energies to float a scheme with other people's money. If they succeed, I suppose they may make something ; if they fail, they will practically lose nothing. I have myself frequently argued against the laxity of the Railway Committee in allowing too much capital stock to be issued. I have never up to this moment heard a complaint made that too little was issued, as the stock is only to enable the promoters to control the franchise, and they can do that just as well with a million as with any other amount, no matter what it is. It might all be given away to promoters and engineers, or in payment for right of way or for materials, or to contractors as an addition to the contract price, which practically means that the stock by which companies are controlled is not expected to pay a dividend. It is never quoted in the market ; it has no market value at all ; and the contractor, when he enters into a contract to build the road, stipulates that he shall have the bonds and the stock so that he shall be able to operate it and in that way make the bonds good and get his pay. I attach no importance whatever to the point taken as to the amount of the stock.

Mr. EDGAR. I understand that the bonding power of this company is $20,000 a mile. I do not entirely agree with my hon. friend from North York (Mr. Mulock) that the question of the amount of capital stock is of no consequence. In the committee we have always tried to have some reasonable amount of capital stock provided for, in proportion to the length of road. Now, if this company have power to bond the road to the amount of $20,000 a mile, I am sure it would be very reasonable to suggest that $5,000 a mile should be the limit of the capital stock. If there are 1,300 miles of railway, $5,000 a mile would make a capital stock of $6,500,000. That is certainly a very small amount, considering the average usually required in railway charters, as the hon. Minister of Railways knows. When the attention of the Committee of the whole House is drawn to the fact that the capital stock here provide for amounts to less than $1,000 a mile I really think that makes the thing ridiculous. You might as well have no capital stock at all. Of course, in fixing the amount of the capital stock, we do not bind the company to raise it all. They can go on and do it gradually. I think an amendment of that kind should be made, and if the objection is taken that no notice has been given, I think that the committee ought to rise, report progress, and ask leave to sit again, so that notice may be given for that purpose.

Mr. McMULLEN. It appears to me, considering the number of charters granted this year for railways in the North-west, that we are making a mistake in granting railway charters in this unlimited way, to almost everybody and anybody who applies for them, without having any information as to the means of the promoters to go on and build the road or to sell the charter. My own impression is, and has been for some time, that we grant railway charters altogether too easily. So many charters have been granted for railways in the North-west that they are paralleling each other and crossing each other in all directions. Why, Sir, we have granted enough railway charters in this House in the last seven or eight years to practically gridiron the whole North-west with railways. What has become of them? We know that in many cases the people controlling these charters come back to this House to get their charters renewed. We have renewed several this session. How is that? Simply because there is no financial bottom to the schemes when they are started. A number of men come and ask Parliament to grant them a charter for the building of a railway. After they have held the charter for a number of years, and the time has expired, they come back with a short, simple-looking little Bill to revive the charter and extend the time for another five years. We have been extending charters for railways on which no money has been spent. Now, I think it is time the Government should outline a policy with regard to railways, which every company seeking incorporation should comply with. In the first place, they should be required to present as directors the names of a number of men who have financial standing, and who would command the confidence of the public in carrying through the construction of the line; and in the next place, the capital stock of every company should be proportionate to the number of miles of railway for which the charter is asked. For instance, take this line which we are now considering. The length of the line proposed, as the hon. Minister of the Interior has said, is about 1,300 miles, and the proposed capital of the company is $1,000,000, of which 10 per cent is to be paid up, or $100,000. That amount of $100,000, scattered over the 1,300 miles, would just make $76 per mile, or not as much as would pay for putting in one culvert on each mile of road. Now, it is perfectly absurd to ask this House to sanction the bringing into life of a scheme for the construction of a road, for which only $76 per mile of capital stock is paid up. I do think that the proposition of the hon. member for Lambton is a reasonable one, and that we should refer the Bill back to the Committee on Railways, in order that the capital stock of the company may be increased. As regards the reading of the several clauses of the Bill, it is well known that in the Railway Committee, every clause is read; and certainly the committee of this House, which should be considered as important as the Railway Committee, should insist on having this Bill read clause by clause so that we may know what we are doing. We have, in the past, been altogether too lax in criticising Bills of this kind; and although it may be late in the day to adopt a different policy with regard to railway legislation, still, I submit that, even at this late hour, the Government should prepare an outline of the conditions to be complied with by every company seeking a charter for the construction of a railway, particularly in the North-west, and let those charters that have been brought into existence by past legislation die out as they mature, without anything being done. Do not renew a single one of those charters, and compel companies wanting new charters to comply with the terms stipulated, so that there will be some reasonable expectation that when a charter is given, the road will be built. Take the case of the Great North-west Central, which was a company that had as bright a future before it as any that was ever chartered. The capital stock of that company was very small, and it is well known that the parties who got the charter were doing everything they could to sell it. They succeeded, also, in getting a large grant of land, with the result that there was such a bonanza in the scheme the promoters commenced quarrelling amongst themselves. One section of them claimed to be chartered members, and the other section made an equal claim, and they fought it out in the courts among themselves for a long time. Now, if there was any part of the North-west that required a railway, it was that section through which the Great North-west Central was located; but owing to the charter having fallen into the wrong hands, the undertaking was put off from month to month, and from year to year, and although the people in that section were petitioning in the strongest terms, month after month and year after year, for the railway accommodation of which they were in absolute want, they could not succeed in obtaining it. We ought not to grant a charter unless we have the most positive assurance that there is strong financial backing behind its promoters. Now, in this case, we have two men from England, supposed to be chartered members and three Canadians, seeking a charter. I do not know that there was any evidence before the committee that these men in England asked that their names should be associated with the enterprise, and it is quite possible that their names have been used to give an air of strength to this scheme. These two men from England and three Canadians are the chartered members of this company for the construction of 1,300 miles of road, and we have no evidence whatever that they have any financial backing, or that there is any likelihood of the road being built. They want to get this charter, with a capital stock of a million dollars, of which $100,000 are to be paid up, or about $76 per mile. In order to test the feeling in the committee, I move that it rise, report progress, and ask leave to sit again. I make this motion in order that the Bill may be referred back to the Railway Committee and have the capital stock increased. The financial ability of any of these parties seeking incorporation is absolutely unknown, and the probability is that we will have them before us again asking for a large land grant. We have already given away an enormous amount of land in the North-west to railway companies—over 44,000,000 acres. When the Canadian Pacific Railway was built, according to the hon. Secretary of State (Sir Charles Tupper), we were to be recouped by the year 1890 for every dollar of money that we put into the construction of that road out of the lands which its construction would render valuable. But in place of getting money out of the public lands, we have been giving them away to every new company that has been chartered, and the result is we have possibly given away over 44,000,000 acres of the best land in the North-west to railway companies; and in many cases the parties who got the charters and these grants of land are peddling round their charters in the hope of selling them and making something out of them. It is time we should put a stop to this business and try to get down to something like a sensible basis. I, therefore, move that the committee do now rise, report progress, and ask leave to sit again.

Mr. HAGGART. I suppose that we cannot alter in the committee the amount of capital that is fixed in the Bill from a million dollars to a larger amount, but I am a good deal of the opinion of the hon. member for North York (Mr. Mulock) that it does not make much difference what the amount of capital is.

Mr. DAVIES (P.E.I.) Why?

Mr. HAGGART. Because only 10 per cent is paid up, and as a rule not one cent of that goes into the construction of the road. I do not know what the rules of the committee are, but I would have no objection to make the capital two and a half million dollars, if the House will consent.

Mr. McMULLEN. If the capital be made two and a half million dollars, I am willing to withdraw my motion.

Mr. CASEY. When the motion was made to increase the capital to five million dollars, the chairman ruled it out of order.

Mr. DEPUTY SPEAKER. Such a motion is out of order, but, with the unanimous consent of the House, any rule can be dispensed with.

Mr. CASEY. I am not objecting to the motion, but I wish to refer to the statement that it does not make any difference what the capital of the company is. The Minister has already admitted that the capital is distributed for various reasons, and does not go into construction at all. But the men who put up the capital called for in the Bill, control the fortunes of the railway and control all the other capital put into it. The effect of such a charter is to give men of straw control of a franchise affecting an important part of the country, and, possibly, to prevent railway construction even where it is needed in the interest of the settlers. This method of granting charters, I believe, is doing more to keep back Manitoba than even the vicious trade policy of this Government, and that is saying a great deal. When you ask English capitalists to invest in a scheme with real merit, their answer is: What is the use? There are half a dozen charters over that road already. Why is it that English capital is going to every part of the world except to Canada? It is largely because of this system of paste-board companies that we are chartering here. This railway practically does cover ground covered by a company previously chartered.

Mr. MULOCK. But it has not built any railway.

Mr. CASEY. If I am not mistaken, it covers the same ground as the Winnipeg and Great Northern, better known, perhaps, as the Hudson's Bay road. I am not saying that that has made progress, but that is largely because the Lake Dauphin and other roads have been chartered over the same ground. If you charter a new road over the same ground every year, you diminish the chances of any one road getting the Government subsidies, and for this and other reasons you diminish the chances of the construction of the road. Under these circumstances, I would have supported the resolution of my hon. friend from North Wellington (Mr. McMullen)——

Mr. DEPUTY SPEAKER. He has taken it back.

Mr. CASEY. If he takes it back, very well. But, if the Bill is not amended to look a little less farcical before it goes through committee, I shall move such a resolution myself.

Mr. MACDOWALL. I would like to say a few words with respect to the motion of the hon. member for North Wellington.

Mr. DEPUTY SPEAKER. It is withdrawn.

Mr. FRASER. I do not think there is much in the contention about the amount of capital. No person will engage in an enterprise of this kind simply because they see five million dollars mentioned in the charter. They will inquire very carefully how much money has been paid up on the stock, before they go into the enterprise. They will not go merely by the words of the charter. There are many ways of paying up 10 per cent without paying anything, to use an Irishism. The solvency of the company may sometimes be better assured by naming a capital of one or two hundred thousand dollars than by naming twenty millions. The real objection that I see to this Bill is that which was raised before. I suppose more companies with large capital are incorporated by this Parliament and other parliaments that are never heard of again, than is the case with the smaller ones. When you go to an ordinary man with a scheme calling for half a million, you are more likely to get a subscriber than if you have ten or twenty millions as the nominal capital. In the latter case, men are apt to say : This is an immense enterprise, and there must be some extraordinary attractions about it. I believe that a Bill like this, granting important franchises over a large area, is not in the interest of the people of this country. Believing, as I do, that that which the Creator has provided for all, should be kept for the benefit of all, I think that such charters should not be given to the few. A company like this spreads over an immense area. You give them large land grants, power to control the navigation of rivers, power to impose tolls. That is, you give to the few that which enables them to benefit at the expense of the many, and it is the many whose benefit we seek, or ought to seek. As to the other objection, I do not see much in it. I am sure that, if the hon. member who has spoken, were asked to invest in the scheme, he would look at it very carefully, and I do not think he would be more ready to put in his money because the nominal capital was given at five millions, rather than half a million. With his well-known shrewdness, he would consider what expenditure would have to be made upon the works, and he would calculate very carefully the trade that might be had. If any member of this House thinks that capitalists are going to be secured by the difference between five millions and half a million of nominal capital, he is mistaken. He will never get capital in this way, and if this Parliament passes an Act mentioning twenty, twenty-five, fifty or a hundred million dollars, it would not bring a dollar of capital into Canada, but rather prevent capital from coming in, by showing that this Parliament was granting to a company franchises that, when they were fully inquired into, would be found to be altogether out of any proportion to the amount of capital mentioned in the Bill.

Mr. CASEY. That is just what they are doing.

Mr. FRASER. But that is not the question. The question raised was whether there was large enough capital mentioned in the Bill. I say that makes no difference. It is the enterprise, and the return that is to be got from the enterprise, that will be considered. It is all these things that make the Bill when it goes before the money-lending world. I enter my protest, believing that this is not in the best interest of the people of Canada, which alone ought to be considered. I fear that when we pass Bills like this, we have only an eye single to the men who ask for incorporation, instead of looking at the way they will affect the interests of the people of this country.

Mr. MULOCK. I would be sorry to see any gentleman, at this stage, take grounds against granting charters to railways simply because there are others on paper. In the United States they have free trade in railways, and the only thing that prevents any railway being built is because some other company has actually constructed a railway : and when money is invested or liabilities created on the faith of a charter, we must take care not to destroy capital. But if there is no existing company, if there be no investment of capital, we are doing a foolish thing not to encourage the promoters. I would grant a dozen charters for this work, and let the first one who can occupy the territory within a reasonable time. I think we should pass this Bill and be done with it without any more delay.

Mr. CAMPBELL. I do not agree with the remarks of the hon. member for Guysboro' (Mr. Fraser) that the capital is out of proportion. I think we have over and over again increased the capital stock of companies. The Minister of Railways has been very careful on that point. All Bills that have been before the Railway Committee have been scrutinized by him very carefully. I can recollect instances in which he has increased the capital stock of a company over and over again. Now, it does seem to me that he cannot surely have paid any attention to this Bill, or else the Minister of Railways, with the great attention that he gives to all Bills, would not have allowed a Bill like this to pass through the Railway Committee. What are the facts ? Here is a railway that is admitted to be 1,300 miles long, that I suppose cannot be built for less than $10,000 or $20,-

000 a mile. At the least computation, that would make thirteen million dollars required to build that road. Now, this company asks for extraordinary powers. They ask for power to build steamships, they ask for power to build canals, to complete navigation, to put steam tugs and barges on these canals ; and they also ask for power to erect grain elevators, and to erect docks and wharfs. Then they want power to erect a telegraph and telephone line along the whole line of their railway for the accommodation of the public. Here we are actually chartering a new telegraph company for 1,300 miles. Now, this company comes forward, and we propose to give them a charter, with all these franchises, with a capital stock of only a million dollars, about one-twentieth of what it will cost, and with a capital paid up of only 10 per cent, or $100,000. And with all these enormous privileges and franchises we are giving them, we propose to send them afloat with the mere pittance of a capital of $100,000. Not only are we giving them these immense franchises, but I see we are giving them power to bond the road to the extent of $20,000 a mile, and yet they want us to put through this Bill with the terms here mentioned. I think the Minister of Railways must have overlooked the provisions of this Bill, else he would not have allowed it to pass. I think more capital should be paid up. We should not charter a company like this with a capital of only $100,000. If they want to construct the road, let them put in some substantial sum that will ensure the completion of the work, and show the good faith of the men interested in this concern. I would rather that the member for West Lambton (Mr. Lister) had moved that a larger sum should be paid up, as well as increasing the capital. I am certainly opposed to the Bill in the way it stands now.

Mr. MARTIN. I entirely agree with those members of the committee who are averse to so many schemes being before the public at the back of which there is no money. I may say that when this Bill was before the Railway Committee I asked the promoter if he had the money ready or if there was any prospect of getting the money to build the railway, and he gave me a very unsatisfactory answer. Practically at the time, I understood that they had no money, that it was a mere paper charter. That being the case, I cannot agree with the views of the hon. member for North York (Mr. Mulock) and the hon. member for Guysboro' (Mr. Fraser). It seems to me that the capital stock is of considerable importance, because it is a question of bona fides. That provision of this Bill which provides for the paying up of 10 per cent of the capital, what is that put in for ? It is put in for the purpose of making something substantial in some way. Now, if the capital stock don't make any difference, why not make it $100 ? Suppose we put in here a capital stock of $100, and say that it may be called up by the directors from time to time, 50 cents or 75 cents at a time.

Mr. FRASER. All right, they would not go on. That would be a good feature.

Mr. MARTIN. It shows that the capital stock is a matter of some importance ; and, as has been said by other members, it has always been considered in the Railway Committee of importance to insist that there should be some reasonable approximation to the cost of the enterprise in connection with the capital stock. I am in favour of introducing into these charters the most stringent provisions to prevent them from being used as subjects of speculation. I believe, as other members of the committee have said, that there has been a great deal of harm done in the different parts of Canada and I can substantiate everything that has been said by the hon. member for North Wellington (Mr. McMullen) as to the Great North-west Central Railway Company, which has been before this House on many occasions. There is no question at all that the chartering of that road, and the giving of the land grant has actually prevented the building of railways in that part of Manitoba through which it runs. It was chartered to run on the lines of the old Mackenzie survey of the Canadian Pacific Railway, and on the faith of the Canadian Pacific Railway being surveyed along that route, away back in 1879 and 1880 a large number of settlers went in and settled along the line of that railway. The Great North-western Railway obtained a land grant with which to build a road. The result of the whole matter, however, was that a road was not built through a section of Manitoba where a railway is specially required. A certain section of the road was constructed under such adverse circumstances that the company have never been able to operate it properly. A few days ago, the Supreme Court gave a final judgment, as the result of a course of litigation between different parties in connection with the road, but, no doubt, the case will go to the Privy Council. The whole trouble arose from the loose way in which this Parliament considers the question of granting railway charters. Here is a Bill, which is, on its face, a most important one, and is for the purpose of enabling a company to build a railway from the province of Manitoba or the North-west Territories to Hudson's Bay. As I have already shown to the House, the question of railway connection with Hudson's Bay is a very important one in regard to the North-west. Here is a proposition to start up another company, and, while it may be said that the chartering of the company does not give the company any bonus, still, it is apparent, from the provisions of this Bill, especially those portions dealing with a contemplated land grant, that a bonus is expected.

Some hon. MEMBERS. Time.

The time for private bills having expired, the committee rose.

HOUSE OF COMMONS.

House resolved itself into committee on Bill (No. 16) respecting the House of Commons.—(Mr. McCarthy.)

(In the Committee.)

On section 3,

Mr. MACDOWALL. Would the hon. gentleman explain ?

Mr. McCARTHY. At present, owing to a misunderstanding ; in 1874, when the election law was changed and elections were all held on the same day at a general election, it became necessary that the Governor in Council should fix a day for the nomination. That clause was thoughtlessly made general, and the result is that where there is a by-election the Governor in Council also fixes a day for nomination. That was unnecessary, because as the law then stood, the writ of election went to the returning officer, and the returning officer was required within so many days after its receipt to appoint a day for nomination and polling. That of course was amply sufficient for the purpose. Now the law is, that the Governor in Council has to fix the day, and in practice it has worked out in this way. A vacancy occurs, the Speaker issues his warrant and it goes to the Clerk of the Crown in Chancery, but, there it remains until the Governor in Council has fixed the day of nomination and appointed a returning officer. I do not desire to interfere any more with the power that Parliament has hitherto given to the Governor in Council, than is necessary. This law gives the Governor in Council power within three days to name the returning officer and to fix the day for election. But, if the Governor in Council fails to do so within three days, then it becomes the duty of the Clerk of the Crown in Chancery to issue the writ to one of the sheriffs of the districts where the election is to be held. The next thing is to give authority to the Clerk of the Crown in Chancery to fix the date for the nomination, which must not be more than so many days from the receipt of the writ ; say fifteen days.

Mr. MACDOWALL. Is not three days rather a short time in which to allow the Governor in Council to act ? It might occur when Parliament is not sitting, and when Ministers are absent and could not meet. Would it not be better to make the period a little longer ?

Mr. MASSON. Three days would not be sufficient to give the Governor in Council time to correspond with a person to know whether he would accept the office or not, and it also might occur that the man whom they desire to appoint was absent.

Mr. DALY. The whole thing is such a radical piece of legislation that it seems to me to require more consideration from the House than has evidently been given to it. So far as I am personally concerned I have not had the opportunity to consider the Bill. The space of three days is not sufficient. Suppose a vacancy occurs in any outlying constituency, three days will not be sufficient time in which to communicate with the friends of the Government with regard to the appointment of a returning officer—that is usual, no matter what Government is in power. I think the hon. gentleman (Mr. McCarthy) has gone too far in his attempt to reform the law.

Mr. MILLS (Bothwell). This is one of the matters in which the Government, it seems to me, have no right to have any other power than that of a single administrative power. We impose ministerial duties upon them, but they should not stand in a different position from any other parties in regard to this matter. In England no such power is possessed by the government. I wish to call the attention of the House to the fact, that the power of the Government to fix the time for the issue of the writ, and for the election, and to name a returning officer, was a provision in the old constitutional Act of 1791. But it was provided also, that that condition of things should only continue for a limited time, until the legislative assembly in each province should meet and make other provisions. The intention was that the power which was given to the Government in the first instance by the Act of 1791, should be superseded by a general provision made by the legislative assembly of each province. We have returned to some extent to what was intended to be a temporary condition of things. Three days as mentioned in the Bill may be too short, but there ought to be a fixed period and it ought not to be in the discretion of anybody to alter the period named in the statute.

Mr. McCARTHY. I have no objection at all to make that ten days, or anything that is reasonable.

An hon. MEMBER. Thirty days.

Mr. McCARTHY. Oh, no. This ought not to be looked upon in a party spirit, for while it may be in the interest of one party to-day it may be against the interests of that party before very long. We ought to have absolute control over our own proceedings. There ought to be no possibility of outside interference with the writ which under the law this Parliament directs to be issued. When Parliament is sitting the writ is directed to go to the Clerk of the Crown in Chancery, but although we may order that, the writ cannot be executed until an outside committee, called the Government, choose to fix a day and to appoint a returning officer. That is absolutely wrong. It degrades Parliament. It lowers the dignity of this body that its warrant is in any way to be interfered with, by what may be termed a party committee. I think it would have been better perhaps, if we had taken from the Government in by-elections all control over the writ, and directed that in that case the writ should go to the ordinary officer, who is the sheriff, and that the sheriff should execute the writ after so many days, according to the provision for the particular constituency. I was not desirous of interfering more than was absolutely necessary with the law as it stands, and I am only anxious that the warrants of this Parliament should be executed in accordance with the direction of Parliament. I have no objection to substitute ten days for three days.

Mr. MASSON. This is an attempt to change materially the principle of the law as it now stands.

Mr. McCARTHY. Undoubtedly.

Mr. MASSON. At present the Governor in Council fixes the day and names the returning officer. The Governor in Council under this Bill would have to communicate with the person whom they thought proper to appoint, to nominate that person, and get his acceptance. Three days is certainly too short for that, and even ten days is too short, in the western and eastern provinces.

Mr. McCARTHY. It is all done by telegraph.

Mr. MASSON. I do not think it is proper to ask that this should be done by telegraph. There are three or four periods. For instance, in the case of Winnipeg it would require double ten days to make these two returns, without any delay in the correspondence. If it is the desire to make the matter compulsory, and to fix a definite time within which the writs should issue to some officer named in this Act, the time fixed should be reasonable for all parts of the Dominion: and instead of ten days, I would suggest thirty days, as nearer the time required. It must be remembered that the officers named in this section, and perhaps the most suitable officers available, are not officers of this House or this Government.

Mr. MILLS (Bothwell). That does not matter.

Mr. MASSON. It does not matter, but it is one of the arguments in favour of the Government of the day having the appointment. Why should the Government of the day be forced to place their writs in the hands of an officer over whom they have no control, and who has no interest in them, but who may be very much opposed to them?

Mr. O'BRIEN. The argument of the hon. gentleman just shows the difficulties which arise out of our present system. If it is necessary to spend twenty days to find a returning officer, this is ample evidence that our system of appointing returning officers is a bad one. If the writ necessarily went to some official, it does not matter much who that official might be, there could be no necessity of keeping a constituency unrepresented for twenty days in addition to the time that must necessarily elapse between the issue of the writ and its return. It is not necessary in this House to call attention to the many instances in which the power of the Government has been abused in by-elections. I believe that there are three constituencies unrepresented in this House at present. Any one who pays any attention to the doings of the English Parliament, and who reads the English newspapers, will be astonished to find that it is announced one week that such a constituency has become vacant, and the next week, almost, that a new member has been returned. The re-election follows the vacancy with wonderful rapidity. There is no reason why we should not have the same practice here, with regard to members of this House. Even if you extend the time twenty days, as proposed, that would be better than to allow by-elections to be made use of for party purposes as they have been. For my part, I would rather see the old system re-established than to have the great abuse of partisan returning officers. Undoubtedly abuses did arise, and there were grounds of complaint against returning officers under the old system. There were reasons perhaps, for believing that there were partisan returning officers, who were officers of the provincial governments, and who belonged, perhaps, to the party opposed to the party in power, by whom the writ was issued. But I think that any partisanship or abuse that arose under that system has been exceeded in a great many instances under the present system. Under the old system, you might have a partisan returning officer opposed to you; but you were just as likely to have one who was not a partisan, or one who was a friend of your own; whereas, under the present system, the returning officers are all partisans. It does not follow that the sheriffs are all to be of one party stripe, unless we are to suppose that the provincial government is for all time to be controlled by one party. I have had to do with a few elections, and in a part of the country where the partisanship of the Ontario officials was perhaps more pronounced than in any other part of the province: and I will say that in all elections conducted under officials of the Ontario government, there was far less trouble, even to myself, than there has been in elections in which the returning officer was a gentleman recommended as a friend of the Government. I would very much rather have an officer of the Ontario government, ex-officio a returning officer, even if an opponent of myself, than a gentleman recommended as a friend of the government, will all the annoyance which every one knows must attach to one in having a partisan returning officer, to say nothing of the onus which the candidate must bear of having a returning officer nominated by himself. For my part, I would rather see the system changed. At all events, let us have a fixed time within which the writ must be issued.

Mr. WHITE (Shelburne). I agree with the hon. member for North Simcoe that a definite time should be fixed in this act; but it strikes me that this clause, in the way it is drawn, will not have that effect. I think it would be impossible, in most portions of this large Dominion, to appoint and obtain an acceptance from any returning officer within three days. If that is not done, then, under this clause, the sheriff of the district is to be appointed. You would have to communicate with him. He might be disqualified or he might refuse to act; and if so, you would have to hunt for another sheriff or registrar, and a very long time might elapse before you found a suitable person to act as returning officer; and therefore you would not have a definite time. I think it would be very much better to have a fixed time mentioned in this clause, and instead of making it three days, I think it should be made thirty days, which would give the Government ample time to communicate with the party and ascertain whether he will act or not. I venture to say that in many cases, under the clause as it is framed, thirty days or more would elapse before you could select the individual who would accept the appointment.

Mr. DALY. I am afraid the hon. member for North Simcoe has not considered the law fully in framing this measure, because we find in chapter 8 of the Revised Statutes, the Act respecting Elections of Members of the House of Commons, it is provided in section 3 that:

> Every writ for the election of a member of the House of Commons shall be dated and be returnable on such days as the Governor General determines, and shall be addressed to such person as the Governor General appoints.

There is nothing in this Bill that repeals that section.

Mr. McCARTHY. A subsequent Act always repeals a former one.

Mr. DALY. The Bill refers to the Act respecting the House of Commons, but my hon. friend, in framing the Bill, has overlooked this provision of the Elections Act. Now, even if this Bill is passed exactly as it was framed by the hon. member for North Simcoe, it would be inconsistent with the law as it now stands, and would not repeal it or override it. I would, therefore, move that the committee rise and report progress, in order that the hon. member may have an opportunity of amending it.

Mr. DAVIES (P.E.I.) I do not exactly understand the hon. gentleman's point, but it may be that I did not catch his reasoning. I understand that at present the discretion is left entirely with the Governor General in Council, and that the object of the Bill is to do away with that discretion, and that the general feeling on both sides is that it should be done away with.

Mr. DALY. Not at all.

Mr. DAVIES (P.E.I.) I heard the hon. member for Shelburne express his opinion, with which I am in accord. The only thing he did not approve of was the number of days, but the principle he advocated was in accord with that laid down in the Bill. That section reads:

> If within three days after the receipt by the Clerk of the Crown in Chancery of the Speaker's warrant, issued under the authority of the Act respecting the House of Commons or any other Act of the Parliament of Canada, or by the order of the House of Commons, or the receipt of the warrant of two members of the House, for the issue of a new writ for the election of a member to fill a vacancy in the membership of the House, the Governor in Council has not appointed the returning officer to hold the said election, or fixed the day for the nomination of candidates thereat, the Clerk of the Crown in Chancery shall, notwithstanding anything to the contrary contained in the Dominion Elections Act or in any other Act of the Parliament of Canada, direct or address the said writ to the sheriff or one of the sheriffs (if there are more than one) of the county or district in which is situate the said electoral district or part of the electoral district for which a new election is required: and such sheriff shall be the returning officer at the election to which such writ relates: Provided always, that if the sheriff to whom the writ is addressed, refuses or is disqualified or unable to act, the Clerk of the Crown in Chancery shall appoint one of the other sheriffs (if there are more sheriffs than one who might have been originally appointed), or the registrar of deeds, or one of the registrars of deeds (if there are more than one), of the county or district in which the electoral district or part of the electoral district is situate, as such returning officer.

That would certainly override any provision in any statute that conflicts with it. It would be as much a repeal of any such statute as if you were to expressly repeal it. Any Act inconsistent with the later Act is necessarily repealed by it. It may be, that three days are too short, but I do not see any principle involved in fixing the number of days. Let it be ten days, or, if desirable, fifteen days.

The discretion which has heretofore been invested in the Governor General in Council, has not been exercised as it should have been, and this is to provide a fixed time within which that discretion must be exercised, in default of which, the writ shall be issued by the Clerk of the Crown in Chancery.

Mr. SPEAKER. There is a point which, I think, the hon. member for Simcoe has overlooked in the framing of this clause. He has restricted the issue of the writ to the sheriffs and registrars of counties, but these officers in the different provinces, except in the North-west Territories, are not officers of this Parliament, and we have no power to compel them to act.

Mr. MILLS (Bothwell). Yes, we have. We can designate whom we please, and designate them by their offices as well as in any other way. It is not because they are sheriffs or registrars, but because they are appointed officers of this House, under statute passed by this Parliament, that they become our officers. Take the election court, when the question as to the constitutionality of the election court was submitted to the Judicial Committee of the Privy Council, they held that it was a new and distinct court, that the judges were not acting in their capacity as judges of existing courts, but that it was a new court, which had been constituted by the Act for the trial of election petitions. And the judges were not consulted whether they would serve as judges of that court or not. They were designated by the statute, the duty was imposed upon them, and they had that duty to discharge. Surely, if we can appoint a judge a member of the election court, without consulting him, and impose the duty upon him of trying election petitions, we can appoint a sheriff as returning officer and impose the duty of returning officer upon the person so named or designated. That Act was in operation several years. It was repealed in 1879, and there is no reason why it should not be revived under a provision of this Bill; and, that being so, I cannot see any object in making the time much longer than that mentioned in the Bill, namely, three days. Why should the Government delay the writ? What right have they to exercise jurisdiction over the thing at all ? When we look at the English statute, which has been in force since the time of William III., we find that the Crown possesses no such power there. There are certain ministerial duties imposed upon a public officer at the head of a particular department, and the writs are issued, as a matter of course, from that department, by the Clerk of the Crown in Chancery, who is the ministerial officer in that department. I see no reason why that course should not be followed here.

Mr. McCARTHY. I do not understand why my hon. friend the acting Minister of Justice (Mr. Daly), should have criticised the clause by saying that provision is not made for the Dominion Elections Act. That Act is actually named in the clause, and the purport of the section is not to take away absolutely from the Governor in Council the power to name the returning officer.

Mr. MILLS (Bothwell). It ought to be.

Mr. McCARTHY. I dare say, but the clause, as framed, does not purport to do that. It simply provides that, if he does not act within a certain time, which is suggested as three days—but there is no magic in three days, any more than in five, or six, or ten days—the Clerk of the Crown in Chancery shall, in that event, and not until that event, issue the writ to one of the sheriffs, or, in case the sheriff is disqualified, to one of the registrars. The principle we have to discuss on this clause is, whether or not we will have our rights tampered with, because that is what it comes to, after the warrant from our officer, the Speaker, reaches the Clerk of the Crown in Chancery. Just let me give some instances of the way this power has been abused. In the West Quebec case, the warrant was directed and reached the Clerk of the Crown in Chancery on the 14th July, 1894 ; but the Order in Council, fixing the day of nomination and appointing a returning officer, was not made until the 28th March following, so that from the 14th July to 28th March, the warrant lay lifeless in the hands of the Clerk of the Crown in Chancery. In the recent elections we have had, for instance in Cardwell, the warrant was dated the 29th October. No fault is to be found with the Speaker, because he has acted promptly in every case, according to the statute, but no writ was issued until nearly a month afterwards, when all the party arrangements were made suitable for the event. Will any member of the committee say that a returning officer could not have been appointed within three days in that particular constituency ? In North Ontario, the 2nd November was the date of the warrant. It was more convenient for the Government to issue the warrant earlier in that constituency than in Cardwell ; and consequently, although the warrant in the one case was dated the 29th October and in the other 2nd November, the writ was issued on the 18th November for the county of North Ontario. And so on in West Huron and Charlevoix. If we are really to preserve our own self-respect and the dignity of this House, we ought to provide some means by which the warrant issued by the order of the House, or by the Speaker, in pursuance of the statute giving authority to the Speaker, should not be interfered with by the Government. And I see no reason why the committee should rise, unless it is the intention of the Government to take that means of preventing the Bill becoming law.

Mr. DAVIES (P.E.I.) I do hope we are not going to dispose summarily this Bill in this way. There has been no suggestion of any reason why the Bill should not pass. I do not care what the Government is, whether Liberal or Conservative, this discretion which has been exercised improperly since 1879 should not be allowed to continue. The House should take this matter in hand and determine once for all that its own writs shall be issued in the proper time and to the proper officer who will execute them. I do not think we should carry party so far that in these important matters party allegiance should induce us to vote down a Bill of this kind without any argument being advanced against it. The proposal is one that cannot but commend itself to the good sense of the House, and, though there has been a difference of opinion about dates, these could easily be overcome through consultation. The principle of the Bill has been accepted and it should not be killed in this roundabout way in committee.

Mr. OUIMET. I have not heard any argument in favour of making the cast-iron rule that an election should take place immediately after a vacancy occurs. As it is now the appointment of a returning officer and the fixing of the day of an election has been left to the discretion and responsibility of the executive. This responsibility is exercised just as every other responsible duty is that devolves upon the Governor General in Council. I should not need to go far to cite cases in which elections have been delayed to the great convenience of the public at large, and in particular to the constituency in which these elections were to take place. Why should we limit the responsibility of the executive ? I know that the answer of hon. gentlemen opposite will be that we have not responsible government because there is a Conservative Government at the head of affairs.

Mr. McCARTHY. No, no.

Mr. OUIMET. The hon. member for Queen's (Mr. Davies) said that since 1879 this power had been abused. Well, Mr. Chairman, the law as it exists to-day existed before, and if we were to consult the records of elections from 1874 to 1879 we should find some cases in which the same argument could be used. But if there is an evil it is one of those evils that correct themselves. It is one to which the attention of the House may be directly called, and I am sure that if there is a real abuse, no Government, not even the corrupt Conservative Government, can bear the odium of maintaining such an abuse, but they will be driven by considerations of good policy to change their course. I have stated distinctly, and it cannot be contradicted that there are some cases in which these elections must be delayed, and, that being so, this cast-iron rule, instead of being an advantage, would be a disadvantage, and would result in inconvenience to the public, if not greater harm in many cases. I could cite cases that are very recent in which it would be most inconvenient to submit to the rule which it is proposed to enact in this Bill. Under these circumstances, I do not see why we should deviate from the existing rule, to limit the responsibility of the executive in these matters, in order to do what ?—to confer upon a subordinate officer of the Government a duty which he himself might abuse, in which the same immediate remedy would not apply as in the case of abuse by the Government, that of bringing the offenders under the direct censure of the House.

Mr. MILLS (Bothwell). The hon. gentleman has very strange ideas of responsible government when he undertakes to extend the responsibility of the Government over the constitution of this House. He might as well propose to do away with the election court and have the election petitions referred to the Administration on the same ground.

Mr. OUIMET. That would be for Parliament to decide. For a long time it was the law that election petitions were tried before a committee of this House.

Mr. MILLS (Bothwell). But it was before a committee of this House and not before the Administration. The hon. gentleman asks that in every election when the Government is upon its trial before the electors all these important matters concerning the election shall be left to the control of the executive. That is what the hon. gentleman proposes, but it is a doctrine which has had no place in English law for more than a hundred and fifty years. That doctrine was put forward during the time of Charles I., but it was repudiated and has never since been recognized. Let me call attention to the statute of 7 William III., which is the law in England that governs the election of members of Parliament. In that statute it is provided :

> That when any new Parliament shall at any Time hereafter be summoned or called, there shall be Forty Days between the Teste and Returns of the Writs of Summons ; and that the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the Time being, shall issue out the Writs for the Election of Members.

The hon. gentleman will see that it is not the Crown that issues the writ, but the officer of Parliament. The duty is imposed upon him and it is declared that he shall see to the issue of the writ for the election of members to serve in the same Parliament "with as much expedition as the same may be done, and that as well upon the calling or summoning of any new Parliament, as also in case of any vacancy during this present or any future Parliament." That provides not merely for the election of members to Parliament when there is a general election, but it provides for the filling of vacancies, and there is no standing for the Government in regard to such a matter. There is a duty imposed upon the Lord Chancellor, the Lord Keeper, or the Lord Commissioners, as the case may be, and that duty is to be discharged immediately. Let me call the attention of the House to the introduction of that law into this country. It is section 18 of the statute of 1791 :

> And be it further enacted by the authority aforesaid, that writs for the election of members to serve in the said assemblies respectively, shall be issued by the Governor, Lieutenant-Governor, or person administering His Majesty's Government within the said provinces respectively, within fourteen days after the sealing of such instrument as aforesaid, for summoning and calling together such assembly, and that such writs shall be directed to the respective returning officers of the said districts, or counties, or circles, or towns, or townships.

And then it is further provided that this provision is to remain in force until the legislative assembly shall otherwise determine. and then it was intended that the legislature should exercise the power. and supersede the special power that had been conferred upon the Governor or Lieutenant-Governor as the case might be. The power was so exercised, and the sheriffs of the various counties were appointed. and a provision was made that they should be returning officers. It is not a matter with which the Government have any right to interfere at all. It is outside their business, it relates to the constitution of this House, that should be independent of the Crown and independent of the advisers of the Crown. Any interference with that power is a most improper interference, it is a usurpation ; and it is an extraordinary thing that amongst a free people this usurpation should have been submitted to for so long. I trust that the committee will not rise, but that the hon. gentleman's Bill will be proceeded with, and that something like a show of means should be adopted to provide for the constitution of a free Parliament, independent of executive interference, and one in which the public sentiment of the country may be fairly expressed.

Mr. DALY. The quotation made by the hon. gentleman from the Act of 1791 relates to general elections.

Mr. MILLS (Bothwell). And for special elections, too.

Mr. DALY. We are endeavouring here to provide for cases of vacancy that may happen by death or otherwise during the intervals between the sessions of Parliament. By clause 3 of the hon. gentleman's Bill he would ask that the writs be issued within three days. Now, Sir, there are portions of this country where it is morally impossible to hold elections in the winter season. Take, for instance, the new constituency of Yale in British Columbia, in which the city of Vancouver is situated, and which runs away up to the Alaskan coast ; it would be impossible for an election to be held there at, for instance, this season of the year. Take Chicoutimi and the other constituencies in the eastern portion of the province of Quebec ; it would be impossible to hold elections there at certain seasons of the year. Yet, notwithstanding the long distance that these constituencies are removed from the seat of Government, and that there is no possible communication with them except at certain seasons of the year, by the provisions of this Act the writ would have to be issued, and an election would have to be held in spite of these conditions. Now, Sir, wisely or unwisely, this House invested the Governor in Council with authority years ago to control the issue of the writs, and also to appoint the returning officers, and I see no good reason, no good reasons have been adduced to-night, why the Governor in Council should abdicate those functions, and divest themselves of that discretion, that provision that was carefully framed to meet the conditions as they arose. For instance, take the constituencies I have named, Cariboo, Chicoutimi and others, we make special provisions in the Election Act in relation to them. Well, if this Bill comes into force, special provisions would have to be made in relation to those constituencies. Now, another objection to the clause is that it provides that these writs shall be directed to the sheriff, and in the event of there being no sheriff, to the registrar. Take the province of Manitoba from which I come, we have only three sheriffs in that province. Those sheriffs do not reside in any particular constituency, but some of them may reside where there is a part of one constituency and a part of another. We have no registrars there now in the sense in which the wording of the Bill directs them to act ; so that there are numerous changes that would have to be made in the phraseology of this clause. I do not intend, in asking that the committee should rise and report progress, to exhibit any desire to choke off this Bill, or to prevent its becoming law ; but it occurs to me from the reading of it that it requires certain amendments and careful consideration. I have not been able to give it that consideration. I never read the Bill until to-night, and was not aware of its provisions. I think I have pointed out sufficient reasons why we should go slow, and why we should have an opportunity of framing these clauses so as to meet the conditions I have pointed out.

Mr. FRASER. While I think there is something in what the Minister of the Interior has said relating to the exceptional cases, they are very easily dealt with. Let the Act not apply to those cases. While there may be something in the question as to whom the returning officer may be, there might be exceptions made in those cases.

Mr. McCARTHY. The Bill can be easily amended in those respects.

Mr. FRASER. Precisely. The principle of this Act is that the elections shall be held within a given time when a vacancy occurs, and let us adopt that principle. I am not myself very anxious that the Government shall not appoint the returning officers, although I think it would be better to adopt uniformity. The Minister of Public Works said that the Government did not want to subtract themselves from that. I think they are adding themselves to it, not subtracting. They are adding, multiplying and dividing themselves.

Mr. OUIMET. The hon. gentleman is very witty. If he were speaking French, perhaps he would make some mistakes at which we might laugh at his expense.

Mr. FRASER. Well, I did not intend to be witty. I regret very much that the hon. gentleman should think I was trying to be. I had no idea when I said that, that the hon. Minister would be offended. I had no reference to the time when they were divided, and when he went out. I did not mean to be personal in a matter of that kind. Then he said that it might be an advantage to delay the elections. Where is there any public advantage in a county being unrepresented, except indeed where it is impossible to hold the elections within a given time in the counties he has named ? Is it an advantage to any constituency to be unrepresented in Parliament during the intervals between sessions ? There are many things that a constituency may want when Parliament is not in session. Is it the idea of the hon. gentleman that there is no advantage in having a member except he is here to vote for them ? Why, between the meetings of Parliament there are matters demanding the attention of representatives some times of as great importance as anything that comes before Parliament. The fundamental idea is that the constituency should always be represented. Parliament may be called at any moment ; exigencies of state may arise necessitating the calling of Parliament, and unless the Government issues the writ, there would be no election at all except to suit the convenience of the Government for the time being. Representative government is the representation of the people, and it means that elections shall be held as soon as the vacancies occur, either by resignation or death. The people of a free country should always be represented in Parliament ; there should not be a moment of time when a constituency was unprecedented. The Minister of the Interior said it might be inconvenient to submit to the rule proposed. Where will be the inconvenience ? Is it an inconvenience for the electors to say who should represent them ? Surely not. It may be inconvenient for the Government of the time being. I am not arguing this matter against the present Government, but I am insisting on the adoption of the wholesome rule prevailing in England. A newspaper makes the announcement that an hon. member has died. Within a few days the announcement of the return of another member is made. I can see how a government might desire to postpone or change the date of an election to give the party an opportunity to straighten matters, to arrange some little difficulty, to make a few promises in order to fix the constituency, not for the representation of the electors, but to suit the purposes of the party in power. This should not be a party question, for it is one in which every hon. member should see that the rights of the people are guarded, and that the voters are given an opportunity, not subject to the dictation of an executive, but acting under the law, to return representatives to Parliament. In this country we are getting entirely too much into the idea of executive power. Parliament is not the executive, and the country is much larger than an executive, and an executive that would enact such laws as to give the people an opportunity to be always represented in Parliament, would enjoy more confidence at the hands of the people than a Government claiming everything for the executive. Let the committee amend this Bill in the direction indicated by the Minister of the Interior. I am willing to amend it so as to give the executive the power to name the returning officers, and in other directions, but we should seek to establish the fundamental principle of the Bill whereby the constituencies will always be represented in Parliament.

Mr. MACDOWALL. I desire to offer a few remarks with respect to the probable effect of this Bill as regards elections in the west. Three days would be obviously altogether out of the question, especially in the case of Saskatchewan and Alberta. If we take the case of Saskatchewan, five days would be required to get a letter to Saskatchewan to ascertain whether the sheriff was there or not : that is supposing the trains were running, for there are only two trains per week. If a vacancy occurred and a writ was issued, a further delay of two days would be required if this proper mail-day were missed. The sheriff might be away, and a delay of two weeks might occur before a reply could be obtained. Supposing a reply were obtained within a reasonable time, there are certain seasons when the river must be used as means of communication, either by boat or by travelling over it on ice. About the end of October and the beginning of November, the river is impassable with running ice, and during the end of April and the beginning of May, the same condition occurs. It would be most inadvisable for any election to be held in that country between the beginning of October and the middle of November, and also betweent 1st of April and 28th May. I do not believe it would be possible at other periods of the year to issue writs, appoint returning officers, and have all the arrangements made within thirty days at the very least.

Mr. CASEY. The Minister of the Interior objects to this Bill being proceeded with in committee because he has never read it, for the hon. gentleman has told the committee that he has only made his motion for the purpose of getting an opportunity to consider amendments, and that he never saw the Bill until to-night. We did not expect the hon. gentleman to be thoroughly posted on this Bill, but it is a little too much to ask the committee to throw aside at this stage of the session, which is virtually killing it, a Bill of this importance, because he has not seen fit to look at it before. To show the vagueness of the hon. gentleman's objection, I would call attention to two objections made by him. He said there were two counties where elections could not be held in winter; one was a county in British Columbia, whose name he did not remember, though he said it reached up to the north pole; the other was Chicoutimi and Saguenay. We had an election this winter in Chicoutimi and Saguenay, and very successful we consider the result to have been.

An hon. MEMBER. It was in Charlevoix.

Mr. CASEY. That is the neighbouring county, with the same climate. These facts show the puerile objections taken by the Minister to the Bill. The animus of the motion made by the hon. gentleman is clearly evident—it is to kill the Bill. I am thoroughly in accord with the hon. member for Bothwell (Mr. Mills) that the Government should have no power whatever in their hands to enable them to influence an election. We all know, from long experience, how hard it is to resist the power placed by custom in the hands of the Government in this country for the purpose of keeping themselves in power. It is open to any government, under the present custom, to select the best time for holding general elections and also for holding individual elections; to change the venue and pack the jury to suit their own convenience.

It must not be forgotten that there are always two parties on trial before the electors, the party in power and the party out of power. If you leave all arrangements as to holding the trial between these two bodies in the hands of the party in power, the party out of power will naturally have very little chance of success. The Government have, under the Franchise Act and Distribution Act, tremendous powers. They have great power, by usage, with regard to the time at which they can bring on an election, a power which the hon. member for North Simcoe (Mr. McCarthy) wishes to take from them. If I were looking at the matter from a party point of view, I would oppose the proposition of the hon. member for North Simcoe, because all the signs point to the strong probability that the Liberal party will be in power within a very few months, and if the present custom remains, that party will have the advantage which is now enjoyed by the present Administration. Regardless, however, of the advantage in the future to the party to which I belong, I am bound to support the Bill of the hon. member for North Simcoe.

I quite agree with the hon. member for Bothwell (Mr. Mills) that it is astonishing that any free people should submit to the one-sided arrangement now in force. It has been clearly demonstrated that such power does not inhere in the Government in England and in the prerogative of the Crown, and therefore does not belong to the prerogative of the Crown here. The statute of William III. does not apply only to general elections, as the Minister of the Interior supposes, but, as has been pointed out by the hon. member for Bothwell, it applies to vacancies occurring at any period.

Mr. DALY. I did not refer to the statute of William III., but to the statute of 1791.

Mr. MILLS (Bothwell). It would apply to both.

Mr. CASEY. The existing law in England under whatever statute applies to casual vacancies, as well as to the general elections, and properly so. The attempt to induce the committee to rise without passing this Bill, is an attempt to retain in the hands of the Government that power which they have so successfully used for their own purposes from time to time. I am only sorry that this Bill does not go further, and make certain arrangements about the length of time that should elapse after the coming dissolution of this House before the holding of the elections, and also, the calling of the session of the House thereafter. I am bound to support the Bill as a measure of justice to the electors of the country.

Mr. MASSON. The argument of my hon. friend from Bothwell (Mr. Mills) is, I think, entirely opposed to the principle of this Bill. He told us that it was a strange thing that any free people should submit so long to the present law, but it is, perhaps, more strange that any Liberal Government should enact such a law, for it was during the Liberal regime that this Act was put on the statute-book. The Bill of my hon. friend (Mr. McCarthy) does not at all attempt to interfere with the principle of the present law, except by a side wind, by making the time so short that the Government cannot possibly act. The principle of the present law is acknowledged on the face of the Bill, whereas the hon. member for Bothwell (Mr. Mills) argues that this principle is vicious.

Mr. MILLS (Bothwell). In the first instance, somebody has to be appointed, and it is provided that the appointment shall be with the representative of the Crown until the legisature otherwise provides. That is a necessity.

Mr. MASSON. But this Bill distinctly upholds the principle of the Act of 1874, that the appointment shall be with the Governor General in Council, and the hon. gentleman (Mr. Mills) has argued against that principle. The discussion shows that there are many imperfections in this Bill. Not only would three days be insufficient, but in the winter time, in some of the constituencies, the thirty days that I have suggested, would be too short. If this Bill were adopted, half the electors in the district of Algoma would be disfranchised, and the constituencies in the North-west Territories would practically be in a similar position.

Mr. MILLS (Bothwell). The writ issues, as a matter of course, to the sheriff, in England.

Mr. MASSON. But in England you have no constituencies as we have in the North-west Territories, and in British Columbia, or in the province of Quebec.

Mr. MILLS (Bothwell). Even admitting that our constituencies are larger, and that a longer time would be required, what in the world has that to do with the period at which the writ issues ?

Mr. MASSON. There is the difficulty of communicating with the constituencies. If you admit that the Government is to appoint, as is admitted in this Bill, then you have got to give them time to act. It has been pointed out that in the province of Manitoba there would not be in every constituency the officers named under this Bill. It has also been pointed out that the sheriffs and registrars, being officers of the provincial governments, we could not compel them to act. I do not know that that objection would very often arise, because, as a rule, people are glad to get little jobs of that kind. I believe that, in view of the numerous amendments which are absolutely necessary to this Bill, that it is advisable that further time for consideration should be given.

Mr. McCARTHY. Before the motion is put, I desire to say a word or two with reference to the arguments of the Minister of Public Works. The hon. gentleman commenced by stating that nothing had been said to show the necessity for this change, or the necessity for any interference with the power of the Governor in Council. It is very true, up to that time nothing had been said, because no member had risen in his place to defend the system which has prevailed under the existing law. For my part, I quite accept every word that has fallen from my hon. friend from Bothwell (Mr. Mills). The House is one of the legislative bodies of this country, and the Crown has no right to interfere with it. When we handed over to the Crown a certain control of our writs, we did so because convenience made it advisable in that particular case. But why should that be extended into a rule ? Why should the Governor in Council—in other words, the Crown, because the hon. member who is a member of the Administration is an adviser of the Crown—interfere with an election of a member of this House ? for it is this House that directs the issue of the writs. It not only requires to be stated to show how preposterous the position of the hon. gentleman is. With regard to the other matters, I am quite free to say for myself that I would prefer a return to the old system. It is necessary, of course, that some officer—and perhaps the Governor in Council is as fit as any other—should name the day when the general elections shall be held because it is convenient and in the public interest that all the elections should be held on one day. That is the reason the change was made. Up to 1874 the Governor in Council had no control over our writs. The writs were issued by the returning officers who were named in the law. The law required the returning officer, on the receipt of the writs, within a certain time, to appoint a day for nomination and a day for polling. The change was made in order to have the elections on one day. There is no abuse that I have heard of with reference to the general elections ; but we know that the by-elections have been abused. The orders of the House, made by the House when sitting, or by the officer of the House, in other words, our Speaker, when the House is not sitting have been, in point of fact, intercepted and nullified by the Crown on the advice of his Ministers. That is an abuse which I desire to do away with. While I admit that it would be more logical and better practice to return to the old system, so far as by-elections are concerned, and to direct that the writ shall be issued by the Clerk of the Crown in Chancery to the returning officer to be named in the statute, and that the returning officer shall, within a certain number of days, fix the date of the election, still it does not follow that the amendments I propose are not in the right direction. What I propose is allowing the present system to exist, to control it as far as we can, by limiting the time within which the Crown may act, and by providing that if the Crown fails to act within that time, the Speaker shall name the returning officer and issue the writ. Now, I appeal to the committee. I hope this will not be treated as a party question. Surely we can rise on some occasions above party considerations. Surely this House ought to be regarded as the great power of the state. We look to Westminster, where we find that the greatest Parliament that ever existed, the Parliament from which we take our practice and our laws, up to a certain time would not even allow the Speaker to interfere with the issue of a writ. Originally the House itself was the only body which could order the issue of a writ; but for the sake of convenience a law was passed allowing the Speaker, during the recess, to issue his warrant; but you will find that that provision is so carefully guarded that if a vacancy occurs within a certain number of days before the meeting of Parliament, the Speaker has not power to issue his warrant, but the matter is to remain until the House meets. The House of Commons is careful to guard its interests and protect its rights and privileges. No doubt, in some cases that is attended with inconvenience. There is no system that is not attended with inconvenience. I remember last summer, when the new Government came in, and everybody expected a dissolution, the elections of the new Ministers in their constituencies took place, and they came back to the House to sit for one day before it was dissolved, when they had to go back for re-election. That is the practice that prevails there, and there is no exception to it. Parliament ought always to be full, to represent the people; and that can only be accomplished by writs being issued when vacancies occur, though in some cases here and there that may be attended with some inconvenience. If the hon. gentleman who is acting as Minister of Justice wishes to have time to further consider this measure—for I am aware that he is taking the place of the Minister of Justice, who is absent—I have no objection that the committee should rise, provided that the hon. gentleman will see that an opportunity shall be afforded before this House is prorogued of considering the question and dealing with the subject. I think that is only reasonable, and I hope the hon. gentleman will accept the proposition in the spirit in which it is made.

Mr. DALY. While I might individually be willing to meet the proposal of the hon. gentleman, I am not in a position to answer for the Government, and I could not agree to such a proposal. The hon. gentleman, as I take it, seeks not to affect the practice that obtains at the present time with reference to the appointment of returning officers or the issue of writs for elections; but he seeks to control the appointment of returning officers and the issuing of writs. As at present framed, the Bill cannot affect the holding of elections, I take it. If, for instance, the Governor General in Council should name a returning officer and issue a writ, fixing the day of nomination three or four or five months ahead, this Bill would not affect that condition at all. I think the more consideration one gives to the Bill the greater the necessity appears for our giving more attention to it. The fact is, there are four or five separate clauses in the Elections Act containing special provisions pertaining to outlying portions of the country; and we should have time to consider how clauses could be framed to meet those cases. We cannot do that in committee to-night, because it would take us an hour to frame the clauses. Therefore, I thinking I am not asking anything out of the way when I ask that the committee should rise in order that we may further consider the Bill.

Mr. MILLS (Bothwell). The hon. gentleman says it would take an hour to draft clauses. You could provide in a single clause that certain exceptions and certain clauses in the Elections Act should apply to those constituencies. I wish to say a word or two with regard to the larger question involved. It is of the first consequence, in my opinion, that the Government should extend the principle of naming certain officers as permanent returning officers for the elections that are at hand. And that will be a matter of far more consequence to this Parliament than any Bill in their hands at present. That was the law until 1882, when it was repealed, and the Government took into their own hands the naming of the returning officers. There is nothing connected with the elections of this country, with which there are associated so many abuses as this power. In my own constituency, in 1882, a man without any responsibility was made returning officer, and he returned the candidate who had the minority of votes, necessitating an election appeal, so that the candidate elected by the majoirty should be counted in. In the very next election, a man without anything was also named returning officer. Who suggests those returning officers to the Government? Why does the Government want time to communicate with the constituencies? Why, in order that the candidate who is running in their interests may name the man who is to hold the election between him and his opponent. Is any such rule recognized in any other department of the Government? Why, in the three elections in my constituency since then, the Government named a returning officer at the instance of my opponent, and this man kept back the return for days in each case in order to extend the time within which an election petition might be filed. Is that sort of thing in the interests of fair elections? And that is carried on everywhere. I would have prosecuted the party but he had nothing. I could have got judgment against him, but had not the slightest chance of recovering the damages which the law would grant me. The hon. gentleman has said that if we succeed the next election, we may amend the law. Well, when we held office we did amend the law. We provided that certain parties, who held certain offices in the country, and could thereby be held responsible for the proper discharge of their duties, should be the returning officers, but when hon. gentlemen opposite came in, they repealed that law. Does the hon. gentleman think that if we were sitting on the Treasury benches we would impose a law on ourselves that they would not continue?

Mr. DALY. Hear, hear.

Mr. MILLS (Bothwell). No, so far as I am concerned, if the hon. gentleman, while he is Minister and responsible, does not make the law what it should be, I would never be a party to restraining a government constituted by my friends, when I knew that the very moment the hon. gentleman succeeded they would repeal that statute. The law, in a matter of this sort, should be a part of the constitution of the country and binding on both sides. It should have the character of permanency, it if is to have any value. The hon. gentleman wishes to retain the power in the Government to continue those abuses which I have mentioned, and which exist in constituencies all over this country. I say it is a monstrous condition of things, and it is a matter of astonishment to me that hon. gentlemen sitting on that side, who are fair-minded men and who would like to see a fair election, and who, I have no doubt, would not want to come here unless they were fairly elected, should be disposed to continue the abuses that exist now and which have existed since 1882.

Mr. LANDERKIN. The practical carrying out of the present system, as it has been pursued the last three or four elections, has resulted in a great many things that have not been to the credit of the Government. Since the Government took upon themselves the appointment of returning officers, the elections have not been conducted or the returns made as they were under the old system, when the sheriffs and registrars were the returning officers. I can instance my own elections to show how the Government have winked at what was done by their own returning officer, appointed, no doubt, at the instigation of their own candidate. In 1872, an election was held, and in two days after the declaration was made. In 1874 the same promptness was shown. In 1878 there was the same result, and also in 1882. But after that the system was changed, and in 1887 it was twelve days after the election before the declaration was made. I have no doubt that the returning officer delayed making his return at the instance of the Government candidate, from day to day, until twelve days elapsed. In 1891, it was eighteen days before the declaration was made. This is nothing less than scandalous. What was the result. Why, in the interim, the very great zeal of some of the opposite party was manifested by their going in and obtaining access to the ballot boxes. They opened the ballot boxes and stuffed them in order to deprive the majority of the seat. That is one of the results of the delay in making the return, and as the Government generally appoint irresponsible men as returning officers, there can be no satisfaction obtained by taking legal proceedings against them. The Government ought to see that this system is not left as it is, because it is fraught with scandals and abuse of the most flagrant character. I could instance in the last elections a great many cases in which the same scandals and outrages were perpetrated as in the riding I have the honour to represent: and so long as those abuses are winked at by the Government, they are bound to continue. The whole system is a scandal against representative institutions in this country, and I am quite in sympathy with the change asked for. I believe it is time the Government and the House should see that fair-play is to be the guiding star in the elections held in this country. There should be a strong desire manifested by members in this House that no party is given an undue advantage over another in the management of elections: but so long as the Government continue the present system, so long will the abuses creep in which crept in at the last two general elections. It is notorious that these elections were not fairly conducted, and the Government should at once take steps to have the law amended so as to prevent the continuance of these abuses. I have endeavoured to impress the importance of this upon the Government for many years. I urged, when the election law was before the House: and I had the satisfaction of seeing an amendment providing that the declarations are not to be put off as long as they formerly were. Until the Bill introduced by Sir John Thompson, the declarations might be delayed and enlarged from day to day until about a month after the election. Just imagine the ferment that arises in a constituency under these circumstances; imagine the ill-feeling that is created; imagine the temptation that is held out to certain classes to trifle with the ballots of the people. Sir John Thompson's Bill made it compulsory that the declarations should be made, I think, within a week. If you continue this system, abuses continue. It should be the duty of the Government, as it is the interests of this House, to see that every opportunity should be taken away from those who would seek unfair advantage for either side. Let the parties stand upon their merits before the people. I think the Government would do wisely in their own interest to yield to the wishes of the hon. member for North Simcoe, and grant what is provided for in this Bill.

Mr. McMULLEN. This seems to me a most important Bill, and I earnestly hope that the Government will accept the suggestion which has been made, and give the Minister of Justice, who is absent just now, an opportunity of reviewing the law, with a view to meeting in some way the suggestions made by this Bill. We all know very well what irregularities have taken place in the past. For my own part, I have nothing to complain of. I am glad to say that the returning officers appointed in the riding I have the honour to represent, have discharged their duties fairly and faithfully. And I may say this, that, were any returning officer to act so scandalously in the riding I represent as did the returning officer in South Grey, it would be at very great risk to himself personally.

Some hon. MEMBERS. Oh, oh.

Mr. McMULLEN. Well, Mr. Chairman, when people are excited, when indignation is aroused, it is hard to tell what they will do, when they are exasperated by high-handed conduct such as that in South Grey. You can restrain the people under ordinary circumstances, but, when such extraordinary things take place, as stuffing ballot-boxes and returning men who have a minority of the votes, I would not wish to be the returning officer to risk my life by doing that, as has been done before now. We have the case of the hon. member for Queen's, N.B., (Mr. Baird). In a previous election his opponent received a clear majority of 60. But the returning officer, no doubt at the bidding of hon. gentlemen opposite, declared the minority candidate elected. A more scandalous act was never perpetrated in a free country. The case referred to by the hon. member for South Grey (Mr. Landerkin) is also a disgrace and a scandal in a free country. It is a very great risk for any man to run, and, if the Government should leave the law as it is now, and if bloodshed should attend any such outrages upon the people's liberties, the Government will be responsible.

Some hon. MEMBERS. Oh, oh.

Mr. McMULLEN. Yes, I tell them so. When men are exasperated by improper acts of this kind, it is very hard to restrain them, and you may find that it will be necessary to alter the law, when it may be too late, and after very serious results have followed. I know that there is, personally, no very kindly feeling for the hon. member for Simcoe on the part of hon. gentlemen opposite. But we must recognize that that hon. gentleman has had great experience in the election courts. I do not care where a Bill comes from, if it is a good Bill, I am ready to support it. I believe that this is a good Bill, and I trust that it will be enacted into law. I do not say now that hon. gentlemen opposite are more guilty in these matters than their predecessors were. But we must remember that two wrongs do not make a right. The electorate should have an untrammelled opportunity to return whatever man they see fit, without any interference with their verdict through the unlawful acts of any returning officer, who may be only a tool in the hands of one of the candidates. Suppose that the Government should be returned at the next election with a majority of about half a dozen. And suppose the election courts were appealed to to unseat half a dozen of the men elected. The Government, being in power, might hold office for a month, or even three months, by a bare majority of one or two, while six or eight constituencies were unrepresented. Do the Government want to control elections for this purpose ? They should give the electors every opportunity for the independent action of their franchise, and the men the people chose should be returned to this House. I think it is not proper for the Minister of the Interior to seek, by the motion he has presented to the committee, to throw out this Bill. The proposition made by the hon. member for North Simcoe is a very fair one. Let the Minister of Justice have an opportunity of passing upon this Bill. I must say, although he is absent, that I believe he makes an honest effort to conduct the affairs of the Department of Justice respectably and in a spirit of fairness. When he comes, he, no doubt, will be able to make suggestions that will meet the case, and so amend the law that there may be no temptation thrown in the way of unscrupulous returning officers, such as now exists.

Committee rose and reported progress.

Sir ADOLPHE CARON moved the adjournment of the House.

Motion agreed to, and House adjourned at 11.25 p.m.

HOUSE OF COMMONS.

THURSDAY, 2nd April, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SALES OF BINDING TWINE.

Mr. McMULLEN asked :

1. Whether any sum or sums of money are due or unpaid for binding twine sold, as set out on page I—43 of the Auditor General's Report ?
2. If due, by whom, and what security is held for payment ?
3. If paid, when was payment made, and in what way ?
4. Has payment, for twine sold, been made in anything else but cash ?
5. Has security been deposited for twine sold ?
6. If so, what does the security consist of ?

Mr. DALY. I may say that we have not yet received from Kingston all the information ; but I will give the hon. gentleman the information we have. The answers to his questions are as follows :—1. Yes ; about

$5,500. 2. By sundry purchasers, to whom the twine was sold by John Connor, who has deposited securities to an estimated value of $100,000. 3. The sums paid were paid at sundry times during the current fiscal year in cash and warehouse receipts. 4. The unsold twine, to the value of about $7,000, has been accepted by the department, and credited to the late selling agent. 5. Yes. 6. Railway bonds, real estate, stock certificates, notes and other securities.

REFUND OF DUTIES ON SPIRITS.

Mr. RIDER asked :

1. Whether the spirits upon which there was a refund of $28,576.48, as set forth on page T—95 of Auditor General's Report, 1894-95, said to have been used in the manufacture of crude fulminate, was of American or Canadian manufacture ?

2. If American, who were the manufacturers ? How many gallons were imported, and how much duty was paid per gallon ? By whom and through what ports was it imported ?

3. How much has been imported for the same purpose since 30th June, 1895 ? By whom and through what ports imported ? How much duty was paid thereon, and what amount has been refunded ?

4. If Canadian, by whom manufactured and to whom was refund made ?

5. By what authority was said refund made ?

Mr. PRIOR. The refunds of spirit duty were made upon foreign spirits imported by John Heney and A. L. Howard, and used in the manufacture of crude fulminates, which fulminates were exported from the country. The spirits were used under special supervision of an officer of Excise, and were entirely destroyed by the process. The department is unable to state who were the manufacturers of the spirits in question. The quantity imported by Mr. Heney was about 60,981 gallons, on which he was called to pay the difference between the import and the excise duty, as required by the Inland Revenue Act (section 234). The quantity imported by Mr. Howard was 34,273 gallons, which was dealt with in the same manner. The ports through which imported cannot be given, at the moment, inasmuch as they do not appear on the Inland Revenue returns, and can only be had by reference to the books of the local Customs. None of the spirits referred to were of Canadian origin. The refunds were made to Messrs. Heney and Howard respectively. The authority was an Order in Council of 15th May, 1894, under which the use of spirits in bond for this purpose, and solely "for export," was authorized.

EMPLOYMENT OF BARRISTERS BY THE GOVERNMENT.

Mr. DEVLIN (for Mr. McShane) asked :

Has the Government received any protests from members of the bar of the province of Quebec against the practice of employing Ontario barristers as Government counsel in cases originating in the province of Quebec and governed by its laws and practice ? If so, does the Government intend, in future, to confide such cases to the Quebec advocates ?

Mr. DALY. So far as the Department of Justice is aware, no such protests have been made.

BUSINESS OF THE HOUSE.

Sir CHARLES TUPPER moved :

That for the remainder of this session, the House shall sit on Saturdays, beginning at 10 a.m., with a recess from 1 to 2 p.m., and that Government measures shall have precedence on such days.

He said : I am quite satisfied, Sir, that at this period of the session and in the present condition of public business, I shall have the support of hon. gentlemen on both sides of the House in this absolutely necessary step of taking such time as is necessary to give us some prospect of completing the necessary work of the session within the very brief time at our disposal.

Mr. LAURIER. Mr. Speaker, if this motion were so amended that the Saturday sittings should commence next week, I think the proposal would meet with the general concurrence of the House. I am not sure, however, that the wishes of hon. members would be consulted unless next Saturday is excepted from the proposed rule. To-morrow is a legal holiday, on which, it has been decided, the House is not to sit. Monday is a legal holiday also, but I presume we shall sit on that day, and to that I can see no serious objection. But to sit next Saturday would prevent members of the House, who would otherwise do so, from spending Easter Sunday with their families. So far as I am concerned, I have no serious objection to the proposal, but I think it would be well to consult, as we have done in similar cases, the wishes of the House, whether or not it would be expedient that this rule should not apply to next Saturday, but should begin the following Saturday.

Sir CHARLES TUPPER. I can only say that, while I should be extremely glad to be able to consult the convenience of hon. members under other circumstances, I think it would be absolutely impossible to hope to complete the business of the session, unless we take next Saturday.

Mr. SUTHERLAND. I would like to say to the hon. leader of the House that this proposal is contrary to the wishes of hon. members on both sides of the House.

Some hon. MEMBERS. No, no.

Mr. SUTHERLAND. Well, there are some yeas. All I wish to say is that twenty or thirty members on the Government side have, last night and during this morning, very urgently asked me to find pairs for them, giving as a reason that they had made arrangements to go home. If some of these hon. gentlemen sitting in their seats say no now then they were not in earnest when they asked me to try and find pairs for them. Personally I have no particular objection to the motion, but I have only to say that a large number of members on both sides of the House have told me that they did not wish this sitting to take place on Saturday for the reason that, expecting an Easter holiday, they had made arrangements for family reunions, and that they wished to go home for that purpose. That applies to quite as large a number of gentlemen on the other side of the House as on this. In my opinion it is doubtful whether the disappointment that will result to many of the members, will tend in any way to facilitate business for the balance of the session. We have had a long sitting hitherto, and we shall have to have very long and late sittings beginning from the first of next week; and I do not believe that it will facilitate business for the House to sit on Saturday. Possibly it might be arranged to sit on part of that day only.

Sir CHARLES TUPPER. The suggestion that has been made by the hon. gentleman who has just taken his seat might, to a certain extent meets the case of those who find it absolutely necessary to go home. The House will know what business is going to be taken up on Saturday, it is intended to proceed with the Remedial Bill, and hon. gentlemen who may not be anxious to be present on that day, can make pairs and absent themselves.

Mr. SUTHERLAND. That is just the difficulty, that on some of the motions coming up, members belonging to the Conservative party as well as members of the Liberal party both wish to vote on the same side.

Sir CHARLES TUPPER. I think I am not overrating the ability of the hon. member who fills the important position of whip on the other side of the House, when I say I am quite certain that he and the hon. member for Leeds (Mr. Taylor) can arrange that matter in a way that will be quite satisfactory, and preserve the balance of parties.

Mr. CHARLTON. I desire to call your attention to the fact, Mr. Speaker, that the motion placed in your hands is not in accordance with the motion on the Order paper. The words "on and after Monday next" are omitted in the motion. The motion as read by the leader of the House is, "That for the remainder of this session this House shall sit on Saturdays, beginning at 10 a.m., with a recess from 1 to 2 p.m., and that Government measures shall have precedence on such days." I would ask by what authority the leader of the House dropped a portion of this motion? The words "on and after Monday next" are dropped. The motion, in my opinion, as it stands on the Order paper, renders it impossible to hold a session on Saturday. There must be some purpose for dropping these words by the leader of the House. I do not think it has been accidental.

Mr. OUIMET. This notice has been on the paper since 25th March.

Mr. CHARLTON. This House, if it passes this motion, as it stands on the paper, affirms that on and after Monday next we shall sit on Saturday. I hold that it is impossible for this House, under the terms of this motion, to make an arrangement to sit the day after to-morrow; it cannot be done. I say in addition that it seems to me a monstrous proposition that the Government should take Good Friday. After finding that there were conscientious scruples to sitting on that day, the Government backed down, and they now propose to take the day that intervenes between Good Friday and Easter Sunday. Such a thing has never been done in the Parliament of Canada since confederation. If the Government take this course, they do violence to the conscientious scruples of a large number of the members of this House. The leader of the House tells us that this matter can be arranged by effecting pairs. Why, the whole House might pair down in this way, and have no quorum left. That is no remedy for the difficulty. The members of this House who wish to remain here and attend to their duties, do not wish to go away when important measures are under discussion. The members of this House desire to have their conscientious scruples respected, and if the Government insist upon sitting upon the day that intervenes between Good Friday and Easter Sunday, they are violating those conscientious scruples. I hold, in the first place, that we cannot sit on Saturday under the terms of this motion; and I hold, in the second place, that if it were possible to do so, it is not advisable to do so, and I hope the hon. gentleman who leads this House, and the members who sit behind him, will not be guilty of forcing upon the members of the House who have scruples in this regard, the necessity of failing to go home to spend Easter Sunday with their families, and obliging them to remain here over Good Friday, and over the Saturday that intervenes between Good Friday and Easter Sunday, and over Easter Sunday. It would be a monstrous thing to do, almost as monstrous as to press this measure through in the way the Government are trying to do.

Mr. SPEAKER. The point raised by the hon. member for North Norfolk (Mr. Charlton) is that the words "after Monday next" have been omitted from the motion as put to the House. That is quite true, but the motion may, with the consent of the House, be amended in that sense.

An hon. MEMBER. The consent of the House is not asked.

Mr. SPEAKER. The consent of the House would require to be obtained.

Mr. OUIMET. I move in amendment that the words "after Monday next" be struck out.

Mr. LAURIER. I see that we are having a repetition of what has been going on ever since this question has been on the tapis. The Government gave notice on the 25th March that they would make this motion last Monday, but they did not proceed with the motion. Again, there was a divided House; one side wanted to go on, and the other would not. At last they come to a conclusion, but when the leader of the House moves his motion, the Minister of Public Works moves an amendment. So here again we have a divided House. Sir, we have high authority for saying that a House divided against itself cannot stand.

Mr. IVES. It seems to me this is simply a question of whether the House desires, during the few remaining days of the session that remain, to proceed with the business for which Parliament has been called together. That is the main question. It is very surprising to me that hon. gentlemen opposite should have insisted, in the first place, upon going on with this measure, and afterwards resisted every proposition that has been made to provide additional time, and to facilitate the completion of the business for which Parliament has been called together. Now, the hon. member for North Norfolk (Mr. Charlton) says that it is a monstrous thing to propose that Parliament should sit on Saturday, the day that intervenes between Good Friday and Easter Sunday. I would like to know, according to the tenets of what church there is any particular sanctity to that Saturday that intervenes between Good Friday and Easter Monday. Certainly not in the hon. gentleman's church. The hon. gentleman's church does not make any point of Good Friday at all. For it Good Friday is no more than any other day, and the succeeding Saturday as well. I think the only body in Canada that gives any special prominence to Good Friday, is the body to which I belong, the Church of England, and I am certain that I know quite as much about the prejudices of that church as the hon. member from North Norfolk. I never heard in my life of any special sanctity attached to the Saturday which intervenes between Good Friday and Easter Sunday, except among the Jews, who think all Saturdays should be observed.

Mr. EDGAR. I desire to refer to the question of order as regards your ruling, Mr. Speaker. A motion was placed in your hands, of which no notice had been given. An amendment has been moved, and the motion being out of order, I submit that the amendment is out of order, and cannot be proceeded with. Nothing can be proceeded with by way of amendment except on a motion that is in order.

Mr. SPEAKER. I do not think the objection of the hon. member for West Ontario (Mr. Edgar) is well taken. The notice of motion placed on the paper was that the Government would take all Saturdays after Monday next, and the words "after Monday next" were struck out, and the motion was so read to the House. I assumed that the House had given its consent to the change made. I have since put it as it originally stood on the Order paper, "that after Monday next, for the remainder of this session, the House shall sit on Saturdays." I have also put the amendment moved by the Minister of Public Works to strike out the words "after Monday next" in said motion." It is that amendment which is now before the House.

Mr. CASEY. I rise to a point of order, which is that the amendment itself is not in order. The notice given was to take all the Saturdays after Monday next. I submit that it is not in order for another member of the Government, or any hon. member, to move an amendment modifying a motion of this nature.

Mr. OUIMET. The ruling of the Speaker has been given.

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. gentleman is not in order in discussing that a motion is out of order when it has been decided by the Chair to be in order.

Mr. CASEY. I beg pardon.

Mr. SPEAKER. The point was raised that this motion was out of order. I have already ruled that the motion is in order, and also that the amendment is in order.

Mr. CASEY. I understood you, Mr. Speaker, merely to rule against the reasons and arguments adduced by the hon. member for West Ontario (Mr. Edgar).

Some hon. MEMBERS. Order.

Mr. SPEAKER. I have ruled that the motion is in order, it having been put as it stands on the Order paper, and also that the amendment is in order.

Mr. CASEY. You ruled on the reasons given by my hon. friend.

Some hon. MEMBERS. Order; chair.

Mr. CASEY. I submit I have a right to be heard on the point of order.

Mr. SPEAKER. I assume that hon. gentlemen will understand that before coming to the conclusion I did come to, I had considered all the reasons that could be urged, against the motion being in order. Having decided that the motion is in order, then the only course for the hon. gentleman to take is to appeal from my ruling.

Mr. CASEY. I beg to submit that I am misunderstood, or that I have misunderstood you, Mr. Speaker. I do not understand you to rule that there can be no other reasons adduced for calling upon you to rule the amendment out of order.

Some hon. MEMBERS. Order ; chair.

Mr. CASEY. I simply understood you to rule, Mr. Speaker, that the reasons given by the hon. member for West Ontario (Mr. Edgar) were not sufficient.

Some hon. MEMBERS. Order ; sit down.

Mr. SPEAKER. The House has already heard my opinion, and that the amendment is in order.

Mr. CASEY. I am not disputing your ruling, Mr. Speaker. I submit you are too suspicious of my intentions. I am not disputing your ruling in the slightest degree, but trying to state a new point of order against this amendment. If you rule, Sir, that I cannot raise that fresh point of order, I must submit, and there is an end of it. In regard to the amendment which you, Sir, have ruled to be in order, the question is whether we could sit on this particular Saturday. It is not a question of conscientious scruples as regards that Saturday. No one pretended it was.

Some hon. MEMBERS. No, no.

Mr. CASEY. The hon. member for North Norfolk (Mr. Charlton) did not contend that the objection was based on conscientious scruples.

Some hon. MEMBERS. Yes.

Mr. CASEY. The hon. gentleman said that those who had conscientious scruples about sitting on Good Friday, and had obtained a declaration that the House would not sit on that day, objected to the proposition now made to keep members here over Saturday, who otherwise would have sufficient time to go home and give, perhaps, a day to their private business or other important matters, and compel them to stay here Friday, Saturday and Monday, although the House would only sit one day, Saturday, out of the three. I am sure the objection is a perfectly reasonable one. The desire expressed to sit on Saturday is only a bit of bluff to show the apparently intense anxiety of the Government to proceed with the Bill now before the House.

Some hon. MEMBERS. Order.

Mr. CASEY. I claim we should adjourn over Saturday, if only for the important reasons urged the last day we discussed this matter, namely, that we have not yet received any official report of the proceedings of the Winnipeg conference. We see many reports in the newspapers to the effect that the negotiations have failed, that they have been successful, that proposals have been made, and that counter proposals have been made and refused. I declare that we have a right to know, officially, what was done, before we take another step with respect to considering this Bill. The country, I am confident, will insist on it. If the Government persist in going on blindly with this Bill, not knowing what has been done in Winnipeg, they are not true to their trust, their duty to the people, and their responsibility to this House. They are insulting this House and the people of this country by asking hon. members to go ahead, while they do not know what has been the conclusion of this important conference at Winnipeg. Without talking about conscientious scruples, as regards sitting on Saturday, which point was only raised by the other side of the House, we have a proper constitutional reason for not sitting on this Saturday approaching, unless the Government choose to give the House that official information before Saturday comes around. On this ground I strongly oppose the alteration of the motion of which notice has been given. Although it may be in order, technically in order, yet in spirit the intention of the rule of the House is broken by this alteration of the original. notice. The intention of the rule was that the meaning of such a motion should be known two days before hon. members had to vote upon it, and now by the motion and the amendment, the obvious intention of the rule is violated, although you, Mr. Speaker, have ruled that it is technically observed.

Mr. DAVIES (P.E.I.) There is a definite rule that the House rises every Friday night and stands adjourned until Monday. This rule can only be altered by giving two days' notice. Notice was given that the Government would take Saturday after next Monday. The question is whether an amendment to take a day before that time is germane to the motion. Under the rules of the House, notice has been given in which it was proposed to take Saturdays after Monday, and an hon. gentleman has proposed to amend it by taking an anterior day to that mentioned in the notice, and that I hold is not germane to the notice of motion, because it violates the first rule that the House shall adjourn from Friday to Monday unless two days' notice has been given. No notice was given to take the first Saturday.

Mr. SPEAKER. I may respectfully point out to the House this fact, that the notice standing on the paper is dated 25th March, and it was given at that time. The rule is, as hon. members are well aware, that two days' notice is to be given of any such motion, and that is a rule provided for the purpose of preventing surprises. Now, this notice is dated on the 25th of March, and I think every hon. member must have come to the conclusion, that it was the intention to take all the Saturdays after last Monday ; so that I do not think that any hon. member could have been surprised by the amendment which is now submitted to the House, and which, in my opinion, is entirely in order.

Mr. CHARLTON. Mr. Speaker, I beg to call your attention to the fact that the motion, notice of which was given on the 25th of March, was not put to the House.

Mr. SPEAKER. Yes.

Mr. CHARLTON. It may have been put afterwards, but it was not put then, and I failed to hear any one put that motion at all. The Government moved a motion which was not upon the Order paper, and I submit that all subsequent transactions under that motion are irregular.

Mr. McCARTHY. I intended to take the point of order which the hon. member for Norfolk (Mr. Charlton) has now taken, and which appears to me to be fatal to this proceeding. The motion that was put in your hands was not in order, as you have ruled, Mr. Speaker. No other motion is made. What I understood you to do was to take up the paper and read what was on the paper, but that has not been moved. How you, Mr. Speaker, could take up the Order paper, and say that you put to the House what a Minister or an hon. member has given notice that he will move, and which the hon. gentleman does not move, I do not quite understand. The hon. gentleman who leads the House moved this motion. That motion was not as it is on the Order paper, and, upon objection being taken to it, was ruled out of order. That hon. gentleman cannot have moved again, and if he cannot move again, the motion has not been made. I submit, Sir, that that point is well taken.

Mr. OUIMET. The motion originally put, without the words "after Monday next," was out of order because it was not exactly in the terms specified in the notice. Now, if that motion is out of order it did not exist at all, and what has been done was afterwards to move the motion as it was on the Order paper.

Mr. EDGAR. Who moved the motion as it is on the Order paper ?

Mr. OUIMET. The leader of the House did.

Some hon. MEMBERS. No.

Mr. OUIMET. The decision of the Speaker was that the motion should be moved in the very words of the notice, and that has been done. I moved an amendemnt, that the words "after Monday next" be struck out, so as to make the motion as it was intended it should be. It was the right of the leader of the House to move the motion in the very words of the Order paper, and it was also the right of any one to move an amendment. The procedure is complete and absolutely regular, and I submit, Mr. Speaker, that your decision is quite correct.

Mr. SPEAKER.

Mr. McNEILL. Does the hon. gentleman mean to say that an hon. member of this House can move one motion, and have an alternative motion which he can substitute for it if the first motion is out of order ?

Mr. OUIMET. Certainly.

Mr. McNEILL. Then it is a most extraordinary proceeding.

Mr. SPEAKER. I do not think the point of order is well taken. It is quite true, it was my duty to compare the motion with the notice of motion on the paper, but I assumed that the House would agree to the change that had been made, in view of the circumstances I have already referred to, namely, that this notice was given on the 25th of March, and that so far as I was concerned, at all events, I understood that the intention of the Government was to ask the House for all the Saturdays after last Monday. I assumed, therefore—improperly perhaps—that the House would consent to the alteration which was proposed to be made in the motion as it appeared on the Order paper. But the House having refused to assent to that, it was my duty to rule that the motion must be in strict accordance with the notice on the Order paper, and I did so put the motion after the point was raised.

Mr. McCARTHY. Who moved the motion ?

Mr. SPEAKER. The hon. leader of the House. I am also of the opinion that the amendment moved by the Minister of Public Works is entirely in order.

Sir RICHARD CARTWRIGHT. I do not know, Mr. Speaker, that there is much use in suggesting a compromise to the hon. gentleman (Sir Charles Tupper). But I was going to say this : I have no objection to the Government taking Saturdays if it is required, although as a rule I am bound to say that in my experience but little progress is generally made on Saturdays. I would say this to the leader of the House. I know as a matter of fact that a large number of members desire to have next Saturday at home. Now, we have Wednesday of next week, which is not a Government day, and I would suggest to the hon. gentleman that he might have Wednesday and let the Saturday go.

Mr. MULOCK. I rise to record my protest against the proposition that the House shall sit on Saturday to deal with this important measure. We have been told by the Secretary of State that this is the most important measure that has ever been submitted to the Canadian Parliament. We have received assurances of that kind from all members of the Government, except perhaps the Finance Minister, and we know that under the circumstances there would scarcely be a corporal's guard in this House on Saturday next to deal with this, the most important measure that can engage the attention of Parliament. Does the Secretary of State wish to have this measure dealt with by one-tenth of the members of this House ? If it is as important as he says it is, I submit that he should not seek to place an Act like this upon the statute-book, with the sanction of only one-tenth of the people's representatives. I wish, Sir, to take issue with the Minister of Trade and Commerce in the remarks that he made. He stated that the Opposition had on all occasions resisted the efforts of the Government to advance this measure.

Some hon. MEMBERS. Hear, hear.

Mr. MULOCK. I hear the statement echoed now.

Some hon. MEMBERS. Hear, hear.

Mr. MULOCK. I give a most emphatic denial to that, and the House and the country know the incorrectness of that statement.

Some hon. MEMBERS. No, no.

Mr. MULOCK. Did the Opposition, or any individual member of the Opposition, put any obstacle in the way of the arrangements for the second reading of this Bill ? Not until two months after the meeting of Parliament did the Government ask the House to give an opinion upon the measure, and then the leader of the Opposition, without pressure and almost unsolicited, concurred with the Government in the proposition that the discussion on this measure should go de die in diem—indeed I might say day and night, until the second reading was reached. So anxious was the leader of the Opposition to facilitate the discussion of this measure, that he assented to this House sitting day and night, and we had a continuous discussion for two days and two nights. It was a measure upon which each member desired to express an opinion, and yet, important as it was to each individual member of the House, as well as the country at large, the leader of the Opposition facilitated the vote upon it at a very early date. In the face of that action, I should like to know what reliance can be placed on the assertion of the Minister of Trade and Commerce that on all occasions we have endeavoured to retard the progress of this measure. If it is a measure of the importance which the Secretary of State describes it to be, it is entitled to the fullest discussion. Every word of it may contain a law-suit ; every line of it may contain a quarrel. Every feature of the measure demands caution at every step. Here we have the Secretary of State doing violence to the consciences of the people and to our system of representation, by declaring that by force, by exhausting the physical endurance of the members, and by taking advantage of a scant House, he will endeavour to fasten this measure upon the statute-book.

Mr. CAMERON. Let them stay here.

Mr. MULOCK. I intend to stay here, but where are the gentlemen who are shouting "go on" ? Where will they be on Saturday morning ?

Some hon. MEMBERS. We will be here.

Mr. MULOCK. There will not be a corporal's guard of them. They will just leave enough members here to dominate the Opposition. The rest will be scattered to the four winds of heaven. They are only temporarily taking their leave ; but it is an illustration of what will happen to them in the cyclone of the general election.

Mr. COCHRANE. We will be here.

Mr. MULOCK. We shall see : but, without any undue prophecy, I venture to say that the majority of those who are pressing this measure on will not be here after the general election. But that is not the question. The question now is what we shall do next Saturday—whether we shall sit and go through the empty form of pretending to deliberate in the name of the people, when there will not be here one-tenth of the people's representatives. The country knows full well that even in a full House it is not properly represented here to-day ; much less is it properly represented if nine-tenths of the people's representatives are absent ; and it is indecent, I submit—it is characteristic of the course of the leader of the House ever since he has taken his place here—by brute force to try to impose his arbitrary and imperious will on the people by forcing this Bill through the House. Never since I have been a member of Parliament, have I witnessed such an attempt as that of the leader of the House to-day to interfere with parliamentary institutions. He boasts of his desire to maintain the dignity of Parliament. He says that, if we do not vote as he wills, we are destroying parliamentary institutions. His action and the action of this Government the country will repudiate, as a discredit to parliamentary institutions in Canada. The very attempt to force through Parliament a measure which has not received the sanction of the people, which has not been submitted to the people and received their imprimatur and endorsement, is one of the greatest blows that could be struck at representative institutions. I protest against this attempt, and I venture to prophesy that, like many others of his attempts, it will neither redound to his credit nor be in the public interest.

Mr. DAVIES (P.E.I.) I think it is generally recognized that, as the session draws to a close, the Government must ask more or less time from the House. That is a reasonable proposition, and is generally recognized as such. I do not think there is any disposition to refuse the Government all reasonable time; and, if they think that another day is absolutely essential to carry on the business of the country, of course they must have it. The question is, when a great deal of inconvenience would be caused by taking this particular day, and the same results might be attained by adopting an alternative proposition, whether it would not be better to adopt the alternative proposition. My hon. friend at my left (Sir Richard Cartwright) has suggested a mode by which the Government could obtain the additional time they want without inconveniencing the House. I think the whole House recognizes that 90 per cent of the members desire to go away on Saturday, if they can.

Some hon. MEMBERS. No.

Mr. DAVIES (P.E.I.) I say 90 per cent desire to go, if they can, and my hon. friend suggests that the Government should take Wednesday next, which belongs to private members, instead of taking Saturday, which would give them the same time. If they do that, no time will be lost. I press that suggestion upon hon. gentlemen opopsite.

Mr. WALLACE. I was about to rise to say what the hon. member for Queen's has said, and I would ask the leader of the House to accept the proposal made by the hon. member for South Oxford. So far as the Government are concerned, that would give them precisely the same time as they would have by taking Saturday, and it certainly would be a very great convenience to a large majority of the members of the House——

Mr. COCHRANE. How do you know ?

Mr. WALLACE—who desire to go to their homes for Easter. Besides, Saturday is not a good day for doing business. It has always been recognized in this Parliament that business has not gone off on Saturday with the same facility as on other days of the week. That is another reason why the Government should accede to the proposition of the hon. member for South Oxford.

Mr. MILLS (Bothwell). I do not think the Government would be acting against their own interest by accepting the proposition of the hon. member for South Oxford. They would get the additional day that they would get if they took Saturday. Now, a great many members who are within moderate distance from Ottawa, of course, want to spend Good Friday at home. They cannot do that, if the House sits on Saturday. They are obliged to remain here, and it does seem to me a rather selfish proposition for a large number of gentlemen on the opposite side of the House to ask for pairs to escape from their duties here, in order to spend the day as a holiday at home, and to impose upon others the duties from which they are themselves trying to escape. The proposition made by the hon. member for South Oxford is certainly a very reasonable one, and the Government ought to accept it. By doing so they will enable many members to leave here, some this evening and others to-morrow morning, and to be back here on Monday in time for public business at three o'clock.

Mr. FRASER. I find that a large number of members have made arrangements to spend the Sabbath and Good Friday at home. If the leader of the Government insists on our sitting on Saturday, the House will have to adjourn at midnight, whereas if he accepts the proposition to take Wednesday, the Government will gain the whole of the day.

An hon. MEMBER. Why not take both ?

Mr. FRASER. If the intention is to take both, I submit that there is no reason for us to take Saturday. If we take Saturday, a large number of the members, who go home for Good Friday will have to come back on the Saturday, and will have to be away from their homes on Easter Sunday; and I do not think that those who have no religious scruples in this matter and to whom one day is not more than any other should force their views upon those who have such religious scruples. When we adjourn on Friday, why not remain adjourned until Monday and then take Wednesday; and in that case no time will be lost and both ends will be gained. The Government will lose no time, and those members who wish to go home will have the satisfaction of spending Easter with their families, and after coming back, under the influence of their religious observances, will be much more willing to promote business than if they were compelled to remain over on Saturday.

Mr. McCARTHY. I desire to add my voice to the request made by the hon. member for South Oxford. I had supposed that the intention to take Saturday had been abandoned, because although this notice has been standing on the paper for some days, when it was reached the leader of the House took no notice of it and allowed it to stand, and arrangements were made by those who can go home and return by Monday to do so. It is certainly rather inconvenient for them to be told now that although we are not to sit on Good Friday, still the House must sit upon Saturday. If of course the majority must rule, the minority in this House apparently have no rights and are treated with very little consideration by the majority, but I may say this, that if the business of the House is to be carried on in any reasonable way, some regard must be paid to the feelings, if not to the rights, of the minority; and I venture to say to the hon. leader of the House and the majority behind him that they will gain very little by forcing the motion through in this way against the expression of opinion to which the House has listened from the minority.

Mr. CAMERON. Retaliation.

Mr. McCARTHY. It is not retaliation, it is self-defence. The matter before the House is the most important—I am endeavouring to use the adjectives without the superlatives to which we have listened in this debate,—with which this House has ever been concerned. The proceeding in committee is probably the most important stage of the Bill. We have assented by a majority to the principle of the Bill, but we have to consider a very long measure, we have to contrast and compare it with the law in Manitoba which it is to supersede ; and to do that requires not merely the consideration and time given the measure in this House but some study outside the House. Now, if the passage of this Bill is to be forced through the committee, as far as the Government is concerned, if the sections are to be pressed through without discussion and without argument, without anything being said in their defence, why of course the country will understand it. For my part, I propose to stay here if the House sits on Saturday, and I propose to have something to say on every clause of the measure and on every line of each clause as it is moved.

Mr. GILLIES. That does not often happen.

Mr. McCARTHY. I thought therefore it would be all the more agreeable to the hon. gentleman. Under the circumstances, is it not time that we should carry on the business of the House and of the country with some degree of courtesy from the one side to the other ? It has been proposed that the members' private day, Wednesday, which the Government have not proposed to take, should be given up instead of Saturday. In that way, we should have the whole of Wednesday instead of only half a day on Saturday. Surely it is wiser and better that a reasonable proposition of that kind should be listened to instead of compelling to spend Easter in Ottawa instead of with their families, those members who can leave here and be able to return in time for the sitting of the House on Monday.

Mr. MACDONALD (Huron). I am sure that the hon. leader of the Government, will, if he takes time to consider the proposition made him, grant the request made by those who have spoken. He very generously, the other day, gave way to the desire of those who wished to commemorate Good Friday. Now, a good many of us have not time to go home for Good Friday, that is those who live any distance west of Toronto, if they have to return for Saturday ; but by yielding to their request, they would be able to spend Good Friday and Easter Sunday with their families, and are prepared to give up Wednesday, which will more than compensate for any time thus lost.

Sir CHARLES TUPPER. I would be very sorry to leave myself open, under any circumstances, to a charge of want of courtesy towards hon. gentlemen opposite, but I must not forget that the opposition to sit on Saturday has come entirely from hon. gentlemen who have shown no disposition to forward the progress of this Bill. I cannot lose sight of the fact that the hon. member for North Simcoe gave notice long ago to the Government and to the House that he intended that this Bill should never go through the committee, and I therefore distrust the dulcet tones in which he now endeavours to prevent this motion from passing. I will tell the hon. gentleman why I did not make this motion at the time for which it was set down. I did not do so because I wanted to make progress with the Bill, and because I believed that if I did make the motion then, advantage would be taken by the hon. gentleman and those who are disposed to abet him in obstructing this measure——

Some hon. MEMBERS. Order, order.

Sir CHARLES TUPPER. I am perfectly in order.

Mr. CASEY. I rise to a point of order.

Some hon. MEMBERS. Sit down.

Mr. CASEY. The hon. leader of the Government has charged members with obstruction.

Mr. SPEAKER. I am not aware that there is anything unparliamentary in applying that word——

Mr. CASEY. It was so ruled by the Chairman in committee the other night.

Sir CHARLES TUPPER. The Speaker has ruled.

Mr. MULOCK. I raise another point of order.

Sir CHARLES TUPPER. The Speaker has ruled, and the hon. gentleman cannot be allowed——

Mr. SPEAKER. The hon. member is raising another point of order, I understand.

Mr. MULOCK. The Secretary of State spoke of those who were aiding and abetting the hon. member for North Simcoe (Mr. McCarthy) in obstructing this measure, thereby implying that the hon. member for North Simcoe was obstructing that measure. I submit that the hon. gentleman has no right to make such a charge, directly or indirectly, against any hon. member.

Mr. SPEAKER. That is not an unparliamentary term to apply to an hon. member. The best authority I can give is that of Mr. Speaker Peel, who says :

> There is nothing unparliamentary in attributing obstruction to any hon. member.

Sir CHARLES TUPPER. I trust I may now be allowed, without further interruption, to make the few remarks I rose to make. I avoided making the motion on that day, because I was anxious to make progress with the Bill, and I wished to avoid waste of time through occupying the attention of the House with anything but the progress of this Bill. Under these circumstance, I felt compelled, as a matter of public duty, that I owe to this House and to the country to steadily advance this measure as far as it is possible to be advanced. I do not say that the hon. member for North Simcoe, and those who may be disposed to join him in saying that this Bill will never pass through the committee may not succeed. But I say that the country will understand that this measure which this session was called to deal with has been met by constant, persistent obstruction in every possible way, and the people will know the reason it does not become law, if it does not.

Mr. LAURIER. After the offer made by my hon. friend from South Oxford (Sir Richard Cartwright), the hon. gentleman has no right to make such an insinuation. When the proposition is made that, in order to avoid sitting on Saturday, the private members should give Wednesday to the business of the Government, the hon. gentleman has no foundation whatever for saying that there is shown any disposition to obstruct the Bill. Why, Sir, if there has been a disposition to obstruct the Bill is it likely my hon. friend beside me would offer to give to the Government one of the days we have the right to apply to the business of private members ?

Sir CHARLES TUPPER. And spend it as to-day is spent.

Mr. LAURIER. And spend it as every day is spent, in dealing with the business before the House. And the hon. gentleman is the last man who should make such an insinuation. He has stated that this session was called for the purpose of carrying this Bill. How was it that for two long months this House was prevented from going on with the Bill ? If this Bill was not pressed sooner, what was the cause ? On the very day of opening this session that was called to dispose of this Bill, we found that the Government was being plotted against by some of its own members, and perhaps the leader of the House was himself a party to that conspiracy. And when the hon. gentleman has disposed of these charges that he was of those who took part in that conspiracy, then, and no sooner will he be allowed to state that others are offering obstruction to this Bill. If there is obstruction, where does it come from ? Not from Liberal members of the House, but from those who sit on the other side. Has the hon. gentleman forgotten that when the remedial order was passed, a session was called at which it should have been taken into consideration ? But that whole session was allowed to pass and no Bill was brought down. Who was responsible for that delay ? Was it the Liberal members, or was it the Conservative members ? And when this special and final session of Parliament was called, was any disposition shown to go on with the Bill ? There were plots in the Cabinet, as I have said. Then, when peace was made between the members of the Cabinet, after two weeks, was the Bill pressed forward then ? No ; it was not. But peace having been made among members of the Government, and when it suits their own convenience, they bring forward this Bill and wish to force it, and nothing else, upon the attention of Parliament, regardless of consideration that is due to the members of the House. Under such circumstances, I am ready to go to the country with the hon. gentleman and let the people decide whence has come the obstruction to this Bill.

Mr. FOSTER. My hon. friend——

Mr. LANDERKIN. This is one of the obstructors.

Mr. FOSTER—has displayed a good deal of heat in debating the simple question whether or not——

Mr. LANDERKIN. One of the seven.

Mr. FOSTER. Now, when my hon. friend gets through. I heard an appeal a little while ago that it would be well if this Parliament were carried on with some respect for parliamentary rules. I will try to keep within the rules, and I trust other hon. gentlemen will do the same. I was going on to remark in a very cool and calm way that the hon. gentleman seemed to have unnecessarily excited himself. The only question before the House is as to whether there is a disposition amongst its members to avail themselves of every possible hour during the three short weeks which remain to pass on the important business before the House; and which, I think, the country is somewhat interested in having carried out. There is a good deal to be said with reference to consulting the individual and private convenience of members of this House, but I think that argument may be very easily pressed too far. And I think that when you come to within three weeks of the end of a session in which so little real business has been done and in which so much remains to be done, it is not an extravagant request to ask that members on both sides of the House shall give some of their private pleasure and their private convenience to carry out the object for which they were sent to this House. Hon. gentlemen, whether they are in favour of this measure or opposed to it, say that this is a most important measure. The majority have definitely declared that the measure is one which ought to be legislated upon this session. Then, if there is anything in the unanimous consent that it is an important measure, and if there is anything in the fact that a majority have affirmed this principle and wish to have it put upon the statute-book, there is an argument that ought to have great weight in inducing hon. members to give up their own pleasure in a trip to Toronto or to Montreal, or elsewhere, to spend Sunday with their friends, and to give attention to this measure which is allowed to be important. I wish to speak of another thing. It has been stated over and over again, and the hon. gentleman who has just taken his seat is one of the worst sinners in that respect, that all the waste of time is due to one or two things, mainly to the fact that there was some trouble in the Cabinet. The hon. gentleman is quite welcome to make all he can out of that. But let us come down to the facts of the case. To hear the hon. gentleman speak, you would think that a great deal of time had been wasted, weeks and weeks had been lost owing to this cause. The House met on the 2nd of January. The adjournments that took place covered four working days, and no more. The Address was moved on Thursday, the 16th of January. The unusual course was followed of discussing the Address from the 16th of January to the 23rd of January, and in that discussion the Manitoba school question was the main question that was threshed out, although it was well known that a measure would come down and that this same discussion would have to be gone over again. The debate on the Address generally occupies two days, or three at the farthest. This session it occupied from the 16th of January to the 23rd of January. Then, the Estimates were placed before the House on the 27th of January, and on Tuesday (28th) the House went into Supply. Did they show any disposition to give Supply? No, Sir. Every man on the Opposition side who stood up declared, by all that was parliamentary and constitutional, that this House was called together at this session for the purpose of passing a Remedial Bill; and they demanded that the Bill should be laid before the House and should be discussed; and nothing but the Bill would satisfy them. So, Sir, all day Tuesday was spent, and in the hours of the next morning we got one small item passed, and the House adjourned. The Budget was brought down on Friday, 31st of January. It is usual in the House, when the Budget is introduced, to carry on the discussion de die in diem. Why was that not done this year? Because the Bill was demanded, and nothing but the Bill; that is what the House came here to legislate upon; and, instead of giving the time that is usual in discussing the Budget de die in diem, they refused to give that time, and the Budget debate lasted from 31st of January until the 28th February, or just about a month. During that time was the Remedial Bill not before the House? Yes, it was. The Remedial Bill was brought down to this House on the 11th of February; it was printed on the 12th of February, and the only thing that kept the Government from moving the second reading of that Bill was the fact that the Budget debate was on, that, in fact, a declaration of want of confidence in the Administration was under discussion, and hon. gentlemen opposite would not intermit that until a whole month had passed, and yet they accuse the Government of delaying the introduction of the Bill! Hon. gentlemen, and my hon. friend opposite, cannot crawl out of so small a hole as that. The Budget debate was kept on for over a month, and for one purpose only, and that was to prevent this House from going into a discussion of the Remedial Bill. Well, Sir, on two or three occasions this House was asked for further time to be taken for Government measures. What has never been done in any previous session was done during this session; on every occasion further time was refused, and was not granted until a long debate had taken place upon it; and, once or twice, we had to come to some arrangement in the matter in order to get on with the business at all. The Budget debate closed on Friday, 28th February, and the second reading of the Remedial Bill was moved on the first Government day after, that is, on 3rd March, and the debate lasted from 3rd day of March to 20th March, or seventeen days altogether, including the days that the House did not sit.

An hon. MEMBER. By whom?

Mr. FOSTER. By hon. members on both sides of the House, as it was proper and right.

An hon. MEMBER. More on your side.

Mr. FOSTER. If the hon. gentleman means to assert that it was more largely a discussion on this side of the House than on that, I am not free to admit that what he says is true; but, even if it be true, I am right in making this statement, that the House knows, and the country knows, that whoever discussed the Bill on this side of the House went into the merits of the Bill; whilst, on the other side of the House, a large part of the discussion did not touch the merits of the Bill at all, but was devoted to everything else than the merits of the Bill, and for the purpose, as it would seem to an onlooker and to a spectator, of killing time. What was that long four-and-a-half hours speech by the hon. member for Richelieu (Mr. Bruneau) for, when he travelled over all the ground from the Cape of Good Hope to Greenland, over every question discussed in this country for the last twenty-five years? What was the necessity for a four or five-hours speech from the hon. member for Addington (Mr. Dawson) on this matter? And so I might go on.

An hon. MEMBER. He did not speak on it at all.

Mr. FOSTER. The hon. member for Addington spoke.

Mr. SUTHERLAND. Mr. Speaker, I rise to a point of order.

Mr. FOSTER. There is no point of order.

Mr. SUTHERLAND. The point of order I make is this : The hon. gentleman states that a certain member of this House spoke for several hours, who did not speak at all.

Mr. FOSTER. That is no point of order ; that is a point of fact.

Mr. LANDERKIN. Everybody knows that his statements cannot be relied upon. I am not surprised at that statement at all.

Mr. FOSTER. I do not think that anything could surprise the hon. member.

Mr. LANDERKIN. No statement that you make.

Mr. FOSTER. I was going on to state that the hon. member for Addington spoke four or five hours.

An hon. **MEMBER.** Six hours.

Mr. FOSTER. I am told that it was not upon the Remedial Bill that he spoke, but, to my mind, it makes no difference. I stated at first, and I think that my statement is true, that the long debate upon the Budget was for the sake of keeping off the Remedial Bill, and, when the hon. member for Addington speaks for six hours upon a Budget, it must be that there are more than financial and trade matters in his mind at the time. So again, when we asked to take Monday and Thursday, there was the same obstruction and the same desire to prevent the Government from getting an additional day, the same desire that is shown to-day. Now, Sir, the committee stage of the Bill was moved on Friday, 20th March, and although there had been a full discussion on the second reading it was not until 28th February that we were allowed to go into committee. from that time up to 2nd day of April we have passed exactly three clauses of that Bill. My hon. friend said that it was necessary that these clauses should be discussed ; but my hon. friend is doing everything he can to-day to prevent us from taking Saturdays and giving him a chance to discuss the clauses of the Bill upon their merits. The Government does not object to a fair discussion of the Bill upon the different clauses : what is objected to is that, when the Government wants to get the Bill where it can be discussed, there is this persistent attempt to prevent the Bill getting where it is possible to discuss it in this House. Sir, it is impossible for us to avoid the conclusion, it is impossible for the country to avoid the conclusion—because the country keenly watches the proceedings of this House—and the conclusion the country will come to is that all this abnormal energy has been wasted for the purpose of preventing the discussion of this Bill, first on the second reading, and afterwards in committee ; and the country will take due cognizance of the fact. Now, we ask simply that members shall forego their private business, not go home on Saturday, and that, three weeks before the session ends, when we have this Bill in committee, when there is not an item of the Estimates, speaking broadly, passed, when there are large services to be provided for, and must be considered by this House, services necessary for this country—we are asked, forsooth, not to take Saturday, because some members wish to go home. Now, we are told it is unfair that a large number of the members in this House who want to go home and spend their Saturday, or spend their Sunday, should have to remain here. Many of them have not been home since the session commenced ; but for those who live near their homes and who have often been there, it is not too much to ask them to forego this one day for the sake of public business.

Mr. SUTHERLAND. The hon. Minister of Finance says this is simply a resolution on the paper. But the debate has taken a turn that does not leave it simply a question of a resolution on the paper, and I, for one, wish to take this opportunity to resent the remark made by the leader of the House that every member who speaks against the House sitting on Saturday, is obstructing the Bill.

Sir CHARLES TUPPER. No, opposed to the Bill. If I said that, I certainly did not intend to say it. What I said was that all those who were opposed to taking Saturday, were opposed to the Bill; but I did not intend to say for a single moment that every person who had spoken, was engaged in obstructing the Bill.

Mr. SUTHERLAND. Of course, I accept the hon. gentleman's explanation, because, when I gave the advice I did to the House, I meant, exactly, what I said——

Sir CHARLES TUPPER. No doubt of it.

Mr. SUTHERLAND—that a number of members on both sides had expressed to me a desire, owing principally to social arrangements that they had made, that the House should not sit on Saturday, and it would be very inconvenient for them to remain on Saturday. What is taking place now proves the truth of what I said, that it would rather facilitate the business of the House, if the wishes of so many members were consulted. The hon. gentleman knows well that, when hon. members had every reason to believe that there would be an Easter holiday, and had made arrangements to be absent from the city over Friday and Saturday, they must feel somewhat aggrieved and disappointed, when their wishes are disregarded. Now, Mr. Speaker, the Finance Minister has undertaken to read us a lecture about taking up time. Who has taken up the time this afternoon ? Hon.

gentlemen opposite by departing from the subject of the resolution before the House, and undertaking to make very small political capital against the Opposition by making a series of statements that are not borne out by the facts. The hon. Minister of Finance practically admitted that in the course of his speech. Some of the statements made by him he was compelled to withdraw, and he did not withdraw them gracefully and manfully, and especially was this true in regard to statements regarding the hon. member for Addington (Mr. Dawson). The statement made with respect to that hon. member had no object except that of injuring him in his constituency ; and the Finance Minister, finding that that statement was not correct, should have withdrawn it and admitted that he was under an error, and that the hon. gentleman did not take up unnecessary time. The hon. gentleman knows well whether hon. members make their speeches longer than he thinks they should make them; they have a perfect right to do so if they are discussing the question under consideration, and the hon. gentleman is not fair in saying that speeches delivered on this side of the House are much longer than were those on the other side of the House in that debate. If so, I repeat, hon. members were quite within their rights. In my judgment, and I know the facts in connection with the debate on the second reading of the Remedial Bill, the statement made by the Finance Minister is not correct, and I wish to take this opportunity, in view of the position he has taken, to state this : A proposition was made by him, with a desire to shorten the debate, and I, in the absence of my leader, tried to meet his wishes to the fullest extent. We prepared a list of hon. members who desired to speak on that question, and upon that basis we decided, if possible, to come to a vote within a short time, on a certain day. The Minister of Finance, whether he approved of it or not I do not know, but for some reason or other, prominent members of his party, after that arrangement was made, rose in the House and spoke hour after hour, when the special basis of that arrangement was that certain members whose names had been handed in should be the speakers on that question. I should like to ask the House and the country whether that was a fair way of carrying out in good faith the understanding arrived at, with the names we had before us as the basis of the arrangements. I wish to add that in bringing that debate to a conclusion I personally appealed to my friends on this side of the House to give way, and the result was that many of my friends who had intended to deliver speeches on that subject gave way. Some four or five old members of the House, members prominent in the party and in the country, who desired to discuss the question gave way at my request. Under these circumstances, it was most unfair for the hon. gentleman—he may think it is proper political warfare, but I do not think so—to make the statements he made ; and I take the opportunity of saying here that there are hon. members who are anxious that the Bill referred to should pass this House as soon as possible. There are other hon. members on both sides who believe that the Bill should not pass, and those hon. members have a right to oppose the Bill so long as they keep within the rules, and within their rights ; and the Government do not facilitate progress by misrepresenting and bulldozing hon. members, as they appear to be attempting to do at this time. I make this statement, and I think it frankly and honestly represents the present state of affairs. The Minister of Finance undertakes to place under the authority, as it were, or in connection with the Liberal party, and under the leader of the Opposition, every hon. member who has spoken against and voted against this Bill. That is not fair. Many of those hon. gentlemen who have spoken have declared themselves to be members of the Conservative party, even hon. members whom the leader of the House has read out of the party ; have stated that they are not members of the Liberal party, and the leader of the Opposition has no control over them. It is most unfair and unjust to say that for every member of the Conservative party who has taken up time in discussing this question my hon. friend the leader of the Opposition is to be held accountable. I take this opportunity of laying the matter before the House and the country, as so much is being said and written about it. As regards hon. gentlemen opposite who are members of the Conservative party, who declare they are still members of that party and intend to work for the return of the present Government or the Conservative party, it is unfair and unjust to say that the leader of the Opposition or the Liberal party are in any way responsible for their actions on this Bill or any of their acts in this House. So far as I am personally concerned, I wish to repeat to the leader of the House that I have spoken what I believe to be the sentiments of a large number of members on both sides of the House, that, as is already apparent from what has taken place, business is not furthered when hon. members feel they are being coerced or pressed unjustly, unfairly and unreasonably, and that is not the way to secure their assistance in furthering the business of the House.

Mr. SPROULE. I personally regret that the leader of the House has seen fit to adopt the course he has adopted in relation to the very reasonable suggestion made by the hon. member for South Oxford (Sir Richard Cartwright), because his aim is, so far as we can gather it from his speeches and the speech of the Minister of Finance, to obtain all possible time to pass the Remedial Bill, before the House. If he were gaining any more time by the course adopted than by the course suggested by the hon. member for Oxford, then I could understand his action, and there might be some reason for insisting on carrying out his views. But he is not going to gain one hour additional: it is only the difference between taking seven hours on Saturday and taking the following Wednesday. If hon. members are willing to give up their private day, and exchange it with the Government in lieu of a portion of a Government day, whereby they would be enabled to go home and attend to their duties for the time being, I do not see why the Government should not be willing to accept the proposition.

Some hon. MEMBERS. They are not willing.

Mr. SPROULE. So far as I know the offer has been made by very many hon. members. In addition, there is the fact that we have members supporting the Government going around here in dozens applying for pairs. I have had eight applications since yesterday. Hon. members want to go home to attend to their private affairs, and no doubt many of them, in following their religious convictions, will attend church. I thought it was a very graceful action on the part of the leader of the Government when, in deference to the expressed views of some hon. members as regards their religious convictions with respect to sitting on Good Friday, he announced that the House would not sit on that day, and hon. members would have the opportunity of going home. I thought that was perfectly proper. We hear a great deal here about respecting the religious and conscientious convictions, but it would come with a great deal better force if those who say so much about it would put it into practice, and extend to other members of the House the same privileges which they desire. There is one religious denomination largely represented in this House who regard Good Friday very much the same as Sunday.

An hon. MEMBER. Who are they ?

Mr. SPROULE. The English Church people do.

Mr. FERGUSON (Leeds). No.

Mr. SPROULE. As a class they do.

Mr. FERGUSON (Leeds). No.

Mr. SPROULE. I know it because I am associated with them for years.

Mr. FERGUSON (Leeds). I am associated with them longer than you are.

Mr. SPROULE. I did not refer to my hon. friend who is reputed to have no religion at all, because I suppose he would work on Sunday the same as any other day. I do not apply my remarks to any hon. gentleman who has no religious conviction regarding that day, but I do apply it to those who regard Good Friday practically the same as Sunday. The rights of this class should not be infringed upon here. It was praiseworthy for the leader of the House to give way with reference to sitting on Good Friday, but he now wishes to sit on Saturday which renders it practically impossible to allow many members to go home and to attend to their religious duties on Saturday.

Mr. FERGUSON (Leeds). Are you a Jew, that you cannot sit on Saturday ?

Mr. SPROULE. If this motion is carried, many members will either have to neglect their religious duties on Good Friday and Easter Sunday, or to neglect their parliamentary duties by not being here on Saturday. The offer made to give the Government Wednesday instead of Saturday is in my opinion a very fair one. It is to be regretted that the Government have not seen fit to accept that suggestion, because if they had done so, they would allow men according to their conscientious convictions to attend to their religious duties on Good Friday and Easter Sunday, and perhaps to attend a little to their private affairs in the meantime. It may turn out to be in the end, that the urgency of this measure before the House may induce the Government to propose even to sit on Sunday. If they propose to interfere with the conscientious convictions of hon. gentlemen as they did with reference to Good Friday, which to many members of the House is a religious day equivalent to Sunday, they might still go further and try to compel hon. gentlemen to sit on the Sabbath. They might say, that the necessities of the situation and the importance of passing this Bill, might require them to do even that.

Mr. LAVERGNE. We would not be doing justice to ourselves if we allowed the statement of the Finance Minister to go without contradiction. That hon. gentleman said that the Opposition had been instrumental in delaying the second reading of this Bill, by a long discussion on the Budget. I can prove from the records of this House that no such thing has been done by the Opposition. We had nothing to do with the introduction of this Bill, and we did not cause the delay in its introduction until the 11th of February. This Bill was distributed in French either on the 21st or the 22nd of February, and on the 21st of February the Minister of Finance made this motion :

> Mr. FOSTER moved that Bill (No. 58) the Remedial Act (Manitoba) be made the first order of Tuesday, the 3rd of March next and the following days until the debate thereon be completed.

This is the answer of the leader of the Opposition to that motion :

Mr. LAURIER. I am quite ready to agree to that motion.

Now, Sir, I ask the hon. gentleman (Mr. Foster), was he justified in saying that we have delayed the second reading of this Bill by prolonging that debate on the Budget? The hon. gentleman himself moved that the debate on the second reading should not take place until the 3rd of March, and there was no obstruction whatever to that motion. The Bill was introduced on the 11th February, it was not distributed in French until the 22nd of the same month, and the Minister of Finance moved that the second reading be moved on the 3rd of March, and the leader of the Opposition at once said: I consent to that. I believe that the hon. gentleman (Mr. Foster) should withdraw the statement that we have obstructed the progress of this Bill. The hon. gentleman says that we spent from the 16th to the 23rd of the month debating the address, but he forgot to mention that two or three days in the interim were legal holidays, on which the House did not sit. The Budget debate did not, as I have shown, in any way interfere with the progress of this measure. I say, Sir, that the imputation made by the Finance Minister on members of this side of the House, is not only most unfair, but it is not according to the facts.

Mr. GIBSON. It is quite amusing to me to hear the House lectured by the Finance Minister, and the advice tendered by him to the members to refrain from going home. Perhaps it did not occur to hon. gentlemen on his own side, that the Finance Minister generally takes that advice himself and goes home every night. Of course he has not very far to go, but he should remember that there are some hon. gentlemen in this House who cannot go home and return, if they have only one day to do so. Many members, of all religious denominations, have a general desire to be home with their families on Easter Sunday. It ill becomes the Finance Minister to tell the members of this House that they have to forego their duties to their families, because, forsooth, the Government has a measure of importance to bring before this House. This measure was admirably described by the Secretary of State as being of the greatest importance, which statement was as admirably denied by the Minister of Finance, who said it was a matter of no importance at all. We all know very well that the bringing down of this measure was delayed for two months because of internal dissensions in the Cabinet. Was that the fault of the members of the House? During the first week of the session, we met every day for an hour to hear from the lips of the Postmaster General how the Cabinet difficulties were being adjusted day after day, and hour after hour. Was there any desire then on the part of the Postmaster General to bring down this Remedial Bill? No, Mr. Speaker, they were trying to adjust the little differences amongst the traitors of the camp, as they were described by the First Minister in the other House. We had to wait until the Secretary of State came over here and joined the conspirators. Then, this Bill, which is of such importance, had to lie until the return of the Secretary of State from Cape Breton, after his election. When all these things are considered, very little should be said by the members of the Government about the time taken up by members on this side, either in the Budget debate, or in discussing the Remedial Bill. I think that as much time was taken up by members on their own side. Perhaps as long a speech as was made by anybody in the House was that of the hon. member for North Victoria (Mr. Hughes). If the Minister of Finance will act on the advice he gives to other members of the House, and stay in his place and look after the business of the House, hour by hour, day in and day out, I am sure he will find that members on this side will be prepared to stay here hour by hour and day after day with him. Of course, the Secretary of State is ready to force this Bill through the House even if he dies for it; but I have noticed that he always takes an ample supply of sleep, even when sitting in his chair. So, until he gets sufficient sleep, he is not ready to sacrifice himself on the altar of his country. But I wish to tell the Secretary of State that I am prepared to stay with him in this House day in and day out, hour by hour, so long as he stays here, and does not retire to his room. So far as physical endurance is concerned, I do not think it behooves the Secretary of State to force any member on this side of the House to stay here at his call whether it is convenient or not. Religious considerations have nothing to do with the business of the House; and, outside of religious considerations altogether, I appeal to the Secretary of State whether members on this side of the House should not be enabled to enjoy their Easter holidays at home as well as those living in the city of Ottawa. The Minister of Finance has spoken of the time taken up by members in discussing the various matters that have come before the House. Who has taken up more time on questions not before the House this afternoon than the Minister of Finance himself? He has given us an epitome of all that has transpired from the opening of the House on the 2nd of January up to the present moment. If these men had been desirous of promoting the Remedial Bill, and had been united upon it, we would not have had the spectacle of members of the Cabinet going out on the second day of the session, and remaining out a week; and it does not lie in the mouth of the Minister of Finance, who has taken up more time on every conceivable subject than any other member of the House, to lecture anybody in that respect. I noticed this afternoon that he did not like to be interrupted; but there is no man who interrupts more than he does, when he hears anything that is unpleasant to himself. I hope the Secretary of State will take this proposition into consideration, because he is gaining nothing by refusing to meet the wishes of members on both sides of the House. I can substantiate what was said this afternoon by the Liberal whip. I myself have received several applications, both personal and in writing, from hon. members, asking me to pair with them for the Easter holidays; but I am not going to pair with anybody. If the Secretary of State, however, wishes to meet the convenience of his followers, he will find that a majority of them are anxious, more anxious, perhaps, than I am, to go home for Easter. It is a mistake for him to suppose that only those who are opposed to the Bill are anxious that the House should not sit on Saturday. Many members who are in favour of the Bill are anxious to join their families at Easter, and I hope the hon. gentleman will not consider the matter from a political point of view. Though he might carry the motion by a party vote, yet if he put it to the good-will of the members, I am sure he would find that a majority are opposed to the House sitting on Saturday, in view of the fact that private members on both sides are willing to forego Wednesday.

Mr. GILLIES. Mr. Speaker, the opposition that is offered to the motion now before the House for taking Saturday for Government business, is clearly based upon private reasons entirely. It is most remarkable, also, that the opposition to this motion comes from the obstructionists to the Remedial Bill. It is not at all alleged, nor can it be held, that the members generally would spend Saturday at home, even if it were taken as a holiday. No religious objection is alleged, because there is no Christian body, within my knowledge at least, that observes Saturday as a holiday. The Minister of Trade and Commerce, one of the best authorities in the House so far as the Anglican denomination is concerned, has stated most positively that that body does not observe that day as a holiday. The hon. member for East Grey (Mr. Sproule) is the only gentleman in the House who, for religious reasons, objects to the House sitting on that day; but I venture to say that he never observes it as a holy day nor does a single member of the House agree with him. Let the gentlemen who propose to take Saturday as a holiday, have some consideration for members who cannot go to their homes for Easter. What about the six members from British Columbia, the four members from the Territories, the five members from Manitoba? What about the six members from Prince Edward Island, not one of whom can visit his home? What about the twenty-one members from Nova Scotia? Is their convenience not to be considered? Are we to dance attendance here for the convenience of those gentlemen east of Toronto and west of Montreal who choose to go home for Easter Sunday? What about the sixteen members from New Brunswick; are their feelings and their convenience not to be considered at all? What about all those gentlemen from the western provinces and from the eastern provinces who cannot take advantage of this adjournment; is their convenience to be subordinated entirely to the desires and enjoyment of members east of Toronto and west of Montreal? What about the forty members from the province of Quebec who cannot go to their homes during this debate, and the fifty-five members from Ontario who are in the same position? The number of those who cannot take advantage of this proposed adjournment amounts to 153, that is two-thirds of the House—must they dance attendance and give way for the convenience and the luxurious desires of these gentlemen who desire to rush to their homes and spend their Sunday there? The hon. member for North Simcoe (Mr. McCarthy) has told us, this afternoon, that he is prepared to sit here on Saturday and every other day, and discuss every line of and every section of this Bill. Is that a threat or not? From whom does the obstruction to this measure come? It comes from the hon. leader of the Opposition and his newly-found allies. If he has found new allies in my hon. friend the hon. member for North Simcoe (Mr. McCarthy), and the hon. member for East Grey (Mr. Sproule), and the hon. member for Muskoka (Mr. O'Brien), and the hon. member for North Bruce (Mr. McNeill), and the hon. member for West York (Mr. Wallace), I wish him joy of them, and I hope his friends behind him will have reason to congratulate him upon these new acquisitions.

Mr. TARTE. If there are any two men in this House who have delayed this Bill, it is the hon. gentleman who leads this House (Sir Charles Tupper), and the hon. Minister of Finance (Mr. Foster). What is the record? Parliament was called last year, and we were told that its chief business was to pass a Remedial Bill; but a ministerial crisis took place, and the House was prorogued on the 23rd July without any such Bill having been presented to it. But on the 10th July, the declaration was made to the Parliament then in session, that, if the Manitoba government and legislature would not do justice to the minority during the recess, Parliament would be called again to meet not later than the 2nd January, and that then a Remedial Bill would, without fail, be introduced. In the ministerial press we were told at the time and during the recess that the Bill was ready, that everything was ready, and that the measure would be put through, if the Manitoba government in the meantime refused to act. Well, Mr. Speaker, Parliament met on the 2nd January; and now I ask the hon. leader of the House why the Remedial Bill was not then introduced, as promised. We were told by the ministerial press, we were led to believe in this House, at our last session, that the Bill was ready, and would be brought down on the 2nd January last. Well, I say it again, for the information of the hon. leader of the House, who seems to have forgotten the circumstance, that Parliament was called for the 2nd January, that Parliament met on the 2nd January, and that the Bill was not then brought down. Why was it not then introduced, as promised? The hon. gentleman knows better than any one else the reason. Let me remind him that he invited himself to this side of the ocean. The papers brought down show that he invited himself to come over here and discuss important matters; and I venture to say that the country knows to-day that, if the Remedial Bill was not brought down when this House met, the chief cause of the delay was the hon. gentleman himself who leads this House. Sir, the Remedial Bill was announced in the Speech from the Throne. The Government was then presided over, as it is to-day, by Sir Mackenzie Bowell; this session had been called for the special purpose of passing this Bill; the Ministers and their press all over the country had declared that the Bill was ready and that everything was ready to go on with it; but it seems that, despite all this, there was more important business than the rights of the Manitoba minority, so dear to the hon. gentleman, which had first to be settled. The Ministers met to settle this important business. What was it? It was that the Prime Minister (Sir Mackenzie Bowell) was not capable of leading the Government and the Conservative party. He was not the right man in the right place. The right man was on hand, but he did not get the right place. We are accused of having delayed this Bill. I, for one, voted against it, but I and a great many others who did so, and the whips can bear me out, refrained from speaking, although ready to speak, in order not to delay the vote any longer. And I know that I express the sentiments of a great many of our friends on this side, when I say that we have no desire to obstruct this measure.

Mr. GIROUARD. You do not want it to pass.

Mr. TARTE. My hon. friend may have his own sentiments. Let him keep them for himself. I voted against this Bill. but I have not the right to give the reasons now why I did so, because we are not discussing the merits of the Bill. I am responsible for the vote I have given, but I charge my hon. friends from the province of Quebec who are supporting the Government, with being responsible, to a large extent, for the delays that have taken place, because they support the man who has been the chief cause of that delay. Is there any reason which they can give why the Bill was not brought down at the opening of this session? Has the reason been given yet? Nobody can give it publicly; but my hon. friend knows quite well that the Ministers were quarrelling among themselves. He knows that they could not agree. Although on every hustings in the province of Quebec they declared that the Bill was quite ready, it appears it was not. My hon. friend knows right well that the ex-Minister of Agriculture (Senator Angers) was quite right, when he said last session to his colleagues: You do not want to proceed this session, you will not be able to proceed next year. They had other very important business to settle. They were quarrelling among themselves. They had the anonymous letter question to settle, and yet to-day they have the effrontery to accuse us of obstruction. The Government delayed introducing this Bill, with the intention, I cannot help saying, of coming to the pass we have reached to-day. They know right well that there are members in this House, on both sides, who are opposed to the very principle of separate schools, and who would certainly, if they stood alone, prevent the passage of this measure. But, as one who has voted against it, I have no hesitation in saying that our friends on this side have no desire to obstruct the measure. I believe that the measure is bad, that the measure is unworkable. But, Sir, the very moment that this Parliament, by a majority, adopted the principle of the Bill, we felt bound to give the measure due consideration. I am not reconciled to the idea that the Bill is good, for I think it is bad and unworkable. And, more than that, I say that a great many of my hon. friends from the province of Quebec who have voted for it know right well that the Bill is bad. I know quite well their motives. They have been promising all over Canada to have the restoration of separate schools, to have a broad policy; and they are today face to face with a worthless Bill. Many of those who have declared the approval of the Bill know that it is unworkable. But promises have been made to them. One of these is that the Schools Act shall be amended during the next session of Parliament. The hon. leader of the House has been asked on many occasions if he was prepared to say that such a policy would be adopted. He declined to answer. For all these reasons, I regard the Bill as bad, but at the same time, I say we have no desire to obstruct it. But, Sir, we cannot close our eyes to the fact that this is a most important measure, nor can any one say, with its 112 clauses, that it is not a long one. We should not be surprised if scores of members desire to discuss the Bill thoroughly. I hope, at the same time, that there will be no obstruction, and in saying so I am sure I express the feelings of every hon. member on this side of the House.

Mr. TAYLOR. I think the hon. leader of the Opposition and his first lieutenant, the hon. member for L'Islet (Mr. Tarte), will have a hard job on their hands to convince the people of this country that they did not propose obstructing not only this Bill, but also the other business which the House should deal with before it rises. The hon. leader of the House, knowing that we had but twenty days before Parliament must close, proposed to sit on Friday of this week. Who objected to the House sitting on Friday to get through the business of the country requiring to be transacted before the expiration of this Parliament? Why, the hon. leader of the Opposition and his friends. Every member on this side of the House was quite willing that the House should sit in order to get the Estimates passed and transact the business that is now pressing for attention. But when the objection was raised, the hon. leader of the House gave way. Notice was on the paper that the Government would move to take Saturday. If it had not been intended to obstruct this motion, I want the hon. leader of the Opposition and the hon. member for L'Islet to inform me how it was that the information came to me from a gentleman who is in the confidence of gentlemen opposite that this obstruction would take place to-day, that as soon as the leader of the House rose to move that motion——

Some hon. MEMBERS. Name, name.

Mr. TAYLOR. I give the statement in my place in Parliament that I was informed——

Some hon. MEMBERS. Name, name.

Mr. TAYLOR. I am not obliged to give the name.

An hon. MEMBER. There is no truth in the statement.

Mr. TAYLOR. I make the statement, I give the information. I have, I think, the facts as we know them——

Mr. LAURIER. I call upon the hon. gentleman to give the name. I give the flattest denial to such a statement.

Mr. TAYLOR. The facts warrant the statement.

Some hon. MEMBERS. Name. Withdraw.

Mr. TAYLOR. I do not withdraw.

Mr. EDGAR. I rise to a point of order. The hon. gentleman who is addressing the House made a statement relating to the leader of the Opposition, and the hon. leader of the Opposition rose and gave it a flat denial. And now the hon. gentleman, instead of withdrawing his statement, proceeds to say that the facts warrant it.

Mr. TAYLOR. If the hon. leader of the Opposition says that he knows nothing about it, I will accept his statement. At the same time, I say I received the information.

Some hon. MEMBERS. Name.

Mr. TAYLOR. I am not bound to give the name.

Mr. FRASER. There is no name.

Mr. LAURIER. Let us have the name, so that we may know who speaks of us in that manner.

Mr. TAYLOR. I make this statement——

Mr. MACDONALD (Huron). I rise to a point of order.

Some hon. MEMBERS. Order. Sit down.

Mr. DEPUTY SPEAKER. The hon. member wishes to rise to a point of order.

Mr. MACDONALD (Huron). The hon. gentleman has made a reflection upon some member on this side of the House by saying that he was told that the Opposition this afternoon would obstruct this motion. Now, that reflection covers us all, and I do not wish to stand under that reflection.

An hon. MEMBER. Then sit down.

Mr. MACDONALD (Huron). In making that general charge I think he is bound to mention the name.

Sir CHARLES TUPPER. I rise to say that the point of order raised by the hon. gentleman—and he has no right to interrupt except on a point of order—is no point of order at all. The hon. member for Leeds (Mr. Taylor) is giving information he received, which has nothing to do with the order of the House. I may say that as I entered this House to-day it was intimated to me that this afternoon was to be wasted in a discussion of this question.

Sir RICHARD CARTWRIGHT. I think the hon. gentleman has no right to make such a statement unless he is prepared to give proof. As to the point of order, the hon. member for Leeds asserted that a gentleman on this side of the House had given him certain information.

Some hon. MEMBERS. No, no.

Sir RICHARD CARTWRIGHT. That is certainly what the hon. gentleman said.

Mr. TAYLOR. I do not think the hon. gentleman wishes to misrepresent me. I said that a gentleman in the confidence of the party on that side of the House informed me.

Sir RICHARD CARTWRIGHT. If that is all, very likely it may be one of the hon. gentleman's own particular friends.

Mr. TAYLOR. That is the statement I made.

Some hon. MEMBERS. Name, name.

Mr. TAYLOR. I received the information that when the hon. leader of the House moved this motion——

Some hon. **MEMBERS.** Name. Order.

Mr. DEPUTY SPEAKER. There is no point of order in the fact of an hon. gentleman not giving the name. I cannot force him to do it. Every hon. member is free to draw his own conclusions, but I cannot force the hon. gentleman to give the name, consequently no point of order can be raised.

Mr. TAYLOR. When the hon. leader of the House moved the motion of which he had given notice and wished to have it changed so as to take the first Saturday, where did the opposition come from ? From the hon. leader of the Opposition. Then when the amendment was moved by the hon. Minister of Public Works, so as to bring it within the rules of the House, where did the opposition come from ? Then when you, Mr. Speaker, decided the motion and amendment were in accordance with the rules of the House, where did the opposition come from ? Not an hon. gentleman on this side of the House raised a word of objection. Every hon. member behind the leader of the Opposition has raised objection. And yet the hon. member for L'Islet (Mr. Tarte), speaking as he says for the entire party, says they do not wish to obstruct the Bill.

Mr. TARTE. Who is speaking now, and who is taking up the time of the House ?

Mr. TAYLOR. My hon. friend from L'Islet (Mr. Tarte) is speaking for those who sit on the left of the Speaker.

Mr. CHOQUETTE. Are you for the Bill ?

Mr. TAYLOR. Well, I am not an obstructionist. I think the information which was given me this morning is borne out by the facts, and the leader of the Opposition, and the hon. member for L'Islet, and the rest of the party, are responsible for the obstruction that is being carried on.

Mr. EDGAR. Early in the present sitting a most reasonable proposition of compromise was made across the House to the leader of the Government, that instead of taking Saturdays he should take another private member's day, next Wednesday. Ever since then I have not heard any reasons given from the other side of the House why they should not take Wednesday instead of Saturday. It is true, the leader of the House and the Finance Minister both made statements, but they never touched that question. As usual, they made charges across the House of obstruction ; and I must say, Mr. Speaker, that since it has been decided by your ruling that the term " obstruction " is perfectly parliamentary, there is no word that seems to roll so readily from the hon. gentleman's tongue the last few days as the word " obstruction." Now, instead of answering the reasonable and polite suggestion for taking another day, he attacks a whole party, and charges them with obstruction. But, Sir, I am more particularly anxious to say a word about what the Minister of Finance told us. He said that there had been a great deal of obstruction already against this Bill by this side of the House. Now, we must consider that after the 3rd March, the day which was fixed by the Government themselves for the discussion of this Bill, the obstruction was all on the side of those who had charge of the Bill. Let us see for a moment where the obstruction has been since the 3rd March. How many speeches were made by Conservatives on the second reading of the Bill, and how many were made by Liberals on the second reading of the Bill ? I have a list of them here, and I find that speeches were made by forty-seven Conservatives. And how many were made by Liberals ? Only twenty-eight, Mr. Speaker ; and that is called obstruction. Now, if we consider the length of the speeches, the same result is apparent. There are 761 columns of " Hansard " filled by speeches of Conservatives on the second reading of this Bill, and there were only 506 columns filled by speeches of Liberals. Why, Sir, the Finance Minister, who complains of the long-winded speeches of the Opposition, himself took up, in a very able speech, over 40 columns of the " Hansard." Now, Sir, when these facts are known, how idle it is for hon. gentlemen opposite to charge us with obstruction on this Bill. I may say, Sir, I can not help feeling that the leader of the House is fishing for obstruction ; I cannot help thinking that the leader of the House, by charging everybody with obstruction before the House was two hours in committee on the Bill, was fishing for obstruction, was setting up men of straw on purpose to knock down. Why, Sir, the course of the hon. Minister of Finance forces members of Parliament, who have self-respect as representatives of a free people, to show that they will not be gagged, and that they will have a full discussion of this Bill. I do not care what the Bill might be about, if the leader of the House, before it had been two hours in committee, used that language to this House, I would insist, so far as I could, upon the fullest discussion in order to resent the browbeating of the hon. Secretary of State and his followers. Why, Sir, I do not think that the leader of the House ever knew the history of this Manitoba school question until he came into this House a few weeks ago. If he wanted to know where the obstruction of this remedial legislation came from, he should ask the hon. Minister of Public Works, who could tell him a good deal about the strike during the last session, on this very question. He should ask his colleague, the Postmaster General, also, who could tell him a good deal about the obstruction and delay in bringing this measure forward. Then he should ask the Finance Minister and the Minister of Railways to tell him the other side of that interesting question ; because I suppose that, as a member of the Privy Council now, the hon. gentleman is entitled to know what happened inside the Privy Council concerning the measures that are now before Parliament, and if he has been told that, he will know where the obstruction was, he will know where the delay was. The country can well understand that at this eleventh hour, before the Bill has been only two hours in committee, the charge of obstruction made right and left is only a way of seeking for it, and inviting it, in order to justify the delays and breaches of solemn promises which his party has made to this country. Then there is another reason why I think it would have been much better for this House to take next Wednesday than sit on Saturday. By next Wednesday surely this House will be in possession of the report of the ambassadors to Winnipeg, and we do not expect to have that here by Saturday. Surely if there is any material information that the House and the country are looking for to assist us in the consideration of this Remedial Bill, it is a report of the proceedings of that solemn conference that has been held the last week in Winnipeg. Sir, I think it is altogether proper that we should not consider this question until we have the report of that conference ; and at any rate, if we are going on to consider it at the will of the Government, we should not consider it on Saturday when we can consider it on Wednesday. For these reasons I hope that before this discussion is over the leader of the House will find that he acted without good judgment in refusing the fair proposal that was made across this House. The hon. gentleman I do not think ever led this House, or a party in this House, before. We must make allowances for his want of experience, we must make allowances for his want of understanding how to manage this House, we must make very large allowances for his unfortunate mistake in transgressing the rules and practices of this House, because we know that he has never been in a leading position in this House before, and never had the responsibility of a leader of this House. Sir, I would venture to say to him that he is out of touch with the feelings of this Parliament if he thinks that his attempt to dragoon us will add to the time which he can give to this Bill. His old leader, Sir John A. Macdonald, never ran against the feeling of the House. He tried to coax them along, and convince them. He appealed simply to their intelligence, he never threatened physical force across the floor of this House. I venture to suggest that the leader of the House should treat hon. members with more consideration than he has hitherto extended to them.

Mr. BORDEN. I think it must be evident to every hon. gentleman who has watched the discussion that has taken place to-day that it is only part of the policy which has been deliberately adopted by the Government for the purpose of humbugging the people. Hon. gentlemen opposite profess that the leader of the Opposition, and his supporters, are resorting to a policy of obstruction, but it is very clear that the obstruction is coming from members on the Treasury benches, and their supporters.

Some hon. MEMBERS. Oh, oh.

Mr. McNEILL. Is it in order to make such a noise that representatives of the public press cannot know what is going on in this House ? Publicity is what some hon. gentlemen fear.

Mr. SPEAKER. I hope hon. members will abstain from making noises.

Mr. BORDEN. We are discussing obstruction, and I have said that the principal part of the obstruction has come from the Treasury benches, and hon. members behind them. The unseemly noises to which we have just listened are part of the policy of hon. gentlemen opposite. It is obvious that hon. gentlemen on the Treasury benches have discovered that the remedial legislation proposed pleases no one, and that those hon. members who might be supposed to favour it are opposed to it, and are opposed to any interference by this House with the legislation of Manitoba. The obstruction entered upon by the Government is evidently being carried out to cover up, to a certain extent, the unpopularity of their own policy. But we have had from the hon. gentleman who leads the House, a most extraordinary and startling statement. In answer to the hon. member for North Oxford (Mr. Sutherland), he stated that hon. members might be paired and the House reduced to very small numbers, but they would go on with legislation during Saturday. The hon. gentleman, therefore, proposed that with the House reduced to one-third its total number, it should proceed with a measure which he himself declared, in introducing it, was the most important measure brought into the Canadian Parliament since confederation. But I ask if that is the way in which Parliament should be called upon to consider a question of such magnitude. I ask whether the people have sent hon. members here to approve a policy by which such an important measure should be passed through the House in the absence of two-thirds or three-quarters of its members.

Some hon. MEMBERS. Why do you not stay here ?

Mr. BORDEN. The Finance Minister has declared that members on the Opposition side of the House, are responsible for the fact that this Bill is not further advanced, and he stated that the debate on the Address was commenced on January 16th and continued to 23rd, which, he said, was a very unusual proceeding. But what was being done from 2nd January, when the House met, until 16th, the date on which the Address in reply to the Speech from the Throne was considered ? It is well known that hon. gentlemen opposite are responsible for the delay that occurred, and that no one is more responsible than the Minister of Finance. For the fact that the Remedial Bill is in its present position, hon. gentlemen opposite are responsible. It should have been brought down the last session of Parliament, when there would have been ample time to consider it. Why did hon. gentlemen opposite wait until the end of the Parliament, until such time that it was exceedingly doubtful an important measure could be passed through the House. But hon. gentlemen opposite charge the Opposition with obstruction, they even charge the leader of the Opposition with being the leader of the obstruction. I want to know whether the member for East Grey (Mr. Sproule) is a member of the Opposition, or the hon. member for North Bruce (Mr. McNeill). If I remember rightly, those hon. gentlemen informed the leader of the House that they were as good Conservatives as he was. Has the hon. member for West York (Mr. Wallace) been read out of the Conservative party ? I think hon. gentlemen opposite will be very careful about reading him out. Is the hon. member for Albert (Mr. Weldon) a member of the Liberal party ? He has occupied a considerable portion of the time of the House this session, and to very good advantage, too. Has the member for West Toronto (Mr. Cockburn) been read out of the Conservative party ? He has occupied a considerable portion of the time of the House. The hon. member for East Durham (Mr. Craig) delivered a lengthy speech on this question. Has he been read out of the Conservative party? Then there is the hon. member for Cardwell (Mr. Stubbs), and the hon. member for North Victoria (Mr. Hughes), who made a long speech on the second reading of the Bill. Has he been read out of the Conservative party ? He occupied considerable time with making nice distinctions by which he was able to vote against the amendment and, at the same time, against the second reading of the Bill. Then there is the hon. member for North Ontario (Mr. McGillivray). Is that hon. gentleman no longer a member of the Conservative party ? He occupied a good deal of the time of the House endeavouring to explain some nice points by which he was able to vote against the six months' hoist, and, at the same time, to vote against the second reading of the Bill. Yet the Liberal party is charged by hon. gentlemen opposite with deliberately obstructing the Remedial Bill. Now, what is the point of the discussion in which we are now engaged ? It has been proposed by the hon. member for South Oxford (Sir Richard Cartwright) that the Government should take Wednesday next, which is private members' day, and give up Saturday. How can the leader of the House prove that in that proposition there is obstruction ?

Mr. McNEILL. Perhaps he proposes to take Wednesdays as well.

Mr. BORDEN. Wednesday is a better day than Saturday, because the sitting on Saturday will come to an end at 12 o'clock, while the sitting on Wednesday may be carried on indefinitely. So instead of hon. members on this side of the House being charged with obstruction, the charge should be laid against hon. gentlemen opposite, who have wasted the whole afternoon in discussing and refusing a proposition which would really give them more time than the proposition they have offered to the House.

Mr. DAWSON. Mr. Speaker, I desire to say a few words in contradiction to what the Minister of Finance chose to say in reference to myself. He stated to the House that I spoke in the Budget debate with a view of obstructing this Bill. The utter absurdity of that statement will be apparent to the hon. gentleman himself, if he considers that at the time I spoke on the Budget an agreement had been entered into between the leader of the Government and the leader of the Opposition, fixing a day as to when this Bill was to be taken into consideration. I had no desire whatever to obstruct this Bill then, and I have no desire now. I believe that the Government, in dealing with this question, from the very start has made blunder after blunder. I believe that, had the Government taken the advice of the leader of the Opposition, there would be no such Bill now to obstruct. I do not think there is any desire now by any member on this side of the House to obstruct this Bill—certainly not so far as I am concerned. There is a desire, though, to assist the Government in avoiding those pitfalls into which they seem so ready to fall in dealing with this question. That is all I have to say I desire emphatically to state that I was actuated by no desire to obstruct this Bill, or any other measure before the House. I felt called upon to speak at some length upon the Budget, because of the statement reiterated by member after member on the Government side, that the Opposition have no policy on which to go to the country. I thought it necessary, and so I exercised my privilege, as a member of the House, to drive into the heads of hon. gentlemen opposite the facts that we have a policy on which we are all united, and upon which we stand, man to man, differing in that respect from hon. gentlemen opposite.

Mr. McNEILL. I desire to say one word before the House proceeds with the question. I regret very much, Mr. Speaker, the acrimonious turn which has been given to this discussion. I am quite sure that the proposal that was made by the hon. member for South Oxford (Sir Richard Cartwright), that an exchange of one day should be made for another day, was a very innocent proposal, and I am sure it was made in the very best spirit by the other side of the House

Mr. CAMERON (Inverness). He had no right to make that proposition.

Mr. McNEILL. My hon. friend says he had no right to make that proposition.

Mr. CAMERON (Inverness). He does not represent all the private members of this House.

Mr. McNEILL. Are we to be allowed in this House to open our lips at all ? It seems that a member of this House has no rights here, unless he is prepared to support this measure. We are all to be coerced, and we are not to be allowed to open our lips to offer a friendly suggestion to the Government with regard to the conduct of the business of the House.

Mr. CAMERON (Inverness). I would like to ask my hon. friend (Mr. McNeill), if the hon. member for South Oxford (Sir Richard Cartwright) has a right to speak for all the private members of this House ?

Mr. McNEILL. I was not discussing the right of the hon. member for South Oxford (Sir Richard Cartwright) to speak for the private members of this House, and, as there was no suggestion with regard to that question, it seems to me that the hon. gentleman (Mr. Cameron) is simply obstructing the business of the House by asking irrelevant questions.

Mr CAMERON (Inverness). That remark applies to yourself.

Mr. McNEILL. I do not say that that hon. gentleman does it intentionally, but, at all events, that is the result of what he is doing.

Mr. CAMERON (Inverness). You mean to say that you are obstructing intentionally?

Mr. McNEILL. There is no doubt the hon. gentleman has a right to ask me a question, and, if he would ask a relevant question, I would be glad to answer. I did not suggest for a moment that the hon. member for South Oxford had a right to speak for the whole House ; but he had the right to make a reasonable suggestion, whether the House agreed to it or not, and it is probable that, if the leader of the Government had agreed with the member for South Oxford in reference to that matter, there would have been a decision arrived at by the House. It is, perhaps, almost something that I should feel reluctant to do something as if it were a matter of danger for me, or for any other —especially an hon. member who is a member of the Conservative party—to venture to speak in any way, however humbly, in connection with this measure. It may be dangerous, because at once we are dragooned, if not by one member of the party to which we belong, then by another, and the desire seems to be, in some way or other, by right or by wrong, on the right hand or on the left hand, to endeavour to drive us out of the party to which we belong. But I wish to say to my hon. friend (Mr. Cameron) that that is a thing that cannot be done: and, furthermore, I wish to say to my hon. friend that we represent the Conservative party and the views and wishes of the Conservative party in this country, just as much as the hon. gentleman does. And I wish to say, further, to the hon. gentleman that it is just because he dare not submit the question to the people of Canada that he is so anxious to force it through this Parliament. It is because he knows, and those who are behind him know, that, if this question were left to the people of Canada at the general election, that there would be very little chance indeed of their inducing the people of this country to coerce the province of Manitoba

Some hon. MEMBERS No, no.

Mr. McNEILL. It is because he knows that, he is so anxious to force this measure through, and to endeavour to stifle in every possible way the discussion in this House in reference to this measure. If an hon. gentleman gets up, as I have ventured to do, in my humble way, I am to be hounded by hon. gentlemen on this side of the House ; I am not to be allowed to make a few remarks within a minute or two of six o'clock, but I am to be interrupted by irrelevant questions, just as the hon. gentleman interrupted me on the last occasion when I endeavoured to address this House. I do not think the hon. gentleman is going to make a great deal of political capital for himself or for his party. I deny that he represents this party in this matter. I say that the Conservative party in this country are utterly opposed to this policy of protection

Some hon. MEMBERS. Oh, oh. Take it back.

Mr. McNEILL. I am exceedingly glad, Mr. Speaker, that hon. gentlemen have got something to rely upon, and that because a mere 'lapsus linguæ' occurred, and because I made use of the word "protection," in place of the word "coercion," they have something to crow about. Well, they have a very poor case, if they cannot make anything better than that out of it. I give them all the satisfaction and the capital that they can make out of that slip of the tongue. I say, Mr. Speaker, that so far as this matter which is before the House is concerned, it is a very unhappy state of things that, when an hon. gentleman from the opposite side of the House, or from this side of the House, makes a suggestion of a most reasonable description, or ventures to say one word in support of that reasonable suggestion, he is to be accused of obstruction. It is a very unhappy state of things, that, when an hon. gentleman attempts to get up in a quiet way to deal with this matter, he should be coerced in this House.

House divided on amendment (Mr. Ouimet):

YEAS :

Messieurs

Angers,
Beausoleil,
Béchard,
Belley,
Bennett,
Bergeron,
Bergin,
Blanchard,
Boyle,
Burnham,
Cameron (Inverness),
Cargill,
Carling (Sir John),
Carpenter,
Caron (Sir Adolphe),
Cochrane,
Costigan,
Daly,
Davin,
Davis (Alberta),
Desaulniers,
Devlin,
Dugas,
Dupont,
Dyer,
Earle,
Fairbairn,
Ferguson (Leeds and Grenville),
Foster,
Fréchette,
Frémont,
Gillies,
Girouard,
Grandbois,
Grant (Sir James),
Guillet,
Haggart,
Hazen,
Henderson,
Ingram,
Ives,
Jeannotte,
Kaulbach,
Kenny,
Lachapelle,
Langevin (Sir Hector),
LaRivière,
Leclair,
Lépine,
Lippé,
Macdonald (King's),
Macdonell (Algoma),
Macdowall,
McAlister,
McDonald (Assiniboia),
McDonald (Victoria),
McDougald (Pictou),
McDougall (Cape Bret'n),
McGillivray,
McInerney,
McIsaac,
McKay,
McLean (King's),
McLennan,
McLeod,
Marshall,
Masson,
Metcalfe,
Miller,
Mills (Annapolis),
Northrup,
Ouimet,
Patterson (Colchester),
Pelletier,
Powell,
Prior,
Reid,
Robillard,
Robinson,
Roome,
Ross (Lisgar),
Ryckman,
Smith (Ontario),
Stairs,
Taylor,
Temple,
Tupper (Sir Charles),
Turcotte,
White (Shelburne),
Wilson, and
Wood.—91.

NAYS :

Messieurs

Bain,
Beith,
Borden,
Boston,
Campbell,
Cartwright (Sir Rich'd.),
Choquette,
Christie,
Colter,
Davies (P.E.I.),
Dawson,
Featherston,
Flint,
Fraser,
Gibson,
Gillmor,
Grieve,
Harwood,
Innes,
Landerkin,
Laurier,
Livingston,
McCarthy,
McGregor,
McMillan,
McMullen,
McNeill,
Mills (Bothwell),
Mulock,
O'Brien,
Paterson (Brant),
Perry,
Proulx,
Rider,
Rowand,
Sanborn,
Semple,
Sproule,
Stubbs,
Sutherland,
Tarte,
Tyrwhitt,
Wallace,
Welsh, and
Yeo.—45.

PAIRS :

Messieurs

Haslam,	McShane,
Dickey,	Préfontaine,
Smith (Sir Donald),	Geoffrion,
Joncas,	McDonald (Huron),
Cleveland,	Lavergne,
Chesley,	Forbes.

Amendment agreed to.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. SPEAKER. The question is on the main motion as amended.

Mr. O'BRIEN. Mr. Speaker, from the action of the Government this evening, I suppose we may reasonably presume that it is their intention——

Mr. SPEAKER. Has the hon. member spoken on the amendment ?

Mr. O'BRIEN. I have not. I say, Sir, that it is quite evident from what has taken place here this evening, from the refusal of the Government to accept the very reasonable proposal of the hon. member for South Oxford (Sir Richard Cartwright), that they intend not only to take next Saturday, but also to take Wednesdays from this time out——

Mr. GIROUARD. All the days.

Mr. O'BRIEN. So that the whole time of the House, or, as the hon. gentleman says, all the days, will be devoted to Government business. How far that is a reasonable proposition this House is now in a very good position to judge ; because, if we take the statement of the Finance Minister himself, as to the manner in which the time of this House has been disposed of since it met on the 2nd of January, I think we have no difficulty in coming to the conclusion that, so far as there has been any waste of time on the part of members of this House, it does not lie in the mouths of the gentlemen on the Treasury benches to charge either the regular Opposition or those on this side who are opposed to their measure, with having wasted its time. Now, Sir, during this debate, and on several occasions during the latter part of this session, we have heard some very extraordinary statements made. We have had threats of physical force, no less. Hon. gentlemen have said that they are not only willing to lose their health, but are also willing to die. Well, Sir, the hon. Secretary of State, who made that very alarming threat, I think has not done so badly out of his life since he first entered politics, that it is worth his while just now to die. He had better live a little longer ; he had better enjoy those privileges and advantages of which he has hitherto had the full benefit so many years, until political necessity or that gradual creeping on of old age compels him to retire from political life. He had better spend whatever days may be available to him in the service of the country, and put off for a few years longer that event which he is so ready to encounter for the sake of this precious Bill of his ; and let the country have the benefit of his services so long as it is possible for him to give them. Now, Sir, the Finance Minister took a good deal of trouble to tell this House exactly how its time had been spent : but he did not attempt to get over the fact, the indisuptable fact, that this House had been in session for forty days before this Bill was introduced. And when the Secretary of State, forsooth, undertook to lecture the members of this House for indulging in debates and making speeches irrelevant to the question at issue, I suppose he forgot that he spent a good part of one evening in justifying his conduct in forcing the province of Nova Scotia into confederation. I should like to know what that had to do with the Bill which is now under discussion. So that, of all men in the House, he is about the last who has any justification for charging members of this House with needlessly or uselessly taking up its time with irrelevant or impertinent speeches. Sir, we have had some very extraordinary specimens of the manner in which this House is now being led. Language has been used by the hon. gentleman who has assumed that position which makes us rather wonder and inquire what sort of society that hon. gentleman has been keeping since he was last in this Parliament. I do not think he could have been studying English parliamentary models, or he would have hardly taken the tone he has taken in this House during the short time he has undertaken to control its deliberations. And if he has erred in this respect, I am afraid he has taught a bad lesson to the Finance Minister ; for if that gentleman was not always noted for extreme courtesy in his dealing with members of this House, he certainly, in the speech he made to-night, surpassed himself, not only in—I will not say misstatements, but in such misrepresentations of what has occurred during this session as are not altogether in accordance with what hon. gentlemen think, wrongly, perhaps, to have been the real facts of the case. Now, Sir, when we find those who undertake to control the affairs of this country indulging in language such as we have heard on several occasions from the hon. gentleman who now leads the House, and from the hon. gentleman who preceded him in that position, I think it is time that this House took some measures to assert its independence. Especially hon. members on this side who have been supporters of the Government in times past, and who still declare themselves to be members of the Conservative party, should, at least, be treated with that consideration which their position deserves. The hon. gentleman who leads the House has made blunders without end, and the results of his blunders are becoming apparent every day. The manner in which he has conducted himself as leader of this House certainly has brought about a state of feeling on the part of hon. gentlemen who are not prepared to accept his dictum, not often found in this Parliament. Hon. members can remember very well how this House was led in the days of that hon. gentleman's great predecessor. Scenes and language such as we have had lately, and terms such as have been applied to hon. gentlemen on either side of the House, were never thought of, or heard in those days. The hon. gentleman had better study the methods of his predecessors before he undertakes to lecture this House and teach us how we should conduct the affairs of this country. Sir, the object of pressing on this measure is apparent. It is to force through this House, without discussion, a measure to which the majority of the people are opposed. Hon. gentlemen supporting the Government dispute that statement. Well, if they are satisfied that the country is with them, why do they not give the country an opportunity of pronouncing upon this Bill. What possible object can there be in forcing this Bill now through a House, a number of the members of which have no intention of returning and are therefore no longer responsible to the people ? How extremely unreasonable and illogical and contrary to every principle of constitutional government is it not that the Government should force this measure through against the wish, as they will shortly find out, of the majority of the people, and that at a time and under circumstances when it can be no possible advantage even to those in whose behalf they pretend to legislate. The hon. Secretary of State talked at considerable length, the other day, on the waste of $500,000, which would occur if the legislation of this session proved to be abortive. But who is responsible for that ? The Government last session could just as well have passed the Bill instead of delaying it until this session : and let me remind the House that they are forcing on this discussion and attempting to pass this measure through, without informing us of the result of the conference which is being held at the city of Winnipeg. All the information we have is from newspaper report, and I take it that this House is not going to obtain its information on so important a question from that source. We are entitled to have and should have, at the very earliest moment, before we proceed any further with this Bill, a declaration from the Government, not only as to what the result of the conference is, but as to what the conference was about. We have the right to know from the Government what proposals were made by their commissioners and also what answers were made to those proposals. We have a right to the details of that conference in every particular and of all the steps that have been taken, from the first to the last; and until we get that information, the Government have no right to ask this House to proceed with this measure. The Government never attempted to make any reply to our objections to proceeding with the Bill while negotiations were pending, and we were treated to the unseemly spectacle of these gentlemen holding out a flag of truce while at the same time they were exercising acts of hostility. What would have been the difference had the Government acceded to that proposal? We are told that the conference is at an end; and all the Government have gained by their unseemly proceeding is the passing of three clauses of the Bill. The country will understand the circumstances under which these clauses were passed. The country will understand that they were passed while the Government were going through the farce of attempting to negotiate with Manitoba. Had they acceded to the request to delay proceedings until the result of the conference was known, we could have gone on next week with the measure, knowing that an attempt had been made to bring about a settlement, knowing also whether the attempt was honestly made and honestly carried out or whether it was simply a pretense such as there is every reason to believe it was. No better evidence of the lack of sincerity in this attempt to negotiate is wanted than the very fact that while the Government were carrying on a conference, they were at the same time forcing through this Bill. We made a most reasonable proposal to the Government which, if they had accepted it early this afternoon, would have expedited business, whereas the refusal to accept that proposal has resulted in nothing so far being done. Their refusal has lost them this whole day. They have made no progress, but have simply embittered feeling in this House. Their proceeding to-day is on a par with their whole legislation and conduct in this matter. From first to last they have embittered feeling and accomplished no good results, and have brought in a Bill which cannot possibly be productive of any good, even to the minority. Having refused to accept the reasonable proposition we made before recess, we are justified in resisting every attempt to take away from us the only day remaining at our disposal and thus subjecting a great many of us to great personal inconvenience without any possible benefit being obtainable. I again urge upon the House the desirability, the justice, and the propriety, of giving to those members who can take advantage of Saturday night train to go to their homes the opportunity of doing so, instead of forcing this House to sit until twelve o'clock on Saturday night. Under those circumstances, I propose the following amendment:—

> That the figure and words "2 p.m." be struck out, and the following inserted instead thereof: "2.30 p.m., and that at six o'clock the House stand adjourned until the next meeting of the House."

Sir CHARLES TUPPER. I do not wish to take up much time of the House in replying not to the thrice-told tale, but to the thirty-times-told tale of the hon. member for Muskoka (Mr. O'Brien). The hon. gentleman asks what good have we done. I will tell the hon. gentleman what good we have done. I tell the hon. gentleman this—that on a motion, more favourable to them than any other they could possibly present, a motion appealing to the natural desire of hon. members on both sides of the House to have time to enjoy the pleasure of visiting their friends and their homes, we have on record this fact, a fact that will sink deep into the minds of the people of this country, that simply because the Government opposes it on the ground that it was absolutely necessary that we should forego that enjoyment for the purpose of carrying this Remedial Bill, we have got a majority of forty-six members of this House.

Mr. O'BRIEN. Is that all you have got.

Sir CHARLES TUPPER. Will not two to one satisfy the hon. gentleman? If not, he is hard to satisfy. But if he is not satisfied, we can give him even a larger majority. I say that on that motion we have put on record the fact that in this House there is a majority of two to one ready to sacrifice their own convenience and their personal enjoyment for the purpose of placing this Remedial Bill on the statute-book. And hon. gentlemen opposite, when they saw the position they were placed in felt as acutely as any party ever did, the undesirable nature of that position. We can no longer be taunted with a bare majority in this House prepared to sustain the Government in putting the Bill on the statute-book. We can no longer be taunted with having a weak and unwilling following in this House. The hon. gentleman has a good deal of courage, after such a defeat as he has just sustained, to put any proposition before this House calculated to carry out his policy of obstruction to this great and important measure. The hon. member for North Bruce (Mr. McNeill) undertook to read me a lesson on party management and to tell me that I could not read him out of the party. I quite agree with him. No man can read an hon. member of this House out of a party. That is a thing that can only be done by the hon. gentleman himself, and he has proved to the House to-day that that hon. gentleman has read himself out of the party. I take the hon. gentleman's own statement, and I put it to the House and to the people of this country, what position does he occupy? He says I do not represent the Conservative party. Then who does? Is it the hon. member for North Simcoe (Mr. McCarthy), who directed his act, and who told the hon. gentleman in the hearing of hon. members around him to prevent this House getting into committee before six o'clock. I say, when the hon. member for North Bruce becomes the agent of an hon. member who for years has been the avowed enemy of the Conservative party, and who has gone to and fro throughout the country everywhere devoting his time and his talents to breaking down the confidence of the Liberal-Conservative party in its Government—I say when the hon. gentleman becomes the agent, for the purpose of obstructing this Bill, of the hon. member for North Simcoe, I think he pretty well reads himself out of the party. The hon. gentleman stated that the reason that I and this Government, and the gentlemen who stand behind us in this House were so anxious and so urgent in pressing forward this Bill was that we feared to go before the people with this Bill, because we knew that if we went before the people of this country we should be destroyed. And that is the ground the hon gentleman takes for becoming the agent of obstruction in this House, doing all that man can do to prevent this Bill from becoming law, because he says : If we can prevent this Bill from passing we can rout the Conservative party, horse, foot and artillery. I do not admit that. I say that going to the country with the Bill or going to the country without it, if the country knows that honestly and earnestly and above-board we have done all that men could do to carry this measure, we shall come back with an overwhelming majority. The people of this country do not want race and religious questions raised. They do not approve the lines the hon. gentleman for North Simcoe has taken, and upon which he has gained a follower—upon that I congratulate him. I have not read the hon. member for North Bruce out of the party, but he himself has succeeded in accomplishing that, and to my entire satisfaction. I am willing to meet an open foe in a fair field and fight a manly fight. But I do not want traitors in my camp to interfere with our work of carrying a measure for the benefit of the country. I would like to ask the hon. gentleman what is the motive that has led him to this violent obstruction, that could induce him, as he himself has asserted, to sacrifice the Government he supported so long and endeavour to bring down a great party of which he was an honoured member ? Is it devotion to his constituents ? Why, Sir, I am told that the " Globe " newspaper published a letter showing that the hon. gentleman had been willing to desert his constituents and take a soft seat in the Senate and let the Remedial Bill take care of itself. That is not an evidence, to my mind, of an hon. gentleman being animated by high-minded patriotism and devotion to his country or to his constituents. Now, Sir, I will not say any more about that, but I will say this, that I would a thousand times rather change my position and sit on the other side of this House, than to sit on the Treasury benches by favour of such support as that of the hon. member for North Bruce. Now, Sir, the hon. member for North Bruce professes to be more English than the English. He is British to the core. British principle, British precedent and British practice is what he wants. Well, Sir, if he will look across the water, he will find it. He will find the great Conservative party of England bringing down and laying on the Table of the House of Commons just such a Bill as this Remedial Bill, a Bill to give just such rights to the people of England, Catholics and Protestants, as this Bill proposes to give to the Catholics of Manitoba I say, if English precedents and English practice is what the hon. gentleman wants, he can find it in the great exemplar of all Parliaments, the grandest Parliament that exists on the face of the globe, which has before it to-day a Bill which provides that those who sustain voluntary schools, shall be exempt from taxation for public schools, and that those who sustain voluntary schools, whether Catholic or Protestant, shall have a right to the same division of public money as the supporters of public schools. He will find that the Bill now on the Table of the English House of Commons provides, in addition, that they shall have an opportunity, whether Catholics or Protestants, of giving that religious instruction to their children which the hon. member for North Bruce is endeavouring to deprive forever the Roman Catholic minority of Manitoba from enjoying. Sir, I trust the House will meet this further attempt at wasting the day, as the day has so far been wasted, in the same spirit they have already shown, and that they will vote down this further factious attempt to interfere with the progress of this great and important measure, and will stand by the Government, and stand by the principles embodied in that Bill, until it is placed on the statute-book, let it take a longer or a shorter time, let it be done at whatever personal sacrifice, at whatever personal discomfort. I trust, Sir, that no man will shrink from doing that now, in face of this unwonted and unwarranted obstruction, which is again offered after the solemn decision of this House by a substantial majority, declaring that it was the will of this Parliament to put this Bill on the statute-book. Who is contravening the will of Parliament ? Who are the men ? Sir, these are the men, one section of them, a small and comparatively insignificant section, who have been devoting days and years and all their talents to stir up religious strife in this country ; and they are allied and associated with men who, for the purpose of wresting power from this Government, have shown that they are prepared to forget all that is due to their race and their religion. Sir, I call upon the House to sustain the Government in carrying the motion which I have placed in your hands, giving the Government Saturday to enable us to proceed with the prosecution of this important measure.

Mr. McNEILL. I suppose it would be right that I should say a word or two in reply to the kindly and wise remarks which have fallen from the leader of this House. I may say, in the first place, in reference to his allegation that I spoke on this subject simply at the instance of my hon. friend from North Simcoe, that I have here in my hand the notes that I took of the remarks made by the Finance Minister, and of the remarks made by my hon friend from Richmond (Mr. Gillies), in answer to which I had intended to speak before six o'clock. So much for this rather ingenious suggestion that because my hon. friend had suggested my speaking before six o'clock, and because I did speak before six o'clock, I had therefore read myself out of the Conservative party. Now, Sir, as I said before, so I say again, that I do not intend to read myself out of the Conservative party, neither do I intend that any one else shall read me out of the Conservative party. Sir, when the hon. gentleman says, as he did say, that I have been endeavouring to break up the Conservative party, I give the statement a flat contradiction, and I say that the course the hon. gentleman has pursued since he unhappily became the leader of this House, has had a direct tendency to break up the Conservative party. I say that the course he has pursued since he came here, in my humble judgment, goes to show that he is utterly unfit to be the leader of any party in a constitutionally-governed country—I say, utterly unfit to be the leader of any party which has any respect for itself, or the leader of any House that has any respect for itself. Any hon. gentleman who has no more consideration for the conscientious differences of members of his own party than the hon. gentleman has shown, is, I say, unfit to be the leader of a party. If ever there was a time when it was necessary for a man to show something of the gifts of statesmanship in the leading of a party, this is the time. If ever there was an occasion when a leader of a party utterly failed to show those necessary gifts, the time is now, and the leader is the hon. gentleman who has just addressed this House. So far as I am concerned, Mr. Speaker, I do not think it is necessary for me, surely in this House, or before this country, to repudiate the insinuations that the hon. gentleman has made with regard to my desire for a seat in the Senate. That matter has been before this House already. The hon. gentleman's leader has written a letter with regard to that matter, in which he has stated the very opposite of what the hon. gentleman has endeavoured to insinuate here to-night. Whether that was so or not, whatever the character of the hon. gentleman may happen to be here in Canada, whatever views the people of Canada may happen to hold of the hon. gentleman's record as a public man, I venture humbly to believe that they hold a view of my public record rather different than that which the hon. gentleman has endeavoured to instill into the minds of the people to-night Since I have had the honour of a seat in this House, I do not think any hon. member on either side will say that I have done anything derogatory, either to my position as a member of this House, or as a member of the Conservative party in this House. I wish I could say as much of the hon. gentleman. He has not been here very long, but he has been here long enough to do what I believe is disgraceful to the party of which he is leader ; he has been here long enough, Sir, to give a solemn pledge in writing that a certain resolution, which was amended to suit himself, would receive his cordial support in this House ; he has been here long enough, after having given that statement in writing, to speak over and over again to the gentleman to whom he gave that written pledge over his own signature, promising him his support to the resolution when it came up in the House, and he has been here long enough to get up in this House and falsify the pledge he gave, by deliberately opposing the resolution he promised to support. I hope, Sir, that so long as I have the honour of a seat in this House, no such disgraceful record can ever be urged against me. I should be ashamed, Sir, I should hide my head, I should wish to leave this House and to retire into private life, if such a statement could be truthfully made against me. The hon. gentleman knows what the facts are. The hon. gentleman is here, and he can contradict what I say, if he pleases ; and I will sit down and give him an opportunity to do so, if he can do so. I have his letter, and his letter has been read in this House ; and, if the hon. gentleman can give any explanation of the course he has taken in that regard, any explanation which will persuade hon gentlemen that he has pursued an honourable and straightforward course in that regard, I shall be very happy for the sake of the party that he unfortunately leads.

Sir CHARLES TUPPER. I shall be very happy to give the hon. gentleman an explanation which, I think, he will be obliged to accept. I stated that I would support his resolution, and I did so ; and, had that resolution come to a vote, I should have voted with the hon. gentleman. I stated that he had been kind enough to amend the resolution by striking out the word " naval " at my request, but I had not been consulted—I think I said I could not have entered the House when he put the notice on the paper—that, at all events, he had not consulted me upon the resolution, for I would have considered preferable a straight resolution for preferential trade, unconnected with the Hoffmeyer system of having a small tax levied against the products of all foreign countries. I stated, at the same time, that for the sake of getting rid of the Belgian and German treaties, I would be prepared even to support that view. I then said that the hon. gentleman in his speech went aside altogether of that resolution, and made a very able speech in favour of preferential trade; and while I said that while I differed with him and would have favoured a different resolution, yet I endorsed the speech from the beginning to the end; and I stated to my friends in Council that I intended to support the resolution, and I would have done so if it had come to a vote.

Mr. McNEILL. I am not at all referring to what the hon. gentleman's views on preferential trade may happen to be. I am referring to what he said he would do with respect to a certain resolution which he knew perfectly well was not one confined to preferential trade at all. The hon. gentleman is too intelligent not to understand that the resolution was Hoffmeyer's scheme. The hon. gentleman knew what the resolution was, the hon. gentleman discussed the resolution with me, he discussed the special phase of the resolution in regard to defence, which was the peculiarity of the resolution. The resolution was amended in order to suit the hon. gentleman's views, and, after the resolution was amended, the hon. gentleman did not write to say that he would be glad to support a resolution in favour of preferential trade, but he wrote to say:

> I am greatly obliged to you for sending me a copy of your amended resolution respecting the imposition of a small duty on foreign products, and which I shall have much pleasure in supporting.

The hon. gentleman said he would have voted for the resolution. Well, the hon. gentleman says so, and I suppose I must accept the hon. gentleman's statement; but I do not attach very great importance to the promise to vote for a resolution which it had been arranged by him beforehand should not come to a vote when the hon. gentleman, in his speech, opposed the resolution, which he said he would support, and opposed the essential part of the resolution, which was that there should be a fund raised for defence through the medium of preferential trade. If the hon. gentleman has no better explanation to give, I am afraid I shall be obliged to allow the statements I have made in regard to his conduct in this matter to remain on the record. He has given no explanation whatever, and it is absolutely impossible that he could give any explanation in regard to the extraordinary course he saw fit to adopt. So far as the hon. gentleman's attack upon myself personally is concerned, neither the hon. gentleman's insinuations as to my motives, nor his statements as to what I have done myself, or what he may propose to do, can in the slightest degree alter my position with respect to the principles which I have supported ever since I came to Parliament, and which I shall continue to support. I am not here to support men, I am here to support principles; and just so soon as the men who happen to be leaders of the party to which I belong, to which I have the great honour to belong, advocate principles of which I disapprove, I shall oppose those men. It matters not to me from what side of the House a proposal comes, if it be one that, in principle, commends itself to my approval, that proposal will have my support; and if the hon. gentleman leading the House supposes he is going to advance the interests of the Conservative party by endeavouring to insult, browbeat and bully every member of the party who ventures to differ from his particular views, he will find he has made a very great mistake. I do not think he will thus, in any degree, advance his position in this country, or in any degree commend himself as the leader of a party. The great mass of those who are proud to belong to the Conservative party, will utterly repudiate the policy which the hon. gentleman is endeavouring to force upon this House. The hon. gentleman is taking advantage of his position as leader of the party to endeavour to do what he knows in his heart is unconstitutional.

Some hon. MEMBERS. No.

Mr. McNEILL. I say it is unconstitutional. If Mr. Speaker says that the expression I have made use of is unparliamentary, I will bow to his decision.

Mr. SPEAKER. The hon. gentleman has made the accusation that the leader of the House is pressing upon the House a resolution which he himself knows is unconstitutional.

Mr. McNEILL. If the hon. gentleman does not know it, I will withdraw the expression. It is something, at all events, that I think the hon. gentleman ought to know is unconstitutional. I had fancied that the hon. gentleman did know it—I do not wish to suggest that he does, but my excuse for supposing that he did was because he himself had stated that there had been a great deal of discussion on this question, and we know considerable time of the House has been occupied by hon. gentlemen in discussing this question, and other matters, such as confederation, and kindred subjects which he thought relevant to the question now in controversy—I supposed that if he had thought that the course he was pursuing was a constitutional course, he would have endeavoured to produce some argument in support of his position. But although he has heard, over and over again, the assertion made that it was absolutely unconstitutional to endeavour to deprive the people of this country of their right to pronounce upon this question, neither he nor any one of the able colleagues who sit on the Treasury benches with him has dared to grapple with that contention, and therefore I made the unfortunate assumption, which I wish to withdraw, with all humility, and I now say that I am sure the hon. gentleman does not know that it is unconstitutional. An hon. gentleman behind me says that the leader of the House ought to know it. I really cannot go into the question as to all the hon. gentleman ought to know. If I were to do so, I am afraid it would be a very wide subject, and a long discussion would be entered upon, and I do not wish unnecessarily to take up the time of the House. We would be all sorry to do so, although I myself would not be so sorry as no doubt some hon. gentlemen would be, if I were to go so far as deliberately to seek to prevent the passage of the Bill. If ever there was an occasion when a deliberate attempt to prevent the passage of a measure through this House would be justifiable, it is the present case, because this is an attempt to force through the House a measure, which, I have said, is unconstitutional, and it is reasonable when we know an unconstitutional attempt is being made, that we should endeavour to prevent an unconstitutional act being done. For my part, I would be willing to go a long way in that direction.

Mr. McCARTHY. Would you give up your life ?

Mr. McNEILL. I do not know about giving up my life. That is a very strong expression. My hon. friend beside me suggests that, but I do not think any of us will be called upon to lay down our lives on the present occasion. The House will adjourn, I suppose, on the 24th of April, and between this and then, we can manage to do our part in the struggle that is before us, without sacrificing our lives which no doubt are very dear to our friends, if not to ourselves. Mr. Speaker, I did unfortunately make use of an expression just before dinner which I saw that some of my friends around me misapprehended. I said that I was opposed to protection. I do not wish to do anything, Sir, which would be contrary to the rules of this House, and if you think that what I am about to suggest to you would be going too far outside the line of discussion on this Bill, I will of course not proceed. I should be very sorry to be misunderstood so far as my views on protection are concerned, and if you, Sir, thought it was germane to the subject that I should give some reasons why I still adhere to my views in regard to the policy of protection, I would be very glad to do so.

Some hon. MEMBERS. Question.

Mr. McNEILL. If you think, Mr. Speaker, that would be going too far, as I fear you do by your facial expression, I will not trespass upon forbidden ground. I would like to say a word with regard to some of the remarks that were made by my hon. friend from Richmond (Mr. Gillies). That hon. gentleman spoke about religious objections.

Mr. GILLIES. To sit on Saturday.

Mr. McNEILL. The hon. gentleman said something which I did not quite catch.

Some hon. MEMBERS. Question—address the Chair.

Mr. McNEILL. The hon. gentleman (Mr. Gillies) made a remark which I have not quite caught the force of. I was about to refer to his saying something about religious objections. I really think that the religious objections of the minority in this House are worthy of some consideration. I know for my part that I should be most desirous to give great consideration to the religious scruples of any member of society, of any member of any religious body. I hope that my hon. friend does not suppose for a moment that I would not be prepared to go a long way to, as far as possible, relieve the minority in the province of Manitoba from any interference with religious scruples that they may have at the present time, so far as their attendance at public schools are concerned. I would go a long way in that regard, and I am inclined to think, so far as I have been able to gather from what appears in the evening papers to-night, that the government of Manitoba have been prepared to go a long way in that direction.

Mr. GILLIES. My learned friend (Mr. McNeill) entirely misunderstood me. I made no reference whatever to religious prejudices or religious objections. I simply said that no hon. gentleman sitting within this chamber could have any religious objection to sit on Saturday.

Mr. McNEILL. The hon. gentleman will understand that if hon. members in this House are desirous of being with their families on Easter Sunday——

Mr. GILLIES. That is another thing altogether.

Mr. McNEILL. If hon. gentlemen are desirous of being with their families on Easter Sunday, which is a day that is held in very great respect by many members of this House, it would be impossible for them to do so unless the House does not sit on Saturday.

Some hon. MEMBERS. Question.

Mr. McNEILL. Mr. Speaker, I am replying to an interruption of the hon. gentleman and then the hon. gentleman's friends cry out "question." I think that is a very unfair way of conducting discussion in this House. I think we ought to be allowed to discuss this question in a reasonable way, and I do not think my friend from Richmond (Mr. Gillies) will say it is fair that I am not to be allowed to answer his question. That seems to be what is intended, because when I try to answer his question I am queried about something else. I shall be obliged to ask the protection of the Chair if

I am to be treated in this way. We have all got the right to be heard in this House, and we should not be trampled upon, even if we are in the minority. When the Friday has been granted, and when the Sunday must be granted, it is a most reasonable thing that members should be allowed to go home on Sunday. There was nothing suggested by the hon. gentleman from South Oxford (Sir Richard Cartwright) except that there should be a change between Wednesday and Saturday, and I do not know why in the world all this discussion has been promoted, because such a reasonable proposal was made. For my part I think it would have expedited the business of the House if the proposal had been accepted. I regret so much heat has been shown in regard to this matter, and I deeply regret that the hon. the leader of the House has induced me to make remarks which certainly it was very far from my wish to make. I suppose that even a worm will turn if it is trampled upon. and even the most humble members of the Conservative party may be allowed sometime to turn also, when they are trampled upon a little too hard. The hon. gentleman (Sir Charles Tupper) must be the best judge as to how far he intends to trample upon hon. members of this House. If he does so, he must expect a little retaliation. At least, so far as he attempts to trample upon me, he will find that he will have retaliation. The hon. member for Richmond (Mr. Gillies) made an argument which I was surprised to hear from one who is of such a kind disposition. He held that because he himself could not get home, and because some other hon. gentlemen could not get home, there was no reason why gentlemen who could get home should be allowed to go. I do not think that was a very kind spirit in which to approach this discussion.

Some hon. MEMBERS. Question.

Mr. McNEILL. Surely I may be allowed to reply to the arguments of the hon. gentleman. It is impossible for us to discuss this question here to-night with any degree of fair-play. for whatever he may say, no matter how germane it may be to the subject, question is called. It is insinuated that we are wasting the time of the House, which is an insinuation that I repudiate. But, I should like that the time of the House were expended as it ought to be expended. I should like that this measure which cannot become law, which if it were law would be a most improper law, a most mischievous law, a law fraught with the greatest peril to this Dominion ; I should like to see that measure laid aside and the real business gone on with. If the Government could not make up their minds to lay this measure aside altogether, I should at least like to see them lay it aside so far as to take those extra days for the consideration of measures of great moment to the country. Why could they not take up Estimates on those days of which they are depriving the private members of the House ? Why could they not occupy the extra hours which they are obtaining in this way in the discussion of measures which perhaps might go a long way to prevent the necessity of our having another session of Parliament—a contingency which I am sure all members of Parliament look forward to with very great regret. I know that for one I do. I did not believe that there would be any necessity for another session of Parliament this year. I repudiated that idea before I left my constituency. I did not think a second session this year would have been at all necessary; neither would it be necessary if the hon. gentlemen who lead the Conservative party in this House had dealt with the House as they ought to have dealt with it, and had dealt with this measure as they ought to have dealt with it. If they had brought it down and had it discussed in due time, there would have been no necessity for a second session. But they have not done that ; and in order to screen themselves from the indignation of th epeople, they endeavour to throw upon the members who are discharging a duty here in exposing the iniquity of this measure, and the impropriety of the manner in which it is being forced through the House—I say they are endeavouring to throw upon those members the onus of this second session of Parliament, which is really attributable to their own course. I think that is an exceedingly unfair line of conduct for these gentlemen to take. Now, I have no desire whatever to take up longer the time of the House. I think it would be only reasonable that the amendment which my hon. friend has moved should be accepted by the Government if they are determined to take the Saturday. It is a much more reasonable proposal than the one which was before the House a short time ago, and a more reasonable one than the main proposition of the hon. gentleman. I hope that the Goverment will see fit to pursue a course not quite so drastic as one would be inclined to imagine they were likely to pursue if one may judge from the tenor of the remarks that recently fell from the hon. gentleman who leads this House. I would suggest that some members of the Cabinet who are perhaps not quite so violent in their methods as the hon. gentleman is, should get round him and endeavour, if possible, to instill wiser counsels into his mind. It is quite evident, if the hon. gentleman is left to himself, and to the promptings of his own inclinations, that very little business can be transacted in this House this session. The House of Commons of Canada is not a body to be coerced or bulldozed, and the sooner the hon. gentleman comes to know that the better. While I admire the courage of the hon. gentleman. and no one admires his courage more than I do—and while I admire his energy, and no man admires his energy more than I do—I should like to see that courage and that energy directed into different channels; because I am quite sure that the channel into which they are now directed is one that will lead—not to what he wishes it to lead—not to success, but to disaster.

Mr. MILLS (Annapolis). Loud applause from Tarte and McCarthy.

Mr. BAIN. Mr. Speaker, whatever may have been the attitude of the leader of the House on this question to-night, so far as I am personally concerned, I can fairly repudiate the charge he has so freely flung at the heads of our friends, of obstructing legislation in any way. I throw back the accusation which the hon. gentleman has so freely indulged in against hon. members on this side of the House, and I claim for myself as an individual representative, the right to express myself on this or on any other question at any period I choose, and as long as I please; and if the day ever comes when we are required to sit down and keep quiet, simply because the Secretary of State says so, we had better go home and leave him and his friends to administer the affairs of this country. But, Sir, I ask you if the situation as presented by that hon. gentleman to-night is not a fair indication of the policy they have pursued for the last twelve months. To-day we find him haggling and cheese-paring with the members of this House for the saving of a few hours between Good Friday and Easter Monday—for what purpose? Because he says it is essential now that this legislation should be pressed to a conclusion. What have they been doing for the last twelve months, Mr. Speaker, towards getting this matter brought to a conclusion, that we are now struggling, in the dying hours of the session, for four or five hours of legislation? Why, Sir, we have an example of a political party who cannot make up their minds and let them stay made up long enough to do anything. We have had these hon. gentlemen making an exhibition of themselves. A year ago they got ready to have a dissolution of the House, and then they suddenly made up their minds that they would not have it, and the House was called together. Then we had the hon. Minister of Justice sulking in his tent for two or three days. There was trouble in the family, and he did not appear at the regular concerts of the family. Then, that trouble was got over, and the family came together again. At midsummer we had another example of how not to do it given by these gentlemen, and then came the arrangement that not later than the 2nd January remedial legislation should be introduced and pressed to a conclusion. When the 2nd of January came what did we see? We saw these gentlemen call together the members of the House of Commons to proceed with their legislative duties. We saw them present their bill of fare; and then what did we see? We saw the unprecedented exhibition of seven members of the Cabinet going out on strike; and to-night we had the pleasure of listening to one of those seven bolters lecturing this House because we did exactly what we said we should do. And yet they tell us that the time of this House is being wasted in obstruction. Sir, if you can find a loop-hole so small that the hon. Minister of Finance cannot crawl through it, you will see at once that no one on this side of the House can exceed that hon. gentleman in that kind of gymnastics. Then, Sir, I venture to say that the hon. Secretary of State will find that the address he made this evening to the people's independent representatives in this House will turn out to be one of the sorriest efforts he ever made in his life. Sir, does he mean to tell this House that we have reached this stage, that a man occupying the position that the hon. member for North Bruce (Mr. McNeill) occupies in the ranks of his party, cannot be allowed to follow the dictates of his own conscience, and differ from the dogmatic dictum laid down for his guidance by the hon. Secretary of State. If that is the position that party leadership is going to take in this House, the sooner the people of Canada know it the better. For my part, I thank the hon. Secretary of State (Sir Charles Tupper) for that bitter speech which he has made to his own political friend and supporter (Mr. McNeill). Sir, if I was in his place and wanted a friend to aid me in the hour of need, that is the speech that I would like to take out to the electorate and present to them. Has it come to this, that a member of a political party is not to be allowed to express his honest convictions in this House without being told that he had better get out and go somewhere else, when those convictions do not agree with the opinions expressed by an hon. gentleman who has known very little of Canadian politics for the last ten years, and who was resurrected for this occasion to guide the political destinies of his party? Sir, I respected the political leaders of that party in the past, and, if I desired to see that party go to wreck and ruin before the people of Canada, I would ask that it be guided by no better political leadership than we have had presented to us to-night. In telling the people of Canada that their representatives are simply to get up and sit down, just as he dictates to them, the hon. Secretary of State has made a declaration which the people of this country will resent, or else I know very little of their sentiments. My hon. friend has boasted to-night of the large majority that stood at his back on this division. Sir, I ask him, if he believes that that is any evidence of the sentiment of this House in support of the course he is pursuing with respect to remedial legislation. If he does, he will be bitterly disappointed before he gets through this discussion. The party whip may be cracked on this occasion, and these gentlemen may vote under its lash, but I venture to say that on Saturday the hon. gentleman will not be able to muster the same division, when a vote is taken on this Bill. I venture to say that many of those gentlemen will then be found missing, and those of us who desire to spend Good Friday and Easter Monday at home but gave it up in the public interest, will be left here to conduct legislation as best we can. The Cabinet Ministers who have wasted the first two months of this session in the idle attempt to patch up the differences among themselves regarding this very legislation, are the last men who should come down and refuse the people's representatives the opportunity of quietly enjoying the Easter holidays at their homes, under the pretext that they desire to put through legislation by five or six hours work in the interim, which legislation they might, but for the internal dissensions among themselves, have submitted to the House long ago, and thus afforded opportunity and reasonable time for full discussion of the measure within reasonable hours. I admire the patriotism that animated the hon. leader of the House, when he told us the other night that he was willing to sacrifice his health and life and everything else, in order to do justice to the Catholic minority in Manitoba, and then, after that passionate outburst, calmly glide off to his couch and leave others to bear the burden of the fray. I do not believe that kind of patriotism will go down, either with this House or with the people; and, while I am willing to give up any reasonable time to the discharge of my political duties, I am not prepared to be bulldozed into doing anything which is unfair and unjust to the people's representatives.

Mr. MACDOWALL. I have not hitherto taken any part in this discussion, and do not propose to occupy the time of the House at any length, but I should like to refer to one or two matters of interest to myself, as well as other members of the House. The hon. gentleman who has just spoken, made rather a pathetic appeal to be allowed to go home for the Easter holidays during two days. But he should remember that this House represents the whole country. It is not only those parts of Ontario and a very small portion of Quebec, which are near Ottawa, that are represented here. We have representatives here from the maritime provinces, the North-west and British Columbia, and other sections too far distant from the capital to allow of their representatives taking advantage of the Easter recess. When the hon. gentleman speaks of the great affliction under which he is suffering in not being allowed to go home for Easter, in the very peculiar circumstances that exist, it strikes me that he has struck rather an unfortunate key, because for the last ten years that I have represented a constituency in the North-west, I, and others similarly situated, have often desired, when an adjournment was made for four or five days, that it should be extended for fifteen or twenty days, so that we could equally enjoy the pleasure of going home; but hon. gentlemen in the position of my hon. friend who has just spoken, have never showed the slightest desire to meet us in that respect, and, therefore, we have always urged upon the Government never to have an adjournment, when it could possibly be avoided. Although we were willing to sacrifice ourselves in a small degree for the sake of these hon. gentlemen, we have always felt that we ought to be called on to make the sacrifice as seldom as possible and as short as possible. It appears to me that the request of the Secretary of State is a very moderate one, indeed, that the hon. member for Wentworth (Mr. Bain) and others should sacrifice themselves for twenty-four hours, for the sake of their country, in the extraordinary position in which we are placed to-day. I think that, when the hon. gentleman spoke of the great amount of patriotism he was called upon to exhibit, and compared the sacrifice he would have to make with that which the hon. Secretary of State professed his readiness to make, when he said that, in order to carry out this great measure, which he believed was one of the greatest measures that Parliament has ever had to deal with, he was willing to sacrifice health and even life—I say that, when the hon. gentleman compared the inconvenience he was about to suffer, with that sacrifice, he was making a comparison utterly unworthy of him or of any hon. member of this House. And I may say that, when the hon. member for Wentworth, whom I have always respected very much, made that comparison, I was greatly surprised and very sorry to hear it. The hon. gentleman attacked the Secretary of State—and it seems to be the cue of every hon. gentleman opposite to take that course—for dictating to the House, and he asked: Are we to submit to this dictatorship? If so, he said, we might as well not be here, and let the hon. Secretary of State run the Parliament of Canada himself. The hon. gentleman ought to apply this question to his own side. Did the Liberal party ask themselves that question, when they agreed to support the amendment of the hon. leader of the Opposition to the second reading of the Bill. Did the hon. gentlemen from the province of Quebec, on the Liberal side, ask themselves that question? And, if they did, how did they answer it? Well, I put this question, which, I think, is a very apposite one, and one that the hon. member for Wentworth and his colleagues might well take to heart. We know that the hon. leader of the Opposition did not declare himself against remedial legislation. He made a most ambiguous speech, but no one can possibly say that he declared against remedial legislation, and yet he moved the six months' hoist. And the hon. member for York (Mr. Mulock) said he supported the six months' hoist because it was the best way of killing the Remedial Bill. These hon. gentlemen seem to have got things rather mixed up. What is the position of the hon. gentleman's followers from Quebec who voted for the six months' hoist? Did they mean to kill the Remedial Bill and destroy all chance of the minority of Manitoba obtaining separate schools? If they did not, then they obeyed the dictatorship of their own leader, against their own convictions? What right have these hon. gentlemen opposite, then, to cast any taunt at the Conservative party? While we were discussing this question, the hon. member for Brant (Mr. Paterson) asked why we should take away all the days that belong to private members for bringing up their legislation, and said that if the Government would leave these days for private members, the members on that side of the House would give every assistance and then we could proceed with remedial legislation on government days. But, Sir, what example did we have on the last two days on which private legislation was introduced in this House. We know very well that during this very week, when the Hudson Bay canal scheme was brought before the House by a North-west member, the hon. member for Winnipeg (Mr. Martin) disgraced this House by occupying time with the reading of circulars for at least six hours, and when the leader of the Opposition was called upon—he has been nominated by his party as their candidate for a territorial district—to try to protect from his own followers the interests of that great North-west and to try to promote the desire of the people inhabiting that country, the desire of having an outlet to the north, what did the hon. leader of the Opposition do? He went out of the House, and left it in charge of the hon. member for Winnipeg and the hon. member for Lambton (Mr. Lister). And what was their course? It was a course directly contrary to that that the hon. member for Brant said his party pursued. They obstructed this legislation; they occupied the whole afternoon, the whole evening and two hours of the morning to prevent the passage of a Bill of interest to the North-west.

Mr. MULOCK. Do you think it was a proper Bill?

Mr. MACDOWALL. I beg pardon.

Mr. MULOCK. Does the hon. gentleman represent a part of the country through which the Saskatchewan flows, think it a wise proposition that Parliament should hand over the right, practically, to establish toll gates and control navigation on the Red River, the Saskatchewan for a distance of about 2,000 miles?

Mr. SPEAKER. I am afraid the discussion is digressing.

Mr. MULOCK. The hon. gentleman is objecting to the course taken with regard to a certain Bill.

Mr. MACDOWALL. As you have called the hon. gentleman to order, Mr. Speaker, I shall not answer his question.

Mr. SPEAKER. I hope the hon. gentleman will confine himself to the question.

Mr. MACDOWALL. I bow to your ruling, Mr. Speaker. But the following day, when the hon. member for Alberta (Mr. Davis) had a Bill before the House, what was the course pursued? Instead of their course being that stated by the hon. member for Brant as the course of the Liberal party, it was the very opposite.

An hon. MEMBER. What scheme was that?

Mr. MACDOWALL. North-west Railway Bill.

Mr. MULOCK. Does the hon. gentleman approve of that Bill?

Mr. MACDOWALL. I was astonished at the generosity of the hon. gentleman from South Oxford (Sir Richard Cartwright) and the hon. gentleman from East Grey (Mr. Sproule), when they, having no Private Bills before the House, voluntarily proposed to concede a private members' day to the Government on condition that the House should not sit on Saturday. With the promise of the hon. member from South Brant that the Liberal party would assist private legislation, we have the direct obstruction of the hon. members for Winnipeg and West Lambton against private legislation; and so, when we have the proposal of the hon. member for South Oxford and the hon. member for East Grey to yield a day set apart for private members what are we to expect but obstruction from the beginning to the end? The hon. member for North Bruce (Mr. McNeill) gave us a lecture just now and said that no one would submit to the hon. Secretary of State bulldozing the House. I have been, up to the present time, a listener to and observer of what has been going on. I think the Secretary of State has desired, and that, by his actions, he has shown that desire, to lead the House in quiet pastures, and by softly running brooks. But, Sir, when you speak of bulldozing, where does it come from? I think that hon. gentlemen opposite can hardly lay the soft unction to their hearts that they have been wholly guiltless of bulldozing. And I think that the hon. member for North Bruce, if he will forgive me for saying so, has spoken occasionally with great strength and warmth, and has tried to impress his ideas upon the House with great warmth of manner, and that he himself is not wholly guiltless of bulldozing. And, Sir, I remember that the member for East Grey rose in his place in this House and with what appeared on the surface to be righteous indignation, repudiated the bulldozing as he called it, of the Secretary of State, as applied to himself, and then turned around and used what I am sure the Chairman, if the question had been raised, would have ruled as unparliamentary language, and accused the Manitoba and North-west members of not representing but misrepresenting their constituents.

Mr. SPEAKER. I think the hon. member is referring to something that took place in Committee of the whole House.

Mr. MACDOWALL. Mr. Speaker, I bow to your ruling. I have said all I think necessary, in the meantime. But I desire to say that I sympathize with the leader of the House and wish to assist him in every way in carrying out this legislation, which he believes is necessary in the interests of the country.

Mr. FRASER. I must object to this obstruction: it has gone entirely too far. Where was the righteous indignation of the Secretary of State while one of his followers was speaking for half an hour, obstructing the passing of this Bill for which the country is calling? Why were not the vials of his wrath poured out upon the hon. gentleman?

Mr. McCARTHY. They will be; he will be read out.

Mr. FRASER. No doubt the hon. gentleman meandered back like the great Saskatchewan by which he lives, with a fall here and there, so that he had to be called to order two or three times while he was discussing the Remedial Bill. Here we are in the face of a great question that we should be considering, and an hon. member from the North-west gets up and obstructs the progress of business. For shame. Has it come to this? Are the ranks of those who have been read out of the party being silently augmented by the addition of this hon. member. Is he quietly giving the Government a hint that he will obstruct unless he gets what he wants? While listening to the hon. Secretary of State, I could not but be struck with the fact that we are having an hon. member read out of the party every day. How long is this going to continue.

> Birds in their little nests agree,
> And 'tis a shameful sight
> When children of one family
> Fall out, and chide, and fight.

First the hon. member for East Grey was tumbled over the precipice, and now our good friend, the model, as I said before, of hon. gentlemen on the other side is read out of the party. Who is to be the next victim? Tremble ye souls over there, tremble ye who have one instinct, and one conscientious conviction. Express them not: be silent: bow to the ruling. I trust that none of you will ever be found during the time this House is sitting, giving expression to one independent thought. There are a number of you of whom there is no danger of doing that thing, no danger in the world of doing it. But I warn any of you who have sufficient independence——

Mr. SPEAKER. The hon. gentleman must address the Chair.

Mr. FRASER. I beg your pardon, Mr. Speaker, I did not mean you. But I warn hon. gentlemen opposite, I warn them in time, that this is obstruction. Now, I think the proposition is a fair one that we should not sit on Saturday at all. For myself I should have been willing to sit on Saturday, and I should have been willing to give up any business on Wednesday that might pertain to the province from which I come. I regret that the advice which was given with the best motives, was not accepted. We are discussing this question now, as we have a right to do, as to whether we shall be kept over Saturday at work, when we ought to be at home. But it has had one good effect, it has indicated to us just exactly how this House is led. There was a time when a gentleman who might see fit to differ from the leader of the Government in this House, was permitted to do so, and by those gentle wiles for which the great statesman who led this House on the Government side, was noted, they were wooed back. Of the present incumbent we cannot say so much. The man that went before him:

> Cast off his friends, as a hunter would his pack,
> For he knew when he liked he could whistle them back.

There is no such power at present. The hon. gentleman tried to draw a comparison between the leader of the Opposition and the Secretary of State because certain gentlemen supporting the leader of the Opposition left him upon that vote. What of the eighteen or twenty gentlemen who left the Secretary of State? There is this difference, a difference so patent as only needs to be mentioned. Who saw the leader of the Opposition turning with frowning face upon the gentlemen who were following their convictions and voting against the amendment that he made, and reading them out of the party at once? After all, it comes to light that the principle of the Conservative party is that men must not think for themselves. The Liberal party permit men to think for themselves, and think none the less of them. And why? Because, in thinking for themselves, they are the best supporters of Liberal principles, and they will come to the assistance of the leader when the leader is going in the right direction, although like men, they may differ upon other points. I venture to say that the eighteen or twenty gentlemen who voted with the leader of the Opposition, are as good Conservatives as any on that side of the House. And are they to be treated in that way? I would not like to be treated in that way by my leader. If it came to a question like this, I should frankly have to say that I would not vote in the same direction as my leader; and what would I think if I were told that because I voted against my leader I read myself out of the party ? Why, go to England, go to any country in the world where they have representative government, and do we find that every man follows his leader on every question ? No, we do not. Do we find that the leader of the party alone decides what the opinions of the party shall be ? Must the Conservative party, or the Liberal party, accept the word of whoever happens to lead them for the time being, as the only exponent of their principles ? Let us have a little room to differ at times, and let us not be called unworthy of a position in the party because we do so. Now, I believe firmly, and the proceedings this evening have confirmed my conviction, that every leader who is wise must learn that giving in sometimes is the best method of gaining a victory. There are times when the very conduct that we have seen here to-day, is that which will of itself defeat the object in view. May I say that I believe the whole purpose is to defeat the object in view ? I believe that no method could be taken better calculated to defeat the pretended object, than to charge a whole party with obstruction. We can come to a discussion on this question without flinging at each other the charge that they are obstructionists. I might as fairly say that the hon. gentleman who has just taken his seat was actually put up by the Government to speak for half an hour, as for the Secretary of State to say that there was obstruction on this side. I could say that. Let not the hon. gentleman fear that. I am not going to say it. I am not going to judge that without the facts ; but I say there is just as much evidence of that as there is to say that because gentlemen on this side and on the other side are desirous of discussing this question fully, that therefore, they are obstructionists. Now, I shall give my vote for the motion of the hon. member, and I trust it will be accepted. For myself, I should not care if Wednesday were taken by the Government. But let us have full and free discussion, night and day, and always. Let us understand that we are giving our views and expressing our sentiments in the interest, as we believe, of our country, and let us give each other credit for approaching that subject with a desire to satisfy our conscience and to serve our country.

Mr. WALLACE. I wish to say a word with reference to the motion now before the Chair. I say here and now that I am wholly opposed to that motion. I think if we are to sit here on Saturday we had better do a good day's work. We will have a rest to-morrow and on Sunday ; so that if we have to work on Saturday I see no reason why we should not work the whole day. I notice that a number of those gentlemen whom I saw this afternoon so exceedingly anxious that we should sit on Saturday, have gone off to the train, so they will not be here on Saturday at all. Some of those gentlemen who voted this afternoon to sit on Saturday, to compel us who have a proper sense of our duty as members of Parliament, to remain here and assist in legislation—a number of these gentlemen have gone off home. I do not think they have treated us fairly, or treated the House fairly. But while I think we should sit on Saturday and do a good day's work, I would ask the leader of the House if it would not be more judicious to devote that day to something else than the Remedial Bill. Now, we have many important matters on the Order paper. We have a motion made by the hon. Controller of Customs to increase the salary of the Commissioner of Customs to $4,000 a year. I hope that will be brought up on Saturday, that we will have an opportunity of discussing it, and I may say that I shall give it my very cordial support, because I believe there is no position under the Government, no commissionership——

Mr. SPEAKER. The hon. member cannot discuss that motion now.

Mr. WALLACE. I will speak in general terms in regard to the subjects that should be considered on Saturday, instead of the whole of the time being devoted to the consideration of the Remedial Bill. There are many subjects which could properly be discussed. There is one on the Order paper, for example, a motion in respect to the most important question brought before the House this session, or for several sessions, if we except the Remedial Bill, and that is with regard to the defence of this country. Hon. members on both sides of the House have assented to the general proposition that we should improve our defences, equip our volunteers with the best weapons available, improve our defences and build forts, if required, for the protection of the country. I ask the leader of the House to consider this matter and have the subject discussed. We are promised the cordial support of members on both sides of the House, and the discussion will therefore not be obstructed in any way, but will be discussed freely and fully, and before Parliament closes we may thus be able to adopt measures required for the protection of the Dominion. There is another important question on the Order paper which deserves consideration, and it is a proposed resolution granting subsidies to an ocean steamship line between Canada and ports in France and Belgium. We have done very little during the present session to promote either interprovincial trade or foreign trade. Hon. members are aware that we are doing very little trade with France, and still less with Belgium.

Mr. SPEAKER. The hon. gentleman is not discussing the question under consideration.

Mr. WALLACE. I will confine myself strictly to the question before the House.

Mr. MULOCK. I submit it is in order for an hon. gentleman to argue in support of a motion to take Saturday, that there are some very important public matters on the paper.

Mr. SPEAKER. Yes, it is perfectly competent for an hon. gentleman to say that there are certain important questions to come before the House, which should be discussed, but I think he cannot go into the discussion of the questions until they are before the House.

Mr. WALLACE. I will endeavour to keep myself within the lines of your ruling, Mr. Speaker. I was going on to say that we have been neglecting our commercial interests, not only with regard to internal, but with regard to external trade. We have been devoting our time largely to religious subjects, which are very good, but which should not occupy the whole time of the House. In my opinion, we should devote some attention to promoting trade with other countries. There is no other country in the world to-day that affords such possibilities for trade as Belgium. That country has low customs duties, not more than from 8 to 10 per cent.

Mr. SPEAKER. I am afraid the hon. gentleman is again violating the rules of the House.

Mr. WALLACE. I think I will be quite in order—though I am not, of course, opposing your ruling, Mr. Speaker—when I say that we should sit on Saturday and perform a good day's work, and I am now simply outlining a programme which will no doubt meet with the approval of the country, for thereby we shall be promoting the commercial interests of the country.

Sir CHARLES TUPPER. We could pay attention to the Bill.

Mr. WALLACE. We have already paid considerable attention to the Bill, and I am prepared to pay a good deal more, but I do not think the whole time of the House should be thus occupied. The Government should have had the Bill prepared and ready at the opening of Parliament, and after they had introduced it the responsibility for delay would have rested with the House. But they did not adopt that course. Why was not the Bill ready on 2nd January, or on the 10th or on the 20th ? It was introduced on 11th February, and nearly two weeks elapsed before I was able to get a copy of the Bill. There is another very important Bill on the Order paper, and that is with respect to the voters' lists. Suppose Parliament does not pass this Bill, what will be the result ? A large expenditure is involved in revising these lists, I do not know the expense, but hon. gentlemen opposite will no doubt be able to enlighten the House as to the exact cost.

An hon. MEMBER. About half a million.

Mr. WALLACE. Outside of that half million dollars that it cost the country, how much does it cost each individual member ? How much did it cost you, Mr. Speaker ?

Mr. SPEAKER. The hon. gentleman is discussing a question set down for consideration at a future time. It is quite proper for the hon. member to refer to these as very important measures, and measures that should occupy the attention of the House and of the Government ; but it is not competent for him to go into details of these measures.

Mr. WALLACE. With all due respect to your ruling, Mr. Speaker, I contend that I was only speaking of these voters' lists in the general way. I did not even pretend to give the cost to the country, because I did not know. There is another proposition which might be viewed as one of great importance.

Mr. SPEAKER. I must ask the hon. gentleman to avoid discussing these questions in detail, and to pay regard to the ruling of the Chair.

Sir CHARLES TUPPER. Would the hon. member allow me to suggest that we are within two hours of Friday morning, and, unless it is intended to prevent anything being done to-day, the House should go into committee on this Bill. I think, considering that the Government in deferring to the feeling of gentlemen in this House, agreed to adjourn over Friday, it is most unreasonable that the hon. gentleman should treat us to this verbiage, and travel all over the whole of Great Britain, in order to support a motion which he says he wants to defeat.

Mr. LANDERKIN. Read him out.

Mr. WALLACE. The leader of the House is very unkind.

Mr. McCARTHY. Be very careful, now.

Mr. WALLACE. I am totally opposed to the proposal that we only sit until six o'clock on Saturday, because, if we have to remain in Ottawa, it is only fair that we should do a good day's work. I am quite in order to indicate the valuable work this House should do on that day. When the leader of the House tells us it is within two hours of twelve o'clock, why, I know that perfectly well.

Sir CHARLES TUPPER. Within two hours of Friday morning.

Mr. WALLACE. I am well aware of that, but I am pointing out what work we should undertake on Saturday.

Sir CHARLES TUPPER. Anything to prevent any progress being made to-day.

Mr. WALLACE. This is the first time, except, perhaps, for a minute, that I addressed the House to-day before. The hon. the leader of the Opposition has addressed the House several times.

Some hon. **MEMBERS.** Order.

Mr. WALLACE. I mean, the leader of the House.

Mr. LANDERKIN. You are quite right; he is in opposition to you now.

Sir CHARLES TUPPER. Let us get a vote.

Mr. WALLACE. I am anxious to have a vote. I just wish to say that I am sorry the leader of the Government made these remarks this afternoon with reference to the hon. member for North Bruce (Mr. McNeill). My experience in the House is that there is no more high-minded, honourable gentleman, or a man more punctilious than the hon. member for North Bruce (Mr. McNeill), and I do not think that any of these strictures made upon him are true. If we are told that any member of the Conservative party who does not support this Bill, which was forced upon the Conservative party, and never adopted as the policy of the party before the country; if we are to be told that these gentlemen who do not feel that they can conscientiously, or as representing their constituents, or for any other reason, support this Bill—if we are told that they must be read out of the Conservative party——

Sir CHARLES TUPPER. No person said anything of the kind.

Mr. WALLACE. I do not see what other crime the hon. member for North Bruce (Mr. McNeill) committed. If you are opposed to this Bill, you are to oppose it consistently.

Mr. McCARTHY. And persistently.

Mr. WALLACE. And intelligently and continuously. I repeat now that I shall oppose this Bill at every stage in a legitimate and a proper way. My views and my course will not be changed, so far as I know. There is nobody going to tell me that, because I do not support that Bill, that I am to be read out of the Conservative party. I interviewed my constituents this week, and at a very large Conservative meeting they unanimously endorsed my course. The hon. member behind me laughs.

Mr. PRIOR. I admit that I did laugh.

Mr. WALLACE. He laughs because he don't know anything about it. The large hall was filled, and there were 150 standing who could not get seats. This gentleman who haw-haws, had better get some information. He dare not go to my constituency and advocate the policy he is supporting here. If he wishes, I will invite him, and have a public meeting called, and he and I will discuss this question.

Mr. PRIOR. Thank you.

Mr. WALLACE. That is all we get—Thank you; but we do not get any acceptance of the invitation. So far as I can learn, the constituents I represent—or whom I should represent, or I should feel it my duty to resign—are opposed to this Bill, and they are good Conservatives, too. But the hon. the leader of the Opposition says——

Mr. MILLS (Bothwell). You are anticipating—you mean he will be in opposition.

Mr. WALLACE. I do not know about that. I have watched the proceedings all over Ontario. In the city of Toronto, where there are half a dozen daily papers, there are some four or five in opposition to the Remedial Bill. There is one that is giving it a kind of half-hearted support; or rather it is abusing the Opposition instead of openly and avowedly supporting the Bill. Then, at the meetings that have been held, what kind of resolutions have been passed? Where has there been a Conservative meeting held either before or since this House met on the 2nd of January, at which resolutions were adopted, saying that the country demands this remedial legislation, and must have it? I have not seen the record of a single Conservative meeting at which such a resolution was passed; but I have had plenty of indications that hundreds and scores of hundreds of members of the Conservative party have most actively and strongly protested against the passage of this Bill. And, Mr. Speaker, I do not believe, from all the evidence I can obtain everywhere, that this Bill will meet with the approval of the electors of Ontario. On the contrary, I am satisfied that a large majority of the electors of Ontario will refuse to support it in any form whatever. For these reasons, Sir, if we sit on Saturday, I think we should take up these very important questions which deserve the most serious consideration of the Parliament of Canada. We should consider them, and do a good day's work on Saturday. On the great question of improving the defences of Canada, which has the active support of both sides of the House, we should show the motherland and the people of this country, that, while we are discussing other matters, we have not lost sight of our duty to help ourselves and the British Empire in putting this country in a complete state of defence, so as to be in a position to resist the attacks of any foe.

Mr. SEMPLE. Mr. Speaker, I desire to make a few remarks, and I do not intend to touch on the Remedial Bill for that is not the question before the House. We have been charged with obstruction by means of this discussion in order to prevent the Remedial Bill coming up. I deny this most emphatically. Although there is no law giving members of Parliament a certain number of holidays, I consider that there is an unwritten law. Members have always been accustomed to look forward to the Easter holidays, and they only ask one day, Saturday, in order that they may visit their friends. This request was made to the Secretary of State in a pleasant manner, but it was of no avail. Now, has the leader of this House a right to take away the holidays which have always been accorded to the members ? I have been in this House during ten sessions ; I have been here when the most distinguished statesmen of the Conservative party were at the head of the Government—Sir John Macdonald, Sir John Abbott, and Sir John Thompson ; and not one of those distinguished men attempted to take away this holiday from the members. That is the reason this discussion has taken place. There have been five hours consumed in discussing this question, and I think it has been time well spent ; for the Secretary of State must understand that if the minority in Manitoba have rights, the members of this House have rights as well, and the whole of this discussion is a protest against his taking away from the members of this House the rights we have always enjoyed. There are a number of holidays in the year in which the members from Ontario take no interest ; yet during those days we have remained here without repining. We had a number of holidays which we did not want, at the beginning of this session ; but the hon. Secretary of State is now trying to coerce and tyrannize over this Parliament in order to keep us here on the one day that we wish for a holiday. Another statement he made was that the Opposition were stirring up race and creed animosities, and setting one creed and one race against the other. That statement has no foundation in fact. The hon. gentleman is very ingenious. He has started a fire of that kind, and he is fanning the flames, while accusing others of having done so, and what has recently occurred in Manitoba shows that that is the case. The people of that province are willing to settle this question peaceably, but they refuse to be coerced. We want this question to be settled peaceably and satisfactorily all around, but not to be settled by force. To-night two things have occurred : The right of members to visit their friends has been taken away, and the Secretary of State has coerced his own followers and has sought to read them out of the party because they would not vote as he wished. I have no doubt that such conduct will not be appreciated in the country. More independence is much needed and more independent men in this House, and there will be more independent men in this House after the general elections.

Mr. McMILLAN. Mr. Speaker, I wish to make an explanation as the seconder of the resolution before the House. I want it clearly understood that my object in seconding this resolution was that every clause of the Bill should be fully discussed, and I am under the impression that the discussion on Saturday cannot be a full discussion of the clauses of the Bill, for the simple reason that a very large number of the members, even those who vote to give the Government Saturday, will have left the House and gone to their homes. I believe it is of the utmost necessity that we should have almost every member in the House during the time the discussion goes on, and for that reason I have seconded the resolution of the hon. member for Muskoka. Sir, I have been astonished at the manner in which the Secretary of State has attempted to bulldoze this House. He has, time and again, got up and told us that we have been obstructing. Why, Sir, what was the manner in which this Bill was introduced by the hon. gentleman himself ? He gave us a discussion of confederation from its inception down to the present time, a great amount of which had no relation whatever to the question under discussion. It was that hon. gentleman who first began to obstruct. If he was so very anxious to proceed with this Bill, why did he not confine his discussion to matters pertaining directly to it ? I am perfectly convinced that there has been no obstruction on this side of the House. This is the first time that I have spoken on this question. As for raising strong race and creed animosities, no man in this House has as much to answer for as the Secretary of State. While denouncing the stirring up of race and creed feelings, no other man has stirred them up to the extent that he has himself. And yet, Sir, he turns round and charges individuals on this side with obstruction. Let me say that I believe we have been deprived of a valuable privilege. I for one have not been home but once this session, and had made arrangements to be home on Friday and Saturday. I am not of the opinion that this Bill should be discussed in the manner the hon. Secretary of State has hinted at, namely, that we should make arrangement with the whips for a number of us to go home. I believe that the desire of the hon. gentleman, in making that suggestion was that he might have his own way with the measure. But we are sent here to perform a duty, and that duty we will perform, whether the hon. Secretary of State takes from us those rights and privileges we have always enjoyed or not. I came into this House in 1882, and have never seen it led in the manner in which it has been led these past three weeks. I respected the Conservative leaders down to the present ; but on account of the manner in which the hon. Secretary of State is attempting to lead this House, what little respect I have had for him has been taken away, and in saying that I am expressing the sentiments of hon. members on the other side as well as on this. When the hon. gentleman says that the Conservative party in the country will take note of what has taken place in this House today, I tell him that both Conservatives and Reformers are taking note of it; and when the general elections take place, he will find out to his cost whether or not he has been leading the House in the interests of his party. Respectable men of his party, all through the country, express the opinion that the leader of this House is not representing the true feelings of the respectable Conservatives of the Dominion, especially of the province of Ontario. A gentleman who walked down from the House with me, the other night, told me that he had never cast a Reform vote in his life, but that after sitting in these galleries three or four days and witnessing the manner in which this House was led, he had come to the conclusion never to cast another Conservative vote as long as the present Government held the reins of power. If the hon. Secretary of State wishes to conduct the affairs of the House in an amicable manner from this time out, he will not try to deprive members of the privileges they consider they are entitled to.

Mr. McCARTHY. I do not propose to take up much of the time of the House, but I do not think that I ought to allow the charges that have been hurled against me tonight to pass without some observation. I am pretty case-hardened with regard to accusations of this kind, and the mock heroics—for they appear to me to be nothing more—of the hon. Secretary of State (Sir Charles Tupper) have no terror for me. But on behalf of the hon. member for North Bruce (Mr. McNeill), who has been assailed in terms and in tones which certainly reflected no credit on the Secretary of State and no credit on this House, I have this to say, that the hon. member for North Bruce, although personally a friend of mine, is not in agreement with me on political questions, that on the contrary he and I differ upon the trade question, and we differ to such an extent that there is at present in his riding a candidate nominated at my instance to oppose him. Now, it would be almost incredible to any one not present this evening, that the hon. member for North Bruce, who, notwithstanding his opinions and his feelings about the course of the Government respecting Manitoba, notwithstanding his belief that the course of the Government from its inception was erroneous, has expressed himself as a staunch adherent of his party, should have been spoken to as he was this evening, simply because some gentleman was good enough to carry a tale to the leader of the House of what he overheard between my hon. friend and myself, and that was my asking whether he proposed to speak before six and being told that he would. For that it was, I understand, by which the hon. member for North Bruce read himself out from the Conservative party; that it was which entitled the hon. Secretary of State to speak of him as a traitor. Sir, it is an old aphorism that they whom the gods would destroy they first make mad. Is that the position the Conservative party and its leader has got into? Are we to listen, day after day, to men being read out of the party, who have done more, with less advantage to themselves, for that party than the hon. Secretary of State can boast. What he has done was done in order to his own personal advancement, while these gentlemen who have sacrificed themselves and remained in the Conservative party and who have done it without fee or reward, are to be spoken to in language such as we have listened to this last night or two from the hon. Secretary of State. For myself I care not. I would feel indeed that I had fallen low if anything that could fall from the Secretary of State would be treated by me even as an insult. I remember where it comes from, I know his history perhaps too well, and I am glad to feel that I am not a follower of his and not a supporter of his in this House. Now, as to the matter we have before us this evening, the policy and the course of the hon. gentleman who leads the House is quite apparent. He cannot deny, nor has there been an attempet here to deny, that owing to his own conspiracy with his colleagues, his own attempt to oust the Premier,—because every person must know it was his attempt, every one must know that he was the instigator of the conspiracy to oust the Premier under whom he serves and to take his place—the early days of this session were lost, and that the Bill to pass which this session was convened, was not introduced until six or seven weeks had been lost. And now, having lost the early days of the session, now having ascertained, late in the day, that they could not sit beyond the 24th of this month, and that their Bill cannot, in the time now at our disposal, become law, now that they have ascertained that this Bill of theirs, owing to their own default, cannot become law——

Sir CHARLES TUPPER. Hear, hear.

Mr. McCARTHY. Yes, the hon. gentleman may say "hear, hear," and I am glad that he accepts the statement, that the first seven weeks were lost through his fault.

Sir CHARLES TUPPER. The wish is father to the thought.

Mr. McCARTHY. What was the course of Mr. Gladstone, when a session was called in England for the purpose of passing a Bill respecting the government of Ireland? Did he wait seven weeks before introducing the Bill? Did he allow the cream of the session to pass before bringing it down? What was the reason for the delay in bringing down this Remedial Bill? Minister after Minister has spoken, but not one has dared to give an explanation, not one has dared to give the reason. No candid or honest explanation has been or can be given ; and yet, forsooth, they come here at the end of the session, having wasted its best days, and they make a great pretense of taking Saturday and putting a number of gentlemen to inconvenience, in order to make believe that they hope to carry the Bill ; and that if they do not, it is because we will not permit them to do so. We can see through that quite well. I would like to know where the obstruction has been in connection with this matter.

Sir CHARLES TUPPER. Hear, hear.

Mr. McCARTHY. Yes, I would like to know it. The Bill was brought to a second reading on the 3rd March. Were too many days taken up in the discussion of the second reading, and if so, who are responsible ? Consult "Hansard." More gentlemen spoke in favour of the Bill than against it. And amongst the hon. gentlemen who spoke against the Bill were five or six supporters of the Government, whose day has not yet come, but whose day is fast approaching when they will be read out of the party as well as the rest.

Mr. HAGGART. Hear, hear.

Mr. McCARTHY. "Hear, hear," says the hon. Minister of Railways. The only record of the Minister of Railways is that on one occasion he obstructed one Saturday afternoon during the whole sitting. That is his whole record before he became a Minister, and the only public act he ever performed to entitle him to credit and honour, even from his own party. Now, Sir, if there was no obstruction on the second reading—and if there was, it was certainly as much on the side of the Government as on the part of those who are opposed to the Bill—what is to be said about the committee stage ? Why, as an hon. member has already pointed out, we had not been in committee two hours before this hectoring, bullying style was adopted. We were told we were obstructing. I fancy it was intended that we should take the Bill clause by clause, allow the Chairman to read it and say "Carried." Was that the idea of the hon. member ?

Mr. SPEAKER. The hon. member is referring to what took place in the Committee of the Whole.

Mr. McCARTHY. At the moment, Mr. Speaker, if you will allow me, I was past that. I was called to order a little too late. I say was it to be expected that we were to carry the Bill clause by clause without discussion ? If so, the hon. member will find himself mistaken before the day comes when he will have to announce that, owing to his own default and his own delay, the Bill cannot be carried this session. He will find that the Bill is of sufficient importance—we have been told that it is the most important measure that was ever submitted to Parliament—to require at our hands great deliberation and investigation and discussion, which cannot but occupy some considerable time. And when I look at the only case that occurs to me at the moment as being analogous, what do I find ? I find that the Government for Ireland Bill was introduced in the House of Commons on the 3rd of February, 1893, and the second reading was on the 6th of April. Twelve days were occupied on the discussion of the second reading—I think our discussion on the second reading of this Bill was eight or nine days. The committee stage was reached on the 8th May. The House was in committee on the Bill for forty-seven sittings, ending the 27th of July. And the Bill was not finally passed in the House until the 1st of September. And yet, after the discussion that has been given to this Bill we are accused of obstruction. There is no ground for such a charge. Sir, if it came to that, I should not hesitate to use every parliamentary means to prevent the passage of the Bill. I tell the hon. members so ; I am not ashamed of it. I say this House has no moral sentiment behind it ; it has no mandate from the people with regard to this measure, but, on the contrary, everything we know and everything we see tells us that the majority who are pressing this Bill through the House are misrepresenting the country. Have public meetings been held all over this country with reference to this question ? The answer is : Yes ; and every public meeting has been against the Bill. Have members in the last by-elections been able to gain their seats by promising to support the Bill ? Look at the election in Cardwell, look at the election in North Ontario, where the hon. member had to conceal that he was opposed to the Bill :—had to conceal from his constituents his views and go upon his past record, which his constituents knew entitled them to believe that when the measure was brought forward he would oppose it. But for that he knows, and he will admit, he would have been defeated. Within three weeks of the expiry of Parliament, with these indications of public sentiment on every hand, we are told that we are obstructing a measure that has never received the mandate of the people and to which, every sign tells us, the people are opposed. We are told that we must put this Bill through for the sake of peace and tranquility. We are not to raise questions of race and religion. The Secretary of State is bidding for support on the ground of race and religion. The whole of his politics —and they are as transparent as it is possible to be—are an appeal to the race in whose interest the measure is supposed to be pressed, and an appeal to the Roman Catholics of this country, who are no doubt to a very large extent in favour of separate schools ; and the abuse that he heaps upon my humble self and others is for what ?—because we venture to think that the province of Manitoba can manage her own school affairs, that the province of Manitoba is competent to judge whether separate schools or public schools shall be the rule, and that it is not for this Parliament to interfere. His effort is merely to raise on behalf of himself and the party he leads that vote which he thinks may be most solid on the day of polling. But I warn the hon. Secretary of State—and I think he knows it, or he would not be trying to pass this Bill through the House—that the people will yet pronounce upon it ; and when the hon. member comes back here, he will not find a corporal's guard behind him from the province of Ontario. I think I know of what I speak, and I think the hon. member will find that the people of Ontario, at all events, and the people of the other provinces, I believe, are determined to allow the province to manage its own affairs, fully conscious that they are as capable of doing so as the Dominion is of doing it for them. So I repudiate, in the first place, the statement that there has been any obstruction. I appeal to any hon. member to say whether I personally ever obstructed or delayed the proceedings of the House in a manner which was not quite consistent with parliamentary rule and parliamentary practice. But I venture to say that I have rights here as a representative, and I propose to exercise those rights ; and I propose to discuss this Bill at every stage and, if I can, to improve it, although I have no belief that it will become law. It is my duty to try and improve the Bill in its passage through the House, and I will endeavour to perform that duty to the best of my ability. I heard the lecture that the Minister of Finance gave us this afternoon. His argument is that because the Bill has been read a second time, therefore the House has pronounced upon it, and those who are opposed to it are to bow their heads and to assist its passage through the House. Was that the course of the great parliamentarians, such as Mr. Balfour, Mr. Chamberlain, Sir Henry James and others who were opposed to the Irish Bill ? Did they, after the second reading, fold their arms, and allow the Bill to be advanced through all its stages unopposed ? No, they opposed it step by step, clause by clause, improving and amending it. And I happened to be sitting in the gallery of the House of Commons when I heard the same argument used against Mr. Chamberlain, and his answer was that it was his duty, though opposed to the Bill, to endeavour to improve it as it passed through the committee stage. That is my view as to my own duty, and, thinking so, I shall not hesitate to do everything I can to improve the measure, and to take all the time that is necessary for that purpose. I have no expectation, under these circumstances and with the little time before us, that it is possible for this Bill to become law. My statement has been quoted once or twice. I made no statement that the Bill would not go through committee. I did say in my speech on the second reading that I did not think it would not get into committee, but I explained what I meant by that. Every one of us knew, or supposed, that the Government, who had announced negotiations with Manitoba, intended, after the second reading of the Bill, to allow those negotiations to proceed and the Bill to lie. That is what I said. I had no hesitation in making that statement, and I have no hesitation in saying that, so far as the committee is concerned, whatever I thought then, I think now that this Bill will never get through the committee stage. Now, one word more and I am done. The leader of the House has told us in triumphant tones to look at the vote that was given in favour of his motion this afternoon. Two to one of the members of this House have declared in favour of the speedy passage of the Bill. I wonder what the hon. member for East Durham (Mr. Craig) has to say about that. I wonder what my hon. friend from East Simcoe (Mr. Bennett), who voted against the Bill, has to say to that, and my hon. friend from North Ontario (Mr. McGillivray), and my hon. friend from Halton (Mr. Henderson) ? Did they mean by their votes to show that they were in favour of placing this Bill speedily upon the statute-book ?

Mr. McGILLIVRAY. In order that the Bill should be disposed of.

Mr. McCARTHY. That is not the language of your leader. Be careful ; no difference of opinion is tolerated on this subject. Be careful, or else you will be read out of the party. No, Sir, the vote was given by these hon. gentlemen because they desired, so far as they possibly can, to stand by their party; but they will find, as my hon. friends here have found—I venture to say that I think they must have found that, in adhering, as they did, too long to the policy of the Government with respect to this Manitoba school question, they have received no gratitude from their party leaders. There is the hon. member for West York (Mr. Wallace), the former Controller of Customs, a gentleman who remained in the Government, doing all he could to uphold his party and his friends, and when at last, in obedience to the dictates of his conscience, he was compelled to retire from the Government, he found no gratitude for his past sacrifices in their favour. He stood in the breach here, last July, defending his course in Parliament, defending his course, although he was opposed to the policy of the Government, on the ground that he was not a Cabinet Minister ; he remained with them, doing what he could to get them out of the trouble in which they were involving themselves, until it was impossible any longer, with decency, to remain a member of the Administration: and, when he leaves them, he is to be taunted, he is to be told that by the very fact that he remained in the Government up to that time, he has disqualified himself from taking the position that, as an honest man, he takes upon the floor of the House to-day. Sir, I believe we have now to recognize that the majority here are determined that we shall sit on Saturday, and we are to go through the farce of sitting on that day, and endeavouring to proceed with this important Remedial Bill. But I ask the hon. Secretary of State to recall the words I said to him, this afternoon. It is now nearly eleven o'clock. A little courtesy to the members of this House on a matter in which no principle was involved, a little consideration for the feelings of this House, would have enabled us to go to work at four o'clock this afternoon, and to have spent the time up till now in consideration of this Remedial Bill in committee. But we have got an autocrat amongst us, a czar, whose unalterable will is to be the law of this Parliament. We are to obey, we are not even to differ with him; and, if we venture to do so, we are to be trounced in a way which at one time was a terror, but which has ceased to be a terror to the members of this honourable House.

Sir CHARLES TUPPER. With the permission of the House, I desire, not to reply to the hon. gentleman——

Mr. SPEAKER. The hon. member has spoken.

Sir CHARLES TUPPER. I have spoken, but, with the indulgence of the House, I was going to confine myself to a single question.

Mr. MULOCK. Your colleague has moved the adjournment of the House.

Sir CHARLES TUPPER. I have only a single question.

Mr. McCARTHY. I think the adjournment has been moved.

Sir CHARLES TUPPER. The hon. gentleman has taken advantage——

Mr. McCARTHY. Order, order.

Mr. HAGGART. I have but a few words to say, in reply to the hon. gentleman who has just taken his seat. The hon. gentleman makes very grave and serious charges against my hon. friend the leader of the Government. He first charges him with conniving with parties who had left the Government some time ago, against the Premier of the Government, for the purpose of making himself the Premier. I say to the hon. member for North Simcoe that there is not a word of truth in his statement. That hon. gentleman had never communication with us on the subject, and, if we left at the time we did, it was with no intention on our part of making him leader, and he was not a party to it at all. Every hon. gentleman who was a colleague of mine at the same time, and left at the same time, will bear me out in my statement. The hon. gentleman threatens the members of this House. Who is this god who strides over the whole of this Parliament, that we are to stand at his beck and call, and to crawl under his feet? Who is he that tells us that the members of this House are to be dictated to, that, if we do not vote in the particular direction the hon. gentleman tells us to vote, we shall not be returned as members of this House? The language is unparliamentary; any threats of that kind are against the rules of the House. Such language is very seldom used in the House. No hon. gentleman ever used such language who is acquainted with parliamentary practice—threatening hon. gentlemen that, if they do not obey their conscientious convictions, they will not be returned again at the next election. I might retort upon the hon. gentleman, and tell him that he will have hard work to get back to this House. When he says that the country is aflame upon this question, where are the public meetings throughout the country? Where is the flame that he strives to stir up in reference to this measure? His agitation has fallen as flat as possible in the country. The whole object of the hon. gentleman is to prevent this question being settled by the present Parliament, in order that he may prevent the honest opinion of the country being obtained upon the administration of the Government and upon its trade policy, in order to gratify his little vanity in being able to present a religious question upon which to divide the parties and the country. Is not that the sole object? Does not the hon. gentleman know that this question was before the House for the last five or six years, and that the Government promised this House last session that this session would be called for the purpose of passing this measure? Was not sufficient notice given to the country? Did not the country know that a Remedial Bill would be introduced, and that it would be pressed to a conclusion at this meeting of Parliament? And yet the hon. gentleman says that the country has not given us a mandate to consider this Bill. The country is unanimous in the desire that the question should be settled. The hon. gentleman will find, when he goes to the country, how little bigotry there is, how little of this kind of stuff there is among the electorate of Canada. The hon. gentleman pitches into my hon. friend the Secretary of State, and uses similar language to that he used towards me some time ago, and says that he has not fallen low enough to pay attention to the opinions of the leader of this House? Well, Sir, he has fallen low enough to alter his opinions about the leader of this House. Let me quote from a speech which the hon. gentleman delivered in December, 1894, when Sir John Thompson was Premier. Speaking about the Secretary of State, the hon. gentleman said:

> No man felt ashamed to acknowledge Sir John Macdonald and Sir Charles Tupper as their leaders.

The hon. gentleman, it appears, has changed his opinion since then. What is the reason of his change of opinion within this short period? He has been acquainted with the hon. Secretary of State for twenty years, and only a short time ago he was proud to acknowledge the leadership of Sir Charles Tupper. But now the hon. gentleman says he has not sunk low enough to care anything about the opinion of the leader of the House at the present moment.

Mr. McCARTHY. Hear, hear.

Sir CHARLES TUPPER. Read his remarks; they only occupy a dozen lines.

Mr. HAGGART. The hon. gentleman said:

> No man felt ashamed to acknowledge Sir John Macdonald and Sir Charles Tupper as their leaders; no man need feel ashamed to look back at the leadership of Mr. Alexander Mackenzie,—at all events we were never ashamed of them. But look at these men now in power and you will hang your head in shame.

Mr. McCARTHY. Who were they?

Mr. HAGGART. At this late hour of the night, and as I shall have many opportunities of speaking on the Bill in committee, I do not wish to act contrary to the rules of the House by taking up time in discussing a subject foreign to the motion before the House. I have only spoken these few words in reply to the hon. gentleman who made an attack on the leader of the House. The hon. gentleman says I am not afraid of the threats of the leader of the Government on this question. We do not threaten the hon. gentleman. And let me tell him that we are not afraid of his threats. We do not care one cent about them, we are prepared to meet him at every time the hon. gentleman thinks proper, and I may say to him in reply, using similar language to that used by himself, that the result will be known, and it will not be to his advantage, after the elections have been held.

House divided:

YEAS:

Messieurs

Bain,
Borden,
Boston,
Campbell,
Cartwright (Sir Rich'd.),
Casey,
Colter,
Davies (P.E.I.),
Dawson,
Edgar,
Grieve,
Harwood,
Innes,
Landerkin,
McCarthy,
McMillan,
McNeill,
Mills (Bothwell),
Mulock,
Paterson (Brant),
Perry,
Rider,
Sanborn,
Semple,
Sproule,
Stubbs,
Sutherland,
Tyrwhitt,
Welsh, and
Yeo.—30.

NAYS:

Messieurs

Angers,
Beausoleil,
Béchard,
Belley,
Bergeron,
Bergin,
Bernier,
Blanchard,
Boyd,
Boyle,
Brodeur,
Cameron (Inverness),
Carling (Sir John),
Carpenter,
Caron (Sir Adolphe),
Choquette,
Cleveland,
Cochrane,
Costigan,
Daly,
Davin,
Davis (Alberta),
Delisle,
Desaulniers,
Devlin,
Dugas,
Dupont,
Dyer,
Earle,
Fairbairn,
Ferguson (Leeds and Grenville),
Ferguson (Renfrew),
Fréchette,
Frémont,
Gillies,
Girouard,
Grandbois,
Grant (Sir James),
Guay,
Guillet,
Haggart,
Hazen,
Henderson,
Ingram,
Ives,
Jeannotte,
Kaulbach,
Kenny,
Lachapelle,
Langevin (Sir Hector),
LaRivière,
Leclair,
Leduc,
Lépine,
Lippé,
Macdonald (King's),
Macdonell (Algoma),
Macdowall,
McAlister,
McDonald (Assiniboia),
McDonald (Victoria),
McDougald (Pictou),
McDougall (Cape Breton)
McGillivray,
McInerney,
McIsaac,
McKay,
McLean (King's),
McLennan,
McLeod,
Marshall,
Masson,
Metcalfe,
Mignault,
Mills (Annapolis),
Northrup,
Ouimet,
Patterson (Colchester),
Pelletier,
Powell,
Prior,
Proulx,
Robillard,
Robinson,
Smith (Ontario),
Stairs,
Tarte,
Taylor,
Temple,
Tupper (Sir Charles),
Turcotte,
Wallace,
White (Shelburne),
Wilmot,
Wilson, and
Wood.—96.

PAIRS:

Messieurs

Haslam,	McShane,
Dickey,	Préfontaine,
Smith (Sir Donald),	Geoffrion,
Joncas,	Macdonald (Huron),
Cleveland,	Lavergne,
Chesley,	Forbes.

Mr. TAYLOR. The hon. member for Assiniboia (Mr. Davin) and the hon. member for Richmond and Wolfe (Mr. Cleveland) have not voted.

Mr. DAVIN. I am paired with the hon. member for Argenteuil (Mr. Christie), but I would have voted against the amendment.

Mr. CLEVELAND. I am paired with the hon. member for Drummond and Arthabaska (Mr. Lavergne); otherwise, I would have voted against the amendment.

Mr. SUTHERLAND. Those were pairs not made to apply to these amendments.

Mr. DAVIN. Then I vote against the amendment.

Mr. CLEVELAND. I vote against the amendment.

Amendment negatived.

Motion, as amended, agreed to.

BUSINESS OF THE HOUSE.

Sir CHARLES TUPPER. I desire to move, with the consent of the House:

> That when the House adjourns this day it stands adjourned until Saturday next at 10 o'clock a.m.

Motion agreed to.

SUPPLEMENTARY ESTIMATES.

Sir RICHARD CARTWRIGHT. Before the Orders of the Day are called, I take the opportunity of reminding the leader of the House that the Supplementary Estimates, which were promised, have not been brought down to-day.

Sir CHARLES TUPPER. I will mention to the Finance Minister that the hon. member for South Oxford has called attention to the fact, and I presume he will have them promptly brought down.

Sir RICHARD CARTWRIGHT. I call attention to the fact that the hon. gentleman positively promised to bring them down to-day. He made a distinct promise some time ago to bring them down last Monday, and he positively promised to lay them on the Table to-day. I do not think, unless there is some grave reason to the contrary, and of that the Secretary of State ought to be aware, that the House has been fairly or properly treated with respect to these Supplementary Estimates. Over and over again, I have called the attention of the Government to them, and over and over again pledges have been made—a positive pledge was made for Monday, and it was renewed for to-day. These Supplementary Estimates ought to have been laid on the Table, and the Minister should be prepared to give some satisfactory explanation as to the reason why they have not been produced.

Sir CHARLES TUPPER. I may mention for the information of the hon. gentleman, that the Finance Minister is not well, and if he had been able to be in his place, no doubt he would be able to give a satisfactory explanation.

OFFICIAL REPORT OF DEBATES.

Mr. BRODEUR. I desire to call attention to a mistake which appears in the official report of the debate of 31st March last. The Remedial Bill was being discussed, and on section 3 an amendment was moved by the hon. member for Antigonish (Mr. McIsaac), and, so far as I remember, the amendment was declared lost. I see, however, in the official report that the amendment was declared carried. That statement in the unrevised edition of the debates is clearly a mistake, and it is proper that attention should be called to the fact.

Mr. BERGERON. My attention having been called to the fact I notified the chief of the official reporting staff, Mr. Bradley, that the amendment of Mr. McIsaac has been lost, and he has already corrected it. That will be corrected in the revised edition. The clause was carried as amended, but it was another amendment which was not understood by the reporter.

THE COMMISSION TO WINNIPEG.

Mr. McCARTHY. I think it would be convenient if we knew what the fate of the commission to Winnipeg had been. We see in the press that the commissioners are on their way back. Perhaps the Secretary of State could give the House some information as to what has been the result of the negotiations.

Sir CHARLES TUPPER. I am not in a position to make any communication to the House on this subject at this sitting.

THE REMEDIAL ACT (MANITOBA).

House again resolved itself into committee on Bill (No. 58) the Remedial Act (Manitoba).

(In the Committee.)

Sir RICHARD CARTWRIGHT. Mr. Chairman, I suggest that it would be for the convenience of the House if you take each of these subsections separately. It is obvious that it would be rather inconvenient to discuss eight or nine distinct subsections together, and it would not facilitate business.

Sir CHARLES TUPPER. Hear, hear.

On section 4, subsection (a).

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

Mr. MILLS (Bothwell). I would like to ask the leader of the House, how he reconciles this provision with the section which goes before it. The previous section puts the regulations in the Department of Education, and that is a distinct body from this. This seems to be a copy to some extent of the old provision in the Manitoba Act, where the Department of Education was composed of two boards, the Protestant and the Catholic. Those two boards together constituted the Department of Education. Each of these had specific functions, and there were certain functions discharged by the two bodies as a board of education. Under this provision, it would seem that the Department of Education might make from time to time certain regulations, which is, under the law as it now stands, a wholly distinct body. I do not see how you are to reconcile the provisions of one section with those of the other.

Mr. OUIMET. There is the same apparent clashing, if there is a clashing, existing in the law before 1890. Section 3 of the old Act read :

> It shall be the duty of the board——

That is the joint board.

> It shall be the duty of the board from time to time to make such regulations as they see fit for the general organization of the schools.

And then the following section went on to say :

> The board shall resolve itself into two sections, the one consisting of the Protestant and the other of the Roman Catholic members thereof, and it shall be the duty of each section to have under its control and management the common schools and to make from time to time such regulations as they may deem fit for their general government and discipline and the carrying on of the provisions of this Act.

Mr. MILLS (Bothwell). These were two sections of the same body and could regulate matters between them, but here the Department of Education is a distinct body.

Mr. OUIMET. The present separate school board represents the Catholic section of the late joint board, and the Department of Education now represents the joint board, and that is the reason why the law has been made to fit with the old law in order that no objection could be raised that we have given to the separate school board any more power than the Catholic section of the joint board had in virtue of the old law.

Mr. MILLS (Bothwell). Suppose this were to pass into law just as it stands, what functions fall to the Department of Education, and what functions fall to the Board of Education ?

Mr. OUIMET. They are enumerated in section 4.

Mr. MILLS (Bothwell). Not at all.

Mr. EDGAR. As far as I can make out, this Bill is a slavish copy of Mr. Ewart's draft Bill which he submitted to the Privy Council of Canada, and there has been a most extraordinary error committed which the Minister of Public Works does not seem to have apprehended. The Department of Education mentioned in section 3, was not in existence under the Consolidated School Act of 1881. There was no Department of Education at all, but there was an advisory board which was not a department of education, or a separate school board as we have here. The hon. gentleman (Mr. Ouimet) is altogether wrong in the explanation he gave to the committee. This has been copied from the draft of Mr. Ewart, and they fell into the error in that way.

Mr. OUIMET. I have not read from Mr. Ewart's draft Bill, but from the law which was in existence before 1890.

Mr. EDGAR. The hon. gentleman does not find in section 3 the "Department of Education" in that law.

Mr. OUIMET. No, but I find the joint board mentioned.

Mr. EDGAR. That was another thing altogether. That was an advisory board, but here we have recognized the Department of Education which was only created in 1890. The extraordinary provisions of this Bill are, that in section 3 which has already passed, you have recognized the Department of Education of the Government, and you say that that Department of Education shall make such regulations as they from time to time see fit for the general organization of the separate schools. That was supposed, by this House, to be a very proper arrangement to make, but in section 4, which we are now considering you refer to the duties of the Board of Education, which by the way is not properly described in that section, for I think that the "Separate School Board of Education" is the proper name of that board. That Board of Education is created here, and is given concurrent jurisdiction with the Department of Education in the province of Manitoba. That department has power, from time to time, to make such regulations as it may think fit for the general organization of the separate schools. If that is so, of what worth is subsection "a" for giving the Board of Education, a mere creature of this Act, the power to make, from time to time, such regulations as they may deem fit for the general government and discipline of the separate schools, and the carrying out of the provisions of this Act ? That was put into this Bill by mistake. That was the provision when there was an advisory board, and no Department of Education. You have first given the Department of Education, created in 1890, the power to make regulation ; and now you are proposing, in this section to give the Board of Education the same power, simply because it is copied from an Act which gave certain duties to the old Advisory Board when the Department of Education was not in existence, and when the Advisory Board was in existence, and was the only authority on school questions. So I say this Bill has been shovelled together without any intelligent understanding of what has been arranged, and it should be reconsidered.

Mr. DALY. I think I can set the hon. gentleman right. Prior to 1890 there was no such thing as an advisory board, but there was a general Board of Education, consisting of Protestant representatives and Roman Catholic representatives. The general board had certain duties, prescribed by the Act of 1881, amongst which was the duty referred to in subsection 2 of section 3 of this Bill, namely, to make, from time to time, such regulations as they may think fit for the general organization of the separate schools. In addition to that, certain duties were cast upon the Roman Catholic section, and certain duties upon the Protestant section of the board. Among those duties were those we create by section 4 of this Bill. It may seem anomalous to the hon. gentleman, but under the old Act the general board had the power we give under section 3, that is, the organization of the whole system. After 1890, the Department of Education had imposed upon it the duties of the old Board of Education, and we vest in the Department of Education the same powers that the general board formerly had. we could not give to the Board of Education which we create by this Act, the powers which the Board of Education enjoyed prior to 1890, that is, the general organization of the separate schools; so we give it to the Department of Education.

Mr. DAVIES (P.E.I.) I think the hon. gentleman has misunderstood the law altogether. I will show him how. The statement has been made, and I accept it, that you have no desire or intention to give to the separate school board in Manitoba greater powers than they enjoyed before 1890. If you will look at the law before 1890 you will find that the general organization of common schools was vested in the Board of Education. The general organization embraced everything except the specific powers granted to the separate board. What were those separate powers? If we ascertain what they were, and if we do not intend to go beyond them, we shall see whether they included the powers you propose to give here. Their power was simply to determine the discipline in the schools.

Mr. DALY. No.

Mr. DAVIES (P.E.I.) Will the hon. gentleman allow me to read from the judgment of Mr. Justice Dubuc in the celebrated Barrett case? He says:

> The duties of the board were described as follows:—1st. To make from time to time such regulations as they may think fit for the general organization of the common schools. 2nd. To select books, maps and globes to be used in the common schools, due regard being had in such selection to the choice of English books, maps and globes for the English schools, and French for the French schools, but the authority hereby given is not to extend to the selection of books having reference to religion or morals, the selection of such being regulated by a subsequent clause of this Act. 3rd. To alter and subdivide, with the sanction of the Lieutenant-Governor in Council, any school district established by this Act.

The hon. gentleman sees that the general board had the general organization of the schools, the power to select all the books, except the books relating to religion and morals, and the power to subdivide the districts. When they came to give powers to the separate board, what did they do? This is the wording of the Act:

> The general board was divided into two sections, and among the duties of each section we find the following:—Each section shall have under its control and management the discipline of the schools of the section; it shall make rules and regulations for the examination, grading and licensing of teachers, and for the withdrawal of licenses on sufficient cause; it shall prescribe such of the books to be used in the schools of the section as have reference to religion or morals.

Now, I think we understand distinctly what the powers of the separate school board were—simply to control discipline, the licensing of teachers and the withdrawal of licenses, and the selection of those books which pertained to religion and morals. They had not more. Now, you are giving them not only more, but the entire powers which, up to 1890, were vested in the general board. Can you do that?

Mr. DALY. Yes. I will tell the hon. gentleman that he is entirely wrong.

Mr. DAVIES (P.E.I.) I have read from the statute.

Mr. DALY. He has not read from the statute, but from a summary of the statute made by Mr. Justice Dubuc. I will now read what the statute says:

> The board shall resolve itself into two sections, the one consisting of the Protestant and the other of the Roman Catholic members thereof; and it shall be the duty of each section:
>
> To have under its control and management the schools of the section, and to make from time to time such regulations as may be deemed fit for their general government and discipline, and for the carrying out of the provisions of this Act.
>
> To arrange for the proper examination, grading and licensing of its teachers, the recognition of certificates obtained elsewhere, and for the withdrawing of the license upon sufficient cause.
>
> To select all the books, maps and globes to be used in the schools under its control, and to approve of the plans for the construction of school-houses; provided, however, that in the case of books having reference to religion and morals, such selection by the Catholic section of the board shall be subject to the approval of the competent religious authority.

These are from the Act of 1881. The next is from the Act of 1884:

> To make regulations regarding the selection of school sites, the size of school grounds, and the formation and alteration of all school districts under its authority.

These sections correspond with the subsections of section 4 of this Bill, with slight alterations to make them fit into the conditions we seek to create by this Act.

Mr. EDGAR. There is one thing which I think we should hesitate about very much. A Department of Education has been created in Manitoba by the Act of 1890, as a department of government. That is recognized in section 3, which we have already adopted, and it is authorized to make, from time to time, such regulations as it may think fit for the general organization of the separate schools. That is the chief educational body in the province of Manitoba, and it is fully recognized in section 3, which we have passed. How are the schools managed now, in addition to the Department of Education? They are managed by an advisory board, which is created by the same Act of 1890 that creates the Department of Education; and I do not think that this board of education which we are creating here to take charge of the schools of the minority, should have greater powers given it than are given to the advisory board under the Act of 1890. Now that we have recognized the Department of Education, as we do in section 3, it would be most unreasonable to give to the small board created here for the regulation of separate schools, powers inconsistent with those given the larger department.

Mr. DALY. By subsection 2 of section 3, we give the Department of Education the powers that the whole Board of Education enjoyed prior to 1890. By section 4 we give to the Board of Education, which we create by this Act, the powers that the Roman Catholic section of the board enjoyed previous to 1890.

Mr. WALLACE. The point made by the hon. member for West Ontario is this. There is an advisory board now to carry out the Public School Act of 1890. This board is given certain powers, which are considered ample; but the complaint with regard to this Bill is that the Board of Education created by it, and which will represent not more than 10 per cent of the interests, the school-houses and the number of scholars, represented by the advisory board, is given greater powers than that board. It is given powers which, by the Act of 1890, are not considered necessary in the case of the advisory board, governing nine-tenths of the schools, and which, therefore, ought not to be necessary in the case of this board, governing only one-tenth of the schools.

Mr. DALY. I cannot incorporate in this law any of the powers that the advisory board have at this time, but we have to give to the board we create the same powers which the Roman Catholic section of the Board of Education enjoyed prior to 1890.

Mr. WALLACE. The Privy Council of England said that was not at all necessary.

Mr. DALY. Certainly not, if it had been done by the legislature of Manitoba. It was not essential that the law should be restored in its entirety, if the legislature of Manitoba provided the remedy; but we, in this Parliament, have to legislate exactly on the lines of the law, as it stood prior to 1890.

Mr. MILLS (Bothwell). No.

Mr. DALY. That is my opinion, and we are not giving them any greater powers than they had prior to 1890.

Mr. DAVIES (P.E.I.) You do not propose to restrict or limit?

Mr. DALY. Only in accord with the way they were restricted previous to 1890.

Mr. DAVIES (P.E.I.) You do not make any new restriction or limitation?

Mr. DALY. I daresay we have the power to limit them; but not to increase them. We simply give by section 4 the powers which the Catholic section of the Board of Education had in 1890, and are not giving it any greater powers. It is to restore to them the rights they enjoyed under the legislation prior to 1890.

Mr. EDGAR. Why do you give the Department of Education the power you do under section 3?

Mr. DALY. We are giving to the Department of Education the power held by the Board of Education prior to 1890, because the Department of Education takes the place of the Board of Education. And under section 4 we are giving the power enjoyed by the Roman Catholic section of the board.

Mr. McNEILL. I just wish to call my hon. friend's attention for a moment to an error into which he has unintentionally fallen in regard to this matter. He says that the Lord Chancellor, in stating the opinion of the court—judgment as it is called here—was referring to what the Government of Manitoba was to do in regard to this——

Mr. DALY. The legislature of Manitoba.

Mr. McNEILL. The legislature—the government—of Manitoba. The words referred to by my hon. friend were these:

> It is certainly not essential that the statutes repealed by the Act of 1890 should be re-enacted, or that the precise provisions of these statutes should again be made law.

When that is pointed out the hon. gentleman says that this remark was not made with regard to this House, but with regard to the legislature of Manitoba. Now, if the hon. gentleman will look back only a few lines he will find the following:—

> The further question is submitted whether the Governor General in Council has power to make the declarations or remedial orders asked for in the memorials or petitions, or has any other jurisdiction in the premises. Their lordships have decided that the Governor General in

Council has jurisdiction, and that the appeal is well founded, but the particular course to be pursued must be determined by the authorities to whom it has been committed by the statute. It is not for this tribunal to intimate the precise steps to be taken. Their general character is sufficiently defined by the 3rd subsection of section 22 of the Manitoba Act.

It then goes on, "It is certainly not essential that the statutes," &c., as I have quoted. When the hon. gentleman reads these words and looks at the judgment again, I think he will admit that he has fallen into an error, because I do not think it is possible to have anything much clearer than these words as to what is to be done here, and as to what is to be done in Manitoba. The truth is that the Government are going altogether beyond what even the widest interpretation can be covered by the words of the judgment, beyond what is in their power to do. For my own part, I have always held, and still hold, that these words were not intended as an instruction as to what should be done here; they were merely words expressing the opinion of the court on the question of law.

Sir CHARLES TUPPER. If the hon. gentleman will allow me, I would like to move that the committee rise and report progress, and ask leave to sit again. It is just on the hour of twelve.

Motion agreed to, and committee rose and reported progress.

Sir CHARLES TUPPER moved the adjournment of the House.

Sir RICHARD CARTWRIGHT. I understand that the hon. gentleman intends to proceed with the Bill at once on the opening of the House on Saturday.

Sir CHARLES TUPPER. Yes; and to meet the views of the hon. gentlemen opposite, and especially of the hon. member for South Oxford (Sir Richard Cartwright), I hope we shall meet at ten o'clock, ready to do a substantial day's work.

Mr. DAVIES (P.E.I.) I should like to ask the Minister who is acting for the Minister of Justice, whether he could let some of the members who take an interest in the details of the Bill, have copies of the statutes of Manitoba, which, I understand, have been printed in pamphlet form.

Mr. McCARTHY. They have not only printed the revised statutes, but the new law which will form a considerable item of discussion, and copies can be obtained. I happen to have a copy, and it is very convenient. The law my hon. friend from West Ontario (Mr. Edgar) referred to was the law of 1890. That has been revised and amended.

Mr. DAVIES (P.E.I.) They would greatly facilitate discussion.

Mr. DALY. I fancy the hon. member for Queen's (Mr. Davies) and the hon. member for North Simcoe (Mr. McCarthy) are referring to different things. The hon. member for Queen's, I understand, spoke of the Acts prior to 1890. If there are copies to be had I will get them and give them to the members especially interested, particularly the legal gentlemen of the House.

Motion agreed to, and House adjourned at 12 o'clock (midnight).

HOUSE OF COMMONS.

SATURDAY, 4th April, 1896.

Morning Sitting.

The SPEAKER took the Chair at Ten o'clock, a.m.

PRAYERS.

OMISSION FROM VOTES AND PROCEEDINGS.

Mr. EDGAR. Before the Government notices of motions are taken up, I wish to bring up a subject which is a matter of privilege, in connection with the Votes and Proceedings of the last sitting of the House, and to which I would like to draw your attention for a few minutes. I do not think the Votes and Proceedings, as they are in our hands to-day, correctly show the proceedings of the House on Thursday last. A motion was made by the leader of the House, as appears in full in "Hansard." There is no dispute whatever about the fact that that motion was made by the leader of the House, it was placed in your hands, and put to the House; and that motion was dealt with in some way, of course. After it became a question, having been put from the Chair and debated, I contend that that motion should appear on the Votes and Proceedings of that day in some way or other, that it should not be ignored. What is very clear on that point, I find in Bourinot, on page 216. The clerk is to make true entries, remembrances, and journals of the things done and passed in the House of Commons. These are to be looked over and approved and signed by Mr. Speaker, as has been done in this case. I find, also, at page 369 of Bourinot, that:

> No motion is regularly before the House until it has been read, or in Parliamentary language, proposed from the Chair, when it becomes a question. When the House is in this way formally seized of the question, it may be debated——

As this one was, Mr. Speaker.

> ——amended, superseded, resolved in the affirmative, or passed in the negative, as the House may decide.

Now, Sir, I would like the Votes and Proceedings to show what the nature of that motion was. Bourinot goes on

> If a motion be out of order, the Speaker will call attention to the irregularity, and refuse to put it to the House under the 37th Rule.

That rule is this :

> Whenever the Speaker is of the opinion that a motion offered to the House is contrary to the rules and privileges of Parliament, he shall apprise the House thereof immediately, before putting the question thereon, and quote the rule or authority applicable to the case.

Now, Mr. Speaker, there is no doubt whatever that you put the motion to the House before your attention was called to the irregularity of that motion ; therefore, it was a motion before this House. Well, how could that be withdrawn or disposed of ? Turning to page 370 of Bourinot, we find that :

> Motions are frequently proposed and then withdrawn, but this can be done under the 31st Rule of the Commons only by leave of the House, such leave being granted without any negative voice.

Now, Sir, that was not done in this case ; that motion was not withdrawn by leave of the House, leave was not granted, if it were asked :

> The motion, when proposed from the Chair, must appear in the Journals as withdrawn with the leave of the House.

Mr. DAVIN. The Journals ?

Mr. EDGAR. The Votes and Proceedings are the duplicates of the Journals. The Journals are not yet ready, but the Journals, by the rules of Parliament, are duplicates of the Votes and Proceedings.

Mr. DAVIN. No, they are not.

Mr. EDGAR. I am raising a question of the Votes and Proceedings that we have before us ; I cannot raise that question as to the Journals before we have the Journals. What I contend, Mr. Speaker, is that our Journals should set forth the facts directly, and that we should know whether it is possible to have a motion such as Sir Charles Tupper moved, ignored altogether on our Votes and Proceedings. This is the motion he moved :

> Sir Charles Tupper moved that for the remainder of this session the House shall sit on Saturday.

The Votes and Proceedings say that :

> Sir Charles Tupper moved that after Monday next, for the remainder of the session, the House shall sit on Saturday.

We know that notice had been given of the one that appears on the Votes and Proceedings, but notice had not been given of the other. However, that is not the point. I do not want to go back on these questions, only I would like to have the Votes and Proceedings a correct transcript of the business of the House ; also, to have it understood whether a resolution which has been moved by a member of the House, and put from the Chair, can disappear from the Votes and Proceedings, and no record made thereof.

Mr. SPEAKER. The question that has been raised by the hon. member for West Ontario (Mr. Edgar) is to whether a motion which I declared out of order, and one that could not be put as not being in accordance with the notice that had been given, should appear upon our Journals. I have not examined this question very carefully, but my recollection is that questions of that kind do not appear upon the Journals. The motion, it will be understood was not withdrawn, it was ruled out of order. Properly speaking, as I stated the other day, I should have declared the motion out of order when it was placed in my hands, but I had improperly, perhaps, assumed that the House would agree to have the motion put in the amended form. The moment the question was raised, I ruled the motion out of order ; and, consequently, it seems to me that under our procedure, that motion should not appear upon the Votes and Proceedings. It was not a motion that was withdrawn by leave of the House, but a motion that the Speaker declared out of order, and not in accordance with the notice that has been placed upon the Order paper.

Mr. CHARLTON. The facts of the case, as I remember them, are as follows :—The leader of the House put this motion in a garbled form, not in the form in which it appeared upon the Order paper. The motion made by the leader of the House in this garbled form, omitting the words, "after Monday next," was placed in your hands, and by you was put to the House. It being put to the House by Mr. Speaker, I rose in my place and called the attention of the House to the fact that you had put a motion to the House, moved by the leader of the House, that did not appear upon the Order paper, and I challenged the propriety of the motion. Now, I think if a motion is made by the leader of the House, if that motion passes to the hands of the Speaker, and by the Speaker is put to the House, and then the motion is challenged on the ground that it is not in accordance with the motion upon the Order paper, certainly some record of that proceeding should appear. There was evidently some intention on the part of the leader of the House in dropping those words, it could not have been done unintentionally. The leader of the House, no doubt, was aware of the fact that this motion, as it stood upon the Order paper, if put would preclude this House from sitting upon the day upon which we are sitting now, the following Saturday ; and for that reason, the motion was so garbled, and came very near slipping through. Now, the proceeding was in the highest degree irregular ; it betrayed a disposition, at least it would lead to the suspicion, that there might have been a disposition on the part of the Government to steal an advantage, which should not have been stolen in this way.

Some hon. MEMBERS. Order, order.

Mr. CHARLTON. Well, he would have obtained an advantage. I withdraw the word "stolen," and substitute the word, "obtained." He would have obtained an advantage in having the motion put this way that he would not have been entitled to obtain if the motion had been put as it appeared on the paper. The whole proceeding was irregular, and somewhat of the character of the proceeding when a telegram was read in this House, and the essential part of it left out. I think we should have some record of this proceeding.

Sir CHARLES TUPPER. Mr. Speaker, I rise to a question of order. I submit that the hon. gentleman is entirely out of order. This question has been raised, you have given your decision upon it, and it is disposed of. The hon. gentleman can appeal from the decisions of the Chair, if he chooses: but it is entirely out of order to proceed with the discussion of a question against Mr. Speaker's ruling.

Mr. McCARTHY. It is not a question of order, as I understand it. An hon. gentleman has drawn attention to what he considers to be an omission in our minutes. I do not understand that that was brought up as a question of order, but as a question of privilege, and that what you, Mr. Speaker, have stated was your own personal impression with respect to the question of practice, as to what would or should not appeal in our minutes. I did not, and do not, understand that this is to be treated as a question of order. Certainly, I desire to say a word with respect to it: I do not want to interrupt my hon. friend, but simply to point out that it is not a question of order.

Mr. SPEAKER. Government orders.

Mr. McCARTHY. I do not understand, Mr. Speaker, whether you have ruled that this is a question of order. I desire to express my opinion on that point. I have already pointed out that, in my opinion, it is not a question of order.

Some hon. MEMBERS. Chair.

Mr. McCARTHY. I can put myself in order.

Mr. SPEAKER. If the hon. gentleman raises a question of privilege, he must make a motion of some kind.

Mr. CHARLTON. As regards the hon. member for Simcoe and myself, I simply kept my seat to allow my hon. friend to proceed.

Some hon. MEMBERS. Order.

Mr. MULOCK. Coercion.

Mr. FOSTER. Obstruction.

Mr. SPEAKER. There is nothing before the Chair at the present moment. If any question of privilege is to be raised, a motion must be made. If it is a question of order and procedure, I have already expressed my opinion on it.

Mr. CHARLTON. I will move that it is an infringement of the privileges of this House that the Votes and Proceedings should be garbled in order to conceal from the public the character of a motion moved by the leader of the House.

Mr. SPEAKER. Let the hon. member put his motion in writing.

Mr. FOSTER. Hon. gentlemen are starting out well. This is the result of Good Friday's devotions.

Mr. CHARLTON. I now move:

> That the Votes and Proceedings should correctly show the proceedings and transactions of the House.

Mr. LaRIVIERE. The hon. gentleman has spoken already on the question, and so he is precluded from moving the motion. I raise that point of order.

Mr. SPEAKER. The point of order is not well taken.

Mr. McCARTHY. What I desired to say was this, that while I am not competent to quarrel with you, Mr. Speaker, or attempt to differ with you on a point of practice, still, as you have merely given your recollection of it, I venture to think it cannot be in accordance with practice that when a motion or amendment is moved and that motion is put in the hands of the Speaker, the fact with respect to it should not appear on the minutes. We might have been debating that motion all Wednesday, and might have thrown it over only during the last few moments before the House rose, and if the opinion expressed by the Chair is correct, then it would follow that the minutes should show that we met at such an hour, three o'clock, in the afternoon, and adjourned at such an hour in the evening, and that no proceedings at all had taken place, that nothing had been done. It is a fact that these minutes are not correct. It is a fact that the leader of the House did, on Thursday last, make a motion, which was put from the Chair, which was discussed, and as to which a point of order was taken. You, Mr. Speaker, ruled in favour of the point of order, and the motion was therefore declared to be out of order. That circumstance, in my humble opinion, should appear upon the minutes, and it is well that we should know exactly what the practice is, and therefore, I think, it is important that attention should be called to this matter.

Mr. SPEAKER. Allow me to read the motion again. Mr. Charlton moves, seconded by Mr. Mulock:

That the Votes and Proceedings should correctly show the proceedings and transactions of the House.

Sir **CHARLES TUPPER.** I rise for the purpose of moving, in amendment :

That all the words after the word "That" in the main motion be struck out, and the following words added instead thereof :—" the House do now proceed to the Orders of the Day."

Mr. **EDGAR.** I think it is rather extraordinary that the leader of the House should oppose such a thoroughly correct resolution as that moved by the hon. member for North Norfolk. Does the leader of the House mean to say that the Votes and Proceedings should not correctly show the proceedings that have taken place ?

Sir **CHARLES TUPPER.** Will the hon. gentleman allow me to answer that question ?

Mr. **EDGAR.** Certainly.

Sir **CHARLES TUPPER.** Then I say that if an hon. member moves, for the purpose of preventing the business of the House, that the sun rises in the east, it is perfectly proper for the leader of the House to move that the House proceed to consider the Orders of the Day.

Mr. **EDGAR.** I think the leader of the House has moved a motion which affords an exceedingly large field for discussion. If hon. members desire to discuss it, and he has moved a motion which affords just as large a field for discussion as a motion to adjourn the House. I think facilities for discussion, or for delaying important business, as the leader of the House chooses to put it, have been afforded to by the motion which the hon. gentleman has moved.

Mr. **FOSTER.** Which you deplore.

Mr. **EDGAR.** I cannot help thinking that the Votes and Proceedings of Thursday do not correctly state what was done in this House. I should like to know whether the First Minister himself will say that he did not move a different motion from that which appears in the Votes and Proceedings ? I should like to know from the First Minister himself whether he will say that the motion was ruled out of order before it was put to the House, and that the practice, as laid down, is not that when a motion is put before the House it becomes the question before the House. If the Votes and Proceedings are not correct, we have no certainty at all of the business of the House being properly recorded. I admit, Sir, that you did not rule this out of order before you put it to the House. Then, Sir, I think you will find that the practice of this House has been, that when it has not been ruled out of order it becomes a question which is to be disposed of and recorded. If you rule it out of order afterwards, it is a question which, the moment it is put from the Chair, should appear on the Journals.

Sir **RICHARD CARTWRIGHT.** I think on the whole it would be better for the hon. gentleman (Sir Charles Tupper) to withdraw his amendment, and I will ask my hon. friend (Mr. Charlton) to withdraw his motion. I am sure my hon. friend (Mr. Charlton) did not make the motion for the purpose of obstruction, but for the purpose he stated. At the same time, I agree with the leader of the House that it would be an unfortunate thing if we were dragged at this hour of the morning into a debate which might last several hours.

Sir **CHARLES TUPPER.** My only object is to be able to proceed with the business of the House, and I would be most happy to withdraw the amendment if the hon. gentleman (Mr. Charlton) withdraws his motion.

Mr. **CHARLTON.** Of course I have no desire to obstruct the business of this House, and I beg at this moment to assert that the hon. leader of the House in making that assertion in regard to me was quite mistaken. The purport of my motion is that the proceedings of this House should be faithfully recorded, and any member who thinks the record of the proceedings should be garbled will vote against my motion. When this matter was brought under discussion on Thursday, I felt called upon to criticise the leader of the House for moving a motion that was not on the Order paper. I am within my rights as a member of Parliament, and I was discharging my duties to the country, in moving that the proceedings of this House should be faithfully recorded. There should be no shadow of an opportunity to charge that there has been a manipulation of the records of the House, and in that sense I offer this motion. I repudiate the assertion made by the leader of the House that my motion was made for the purpose of delaying the proceedings of the House. My motion is one which would receive the assent of the House, but nevertheless as I have been requested to withdraw the motion by my hon. friend (Sir Richard Cartwright) I am quite willing to do so.

Mr. **SPROULE.** Let the motion be disposed of.

Mr. **SPEAKER.** Is it the pleasure of the House that the Secretary of State shall have leave to withdraw the amendment ?

Mr. **McCARTHY.** Would it not be better to make the practice right ? I would suggest, Mr. Speaker, that we pass some rule, that on your investigation of the subject the Minutes may be corrected. It does appear to me that our Votes and Proceedings should record what has taken place, and it is perfectly proper that the hon. member for North Norfolk (Mr. Charlton) should call attention to the matter. I would submit that the proper thing to do would be to pass a resolution something to this effect :

That the Votes and Proceedings of Thursday last be corrected by inserting, that Sir Charles Tupper moved that on and after Monday next, and for the remainder of the session, etc., which, on objection of order being made, was ruled out of order, and if on investigation of Mr. Speaker, the practice requires the insertion thereof.

Mr. SPEAKER. That amendment cannot be put.

Mr. McCARTHY. It is germane to the original motion.

Mr. SPEAKER. No amendment can be made to a motion for proceeding to the Orders of the Day.

Mr. McCARTHY. Then I think it better to let the motion of the hon. member for North Norfolk (Mr. Charlton) be put.

Mr. DAVIES (P.E.I.) My hon. friend who is leading the House in the absence of Mr. Laurier, advises a certain course to be taken, and I think it should be adopted. I do not see any good that is going to be obtained by pressing the motion.

Mr. MULOCK. I seconded the motion of my hon. friend (Mr. Charlton). The way the matter presents itself to my mind is this: The Secretary of State on Thursday last made a motion which you, Mr. Speaker, ruled out of order, and then, as very frequently happens, you took up the original motion and assumed it as being moved. I have frequently noticed in this House that the Chair assumes that motions are made which are not formally made, but which by common consent are supposed to be made. In this case, I think Mr. Speaker was simply endeavouring to facilitate the business of the House. It is a mere question of fact as to what occurred, and unless we import into the Votes and Proceedings some statement of fact, there is nothing to show that the records are incorrect.

Mr. SPEAKER. Is it the pleasure of the House that the Secretary of State have leave to withdraw his amendment?

Mr. McCARTHY. I do not assent, Mr. Speaker.

Sir CHARLES TUPPER. Yeas and nays, Mr. Speaker.

House divided on the amendment (Sir Charles Tupper):

YEAS:

Messieurs

Angers,
Bain,
Beausoleil,
Béchard,
Belley,
Bennett,
Bergeron,
Blanchard,
Borden,
Boyd,
Boyle,
Brodeur,
Cameron (Inverness),
Carling (Sir John),
Carpenter,
Caron (Sir Adolphe),
Cartwright (Sir Rich'd),
Cochrane,
Colter,
Costigan,
Daly,
Davies (P.E.I.),
Davin,
Davis (Alberta),
Desaulniers,
Devlin,
Dugas,
Dupont,
Dyer,
Earle,
Edgar,
Edwards,
Fairbairn,
Ferguson (Renfrew),
Foster,
Fréchette,
Frémont,
Gillies,
Gillmor,
Girouard,
Grandbois,
Grieve,
Guay,
Guillet,
Haggart,
Harwood,
Hazen,
Henderson,
Hughes,
Ingram,
Jeannotte,
Kaulbach,
Kenny,
Lachapelle,
Langevin (Sir Hector),
LaRivière,
Lépine,
Lippé,
Macdonald (King's),
Macdowall,
McAlister,
McDonald (Assiniboia),
McDougald (Pictou),
McDougall (Cape Breton),
McInerney,
McIsaac,
McLean (King's),
McLeod,
McMillan,
McNeill,
Marshall,
Masson,
Metcalfe,
Mills (Annapolis),
Mills (Bothwell),
Ouimet,
Patterson (Colchester),
Pelletier,
Perry,
Powell,
Prior,
Rider,
Robillard,
Rowand,
Sanborn,
Semple,
Smith (Ontario),
Sutherland,
Taylor,
Temple,
Tupper (Sir Charles),
Turcotte,
Wallace,
Welsh,
White (Shelburne),
Wilmot,
Wood (Brockville), and
Yeo.—99.

NAYS:

Messieurs

Charlton,
Innes,
McCarthy,
Mulock,
O'Brien,
Sproule, and
Stubbs.—7.

Amendment agreed to.

Sir RICHARD CARTWRIGHT. The hon. gentlemen had better now claim that the House is unanimously in favour of the Remedial Bill.

Sir CHARLES TUPPER. We claim, if the hon. gentleman will allow me to say so, that the House is determined to put an end to unwarrantable obstruction.

Mr. CHARLTON. Mr. Speaker.——

Mr. SPEAKER. Order. The order is to proceed with the Order of the Day.

THE REMEDIAL ACT (MANITOBA).

House again resolved itself into committee on Bill (No. 58) the Remedial Act (Manitoba).

(In the Committee.)

On section 4, subsection "a,"

Sir RICHARD CARTWRIGHT. As representing the non-legal element of this House, I may, perhaps, be pardoned, for asking for a little information. I would like to understand, from the hon. gentleman who is supplying the place of the Minister of Justice, how we are going to reconcile this clause with subsection 2 of section 3, which provides that the Department of Education may make, from time to time, such regulations as they may think fit for the general organization of the separate schools. Then you proceed, by this clause, so far as I can judge, to hand everything pretty much over to the Board of Education. It appears to me that you are creating two distinct authorities, and providing the opportunity for any imaginable quantity of contradiction and litigation. Prima facie, it appears to me that a distinct conflict of authority is likely to be caused here. I do not understand how you can give the Department of Education power to make regulations for the general organization, and, at the same time, withdraw all these powers. Or, what power do you leave to the Department of Education ?

Mr. DALY. As I explained previously to the House, under the law as it stood prior to 1890, there was a Board of Education composed of a certain number of Protestants and a certain number of Roman Catholics. That general board was vested with authority to make regulations for the general organization of separate schools. The board was divided into two sections, the Roman Catholic and the Protestant, and each of these sections was vested with certain powers for carrying out the details of the organization under the respective sections. The powers given here to the Department of Education are identical with the powers given to the general Board of Education prior in 1890. The words " general organization " means the organization of all the schools, and the specific powers given to the Board of Education created by this Act are powers that were given to the Roman Catholic section of the board prior to 1890. The words " general organization " include general supervision of all matters pertaining to the schools, outside of the specific matters which are given to the Board of Education, formed by this Act. The wording of subsection 2 of section 3 is identical with the wording in the Act of 1888, which provided that " the board shall, from time to time, make such regulations as they may think fit for the general organization of common schools." By the Act of 1890, the Department of Education was vested with the general powers which were formerly held by the general Board of Education, and our desire is to vest in the present Board of Education the same powers held by the old board, as a whole.

Mr. DAVIES (P.E.I.) I asked the hon. member, on Thursday night, if he would be able to give me the statutes of Manitoba in an accesible and useful form. I think he said he would try.

Mr. DALY. I have given instructions to have them printed, and hope to have them

Mr. O'BRIEN. The whole gist of this matter seems to rest in two words, found in subsection 2 of section 3, and the clause now under discussion. The Department of Education, that is, I presume, the supreme authority in Manitoba in matters of education, is entitled to make regulations for the general organization of schools. By adopting subsection 2 of section 3, we have invested that department with the general organization of the separate schools. Now, we propose to give to another board, a totally different authority, the right to make regulations for the general government of the separate schools. This is a very fine distinction when you come to the practical working out of any institution ; and I would like to call the attention of those hon. members who wish to see this measure made a workable one, to the sort of management we make exception to exist in these circumstances. We at once set up a means for a conflict of authority which must necessarily tend to the absolute failure of the system—at any rate, to such conflicts of authority, and such internal disagreements as must prevent the separate schools from ever being efficiently working. I would like to call the attention of the committee to another feature. This Department of Education is a department of the government of Manitoba, which is opposed to the establishment of these separate schools, and the Board of Education is a body of a total different character. The sole qualification for members of that board is that they are to be members of the Roman Catholic Church. Now, I presume that hon. gentlemen who are supporting this Bill desire to have a system of schools superior to that which existed prior to 1890 ; I presume they desire to have an efficient system. I cannot imagine that hon. members of this House, especially those who have joined with gentlemen in the province of Quebec, such as the Hon. Mr. Masson and others, who have stated publicly and openly that the system of education in that province was not satisfactory—I cannot imagine that those hon. gentlemen desire to have any other than an efficient system of education adopted for Manitoba. How can they expect any satisfactory results from a system which is placed under the control of such a board of education, especially when that board is to be under the control of a department of a totally different character? We have these extraordinary proposals. In the first place, we have the Department of Education, which is a department of a government opposed to any system of separate schools, on principle, and on the ground of experience, alleging that that system which was in force prior to 1890, and which we are practically now asked to re-establish, was a failure—that it did not answer the purpose of giving such a practical secular education as would fit those who attended those schools to take their part with Her Majesty's other subjects in Manitoba. The Board of Education is a government, and under its control. Of the advisory board, four members are appointed by the government, so that practically the government control that board of education whether you allude to the functions of the advisory board or the Department of Education as a whole. You then propose that the Lieutenant-Governor, by the advice of his executive, shall appoint the Board of Education provided for in this Bill, the sole qualification for the membership of which being the profession of the Roman Catholic faith.

Mr. FREMONT. What is the qualification to be a member of the advisory board?

Mr. O'BRIEN. Three members of that board are elected by persons entirely independent of the Government.

Mr. FREMONT. The hon. member insisted on the fact that the sole qualification of a member of the Board of Education is that he should be a Roman Catholic. There is no qualification at all required to be a member of the advisory board. A part of them are appointed by the Government, and the other portion are elected, but there is no qualification at all required for either.

Mr. O'BRIEN. That is perfectly true, but there is this important distinction, that the government of Manitoba will only appoint to the advisory board such men as they are quite satisfied will carry out the system of education to which the Government is pledged.

Mr. FREMONT. Will they not do the same when they appoint members of the Board of Education?

Mr. O'BRIEN. In appointing members of that board, they are appointing persons to control a system which they do not wish to succeed, whereas in the other case they are appointing men to carry out a system devised by themselves, and which they are anxious to succeed.

Mr. POWELL. Does the hon. gentleman not see that section 3 is essentially connected with section 74. First, it is to provide the information necessary for giving provincial aid to the schools, and that if the Manitoba government do not provide the funds to carry out the Act, it is immaterial whether the regulations are made or not. Second, it is to determine the number of schools or departments in schools, so that the government can have some guarantee that the schools will not be overcrowded, and the provincial moneys wasted.

Mr. O'BRIEN. As far as the money is concerned, that is a totally different question, to which I shall call the attention of the committee at another branch of the subject. I am calling attention to the character of the body which is to administer that system of separate schools. If the Manitoba government choose, and we have heard so much charged against that government that we can almost admit them to be actuated by any kind of motive, they can prevent the system of separate schools being successful by appointing to their control persons who are ignorant or unwilling to see them properly carried out, and you will have an inefficient system of schools, or a system handed over to the control of the ecclesiastical authorities, which will be a mere repetition of what happened prior to 1890. I would like to call the attention of the committee to a system of separate schools which has been productive of satisfactory results, but that was under a system of management entirely different from what is proposed in Manitoba. We do not find in Ontario that the control of separate schools is handed over to a board, the membership of which is based simply on the qualification of their being Roman Catholics, but we find that the Ontario government make themselves in every sense responsible for the efficiency of these schools. All that they permit is that there shall be separate school trustees in the different localities, but the control and management of the schools is entirely in the hands of the Department of Education, which is just as much responsible for the efficiency of the separate schools as of the public schools. Then in the advisory board, which regulates matters connected with the public schools of Manitoba, the teachers have a voice, but in this Board of Education, provided by this Bill, they have none. In Ontario, the teachers of separate schools are subjected to the same examination and qualification as those of the public schools, and those schools, so far as secular education is concerned, are practically in the hands of men who are educationists by profession, whose whole position in life is dependent on the efficient carrying out of the schools, and who therefore have every qualification and incentive for making these schools efficient. When we contrast that with the system in Manitoba is it possible to expect that the same results can be arrived at in the one case as in the other? The hon. gentleman said something about expense. Now, in this very first clause, subsection (a), here is a Board of Education which is——

> To have under its control and management the separate schools and to make from time to time such regulations as they may be deemed fit for their general government and discipline and the carrying out of the provisions of this Act.

How is it possible for any board to carry out the provisions of an Act such as this when there is not a single cent provided to meet the expenses of such a proposition? Here we are asked to establish a board of education, but at the same time we make their work ineffective by failing to provide for even the first steps of their work. When we began to discuss this Bill the opinion of a very eminent authority upon education was quoted, not less a person than Sir William Dawson. Well, Sir, we have the authority of one who may even be more appropriately quoted on the subject of education in Manitoba, a gentleman whose name is known to everybody in this country, Principal Grant. In the beginning of his investigation of separate schools Principal Grant showed that he was not opposed to such a system as would bring about practical results. But he has taken this Bill into consideration, and has given his opinion upon its various features. And the very first subject that he calls attention to in reference to this Bill that we are called upon to force through at a time when, as has been said, we have no constitutional authority to discuss it at all, is that there is no provision for carrying it into effect. You establish a board, but where are they to meet—for there is no provision for renting an office. Are they to meet on a street corner ? Fancy these nine gentlemen, charged with public duties, meeting on a street corner, or in some private room or office. At the very outset they will require stationery, but there is no money to buy it. They will want somebody to record their proceedings, but there is no money to pay him. Subsequently, they are to appoint a superintendent. Is he to give his services for nothing ? I ask hon. gentlemen who wish an efficient system of separate schools, what is the use of spending time establishing a board when they are deprived of the means to take the very first step in carrying out their duties ? Of course, I make no secret of my hostility to the measure in every sense ; but I am perfectly justified, now that we are in committee on the Bill, in asking those gentlemen who do favour the Bill, how they propose to make it effective. Could a greater objection be shown in the case of any Bill than to prove that no means are provided for carrying it out ? It seems to me to cast a shade of suspicion over the bona fides of the Government in introducing such a measure. Surely the hon. gentleman who has charge of the Bill cannot overlook such a patent objection, which meets us at the very outset. We cannot take up a single clause or even subsection of the Bill in which this objection does not face us. So I say it is the duty of those who wish to make the Bill effective to ascertain from the Minister what means are to be taken to make it effective. What is the use of our passing a Bill when it cannot be carried out ? There can be only one object on the part of the Administration, and that is to carry out a pledge in return for which they look for political support at the next elections, irrespective of the benefits that may accrue to those in whose interest the measure is supposed to be passed. This is keeping the promise in the letter but breaking it in the spirit. It shows that the Government are not sincere in their pretended effort to give those people what they ask for. And so far as those who have accepted this Bill as something which afford satisfactory results, as I must assume they do, when we find that the only possible advantage they will get for it is the relief of ratepayers from the payment of taxes, we must come to the conclusion that, as some of them already said, I believe, they accepted it as a stepping stone to further advantages in procuring, either from this Parliament or from the government of Manitoba, something more commensurate with what they have in view. If that is the case, so far from this Bill settling this question in Manitoba or the Dominion, it is simply a ground work for further agitation, and shows how futile is the attempt of the Government. It justifies even those who want a really effective measure in opposing the present Bill as something false and hollow, which confers no advantage and will only cause further agitation. When we have two conflicting authorities, one representing the government of Manitoba opposed to the Bill, and the other representing an authority which we must assume will make the best of it, how long will it be before conflict arises ? How long will it be before questions will arise between the Department of Education and this Separate School Board, which this Bill, so far from settling, will give rise to ? So that at the very outset you are not only met with the difficulty about the finances, but with the certainty of litigation. The Minister of the Interior endeavours to point out how carefully he is following previous legislation. Well, that does not relieve him from the difficulty. But no argument of his based upon what has gone before, can get rid of the difficulties which this Bill brings before us. He has not attempted to meet the difficulty which arises from the conflict of authority. The courts will be called upon to say how far the power of organization, which is given to the Department of Education, goes ; and they will also be called upon to say how far its powers of regulation go, which are given in this subsection. A more complete system for the production of trouble, of litigation, of agitation, of dissatisfaction to everybody concerned, can hardly be conceived, than is to be established by this Bill. It does seem to me that under these circumstances the Government are acting, not only with haste, not only without consideration, but they are guilty of something worse than carelessness, something worse than ignorance, something worse than indifference to future results ; because, they must know, however they may talk in big language about the desirability of peace, that instead of bringing peace, they are bringing a sword. Therefore, Mr. Chairman, I would ask the earnest consideration of the committee to this point in particular, the conflict of authority between the sections which we have passed, and that which we are now asked to pass. Some change in the words, at any rate, some alteration in the clause, is necessary, if we are to have any possibility of agreement between these conflicting bodies.

Sir RICHARD CARTWRIGHT. The Minister of the Interior, perhaps, did not quite understand the question I asked him; and I must say that his explanations do not appear to me to meet the point. Here you give the Department of Education power to make such regulations as they think fit for the general organization of separate schools. Well, in the succeeding section you give the Board of Education power to have under its control and management the separate schools, and to make such regulations as may be deemed fit for their general government and discipline. Now, I do not pretend to understand the minute technical distinctions of law, but I do pretend to understand, as everybody in this House ought to understand, the English language quite as well as the gentlemen who drew this Bill. I think the committee ought to require a much more distinct explanation of what power the Department of Education has, under this power to make regulations for general organization. I cannot see, if you give the Board of Education power to control and manage separate schools, and power to make regulations for their general government and discipline, how you can avoid a conflict with the Department of Education.

Mr. POWELL. The first is to constitute the school, and the second is to run it after it is constituted.

Sir RICHARD CARTWRIGHT. I do not think these words bear that signification. We must look to these words as they stand. They give a broad power to the Department of Education. Let the hon. gentleman, if he likes, state what power the Department of Education has left to them under the clause that they may make such regulations as they may think fit for the general organization. After the Board of Education is given the control and management of the separate schools, and power to make regulations for their government and discipline, what power is then left? I should like to have a statement from the hon. gentleman what power remains with the Department of Education.

Mr. POWELL. My answer is this: As to what number of pupils constitute a school, as to the number of departments there shall be in the school, these are matters of organization and constitution of the school. Then, after you have your school constituted, the general control and management of that school so constituted, and the regulations that shall govern that school that has been constituted by the general board—these are matters for the local board, and fall under the fourth section.

Mr. MILLS (Bothwell). Supposing that the general direction and organization are not complied with by the local management, what is the jurisdiction?

Mr. POWELL. Then that raises another point as to whether they are being complied with or not. I think that these two subsections 1 and 2 of section 3, look entirely to, and contemplate, section 74. It does not make any difference whether these are complied with or not. As to the disposition of the provincial grants that go to the teachers, that is a matter for the government of Manitoba, if they are going to give the money, if not, then it is a matter entirely immaterial whether the directions of section 3 are complied with or not.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman state again, because I did not quite follow him, what he holds to be the powers of the Board of Education for the general organization? He said that he thought the Department of Education could fix the number of scholars. I do not think it can; I think that is attended to elsewhere.

Mr. FOSTER. That is the division of scholars into rooms, into departments. If they have a teacher for each department, that teacher gets a share of the government money. That is something under the control of the provincial authority.

Mr. BRODEUR. If the hon. member is correct, I think it would put the separate schools in a very bad position. He maintains that the powers, given in section 3, provide for the organization of separate schools. Well, if the organization of the separate schools is put in the hands of the provincial government, suppose the provincial government does not act, and does not organize them, then there would be no separate schools.

Mr. POWELL. It does not make any difference whether they do or not. If they do not, then the trustees are to make the best arrangement they can.

Mr. BRODEUR. I understand the position of the hon. gentleman to be that the powers given in section 3 are for the organization of the schools, and the powers given in section 4 are for the administration of those separate schools after they have been formed. Then, suppose the provincial government does not organize the schools, in what position would they be? There would be no organization, there would be no separate schools. This clause should be struck out, because there would be a conflict between the two powers. The Department of Education might make some organization, and the separate school board might also make some by-laws which would conflict with the organization made by the department. I think it would be much better to strike off that clause of section 3. The definition just given by the hon. member for Westmoreland (Mr. Powell) furnishes a reason for our contention that it would be very dangerous to put in that clause.

Mr. McCARTHY. I think it would be satisfactory if we got some more definite explanation from the gentleman who has charge of the Bill than we have already had from the hon. member for Westmoreland (Mr. Powell), who is the only member of the committee that has attempted to define the distinction between the general regulations, or regulations for the general organization, and the regulations for the general management. The hon. member's statement was that the Department of Education would have, under subsection 2 of section 3, which we have already passed, power to say how many pupils should constitute a school. I think he afterwards rather receded from that, but that is what he first stated.

Mr. POWELL. I did not intend to say that.

Mr. McCARTHY. The subsequent part of the Act regulates what the number of pupils may be.

Mr. POWELL. As the minimum.

Mr. McCARTHY. I do not think there is any danger of the maximum ever being reached. The next thing my hon. friend said—because I desire to treat this matter as my hon. friend has treated it, as an argument, and not merely in a dogmatic way—was that it applies to the number of days in the schools.

Mr. POWELL. Among other things.

Mr. McCARTHY. That is all the hon. gentleman stated. I have endeavoured to conceive what is could mean, if we are giving effect to clause 4, which we are now dealing with. Well, suppose we say the regulation of the number of days. Now, Mr. Chairman, what is the Department of Education? It is well that we should grasp that fact clearly, first. The Department of Education is a department of government, a department of the government of the province, as is the Department of Crown Lands and the Department of Public Works. Are we merely going to give this department of state the power to say how many departments there shall be in the schools. What is a department in a school? That is not a term of universal meaning. What we have avoided here is the possibility of having two contradictory clauses passed. We have already passed clause 3. We are not at liberty to revise it, or, without unanimous consent, to go back and reconsider it. We have already, by clause 3, said that this department of state shall have power to make regulations, such regulations as they may think fit for the general organization of separate schools. We have to reconcile clause 3 with the subsequent clauses of the Bill, and by subsequent clauses, power to constitute schools is given to the ratepayers, and a certain number of ratepayers can form themselves into a school section. The trustees are to be given very wide powers under section 37, almost unlimited powers, as regards the management of the schools. That being so, subsection 2 of section 3 is to be read with respect to the powers conferred on the ratepayers, on the school trustees, and what has been specially and particularly delegated to those different functionaries is, as it were, withdrawn from the general term, general organization of schools. We are now dealing with subsection "a," which provides that it shall be the duty of the Board of Education having under its control and management the separate schools, to make, from time to time, regulations for their general government. What is the difference between general organization and general government. Surely general organization covers everything. If we pass subsection "a," we are passing contradictory sections. The Minister of the Interior, who has charge of the Bill, in the absence of the Minister of Justice, justifies this section by declaring that it appears in the original statute. That is not always a good reason, because we find, in other parts of the same clause, that words are introduced, I do not know that any are omitted, in the statute of Manitoba. What we are doing now is to pass a law which is to be put in force in a province in regard to the question on which there is great difference of opinion, and in regard to which Act very strict construction will be given. So long as everything worked along harmoniously, no difficulties arose. I am not able to see what the whole board had to do, or ever did. I should like to hear from the hon. Minister what the general board, which is now superseded by the Department of Education, did and performed, because that would enable hon. members to see what practical distinction there is between the powers conferred by section 3 and section 4. In the original statute, as amended up to 1884, the board had power to make, from time to time, such regulations as they might think proper for the general organization of the common schools. Section 5 provided that the board should resolve itself into two sections, one consisting of Protestant and the other of Roman Catholic members thereof, and it should be the duty of each section to have schools under their control and management. If we knew what, in practice, the Board of Education did, as distinguished from what the Protestant and Catholic sections did, as by section 5 constituted, we could better understand what was the meaning of section 3. Before we go further, because it is our duty to try and make this a workable Act, the committee had better hear what the Minister of the Interior has to say on this point.

Mr. DALY. So far as my inquiries go, I cannot find that they ever did anything.

Mr. McCARTHY. That is what I thought.

Mr. DALY. This power was vested in the whole board as a check and safeguard in the event of any dispute arising between the two sections, when the general board could take up the question and decide it. I think it was a nullity. I cannot find a record of any action taken by the general board under the provisions of this section, and the sole reason for the section being here is, that Mr. Ewart, representing the minority, said it should remain here for legal reasons, and that, at all events, no harm could come from it. If, in the conduct of the schools, an attempt was made to go beyond what was provided, this section would give the Department of Education the opportunity of taking part in the conduct of the schools, and carrying out the provisions of the Act. I have no further explanation to give. I cannot find that the whole board acted under the old law.

Mr. DAVIES (P.E.I.) I asked the hon. gentleman a question on Thursday evening, and in doing so I read from Mr. Dubuc's construction of the old Act. The hon. Minister said that the statement I read was not strictly accurate.

Mr. DALY. I said it was a summarization.

Mr. DAVIES (P.E.I.) I understood the hon. gentleman to indicate that it was not correct. The hon. gentleman read from the old Act, which gave the Board of Education the same power as section 3. I do not find that in "Hansard." I find that part of the hon. gentleman's statement in which he referred to giving the Roman Catholic section of the board the powers conferred under section 4. However, I understood the hon. gentleman also to point out that the old Act of 1881 gave the general board the powers that by section 2, are vested in the Department of Education.

Mr. DALY. Yes, I read that section. It says :—

> It shall be the duty of the board to make from time to time such regulations as they may think fit for the general organization of the Common schools.

You will find that in the Act of 1881, and the words are identical with that Act.

Mr. DAVIES (P.E.I.) I just wished to know the fact.

Mr. McCARTHY. We are indebted to the hon. member for his statement, that this paragraph, so far as the old system is concerned, was not deemed to be operative. But we must remember that we are clothing, not a board of education, not a body constituted by Government, which was to be divided into two sections ; but we have undertaken to clothe the government of Manitoba itself with the power of the organization of the separate school system of Manitoba. That being so, it is quite clear, with regard being had to the different position occupied, between the Government and the board—which, in fact, at once divided itself into two sections—that whatever power is conferred by subsection 2, will be exercised by the Government. And those general words authorizing the Government to do all that is to be done, and which is not provided for by the Act, render it possible that we will be only stultifying ourselves and creating difficulties in Manitoba, if we go on to confer somewhat similar powers upon another body. The Government may say : we propose to organize those schools ; we propose to pass regulations for the control and management of them, and the Board of Education constituted may say, we propose to do so ; and the trustees and the teachers will be put in the unfortunate position of not knowing which particular regulation they are to obey. It seems to me, that we had better pass over clause 4. We have given to the Government the power to make these rules and we had better leave it there. I am the more persuaded that that is the proper course to take, because there is no reason whatever, as my hon. friend from Muskoka (Mr. O'Brien) has clearly demonstrated, why the Government should not have this general control, and yet the schools be separate. We are not called upon slavishly to follow the language of the old statutes, unless, indeed, we are compelled to do so by the terms of the remedial order. Certainly, the lords of the Privy Council did not think so. They said, as was read by my hon. friend from Bruce (Mr. McNeill) to the committee on Thursday night, and which I will trouble the committee to listen to again. They thought that the Government, who are called upon to pass the remedial order, upon which rests our jurisdiction, are not called upon to re-enact, or to direct the re-enactment of the old law and the legislation of the old system ; but rather, it would be their duty to recognize what had been done by the province, and to graft upon the system of the province whatever was necessary to constitute the separate schools for which the minority were praying. We know as a matter of fact, that in practice that can be done, because in the province from which I came, where a separate school system has been in existence for longer than thirty years—but in efficient existence for thirty years—there is no dual system. There is no separate school board and public school board. There is but the one controlling body over both systems, and the divergence takes place in the districts and in the localities, and not in the creation of two systems. That is evidently what Lord Herschell thought when he used this language :

> The further question is submitted whether the Governor General in Council has power to make the declarations or remedial orders asked for in the memorials or petitions, or has any other jurisdiction in the premises.

What do their lordships say to that ?

> Their lordships have decided that the Governor General in Council has jurisdiction, and that the appeal is well founded.

They do not pretend to dictate to the Governor in Council. They had no jurisdiction to do so, much less to dictate to this Parliament. But what their lordships said was :

> The particular course to be pursued must be determined by the authorities to whom it has been committed by the statutes.

Namely, the Governor General in Council. He was to determine the particular course, but he added the valuable words, for the information, and for what they are worth, but they did not bind the Governor General and do not bind us :

> Their general character is sufficiently defined by the 3rd subsection of section 22 of the Manitoba Act.

When we go to that section we find their general character ; and what are the words of that section. I do not remember the exact language, but the purport of the words is : That the Governor General in Council, upon an appeal, may consider the appeal and may make such order upon that, and with reference to the alleged grievance, that the Governor General in Council thinks fit. Lord Herschell added this, and it is important :

> It is certainly not essential that the statutes repealed by the Act of 1890 should be re-enacted.

Now, I put it to my hon. friend, why should he slavishly copy the precise provisions, for no other reason than that they are the precise provisions, when we are told by the highest authority that it is not necessary to do so. Surely that is plain. We are not only doing that, but we are incurring the grave risk which no other person whether in favour of the Bill or opposed to the Bill can desire, of sowing the seeds of discord and deliberately passing a section which none of us know the meaning of, which none of us are able to explain in its difference from the preceding one we have adopted, and which certainly can only be determined by an appeal to the courts. My hon. friend from South Oxford (Sir Richard Cartwright) said he did not pretend to address the committee on the legal interpretation of this clause, but he merely ventured to say that he understood the English language, and I think no hon. member can say that with more justice. After all, what the courts have to do in interpreting a statute is, to interpret it according to the English language, and if the section is made plain, it does not require to go to the courts to get that done. It is when we carelessly pass conflicting sections that no two minds will agree about, that then there must be some tribunal to settle authoritatively what the proper meaning of the words are. The judges of a court of law, are, after all, only trying to put a meaning upon the section which is so ill-worded and so badly drawn—and which we in this House are responsible for when we pass it—that the lay mind is not able to say what it means. The Lord Chancellor goes on :

> The system of education embodied in the Acts of 1890 no doubt commends itself to and adequately supplies the wants of the great majority of the inhabitants of the province. All legitimate grounds of complaint would be removed if that system were supplemented——

Now, look at the careful words that were used ; leave the Act of 1890 as you find ; but supplement that, as is done in the Ontario statutes, by such provisions as will give the separate schools—modify the general Act. He adds these words :

> -supplemented by provisions which would remove the grievance upon which the appeal is founded, and were modified so far as might be necessary to give effect to these provisions.

So that if the Government were really anxious to give to the minority a redress of what they complain of as a grievance, what they ought to have done was by the remedial order to define what was necessary to supplement the general school law, and to what extent that general school law should be modified in order to give effect to these supplementary provisions. On the contrary, what has been done ? We have here a statute of forty pages, creating an absolute duality of system, instead of grafting upon the one system all that was requisite and necessary to redress what were termed the grievances of the minority. It appears to me that the Government would be well advised if they would pass over clause 4, dropping it altogether, because we have provided for it by subsection 2 of section 3. If they did, I think I could suggest some substitution which would make the Bill more workable than it is, which ought to be not only the desire but the duty of every member. If I were anxious merely to destroy what is attempted to be given here, I would say nothing about this. If I were anxious to leave this Bill in such a chaotic condition that it would be impossible to derive any benefit from it, my tongue would be silent ; but as I desire, if the Bill is to become law, to make it a workable measure as far as I can, I draw attention to the fact that we are now passing a clause which is contradictory to the one we adopted as subsection 2 of section 3.

Mr. MILLS (Bothwell). It seems to me that the Bill has been framed on a mistaken view of the law ; and until we get a clear apprehension of the law, as it has been interpreted by the Judicial Committee of the Privy Council, and in accordance with the legal inferences in harmony with that interpretation, we shall certainly not succeed in making a satisfactory Bill. I called the attention of the House some days ago to the fact that matters of procedure or matters of administration were not within the rights and privileges of the minority, although they might become necessary parts of a Bill to give effect to the rights and privileges of a minority. This Bill, however, starts out upon the theory that everything that formed a part of the statutes that were formely in force in Manitoba, whether relating to matters of procedure or administration, or to education, was within the rights and privileges of the minority. That is not the case; and, if I can, I desire to make clear to hon. gentlemen on the Treasury benches especially, my view with regard to this matter. When we look at the British North America Act—and I refer to that because it aids us in the interpretation of the Manitoba Act—we find a subsection in the educational clause, which is not in the Manitoba Act, but which may assist us in determining what rights and privileges are created by the Manitoba Act. Subsection 2 says:

> All the powers, privileges and duties at the Union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects, shall be and the same are hereby extended to the dissenting schools of the Queen's Protestant and Roman Catholic subjects in Quebec.

Now, hon. gentlemen will see that the intention was to create rights in respect to separate schools and school trustees. It is true, at the time that clause was enacted there was in the province of Ontario a Council of Public Instruction and a Chief Superintendent of schools. That clause did not impose on the government and legislature of the province of Quebec the duty of copying those features of the Ontario system. The minority, in the province of Quebec, whether Protestant of Roman Catholic, if the legislature gave them the same rights under the statute subsequently enacted, could not complain, because it did not create a Council of Public Instruction, and did not appoint a superintendent of schools. Subsequently, in the province of Ontario, the mode of administration was changed. A responsible Minister of Education was appointed in their place. But no one in the province of Ontario has ever contended that any right or privilege of the minority in that province has been attacked because the mode of administration is something different from what it was before. The clause that says the rights of the minority in Ontario shall be extended to Quebec, refers to school trustees and to the schools. The rights and privileges are rights and privileges in respect to education. They are rights and privileges embracing, not the whole subject of education, but those features which distinguish the separate school as a public school from the ordinary common school. Now, when you create a separate school, you do not withdraw it from public jurisdiction and public supervision. That is an important point to bear in mind. You intend that it shall receive public aid, and therefore the public have the right to see that the institution is competent to discharge those duties which the state thinks necessary it should discharge in the public interests. The state, for its own purposes, and not as a right and privilege at all, creates a board of examiners, determines what its qualifications shall be, and also appoints inspectors, not for the protection of any right or privilege of the minority, but in the interests of the state itself. This is part of constitutional government, with which the minority have nothing to do, as a right or privilege, and this is the first thing which it is important to bear in mind. Now, you have here declared by section 3 and by subsection 2 that the Department of Education may also make, from time to time, such regulations as they may think fit for the general organization of separate schools. I am not objecting to that. They possess that power and you cannot take it from them; but if they refuse to exercise it, if they refuse to take any notice of separate schools, you may create, in case that that should happen, a board to supervise and provide for the examination of teachers who could not obtain certificates from the provincial institution. Your power is simply a necessary incident, and the necessity must arise before you can exercise it at all. If the necessity does not arise, you cannot create a board and give it any jurisdiction whatever. Now, you propose here to create a board, not as an alternative to the Board of Education, but as supplementary to the Board of Education. I say you cannot create any such supplementary board. You undertake to say that it shall have the general government and discipline of the schools and carry out the provisions of this Act in that regard. Suppose the local legislature were to declare that there should be a Superintendent of Education, and that all these powers should be vested in him or a council to aid him, upon what ground or theory could you make this law operative? Can you legislate at all with a view to making your law operative? So far as I can see, you have no such authority. It is true that ordinarily, where power is given specifically to legislate upon the subject, there is power to make your legislation effective; but this power, which is given us in this matter, is a power to redress or repair the mischief done by the local legislature, and which cannot be exercised a hair's-breadth beyond the necessity that exists for that purpose. You are going beyond that necessity. It seems to me that the first thing to be borne in mind is that the administrative functions belong altogether to the local legislature. How they are going to discharge those functions, through what machinery, is a matter over which you have no jurisdiction at all. You must leave that to the discretion where it belongs; but in case the Manitoba government refuse to exercise that power, you may insert in your Bill an alternative, which is only to go into operation upon condition that the local government fails to recognize your institution altogether. It seems to me that we are going on the assumption that every power which was possessed by any board or body connected with the administration of the separate school law prior to 1890 is a right or privilege. That is not the case. You cannot exercise such administrative powers unless there is an absolute refusal to exercise them by the province itself in its own way and in accord with its own sovereign discretion.

Mr. DALY. I had not the opportunity of replying to the hon. member for North Simcoe until the hon. member for Bothwell (Mr. Mills) rose, and I shall endeavour to meet the position he has taken. I understand him to reiterate the argument he made the other day, that we are endeavouring by this Bill to legislate in matters of administration, which are exclusively in the powers of the local legislature, and that these are not a right or privilege which were taken from the minority by the Act of 1890. If the hon. gentleman admits that we have the right to pass laws in relation to education, under the present circumstances, he must admit that we have the right to legislate effectively, and in legislating effectively, if we encroach upon the powers of the local legislature, we have a perfect right to do so. We have the right to legislate upon matters of insolvency and banking and commerce, and have passed Acts in this House relating to insolvency which have encroached upon the powers and rights of the local legislatures.

Mr. MILLS (Bothwell). No.

Mr. DALY. Yes.

Mr. MILLS (Bothwell). In that insolvency case, the Privy Council held that procedure was a necessary part of the law and therefore we had jurisdiction.

Mr. DALY. Is not this a matter of procedure ?

Mr. MILLS (Bothwell). Not at all.

Mr. DALY. It is a matter of procedure entirely. Under the law as it existed prior to 1890, the Roman Catholic minority enjoyed the rights which this Bill gives them, as a section of the Board of Education. Of those rights and privileges they have been deprived. Now, we have to legislate in such a way as to enable them to conduct the schools in the same way they did prior to 1890. It seems to me, under the ruling of the court in Cushing and Dupuis and that other case of Tennant and the Union Bank, there is no question that if we have the authority to legislate here in matters of education, we must legislate effectively, even if we do encroach on the rights of the local government. I answered the other position of the hon. gentleman effectively, I thought, the other day. I showed clearly that we are simply restoring, in giving power to the local government to appoint a board of education, the rights and privileges that the minority had been deprived of, namely, the equipping, management and regulating of the schools. With reference to the position taken by the hon. member for North Simcoe as to what was intended by their lordships by their judgment, let me quote from the judgment :

> The further question is submitted, whether the Governor General in Council has power to make the declaration or remedial orders asked for in the memorials or petitions, or has any other jurisdiction in the premises. Their lordships have decided that the Governor General has jurisdiction, and that the appeal is well founded, but that the particular course to be pursued must be determined by the authorities to whom it has been committed by the statute.

Now, " the authority," namely, the Governor General in Council, determined that, after hearing the appeal. They made the remedial order which was transmitted to the Lieutenant-Governor of Manitoba and by him to the government and legislature. We have the answer of the Manitoba government, we have their refusal to comply with the terms of the remedial order. We have their refusal to comply with what we have laid down as the proper course. Now, the judgment of the Privy Council goes on to declare :

> It is not for this tribunal to indicate the precise steps to be taken. Their general character is sufficiently defined by the third subsection of section 22 of the Manitoba Act.

Under the provisions of that third section, we have proceeded and have taken what we deem to be the proper procedure. Then comes the strong feature of the hon. gentleman's argument. He quotes from the judgment that it is certainly not essential that the statutes repealed by the Act of 1890 should be re-enacted, or the precise provisions of those statutes should again be made law. I agree with the hon. gentleman that it would not be essential that the statutes repealed should be re-enacted or their precise provisions again be made law if the local government of Manitoba were legislating upon this matter. But the local legislature has refused to legislate upon this matter, and I think that what their lordships contemplated was that as soon as this judgment was given, the local legislature would legislate in such a way as to restore the rights of the minority. They could do that very easily, I think they could legislate effectively in four or five clauses, thus removing the grievances of the minority. The meaning I take from the judge's language is that their lordships contemplated that if it was not essential that the statutes repealed but the Act of 1890 should be re-enacted, it would not be necessary to repeal the Act of 1890. We do not seek here to repeal the Act of 1890, but, in order to legislate effectively, we must legislate upon the lines of this Bill, because we have to provide all the machinery necessary for a system of separate schools for the Roman Catholic minority. The local government at present has its machinery. If they would incorporate with its present law, clauses restoring the rights of which the Roman Catholics have been deprived, they could do it effectively. But we must begin from the beginning and create a Board of Education, and, having created it, we must give it certain powers for the management and conduct of these schools. It seems to me that what their lordships meant was that it was not essential that the local government should re-enact the law that existed prior to 1890, or that it would be necessary for the precise provisions of the statutes again to be made law by them. But I take it that as this Parliament is to legislate in this matter, it is necessary not only in order to carry out what their lordships said in their judgment, but to carry out the remedial order of the Government, we must legislate on the lines of this Bill. Now, the remedial order at its close says :

> And His Excellency the Governor General in Council was further pleased to declare and decide, and it is hereby declared that it seems requisite that the system of education embodied in the two Acts of 1890, aforesaid, shall be supplemented by a provincial Act or Acts which will restore to the Roman Catholic minority the said rights and privileges of which such minority has been so deprived as aforesaid, and which will modify the Acts of 1890 so far and so far only as may be necessary to give effect to the provisions restoring the rights and privileges in paragraphs (a), (b), (c) hereinbefore mentioned.

Now, in the minute covering the remedial order, the Government have drawn the attention of the legislature to the very words quoted by my hon. friend from North Simcoe (Mr. McCarthy), and it was hoped and expected that, in accordance with what is laid down by the Lord Chancellor in his judgment, the local legislature would remove the grievance ; and if they had legislated, it would not have been necessary for them to re-enact the statutes previous to 1890. But they have refused to do that. As they have refused to do so, we hold that this House is vested with authority to legislate. Now, what have we to do ? We have to restore the rights that the minority have been deprived of. What were these rights?

> The right to build, maintain, equip, manage, conduct and support Roman Catholic schools.

We are endeavouring, by the clause under discussion, to restore the rights which they say they were deprived of, and which the Privy Council say they were deprived of. And in order to do that, we enact as closely as we can in the language of the Acts that were repealed. Now, I grant that there does seem to be an anomaly between subsection 2 of section 3, and section 4. The matter is of such serious importance that it seems to me that the Government will have to consider whether they will press subsection 2 of section 3 as a part of the Bill. This is a matter that I should like some time to consider ; and if you will leave the discussion of that over, I will undertake that opportunity will be given for discussion before the third reading. I would like the committee to go on with the consideration of section 4. The hon. gentleman says that he hopes the Government will agree to strike out section 4. On no consideration can we agree to that, because by doing so we should strike at the very fundamental principle of the Bill. By clause one already passed, we have created a board, and now we propose to give them the same powers that the Roman Catholic section of the school board had prior to 1890.

Mr. McNEILL. I am astonished to hear the remarks of the hon. gentleman who has just resumed his seat. The most surprising of all the surprising things he said was to the effect that we are not to proceed in accordance with the views of the Judicial Committee of the Privy Council, but in accordance with the provisions of some order which has been made by this Government, and which, if it is not in accordance with the opinion of the Judicial Committee is certainly something to which we ought not to pay very much respect. I am astonished at my hon. friend still endeavouring to maintain that the terms made use of by Lord Herschell have reference to the local government and not to our powers at all.

Mr. DALY. What I said was that it was clearly the intention or hope of the Lord Chancellor that the local government would legislate on the lines indicated, and that it was not essential that the old Acts should be restored. But the local government having refused to act, it is for us to legislate, and I contend that we cannot legislate effectively except on the lines laid down in the Bill.

Mr. McNEILL. On the contrary, I think the Lord Chancellor went on the assumption solely that the local government were not going to act, and that the whole question was what we here could do in that case. My hon. friend, in my judgment, takes a wholly wrong view of the opinion given by the court, and I think it would be well to read him some of the passages in the judgment in order that he may be able to see more clearly what the intention of their lordships was ; and if that is not sufficient, I could read some passages from the argument which would also give him further insight into the subject. Now, the judgment was delivered on the 29th January, 1895. The lords of the Judicial Committee of the Privy Council on that occasion were the Lord Chancellor, Lord Watson, Lord Macnaghten, and Lord Shand. What I propose to read is the text of the opinion given by their lordships on that occasion.

Mr. OUIMET. Read the whole of it.

Mr. McNEILL. The hon. gentleman wants it all read, and I shall be glad to comply as far as I can in the little time at my disposal. I am glad to do anything I can to enlighten my hon. friend as to the true import of that judgment. Well, the Chancellor says :—

Mr. McCARTHY. The Minister of Public Works wants it read, too.

Mr. OUIMET. Yes. I have never read it myself.

Mr. McNEILL. The hon. gentleman says he has never read it himself. Well, that is a most interesting admission, and one that I hope the country will take note of. It is natural that the hon. gentleman should ask to have it read now. It may, perhaps, be considered a little late in the day, but, at all events, it is well that his desire should be granted. I do not know that I can read it all, but I will read a part of it for him, at all events.

(The hon. gentleman proceeded to read from the judgment of the Judicial Committee of the Privy Council.)

Mr. DEPUTY SPEAKER. Does not the hon. gentleman think that he might come closer to paragraph A, that is now under discussion, than by reading the judgment of the Privy Council ?

Mr. McNEILL. I think this is in strict line with the argument used by the Minister to which I am replying. He has been dealing with a paragraph in this very judgment, which I think he has entirely misapprehended.

Mr. DEPUTY SPEAKER. I do not say that it is altogether out of order, but it is going pretty far from the section.

Mr. McNEILL. I think nothing could be more germane to the subject before the House than the judgment of which the hon. gentleman quoted a portion, and which, in my opinion, he entirely misapprehended. I may point out further that I am complying with the request of one of the gentlemen who was engaged in the framing of this Bill.

Mr. OUIMET. I suppose the hon. gentleman is not stupid enough to think I have never read the judgment.

Mr. McNEILL. I am sure I must thank my hon. friend for his courteous expression, but at the same time——

Mr. OUIMET. You seem to need it.

Mr. McNEILL. At the same time, when the hon. gentleman makes a statement in the House that he had not read the judgment—at least, I understood him to say so, and it is only now that he is calling attention to the fact that he has read the judgment—at least, I presume, he says now that he did. Does my hon. friend say that he did read the judgment ?

Mr. OUIMET. I read the judgment, and I understand it much better than the hon. gentleman will understand it after he has read it a hundred times.

Mr. McNEILL. I would not for a moment venture to pit my poor intelligence against the exalted intellect of my hon. friend, but when my hon. friend stated deliberately in the House that he had not read the judgment, I imagined that the hon. gentleman was stating a fact ; but now it would appear that it was not so. One of the two statements must be correct, the hon. gentleman can select whichever he likes.

(The hon. gentleman resumed reading.)

Mr. DEPUTY SPEAKER. I do not think the hon. gentleman should continue that. He may discuss what there is in that book, but I do not think it is in order that he should read the whole book.

Mr. McCARTHY. I understood you ruled a moment ago that it was in order. Now, when the hon. gentleman is reading that, I do not understand how you can come to the conclusion that he is not in order.

Mr. DEPUTY SPEAKER. I said if it was germane to the question, he could read some extracts, but I do not think it is in order to read the whole book.

Mr. McCARTHY. Surely if it is in order to read any portion of the judgment—not necessarily the whole judgment——

Mr. BELLEY. Order, order.

Mr. McCARTHY. The hon. gentleman can gain nothing by interruptions. Surely, Mr. Chairman, you laid down the rule that the whole of that judgment can be read, if necessary. If, in order to a proper understanding of the judgment, it is necessary to read it, how can a rule be laid down that one paragraph here and another paragraph there only can be read ?

Mr. DEPUTY SPEAKER. The hon. gentleman understands probably better than any one else, that while we can discuss this measure all through, it is not in order to read entire books. I am willing to put myself in the judgment of the committee in saying that.

Mr. O'BRIEN. Here is a Bill based upon the judgment, and if that judgment had never been read, there could be no appeal.

Mr. DEPUTY SPEAKER. It has been read to this House a hundred times already.

Mr. O'BRIEN. No matter if it has been read a thousand times ; when one of the gentlemen who is acting as a judge upon this matter, tells us that he has not read the judgment, it becomes necessary that the hon. gentleman should hear it read. But how can it be said, when we are discussing a clause which goes to the root of this business, that the judgment is not essential ? Why, Mr. Chairman, you cannot rule that.

Mr. McNEILL. If you rule, Mr. Chairman, that I can only read extracts from it, in order not to cause unnecessary delay, I will bow to your ruling.

Mr. DEPUTY SPEAKER. I rely upon the hon. gentleman's common sense and good-will to read those portions which address themselves to the common sense of members, but not the whole book.

Mr. McNEILL. I will go on for a little while, and, perhaps, I can omit some portions that it may not be necessary to read.

(The hon. gentleman resumed reading.)

Mr. DEVLIN. Speak louder.

Mr. McNEILL. I am sorry that my hon. friend cannot hear me. Perhaps he can come down a little nearer.

Mr. DEVLIN. No, I am in my seat.

Mr. McNEILL. I am very sorry that the acoustic properties in this chamber are not all that could be desired. We have often had complaints of this matter before, and it is one that might very well engage the attention of the Government. And if as a result of this unfortunate measure, it should happen that we obtained an improvement in the acoustic qualities of the chamber it would be most fortunate: we should thus have good out of evil. We have heard a great deal in this House in regard to privileges being interfered with, and that the interference with the rights or privileges constituted a grievance. It has been alleged that the Judicial Committee of the Privy Council decided that the enactments of the existing statute constitute a grievance. At page 39 of the argument, Lord Watson makes use of the word grievance in a double sense. He says: "After full consideration it may turn out that a grievance may be no real grievance." It is evident that too much has been made out of the word grievance used by the Judicial Committee when we find that a member of the Committee made use of the term in a sense that could not convey the popular idea of grievance. Much has also been said in regard to the constitution, but very little importance or value is evidently attached to the constitution by the Government, who are now forcing this Bill through the House. The hon. gentleman read the questions submitted to the Privy Council. These were the questions that were submitted to the Supreme Court, and in the face of these questions how was it possible for my friend (Mr. Daly) to contend that the opinion delivered with regard to these questions was an opinion delivered as to what the Government of Manitoba were going to do. The whole argument proceeded upon the assumption that the government of Manitoba were not going to do this thing. The suggestion of my hon. friend, that the members of the Judicial Committee of the Privy Council had in contemplation the doing of this thing by the government of Manitoba, is, I submit, absolutely untenable. It is an argument which only those who are driven to the last ditch, so to speak, could have ventured to adduce in support of this measure: a measure which can do no good to any human being, and which is only calculated to do an immense deal of mischief: a measure which has been shown by members of both sides of the House is unconstitutional, and which even if it were constitutional is not capable of having any good result. I hope that Lord Herschell's views will carry some weight with my hon. friend, I would hope that my hon. friend would at all events admit, that the views of the Lord Chancellor of England expressing the opinion of the highest court of the Empire are worthy of some little consideration. The Lord Chancellor says:

> The learned judges of the Supreme Court were divided in opinion upon each of the questions submitted. They were all, however, by a majority of three judges out of five, answered in the negative.
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> The appeal to the Governor General in Council was founded upon the 22nd section of the Manitoba Act, 1870, and the 93rd section of the British North America Act, 1867. By the former of these statutes (which was confirmed and declared to be valid and effectual by an Imperial satute) Manitoba was created a province of the Dominion.
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> The 2nd section of the Manitoba Act enacts that after the prescribed day the British North America Act shall "except those parts thereof which are in the terms made or by reasonable intendment may be held to be specially applicable to or only to affect one or more but not the whole of the provinces now composing the Dominion, and except so far as the same may be varied by this Act, be applicable to the several provinces of Canada, and as if the province of Manitoba had been one of the provinces originally united by the said Act." It cannot be questioned therefore that section 93 of the British North America Act (save such parts of it as are specially applicable to some only of the provinces of which the Dominion was in 1870 composed) is made applicable to the province of Manitoba, except in so far as it is varied by the Manitoba Act. The 22nd section of that statute deals with the same subject-matter as section 93 of the British North America Act. The 2nd subsection of this latter section may be discarded from consideration, as it is manifestly applicable only to the provinces of Ontario and Quebec. The remaining provisions closely correspond with those of section 22 of the Manitoba Act. The only difference between the introductory part and the 1st subsection of the two sections, is that in the Manitoba Act the words "or practice" are added after the word "law" in the 1st subsection.
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> The 3rd subsection of section 22 of the Manitoba Act is identical with the 4th subsection of section 93 of the British North America Act. The 2nd and 3rd subsections respectively are the same, except that in the 2nd subsection of the Manitoba Act the words "of the legislature of the province or" are inserted before the words "any provincial authority," and that the 3rd subsection of the British North America Act commences with the words: "Where in any province a system of separate or dissentient schools exist by law at the union or is there-

after established by the legislature of the province." In view of this comparison, it appears to their lordships impossible to come to any other conclusion than that the 22nd section of the Manitoba Act was intended to be a substitute for the 93rd section of the British North America Act. Obviously all that was intended to be identical has been repeated, and in so far as the provisions of the Manitoba Act differ from those of the earlier statute, they must be regarded as indicating the variations from those provisions intended to be introduced in the province of Manitoba.

In their lordships' opinion, therefore, it is the 22nd section of the Manitoba Act which has to be construed in the present case, though it is of course legitimate to consider the terms of the earlier Act, and to take advantage of any assistance they may afford in the construction of enactments with which they so closely correspond and which have been substituted for them.

Before entering upon a critical examination of the important section of the Manitoba Act, it will be convenient to state the circumstances under which that Act was passed, and also the exact scope of the decision of this Board in the case of Barrett vs. the City of Winnipeg, which seems to have given rise to some misapprehension. In 1867, the union of the provinces of Canada, Nova Scotia and New Brunswick took place. Among the obstacles which had to be overcome in order to bring about that union, none perhaps presented greater difficulty than the differences of opinion which existed with regard to the question of education. It had been the subject of much controversy in Upper and Lower Canada. In Upper Canada, a general system of undenominational education had been established, but with provision for separate schools to supply the wants of the Catholic inhabitants of that province. The 2nd subsection of section 93 of the British North America Act extended all the powers, privileges and duties which were then by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Roman Catholic inhabitants of that province, to the dissentient schools of the Protestant and Roman Catholic inhabitants of Quebec.

That is a statement I made in this House some time ago, but I was sharply pulled up and informed that I was mistaken. If I was, the Lord Chancellor is also mistaken. He goes on :

There can be no doubt that the views of the Roman Catholic inhabitants of Quebec and Ontario, with regard to education, were shared by the members of the same communion in the territory, which afterwards became the province of Manitoba. They regard it as essential that the education of their children should be in accordance with the teachings of their church.

This particular sentence is worthy of remark : The Roman Catholic minority regarded it as essential that the education of their children should be in accordance with the teachings of their church. Now, I am glad to know, from the statements made in the public press, that the province of Manitoba have made such an offer, as an outcome of the negotiations which have recently been held.

Committee rose, and it being One o'clock the Speaker left the Chair.

Afternoon Sitting.

House again resolved itself into committee.

(In the Committee.)

Mr. McNEILL. I wish simply to say, Mr. Chairman, that the observations I was making and the extracts I was reading from the judgment of the Judicial Committee of the Privy Council before we took recess, were for the special benefit and information of my hon. friend the Minister of the Interior (Mr. Daly), and, as that hon. gentleman is not present, I shall postpone my remarks until he is in his seat.

Mr. DAVIES (P.E.I.) Before my hon. friend from North Bruce (Mr. McNeill) began his observations, there were three legal points before the House. The first was that of the hon. member for North Simcoe (Mr. McCarthy), that two clauses of the Bill, subsection "a" of section 4, and subsection 2 of section 3, conflicted with each other. That I need not enlarge upon, because the Minister is considering the propriety of withdrawing subsection 2 of section 3. Then, there was the point of my hon. friend from Bothwell (Mr. Mills), which I submit the Minister has not yet seemed to appreciate. The hon. Minister agreed to-day that if we have the power to legislate, we must necessarily have the power to legislate effectively. Nobody disputes that ; but in legislating effectively, you must not go beyond your power. The point raised by my hon. friend is that we have no pleuary power ; we have merely a limited conditional power ; and you may legislate effectively within the terms of your limited conditional power, but you cannot go beyond your power in order to do what you may think is effective. You must keep within your power. Now, what is your power ? I think we all admit that your power is described in general terms fairly well in the remedial order in paragraphs "a," "b" and "c." Now, supposing that after the remedial order was passed, the legislature of Manitoba had enacted legislation carrying out in two or three sections the terms of the remedial order, prescribing that the trustees in certain districts should have the right to build and equip schools, to levy taxation, and to direct the religious teaching in those schools. What my hon. friend from Bothwell argued was that it would be beyond the power of this Parliament to supplement that legislation by legislation providing for a separate board to administer the provisions of the Manitoba Act. Clearly that would be void.

Mr. DALY. If Manitoba did that, we would not be here.

Mr. DAVIES (P.E.I.) What I say is that you would not contend for a moment that you had power to superadd to that legislation of the province of Manitoba, legislation providing for a separate administration of the law. Manitoba might say : We administer the schools by a single Board of Education, which, for many reasons, with which the Parliament of Canada has nothing to do, we prefer to the old system. If they had done that, you would not have power to interfere by establishing a separate board—why ? Because that is a part of the administration of the schools, which is not under your jurisdiction at all, and is not necessary to the carrying out of your law. The power you have is to give back to the minority the privileges which were withdrawn from them by the Acts of 1890. This is not a privilege which was withdrawn from them.

Mr. HAGGART. Will the hon. gentleman allow me to ask him a question ? If the board was half Catholic and half Protestant, and the Manitoba government appointed a board wholly Protestant, would not that be interfering with a right or privilege ?

Mr. DAVIES (P.E.I.) No, that is not a right or privilege with regard to education ; that is a right or privilege with regard to the administration of the educational system ; there is a great distinction between the two. If that is a right or privilege, then every single provision of the law as it existed from 1870 to 1890 must be restored. But the Privy Council have told you that that is not necessary. The Privy Council have told you, in words that cannot be misunderstood, that all that is necessary is to supplement the provisions of the present law with certain provisions which will restore certain educational rights which have been taken away. To whom is that addressed ? We know it is not a decision. It is a kindly advice given by the Lord Chancellor, in which those who are with him, I assume, concurred. It is addressed to whatever legislature chose to legislate. It is not addressed to the Manitoba legislature, but to whatever legislature is going to legislate ; and when we are legislating, it is our duty to give very great consideration to the advice coming from such a high court. They say that it is not essential that the statutes repealed by the Act of 1890 should be re-enacted or their precise provisions restored. It is only necessary to supplement it by provisions which will remove the grievance upon which the appeal is founded. I submit that that grievance is not the constitution of one board in lieu of two, not the appointment of one superintendent in lieu of two, but the withdrawal from the minority of the right to give religious instruction in the schools and to apply their taxes for that purpose. It may well be that the hon. member for Bothwell (Mr. Mills) is right in what he says. He says that we have no power to direct the Manitoba legislature in these mandatory terms.

Mr. HAGGART. He goes further than that. He says we have the power if they refuse to act.

Mr. DAVIES (P.E.I.) He says, in the first place, that we have not the power ; but it may well be, he further says, that if we restore by supplemental legislation the privileges which have been withdrawn from the minority, and if the Manitoba legislature take steps to prevent that legislation becoming effective or if they refuse to carry it out, it may be that we have the power to make alternate provisions. But I submit that we have no right to assume that when we have made a law, which is strictly within our power, that law will not be carried out by the Manitoba government ; and if we have the alternative right, we should put that legislation in terms altogether different from those used here.

Mr. McLEOD. Have we not the right to pass a law now in such a way as it will be effective ?

Mr. DAVIES (P.E.I.) I admit that, but you have only the right to legislate up to a certain point. You have no right to legislate primarily on the matter of administration at all. You can only touch the matter of administration as incidental to the other chief point on which you have the right to legislate.

Mr. HAGGART. Hear, hear.

Mr. DAVIES (P.E.I.) If you start out primarily by directing the local government to do so and so, and then constitute a separate board to carry out the provisions you are afterwards going to make, you are clearly legislating beyond your powers. It may be —and on that I express no opinion—as the hon. member for Bothwell (Mr. Mills) says, that you have the right to declare that if the Manitoba government refuse to execute the provisions you make, you have the power to make an alternate provision. But that is different from what we have here. If you leave this clause you are inviting a crop of lawsuits, which must necessarily meet you right at the threshold of your law. You are reaching out your hand for lawsuits. The very first thing done will to be to attack the validity of that clause, and it will be attacked with every prospect of success. There was one more point I desire to make, and that is the point with which I started, but which does not seem to meet with approval on either side to any very great extent. Assuming you have the power and have laid the groundwork in your remedial order, it does not seem to me that you have laid any foundation for the appointment of a school board in your remedial order at all. The hon. Minister of Public Works (Mr. Ouimet) argued that that is necessarily implied in the words : "the right to build, maintain, equip, manage, conduct and support Roman Catholic schools." I do not think so. You do not want a separate school board to build, because that is within the jurisdiction of the trustees. Nor do you want a separate school board to maintain, because that also will be done by the trustee. And the right to equip, who does the equipping ? It is the trustees. Who does the managing ?

Mr. DALY. The Board of Education.

Mr. DAVIES (P.E.I.) With every respect to the hon. gentleman, it does not seem to me that it is the separate school board which will manage. I submit that the management there means internal management, and relates to the equipment and discipline of the schools, which belongs to the trustees. All those words seem to me to point to action being taken by the trustees; and if you have not laid the foundation in your remedial order, you have not any power to legislate here, because it seems to me you cannot go beyond the scope of the remedial order. I submit that point with some diffidence, because it does not seem to meet with the general approval of lawyers on both sides, but it is my opinion.

Mr. McCARTHY. I do not think that the discussion here can be at all without service to us in the further consideration of this measure, because the principle on which the committee has to deal must be first determined definitely before we can very logically, at all events, lay down rules or regulations in the form of subsequent enactments for the carrying into effect the earlier part of the Bill. For my part, I have no fault at all to find with the tone and manner of the speech of my hon. friend the Minister of Interior (Mr. Daly). I think nothing could be fairer than the way he has presented his case to the committee and the candid statements he has made with reference to the law. But I would like to draw his attention to what it appears to me he has overlooked. His view of the judgment of the Privy Council is that it was intended for the provincial legislature and that the language was not what the Governor General in Council was called upon to adhere to or even give respect to. I have always thought, and still think, that all that is said in the judgment and the reasons given in that judgment were not binding upon any person, upon the Governor General in Council, the local legislature or upon this Parliament. It is plain that there was no jurisdiction in their lordships who sat in appeal upon the judgment of the Supreme Court to do more than the Supreme Court was called upon to do, and that was to give their opinion in answer to the question which the Government had, under the authority of the Blake Act, submitted to them. But, nevertheless, their suggestions are suggestions coming from distinguished law lords, and are therefore worthy of all attention. We are told in these suggestions that it is not essential that the statutes repealed by the Act of 1890 should be re-enacted. Now, if my hon. friend will bear with me, let us see how that appears in the formal judgment, or the more formal. We must not confound the reasons which are published here in our blue-book in the first 12 pages with the order of the Privy Council. The order of the Privy Council is a formal thing, a definite thing. But the reasons which induced their lordships to come to the conclusion they arrived at do not constitute part of the order itself. It will be within the recollection of the committee that we added these words to the Blake Act because in the other reference, in the liquor license case, they gave no reasons; they simply handed out an opinion that the Act was unconstitutional and beyond the powers of the Parliament, without telling us their reasons. And so we lost the benefit of their reasons for our guidance. It was for that reason that we added to the Blake Act that besides their opinion the court should give their reasons for that opinion. And the Privy Council did, in accordance with that, not in obedience to it, of course, give their reasons for their opinion, as the Supreme Court judges did for their judgment. In this particular case the question is :

> (5.) Has His Excellency the Governor General in Council power to make the declarations or remedial orders which are asked for in the said memorials and petitions assuming the material facts to be as stated therein, or has His Excellency the Governor General in Council any other jurisdiction in the premises ?

The answer is : that the Governor in Council has jurisdiction and the appeal is well founded. But we find in the reasons given that the particular course to be taken must be decided by the authorities to whom it is left. When we come to this further 'obiter,' this further suggestion, which, of course, is no part of the opinion, but which is important, that it is certainly not essential that the precise provisions of the Acts which were repealed should be re-enacted. That, as I pointed out this afternoon, is exactly what we are doing. We are doing the very thing which Lord Herschell speaking for himself and other law lords, said that it was unnecessary for us to do. He says :

> The system of education embodied in the Acts of 1890 no doubt commends itself to, and adequately supplies the wants of the great majority of the inhabitants of the province. All legitimate grounds of complaint would be removed if that system were supplemented by provisions which would remove the grievances upon which the appeal is founded, and were modified so far as might be necessary to give effect to these provisions.

Now, it is plain to me, Sir, that that opinion, though not binding upon any person, as I am free to admit, is a very valuable contribution to our knowledge on the subject, and is entitled to the very greatest respect. I agree with another argument advanced by my hon. friend, and it is this. He says we are limited by the order made by the Governor General in Council. I agree that we cannot go beyond that order. I accept that, and I am glad to find my hon. friend the Minister of the Interior, speaking for the Government, has at length adopted that view. Perhaps I am doing him injustice in saying "at length," but on behalf of his party friends the opposite view has been openly, frequently and flagrantly stated, in violence, as it appears to me, of common sense and of the statutes and enactments. But while it is not binding upon the Governor General in Council to require the local government to re-enact the provisions which are referred to in (a), (b) and (c), as I think my hon. friend will in candour admit, neither is it binding on this Parliament to go the full length that the Governor General in Council did unless the argument of my hon. friend from Winnipeg (Mr. Martin), advanced early in the discussion, and which the Government have repudiated, is accepted. That hon. gentleman contended that we have to go to the full length of the remedial order, neither more nor less, that we cannot legislate until Manitoba has refused to legislate, and, although Manitoba refused to re-enact (a), (b) and (c), it might have been willing to re-enact (b) and (c). I need not labour that point, because it is not the accepted view under which we are proceeding. The Bill does in some sections enact more and in some sections enact less than the remedial order. It re-enacts less in the matter to which, no doubt, we shall have our attention directed when we come to a later stage of the Bill. For instance, it limits the jurisdiction of the old Board of Education with respect to the qualification required for teachers.

Mr. DAVIES (P.E.I.) That is in the next section.

Mr. McCARTHY. Well, the remedial order says :

> And His Excellency the Governor General in Council was further pleased to declare and decide, and it is hereby declared that it seems requisite that the system of education embodied in the two Acts of 1890, aforesaid, shall be supplemented by provincial Act or Acts which will restore to the Roman Catholic minority the said rights and privileges of which such majority has been so deprived as aforesaid, and which will modify the Acts of 1890, so far and so far cnly as may be necessary to give effect to the provisions restoring the rights and privileges in paragraphs (a), (b), (c), hereinbefore mentioned.

Now, the paragraphs covered the rights to manage Roman Catholic schools in the manner provided for by the Acts repealed. The management of the Roman Catholic schools under the Acts repealed gave to the Roman Catholic section of the Board of Education absolute control as to the qualification of their teachers. But we do not do that. Therefore, the Bill is not going as far as the remedial order. It cannot, therefore, be argued with any consistency on the part of the Government or of those who are supporting the Bill that we are required to pass this section because the remedial order says so. We have clearly a discretion in this matter. That discretion, it seems to me, we are bound here to exercise. Now, I do not quite understand, and I would like to to do so before I needlessly take up time, what my hon. friend the Minister of the Interior means by withdrawing subsection 2. I notice that my hon. friend who last addressed the committee says that it is useless to discuss this matter until the Government make up their minds what they are going to do with subsection 2 of section 3. But we are in this position, so far as this committee is concerned, that we have already passed subsection 2, and we have no jurisdiction over it as a committee. I suppose by universal consent we could back and reconsider it, but not otherwise. We had better recognize that now, because if we do not go on and discuss the provisions of section 4 now, when are we to do it ? We have passed section 3, and we are now dealing with section 4, and we have got to consider with reference to what we have already done, the propriety of now adopting subsection (a) of subsection 4.

Mr. DALY. I did not say that the Government were going to withdraw this, but I said I thought it well under the circumstances that we should have time to consider it ; and I said why it was there. Now, the reason I presume it is there, is this : If that clause of section 3 is not in the Bill, then we are virtually giving greater powers to the Board of Education we create than the Roman Catholic section had prior to 1890. This appears to have been inserted in the old law for the purpose of having a check upon both the Protestant and Roman Catholic sections, and if we grant to the board we create under this Act all the powers that are given to them under section 4 and subsections, this feature of control in the Bill which existed prior to 1890, it is a question whether we do not affect the legality of such board. It is proposed by Mr. Ewart, as I candidly stated to the House, and as I expect him here on Monday or Tuesday, I simply asked that the clauses should be left over for further consideration, and let us proceed to the discussion of section 4. In answer to what my hon. friend from North Simcoe has said as to those words of the Lord Chancellor in the judgment, I can only express my own opinion that their lordships expected that the local legislature would primarily enact such legislation as would remedy the grievance, and if they did so, it would not be necessary to re-enact the old law. Now, we are not re-enacting the old law, we are not re-enacting the Acts as they existed prior to 1890 at all. What we are seeking to do is to restore the rights that were taken away by the Acts of 1890 from the Roman Catholic section of the community. All we are seeking to do by this Act is to give that Roman Catholic minority the same privileges and rights they had prior to 1890. We are not re-enacting the old law at all, we are not repealing the Acts of 1890. I would like to ask my hon. friends who have taken part in this discussion, if they could suggest any other legislation than this Bill by which we could meet the conditions with which we are face to face ?

Mr. MILLS (Bothwell). Yes. I would like to ask the hon. gentleman this question: The local legislature have a board for the supervision of education in the province. Supposing we altered, or amended, that board and embraced these schools within the jurisdiction, does the Minister argue that it would be possible for this Parliament to supersede them, and to prevent them undertaking that work in their own way ?

Mr. DALY. I presume not. But we have got to meet the conditions exactly as we find them.

Mr. MILLS (Bothwell). Is not there a provision in the local law as it now stands that would embrace these institutions and give jurisdiction over them ?

Mr. DALY. Yes, the advisory board would have the power, I presume. But we cannot incorporate in our law here any powers that the advisory board has. What we are dealing with is the law as it existed prior to 1890. The advisory board is a creation of the Act of 1890, which is complained of.

Mr. MILLS (Bothwell). Upon the theory that this is a right or privilege that you are bound to restore ?

Mr. DALY. Exactly.

Mr. MILLS (Bothwell). Well, I think it is perfectly clear that this is a matter of procedure or administration.

Mr. DALY. I confess that I have given the best answer I can to the hon. gentleman, in reply to his argument the other day, and reiterated this morning. It is at least conclusive to my mind that this is a right or privilege which these people enjoyed prior to 1890. Under section (a) of the remedial order, they had the right to manage, maintain and equip their schools ; they enjoyed those rights under the Acts as they existed prior to 1890, and which we incorporate in clause 4, almost word for word. Having enjoyed those rights and privileges prior to 1890, under the terms of the order, we are bound to restore them. What are their grievances ? Their grievances are set forth in the petitions, and their petitions say that they have been deprived of certain rights, namely, the right to build, maintain, equip and so on. Now, under the law that existed prior to 1890, they had the right to build, maintain and equip their schools——

Mr. MILLS (Bothwell). As trustees ?

Mr. DALY. As trustees, governed and guided by the Roman Catholic section of the board. The trustees had limited powers. They could not manage, maintain, equip and so on, their schools without doing it under the direction of the board ; they were simply governed by the authority that the board had prior to 1890, and we seek to restrain the trustees, or any other person dealing with these separate schools which we seek to create here, exactly in the same manner as was done prior to 1890.

Mr. MILLS (Bothwell). Supposing the local government had restored the right to give religious instruction, or supposing they had never taken it away, but that they had substituted a Minister of Education or a superintendent instead of a board ? Would the minority have been entitled to come here and complain that certain rights and privileges had been taken from them, and would this Parliament under the conditions that now exist, have been entitled to legislate upon that subject ? Because the hon. gentleman must go that far in order to maintain the proposition he is now putting forward.

Mr. DALY. I am not required to answer that question. We are here to consider the position of things as we find them, namely, that these people complain of certain grievances, they have appealed to the Privy Council, the Privy Council have acted, and we are now here to consider a law, which we propose and suggest will restore the rights and privileges as they existed prior to 1890. We are not here to discuss abstract questions, we are here to discuss questions exactly as we find them.

Mr. DAVIES (P.E.I.) The hon. gentleman sees that the suggestion was made as a test of the accuracy of his legal proposition, and it is a test which he is bound to meet. Supposing the local government had simply amalgamated the two boards into one, and left the right or privilege of giving religious teaching in the schools, and to appropriate their own taxes as before ; could they then appeal, and could we then legislate ?

Mr. DALY. If they had done that, there would be no necessity for this legislation at all. It is one of the grievances they complain of.

Mr. DAVIES (P.E.I.) Then the amalgamation of the school boards is not a grievance ?

Mr. DALY. Why, of course.

Mr. DAVIES (P.E.I.) I am putting that point to the hon. gentleman. Supposing the two boards had not amalgamated ?

Mr. DALY. The amalgamation of the boards, and omitting the powers that one section enjoyed under the board, is certainly a grievance.

Mr. DAVIES (P.E.I.) Supposing the boards had been amalgamated, or supposing both boards had been abolished and a superintendent appointed in lieu, and if nothing else had been touched, would that have constituted a grievance which they could have appealed against, and which we should order to be restored? Is it not perfectly plain that you could not do it, and if that test shows that you could not do it, how can you do it here? Now, I understand my hon. friend to say two or three times that we are bound to do something. I do not merely understand him to ask that because a right or privilege has been taken away, we are bound to restore it. The discretion is absolute in this House to restore it or not. If a right or privilege has been taken away, there is no constitutional duty upon us to restore it, unless we are of opinion that, under the circumstances of the case, it is a material grievance which ought to be restored, not that we are bound to do it.

Mr. DALY. We are acting within the terms of the remedial order. We can give them less, but we cannot go beyond the terms of the order. All I had reference to was, that we were legislating within the remedial order; not that we are bound to give them all they demand, but we are bound to restore the rights and privileges of which they were deprived and to remedy the grievances of which they complain.

Mr. MILLS (Bothwell). The hon. gentleman has not answered my legal contention and shown that the position I have taken is untenable. The administration of the law is an administration in the interest of the state, and is not in the interest of the parent simply. It is for the purpose of enabling the state to ascertain whether the work which it requires in its own interest and for the protection of its own rights is being properly discharged. With respect to the functions of the trustees, the creation and management of the schools, these are necessary incidents to the right of having religious instruction. But the other matter the hon. gentleman will see is altogether different, and if the minority had not the right to come here and make complaint and insist on the restoration of the board and the abolition of the office of administrator or superintendent of education, then they could not have the right to come here on this ground, because that is connected with something else which is a substantial right. The hon. gentleman admits that the work of administration rightly belongs to the local government. If that be so, is it not clear that the furthest the House could go would be to make alternative legislation, providing for the administration of the law in case the local government and legislature refused to administer the law. This legislation must be provisional. When the hon. gentleman undertakes to direct what the Governor in Council shall do and how it shall be done, he is going far beyond the power we possess. We may say that in case the Manitoba legislature fail to make the necessary provision for discharging certain duties, we may provide for the constitution of a board and the definite of its functions and the manner in which the duties shall be discharged; but these provisions cannot be called into existence except on the failure of the local government to discharge the duties devolving on it. But this House cannot tell the local government: You shall constitute a board containing so many members, and they shall be appointed in a certain way and they shall discharge certain duties. This House in doing so would be taking away the duty of administration out of the hands of the local government, which we have no authority to do; and this in no sense constitutes a right or privilege which we are called upon here to redress, for it is something entirely different, and until the Government start right on this matter we can hardly make satisfactory progress with the Bill.

Mr. DALY. May I ask with whom did administration rest before? Did it rest in the Board of Education? Who appointed it? Was it not appointed by the Lieutenant-Governor in Council?

Mr. MILLS (Bothwell). Certainly, but it was under a local law, and the local legislature had the power to change it. I have pointed out that radical changes were made in the educational law administered in Ontario, and no one ever thought of coming to this Parliament and declaring that the local authorities had interfered with any rights or privilege. Yet they did the very act which the legislature of Manitoba did, and which the hon. gentleman seems to think warrants the Government in introducing the present legislation here. I say that the furthest this Parliament can go is to pass alternate legislation, and not to undertake to direct the local government in what manner its duty shall be discharged under the statute.

Mr. DALY. The hon. gentleman says the authority was given under a local law, and he holds it to be within the jurisdiction of the local legislature. He says it had the ight to pass the law and create a board under it. Where has that statute gone? It has been repealed. Is there not involved in that fact the whole subject under discussion, the repealing of the Act that gave power to the Board of Education. The courts have expressed the opinion that those rights should be restored. The Privy Council is of the opinion that they should be restored. We have passed our remedial order, and now we propose legislation within the lines of that order, namely, to restore to the minority the rights they enjoyed under the legislation of the province of Manitoba prior to 1890, which had been swept away. If the hon. gentleman grants that they enjoyed those rights under the local legislation, and that they have been wiped away by the local legislature, he admits the whole case, because the legislation now under discussion proposes to restore the rights swept away, and we desire it to be done effectually and to go to the very root of the matter.

One of the privileges enjoyed by the minority prior to 1890 was that they controlled one section of the Board of Education. That body has been swept away.

Mr. MILLS (Bothwell). It was not the right of a minority.

Mr. DALY. Yes, it was the right of a minority given by law. What was that power ? It was to make rules and regulations regarding examining, licensing and grading the teachers, and the withdrawing of licenses. With what power could we invest to-day the authority to license, examine and grade teachers if we did not give power under this Bill ? and we are giving it to a body identical with that which existed prior to 1890. By sweeping away the Board of Education as it existed the rights of the Roman Catholic minority were at the time swept away.

Mr. DAVIES (P.E.I.) I do not doubt the sincerity of the hon. gentleman, and he evidently believes the conclusion at which he has arrived as the result of his argument. Instead, however, of arguing the question, he assumed the very point in dispute. He said that by the Act of 1890 you have withdrawn a right or privilege which the minority possessed with respect to having a separate school board. Was that a right or privilege within the meaning of the Act ?

Mr. DALY. I say it was. I argued that it was among other privileges they enjoyed.

Mr. DAVIES (P.E.I.) The best plan is to bring this matter to a test. The hon. gentleman says that the minority possessed the right or privilege of making rules and regulations for the examination, licensing and grading of teachers, and for the withdrawal of licenses. Suppose that power had been transferred by the local Act to a superintendent, would that of itself have constituted a grievance on which the minority had a right to appeal to Parliament ?

Mr. DALY. Yes.

Mr. DAVIES (P.E.I.) When it was as regards the administration of a detail.

Mr. DALY. That is not a detail.

Mr. DAVIES (P.E.I.) I am putting the question in regard to the examination of teachers. Suppose the legislature changed the law in this respect, and provided that a teacher should not receive a license unless he attended six months at the normal school. Surely that matter is within the power of the local government. Does the hon. gentleman say that would constitute a grievance on which the minority would have a right to appeal ?

Mr. DALY. Yes.

Mr. DAVIES (P.E.I.) Is that not reducing the whole matter to an absurdity ?

Mr. DALY. Not at all.

Mr. DAVIES (P.E.I.) Then the hon. gentleman comes down to this : that the law in all its details as it existed before 1890 must be restored, even down to the smallest point. The hon. gentleman is landed either there, or his argument is misleading. Being there I respectfully ask if the hon. gentleman is not directly at variance with the spirit and words themselves of the decision of the Privy Council. The Privy Council say it is not necessary to restore these things.

Mr. OUIMET. It says that it is not necessary, but it does not say that we cannot do it.

Mr. McCARTHY. There is no doubt about that.

Mr. DALY. The judgment of the Privy Council says it is not essential, but will the hon. gentleman (Mr. Davies) tell the House how he can legislate to restore the schools which have been taken away, except on the lines of this Bill.

Mr. DAVIES (P.E.I.) I do not see any difficulty in legislating.

Mr. DALY. Try it.

Mr. DAVIES (P.E.I.) The scheme of the Bill seems to be wrong. These people have the right of being exempted from taxation for public schools, of selecting books on religious subjects and the right to teach religion in the schools.

Mr. OUIMET. And to manage their schools.

Mr. DAVIES (P.E.I.) No. These are rights and privileges, but to say that when the legislature of Manitoba once makes a law creating two superintendents, that for all time to come that cannot be altered, is to me such an absurd proposition that I cannot conceive how it is maintained by gentlemen whose legal opinion I highly value. Does the member for St. John (Mr. McLeod) think that the constitution of a system which has two superintendents vests a right in the minority, which if altered afterwards gives them a right to appeal and vests in us the power to legislate ?

Mr. McLEOD. I submit that we have the right to give back to the minority the privileges and rights which were taken away from them, and which they enjoyed prior to 1890.

Mr. DAVIES (P.E.I.) It is a right or a privilege limited with respect to education.

Mr. McLEOD. I understand that. Prior to the Act of 1890 there was a general Board of Education, which was divided into Protestant and Catholic sections, and there were two superintendents, one appointed by the Protestant board and one by the Catholic board. Practically the Protestant board managed the Protestant schools, and the Catholic board managed the Catholic schools.

Under the Act of 1890 this right or privilege is taken away. The Lord Chancellor says in reference to that:

> The Manitoba School Acts of 1871 provided for a Board of Education of not less than ten nor more than fourteen members, of whom one-half were to be Protestants and the other half Catholics. The two sections of the board might meet at any time separately. Each section was to choose a chairman, and to have under its control and management the discipline of the schools of the section. One of the Protestant members was to be appointed superintendent of the Protestant schools, and one of the Catholic members superintendent of the Catholic schools, and these two were to be the joint secretaries of the board, which was to select the books to be used in the schools, except those having reference to religion or morals, which were to be prescribed by the sections respectively.
>
> The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed has been affected by the legislation of 1890. Their lordships are unable to see how this question can receive any but an affirmative answer. Contrast the position of the Roman Catholics prior and subsequent to the Acts from which they appeal. Before these passed into law, there existed denominational schools, of which the control and management were in the hands of Roman Catholics, who could select the books to be used and determine the character of the religious teaching. These schools received their proportionate share of the money contributed for school purposes out of the general taxation of the province, and the money raised for these purposes by local assessment was, so far as it fell upon Catholics, applied only toward the support of the Catholic schools.

The right of appeal has been allowed, and the remedial order states what the Catholics have been deprived of.

> (a.) The right to build, maintain, equip, manage, conduct and support Roman Catholic schools, in the manner provided for by the said statutes which were repealed by the two Acts of 1890, aforesaid.

That is one right. They were entitled prior to the Act of 1890, to build, maintain, equip, manage, conduct and support Roman Catholic schools. That right was taken away, and they also had—

> (b.) The right to share proportionately in any grant made out of the public funds for the purposes of education.
>
> (c.) The right of exemption of such Roman Catholics as contribute to Roman Catholic schools from all payment or contribution to the support of any other schools.

We have the right to legislate to give back those rights or privileges. It is true that the Lord Chancellor said that it may not be necessary to re-enact these provisions, but he does not say that it is not necessary. We may if we please legislate up to the full extent of the rights taken away, and it is for us to determine how far we will legislate in order to remedy the grievances that exist. If we think it is necessary we may give back every single thing that is taken away from the Catholics, or we may not go to the extent if we do not wish to. I will admit that there does seem to be a conflict between subsection 3 and section 4. I leave out subsection 3 because there has been some question about it. But what do we say in subsection "a" of section 4? We say that this separate Board of Education is "to have under its control and management the separate schools, and to make from time to time such regulations as may be deemed fit for their general government and discipline and the carrying out of the provisions of this Act." That is what the Catholic section of the school board had prior to 1890. That is a privilege of which the Catholics have been deprived, and we are seeking to give it back. It seems to me that if we have the right to legislate at all, we have the right to legislate in such a way as shall be effective. It seems to me that the hon. member for Bothwell yields the case when he says that we have the right at some time to do it. If we have the right at some time to do it, we have the right today. It is not true that we have to wait until the Manitoba government and legislature refuse to do it. They have already refused to act under the remedial order, and it is not necessary that we should again go to them and ask them if they will do this before we legislate. The fact that they declined to carry out the terms of the remedial order vested power in this Parliament to give back the rights and privileges that had been taken away, and in doing that we have the right to pass such provisions incidental to our legislation as will make it effective.

Mr. DAVIES (P.E.I.) The hon. gentleman reads from the Lord Chancellor's judgment what was intended to be a historical review of the old educational laws and of the new law of 1890, in order that he might compare the one with the other. The Lord Chancellor never intended to say that all the provisions of the old law which he read conferred rights or privileges; he did not intimate in the least degree that the administration of the law was a right or privilege. The hon. gentleman seems to have misunderstood the argument of the hon. member for Bothwell. The hon. member for Bothwell did not say that you needed to wait for another session. He said, if you have power to restore rights that have been taken away, you may do it now; and if you fear that the local government will not carry out your legislation, you have the right to make the alternative provision that in that event, then such-and-such may take place. My hon. friend says that you undertake, as if you had plenary powers, to direct the local legislature to do so-and-so in regard to a matter which is purely administrative, and which the hon. gentleman in charge of the Bill admits is only incidental to the remedying of a substantial grievance.

Mr. McLEOD. Does the hon. gentleman say that in restoring the rights which have been taken away it is not necessary to make some administrative provisions ?

Mr. DAVIES (P.E.I.) Personally, I do not see that any administrative provisions are necessary at all. Personally, I say that you might exempt the minority from taxation, and give them the right to build schoolhouses, select books, and have certain standards for teachers. All that could be done without administrative powers, and it might be administered by the existing board as effectively as by the new board you constitute.

Mr. McLEOD. If they will do it.

Mr. DAVIES (P.E.I.) In point of fact you have to make some very violent assumptions in order to make a prima facie case at all. You have to assume that after the law is passed the local legislature will thwart its exeecution, that you will have to usurp powers of administration which you say are primarily vested in the local government, and, thirdly, that this is a matter of legislation over which you have power. I deny in toto the last proposition. I am prepared tentatively to yield to the proposition of my hon. friend from Bothwell—I have not thought it out—that if you have that power, you may make an alternative provision, that if the local government should attempt to thwart this legislation, certain things may be done to carry it out.

Mr. McLEOD. In doing that you admit that the power is in this Parliament to make such a law.

Mr. DAVIES (P.E.I.) Not at all.

Mr. MILLS (Bothwell). No. There is a vast difference. Under this Bill you propose to direct the local government what they shall do, and the manner in which they shall do it. That is dealing with a power that is vested in them. But it is quite within your power to put in this Bill a provision that in case they fail to act, such and such a provision shall be made. That is your own Act, and it is not an interference with the local government if they choose to go forward and discharge their legitimate functions.

Mr. DALY. It seems to me that we have got beyond that stage. We gave them that opportunity when the remedial order was issued, and they refused to legislate in the terms of it. Now we are vested with the power to legislate, and we must legislate effectively ; and in order to legislate effectively we must restore any right or privilege that was affected by the legislation of 1890.

Mr. LaRIVIERE. I cannot understand why so much opposition should be raised on this point.

Mr. DAVIES (P.E.I.) Will the hon. gentleman pardon me if I make one remark ? The motive which prompted the Opposition was this : the belief on the part of the hon. member for Bothwell and myself that these provisions are beyond our powers, and will be declared to be illegal. If we are right, they will affect the whole framework of your Bill. If we are right, your whole Bill goes.

Mr. LaRIVIERE. We are legislating to re-establish the system of separate schools which existed in Manitoba prior to 1890, and we are making certain provisions which are necessary to properly establish that system ; and what is the objection of our hon. friends of the Opposition ? The objection is that we have no right to re-enact the provisions of the old Act with regard to the Board of Education. What is the Board of Education ? It is the very body that creates the school districts, that organizes the whole system, that supervises the working of the Act, that sees to the proper qualification of teachers ; in fact, it is the body that puts into motion the law. We are told that there is already an institution in Manitoba, called the Department of Education, which is vested by the local legislature with all those powers. But it is true also that that institution is inimical to the present system which we are establishing. It was established by a special act of the legislature, with the specific object of carrying out the provisions of the School Act of 1890, and substituted exactly in lieu of that system for which we are asking to-day and is composed, as we know,—not by law, even not by accident—of gentlemen who are entirely non-Catholic, who are Protestant, belonging to the several denominations not Catholic. And these gentlemen of the Opposition—and I believe that is the principal object they have in view—wish in reorganizing the Catholic schools that we put them under the control of that body. Well, my pretension is that if we have the right to re-establish separate schools, we have the right to re-establish all the necessary organization to put our law into operation ; and even if the Board of Education had not existed before, my contention is—the opinion of these hon. gentlemen to the contrary notwithstanding—that we have perfect power to do so, if in order to put the law into operation, it be necessary to create such a board. I believe the objection taken had no basis, and that we are only carrying out the judgment of the Privy Council.

Mr. McCARTHY. It is very plain that there is in this committee a wide difference of opinion as to power. What the hon. gentleman has said would perhaps be a very natural and proper conclusion to come to if we had plenary powers, but he seems to lose sight of this fact, that our power is strictly limited to restoring the rights and privileges of the minority. Let me point out to the hon. gentleman an illustration of what has happened. In Ontario the separate school system is administered by the Department of Education, which is a department of the government. That department gives perfect satisfaction, not merely for the public schools but the separate schools. In point of fact, the complaint is that the department is rather administered in favour of the separate school system and against the public school system. Now, the hon. gentleman will see that, as a matter of fact, the separate school system can be administered without all this machinery. The hon. gentleman properly says that we are not to pass an Act without adequate machinery to make it effective. But if that machinery exists already in the province, the moment we create a separate school system, it comes, ipso facto, under the jurisdiction of the Department of Education. We have to do no more than restore what is complained of. The complaint is that the Roman Catholic minority have been deprived of the right to have schools separate from the non-Catholics and to devote their own taxes to their own schools, and to regulate the qualification of teachers and the curriculum and text-books in those schools, more especially the books relating to religion and morals. If we create separate schools and pass suitable enactments with reference to the teaching and the text-books, and hand these separate schools over to the Department of Education, we remove every ground of complaint, and the machinery is there ready which will make the system effective.

Mr. LaRIVIERE. Will the hon. gentleman allow me to put him a question ? Is it not a fact that the present Department of Education was specially appointed to put into operation the general school law of the province, and which school law was established in order to do away with the one we now propose to re-enact? And is it not a fact that the proper men have been selected—men sharing the views of the Manitoba government—to put that system against which we are protesting into operation ? We are now about to re-establish the system of separate schools. Is it not proper then that we should re-establish a board having the same views, the same ideas, sympathies and opinions as those who desire to put that system into operation ? Reference has been made to the normal schools——

Mr. McCARTHY. Is not that rather a long question.

Mr. LaRIVIERE. I beg the hon. gentleman's pardon. I do not want to be an obstructionist.

Mr. McCARTHY. You are obstructing me. The hon. gentleman is confounding power with expediency. He is speaking of what we might do if we had the power. Is it not natural, he asks, that we should hand over the administration to Catholics of the Catholic schools we are going to establish. He is confounding, as a layman, our power, under the circumstances, with our power if we had plenary authority, and the lawyers are seeking to make clear the distinction.

Mr. LaRIVIERE. I suppose I may differ from the hon. gentleman, because lawyers among themselves always do.

Mr. McCARTHY. I am not claiming infallibility for myself any more than for the lawyers, and after all it is only a question of interpreting the English language, which any one is competent to do just as well as the lawyers. At the same time, we are more familiar with the discussion of these questions that the laymen of the House.

Mr. LaRIVIERE. Unfortunately.

Mr. McCARTHY. Well, it is the fact. It is one thing to say it would be advisable to make a new board and appoint Catholics to that board if we are going to establish a separate school system, but it is quite another thing to discuss, and that is what we are discussing, whether we have the power or authority to do it. I have pointed out that in the province of Ontario the separate school system is administered by a Department of Education, which is a political body and on which I think there is not one Roman Catholic. I am not speaking of the advisory board, but of the Department of Education, which, I understand, consists of the executive council or a committee thereof. My hon. friend's suggestion means, therefore, that this Parliament should enact that there must be a Roman Catholic in the executive government.

Mr. MULOCK. The hon. gentleman has stated, more as a matter of fact than as a matter of law, that there is no Roman Catholic member of the Department of Education of Ontario.

Mr. McCARTHY. I was speaking of the Department of Education which is the executive council or a committee thereof. There is no Roman Catholic——

An hon. MEMBER. There is one.

Mr. McCARTHY. Yes ; there is Mr. Harty. I had forgotten.

Mr. MULOCK. The Department of Education is composed of the government of Ontario or a committee of that government, and there has been, since it was established, one Roman Catholic at least member of that department.

Mr. McCARTHY. Exactly. I had forgotten for the moment that Mr. Harty was a Roman Catholic. But it is not essential that there should be a Roman Catholic on that board. If the suggestion of my hon. friend from Provencher (Mr. LaRivière) were adopted we should go far as to provide that the executive of Manitoba should always have one Roman Catholic member.

Mr. LaRIVIERE. I would not object.

Mr. McCARTHY. I dare say the hon. gentleman would not object, but that law would not be worth the paper it was written on. Now we come back to the question whether we have power to do more than restore the privileges—and privileges they were—which the Roman Catholics were deprived of or which they were denied by a virtue of this legislation. Those privileges have been stated more than once and I need hardly repeat them. They were simply with reference to the withdrawal of their taxes from the support of public schools, and the devotion of them to the maintenance of separate schools, and the religious exercises of denominational teaching in those schools. My hon. friend from St. John (Mr. McLeod) relies for support for his argument on the language of the reasons of the judgment. But he has misread the judgment, if I may be permitted to say so. It is true that the Lord Chancellor first sets forth the old system and contrasts it with the new system. But when he comes to speak of the privileges his language seems singularly restricted and quite in accordance with the view we press upon the committee. At the top of page 10, after giving a historical review showing the state of affairs, and having stated the legal questions, he goes on :

> The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed has been affected by the legislation of 1890. Their lordships are unable to see how this question can receive any but an affirmative answer. Contrast the position of the Roman Catholics prior and subsequent to the acts from which they appeal. Before these passed into law there existed denominational schools, of which the control and management were in the hands of Roman Catholics, who could select the books to be used, and determine the character of the religious teaching.

Exactly what we say :

> These schools received their proportionate share of the money contributed for school purposes out of the general taxation of the province, and the money raised for these purposes by local assessment was, so far as it fell upon Catholics, applied only towards the support of Catholic schools.

Now, what possible difficulty is there in this Parliament declaring that there shall be separate schools and that these shall be public schools if necessary under the provision of the Manitoba legislation. I do not think it would be necessary to go so far. But the moment you do that you cast upon the department in the first place, and upon the advisory board in the second place all the duties with reference to education. It is not a question of legislation, it is not a question whether the legislature shall obey us or not, because ours will be law just as theirs is law. The moment our Act receives the assent of the Governor General, that moment the law is as effective, so far as it is within our power, as if it had been passed by the legislature of the province. You read the two laws together.

Mr. DAVIES (P.E.I.) It would be read into the Education Act of Manitoba.

Mr. McCARTHY. Yes, and you get the whole scheme of administration. If not you are treading upon dangerous ground and rendering it more than probable—no lawyer likes to commit himself—that our Act will not be worth the paper it is written on. I do not know how my hon. friends on the other side look at this difficulty which suggests itself to my mind. The Minister of the Interior, of course, does not pledge himself to do more than consider whether subsection 2 of section 3 shall be withdrawn. But suppose we go on and pass section 4, when are we to deal with section 2 ? Surely, this is our time to deal with section 4, if we are to deal with it at all.

Mr. DALY. Go on and discuss it.

Mr. McCARTHY. We have to do so now. Having passed subsection 2 of section 3, we have to go upon the basis that we have handed over to the Department of Education what perhaps was not necessary, the organization of these schools. And so the argument which was adduced and which has never yet been answered and which the Minister of the Interior says certainly is formidable, that there is a conflict between the two sections, still remains unsolved. I would pass now to another consideration that is involved. It should be in the recollection of the Minister of the Interior,—who set me right upon that subject, I may say—that the original view of the government of the province was not to do away with separate schools. The hon. gentleman has always given me credit for the policy of doing away with the separate schools. I am very proud if that be the case, yet I am inclined to think I am not entitled to so much credit. But it is undoubtedly the fact, as I learned subsequently, that their first policy was to do away with the dual system. The original view of the Manitoba government was to leave the separate schools and do away with the double system of administering the schools, in other words to constitute a Department of Education, such as that in Ontario, and allow the Department of Education and the advisory board to administer public and separate schools. Why were they induced to change that view ? Mainly on account of the inefficiency of the separate schools, which is acknowledged by this Bill. The Government here have not dared to propose to restore to the Board of Education all the powers which the Roman Catholic section of the board possessed. The Government has not dared to say that they shall have full control of the qualifications of teachers ; and it is not ventured to endow that board with full authority with regard to books. It is tacitly, if not openly, admitted that the Roman Catholic system of education in the province was inefficient, and did not give value for the money that was expended. That was one reason. Besides, there was this other and still more important reason, in one sense. We all know what an enormous heavy tax it is, even in the old provinces, to support our schools. There is no tax, perhaps, we pay more willingly, but there is no tax that bears more heavily upon us. I was reading the other day that in the province of Ontario the total sum spent on public schools annually is about four million dollars. Now, the bulk of that comes by direct taxation, and it is a tax which the legislature has given to the trustees without limitation. A municipal body is limited to two cents on the dollar of assessment; but the school trustees have practically unlimited control in the matter of taxation, and it is a very large and necessarily heavy taxation. It must fall more heavily in a new country like Manitoba, where the population is not only sparse, but scattered; and Manitoba deserves great credit, I think, in that, out of her scanty revenue, she expends $120,000 a year for the purpose of education. I looked the other day at the Education Act that passed in Nova Scotia in 1864, at a time when she was much more populous than Manitoba is to-day. At that time the grant for education, if my memory serves me right, was only $50,000 a year.

An hon. MEMBER. $180,000.

Mr. McCARTHY. I am speaking of the original Act of 1864. I remember it was one of the accusations made against the measure that it did not adequately provide for education. It was pointed out that the revenue had been very good and the people were very prosperous, and although the census had shown that there was a great deal of ignorance prevailing, the grant was very small; and it occurred to me at that time that Manitoba deserved great credit for having granted $120,000 annually. Now, of that sum, according to the statements which have been furnished to us, a very considerable portion was spent in administration. The object in doing away with the dual system was to get rid of the inefficiency, in the first place, and to save the cost of administration, in the second place. Now, I suppose it won't be denied that either this Act is to be a dead letter, or some pecuniary provision must be made for its administration. I think we are entitled to know, before we go much further, what the intentions of the Government are with respect to that. We know that two or three times during the debate on the second reading and on the motion to go into committee, the Government were challenged to say whether they proposed or intended to make any further provision than is embraced in this statute. At present there is no provision for this Board of Education, for the inspectors to be appointed by it, with a treasurer and secretary. Under the old system, I see they aggregated $5,680 a year. Now, are we going to say to Manitoba, for it comes to that: Although you desire to economize your money and to see that it is wisely and prudently expended, we will impose on you a system which must, unless you supplement it with a grant, involve, so far as you are concerned, a double expenditure in the administration of your schools? I appeal now to every hon. gentleman who is desirous of seeing this an effective measure. We all know, of course, that a school board cannot be made effective without money: we know that it cannot be administered without money. I can understand that this Act does not provide any means, but as practical men we must realize that the intention is in some way or other to supplement that. If that is to be supplemented, we are compelling the province of Manitoba to waste its money on two systems of education, and on two machineries for education, when one is ample for the purpose. I think we ought to know why the Government insist on our involving the province in that expenditure. I will not say more until I hear what the Government have to say on that point.

Mr. DALY. If the hon. gentleman means in reference to money, it is time enough to bid his Satanic Majesty good day when you meet him. That question is provided for in clause 74, and when we reach it, we will discuss that question. In the meantime, I hardly think the position of separate schools in Ontario is at all analogous to the position the separate schools occupied in Manitoba prior to the Act of 1890. As stated by the hon. gentleman, it is perfectly true that the Department of Education in Ontario does regulate and control separate schools; and before the Department of Education was created, the Council of Public Instruction regulated the schools. But the hon. gentleman forgot to say that a system of separate schools exists there by law, and that the trustees, for instance, are vested with certain powers by virtue of the Separate School Act, and the Department of Education only administers and regulates the separate schools within the meaning of the Separate School Act. The hon. gentleman then went on to say what the original intention of the Manitoba government was. I do not know what their original intention was, but I presume that it was to wipe out the Board of Education, and to have a Department of Education the same as they have at present. Now, if they had stopped there, with a Department of Education, and left the Roman Catholic minority the rights they enjoyed under the law prior to 1890, there would have been no trouble, I presume, because, even if the law was to be administered by a department instead of a board, they would have left there the same rights and privileges that the minority enjoyed prior to 1890, namely, the right to control and manage their own schools, subject to the general management by a Board of Education. Now, what the minority complain of, amongst other things, is that they have been deprived of the sole control of their schools, which they had prior to 1890. Amongst other things they had the right to select all the books, maps and globes to be used in the schools under their control.

Mr. MILLS (Bothwell). There are no schools to control, they are abolished.

Mr. DALY. But they had schools, and they had power to select all the books, maps and globes to be used in those schools. Now, the hon. gentleman says, why can't we propose certain legislation here restoring them the rights, and let the advisory board administer. Well, under the Act of 1890 the advisory board prescribed, for instance, religious instruction. That would not be acceptable to the minority, because, under the law as it existed prior to 1890, they regulated religious instruction themselves; so that would have to be amended. We have no right to amend the Act of 1890 in this Parliament.

Mr. McCARTHY. That is what we are doing.

Mr. MILLS (Bothwell). Certainly, that is what we are doing.

Mr. DALY. We are not repealing the Act of 1890.

Mr. McCARTHY. Yes, pro tanto.

Mr. MILLS (Bothwell). We are repealing the Act of 1890 so far as it is inconsistent with this Act.

Mr. DALY. Just so far as it is inconsistent. You cannot specifically take away from the board's powers.

Mr. McCARTHY. But you can say with respect to the separate schools that the powers of the advisory board shall not apply. Here are some of the powers of the advisory board: To make regulations regarding ventilation and furnishing of school-houses. I think the hon. member for Provencher (Mr. LaRivière) would be willing to say that even an individual like myself could do that. I do not think it requires a Roman Catholic to decide questions of ventilation, equipment and furnishing of school-houses.

Mr. McLEOD. What are you reading from?

Mr. McCARTHY. I am reading the powers of the advisory board under the Act of 1890. The powers of the advisory board are thus stated in subsection "a":

> To make regulations for the dimensions, equipment, style, plan, furnishing, decoration and ventilation of school-houses, and for the arrangement and requisites of school premises.

Then the next subsection is:

> To examine and authorize text books and books of reference for the use of pupils and school libraries.

You add to that, that in the separate schools the books on religion and morals shall be subject to the approval of the Board of Education, of the Archbishop, or a competent authority, in any way you think fit; but you leave the secular books subject to the control of the advisory board. That is not very wrong, and I feel more satisfied with regard to it when I find that the commissioners of this Government included that in their suggestions. They actually proposed that the books on educational subjects, as they term them, shall be left to the advisory board, and that the books on religion and morals or religion shall be subject to the approval of some Roman Catholic authority. The suggestion made by Sir Donald Smith and the Minister of Justice and his colleagues who went to Manitoba was this: "That the text books permitted in the Catholic schools shall be such as shall not offend the religious views of the minority, and which from an educational standpoint shall be satisfactory to the advisory board." So the Dominion commissioners absolutely suggested the advisory board as the proper board to decide the educational standard of those books, the only provision being that the books should not be offensive to the minority. So there is no difficulty in adopting subsection "b." Then we come to subsection "c" of the law of Manitoba:

> To determine the qualifications of teachers and inspectors for high and public schools.

What do we find in this Bill? We find the teachers are to be certificated, and that the certificates issued by or under authority shall be recognized by the Board of Education. There is no objection to that. The Manitoba Act provides further:

> To determine the standard to be obtained by pupils for admission to high schools.

There is no objection to that.

> To decide or make suggestions concerning such matters as may from time to time be referred to them by the Department of Education.

Will hon. members say that is not right?

> To appoint examiners for the purpose of preparing examination papers for teachers' certificates and for entrance examination papers for teachers' certificates and for entrance admission of pupils to high schools, who shall report to the Department of Education.

What do the minority want? They want Roman Catholics on the advisory board. I object to that. What is the answer of the Government? We offered Archbishop Taché a place on the advisory board, which he declined to accept. Then I admit that the clause prescribing the form of religious exercises should not be made applicable, but we should get some other body.

To prescribe the exercises and prayers to be used in the separate schools.

Again :

To make regulations for the classification, organization, discipline or government of normal, model, high and public schools.

To determine to whom such certificate shall issue.

To decide upon all disputes and complaints made before them, the settlement of which is not otherwise provided by law.

Is it not plain to every hon. member of the committee that this advisory board is just as competent, whether Protestant or heathen, infidel or Turk, to determine these matters as members of the board brought up in the most sacred religious institution that was ever endowed for the promotion of the Roman Catholic faith ? Yet we are proposing to pass a law which may possibly be unalterable, stating that there shall be for all time a double system as regards the administration of schools in Manitoba, with all it involves in the way of expense and inconvenience. The hon. Minister said it will be time enough to discuss the pecuniary sections when section 74 is reached. Is that so ? Surely every clause of this Bill, if it ever should become law, will have to be interpreted with respect to what goes before and what follows it. Now we see that the Government propose to enact with respect to the legislative grant as follows :—

74. The right to share proportionately in any grant made out of public funds for the purpose of education having been decided to be and being now one of the rights and privileges of the said Roman Catholic minority of Her Majesty's subjects in the province of Manitoba, any sum granted by the legislature of Manitoba and appropriated for the separate schools shall be placed to the credit of the Board of Education in accounts to be opened in the books of the Treasury Department and in the Audit Office.

Is it not perfectly plain that the Government do not intend to tie their hands ? The whole monetary grant is dependent upon the Manitoba legislature, and this is merely an empty declaration. Here we are face to face with the initial difficulty at this stage of the measure, with the fact that it is proposed to constitute a board that is unnecessary ; that it is proposed to provide no money for paying the board when it is constituted, and it is proposed to hand over the administration of the schools to a board which can never go into effective operation. I think, with all deference to the Minister of Interior, the committee ought to know at least this month, and it is not asking too much,—do the Government propose to make any further provision than that in section 74 ? Is the beginning and the end of the pecuniary provision which the Government propose to submit ? I do not think the hon. gentleman will object to answer that question.

Mr. DALY. I do not object to answer it, because I am not in a position to say what the Government will do in regard to that matter. One thing we may take cognizance of, and it is this : according to the terms of the Bill, if the Government do not make provision, the minority are prepared to assume the burthen of further responsibility in taking care of those schools. As to a remark made by the hon. member for Bothwell (Mr. Mills) as to interfering with the Manitoba Act of 1890, the hon. gentleman cannot find in any provision of the Bill anything to affect or interfere with the present school legislation of Manitoba. This Bill is simply supplementary to the legislation as it stands to-day.

Sir RICHARD CARTWRIGHT. The hon. gentleman said just now that the minority were willing to assume the further burden in connection with the support of the separate school system. In what way does he come by that knowledge ; whom does he assume to represent in making that statement ?

Mr. DALY. I should have said presumably. If the Government does not provide further in the Bill for money for carrying out its provisions, then the people will be willing to assume the burden themselves.

Mr. WALLACE. It seems to me that the first section of clause 4 will conflict with subsection 2 of clause 3. They both cover the same powers, they being both intended to make regulations for a general organization of separate schools. It is inevitable that there will be a conflict between the different powers. The Department of Education is already organized by the representatives of the poeple up there, and when we are appointing a Board of Education with specific powers, it occurs to me, that should a conflict occur, that the rules of the Board of Education should prevail. The Department of Education might appoint a superintendent and the Board of Education might appoint another superintendent over the separate schools. Which of those two is to rule ? The next difficulty will be as to the selection of the books, &c. The Department of Education prescribes one set of books and the Board of Education another. In my opinion it will destroy the usefulness of the schools in the start, and at any rate it is entirely unnecessary. In the province of Ontario the one central authority regulates all matters with respect to the public schools and the separate schools. Why cannot the same thing be done here ? It was stated by the member for Westmoreland (Mr. Powell) that the Department of Education was to organize the schools and that the Board of Education was to run the schools after they were organized. The utter absurdity of that statement was pointed out, and we have not heard it repeated. The entire powers of discipline and of the carrying out of this Act, which is a very elaborate Act, are given to this Board of Education. The Minister of the Interior said that presumably this Board of Education would not be a burden upon the community in general. Does he mean to tell us that the superintendent who would perform the onerous duties of his office was to receive no remuneration whatever. If he is to receive remuneration the people who are taxed for the support of the maintenance of the schools, especially in rural districts, will find it an exceedingly heavy burden to maintain these schools. If it is carried out as suggested by the Minister of the Interior, the organiation and the running of the department would become a dead letter, because no one would perform such duties for nothing. It was stated by the hon. member for St. John (Mr. McLeod) that we should make ample provisions to carry out the desires of those who wish for separate schools; but that is directly contrary to the express wish of the Privy Council. The Privy Council has simply stated that this Parliament is to supplement the local legislation if necessary. It says:

> It is certainly not essential to the statutes repealed by the Act of 1890 should be re-enacted, or that the precise provisions of these statutes should again be made law. The system of education embodied in the Acts of 1890 no doubt commends itself to, and adequately supplies the wants of the great majority of the inhabitants of the province. All legitimate grounds of complaint would be removed if that system were supplemented by the provisions which would remove the grievance upon which the appeal is founded, and were modified so far as might be necessary to give effect to these provisions.

It simply means to supplement that legislation by legislation which will give relief where relief is found to be desirable. The intention of the Privy Council was not to have a new and elaborate law enacted or the old school system of schools re-established, which in almost every particular appears to be done by this Act. It was not compulsory on us to legislate; and that, I believe, is now conceded by everybody. We were first told that this was a judgment of the Privy Council, and that that judgment had to be obeyed, and separate schools had to be established in Manitoba. But now all these contentions are dropped, and it is acknowledged that this is a matter on which we are free to legislate or not as we see fit; and if we do think it desirable to legislate, the decision of the Privy Council says it is not necessary to establish a complete system of separate schools. In view of that, I think the first subsection of section 4 should be dropped, and the Department of Education should be left to make such regulations as they may think fit for the general organization of separate schools. If you do not do that, but if you go on and give all these unnecessary powers to a Board of Education, then you will start the same agitation in other provinces of the Dominion. In the North-west there is a system of separate schools which is worked without the elaborate machinery provided in this Bill. That system works satisfactorily; at least they are complying with the law, they are giving a good education to the people, and there is no injustice done to any one. But we were told by Archbishop Langevin in a speech he made some months ago at Edmonton, that the North-west Territories would claim the same rights as the province of Manitoba. What rights? The rights embodied in this Act. They have a separate schools system there now, but they have not two separate boards. The North-west Council do not think that they are necessary. The province of Ontario do not think they are necessary. They have not been found necessary in the province of Quebec. There is no Protestant Board of Education in the province of Quebec. The whole department is managed and controlled by the Roman Catholics, and I do not hear of any grievous complants from the minority in that province, though I admit there are some grounds of complaint in that regard. The province of Manitoba is the first part of the Dominion for which such a thing has yet been proposed. In the province of Quebec they have not two boards.

Mr. FREMONT. In the province of Quebec they have two sections which sit separately, a Catholic and a Protestant section. It is very seldom that the whole board sits together.

Mr. WALLACE. I am told that the whole board sits together.

Mr. FREMONT. Sometimes, but very seldom.

Mr. WALLACE. There is but one board, and more than that, there is but one superintendent, so I am informed. Is that correct?

Sir HECTOR LANGEVIN. Yes.

Mr. WALLACE. The superintendent is a Roman Catholic.

Mr. FREMONT. Not necessarily.

Mr. WALLACE. He has not a vote on the board, but he carries out the instructions of the board. He takes his instructions, I assume, from the whole board.

Mr. FREMONT. From the different sections.

Mr. WALLACE. They have only one superintendent in the province of Quebec, and why should they require two in the province of Manitoba? Why should they require the machinery duplicated in Manitoba when it is not duplicated in the province of Ontario?

Mr. FOSTER. There is no question of difference there. They all agree to it.

Mr. WALLACE. Then is there any reason why they should not all agree to it in the province of Manitoba ?

Mr. FOSTER. None.

Mr. DAVIES (P.E.I.) Then it is only a pure question of policy whether each member of the House thinks this dual system ought to be established.

Mr. WALLACE. If it is not necessary in the province of Quebec, I do not see why it should be necessary in the province of Manitoba, more particularly as the minority in the province of Quebec is more numerous perhaps than the whole population of Manitoba, and ten times as numerous as the minority in that province. I was referring to the fact that the Archbishop of St. Boniface had made the statement that they will have the same rights, as he calls them, in the Territories, where he is dissatisfied with the administration of the law, as in the province of Manitoba ; that is, if we establish two systems of machinery for the schools in the province of Manitoba, he will demand the same thing for the Territories. I have here a report of a speech he made at Edmonton in December last, in which he said :

> They claimed that the minority in the Territories have the same constitutional rights as in Ontario. As long as you in the Territories have not your school-books, your teachers, your inspectors, your training for teachers, you have no separate schools in fact.

But the Protestant minority in the province of Quebec have not these things, nor have the Roman Catholic minority in the province of Ontario to the same extent as he demands them :

> Are your interests protected on the Council of Public Instruction by a representative without a vote ? The council meets and may listen to your representative, but does as it pleases afterwards. Such a system could not be accepted. He had a direct interest in the school question in the North-west, as a part of the district of Assiniboia was included within his diocese. The Catholics of the Territories were bound in conscience to fight to obtain here what they in Manitoba wanted, and were bound to have.

That is the view of Archbishop Langevin, and if the Parliament of Canada passes this Bill, he will immediately come to the doors of Parliament and make a demand—he has given notice of it—for the same rights in the Territories as they have in the province of Manitoba ; and for myself I do not well see how he could be refused. We should not by legislation in this Parliament inflict on a sparsely-settled country, where there are many public works to be undertaken, where there are many school-houses to be built, the additional burden of this unnecessary Board of Education, more especially against the wish of the people. There is a Department of Education existing in that province, to which we have given large general powers, and every step taken by this school board will bring them into conflict with that department. In the appointment of superintendents, in the selection of text-books, the selection of sites, and the school regulations, you will have two conflicting powers, each looking at those matters from a different point of view. I have heard two hon. members declare that they were ready to suggest other legislation to take the place of this, which would be more effective and satisfactory all around. I think that opportunity should be given these hon. members to remove the difficulties which are so apparent in this measure. Then we have commissioners to Manitoba. Proposals have been made by the government of Manitoba for the settlement of this question, proposals have been also made by our own commissioners,—would it not be better that we should have these two sets of proposals before us before undertaking to push through this legislation ? Our commissioners to the Manitoba government and all those who are interested in having a peaceable, amicable and honourable settlement have, at any rate, made some progress. They have no doubt come together to some extent, and the extent to which they have come together and agreed might be embodied in the legislation now before the House with most satisfactory results : or, at any rate, by considering the proposals made on either side, we might succeed in making more easy the settlement of this question and the legislatinon before the House. For these reasons, I think this clause might be dropped until we have before us the results of the conference and the reports of the views expressed on either side.

Mr. MULOCK. The only difficulty in the way of the Government acting upon the suggestions that have been made as regards delegating the administration of this law largely to the local legislature arises from the construction placed by the Government upon the order of the Privy Council. If the Government will concede what individual members supporting this Bill on either side admit, that we are not obliged to go the full length of the repealed law, they will have no difficulty in granting what is suggested. The judgment of the Privy Council has cast no duty upon the Canadian Parliament but is simply declaratory of the law, and makes it quite clear that we may legislate to the extent to which Manitoba may have taken away the rights or privileges of the Catholic minority. That being the case, I doubt whether any lawyer in this House will deny that we still enjoy discretionary power either to withhold all or any legislation or to legislate to the full extent of restoring all the rights or privileges taken away. I understand that the Government practically take the view, that we have that discretion, since they say that their remedial order falls far short of what they are entitled to do under the judgment of the Privy

Council. We therefore are now confronted with this proposition. The legislature of Manitoba took away the right of the Roman Catholics in Manitoba to maintain their separate schools, and this Government has determined to restore these schools. Now, can the Government not do so without providing unnecessary and new machinery, expensive and cumbersome, calculated to impair the efficiency of that separate system. If Parliament restores the separate schools, we are bound to restore such a system as will give efficiency to those schools. It is fair to assume that the Roman Catholic minority of Manitoba, in asking for the restoration of separate schools, desire to have a system that will be at least equal to the other system working side by side with it. And they and those who are pressing this legislation, I trust, would be the last who would seek to have an inferior system of education for the Roman Catholic minority which would handicap the Catholics in the race of life with those of other denominations in the province. It is now proposed to provide machinery, instead of following such precedents as we have in other parts of the Dominion. In the province of Ontario, for instance, we have the dual system, and the separate schools are conducted efficiently. The education given in these separate schools compares favourably with that in the public schools. I do not pretend to speak with full knowledge, but I have heard with pleasure that where Roman Catholic children educated in separate schools have appeared in competition with children educated in the public schools, as in the competitive examination for entrance into the high schools and collegiate institutes, they have acquitted themselves most creditably. I believe that, while the religious training in these schools is under the control of the church, yet the secular work of administration is under the control of the responsible government of the day. And this system works well. I am not aware of any objection to the system by the Roman Catholic authorities. I have no authority to speak in their behalf, but, as an observer of passing events, I must say, if negative testimony is of any service, that I have never heard of any objections taken by the authorities of the Roman Catholic Church in Ontario against the administration of the separate school system. And I venture to believe that the injection into this Bill of this clause creating a dual system of administration is not from the necessity in the abstract, but because the church in Manitoba apprehends that the government of that province will not administer the school law loyally in obedience to any Act of this Parliament. If such be the motive for hesitation on the part of the Roman Catholic hierarchy of Manitoba and the reason why this Government have sought to provide machinery as well as to declare rights, then I submit that it is premature for this Parliament to provide for a default. It would be ample, I submit, for us to provide machinery to enforce such a law if the province which primarily ought to administer it, makes default. Now, if we look at our own province we find that the school law has been administered by the present Premier of Ontario during his long term of office with entire satisfaction, as I believe, to the Roman Catholic people of our province. And it is to be borne in mind that the Premier of Ontario was opposed to the establishment of the separate school system. He was a member of the old legislature of Canada prior to confederation, and also a member of Parliament when the Confederation Act was evolved. And I understand that throughout his connection with that Parliament he, on the floor of the House, by voice and vote, opposed the establishment of a separate school system. Nevertheless, the Parliament of that day created the system, and the Confederation Act confirmed it, and thus were rights vested in the Catholics of Ontario, the exercise of which depended upon the provincial government loyally working out the system. It has happened that for nearly a quarter of a century the working of that separate school system has depended largely on the Premier of Ontario, himself an opponent of the system. I would ask the Government if it is not safe to assume from that that if we restore the rights that have been taken away by the Manitoba Act of 1890 to maintain a separate school system, history will repeat itself, and that this and succeeding governments in Manitoba will do as the governments in Ontario have done—loyally and efficiently administer the law ? The Minister of the Interior says the conditions are different. I submit that a right, whether it accrues to the people under an Imperial Act or under a local Act, or under two Acts, an Act of the province supplemented by a Dominion Act, is a right, no matter from what source it comes. So if once this Parliament, by supplementary legislation, creates rights for the benefit of the minority in Manitoba, we must assume that the authorities in Manitoba will work out these rights just as the authorities in Ontario have worked out the rights of the minority there. Now, Sir, it is proposed by this system to create an unnecessary board of management. What are some of the objections ? There will be a conflict of authority. I will not anticipate the subsections of clause 4 further than to intimate that there are provisions there which I think are controversial and therefore ought not to receive the sanction of this committee. The maintenance of one board facilitates the maintenance of one uniform system of secular education.

Where the two systems of education differentiate; that section which passes under the control of the Roman Catholic Church at once has grafted upon it, under our Act, the provision for religious training, and to that extent I am free to admit, assuming that we restore separate schools instead of allowing Manitoba to do so, that whatever machinery is necessary in order to give full effect to that feature must be provided here or somewhere. But as to the machinery which is necessary in order to deal with the secular side, I see no good to accrue to the minority or to the majority from a duplicate system of administration. For example, can anybody give a good reason for there being a separate board of examiners in order to qualify teachers for separate schools ?

Mr. MASSON. It is not made necessary under the Act.

Mr. MULOCK. It will be their duty. It is proposed under this clause that the Roman Catholic Board of Education are to prescribe subjects for examination and rules for examination, to appoint examiners and to issue certificates. Now, although you may say that these examiners shall have a certain ideal standard before them, any one who is at all familiar with the system of education knows full well that in order that candidates for examination may come up to the same standard, they must be examined under the same conditions, they must have the same subjects for examination, and be examined almost concurrently. They must have the same questions presented to them, and the same examiners to read and value their answers. It is wholly impossible to have a uniform standard of secular education in the province if you have two distinct boards of examiners, one conducted under the responsible government of the day, and another under the control of a denomination. Sir, I can conceive of nothing more antagonistic to the interests of the Catholic minority than to place the standard of education for the Catholic minority under the control of a church that is not wholly, or even to a large extent, connected with the affairs of the world. Now, I speak in the fullest sincerity. I speak full of sympathy for the Catholic minority. I have been connected with educational matters myself, as a labour of love, for nearly a quarter of a century ; and I speak now, not as a party man, not as a politician, but I speak as a citizen seeking the best interests of the minority in Ontario, Manitoba and every other part of this Dominion ; and I say again that it will be impossible to maintain a high standard of secular education for the benefit of the Catholic minority of Manitoba if the control of that education as regards the selection of text books, the appointment of examiners, the qualification of examiners, the inspection of schools, and all the other features necessary to ascertain results and to produce the best results so long as your whole machinery is not under the control of responsible persons such as the government of the day, or others representing the general public. So that I anticipate subsection "c" of this section, and point out in advance one of the injuries that the friends of the minority in this House are going to bring upon them by creating a separate board such as this. Now, let me show how the law is in Ontario. In Ontario we have the Department of Education, referred to by a former speaker. This department is composed of members of the Ontario government, or of a committee of them, as may be determined by the Lieutenant-Governor in Council. Now, what are their duties ? I will just read briefly, not to take up too much time, what duties are vested in this board in Ontario, for I am sure this Act must have escaped the attention of the friends of those who are supporting this clause. Let me read just a few clauses :

> The Educational Department of the province of Ontario has the following powers :
>
> To make regulations for the classification, organization, discipline and government of normal, model, high, public and separate schools ; for the equipment and ventilation of school houses ; for the arrangement and requisites of school premises ; for the authorization of text books for the use of pupils, and for teachers, and the qualifications and duties of inspectors, examiners and teachers and assistants in high schools.

I may be told that that clause does not provide for the examination of separate school teachers ; but on that point I would say, referring to the Separate School Act itself, that the provision is therein contained that the teachers in separate schools must pass the ordinary examination. The Separate School Act, section 61, provides as follows :—

> The teachers of separate schools under this Act shall be subject to the same examinations and receive their certificates of qualification in the same manner, as public school teachers generally.

Mr. MASSON. There is a proviso to that.

Mr. MULOCK. That proviso has only to do with certain persons qualified. The proviso goes on to say :

> But the persons qualified by law as teachers, either in the province of Ontario, or at the time of the passing of the British North America Act, in the province of Quebec, shall be considered qualified teachers for the purpose of this Act.

That proviso has only to do with certain persons at that time qualified. But to-day, if any person desires to become a separate school teacher in the province of Ontario, he would have to undergo the ordinary examination required of all public school teachers.

Mr. MASSON. Oh, no.

Mr. MULOCK. Yes, that is the interpretation they have put upon it. I think you will find that they have to get their qualification in that way.

Mr. MASSON. That proviso was added long after confederation.

Mr. MULOCK. But it only dealt with the vested rights of individuals at the time.

Mr. MASSON. The vested rights of a class.

Mr. MULOCK. A man who was a teacher at that time.

Mr. MASSON. No, long after.

Mr. MULOCK. Well, at the time this section was framed. It does not apply to the future at all.

Mr. MASSON. It has been amended since.

Mr. MULOCK. Does the hon. gentleman say that to-day a teacher for the separate schools is examined and receives qualification from the separate school authorities ?

Mr. MASSON. I meant to say that has been amended since. It is in the consolidation.

Mr. MULOCK. That proviso has nothing to do with the qualification of teachers to-day.

Mr. MASSON. I only called attention to the proviso, as you were drawing a parallel from that section.

Mr. MULOCK. As I understand the law in the province of Ontario—it is possible I may have omitted some section, but I shall be very much surprised if I have—the separate school teachers in the separate schools to-day are required to undergo the same examination as candidates for public school certificates.

Mr. HUGHES. As to the qualification of Roman Catholic teachers in Ontario, is it not a fact that the certificates of Roman Catholic teachers for the province of Quebec are also acceptable for separate schools in the province of Ontario ? Do not the Christian Brothers, who teach in Ottawa and Toronto, do so under the qualification obtained in the province of Quebec ?

Mr. MULOCK. There may be a provision for the acceptance of certificates from other bodies, but I am not aware of it. Is the hon. gentleman aware that such is the case ?

Mr. HUGHES. If the hon. gentleman will read the separate school law of Ontario he will find what I have said is the case.

Mr. McCARTHY. To what clause does the hon. gentleman refer ?

Mr. HUGHES. I refer to the fact that the Christian Brothers, who teach in separate schools in Ontario and draw public money, are teaching under qualifications obtained in Quebec, and are not required to pass the examinations laid down for public school teachers in Ontario.

Mr. McCARTHY. To what clause of the Separate School Act does the hon. gentleman refer ?

Mr. MULOCK. I have the Act here, and perhaps the hon. gentleman will point out the clause.

Mr. HUGHES. I state it as a fact.

Mr. MULOCK. I do not wish to contradict the hon. gentleman, but I have the Act here, and he has not the Act at hand, and I ask him to point out the section. I was seeking to show the powers which the law of Ontario has vested in the Educational Department of the province in regard to public and separate schools, and I am anxious for some hon. member to point out wherein those provisions have disappointed the friends of the minority, what valid objections have been taken by the Roman Catholic Church in Ontario to the powers to which I am alluding, which have for years been exercised by the Education Department ? If there has been no serious objection taken, am I not correct in suggesting that these provisions should form a basis as regards any rights we are about to create. I quoted subsection 1 of section 4 to make good the statement I made, that separate school teachers were required to undergo the examination as public school teachers. I now proceed to subsection 2, which provides that the Ontario government is to appoint inspectors for high and separate schools and for teachers' institutes. These are powers vested in the Government in order to ascertain that the separate schools are living up to the standard. Has any abuse come from that provision ? Is it a wholesome provision ? What is the weight of evidence as to the wisdom of it ? I ask the hon. member for North Victoria (Mr. Hughes), as he appears to be interested in this branch of the subject, does he favour the delegation of the right of inspecting separate schools to the board of trustees of the separate schools, or would he prefer such duty to be performed by the Government of the day ?

Mr. HUGHES. For a number of years I have insisted that the inspection of these schools in Ontario shall be under the control of county inspectors, and I have been opposed by hon. gentlemen opposite. I am in favour of that rule being applied to Ontario and also to Manitoba. The hon. member for North York is in favour of there being one law for Manitoba and another law for Ontario.

Mr. MULOCK. I do not understand the hon. gentleman's logic. The hon. gentleman appears to be in favour of some system of county inspection, which is indirectly the same principle, that the inspection should be under the control of the people as a whole and not under a section of it.

Mr. HUGHES. The hon. gentleman certainly knows that in Ontario, Roman Catholic separate schools are not under the inspection of the county school inspectors, but under the inspection of Roman Catholics, recommended by the authorities of the Roman Catholic Church to the Ontario government, and by them appointed on such recommendation. He will not deny that.

Mr. MULOCK. The question is one of responsibility. The hon. gentleman complains that the Ontario government do not properly discharge their duties. That is a matter quite different from the adoption of an unsound scheme. What we are discussing now is, what would be a proper scheme if it were properly worked out. I presume we will always find in this mundane sphere defects in everything carried out by man, and there will always be shortcomings. All we can do is to legislate so as to place in the hands of the people the best instrument and enable them to use it to the best advantage. I am not aware that I have ever interchanged opinions with the hon. gentleman in public or in private on educational matters, so that this tremendous conflict he has been waging for some years, and in which he has said he has been opposed by the Opposition, including myself, is, so far as I know about this alleged battle, entirely a myth.

Mr. HUGHES. I would ask the hon. gentleman if he has not taken the platform in Ontario in opposition to Mr. Meredith, and defended the appointment of Roman Catholic school inspectors, paid out of the provincial funds, and who are recommended for their positions by the Roman Catholic Church ? I ask him also if he has not endorsed the position of allowing Roman Catholic schools in Ontario to use whatever school-books they choose ? Again, I ask, if he has not in Ontario publicly endorsed the policy of the Ontario government in making members of the Roman Catholic Church, ipso facto separate school inspectors, instead of the public school supporters ? Has the hon. gentleman not defended these acts of the Ontario government time and again ?

Mr. MULOCK. You would no doubt rule me out of order, Mr. Deputy Speaker, if I were to enter into my political autobiography. In reply to the hon. gentleman, I will simply say that while no doubt he has taken a very prominent part in the discussion of these public matters, this is the first time I have known that he had any opinion upon them. I was proceeding to show what other powers have been exercised under the law by the Ontario government in regard to public and separate schools. The next clause is in regard to the appointment of a central committee of examination, which shall consist of not more than seven persons, whose duty it shall be, under the direction of the Minister, to prepare papers for the examination of teachers and the admission of pupils into the high schools and collegiate institutes, and to report to the Minister the result of such examinations. That provision applies to the public and separate schools. The appointment of the central committee rests with the Educational Department of the Government of the day. It is the duty of these examiners to prepare examination papers, to see that the examination is properly conducted, and to make their reports to the Government as to the success or failure of the candidates for public school teacher's certificates, or for separate school teacher's certificates. I am not aware that the provisions of that section have ever yet been adversely criticised by any class of the people. I am free to admit that criticisms have been from time to time directed towards the manner in which examinations have been conducted, but that species of criticism is inseparable from every examination because unsuccessful candidates always believe that their failure is attributable to another cause than their lack of qualification. I am satisfied that the hon. gentleman (Mr. Daly) could not secure a recommendation now, from the representatives of the Roman Catholic Church in the province of Ontario, to take these powers away from the Education Department. There is a very laudable ambition—and it is a gratifying thing to me—on the part of the hierarchy of the Roman Catholic Church of the province of Ontario, to equip their Catholic children to the highest degree of education. Section 9 provides that the Education Department of Ontario should at its discretion authorize text books for the use of pupils and teachers, or for the use of school libraries. Under that Act the Ontario government has to give its consent to the secular books in the separate schools. In clause 4 of the Bill we are considering, you ask that the separate school board for Manitoba shall select the school books, and so on. Why should that be ? Can any reason be assigned for saying that any Roman Catholic boy or girl is not as much in need of the secular education provided by the state, as are the Protestant children ? I know of none. I think we are making a great mistake in providing for separation, except at the proper point. The object of this legislation is to recognize the conscientious scruples of the Roman Catholic Church, which is of opinion that religious training should accompany secular training. But I am not aware, that the Roman Catholic Church takes any exception whatever to the character of the secular training that is offered to the Roman Catholic children, as well as to the Protestant children of the province of Manitoba. Their whole objection is to the system which ignores religious training, and which also, as they allege, imposes upon the Roman Catholic children the injustice of being obliged to attend schools where religion not wholly in harmony with their views is taught. So far as is necessary to respect the conscientious views of these people, is the extent to which the Government under the Order in Council should go, and we should pause before we embark in an untried experiment, instead of taking such a precedent as we have furnished of forty years' experience in the old province of Ontario, and which I think deservedly enjoys the confidence of the people in that province, both Protestants and Catholics. I am speaking now as one engaged in trying to formulate provisions that will make this Act as efficient as possible ; I am not speaking as a politician, and I would ask the Minister of the Interior, why it would not entirely meet the case, if we proceeded to build up this Act on the lines such as I have referred to of the education law in the province of Ontario, instead of having a dual system of administration such as is proposed here. What valid reason is there against our adopting the course I suggest ?

Mr. DALY. Does the hon. gentleman mean that we should adopt the Separate Schools Act of Ontario ?

Mr. MULOCK. I am speaking of these provisions—some or all of them.

Mr. DALY. Because it would be ultra vires of this Parliament. We would be giving the minority greater privileges than they enjoyed prior to 1890.

Mr. MULOCK. No. Instead of creating a separate board, what objection is there to allowing these matters of administration to be dealt with by the Education Department of the province of Manitoba ?

Mr. LaRIVIERE. The hon. gentleman says, instead of creating a separate board. We are not creating a board ; we are merely reinstating the board that existed before.

Mr. MULOCK. I do not understand that it is contended by any one that we are obliged to restore things as they existed before.

Mr. LaRIVIERE. We are not obliged, but we are not prevented either.

Mr. MULOCK. I understand that by the Order in Council of July, 1895, this Government told the Manitoba government that they were not asked to restore the old status quo. They themselves have taken the position that it is our duty to bring our discretion to bear that we are not simply the registrars of some supposed mandamus issued by a higher power, but legislators clothed with full responsibility to give or to withhold. It is our duty therefore to do what is best under the circumstances. The whole subject is at large ; and I ask, what objection is there to vesting these secular matters which are necessary for the administration of the law, in the responsible Education Department of the province, instead of in a board under the control of a religious denomination ?

Mr. LaRIVIERE. The objection is this. If the Manitoba legislature had restored the autonomy of the Roman Catholic schools, then they could have adapted their organization to the system in operation. Since the province has declined not only to restore the autonomy of the Roman Catholic schools, but to have anything to do with them, it is our duty not only to restore the schools, but to provide for the whole organization of the system.

Mr. MULOCK. I should have been glad to have had the Minister in charge of the Bill give his reasons too. I think we are entitled to a statement from him whether he has compared the relative values of the two systems, and has come to any conclusion on that point. The mere fact that there has been friction in the past ought not to weigh with us so conclusively as to make us assume that it will for all time continue if we pass such a measure as this. My hon. friend, I hope, will give me credit for perfect sincerity. I am not seeking to rob this measure of anything necessary to make it good. If the majority insist on such a law being on the statute-book, it is the duty of all, whether in favour of it or against it, to make the measure as perfect and effective as possible. In that spirit alone I make these criticisms. I think it would be time enough for us to create a separate board when the local authorities refused to give effect to the provisions of this Act. Would it not be sufficient for us, for the purposes of the present, to declare the law, and leave out of this Act everything relating to the administration of the law—leaving that to the local government ? If they make default, it will be for us then to consider what course is incumbent upon Parliament.

Mr. DALY. My answer to the hon. gentleman is that we have no power to invest the Department of Education with power to deal with separate schools ; nor have we the power to give to the minority the privilege to have their separate schools managed by the Department of Education. We have only power to deal with this matter as it comes to us by virtue of the remedial order.

Mr. MULOCK. I am unable to follow the reasoning of the Minister of the Interior.

Mr. COSTIGAN. We all expect that.

Mr. MULOCK. All the same, I have my opinion, whether it commends itself to hon. gentlemen opposite or not. The Minister of the Interior says we have no power to delegate this authority to the Department of Education in Manitoba. I would like to know if he can point out anything, in any law or statute, which says that this Parliament may create any tribunal to carry out this law. You cannot find anything anywhere. The board you create is a creature of the statute we pass. Our title to create it does not depend on any power given to us except the Manitoba Act as interpreted by the Privy Council. There is nothing in any statute stating in what form this Parliament shall restore the rights and privileges which have been taken away, or stating that this Parliament shall create this or that tribunal. It is for us, in restoring those rights or privileges, to provide such machinery as we in our wisdom see fit. I am sure there is not a lawyer in this House who will venture the opinion that we have not the power to provide, that the working out of this Act shall be by this or by that tribunal. The very fact that we purport to create a separate school board shows that we assume to ourselves the right to provide for the carrying out of the provision ; and if so, where do you find anything saying that we cannot trust these powers to the Department of Education of Manitoba as well as to a board composed of certain other persons in Manitoba ? I submit that the Minister's answer is wholly insufficient. It is so manifestly not the reason for this proposition, that I am sure he does not expect any person in this House to accept it as the real reason. I fear, rather, that the Government have been impressed with the view that if we pass a law and do not provide also the machinery for carrying it out in its minutest detail, its administration may encounter difficulties elsewhere.

Mr. LaRIVIERE. Hear, hear.

Mr. MULOCK. I think my hon. friend from Provencher acquiesces in that view.

Mr. LaRIVIERE. I do.

Mr. MULOCK. I thought so. That bears out what I said, that the only reason for the establishment of the separate school board is the apprehension that the Act might not be honestly worked out by the Manitoba Department of Education. That apprehension does not commend itself to me as a valid reason, and I ask the Minister of the Interior to say frankly whether or not he shares that apprehension. This is not the first time that what is pretended to be the law has been thrust in as an obstacle against doing what we ought to do. The hon. Minister of Finance (Mr. Foster) spent many months in Ontario trying to prove that some overwhelming power had ordered this legislature to do something and that we have no power, except as registrars, bound to carry out the will of the superior body. He spent his energies, time and eloquence in trying to mislead the people.

Some hon, MEMBERS. Order.

Mr. MULOCK. Well, I will say educating the people in his own way ; but a short time afterwards, he had to admit in this House that his whole campaign had practically been a campaign of misrepresentation.

Mr. DEPUTY SPEAKER. What has that to do with paragraph "a" ?

Mr. MULOCK. The hon. Minister of Interior interjects, as an obstacle, that the law will not allow us to adopt the suggestion which I have made. I ask him to point out any provision in the law which says you cannot select the best of two or more alternative propositions for the carrying out of the law. What is there in the law which says you must select this particular tribunal in some other tribunal.

Mr. DALY. The remedial order—read it.

Mr. MULOCK. But we are told that we are not obliged to follow literally that order.

Mr. DALY. We cannot go beyond the powers given in it.

Mr. MULOCK. If the hon. gentleman says that the remedial order was made without due consideration——

Mr. DALY. It was made with full consideration.

Mr. MULOCK. It was, then fully considered. It would be strange if it were not, for the Government had time enough to consider it. But the fact that the remedial order does not allow such a suggestion to be adopted, is not, in my opinion, a valid reason. The question is, what is the best system ? If the remedial order does not give the best system, then we should select it. I submit, therefore, that no case has been made out for our adopting this machinery.

Mr. CASEY. I do not think the hon. Minister of Interior has said anything to remove the objection to this clause. I understand him to say that we could not give to the Department of Education the powers conferred by this clause upon the separate school board, because we had not the authority to do so. I would refer him to the last subsection of the previous clause which we have just passed. That subsection provides that the Department of Education may also make, from time to time, such regulations as they may think fit for the general organization of separate schools. The clause now under discussion gives power to the Catholic separate school board to make regulations for the general government and discipline of the schools. These two powers seem to me to be identical : and as we have passed subsection 2 of section 3 giving these powers to the Department of Education, we cannot now dispute our power to do so ; and it remains indisputable that we could give every power to the Department of Education which we are, by this section, giving to the separate school board.

For my part, I believe that this section is ultra vires. There is nothing in the remedial order calling upon the government of Manitoba to appoint a separate school board. It is quite certain, under the terms of the Manitboa Act, and under the section of that Act on which the judgment of the Privy Council is based, that we can do nothing more than enact here what we have asked Manitoba to do and what she has refused to do. The measure of our power is the extent of the refusal of Manitoba to do what she was asked to do by the Order in Council of this Government ; and if the remedial order did not call upon her to appoint this separate school board, it is quite certain that we have not the constitutional authority to do so. The judgment of the British Privy Council and the remedial order are both alike in this respect. That judgment and order did not call, in so many words, for the re-establishment of separate schools at all, and that fact of itself creates great doubt as to the constitutionality of everything we are asked to do by this Bill and this clause in particular. The Privy Council judgment pointed out distinctly that "all legitimate grounds of complaint would be removed if the existing schools system be supplemented by provision which would remove the grievance upon which the appeal is founded," and does not necessarily order the re-establishment of separate schools as they used to be. The argument of the hon. member for Provencher, and hon. gentlemen opposite, seems to be founded on the idea that we are bound to establish separate schools as they used to be in Manitoba ; but that argument falls to the ground on the reading of the judgment of the Privy Council.

As stated by the hon. Minister of Public Works (Mr. Ouimet) on the 24th of last month, this Bill seems to be based on the idea that we are compelled to re-enact every clause in the old Manitoba law, as far as possible ; but that whole theory is wrong. The Government themselves, by their Order in Council of July last, declared their willingness to be satisfied with something else than the establishment of separate schools. The hon. Minister of Public Works also declared his own personal opinion, as a member of the Government, and the special representative in the Government of Catholic interests, that their interests would be served, if something very much less than the establishment of separate schools were agreed to by the Manitoba government. We, of course, are not in a position to say what instructions were given to the commissioners. I think it highly probable that, when they make their official report, it will be found that something less than the establishment of separate schools was set forth as the basis of negotiations. However, the hon. Minister of Public Works said in the House—putting it in my own words, which I think will cover the ground he took—that if permission was given to have religious instruction for the Roman Catholic children in the public schools, and if the Catholic children were not compelled to be present while Protestant religious exercises were carried on in those schools, it would satisfy the minority in Manitoba and would satisfy the government. He urged at the same time that this Bill should be proceeded with to hold as a guarantee for the carrying out of these promises. But when the Government, by Order in Council, and by the voice of one of the Ministers, says that something less than the re-establishment of separate schools will satisfy them, there is no ground for the provision regarding these schools which we are now considering.

Under these circumstances, why should this Parliament do more than is declared sufficient to remove the grievance, and in doing so go beyond the power shown to belong to it, under the proceedings which have taken place, by attempting to establish a separate school board in the province ? It has been pointed out before, though the argument does not seem to have taken root in the minds of hon. gentlemen opposite, that the kind of rights and privileges that we are entitled to restore are not those involving administrative action and organization of this kind. A reference to the British North America Act will show that, so far as the separate schools of Ontario and Quebec are concerned, the only rights reserved by the constitution are rights inherent in the trustees of each individual separate school, under the law that existed previous to confederation. If there is any defect in the administration of the law regarding these schools, an appeal is provided to the Governor General in Council. But there is no mention of any rights other than those referred to, the rights of the trustees of each separate school.

Why would not the safeguard be sufficient in Manitoba ? If we must provide separate schools at all, why would it not do to provide for the creation of boards of trustees and fix their duties and rights, while leaving the general administration of the schools to the Department of Education, as is done in Ontario and Quebec ? In the case of Ontario there is only one department, although the organization of separate schools in that province is much more perfect than that proposed under this Remedial Act, and these schools get along in perfect accord under the Educational Department of the province. There has never been friction between the Department of Education and the separate schools. If there had been friction caused by injustice, no doubt an appeal would have been made to the Governor General in Council against that administrative malfeasance. But after many years' experience the separate schools are doing good work that satisfies the Catholics and leaves objection in the minds of only a portion of the Protestants. There is no friction in the operation of the separate school law of Ontario, and there would be none in Manitoba if the schools were given over to control of the Department of Education of that province.

The points I make, then, are two. In the first place the authority which we now propose, by subsection (a) of this clause to give to the separate school board, has already been given, by the preceding clause to the Department of Education, and I do not see how the same powers can be delegated to two different bodies. To delegate them to the provincial Board of Education is the proper way of settling the matter, as experience has shown. The constitutional safeguards already allowed would be safeguards for the minority of Manitoba, as they are for the minorities in the other provinces. I do not profess to be able, any more than my hon. friend from North York (Mr. Mulock) to see how the argument of the Minister of the Interior applies to this case. But, as the Minister of Marine (Mr. Costigan) does not expect us to be able to solve that intricate problem——

Mr. OUIMET. If the hon. gentleman will allow me I would like to ask a question. I would like to know whether, in the opinion of the hon. gentleman, the Bill goes too far in the way of satisfying the claim of the minority or whether it does not provide enough ?

Mr. CASEY. We are not discussing the Bill as a whole, and I think it rather an obstructive interruption for the hon. Minister to ask me to give my opinion on the Bill as a whole. If the House wishes me to give an answer to that irregular question, I will do so. But it will take some time.

Mr. OUIMET. Say " Yes " or " No."

Mr. CASEY. I am speaking on this particular clause. My opinion is that it goes beyond the powers of legislation which this Parliament has acquired, under the decision of the Privy Council and the remedial order. Whether it goes further than I want it to or not, I say it goes further than we have any power to go. It would not be law, even if we passed it. I am seriously inclined to doubt whether hon. gentlemen on the other side do not wish this clause to be found unconstitutional by the courts

Mr. OUIMET. We will take the risk.

Mr. CASEY. The hon. Minister says they are willing to take the risk. They are certainly increasing the risk by putting in the clause under discussion, which exceeds the powers acquired under the proceedings that have taken place, and is contradictory of the other clause we have adopted. If they wish to have this law declared unconstitutional, they are following exactly the course to secure that end. They are making this Bill, on the face of it, look as unconstitutional as any law possibly could look. They are positively inviting and calling upon every clever lawyer in the country to get up suits under this Bill. But the Minister of Public Works seems to be quite content to take the risk of anything so long as the Bill gets through this House. He does not care what happens to it afterwards, he says they are willing to take the risk. Well, that is the impression I have already derived from the language and course of the Government and their supporters. They do not care what becomes of the Bill after it gets on the statute-book ; all they want is to have the Bill pass the House, to have the credit of getting it through ; and to claim support on that ground.

Mr. INGRAM. I would like to ask the hon. gentleman a question. Are we to understand that the hon. gentleman is opposed to any remedial legislation, that he is opposed to remedying the grievance of the minority in Manitoba ? That is a plain question, and I would like a plain answer.

Mr. CASEY. I do not consider that that question is before the House at the present time. I have declared already that I am opposed to this Bill by voting against the second reading, and I have declared that I am against this clause for the reasons I have given ; and before the discussion is through, my hon. friend from East Elgin will certainly find out exactly where I stand on the whole case. If he wishes to put me on record before the electors of our joint county, he will have plenty of opportunity for doing so in the regular way, without interrupting me with questions entirely foreign to the subject. His question is entirely outside the subject we are now discussing.

Mr. INGRAM. Well, I understand the friends of hon. gentlemen opposite to say that should their leader get into power, he will offer a still stronger Bill on this question, and if that is true, I would like to know whether the hon. gentleman would support a stronger Bill. That is a plain question.

Mr. CASEY. I do not think, Mr. Chairman, that the hon. gentleman ever understood any hon. gentleman on this side of the House to say that.

Mr. INGRAM. I do not want the gentlemen who are canvassing the hon. gentleman's constituency to come before the Catholic people and tell them that when their leader gets into power they will offer still stronger legislation on this point ; and then, when they are canvassing the Orangemen and Protestants, tell them that the Bill is going entirely too far. I want them to pursue a straightforward course, and then we will fight a square battle on that line.

Mr. CASEY. The hon. gentleman need not be uneasy as to what is stated to my constituents. I think he has more cause for uneasiness as to what he will say to his own constituents. As far as my constituents are concerned, I have every reason to believe that they are satisfied with my course in this matter. But I judge that the hon. gentleman's course has created some dissatisfaction in his own constituency, which has prompted him to put questions to me which have no bearing upon the subject before the House, I am quite sure that nobody can accuse me of telling double stories to the electors in regard to this question. If he will take care that such double dealing does not take place in his end of the county, I will answer for mine.

Mr. McCARTHY. We have discussed at great length the legal questions involved in this measure. We who are opposed to this clause have endeavoured to point out that we have no power here to pass clause 4 or any of its subsections. Now, I do not propose to go over that ground again. All I have to say on that subject has been said by myself and others, and my hon. friend here who is speaking for the Government has given his reasons why he is unable to adopt our view. I was disappointed, I may say, with one of the observations which fell from my hon. friend, in answer to the hon. member for North Norfolk (Mr. Mulock), who appealed to my hon. friend to know whether, as a matter of policy, and aside altogether from the legal right, the Government had deliberately adopted the plan of re-creating the board of education, instead of delegating to the authorities in Manitoba already constituted under the Manitoba Act, the administration of the separate school system as well as the public school system. Now, the hon. gentleman said in answer that it was ultra vires, because to do so would be to go beyond the remedial order. Sir, my hon. friend had not considered that answer. The Bill already delegates to the Department of Education the power to make regulations as they may think fit for the general organization of separate schools. Well, all the remedial order does is to enact that the system existing before shall be restored to the minority. That is all the remedial order does; it does not say how this right to build, maintain, equip and manage the schools, is to be restored to the minority. But whether it is to be restored by the re-creation of the board of education, or whether it is to be restored by handing over the advisory board of the Department of Education, is no where either provided for or referred to in the remedial order. So that we have got power in the remedial order to hand these administrative duties, the legal question apart, either to the board which is proposed here, or to the advisory board which is already in existence under the Manitoba School Act, and the question is one of policy as to which would be the better and more proper course to take. Now, I have already pointed out, and I want to get an answer to that, that the creation of a double board will entail a waste of public money, which, if this law ever becomes effective, is to come out of the province of Manitoba. I have already drawn attention to the fact that there is no necessity for there being two boards. That is proved by the experience in the province of Ontario, and is still further demonstrated by the existence of things in the North-west. In the North-west there is one system, one administration, one set of text books, one inspector, one system. If the hon. gentleman will look at the blue-book which was brought down to us in 1892, dealing with this question, he will find a memorandum from the late Archbishop Taché, in which he points out that the Roman Catholics have been deprived, by the legislative ordinance of the North-west, of all those various powers, so that the school system now there is a school system administered under one board, and not a double board, by one system, by one set of officers, and exactly on the one basis.

Mr. DALY. There always was one board.

Mr. McCARTHY. One board, yet divided. Now, he points out on page 29 that the ordinance of 1888 granted the Catholics as such the following rights:—

> The legislative council may appoint and constitute a board of education composed of eight members of which three shall be Roman Catholics.

And the three Catholic members were to have a right to vote. He points out that the new law of 1892 provided that the members of the executive committee, two Protestants and two Roman Catholics, should constitute the council of public instruction, but the members should have no seats; whereas under the law of 1888, they had a right to vote.

Mr. DALY. The board of education in the North-west was not divided into two sections the same as the old board of education in Manitoba.

Mr. McCARTHY. That is true, but my point is this, that one system of administration answers for public schools and separate schools, as is proved by the experience in Ontario. I am now showing that it answers in the North-west, and I am proving it by the memorandum prepared by the late Archbishop Taché wherein he points out that all these different powers and privileges which they had by the statutes of 1888, have been taken from them by the statute of 1892.

The ordinance of 1888 granted to the Catholics, as such, the following rights:	The ordinance of 1892 gives as follows, to Catholics:
1.—The Lieutenant Governor in Council may appoint and constitute a board of education composed of eight members, and three shall be Roman Catholic (4).	1.—The members of the executive committee and two Protestant and two Roman Catholics shall constitute a council of public instruction. The appointed members shall have no vote (5).
2.—Any question on which there is an equality of votes shall be declared to be negatived (9).	2.—No vote against hostile regulations.
3.—To determine all appeals from the decisions of inspectors of schools and to make such orders thereon as may be required.	3.—Nothing.
4.—To provide for a uniform system of inspection of all schools and to make such regulations as may be deemed necessary with respect to the duties of the inspectors.	4.—No power.

5.—To arrange for the proper examination, and the granting of certificates.	5.—No vote nor action.
6.—To make regulations for the general government and discipline.	6.—Nothing.
7.—To appoint inspectors.	7.—No power.
8.—To select and prescribe text books.	8.—No power.
9.—To cancel the certificates of a teacher, (for such schools as are not designated Protestant or Roman Catholic.)	9.—No power.

The Archbishop deals with the issue as a whole as follows :—

> The minority of the North-west have petitioned for the disallowance of the ordinance of 1892, because it deprives them of most of the rights they enjoyed by the ordinance of 1888, and because as they say : " The said ordinance, inasmuch as it places in the hands of non-catholics the control and management of Catholic separate schools to such an extent that such persons are enabled, as they have actually done, to obliterate almost wholly the distinction between Catholic and other schools."

That petition was presented, and those particulars were given in order to verify the remarks which the Archbishop made. But this Government did not interfere. By a long memorandum prepared, no doubt, by Sir John Thompson and adopted by Council, the Government showed that everything done had been done with the approval of the North-west Territories Assembly, and that it was not a matter with which the Government could interfere. We have, therefore, in the North-west a double system of schools administered by one body. If that be so, and if we have the power—I do not think any one will seriously contend that we have not the power—to interfere or delegate to the authorities in the province of Manitoba powers which we are now proposing to give to the board, which cannot be executed without the expenditure of considerable public money, which under these circumstances would be absolutely wasted, surely that course is feasible. Let me point out the scheme which exists in Manitoba at present. There is a Department of Education. It is a department of the government, or a committee thereof. But there is another body there called the advisory board, and it is constituted in a manner much more preferable than that of the Board of Education. All the members of the Board of Education are nominated by the Governor in Council. The advisory board consists of seven members, four of whom are appointed by the Governor in Council, two by the school teachers and one by the University Council, by ballot. The advisory board has very large administrative powers, and apart from the financial consideration, it would be wiser and better—I am speaking now not in the interest of the whole, but in the interest of the minority—if we delegated to that board the duties connected with administering the separate school system. The advisory board is recognized in the negotiations which have taken place, and all the Catholics demand is that a Roman Catholic shall be appointed on that board. That appears to be a very reasonable suggestion. Manitoba answered that objection by saying that the provincial government had offered a place on the board to Archbishop Taché, who had declined it. That board has practically all the powers of administering the schools. They are authorized to make regulations respecting the equipment of school buildings and the furnishing of them. What is the use of appointing another board to perform those functions. The hon. member for Provencher (Mr. LaRivière) puts forward as his only ground for objecting his opinion that he does not think the Advisory Board would fairly administer the law. I do not think we have a right to presume so.

Mr. LaRIVIERE. I said that the Department of Education was nominated and appointed in order to put into force the present system of schools in Manitoba, and therefore it would be unwise to call upon that board to put into force another system, which might, to some extent, be antagonistic to the present system.

Mr. McCARTHY. All the hon. gentleman will have to do is to put his own friends in power in Manitoba, and then the Advisory Board will be composed of members friendly to him.

Mr. LaRIVIERE. Will the hon. gentleman help me to do that ?

Mr. McCARTHY. I have not got a vote there.

Mr. LaRIVIERE. I am glad to know it.

Mr. McCARTHY. We cannot pass a law or organize a system dependent on any particular body of men being in power at a particular time. The Government will change, and such change must not prove disastrous to the law. If the Department of Education does not give effect to the law, there is the right of complaint and of an appeal for redress. So we need not deal with the Department of Education, which happens to be in the hands of the hon. gentleman's political opponents. My hon. friend (Mr. LaRivière) made no objection to subsection 2 of clause 3, and he delegated to the Department of Education the power to make regulations for the general organization of separate schools.

Mr. LaRIVIERE. I beg the hon. gentleman's pardon. I moved that that be struck out.

Mr. McCARTHY. I beg the hon. gentleman's pardon. I was not in the House at the time, and I did not know that he objected, and he is therefore consistent in that. What we have to come to now is the advisory board. I want any hon. gentleman here, no matter what his view may be on other clauses, to tell me, why the advisory board, constituted as I have mentioned, cannot perform, and would not perform these duties fairly, and honestly, and legitimately. I have read subsection "a" which means to make regulations for the equipment of schools and school premises. Now, I come to subsection "a" which says that they shall have power to examine and authorize text books for use in schools and libraries, subject to the exception of religious books. As was pointed out by the hon. member for North York (Mr. Mulock), what do you want to have two sets of text books for ? Then we come to determine the standard to be attained by pupils for admission to separate schools. Surely my hon. friend does not object to that. In order to bring this to a point I move :

That section 4 of the said Bill is hereby amended, by striking out the first line thereof, and substituting in lieu the following : It shall be the duty of the advisory board constituted under the provisions of the Education Department Act of the province of Manitoba.

The effect will be to give to the advisory board, instead of to the Board of Education, the duties which are afterwards conferred in subsections "a," "b" and "c," and so on. The most important matter to deal with, is whether we are to confer upon the Board of Education created under that Act, or upon the advisory board, the administration of the separate school system. I see here some hon. gentlemen who were not present during the legal discussion, and I want them to understand how the matter is. There is a Department of Education in the province of Manitoba similar to the Education Department of the province of Ontario. Then there is an advisory board whose duties are to be found in clause 16 of the Education Act of Manitoba, and its subsections ; and lastly, there is the Board of Education which we propose to create. The question now upon the amendment I have made is : Are we to transfer the administrative part of this law to the Board of Education, or are we to transfer it to the advisory board.

Committee rose, and reported, and it being Six o'clock the Speaker left the Chair.

After Recess.

House again resolved itself into committee.

(In the Committee.)

Mr. McCARTHY. Mr. Chairman, the amendment which I have put in your hands is, as I have stated, simply for the purpose of delegating to the advisory board instead of to the Board of Education the machinery for the carrying out of the purposes of this Bill. I think I explained the matter as fully as was necessary to the members who were present before recess—not a very large number, it is true, because I observe that the House is not more than half full to-day—and they will no doubt understand the purport and object of the amendment. I put it on the ground of propriety—to interfere as little as possible with the legislature of Manitoba on the ground of economy, as it seems an absolutely unnecessary waste of public money to appoint a second board to do the work for which there is a sufficient board already in existence. To that I added, what has been urged at great length to-day, the legal difficulties and objections which stand in the way of our interfering with the administration of the school law in the province. Under these circumstances I hope the committee wil adopt the amendment, which I suppose can only be done by the hon. gentleman in charge ot the Bill accepting it.

Mr. SUTHERLAND. Who comprise the advisory board, and how are they appointed ?

Mr. McCARTHY. The advisory board is composed of seven individuals at present, though I suppose there would be no difficulty in our appointing an eighth, if we pleased. They are appointed as follows :—Four nominated by the Lieutenant-Governor, two elected by the school teachers of the province, and the seventh appointed by the Council of the University of Manitoba by ballot. So that it is a representative body, and when first constituted the late Archbishop Taché was offered a seat on it.

Mr. DALY. If I remember aright, when the hon. mover of this amendment commenced his argument this afternoon, he said that one reason why he thought this Parliament had power to amend section 4 in the terms his amendment calls for, was that the Government had already admitted his position by the insertion of subsection 2 of section 3. I stated to the committee very early in the day that there were doubts as to whether or not subsection 2 of section 3 should remain part of the Bill. The clause has been carried by the committee, and we cannot go back to it at this stage. I do not know whether or not I stated the reason why there is a doubt as to the necessity of our passing that clause ; but the fact is that there is a grave legal and constitutional doubt as to whether or not we have the power to give to the Department of Education the powers we give to them by subsection 2 of section 3.

Mr. McCARTHY. What is the grave legal doubt ?

Mr. DALY. Simply because we are dealing with a body that did not exist prior to 1890 ; and it is not for the reasons that were given by hon. gentlemen in objecting to this clause, namely, that it conflicts with provisions of section 4, that I ask the committee to defer consideration of that part of the Bill. I do not seek to take the responsibility upon myself of saying that the Government will not insist on this clause being left in the Bill ; but I ask that further discussion of it should be postponed until the Minister of Justice, on whom the responsibility will rest, returns. Now, Sir, let us begin at the beginning of this matter, and I will endeavour to elaborate some of the arguments I have made to-day ; because I endeavoured to be concise as possible, to avoid taking up time, because time is pressing. I have endeavoured to answer the objections offered by hon. gentlemen ; but I think it would perhaps be well for me to go a little further than I did this afternoon. What was the foundation for the proceeding that brings us here ? We had several petitions from the minority in Manitoba. Those petitions were all considered by the Governor General in Council, to whom they were addressed. Take the petition of November, 1892. It concludes as follows :—

> Your petitioners therefore pray :
>
> 1. That Your Excellency the Governor General in Council may entertain the said appeal and may consider the same, and may make such provisions and give such directions for the hearing and consideration of the said appeal as may be thought proper.
>
> 2. That it may be declared that the said Acts (53 Vic., chaps. 37 and 38) do prejudicially affect the rights and privileges with regard to denominational schools which Roman Catholics had by law or practice in the province at the union.
>
> 3. That it may be declared that the said last mentioned Acts do effect the rights and privileges of the Roman Catholic minority of the Queen's subjects in relation to education.
>
> 4. That it may be declared that to Your Excellency the Governor General in Council, it seems requisite that the provisions of the statutes in force in the province of Manitoba prior to the passage of the said Act, should be re-enacted in so far at least as may be necessary to secure to the Roman Catholics in the said province the right to build, maintain, equip, manage, conduct and support these schools in the same manner provided for by the said statutes, to secure to them their proportionate share of any grant made out of the public funds for the purposes of education, and to relieve such members of the Roman Catholic Church as contribute to such Roman Catholic schools from all payment or contribution to the support of any other schools ; or that the said Acts of 1890 should be so modified or amended as to effect such purposes.

And so on. In section 4 of that prayer, the petitioners ask that the statutes in force in the province of Manitoba prior to the passage of the Act of 1890 should be re-enacted in so far at least as they may be necessary to secure to the Roman Catholics the rights, and so on. The Privy Council, to whom that petition was directed, heard the appeal, the minority being represented. The Governor General in Council then referred certain questions to the Supreme Court for answer. I will deal with questions 5 and 6, which are as follows :—

> (5) Has His Excellency the Governor General in Council power to make the declarations or remedial orders which are asked for in the said memorials and petitions, assuming the material facts to be as stated therein, or has His Excellency the Governor General in Council any other jurisdiction in the premises ?

> (6.) Did the Acts of Manitoba relating to education, passed prior to 1890, confer on or continue to the minority a right or privilege in relation to education within the meaning of subsection 2 of section 22 of the Manitoba Act, or establish a system of dissentient schools within the meaning of subsection 3 of section 93 of the British North America Act, 1867, if said section 93 be found to be applicable to Manitoba ; and if so, did the two Acts of 1890 complained of, or either of them, affect any right or privilege of the minority in such a manner that an appeal will lie thereunder to the Governor General in Council ?

These questions were referred to the Supreme Court, the Supreme Court answered them, and the appeal was taken to the Privy Council ; and how were those questions dealt with by that tribunal ? In the concluding paragraph of the judgment of the Privy Council their Lordships say :

> The Manitoba School Acts of 1871 provided for a Board of Education of not less than ten nor more than fourteen members, of whom one-half were to be Protestants and the other half Catholics. The two sections of the board might meet at any time separately, Each section was to choose a chairman, and to have under its control and management the discipline of the schools of the section. One of the Protestant members was to be appointed superintendent of the Protestant schools, and one of the Catholic members superintendent of the Catholic schools, and these two were to be the joint secretaries of the board, which was to select the books to be used in the schools, except those having reference to religion or morals, which were to be prescribed by the sections respectively. * * * * * * * * *
>
> Acts amending the education law in some respects were passed in subsequent years, but it is not necessary to refer to them, as in 1881 the Act of 1871 and these amending Acts were repealed. The Manitoba School Act, 1881, followed the same general lines as that of 1871. The number of the Board of Education was fixed at not more than twenty-one, of whom 12 were to be Protestants and nine Catholics. If a less number were appointed the same relative proportion was to be observed. The board, as before, was to resolve itself into two sections, Protestant and Catholic, each of which was to have the control of the schools of its section, and all the books to be used in the schools under its control were now to be selected by each section. There were to be, as before, a Protestant and a Catholic superintendent. * * * * * * *
>
> Their lordships pass now to the Department of Education and Public Schools Act, 1890, which certainly brought a great change. Under the former the Roman Catholics were not entitled as such to any representation on the Board of Education or on the advisory board, which was to authorize text-books for the use of pupils and to prescribe the forms of religious exercises to be used in schools. All Protestant and Catholic school districts were to be subject to the provisions of the Public Schools Act. The public schools were all to be free, and to be entirely non-sectarian. No religious exercises were to be allowed unless conducted according to the regulations of the advisory board, and with the authority of the school trustees of the district. It was made the duty of the trustees to take possession of all public school property which had

> been acquired or given for public school purposes in the district. The municipal council of every city, town or village, was directed to levy and collect upon all taxable property within the municipality such sums as might be required by the public school trustees for school purposes. * * * * * * * *
>
> The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed has been affected by the legislation of 1890. Their Lordships are unable to see how this question can receive any but an affirmative answer. Contrast the position of the Roman Catholics prior and subsequent to the Acts from which they appeal. Before these passed into law there existed denominational schools, of which the control and management were in the hands of Roman Catholics, who could select the books to be used and determine the character of the religious teaching.

Now the portions of the judgment that I have read are summarized in the answers made by the Imperial Privy Council to the questions five and six. Section 5 was answered as follows :—

> (5.) In answer to the fifth question :—That the Governor General in Council has jurisdiction, and the appeal is well founded, but that the particular course to be pursued must be determined by the authorities to whom it has been committed by the statute ; that the general character of the steps to be taken is sufficiently defined by subsection 3 of section 22 of the Manitoba Act, 1870.

Question 6 is answered as follows .—

> (6.) In answer to the sixth question :—That the Acts of Manitoba relating to education passed prior to the session of 1890 did confer on the minority a right or privilege in relation to education within the meaning of subsection 2 of section 22 of the Manitoba Act, which alone applies ; that the two Acts of 1890 complained of did affect a right or privilege of the minority in such a manner that an appeal will lie thereunder to the Governor General in Council.

Upon that the appeal was made, and the finding of the Privy Council is found in the remedial order. That remedial order recites the petition that I have read and declares that the rights and privileges of the Roman Catholic minority of the said province, in relation to education, prior to the 1st May, 1890, have been affected by depriving the Roman Catholic minority of the following rights and privileges which they had hitherto enjoyed :—

> The right to build, maintain, equip, manage, conduct and support Roman Catholic schools in the manner provided for by the said statutes, which were repealed by the two Acts of 1890 aforesaid.

Now the hon. gentleman in reading that clause (a), seemed to have slurred over the last line, that is "in the manner provided for by the said statutes, which were repealed by the two Acts of 1890 aforesaid." That simply means that what we have to do here and what the remedial order, which is in accord with the decision of the Privy Council, has directed, is to restore the rights which the minority had to "build, maintain, equip, manage, conduct and support Roman Catholic schools in the manner provided for by the said statutes, which were repealed by the two Acts of 1890, aforesaid," not by any subsequent Act that was passed. The hon. gentleman now, by his amendment, seeks to engraft on the Bill a provision delegating to the advisory board, created by the Act of 1890, these powers which were enjoyed by the minority prior to 1890. That is a matter we have not to deal with at all, because all we have to do is to restore the rights the Roman Catholic minority enjoyed in the manner provided by the statutes that were repealed by the Acts of 1890. It is clear, so far as the powers of this House are concerned, that they are confined within the terms of the remedial order and that we cannot legislate beyond that order. We can legislate within it, we can give to the Roman Catholic minority less rights than they enjoyed previously, but not more. We cannot give to them the right of having their school regulated by an advisory board, which did not exist prior to 1890. That board is a creature of the Department of Education, which did not exist prior to 1890, so that we cannot give to the advisory board under the remedial order, powers that the board does not enjoy at present. In other words, we cannot give to that advisory board the privilege of dealing with separate schools.

Mr. MILLS (Bothwell). Look at section 3 and at what you have done with the Department of Education by that section.

Mr. DALY. I met that position in the first part of my argument. I say there is a grave doubt whether that is law or not, whether we have a legal or constitutional right to engraft that clause on the Bill, on the ground that it is ultra vires of this House to do so under the circumstances, and I say that we should defer consideration of that until later. But the hon. gentleman, after having argued all along, not that clause 3 was ultra vires of this legislature, but that it conflicted with clause 4, and therefore should not be passed, now, when we are dealing with clause 4, proposes by his amendment to give to the advisory board, the creature of the Education Department, powers which that board has not at present. I submit, with due deference to the opinion of the hon. gentleman, that we cannot do anything of the kind for the reasons I have given. I submit that the Privy Council of England have held that the various rights which the Roman Catholic minority complained they were deprived of, they were entitled to have restored to them, and those rights are the rights they enjoyed prior to 1890.

Mr. MILLS (Bothwell). And the school board is a right.

Mr. DALY. It certainly is. It is the machinery that is provided for carrying out the law, without which the creation of separate schools can have no effect. We must invest somebody with the right to deal with the matters of education, as they affect the Roman Catholic minority. We cannot create any new body, we cannot give those rights to an advisory board, but must give them to the body that existed prior to 1890, and that body is the Roman Catholic section of the Board of Education.

Mr. McCARTHY. It is well that, at last, we should have a candid statement of the position of the Government. Up to the beginning of this session and, I think, up to this very moment, the contention on behalf of the Government has been that the remedial order was passed in obedience to the mandate of the Privy Council. Now, the judgment of the Privy Council stated in express terms :

> It is certainly not essential that the statutes repealed by the Act of 1890 should be re-enacted, or that the precise provisions of the statutes should again be made law.

But though this is stated distinctly and in terms, the argument of the Minister is that the Government advisedly and distinctly went beyond what their Lordships said was necessary and did order that the precise provision of the statutes of Manitoba which had been repealed should be re-enacted and the old system literally introduced. In the various public addresses made by the Minister of Finance, the Minister of Agriculture and the Minister of Railways, the statement was put forward that they were acting in strict obedience to the mandate of their lordships of the Privy Council. And now it is finally admitted that that was not the position that the Government took, and that their lordships stated that it was not necessary to re-enact these statutes, but that all grounds of complaint would be removed if the system of 1890 were supplemented by provisions which would remove the grievances upon which the appeal was founded. Well, Sir, it is well to know that that is what the Government were aiming at, but I have yet to see that that is what the order enjoined. No doubt that is what was intended. But when we look at the terms of the order, I think my hon. friend will find that he is in this dilemma. If he desires to put the very literal construction of the words of the order he has done, that :

> The right to build, maintain, equip, manage, conduct and support the Roman Catholic schools in the manner provided for by the said statutes which were repealed by the two Acts of 1890 aforesaid.

If my hon. friend says we must restore that in the exact manner provided for in the old law, we find that that is impossible. The old law provided for a board of education which was divided into two sections. The draughtsman of this Bill has provided a board of education not to be divided into two sections but a single board. What is the advisory board but a board of education ? Surely, my hon. friend does not wish us to believe that because one is called an advisory board and the other a board of education, that that makes any difference. You cannot reconstitute the old system. The circumstances under which it was created and under which it existed have passed away. If you desire to replace it, you must have somebody or some board which will perform the functions which that board under the law in force before 1890 was authorized to perform. But it is rather straining words to suppose that one being called an advisory board and the other a board of edution would make any real distinction. Suppose we called the advisory board a board of education. Suppose we were to say that the board constituted by the province of Manitoba and called the advisory board but which for the purpose of this Act shall be called a board of education, that will stifle the scruples of my hon. friend. So that leaves the matter to be decided upon its merits and without regard to the technicalities which my hon. friend has raised and by which he desired to dispose of it.

Mr. EDGAR. It seems to me that in order to defend section 4 the Government is driven to the extraordinary course of destroying and wishing to repeal section 3, which they have already passed, and they refused to allow this to be amended in committee. They actually suggested striking out subsection 2 of section 3, which was proposed to be done by the hon. member for Antigonish (Mr. McIsaac), his proposal being voted down by the Government. That shows in the first place that there was not sufficient time given for the consideration of the sections up to the one we are now dealing with. The House has not had sufficient opportunity to discuss them. This side of the House understood those sections, apparently, better than hon. gentlemen opposite. The Government side clearly did not understand section 3, because they voted down an amendment which now they say they think they will have to accept. I would like very much indeed to hear the views of the leader of the House upon this subject. We have heard the views of the Minister of Interior, but we have not heard a single expression of opinion upon one line of this Bill from the leader of the House who introduced the Bill. The question whether we are to treat this as though section 3 is a subsisting section in the Act is a most important one. We cannot proceed intelligently with the discussion of this Bill until we know something about that. We have heard only from the Minister of Interior and he tells us that there are doubts now in his mind and in the minds of the members of the Government about that. I think this committee is entitled most emphatically to have the opinion of the leader of the House who has charge of this Bill, and in order to give the hon. gentleman an opportunity to speak, I will take my seat.

Mr. DEPUTY CHAIRMAN. The question is on subsection "a" of section 4. Is the committee ready for the question?

Mr. EDGAR. Well, if the leader of the House has no opinion on the subject, we shall have to go on and treat this as existent and valid law, because it has passed this committee. What then becomes of the argument of the Minister of Interior? He objects to amending section 4 as proposed by the hon. member for North Simcoe (Mr. McCarthy) on the ground that if we do not create a board of education, we shall not be carrying out the provisions of the remedial order, which it seeks to maintain:

> The right to build, maintain, equip, manage, conduct and support the Roman Catholic schools in the manner provided for by the said statutes which were repealed by the two Acts of 1890 aforesaid.

And he claims that Parliament cannot carry out that provision to give them these privileges in the manner provided before 1890 unless we establish an education board. Well, Sir, what was there in the statutes before 1890 which authorized section 3, I should like to know. Why, the hon. gentleman's argument falls to the ground. He has proposed to give most extensive powers to the Department of Education which did not exist in 1890. Therefore, he is not carrying out in any shape or way what he assumes to be necessary to carry out the remedial order. But how very unnecessary it is to undertake in that strict way to carry out the remedial order, if that order is to be interpreted by the judgment of the Privy Council. As has been pointed out before, that judgment does not say that everything shall be done in the same manner that it was before 1890. It says the very reverse. It says:

> It is certainly not essential that the statutes repealed by the Act of 1890 should be re-enacted or that the precise provisions of these statutes should again be made law. The system of education embodied in the Act of 1890 no doubt commends itself to and adequately supplies the wants of the great majority of the inhabitants of the province. All legitimate ground of complaint would be removed if that system were supplemented by provisions which would remove the grievance upon which the appeal is founded.

Why, Mr. Speaker, that is, as the hon. member for North Simcoe pointed out, utterly inconsistent with the interpretation which is now being put for the first time by the Government upon the terms of their remedial order. In fact, it implies, against the decision of the Chancellor, that the old Acts before 1890 must be substantially re-enacted, which has never been understood before, and has never been announced until to-day. Now, I come to the amendment that is before the Chair, suggesting that the advisory board of Manitoba could now be made use of profitably and properly to carry out the provisions of a law like this. What is the advisory board? It was created in 1890 to advise the Department of Education of Manitoba, which was also created in 1890, to take the place of the old Board of Education, which is supposed to be a model for this portion of the Bill. Now, the Department of Education is a department of the civil service, and consists of the Executive Council, or a committee thereof, appointed by the Lieutenant-Governor in Council. It is, in fact, the executive of the province of Manitoba. Now, what special power has been given to that Department of Education? Remember that the Department of Education has power to appoint inspectors of high and public schools, teachers in provincial, model and normal schools, and directors of teachers' institutes. It has also power to fix the salaries of all the inspectors and examiners of normal and model school teachers and other officials of the department; also to prescribe forms for school registers and for reports to the department; also to provide for provincial, model and normal schools and intermediate and collegiate departments of schools; also to arrange for the examination of teachers and for the issue of teachers' certificates; also to prescribe the length of vacations and the number of teaching days in the year. Those are the functions of the Department of Education, which has been recognized, as I say, by section 3 of the Act, and very wisely and properly recognized. Now, what is the constitution of this advisory board which is suggested to take the place of the Board of Education as to clause 4? The Act provides that there shall be a board constituted as thereafter provided, to be known as the advisory board. It shall consist of seven members; three members will constitute a quorum for business; four of the members of the advisory board to be appointed by the Department of Education for a term of two years; two of the members of the advisory board shall be elected by the public and high school teachers actually engaged in teaching in the province. The Department of Education shall from time to time divide the province into two districts so that the set of teachers in each district shall elect one member of said board. Then provisions are made for the election of this advisory board by voting papers, which shall be furnished to the high and public school teachers actually engaged in teaching, and shall be sent to each one of the appointed members of the board. Two members of the board representing the public and high school teachers are elected in that way. The seventh member of the board shall be appointed by the university council by ballot from time to time, for the term of two years. Now, it will be observed that there is nothing whatever in this provision to show that a single member of the advisory board shall be a Protestant or shall be a Catholic. We will assume that they will be the best men for the purpose, and if there were a system of separate schools introduced to be operated by the advisory board, who can suppose for an instant that the Roman Catholics of the province would not have their fair share of representation on that board? We must not go and assume unfairly things of that kind against the provincial government, a provincial government which is trusted so much by this very Bill before us. Now, what are the powers of the advisory board? I have shown you how they are constituted, and I think their powers should be adopted largely in the rest of this section as a model for the Board of Education, if it is to continue under that name, or, if the advisory board continues, if the name is to be changed. Now, what are their powers:

(a.) To make regulations for the dimensions, equipment, style, plan, furnishing, decoration and ventilation of school-houses, and for the arrangement and requisites of school premises;
(b.) To examine and authorize text-books of reference, for the use of pupils and school libraries;
(c.) To determine the qualifications of teachers and inspectors for high and public schools;
(d.) To determine the standard to be obtained by pupils for admission to high schools;
(e.) To decide or make suggestions concerning such matters as may, from time to time, be referred to them by the Department of Education.
(f.) To appoint examiners for the purpose of preparing examination papers for teachers' certificates and for entrance admission of pupils to high schools, who shall report to the Department of Education;
(g.) To prescribe the forms of religious exercises to be used in schools;
(h.) To make regulations for the classification, organization, discipline and government of normal, model, high and public schools;
(i.) To determine to whom certificates shall issue;
(j.) To decide upon all disputes and complaints laid before them, the settlement of which is not otherwise provided for by law.

Now, Mr. Chairman, it seems perfectly clear that this advisory board, even supposing this Remedial Bill were to become law, would have the control of a very large proportion of the education of the children of Roman Catholics in Manitoba, because the high schools would be all under their control. I do not see any provision made in this Bill for high school education. In Ontario, where there are separate schools, the children of all denomiations, Catholics and Protestants, go to the high schools together, and under this Bill these children should be under the control of the advisory board. It is not going much further to suggest that the advisory board is a very proper body to control these schools. It is proposed to ask the House to trust the government of Manitoba, the Department of Education, the Lieutenant-Governor in Council in fifty important ways. Under section 1 the Lieutenant-Governor in Council is given the power, in the first instance at all events, to appoint the Board of Education. By section 3 the Department of Education is given very large powers indeed, so large that the Minister of the Interior is frightened at them already. By section 7 the Lieutenant-Governor in Council is given power to appoint one of the members of the board to be superintendent of these separate schools, and the superintendent shall be secretary of the board. By section 9, in the temporary absence of the superintendent, he may, with the sanction of the Lieutenant-Governor in Council, appoint a member of the board to act for him. By section 69 the board of education shall have power to appoint inspectors, subject to the approval of the Lieutenant-Governor in Council, who may within one month after being notified of the appointment disapprove it. By section 70 members of the Department of Education are made visitors of the schools. By section 74, the whole power to bring this Act into force, or of nullifying or destroying, is left in the hands of the Manitoba legislature, which the government represent. It is left to the Manitoba government to vote out of the public money an amount for the purpose of supporting the schools created by this Bill. When it is proposed to trust the legislature of Manitoba with such important questions, why should they not be trusted with minor matters covered by section 4? Section 78 provides that all payments for purposes of education shall be made by the provincial treasurer. By section 76 a school shall be deemed to be efficient if an inspector appointed or authorized by the Lieutenant-Governor in Council so reports. By section 84, when the trustees desire to borrow money, they are called upon to go to the Lieutenant-Governor in Council for the purpose of securing sanction for the loan. By section 111 it is provided that the Lieutenant-Governor in Council may direct a sum not exceeding one-tenth of the amount of the grant for education to be allowed for the maintenance of the Normal School Department hereby established. What is the use of bringing legislation before the Federal Parliament which gives from beginning to end so many important and absolutely essential powers into the hands of the legislature, the Manitoba government, the Department of Education, but minor matters are dealt with under section 4? The argument has been cut under the feet of the Government by the rest of the proposals. I am not raising these difficulties for the purpose of showing how absolutely the working and carrying out of the Remedial Bill will be at the mercy of the Manitoba legislature and government, although such is the fact, and this Bill places absolutely the control of separate schools squarely from beginning to end in the hands of the Manitoba legislature and government. Why then strain at a gnat and swallow a camel! I wonder whether the hon. gentlemen who are so enthusiastic about this Bill have carefully considered it from beginning to end, as I have endeavoured to do, and whether their enthusiasm will continue to be as great as it has been hitherto in this House. They will find they have been following a will-o'-the-wisp, a piece of waste paper; that they have been spending their time on an ill considered draft Bill, that is unworkable in its present form, and which every time it is considered in committee appears to be more and more unworkable. until now we find the announcement made from the Treasury benches that the clause passed at a recent sitting is a very doubtful one, and the Government think of withdrawing it. They want, however, to wait and consider. They had better hang up the whole Bill for further consideration. It is wasting the time of the House and of the country to give an intelligent consideration to a Bill of this kind. Does the Minister of Public Works champion this Bill, which he talked so much about on the hustings? We do not hear him opening his mouth to-day. Where is the Postmaster General expounding this Bill to us?

Mr. OUIMET. The only reason I did not speak was that I did not want to help on obstruction.

Mr. EDGAR. Will the hon. gentleman tell us what is his opinion about section 3? Does he agree with the Minister of the Interior who says that after all this deliberation of months and months over the Bill, and after all the delays that have taken place over bringing it down, and after all the discussion in this House which he calls obstruction, he has told us; that they only discovered to-day that section 3 is of very doubtful constitutionality.

Mr. DALY. Not at all, we discovered it months ago.

Mr. OUIMET. When this clause was before the committee I expressed my opinion for what it was worth, and I am still of the same opinion; that this clause is better there than out.

Mr. EDGAR. I am glad to find that the Cabinet have got this matter under consideration. The Minister of the Interior expresses one view and the Minister of Public Works expresses another view.

Mr. DALY. Not at all.

Mr. EDGAR. The Minister of the Interior thinks it would be better out.

Mr. DALY. I did not say anything of the kind.

Mr. EDGAR. That is the way the Cabinet is divided on most questions. Does the Minister of the Interior think the clause is all right?

Mr. DALY. I said it was a matter that was open to very grave doubt. Some legal gentlemen have their opinions upon it, and others have theirs too. We have listened to-day to hon. gentlemen like the hon. member for West Ontario (Mr. Edgar) repeating themselves over and over again and trying to prevent us making a little progress with the Bill.

Mr. EDGAR. I can hardly be accused of repeating over an over again. I have not spoken over twenty minutes, but I have been successful in eliciting two different opinions from two Cabinet Ministers. Will the Minister of Railways tell us his opinion on this clause, or will the Controller of Customs give us his opinion about it. Sir, there is one hon. gentleman in this House who has given this Bill a great deal of consideration and has made a very powerful legal argument in its favour. as far as any one can argue for a bad case. I refer to the hon. member for North Grey (Mr. Masson) and I hope he will give us his opinion on this clause. This is altogether the most important clause in this Bill, and great principles are founded upon it, and I would like to hear whether or not the member for North Grey (Mr. Masson) has changed his mind on the subject too. Now, Mr. Chairman, there is a good deal to be said in favour of the view of my hon. friend from Bothwell (Mr. Mills), that we should only pass legislation here for the purpose of providing for the administration of the law, subject, and conditionally upon the province not doing so. Probably that is the correct view to take, but still, as there is no amendment before the House in that direction, I hold that in my judgment it would be better to try and simplify the provisions of the Bill, and place these duties in the hands of the advisory board.

Mr. ANGERS. (Translation.) Mr. Speaker, speaking of the validity of subsection "a" of section 4, it seems to me that the question may be easily summed up. All are agreed on this point: that grievances result for Catholics from the laws of 1890; and that such grievances may be remedied by this Parliament. What is the limit of the jurisdiction of Parliament? In my opinion, that limit may be determined by the extent of the grievances to be removed, and I believe that the jurisdiction of Parliament may go to the length of restoring the old status quo, if necessary, in order to remove the wrong complained of. In my opinion, Parliament is evidently vested with jurisdiction to determine to what extent such remedy may be applied. As the Law Lords of the Privy Council have stated in the judgment:

> Their lordships have decided that the Governor General in Council has jurisdiction, and that the appeal is well founded, but the particular course to be pursued must be determined by the authorities to whom it has been committed by the statute.

There remains now to be determined whether it be necessary to revert to the old order of things, or, in other words, to create a Catholic Board of Education in order to restore to the Catholic minority the rights and privileges which have been taken away from them. In my opinion, that is absolutely necessary. Previous to the passage of the laws of 1890, there existed a board composed of two sections, and the Catholic section exclusively had jurisdiction over the following points :

> 1. To have under its control and management the separate schools and to make from time to time such regulations as may be deemed fit for their general government and discipline and the carrying out of the provisions of this Act.

I notice that the section of the Bill under discussion does not go any further than the section I have just quoted, and it seems to me that in order to be practical, we ought necessarily to restore the old status quo, so that the remedy may operate efficaciously. By the proposed amendment, the hon. member for North Simcoe suggests that the words "separate school board" be replaced by "the advisory board under the Department of Education in Manitoba." If that amendment were carried, it would result in sweeping away all the guarantees given to the Catholic minority. That amendment actually confers on the Manitoba government which are inimical to the enforcement of the law now under discussion the right to control the whole management of Catholic schools ; the right, for instance, to make regulations for the government and discipline of schools and to proscribe religious teaching, the right to enforce the use of text-books which might prove unacceptable to Catholics. The difficulties which I point out clearly show that in order to provide an efficient remedy for the existing grievances, a board of education must necessarily be created, instead of the Catholic section of the Board of Education which existed prior to 1890 ; such board being vested with the power of enforcing the law under discussion. The hon. Minister of the Interior just stated that in his opinion the remedial law need not necessarily be a transcript of the remedial order, or, in other words, that it need not necessarily go as far as the remedial order. It seems to me, Sir, that such an opinion may successfully be impugned on very good grounds, and I may be allowed in that connection to quote the following subsection of section 22 of the Manitoba Act :—

> In case any such provincial law as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then and in every such case, as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the Governor General in Council under this section.

I call your attention, Sir, to the last words of that subsection which apparently point out that it is for the Governor General in Council to determine the exact extent of the remedy to be applied. And it is enacted that the Parliament of Canada may make remedial laws for the due execution of any decision of the Governor General in Council on any appeal under this section. The Parliament of Canada, when passing a remedial law, does but enforce the decision given by the tribunal. All are agreed that the powers of this House in passing a remedial law, are confined within the terms of the remedial order, and I fail to see on what grounds Parliament could legislate beyond that order, especially in view of the fact that such remedial order was passed on to the Manitoba government, that the extent of the powers of Parliament is the extent of the refusal of Manitoba to do what she was asked to do by the Order in Council, and that, if we legislated within that order and gave the minority less rights than they enjoyed previously, we would incur the risk of being upbraided with having divested the local legislature of its jurisdiction under false pretenses. Therefore, besides the argument drawn from the practical side of the question, I am warranted in drawing another argument from the fact that the Remedial Bill, in order to be intra vires of the legislature, should be a transcript of the remedial order which promises to restore to the minority all the rights and privileges which have been taken away from them. Hon. gentlemen have endeavoured to make a point in favour of the amendment from the fact that in Ontario both public and separate schools are under the control of one board of education. I think the point of comparison is not well taken. In Ontario, with the consent of both Protestants and Catholics, a school system was set up, and is now administered without friction. In the case of the Manitoba separate schools, it is quite different. Parliament is now called upon to legislate for that province against the wishes of the provincial legislature. It is therefore to be assumed that the Manitoba government, far from co-operating to the carrying out of this law, will, on the contrary, be disposed to thwart it. On that ground, Parliament ought to leave the provincial government the least chance possible to obstruct the working out of this Act. Before resuming my seat, Mr. Chairman, I would like to know whether it is actually the intention of the Government to strike out section 2. If the Government were willing to strike it out, I would hardly object. But if they were not to strike it out, I would like to have section 4 amended so as to determine more exactly the jurisdiction conferred under that section upon the separate school Board of Education. Otherwise, the separate school board would likely incur the risk of coming in conflict with the Board of Education of the province of Manitoba. Undoubtedly conflicts as to jurisdiction will arise between the separate school board and the Education Board. For my part, Mr. Chairman, I would not object to having subsection 2 of section 3 struck out.

Mr. DEPUTY SPEAKER. (Translation.) The question is settled.

Mr. ANGERS. (Translation.) It is so far from being settled, Mr. Chairman, that the hon. Minister of the Interior has just stated that it would likely be struck out. I am aware that section 3 is not now under discussion, but as the hon. Minister of the Interior has thought fit to mention it, I believed it my duty to say a word about it. If section 3 were not struck out, section 4 ought to be so amended as to determine more exactly the powers and duties of the separate school board, and so as to remove all chance of the Board of Education interfering with the jurisdiction of the separate school board.

Mr. DEPUTY SPEAKER. (Translation.) I am afraid the hon. gentleman has not well taken the meaning of the amendment placed in my hands. Under that amendment it is proposed to transfer the administrative part of this law from the separate school board to the "advisory board."

Mr. ANGERS. (Translation.) I am aware that the amendment actually proposes to substitue the "advisory board" to the separate school board ; but as several hon. gentlemen having some experience in this House, have wandered from the question, I thought I could use the same privilege. I wish further to invite attention to the fact that it would serve no purpose for Parliament to determine the jurisdiction of the board of public schools ; in my opinion, it would be sufficient for the purposes of this Act, to determine the jurisdiction and the powers of the board which we are creating under this Bill. Why should we introduce into this Bill cumbersome and unnecessary enactments, which might prove an impediment to the working out of this Bill ? We enact that the board which we are about to create shall have such jurisdiction as existed under the statutes wiped out by the Acts of 1890. Is not that quite sufficient to our purpose ? Outside of the powers which we grant under this Bill to the separate school board of instruction, if there remained any points to be settled, they might be attended to by the Board of Education of Manitoba, under the existing law or under the laws which the local legislature might later on pass.

Mr. CHARBONNEAU. (Translation.) Mr. Chairman, I know that in rising to say a few words on the amendment now under debate, I incur the risk of being called an obstructionist by the hon. Minister of Public Works (Mr. Ouimet) or of being excommunicated by the hon. Secretary of State (Sir Charles Tupper), but at all hazards, I think it my duty to speak to the motion. Some hon. gentlemen may be astonished that, after having voted aganist the second reading of the Bill and therefore against the principle of the Bill, I should rise to participate in the debate now going on in committee in connection with the different sections of the Bill. However, prior to the second reading of the Bill, we were warned that we were only called upon to legislate upon a matter of principle ; and that it was only a question of laying down a principle ; in fact, that this was only a piece of speculative legislation. Now, Mr. Chairman, I think it my duty and my right to take part in the debate, and I venture to say that the course pursued by the Government followers, in opposing the amendment moved by the hon. member for North Simcoe (Mr. McCarthy) is not consistent. I shall vote against the amendment moved by the hon. member, because I want to be consistent with myself. as I wish to uphold the principle of the Bill. It is understood, from the vote given upon the second reading of the Bill, that a system of separate schools is to be set up in Manitoba. Shall such a system be practically enforced ? I do not think so, and I never believed that it could be carried out. I was always of opinion and I still believe that we have no jurisdiction in the matter. However, if we wish to enact a law creating a system of separate schools, undoubtedly we should lay down as the ground work of the whole system a separate school board of instruction. That has been provided for by sections 1 and 2 of this Bill ; but under section 3, the Board of Education of Manitoba is to have the full control and management of the separate schools. That comes to say that this clause is conflicting with the preceding clauses. That right of interference of the Department of Education with the separate schools has been admitted by all the hon. gentlemen opposite. I say then, that, if they wish to be consistent with the principle they have laid down, in voting for subsection 2 of section 3. the hon. gentlemen opposite ought to vote for the amendment moved by the hon. member for North Simcoe. That is the only logical conclusion. On the one hand, they actually confer on the Department of Education the powers of making all the regulations which it may deem fit for the separate schools : while, on the other hand, they pretend to invest the same authority in another body which is antagonistic to the Department of Education. It is the most patent contradiction, the most inconsistent enactment which could be embodied in any law. Now, as I voted in favour of the amendment of the hon. member for Antigonish (Mr. McIsaac), the object of which was to strike out subsection 2 from section 3, I believe that, in order to be consistent, and to uphold the main principle of the Bill, I am bound to vote against the amendment moved by the hon. member for North Simcoe (Mr. McCarthy). An hon. Minister of the Crown is making merry at my position. The hon. Minister may be sure that I will be consistent with myself to the very end, and I hope he will do the same. I shall then vote in favour of the separate school board having full control over its own schools. We have adopted that principle, and if the hon. Minister wishes to be consistent he will have to vote against the amendment and in favour of the separate school board having the choice of its own text-books. The hon. gentlemen opposite have been howling out, of late, about obstruction——

Mr. BELLEY. (Translation.) We are still crying out against obstruction.

Mr. CHARBONNEAU. (Translation.) Yes, and that is about all the hon. gentleman can do, howling about obstruction.

Mr. BELLEY. (Translation.) What about the rags you spoke of ?

Mr. CHARBONNEAU. (Translation.) What about rags ? I never used that word. The hon. member knows it very well, and if I were less courteous, I could use a vulgar expression, and tell the hon. member that he is a blackguard for using that expression.

Some hon. MEMBERS. Order, order.

Mr. CHARBONNEAU. (Translation.) The hon. member for Chicoutimi (Mr. Belley) is the hon. member to whom I applied the word.

Mr. DEPUTY SPEAKER. (Translation.) The hon. member has no right to call an hon. member of the House a blackguard, and he will have to take back that word.

Mr. CHARBONNEAU. (Translation.) I understand that I have used an unparliamentary expression, and I take it back ; but I think it is also unparliamentary for the hon. gentleman to make imputations and to insinuate that I have used a word which I have never made use of in this House. I was then about to say that hon. gentlemen opposite were constantly crying out against obstruction and making long speeches to fool the people of this country into believing that we, on this side of the House, are opposing free and full discussion of this Bill, while, as a matter of fact they want to hurry on the passage of important clauses which affect the whole economy of the Bill. Then when we want to go a little deeper into the discussion of such clauses, they tell us that the Minister of Justice is away, and it is better to put off the discussion of such matters. Well, if, instead of making all this fuss, about obstruction, the hon. gentlemen opposite had listened to the wise counsels offered by some hon. gentlemen on this side of the House, and waited till the hon. Minister of Justice was back in his seat in Parliament, as he understands, perhaps, his Bill better than those who have charge of it now, possibly we might have adopted but one clause of the Bill, but it would have been final, and the hon. Ministers would have been spared the trouble to come and tell us that another clause of the Bill which was adopted is likely enough to be struck out.

Mr. DUPONT. (Translation.) The hon. member for Jacques Cartier (Mr. Charbonneau) has told us of his parliamentary experience. I believe that he has made it patent how far that experience goes, by the way in which he has reflected upon the conduct of the hon. gentlemen in this House who have voted in favour of the second reading of the Bill. The hon. member contends that, in order to be consistent with ourselves, we should vote in favour of the amendment moved by the hon. member for North Simcoe (Mr. McCarthy).

Mr. CHARBONNEAU. (Translation.) I did not mean the hon. member for Bagot (Mr. Dupont) for he has voted to have the last subsection of section 3 struck out.

Mr. DUPONT. (Translation.) The hon. member stated that the hon. gentlemen who voted for the second reading of the Bill and therefore for the principle of the measure, ought to vote for the amendment moved by the member for North Simcoe. I understood him to say so and I am glad the hon. gentleman corrected himself.

Mr. CHARBONNEAU. (Translation.) I never stated that hon. gentlemen who voted in favour of the second reading of the Bill should accept the amendment moved by the hon. member for North Simcoe. What I said was that the Government supporters who had voted for section B of this Bill and against the amendment moved by the hon. member for Antigonish (Mr. McIsaac) to the effect of having the second subsection of said clause struck out, should, if they wished to be consistent with themselves, vote for the amendment moved by the hon. member for North Simcoe (Mr. McCarthy). My words did not apply to the hon. member for Bagot, as he voted in favour of the amendment of the member for Antigonish.

Mr. DUPONT. (Translation.) I understood the words of the hon. member applied to all the members who voted for the second reading.

Mr. BELLEY. (Translation.) There was no vote taken on the amendment spoken of by the hon. member for Jacques Cartier (Mr. Charbonneau).

Mr. DUPONT. (Translation.) At all events, I believe that the amendment moved by the hon. member for North Simcoe (Mr. McCarthy) would result in making ultra vires the Bill now under consideration, and I contend that this Parliament has no authority whatsoever to confer any powers on the Department of Education of the province of Manitoba. We can confer no power either on the Manitoba government or on the Department of Education of that province. The powers which the Manitoba legislature is vested with as to education in the province have been conferred on it by the constitution which enacts that each province has control over educational matters, and therefore I contend that we can confer no such powers as are involved in the motion of the hon. member for North Simcoe. We can add no further powers to those conferred on the Department of Education of the province of Manitoba under the law passed by the legislature of that province; therefore, I hold that the amendment moved by the hon. member for North Simcoe, were it carried, would result in making altogether ultra vires the Bill now under discussion. It would be equivalent to robbing the jurisdiction vested in the province of Manitoba and transferring it to the Department of Education of the same province. That the hon. member for North Simcoe, who has constituted himself the champion of the legislature of Manitoba and of its rights, should have adopted such a course, is a matter of no small surprise to me. It is an infringement of the principle of provincial autonomy, of which he has constituted himself the advocate. By his amendment, the hon. gentleman invites the Dominion Government to invade to a considerable extent the powers of the Manitoba legislature, and thereby to infringe upon the autonomy of that province. It is in defence of that principle of autonomy, of which he has constituted himself the champion, it is, I say, in behalf of that principle that he makes such a strenuous opposition to the measure now before the House. On that ground, I think the committee ought to reject the proposed amendment.

Mr. **BAIN**. The longer this Bill is under discussion the more clearly we see how unlikely it is to bring peace or satisfaction to the minority in Manitoba if crystallized into law. Not being a lawyer, and having to look at it from the standpoint of an ordinary citizen, it seems to me our difficulty is this: Whatever Act we crystallize into law this session, it is not open for us to change it or amend it, if experience shows it is unsatisfactory. We are legislating once for all on this question, and we have not the power, even if we have the will, on a later day to engraft additional amendments on this Act. And, Sir, I think when we look at the difficulties that have occurred to-day in the explanation of the details of this clause under consideration, it becomes apparent more and more, that for us to attempt to lay down a principle of legislation that must regulate the management of education in the province of Manitoba, is a hopeless matter. Why, Sir, we are in the position of being forced to compare our act to similar acts in various other provinces, and then discount the probabilities of our action, showing clearly that we are entering into the details of a measure that never should have been brought here, and that strictly belongs to the province where they have the best opportunities of judging of the advantages and disadvantages of the legislation. Then, Sir, we all agree that it is extremely desirable that peace should be restored between the minority in Manitoba and the majority in Manitoba, not only in the interest of that province and of the people of the minority of that province alone, but in the interest of this whole Dominion. The future of this Dominion and the development of our resources, depends on the terms that we can offer to our people to go there and take up the land, and develop the natural resources of that country. We should pause and consider, what the effect of our legislation to-day will be on the future of that province. Sir, if ever there was a time in the history of this confederation, when instead of appealing to the passions and prejudices of race and religion, we should calmly lay these things aside and discuss this question on its merits, now is the occasion. Why, Sir, when we begin to proceed with the details of this measure, the first thing that crops up is a feeling of distrust and antagonism towards the executive of the province of Manitoba. We confessedly, in the clause immediately preceding the one under consideration, place extensive powers in the hands of the Lieutenant-Governor and his advisers in that province.

Then, in case they do not carry out those powers according to our ideas, we proceed to add to them certain other powers, leaving it problematical what the practical results of this clause will be when it is crystallized into law and attempted to be put into effective operation. If we continue to antagonize the executive of the province of Manitoba, so long as that executive represents the great mass of the population of that province, as it seems to do to-day, it will be futile to hope that we shall restore peace, and give to the minority the benefits we all feel it desirable that they should have—an opportunity of availing themselves of an effective system of education, and, combined with that in a greater or less degree, the blessings they ask for in respect to religious training. But when we look at the machinery we propose to institute, is it not common sense to study it in the light of what has happened not only in Manitoba and the North-west, but in the older provinces of the Dominion? If I understand the clause under consideration, we propose to create a double-headed system again, and impose it on the people of Manitoba, with all its attendant expenses and disadvantages, which became oppressive to that province in years gone by that at last they were set aside, and the machinery was condensed into one effective administration. If we duplicate that administration again, what will be the practical result from a common sense standpoint? This machinery cannot be operated without entailing serious expense. You may constitute a Board of Education; you may call it by any name you please; but you know from experience that unless the funds are provided to run the machine, it will be run inefficiently and we shall drift back to an inferior administration, with a crippled and hampered executive, simply because we shall over-burden the resources of the people of Manitoba in operating the machinery which we are creating, or else the machinery will be imperfectly operated for want of the necessary funds. I have no hesitation in saying that one strong reason why the system was modified in the first place was the expensiveness of operating it; and if we return to that system, have we not the right to ask ourselves if it will not result in a lower standard of inefficiency. Without saying an unkind word of the operation of the system in the past, I apprehend that we should drift back to the difficulty we all wish to avoid, the difficulty of an expensive and inefficient system, thus defeating the very end we have in view. The hon. member for North Simcoe (Mr. McCarthy) to-night drew our attention to the condition of affairs in the North-west Territories, and I ask the attention of the committee to it for another reason—that the schools there are operated under similar conditions to those that obtain in the province of Manitoba to-day. We find that up to 1888 the North-west Territories had in active operation a system of separate schools, with a large amount of machinery in detail for the management and conduct of those schools, which were instituted in the interests of the respective minorities. But after several years of trial, experience demonstrated that it was a wasteful and unsatisfactory system—that it dissipated their energies without giving them such satisfactory returns as might be expected in the educational affairs of a country where settlement is sparse and the people are located wide apart. What was the practical remedy applied by the North-west legislature? They remodelled their system and did away with this double-barrelled authority; but they left their respective minorities, whether Catholic or Protestant, in possession of their separate schools. They consolidated the control and the administration of the system into the hands of one board, as being more effective and more workable, and a great deal less costly. The first item we have to consider, for an effective system of education in a new country with a scattered population, is how to lay out the resources at their disposal, which are necessarily scanty. In the North-west they consolidated their system in 1892. It did not appear to meet the approval of a section of the minority, because we find that appeals were made by the clergy and other parties in the North-west to this Government to use its power to re-instate the old condition of things. They appealed to the Government here by petition, as they had a right to do, and as it is the right of every citizen under British institutions to come to the fountain of authority and submit the grounds on which he may object to the existing condition of things. Those petitions came to Ottawa, and they were considered by the authorities here, who had given the North-west Territories their constitution. At that time the late Premier, Sir John Thompson, was the Minister of Justice, and had the practical guidance of the council in its decision on the questions submitted to it by those petitioners.

However much I may differ from the late Sir John Thompson in his political administration, I yield to no man in respect for his judgment as a lawyer and the capacity he had for weighing and measuring legal questions; yet although all his sympathies must have been inclined in favour of the petitioners, he declined to recommend the authorities here to interfere with or disallow that legislation of 1892, and it remains to-day the statute law of the North-west Territories. I appeal to this committee to-day, before they proceed to enact this double-headed authority in the province of Manitoba, to pause and consider first the position that led the legislature and authorities of the Territories to make these changes, and secondly, the influence that led the Government of that day, under the wise and legal and humane direction of the late Premier, not to change the legislation which the Territories had enacted in 1892. Sir, we all agree that the least burdensome mode in which education can be conducted in a sparsely and widely distributed population such as is scattered over Manitoba and the North-west, must, even in the very best condition of things, be an expensive process for the population. I had occasion, the other day, to look at the expenditure which it cost the province of Manitoba to administer their school system, even as at present consolidated, and without going into details, I want to draw the attention of this committee to one or two points that I think will enable them to realize the sacrifices which the people of Manitoba are making to-day to secure to their children the blessing of an efficient education. I yield to no man in my anxiety, first, that they should secure an efficient system of education for the expenditure of money that they are so freely laying out, and next that, as far as possible, every citizen of that country should, while securing the education of his children, secure for them also the advantages of what religious training he may prefer to have. Just let me draw your attention to the actual expense that the province has incurred in the administration of its school system, and I quote from the Dominion Year-Book of September, 1895, its last issue, which gives the operation of the schools for the year 1894. I find that there are 884 schools in that province all told, with nearly 1,050 teachers. I find that the grant from the government treasury of that small province is over $101,000. Let me emphasize what that expenditure amounts to per head of each pupil in that province. In Ontario, we pride ourselves upon the efficiency and completeness of our school system, yet this same return from which I am quoting gives the expenditure per pupil of the province of Ontario for the previous year as only $1.87 per head of the public funds contributed from the treasury of the province, and the average of the whole Dominion is given by the same authority as $1.90 per head ; while in the province of Manitoba, their expenditure per head is no less than $4.87. And this mind you is the grant from the provincial treasury, aside from the municipal tax of over $350,000. And when you recall how that population is scattered, when you note that the whole of those schools, including those in the cities and towns, only average a fraction of 18 pupils per school, and that there are 196 schools which average from 10 pupils downwards, and that 34 average only six pupils each ; and when you consider that whether you provide for the education of six pupils or for the education of 18 pupils, it means expense of teachers, the erection and maintenance of school-houses, and all the other machinery required to provide, in the majority of these cases, for the education of twice the number of those children, you must see the unwisdom of our legislating in any way to add to the expense. Now, if we load down this system that is already expensive enough, by adding to it a double-headed arrangement, such as this proposed by section 4 of this Act, we will destroy the very scheme that we are endeavouring to crystallize into law, by making it too burdensome for the community to bear. The hon. member for Simcoe, by his amendment, proposes that whereas Manitoba has already an advisory board, constituted of seven members, which has very wide powers over the existing school system in the province of Manitoba, and the mode of their selection and appointment is the best guarantee that the board will be constituted of men of high character and social position, and experts on the subject of education, and who will take pride and interest in the successful working out of the details of the school system under their control, you could have no better board in which to place the control and administration of these separate schools than the advisory board already constituted. You tell me that this board is not in harmony with this legislation. Well, if you are going to open a pitched battle with the executive of Manitoba, then you had better not pass this legislation at all. If you cannot manage to make this law effective so as to work harmoniously with that province, I tell you it is idle to-day to enter into a contest with that province. And while I do not want to turn up unpleasant reminiscences, I cannot help saying here to-day, if I were asked my decided conviction, that when this remedial order was passed last year, the Cabinet never expected to be called upon to follow it by legislation, but intended it for use in the general elections then imminent. But, be that surmise correct or otherwise, we are to-day face to face with this Bill and are dealing with the details of the measure. Let me glance for a moment at the duties of this Board of Education. I do not propose to read the clauses defining their duties but I want to draw your attention both to the powers conferred on this Board of Education and to their limits as well. Subsection (a), which we have had under consideration this afternoon, gives the board power to pass regulations for the general government and discipline of separate schools under this Act. Clause (b) gives them power as to the examining, grading and licensing of its teachers. But it is accompanied with this proviso for which I ask the attention of the committee :

> Provided that the standard of qualification for teachers shall be in secular matters the same as that at any time prescribed for teachers of other schools of a public character established under the statutes of the province of Manitoba.

Which means in plain English that the board that fixes the curriculum and methods of examination of teachers of the province, would regulate the examination and qualifications of the teachers of the separate schools. Then under section (c), they have the power to select all books, maps and globes to be used in the school under its control.

> Provided, however——

And I would call your attention to the terms of this proviso also——

> Provided, however, that no book, map or globe shall be selected unless such book, map or globe has been authorized for use either in the public schools of the province of Manitoba or in the separate schools of the province of Ontario.

Then there are general provisions with respect to the planning and construction of school-houses. Sir, I think it will not be doubted that, without regard to what a man's religious complexion may be, if he is a man worthy to be placed on the school board of the province, he can be safely trusted to provide for the school accommodation for the separate schools and to select school grounds and organize school districts. Far in the future the population under the control of this board and the funds at their disposal may enable them to establish the special training schools for higher branches in the separate school system. And I have no hesitation in saying this, and I think I voice the sentiment of every educationist who looks for the future prosperity of this Dominion, that while in the earlier years of their school life, children may be trained in separate schools, yet, when they get to the period when they are drafted into what may be called the higher educational systems of the province, we want to see them all mingle and take their education from the same teachers in the same school in competition with one another. And, while I respect the strong feelings of many educationists, and especially of my Roman Catholic friends in their desire to impart religious instruction to the children, yet, if it is effectually done in the earlier years of the child's education, he can be safely trusted when he goes to the high school. Now, Sir, these are some of the reasons why I feel that the separate Board of Education under this clause will defeat the end that is in view and will simply add a grievous burden to the people of Manitoba that they are not able to bear, and will tend to lower the grade of the schools under the control of these parties by dissipating the finances that otherwise would be available for their effective operation. We are told that all this depends on section 74. That depends on the good will and friendly feeling of the executive of the province of Manitoba. Now, Sir, I am sure there is no friend of the minority of Manitoba but would regret if these schools were established and deprived of the full share of the funds now felt necessary to make them effective, so that they would simply drag out a starving existence, their teachers receiving insufficient salaries. You know the old adage that when it comes to poor pay it is both poor preach and poor teach. The result would be what has been experienced in England, where there has been a strong agitation, where the competition between the denominational and public board school have become so keen that either the private schools must have their resources supplemented from the public funds or they must go under. Why ? Simply because the public schools were more effectively equipped. They gave their teachers better and more uniform salaries, and what is the result ? The clever, efficient teacher is drawn away from the limited field where his remuneration is small and is transferred to the board school, the public school in the adjoining parish or district, because these schools are better able to remunerate him for his efficient service. Now, Sir, we do not want to re-constitute that condition of things again in the province of Manitoba. We do not want, for the sake of carrying out a position that the Government have taken, to mutilate the school system of Maintoba, and engraft upon it a bundle of idle machinery that will simply load it to death, and destroy the object we have in view. It has been charged against that province that they were harsh with the minority. Sir, I cannot speak from personal observation, but I recollect last session when this matter was under discussion in the Senate, that a Senator who was inspector of schools formerly, and who was intimate with the whole machinery while it was in operation, quoted in his speech in the Senate, and you will find it in the debates of the Senate for last year, from the report of Inspector Young the previous year, with respect to the treatment that had been meted out to the schools of the minority in the sections that came under his observation. Without quoting it in detail, the substance of it was simply this : That so far from that inspector arbitrarily enforcing to the utmost the details of the new school Act of 1890, he made every possible concession to those Roman Catholic schools that came under the operation of the School Act, even allowing them, in contravention of the law, to have their own religious exercises at the beginning and end of the day's school teaching. Not only that, but he practically gave them the power to shorten, as they could do under the old statute, the days of school teaching by half an hour, that they might give religious instruction during that half hour before the school closed. Now, Sir, talk about a harsh enforcement of an Act, when it was operated under those principles ! There was a concession to the religious sentiments of those people when they were deprived of their separate schools, that it seems to me went a long way in inducing that population to accept the situation, and take the full advantage of the benefit that accrued to them by the public funds they received, and by the effective supervision that was given to those schools, and the effective supervision that was given to the qualifications of the teachers of those schools, to bring them up to the standard of the province. Sir, I do not want to say an unkind word as to the standard of the separate school teachers of the past, but I observe that all the way through this Act there is one current which is very noticeable, and that is that wherever it is possible, the standard provided for the teachers and pupils of the common schools is made the standard for the separate schools. Is not that strong evidence that the Government of the day here feel that the best guarantee for success of even the separate schools they propose to establish, is to bring them up to the same plain in these respects as the public school system for the province demands. When we reflect that the advisory board is constituted for the purpose of keeping the old standard abreast of the times, it seems to me that they might be trusted with the control of the separate schools as well. Sir, the Secretary of State the other day, in discussing this question, told us that the minority of Manitoba was suffering, suffering for six long years under the operation of this school system, and that they were crying to Heaven for justice, to repeat the picturesque language which is characteristic of that hon. gentleman. I ask this committee to pause before they take the final step in passing this Act, and to ask themselves whether, if they encumber the school system of Manitoba with this cumberous machinery which section 4 proposes to create, they will not prolong that agony that the hon. Minister is so anxious now to relieve. Perhaps it is not fair, until we get the official returns of the propositions made by the deputation that went to Manitoba the other day, to discuss an amicable settlement of this kind, but if the details that are published in the press are to be trusted, they made a proposition that looks to the accommodation of the Catholic population in cities, towns and villages, and left the conscientious scruples of the rural Catholics to be tramped underfoot, or left those pepole to do the best they could in the ordinary common schools, where, after all, as in the province of Ontario, I am satisfied a large section of those children will receive their education. Sir, should we not pause before we impose this legislation upon them ? If I understand the opinion expressed by lawyers here, it is that once we have enacted this law and it becomes a part of the school law of Manitoba, we cannot change it, however anxious we may be to do so. Should we graft upon Manitoba a system of this kind when, even by the admission of two members of the Cabinet to-day, they are not satisfied that it is within their power to pass it, or that it is the best kind of legislation, if they had power to pass it ! Sir, we have an extraordinary spectacle of the Minister of the Interior saying that he has grave doubts whether, after all, it won't be necessary to take that out as beyond our legal authority ; and we have another equally competent legal authority, the Minister of Public Works, saying that he thinks it is better there than out. If that is not very qualified praise for a clause of the statute that they have carefully considered and presented to this House, I do not understand the Queen's English. It reminds me very much of the old Scotchman that we never could get to say, when he was sick, that he was getting better, but we all considered that he was on the highroad to improvement when he declared he was no worse. That is about all the praise the hon. Minister of Public Works is able to give to this clause, that upon the whole it is better there than out. But the Minister of the Interior does not hesitate to say that he has grave doubts whether, upon the whole, it would not be better out. Under these circumstances I think, as a layman, that the whole thing would be better out, not only in the interest of the people of Canada, but in the interest of the minority in Manitoba they are so anxious to protect. I have a feeling, that if it were not for the dread of the electorate of some parts of Canada, hon. gentlemen would display a great deal less zeal for the down-trodden minority in Manitoba. However, we are face to face with the Bill. These are the reasons why we should pause before enacting section 4, and they are very strong reasons why we should not create an extra Board of Education, and why we should take into consideration the amendment suggested by the hon. member for North Simcoe (Mr. McCarthy), and carefully consider whether instead of creating more machinery, we should depend on the good judgment and patriotism of the advisory board, consisting of the best educationists in Manitoba, and leave the matter in their hands. Hon. gentlemen say that the province is narrow in its views, and yet we have been told that the Government offered the Archbishop a seat on the advisory board for the purpose of using his influence along with others in perfecting the system of education. We in Ontario, found it was possible in operating our high schools to have a Catholic representative on the board, and I speak advisedly when I say it has operated satisfactorily ; and notwithstanding the bitter things said the action of Manitoba in offering the Archbishop a seat at the board entitle the government to a fair degree of consideration. But hon. gentlemen will say that we propose to go into the arena and do as the Ministry here appear to have done the other day, when, if the public prints are correct, they offered to suspend the operation of the Remedial Bill and its passage through the House till the discussion was through, but they so far forgot what was due to Manitoba that at the very moment the Dominion commissioners were to meet the representatives of the province to discuss terms of settlement, the leader of the House was trying to make progress with the Remedial Bill. If we approached Manitoba or any other independent province with a club behind our backs, while professing to hold out the olive branch, what can be expected but a strong feeling of distrust ? I desire to remind the committee that once before we tried conclusions with the province of Manitoba. When the Canadian Pacific Railway had a monopoly of the connections to the south, the province of Manitoba, year after year, passed charters for railway lines to connect the provincial system with the railway systems to the south, and the Dominion Government just as systematically disallowed those Acts. What was the result ? I give it as an illustration of our position to-day, and I think it is a fair illustration.

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. The hon. gentleman can proceed if he does not go too far.

Mr. BAIN. I do not propose to make the reference too long. What was the result ? The net result was that Mr. Norquay lost the confidence of the people of Manitoba and his government was turned out root and branch ; and but for that action I am safe in saying that the Conservative party would to-day control the destinies of that province. The late Premier who controlled the destinies of the political affairs of this country successfully for many years, I refer to Sir John Macdonald, did not act as this Government is acting, trying to browbeat and bully Manitoba, approaching her with a club behind his back. No, when he saw that the difficulty had become serious, he met the Premier of the province, the same gentlemen who is there to-day, and they reached a settlement, and all parties to-day are satisfied. We have to admire the capacity of the man who in those days led the great Conservative party, and his death was a loss not only to his political party, but to Canada. These are the reasons why I think we should pause before adopting the section now under consideration.

Mr. SEMPLE. In offering a few remarks on this section, I recognize the fact that the Government have had a very difficult task to perform in framing a Bill on the decision of the Privy Council. It is true this Bill has been discussed for a long time, but I think the time has been well spent. It does not require much consideration to know why this is a difficult question. It is well known that it has been five times before the courts, and each court has given a different decision from the court whose judgment preceded it. When that fact is considered there is no wonder that considerable difficulty has been experienced. When we read the section now before the committee, and compare it with the concluding portion of the judgment of the Judicial Committee of the Privy Council, we must conclude that the Government are seeking a great deal more than is contained in the judgment of the Privy Council. By section 4 it is evidently contemplated to have two school systems with all the costly machinery and difficulties as regards management. Now, the concluding portion of the judgment of the Privy Council sets forth as follows :—

> It is certainly not essential that the statutes repealed by the Act of 1890 should be re-enacted, or that the precise provisions of these statutes should again be made law. The system of education embodied in the Acts of 1890 no doubt commends itself to, and adequately supplies the wants of the great majority of the inhabitants of the province. All legitimate grounds of complaint would be removed if that system were supplemented by provisions which would remove the grievance upon which the appeal is founded, and were modified so far as might be necessary to give effect to these provisions.

If the Government were to allow religious teaching in the schools they would be carrying out all that could be expected under the present circumstances. I have here a copy of an interview with the trusted counsel of the Catholic minority in Manitoba, and I will read it to the committee. I will read this for the information of hon. gentlemen opposite :

> In an interview Mr. Ewart pointed out, with reference to the Dominion offer, that the point upon which the negotiations must have failed was the refusal of the local government to permit Catholics to have schools in the cities and towns. So far as the schools are concerned in districts where there are none but Catholics, there does not seem to have been much difficulty ; but the point of separation seems to have been with reference to the schools in the cities and towns. The Dominion commissioners suggest, for instance, with reference to Winnipeg that the present Catholic schools be allowed to continue, subject, of course, to the Public School Act. They will be public schools in every sense of the word ; they will be controlled by trustees elected by the people of Winnipeg, and the only advantage that the Catholics would have by being permitted to segregate themselves would be that there would be less difficulty in permitting them to have their own religious exercises and such text-books as the advisory board should think to be satisfactory for them. Mr. Ewart pointed out specially the fact that under the Dominion commissioners' proposition there was to be no such thing as Catholic control, that the whole power was to remain in the Department of Education and the advisory board, with this limitation only, that there should be some Catholics upon the advisory board. Mr. Ewart had no hesitation in saying that had it not been for the strong election statements made by the government there could be no difficulty in their accepting this proposition, which is in effect the system which is in force in Nova Scotia and New Brunswick with the unanimous consent of almost every man in these provinces.

The gentleman who made these observations knows whereof he speaks, and I commend his remarks to the attention of the House. I say, Sir, that it was a good thing that a commission was appointed even at the eleventh hour, and the appointment of that commission reflects very great credit on the hon. member for L'Islet (Mr. Tarte). When he first brought up the proposition in the House, the idea was scouted by the very men who afterwards adopted his suggestion and sent the commissioners to Winnipeg. The commission was a good idea, because it pointed out clearly to the Dominion and to the provinces what were the differences. I have no doubt that had that commission been appointed in the first place, when Manitoba was asked to appear before the Privy Council, I believe the whole difficulty would be settled amicably. Everyone who understands human nature knows that if there is a disposition to force a province or an individual to do something, that they will resent any such treatment. The idea of this Government must have been changed to a considerable extent in reference to a commission since the Minister of Marine and Fisheries used certain language during this session. He usually speaks guardedly, but on that occasion he spoke his mind quite freely, and showed very plainly that the Government wished to coerce Manitoba. It has been asked in this House : Why is it that Ontario Liberals are opposed to granting justice to Manitoba, as it is said, and at the same time are in favour of separate schools in Ontario. Well, at confederation it was laid down in black and white that there should be separate schools in Ontario for the benefit of the Catholic minority there.

It was so plain in the statute-book that it did not require a lawyer to understand the meaning, or an Act of interpretation to explain the words. The government of Ontario has tried to carry out that law faithfully. That grand old man, Sir Oliver Mowat, who has led the Liberal party so long in that province, considered it his duty to carry out the law in its entirety, and to enable the Catholics to have separate schools. At every election in the province of Ontario we Liberals have had to fight the Conservative party, because they said : Oh, you are giving the Catholics too much ; you are giving them too much money for schools, nunneries and hospitals. The Liberal leader of the province of Ontario does not want any step-children in that province. He wants to put his people on a footing of equality. As has been mentioned by the hon. member for Wentworth (Mr. Bain), there is a provision in the High School Act with regard to high schools enacting that there should be a Catholic representative on each school board. The Catholics attend the normal schools and they are well treated, and some of them teach in Protestant schools, and are just as well received as if they belonged to the Protestant denomination. I am glad of that, because there should be an equality in all these matters. It is different with regard to Manitoba. As I said before, the question of the rights of the minority has been five times before the courts. Different judges have given different decisions ; and when learned judges and lawyers differ in their interpretation, what are laymen to do ? They cannot understand it, and this is where the difficulty has arisen. If the rights of the Catholics in Manitoba had been defined in the statute-book as plainly as the rights of the Catholics in Ontario are, they would never have been denied by the Government of Manitoba ; and if the people of Manitoba considered that they had a legal right to the privileges they demand, I believe they would give them those privileges. Another fact of this case is that Sir John Macdonald, when asked to disallow the Act of 1890, refused to do so. The Dominion Government had disallowed many less important Acts of the legislature of Ontario, such as the Streams Bill, the License Act, and the Escheats Act ; but Sir John Macdonald refused to disallow this Act, because he believed that Manitoba was within its rights. If it had been decided by the first decision of the Privy Council that the province of Manitoba had exceeded her rights in abolishing the School Act of 1871 it would certainly have been restored and the matter would then be ended. But the question was dragged from court to court, and the difficulty always became greater. If anything is done, it must be done by conciliation and by appealing to the generosity of the people ; the difficulty will never be settled in any other way.

The CHAIRMAN (Mr. Mills, Annapolis). The hon. member must keep to the amendment.

Mr. SEMPLE. I am endeavouring to keep to the amendment by showing that this law would be of no benefit to the people of Manitoba. The province of Manitoba were endeavouring to do something to meet the views of the people long ago. In the pamphlet published by Senator Power, we have this statement quoted from the remarks of Senator Bernier, late superintendent of Catholic schools in Manitoba :

> Inducements were offered to them by the local government through their officers to attend the schools without entirely sacrificing their views ; and they thought they might try the new system. It is not on account of any preference for the public schools, but because of their poverty and of the peculiar inducements offered to them. The local government were anxious to have some of our schools brought under the law in order to be able to base an argument upon the change. An inspector was sent to them, who told them that if they wanted to keep up their schools the government would not be too exacting about compliance with the regulations. He told them that they might quietly give any religious instruction in the school after school hours. He told them they could not begin and close school work by saying the ordinary Catholic prayers, and even suggested how it should be done. Instead of opening the school at a certain hour, they might open some few minutes before, and at the closing they might close a few minutes after the regular hour, so that they might be able to say that there had been no prayer during the school hours.

The CHAIRMAN. I think the hon. gentleman is out of order in going into this general discussion.

Mr. SEMPLE. I was endeavouring to show——

Some hon. MEMBERS. Order. Chair.

Mr. McNEILL. I do not understand that you have ruled that the hon. member is out of order. You said you thought he was out of order.

The CHAIRMAN. I say the hon. gentleman is out of order in going into a general discussion. He must keep to the motion before the House.

Mr. MULOCK. Excuse me. He is entitled to speak both to the main motion and to the amendment.

The CHAIRMAN. It is my opinion that he should speak to the clause or to the amendment.

Mr. SEMPLE. I was endeavouring to speak to the motion, and to show the difficulties that are in the way. I was endeavouring to show that there was an endeavour on the part of Manitoba to comply with the wishes of the minority ; and if that was done to the full extent, there certainly would be no need of a Remedial Bill. The Minister of Marine and Fisheries on a certain occasion, said :

> If the leader of the Opposition had a guarantee in his pocket and could produce it before this House, from the government of Manitoba, stating that in twenty-four hours from this time they would amend their law and re-establish separate schools, not acquiescing in the remedial order, I say that would be no remedy, that it would be no settlement of the case, that they would kick it aside three months afterwards, if they thought it had not worked well.

This shows the spirit in which the Government wanted to get the Manitoba government to do a certain thing, with the Remedial Bill hanging over their heads. It is certainly not fair to the province, and that province is one that has certainly shown a great deal of public spirit in days gone by. We all remember that at the time of the North-west rebellion, which cost this country $8,000,000, and a considerable sacrifice of life, the people of Manitoba went to the front like men; and some of them are threatening that if their rights are taken away, they will shoulder their musket again. I have heard that the gentleman who made that remark was a Conservative, and no doubt he expressed the feeling of the people. The feeling is that there might have been a compromise effected some time ago; but in the local elections the people decided almost to a man that they wanted no interference with their School Act, and this makes it more difficult to have a compromise now.

Mr. McLEOD. I rise to a question of order.

Mr. SEMPLE. I will now take my seat, because I have said all I intended to say.

Mr. SPROULE. Even at this late hour of the night I propose to trespass on the patience of the House for some time in dealing with this clause, because I regard it as one of the most important clauses of the Bill. At the outset, I may say to the hon. gentlemen that no amount of noise will divert me from my purpose of saying what I intend to say. I have not yet spoken on any clause of the Bill. The amendment proposed by the hon. member for North Simcoe I regard as a very important one. It is:

> That the first subsection of the fourth section be hereby amended by striking out the first line and substituting the following:—"It shall be the duty of the advisory board constituted under the provisions of the Education Department Act of the province of Manitoba."

It is substituting the advisory board for the Board of Education.

Mr. McNEILL. I rise to a point of order. If these noises do not cease, it will be impossible to go on with the discussion, and I shall be very reluctantly compelled to move that the committee rise, report progress and ask leave to sit again.

Mr. CHAIRMAN. I would ask the hon. gentlemen to keep quiet. Is the House ready for the question.

Mr. McNEILL. By no means.

Mr. SPROULE. It is hardly necessary to say that such an important measure as this cannot be expected to pass without discussion.

An hon. MEMBER. Obstruction.

Mr. SPROULE. It is all very well for hon. gentlemen to say "obstruction," but the Bill contains 112 clauses, upon which I have not opened my mouth since we went into Committee of the Whole; and if these hon. gentlemen who are making these noises regard it as the duty of hon. members to hold their peace on this important measure, I for one do not share their view, and intend to exercise my right in this House, as the representative of the people, by advancing what arguments I see fit against the passage of any of its clauses. This clause is certainly a very important one. It adds another body to the two already provided by the Education Act of Manitoba. Now, it is always a step in the right direction to reduce the number of departments that are employed to do anything, and which are productive of expense, when you can diminish the number without at all impairing the efficiency of the law or its administration. Now, there can be no question that the advisory board of the Education Department, appointed under the Manitoba Act, is quite competent to discharge the duties which we are now seeking to impose upon the separate school board. If you compare the duties which the advisory board has to perform with the duties which are given to the separate school board in this Bill, you will find that they are exactly the same. The amendment of my hon. friend from North Simcoe proposes that we should do away with this separate school board and substitute for it the advisory board which is already in existence, and which we can utilize without incurring any additional expense. It seems to me that, from every point of view, this amendment must commend itself to the House. The only point in which the present advisory board would not be competent to act would be in the prescribing of the religious exercises in the Catholic schools, but that might be left out in this clause and be provided for by a simple change in one section of the Bill.

Mr. McNEILL. Mr. Chairman, I must really ask you to be good enough to keep order.

The CHAIRMAN. If the gentlemen would assist me in keeping order—I am sure I cannot.

Mr. McNEILL. If you cannot keep order, Mr. Chairman, I move that the committee rise, report progress and ask leave to sit again. If the House will not allow discussion it is absurd to go on attempting discussion.

The CHAIRMAN. The hon. member for East Grey (Mr. Sproule) has the floor.

Mr. McNEILL. Well, I move that motion, Mr. Chairman.

The CHAIRMAN. Is it seconded ?

Mr. McNEILL. The hon. member for East Grey seconds it.

The CHAIRMAN. Is the committee ready for the question.

Mr. McNEILL. I am ready to discuss the question, but I do not intend to speak while this noise is going on.

Some hon. MEMBERS. Go on.

Mr. McNEILL. We will go on, when order is restored. There is no need for hon. members to excite themselves and there is no need for my hon. friend (Mr. Sproule) to exert his voice to overcome the disorder of the House. He will have a good deal of talking to do before this measure gets through committee as there are a great many clauses to discuss. My hon. friend is making a strong and cogent speech in the midst of interruptions. Hard pieces of paper are thrown at my hon. friend to the great danger of his eyesight.

Some hon. MEMBERS. Oh, oh.

Mr. McNEILL. Yes, my hon. friend is a medical man, and I am sure he will agree with me that the impact of such a piece of paper upon the eye might produce serious consequence. We know coercion is rampant, but we ought not to be obliged to speak here under danger of injury to our persons as well to our health. I think it is well the country should understand the treatment that is meted out to us by these people who are so anxious to protect the rights of minorities. The noise made by these gentlemen furnishes me with all the argument I could require in favour of my motion that the committee should rise, report progress and ask leave to sit again.

The CHAIRMAN. It is suggested that the Chairman should keep order.

Mr. McNEILL. I do not blame the Chairman, by any means. The Chairman cannot keep order unless hon. gentlemen are willing to obey his ruling. And he has ruled over and over again. This is a ridiculous exhibition, a disgraceful exhibition. The House of Commons is bringing itself into contempt before the people. This is a most important measure which we have under discussion, and the clause immediately before us is one of the most important in the whole Bill. My hon. friend (Mr. Sproule) makes a logical and cogent argument with regard to the clause and hon. gentlemen will not listen to him.

An hon. MEMBER. Discuss the clause.

Mr. McNEILL. The actions of hon. members belie their words. They have prevented discussion by the disturbances they have made. But if hon. gentlemen are willing to allow the discussion to proceed, I shall be very glad with the consent of the House, to withdraw my motion. But if hon. gentlemen will not allow discussion, I will press my motion.

Sir ADOLPHE CARON. If the hon. gentleman would allow the hon. member for Grey (Mr. Sproule) to speak, instead of giving us the very instructive lecture we have been receiving from him, I think it would save time.

Mr. McNEILL. I have said several times that I would be only too glad to withdraw the motion, so that my hon. friend from Grey might address the House, if the Postmaster General will only guarantee him a fair hearing, but he will not do that. Now, then, is there any use in continuing this discussion between 11 and 12 o'clock at night, when the House will not hear him ? I think it is an absurdity. The only argument that the friends of the Bill are able to advance to meet our objections, is the argument they make with their heels. I do not think it is a very intellectual way of meeting the objections to the Bill, but it is the one they seem to think the most effectual.

Motion that committee rise, withdrawn.

Mr. SPROULE. After this little diversion, I hope we will be able to get on more amicably. I would not like to have it to go to the county that the hon. gentlemen who are pressing this Bill, were not prepared to allow a fair discussion on it, nor would I wish it to go to the country that every member who rose in this House to express his opinions regarding it, was immediately met by obstruction in the shape of noise and interruptions. I have only spoken once upon the general principle of this Bill, and not at very great length. We were told by the Secretary of State that this Bill was one of the most important that ever came before a Canadian Parliament, therefore I think its importance justifies me or any other member in discussing its clauses as fully as he may think it his duty to discuss them. Now, I was discussing the duties of the advisory board under the old Manitoba Act, and the duties of the Board of Education under this Act, and endeavouring to show that as they were so similar, they might as well be discharged by the one as by the other, and therefore the expense of an additional board might be saved. Now we find that among the duties of the advisory board are to provide for the qualification for teachers in secular matters and to provide for the issuing of teachers' certificates. If the advisory board can do these things, could they not be as well done as by the Board of Education, because they are suitable to the Board of Education they would be suitable to the advisory board, and if suitable to the advisory board, they would be equally suitable to the Board of Education. The next duty of this board is to select all the books, maps and globes to be used in the schools, but they are to select none but what shall have been authorized for the public schools and for the high schools. Authorized by whom ? By the advisory board. Then if authorized by the advisory board, surely it is as easy for the advisory board to do it, as it is for the Board of Education proposed to be established under this Act. Therefore the duties are practically the same, and it is as easy for the one to perform them as the other, and they, the advisory board, as likely to perform them fairly. Another duty is to make and enforce regulations for the establishment and operation of schools, to make an annual examination of teachers for matriculation at the university in Manitoba, and to give special aid to such school from the funds at their disposal. Could not these funds be as well placed at the disposal of the advisory board as with the board to be constituted ? It is only a matter after all of book-keeping. If the accounts are kept separate the advisory board can as easily pay out the funds as the board to be established. The clause further provided that an amount could be given not exceeding one-twentieth of the general appropriation. I have given the duties of the advisory board and the duties as laid down in the new Act to be discharged by the Board of Education, and they are so near alike that they could be discharged just as easily, readily and freely by one as by the other. So the points of difference are reduced in reality to one point, and that is with reference to the terms of religious instruction. That can be arranged, however, by amending a single clause and by not allowing this matter to be dealt with by the advisory board, but provided for outside the board. If so, this amendment is specially applicable, for it simplifies the work, reduces the number of boards, is more easily understood and is equally fair to separate school supporters and public school supporters. The judgment of the Privy Council distinctly says that is is not ncessary to re-enact the law as it existed prior to 1890, and points out that the present legislation could be supplemented by provisions that would reremedy the grievances on which the appeal was founded. What are the grievances ? They simply amount to the right to give religious instruction. They are willing to have the same kind of schools, the same kind of education, the same arrangement of classes and of teachers, but there is the difference with respect to religious instruction. If that difference is provided for, the requirements will be met. I always regarded it as essential in adjusting points of difference to reduce them to the smallest possible number and to simplify them as much as possible, because by doing so it is easier to bring the contending parties together and arrive at a satisfactory settlement or compromise. The appeal was based on subsection 3 of clause 22 of the Manitoba Act, and the Remedial Act was framed to apply only so far as the circumstances of each case required. When we go an iota beyond that, we are going beyond what the judgment of the Privy Council said we could do. It does not say it is necessary to establish the board mentioned in this Bill because the advisory board is already in existence and could do the work just as efficiently as the board now proposed. What are the points of difference ? What would be satisfactory to the minority to remedy the grievance ? We have had a debate, and we have obtained information from representative Catholics, and their statements should be sufficient to indicate what would be satisfactory to the minority. The Minister of Public Works has given the House to understand that if the people secured the provisions contained in the Nova Scotia system, they would be satisfied. There are rights given by law and conceded by courtesy. There is a Jesuit College that has not been guaranteed rights by law but by courtesy during fifty years, and the Jesuits are satisfied. The hon. member for Halifax (Mr. Kenny) also said the Nova Scotia Act would be satisfactory, and that he believed the minority in Manitoba would be satisfied with it. It has often been stated that the people of Canada would be willing to grant all the rights conceded by that Act to the minority in Manitoba without any dissent. We know that Manitoba would be quite willing to grant that, because we have the assurance in the offer made to the commission the other day. The hon. member for Halifax (Mr. Kenny) has said that would be satisfactory, and so has the Archbishop of Halifax, who is a high dignitary of the church, and ought to be regarded as a competent authority on what would suit the minority in Manitoba. The hon. member for Cape Breton (Mr. Cameron), in answer to the hon. member for Albert (Mr. Weldon), said that it would be satisfactory, but he wanted it by law and not by grace or by courtesy.

Mr. McLEOD. I rise to a point of order, Mr. Chairman. I want to see how far this thing can go. We are now discussing subsection (a) of section 4 of this Bill, together with the amendment moved by the hon. member for North Simcoe (Mr. McCarthy). I submit that the discussion should be confined to those two things, instead of to a discussion of the whole Bill, and as to whether it is advisable to pass a Remedial Bill or not.

Mr. McNEILL. I must say that I think my hon. friend (Mr. McLeod) is endeavouring to draw the line very strictly indeed. The remarks of my hon. friend (Mr. Sproule) are perfectly germane to the particular part of the clause, and to the amendment that has been moved. I have been in this House a good many years, and I never heard an attempt made to draw the line closer than it was drawn by you, Sir, to-day. Surely my hon. friend (Mr. McLeod) does not want to stifle discussion on this question. It is scarcely fair that he should wish to introduce legal subtleties into this matter. It would be scarcely possible to imagine anything more unhappy and disastrous than that you, Sir, should endeavour to draw the line too closely in reference to a discussion of this kind.

Mr. CASEY. Speaking to the point of order, I think it is desirable to have it clearly established at once and for all what is in order on occasions of this kind. It is clearly in order to urge any considerations that may tend to show that this particular clause of the Bill is unnecessary. I have been listening to the remarks of the hon. gentleman (Mr. Sproule), and I am satisfied that the considerations he urges do tend to show that this particular clause is unnecessary because of the offers which he declares to have been made by the government of Manitoba.

Mr. SPROULE. I regret exceedingly that the hon. gentleman (Mr. McLeod) has seen fit to raise this point of order, because it seems to be trifling with the rights of members of this House, and coming from an old parliamentarian like the hon. gentleman it is all the more out of place. The duties of this board are assigned all through the Act, and this amendment proposes to substitute the advisory board. I am endeavouring to show that the clause could be simplified by ascertaining the points of difference, and then that the advisory board could discharge the duties as well as the board mentioned here. It is well understood that when you have the whole clause before you, and an amendment to that clause, you have a perfect right to speak to any portion of that clause or to the amendment.

Mr. DEPUTY SPEAKER. I have been following the hon. gentleman (Mr. Sproule), and I cannot say that he was out of order. Knowing as I do that he wishes to carry on this matter as quickly as possible, I would ask him not to go too far from the paragraph under discussion.

Mr. SPROULE. I certainly do not wish to go too far from it. I shall endeavour to show how easily it would be, under this amendment, to provide what the minority wanted. I cited as my authority for this the hon. member for Halifax, the hon. member for Inverness (Mr. Cameron), Archbishop O'Brien and the Minister of Public Works. I wish to show that what they consider acceptable to the minority has been already offered by the province of Manitoba, and that therefore there is no need for passing this lengthy Bill. The hon. member for Inverness (Mr. Cameron) was the only one who objected to have these rights by courtesy, and he wanted them by law, but Manitoba has said that they are willing to give it by law.

Mr. CAMERON (Inverness). Manitoba did not say so.

Mr. SPROULE. The offer of the government of Manitoba, which I have here, they consented to give that right by law. The Nova Scotia system provides that they would give them a common fund out of which they could support their schools. This is the Nova Scotia system. That they would give them common inspection. This they have distinctly offered. That they would give them common text books. They have made an offer of this. That they would have the certification of their teachers, like the public school teachers, and common rights and privileges so far as the management of their schools is concerned. In the Halifax schools religious teaching is allowed after school hours only; but the government of Manitoba offered to allow religious teaching before school hours were closed, and they expressed their willingness to embody that in law. It strikes me, therefore, that there is not much difference between what the hon. member for Inverness (Mr. Cameron) said the minority were willing to take, provided it were embodied in law, and what the Manitoba government are willing to give. There is so little difference that it is scarcely worth while taking up the time of this House in trying to go through a long Bill like this, seeing that the Manitoba government refuse nothing of what it has been declared over and over again would be acceptable to the people if it were only embodied in law. Another very strong objection in my mind to having this Board of Education is that it would be heaping up expense. In Manitoba the education of children is very expensive to-day, and the number of people who support the educational system is very small.

Mr. DALY. Mr. Chairman, as I presume the House must adjourn before Sunday morning, I think it would be well for the committee to rise and report progress, and I move to that effect.

Motion agreed to, and committee rose and reported progress.

Sir ADOLPHE CARON moved the adjournment of the House.

Sir RICHARD CARTWRIGHT. Is the hon. gentleman in a position to state that the Supplementary Estimates will be produced on Monday. They were promised for Monday of this week.

Sir ADOLPHE CARON. I am authorized by the Minister of Finance to say that he hopes to bring down the Estimates. I will draw his attention to the matter. I am not in a position to say whether his hope will be realized or not.

Motion agreed to, and House adjourned at 12 o'clock (midnight).

HOUSE OF COMMONS.

MONDAY, 6th April, 1896.

The **SPEAKER** took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 93) respecting Debenture and Loan Companies (from the Senate).—(Mr. Foster.)

LAND GRANTS FOR SERVICE IN NORTH-WEST.

Mr. DALY moved for leave to introduce Bill (No. 94) to make further provision respecting grants of land to members of the militia force on active service in the North-west.

Sir RICHARD CARTWRIGHT. Explain.

Mr. DALY. This is a Bill similar to one that was passed two years ago, and it has been before the House several times. Its object is to extend the time for applications from members of the militia who served in the North-west, and it is in accordance with the terms of the Act passed two years ago, and a similar Act passed four years ago.

Motion agreed to, and Bill read the first time.

SUPPLEMENTARY ESTIMATES.

Sir RICHARD CARTWRIGHT. Before the Minister of Finance leaves the Chamber, I should like to know, as it is exactly a week since he promised the Supplementary Estimates, whether reasonable progress is being made towards printing the same.

Mr. FOSTER. Yes. I am happy to inform my hon. friend that the final revise of the Supplementary Estimates is being printed, and I hope by six o'clock to be able to bring down the Supplementary Estimates. They will be brought down to-day, at all events.

THE COMMISSION TO MANITOBA.

Mr. LAURIER. As I observe the hon. Minister of Justice has returned to the House, I should like to know from the Government if it is intended to have the report of the Commission laid upon the Table at once ?

Sir CHARLES TUPPER. I had hoped to have the Message of His Excellency here by this time, in order to have laid it on the Table of the House immediately.

NORTH-WEST TERRITORIES REPRESENTATION BILL.

Mr. MARTIN. When are we to expect the Bill with respect to the North-west Territories Representation Act ?

Mr. DALY. I hope to be able to present it to-morrow.

HUDSON BAY CANAL AND NAVIGATION COMPANY.

House resolved itself into committee on Bill (No. 52) to incorporate the Hudson Bay Canal and Navigation Company.—(Mr. Boyd.)

(In the Committee.)

Mr. DALY. I move that the committee rise and report progress.

Mr. DEPUTY SPEAKER. Carried.

Mr. MULOCK. What is the reason of that action, Mr. Chairman ? I object to your deciding at once that the motion is carried. There has been no discussion on the question.

Mr. DEPUTY SPEAKER. I have declared it carried.

Mr. MULOCK. I submit that you had no right to declare it carried.

Some hon. **MEMBERS.** Order.

Mr. MULOCK. I am perfectly in order. I object to the Chairman acting in this manner. I rose, on the motion being made, and I intended to ask the reason for the motion being made ; and, if the Chairman declares the motion carried, he is doing what has not been decided by the committee. For the Chairman to declare the motion carried in this way is to interfere with the rights of members, and it is an arbitrary exercise of power. It is a violation of the sworn duty of his office.

Some hon. **MEMBERS.** Order.

Mr. MULOCK. We have rights here, and I, for one, intend to exercise my rights.

Mr. OUIMET. Rights of obstruction.

Mr. MULOCK. We have the rights of members, and when a motion is made that the committee rise, we have a right to claim that the motion be the subject of discussion. No Chairman can gag the House or the committee by any arbitrary exercise of power. I again ask why the committee does not proceed with the measure, what is the argument in favour of the committee rising ?

Mr. DALY. The reason I made the motion was that the hon. gentleman in charge of the Bill is not here.

Mr. MULOCK. It would have been in better taste, Mr. Chairman, if the motion had been allowed to be put in the proper way, and, if hon. members had had a fair opportunity of exercising their full rights before you assumed to act as you did in this case. There is no objection, in view of the explanation of the Minister of the Interior, to the motion being carried, so far as I know.

Mr. MARTIN. I object to this Bill being delayed so long.

Committee rose and reported progress.

RESIGNATION OF LIEUTENANT-COLONEL HAMILTON.

Mr. EDGAR asked :

1. Has Lt.-Col. Hamilton, of the Queen's Own, Toronto, been officially asked to resign ?

(a.) If so, upon what grounds has his resignation been demanded ?

2. Have any, and what charges been formulated against Lt.-Col. Hamilton, and by whom ?

(a.) If so, has he been given any opportunity to meet them ?

3. Has Lt.-Col. Hamilton made any charges against officers of his regiment ?

(a.) If so, has an inquiry been ordered thereon?

Mr. DICKEY. The following answer has been handed to me :—No. 1. He has. (a) On the grounds that, as Lieutenant-Colonel Hamilton had, unfortunately, lost the confidence of the officers and of the regiment, and their good-will, a dead-lock had occurred, highly injurious to the regiment, and it therefore became necessary to effect a change in the command. No. 2. No charges whatever have been formulated against Lieutenant-Colonel Hamilton. No. 3. Lieutenant-Colonel Hamilton has made a charge against an officer, for not handing over to him, when ordered, certain moneys received by this officer from other officers ; but the officer in question, who was acting as treasurer for the whole, had received from the other officers a notice that he was not to part with the money, which had been handed over to him for safe-keeping, and he was, therefore, perfectly justified in his refusal. The charge, therefore, made by Lieutenant-Colonel Hamilton for disobedience of order, was no charge at all, and, therefore, no inquiry was needed.

IMPORTATION OF RAW SUGAR EX-SS. "CYNTHANIA."

Mr. McMULLEN asked :

1. Has a suit been commenced in the Exchequer Court, or in any other court, to recover the duties payable on a cargo of sugar ex-SS. "Cynthania," landed about the date of the imposition of the duty on raw sugar ? If not, why has not such suit been commenced ? If commenced, what date was the suit entered ? What attorneys are acting for the Crown ? Against whom has the suit been brought ? What stage is the suit now in, and when will it probably be tried and where ?

2. When the sugar was handed over to the importer, what security was taken to secure payment of the duties ?

Mr. WOOD. Answer to first question : A suit has been commenced in the Exchequer Court to recover duties on 30,064 bags or mats of raw sugar imported on the steamship "Cynthania" into Canada at the port of Montreal and landed after the 3rd day of May, 1895. The suit was commenced on the 10th January, 1896. Messrs. O'Connor & Hogg, of Ottawa, are the solicitors acting for the Crown. The suit has been brought against the Canada Sugar Refining Company (Limited). The suit has been set down for trial on the 10th day of April instant, and will be tried on that day at the Supreme and Exchequer Court room, Ottawa. 2. Only 10,578 bags of the 30,064 bags went into the possession of the importers; the remaining 19,486 bags were placed in warehouse, and are there now. As security for the 10,578 bags taken, the importers placed a like quantity of raw sugar under the control of the customs authorities in Montreal, to abide the decision as to whether the sugar imported was dutiable or not.

TAY CANAL.

Mr. CHARLTON asked :

1. What amount of tolls were collected upon the Tay Canal in the year 1895 ?

2. What was the cost of management of the Tay Canal in the year 1895 ?

3. What amount of money was expended in repairs upon the Tay Canal in the year 1895 ?

Mr. HAGGART. I gave an answer about a week ago to the same question.

Mr. CHARLTON. I have not seen it. I have been here every time my questions were asked.

Mr. HAGGART. It was given about a week ago. I have not it here with me now.

JOINT FISHERY COMMISSION—CANADA AND THE UNITED STATES.

Mr. GILLIES asked :

Have the Commissioners of the Joint Convention of the Government of Canada and the United States completed their investigation into the subjects submitted to them for examination and to report upon ? If so, does their report suggest that an arrangement be entered into between both Governments for the purpose and with the object of preventing and prohibiting purse-seining and trawling beyond the three-mile limit upon the Atlantic coast ? If the report has been completed, has it been submitted to Her Majesty's Government of Great Britain and that of the United States, and what action is likely to be taken thereon ? If the work of the commission has not yet been concluded, when is their report expected by the Government of Canada ?

Mr. COSTIGAN. The commissioners appointed by Her Majesty's Government and that of the United States, under international agreement, have, it is understood, completed their investigations and are at present engaged in the preparation of their report for submission to their respective governments. The action to be taken on the report or reports, is provided for in the agreement, as follows :—

> The two governments agree that so soon as the reports of the commissioners shall be laid before them, as aforesaid, they will consider the same, and exchange views thereon, to the end of reaching, if expedient and practicable, such conventional or other understanding as may suffice to carry out the recommendation of the commissioners, by treaty or concurrent legislation on the part of the respective governments or the legislatures of the several states and provinces, or both, as may be found most advisable ; but nothing herein contained shall be found to commit either government to the results of the investigation hereby instituted.

It is impossible to say when the report might be communicated to the Government of Canada, or what suggestions may be contained : but it is understood that it will be communicated to Her Majesty's Government, and that of the United States, in June next. The scope of the inquiry includes the whole question affecting the fisheries in contiguous waters, and in waters of the open sea, commonly resorted to by fishermen of the United States and of Canada.

HARRIS PROPERTY—ST. JOHN, N.B.

Mr. LANDERKIN (for Mr. McMullen) asked :

> When did the Government purchase the so-called Harris property at St. John, N.B. ? What was the amount paid for the said property, and what would be the rate per acre ?

Mr. HAGGART. I gave the answer to that question a couple of weeks ago. I think there was $200,000 paid for the property. I do not know what the acreage is.

BRANCH POST OFFICE—QUEBEC.

Mr. LANDERKIN asked :

> Is the building in Crown Street, Quebec, and used as a branch post office, the property of the Government, and, if not, from whom leased ?
>
> When was it first leased ? What is the amount of rent annually paid, and to whom ? How much has been expended by the Government in repairs, improvements, &c., up to date since the building was first leased by the Government ?

Sir ADOLPHE CARON. I shall give the hon. gentleman the information I have been able to get so far, but it is incomplete. The building in Crown Street, Quebec, used by the Government as a branch post office is not the property of the Government. It is leased. It will take two or three days to obtain the other information. The present lease was made in 1893.

Mr. LAURIER. You cannot say from whom it was leased ?

Sir ADOLPHE CARON. The hon. gentleman will get all the information later on.

Mr. COSTIGAN.

Mr. LANDERKIN. Allow the question to stand.

Mr. SPEAKER. The question stands at the request of the Government.

THE CURRAN BRIDGE.

Mr. LANDERKIN asked :

> What was the original estimate of cost of construction of the Curran Bridge ? What has been paid upon it up to date, and what is still claimed ?

Mr. HAGGART. I have not got the answer from the department yet, but I think the information has been brought down to the House, time and time again.

Mr. LANDERKIN. Better bring it down again. We must have line upon line and precept upon precept.

Mr. LANDERKIN asked :

> Did the Government seek to recover, in court, from Mr. St. Louis for alleged losses on the Curran Bridge ? If so, for what amount ? Did they succeed ? If not, what did the action cost ?

Mr. DICKEY. 1. Yes. 2. $143,881, and interest. 3. The case is still before the Exchequer Court.

Mr. LANDERKIN asked :

> Did Mr. St. Louis bring action against the Government for claims, or did he set up a counter claim against the action brought by the Government ? If so, did he succeed, and for what amount ? What was the total cost of suit ?

Mr. DICKEY. Mr. St. Louis brought an action against the Crown by petition of right. He failed in the Exchequer Court. In the Supreme Court he got a judgment for $61,842.29. The total amount of his claim being $63,642.29. The total cost of the suit cannot yet be arrived at.

ST. CHARLES BRANCH RAILWAY.

Mr. LANDERKIN asked :

> What was the estimated cost of the St. Charles Branch Railway ? What has been expended upon it ? What is still claimed ? What land damages have been paid ?

Mr. HAGGART. The whole of the information that the hon. gentleman asks was brought down this session.

THE TAY CANAL.

Mr. LANDERKIN asked :

> What was the original estimate of the cost of the Tay Canal ? What was the total cost of construction ? How much was expended upon it last year for repairs and maintenance ? What was the revenue last year ?

Mr. HAGGART. The whole of that information was brought down to the House about three weeks ago.

Mr. LANDERKIN. On what date ?

Mr. HAGGART. I think about the 29th of February last.

FISHWAYS ON THE NORTH RIVER.

Mr. JEANNOTTE (for Mr. Girouard) asked:

1. Whether the Minister of Marine and Fisheries has considered the petition of the inhabitants of the counties of Terrebonne and Two Mountains, asking for the establishment of migratory fishways in the dams across the North River between St. Andrews and St. Jérôme ?
2. Whether the department has sent an inspector to the locality in order to ascertain whether fishways can be constructed on the said river ?
3. Whether such inspector, if sent, has made a report ?
4. What are the results of the said report ?

Mr. COSTIGAN. I gave the hon. member for Two Mountains (Mr. Girouard) that information about ten days ago.

THE REMEDIAL ACT (MANITOBA).

House again resolved itself into committee on Bill (No. 58) the Remedial Act (Manitoba).

(In the Committee.)

Mr. McCARTHY. The committee will remember that when this question was under discussion on Saturday last a difficulty arose with reference to the second subsection of section 3, which we had passed, and the power which we now propose to confer upon the Board of Education ; and, as the Minister of Justice (Mr. Dickey), whose name is endorsed on the Bill, but who I believe is not now in charge of it, is now in his place, I think the committee would be glad to hear from him what the explanation of the matter is. The difficulty which troubled us, I would explain for the benefit of my hon. friend the Minister of Justice, was at to whether it was necessary or proper for us now to pass the 4th section, regard being had to what we had already done in regard to the 3rd section. In the 3rd section this committee has distinctly recognized the Department of Education, empowering it "to make regulations for the registering and reporting of daily attendance at all the separate schools in the province, subject to the approval of the Lieutenant-Governor in Council" ; and also "to make from time to time such regulations as they may think fit for the general organization of the separate schools." We know that the Department of Education is a Government department of the province of Manitoba—a department that was not in existence at the time the former school system prevailed. It is a department that was constituted and created under the Act of 1890, which repealed the double system of schools that was in existence up to that time. Now, we propose by the 4th clause to empower the Board of Education "to have under its control and management the separate schools and to make from time to time such regulations as may be deemed fit for their general government and discipline, and the carrying out of the provisions of this Act." What we could not quite understand was what duties the Government proposed to assign to the Department of Education, and what duties to the Board of Education, because it was not very easy to distinguish between the authority which the Department of Education has to make regulations for the general organization of the separate schools, and for registering and reporting the daily attendance at the separate schools, and the authority which it is proposed to give to the Board of Education, to have the control and management of the separate schools. In the course of the discussion it appeared that my hon. friend (Mr. Daly), who had charge of the Bill in the absence of the Minister of Justice, seemed to think that the difficulty was so great that the Government would have to reconsider the question, and to see whether it would not be necessary to withdraw section 3, or subsection 2 of section 3. That, of course, this committee cannot do. Whatever may be done at a future stage, the committee are not competent to go back and revise the work they have already done; and we have to go on and consider section 4 in the light of what we have already done in section 3, unless indeed the Government propose to say that they intend, at a future stage, to omit section 3 from the Bill. I wish also to draw attention to the fact that when section 3 was under the consideration of the committee, it was objected to by gentlemen who are in other respects in favour of the Bill ; but its insertion was approved of by the Minister of Public Works (Mr. Ouimet), in the following language, which will be found at page 5124 of "Hansard" :

> I may tell the hon. gentleman, in order to calm his apprehension, that this very question has been discussed with very great care and attention with the counsel representing the minority, Mr. Ewart, and he has insisted that this clause should be in the Bill in order, as he contends, to avoid any doubt that may arise as to the constitutionality of the measure we have now before us. After having given to this clause a very close study we have come to the conclusion that the judgment of the Privy Council provides that we should take away none of the rights and powers that exclusively were vested in the general Board of Education. All we can do is to restore to the minority the rights they formerly possessed.

So that this clause, according to that statement of the Minister of Public Works, was not inadvertently inserted. My hon. friend the Minister of the Interior (Mr. Daly)—I am reading now from page 5128 of the report—said this :

> The result of the action taken is to make the law uniform, and as it existed prior to 1890. The Board of Education, under the old law, consisted

> of the Protestant and Roman Catholic sections, and the powers that were vested in the whole of the old board were given to the Department of Education, under the Act of 1890. If we were to vest in the board, under this Act the powers vested in the Board of Education, we would be giving that board greater power than the Catholic section of the board possessed previous to the Act of 1890. We desire not to go outside the powers vested in the old section of the board.

So that the reason appears to have been, so far as I can gather from these two statements, that the Government desire to make this Act a rescript or reflection of the law as it stood prior to 1890. Now, I will draw the attention of the hon. Minister of Justice to this fact. These two sections are certainly apparently inconsistent, and the passage of them is undoubtedly calculated to create difficulties and litigation, more especially when we remember that this law, if passed, will be passed against the will of the province. I am not able, nor was the Minister of the Interior able to state what the duties were which it was proposed to give by section 3, and what other duties it was proposed to give by section 4. The hon. member for Westmoreland (Mr. Powell) said that the Department of Education would be charged with the duty, in the first place, of defining the number of pupils who would attend the schools. That, he held, came within the meaning of the term organization ; but it was pointed out that the second subsection sufficiently dealt with that subject, and, therefore, that could not have been the object.

Mr. DICKEY. The hon. gentleman knows that before 1890 there was a joint Board of Education, composed of Protestants and Catholics, which performed certain functions together, as a whole board. He knows also that each section, the Catholic section and the Protestant section of this Board, had also certain powers. In drafting this Bill, it was found that there were certain powers given under the old law to the joint board. It was obvious impossible to constitute the joint board again. But there was in the province a Department of Education, which had large powers under the Act of 1890, and it was thought desirable that the general powers exercised previously by the joint board with regard to all schools, irrespective of their religious complexion, should be allotted to the Department of Education. The first subsection of section 3 shows the object of that, namely, to make regulations for the registering and reporting of daily attendance at all the separate schools of the province, which is obviously a very important matter for statistical and other purposes. The hon. gentleman has pointed out the inconsistency which he finds between subsection 2 of section 3 and the first subsection of section 4. The wording of the sections is not exactly the same. The one deals with the general organization ; the other with the control and management and general government and discipline. I am not at all prepared to say, at this moment, that the general powers given for the purpose of general organization, to the Board of Education, which shall apply to all schools, necessarily clash with the powers given to the Board of Education for the general government, discipline, control and management of the separate schools. It seems to me that the difficulty which the hon. gentleman raises must be largely theoretical, because these sections have stood side by side, in the province of Manitoba, for nineteen years, and the old school system was actually worked under them. While it is very difficult for me, not knowing the actual details of the workings on the ground of a section like this, to draw a distinction, it seems to me that the fact must be remembered by the committee that for nineteen years these sections have worked alongside one another without clashing. At the same time, I do not regard subsection 2 of section 3 as at all important in the Bill, and I believe, as a matter of practice, the power given by it was not much used previous to 1890 ; and I am quite willing to consider whether it will be desirable, at another stage, to drop that, but that is not altogether relevant to the motion of the hon. member for North Simcoe at this moment.

Mr. McCARTHY. I admit that.

Mr. DICKEY. Therefore, I would strongly urge the committee to pass section 4, and if, on inquiry, I come to the conclusion that there is any radical inconsistency, subsection 2 of section 3, which is certainly much the less important of the two, can be dropped.

Mr. MILLS (Bothwell). As neither the Minister of Justice (Mr. Dickey) nor his predecessor (Sir Charles Hibbert Tupper) was in the House on Saturday when I raised the question as to the jurisdiction of this House to deal with the subject of procedure, and as both of those hon. gentlemen are present to-day, I am sure the committee will bear with me while I bring to the attention of the Minister and of the hon. gentleman, who, no doubt, had a good deal to do with the preparation of the Bill. I am sure the hon. gentlemen will remember that when I addressed the House on the second reading of this Bill, I called the attention of the House to the facts that rights and privileges, as I understood the law, did not extend to matter of procedure, that a right or privilege was a right or privilege with respect to education, and had relation to the religious instruction that was given in the schools ; and, so far as it was necessary to the actual existence of the schools. If we look at subsection 2 of section 93 of the British North America Act, we shall get some light upon this subject. Now, the hon. Minister will see, on looking at that subsection that "all the powers, privileges and duties at the union, by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects, shall be, and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec." So that the hon. gentleman will see that what was essential to the existence of the protection of the rights or privileges was regarded as being vested under the constitution in the schools and in the trustees who had jurisdiction over them. Now, let me say, as I did on Saturday, that as far as the Bill proceeded and in the clause under consideration, we are dealing with the subject of procedure. But that is part of the administrative government of the province, under the exclusive jurisdiction of the local legislature. It is essential to the existence of the government, management and care of the public schools. I pointed out before, and I repeat now that separate schools are public schools ; they are intended to be such, and the power of legislation given to the local legislature in so large a degree was intended to keep them in touch with the requirements of the times in precisely the same way as the other public schools. So, in the construction of the law, we look at the surrounding circumstances and reasons for the provisions which exist. Now, the hon. gentleman will see—and I am sure the committee will allow me to refer to the three sections we have already considerd—that he is undertaking to impose duties upon the local legislature.

Mr. McCARTHY. Will the hon. gentleman excuse me. He says "upon the local legislature." But is that quite accurate ? I understand they are imposed upon the Lieutenant-Governor, and not upon the local legislature.

Mr. MILLS (Bothwell). The mere administrative duties—yes. But I mean to say the local legislature has jurisdiction over the subject, to alter or amend the law, from time to time. In the very first subsection, we have imposed a mandatory duty upon the Lieutenant-Governor in Council, and we have undertaken to state the number of members constituting this board. Now, to-morrow the local legislature might undertake to constitute a board for the management of these schools in a wholly different way from that here provided. It might appoint a smaller number, it might even appoint a single person to control and operate these schools. Now, I maintain that you cannot divest the local government of the power it possesses, that power inheres in the local legislature and government. But if they refuse to discharge their duties in this regard, if they refuse to take cognizance of your schools, you have the power not to impose a duty upon them, but to make an alternative provision, to the effect that if they do not act, the board shall be constituted in this, that, or the other manner. But it is a provision of law to be discharged by you ; it is not a provision to impose a duty on some other government, or some other party. That, in my opinion, you cannot do at all, and you ought not to undertake it. But in the event of no action being taken, and the local government refusing, then, not as a matter of necessity, but as incidental to the protection of the right and privilege, you may undertake to deal with the subject. The hon. gentleman will see that he undertakes to constitute a board and he undertakes to constitute it as supplementary to the Department of Education in the province. What right have you to do that ? Let me take as strong a case as I can, one that was put to me by an hon. gentleman after our debate on Saturday afternoon. Suppose the local government were to appoint as Minister of Education in the province of Manitoba, the moderator of the Presbyterian assembly, and to impose the whole duty upon him, would not these people have the right to complain ? I say, certainly not. If the Minister of Education failed in the discharge of his duty, in respect of those matters in which the law contemplates an appeal to this Government and Parliament, then the appeal may be made, and if the local government refuse to rectify the wrong, you would have the right to rectify it, not because there is any right or privilege in the administration, but because, in the administration, some right or privilege has been invaded which ought to be protected. You have no right to impose a duty on the local legislature or to create a board to discharge these duties, but you have the right to provide that in case the local legislature do not make the necessary provision, then the board shall be constituted in a particular way. But in that case the appointment is not to be made by somebody else, but upon the responsible authority of the Government here. If that were done, it would be a dormant provision and could not come into operation except in the event of the local government refusing in any way to recognize or take charge of the affairs connected with these schools. But it does seem to me that all these provisions of the Bill relating to the matter of procedure are founded upon a radical error with regard to the rights and privileges of the minority, and with regard to the proper authority to administer the law. That administration is wholly independent of the rights and privileges, it is part of the machinery of the government. It can be discharged by the local government under local legislation which can be altered or amended from time to time, as the parties think proper, but it cannot be undertaken here at all in the event of the local legislature altogether failing in their duty.

Mr. DICKEY. How are we to ascertain that ?

Mr. MILLS (Bothwell). I say you can frame a clause that, in the event of a local legislature failing to provide for the administration of these schools, then such and such shall be the law.

Mr. DICKEY. But how would you ascertain when they had failed? Who is to judge of that?

Mr. MILLS (Bothwell). The hon. gentleman can know that just as he can know how any law is being administered. How does the hon. gentleman ascertain, for instance, that justice is being administered, that the criminal law of this country is being properly enforced. The hon. gentleman cannot pretend to say that that fact could not be known. The two governments are supplementary to each other. They constitute, together with the legislatures, the executive and legislative authority of the entire Dominion, and this House must assume that the hon. gentleman can know, and does know, whether these duties that ultimately might fall upon him to provide for or that might be conditionally provided for now, are or are not properly discharged. I do not think there is any difficulty in the matter at all, but I see serious difficulties and serious lawsuits that may spring out of the attempt to assert a jurisdiction that I do not think belongs to us primarily at all.

Mr. DICKEY. I am sorry to trouble the committee so often, but perhaps it is better I should state my views now. Under my reading of the Manitoba Act, the refusal or neglect of the local authorities to perform any of the duties in relation to education, is not a relevant fact at all, except in one case, and that is a case of appeal. In order to found our jurisdiction, it is necessary that there should be shown a default or neglect, in the opinion of the Privy Council here, on the part of the local authorities. What is the result of that neglect? It is to vest this Parliament of Canada with certain jurisdiction, large or small. Now, for the purpose of this argument, we will assume that that event has happened, and waiving the question raised by the hon. member for Simcoe for the present, we will assume that this Parliament has obtained jurisdiction to reinstate the Catholic minority with certain rights under this section of the Manitoba Act. My understanding of the power of Parliament in that case is that this Parliament does not lose in any sense its high position and its great prerogatives in the way of legislation, that it has the plenary power conferred upon the local legislature with reference to education.

Mr. MILLS (Bothwell). No, a remedial power only.

Mr. DICKEY. The plenary power conferred upon the local legislature with reference to education. Now, supposing that the Act says that if the local legislature, after so many years, did not pass laws with reference to education, this Parliament should; then our power certainly would be plenary, and we would have all the power necessary in order to fully pass such laws. We are now seized with power to pass remedial laws. For what purpose? The hon. gentleman will agree with me, it is for the purpose of reinstating the minority in its rights. The hon. gentleman will go with me that far. Under the decisions of the Privy Council, and under the ordinary powers in section 92 or 93, there cannot be a shadow of a doubt that the vesting of jurisdiction in this Parliament over a particular subject gives all the powers that are necessary in order properly to carry out that purpose. The cases, of course, are familiar, and I need not refer to them. Now, we are vested with power to pass remedial laws to reinstate the minority in its rights. In my opinion the principles I have alluded to, govern. We have all the plenary powers that are necessary for that end. Our jurisdiction is bounded by the declaration as to rights; but in order to effectuate our wishes in that regard, we may use any machinery that we think is necessary. Who is to be the judge of the necessity? Is this Parliament the enacting body, or is it some other body? Now, the hon. gentleman suggests that we should at first throw the duty upon the local authorities, and in the event of their failure, that we should take power to appoint a board. Now, I would ask the hon. gentleman where he gets a shadow of authority for that position. If the hon. gentleman is arguing that there must be a defect, a failure to perform its duty on the part of the local authorities before we can do anything, he is referring to the question of appeals, he is referring to the question of the passing of a provincial law, for example, under the section. But there is nothing that I can see in that section of the Manitoba Act to give any colour whatever to the idea that we must first throw the duty upon the local authorities.

Mr. MILLS (Bothwell). You propose to do it here.

Mr. DICKEY. The hon. gentleman admits that we have ultimately the power to do what we do here, but he suggests that there is an intermediate step that we must take in order fully to vest ourselves with that power. Now, I submit that there is nothing in the Act that I can see to justify his argument that an intermediate step is necessary. Assuming that we may do what the hon. gentleman says, I see no constitutional difficulty in our doing it if we desired to do it as a matter of policy.

Mr. MILLS (Bothwell). Let me put the question to the hon. gentleman that I put to the Minister of the Interior the other day. Supposing the local government had not taken away any right or privilege with regard to religious instruction, but had substituted a Minister of Education instead of these two boards; does the hon. gentleman pretend to argue that that would have been a ground for appeal here, and a reason for undertaking to amend the law ? The hon. gentleman will see, I think, that we have not an inherent power to deal with the subject of procedure as a right or privilege, then if we have not a right in that case, I do not see how the hon. gentleman can get a right here unless he is prepared to argue that the local government could not make provision for the administration of these schools.

Mr. DICKEY. I would like to ask the hon. gentleman how he thinks that our jurisdiction in that matter is mended by taking another step, as he suggests. We have at the present time all the jurisdiction that this Parliament can possibly be seized of with reference to this question, and waiting further for action on the part of the legislature or the local authorities, would not add to our jurisdiction ; so that taking that view of it I really am not able to follow the hon. gentleman in his statement that we should throw the duty first upon the local authorities. I believe we have jurisdiction to provide all the machinery that is necessary in order to restore those rights. Now, that does not prove that it is necessary, because the hon. gentleman can suggest some other method that would meet some other view——

Mr. MILLS (Bothwell). No, that is not my position at all.

Mr. DICKEY. The hon. gentleman has suggested a method which I think we would have power to adopt and which we might use, but it is a matter of policy, and I should not advise this committee to adopt it. As to the method we have adopted, it is a method under which, I think, we have jurisdiction to enact, because some such method is necessary in order effectually to reinstate the minority in its rights.

Mr. MILLS (Bothwell). Supposing the local government first undertook themselves to constitute a board for administering this law ; supposing they should make it consist of three members instead of nine, as in section 1 you command them to do : supposing they do that, and provided for the administration of the law, does the hon. gentleman argue that this would have any operation at all ? If not, why does he not make it subordinate to what the local legislature should undertake.

Mr. DICKEY. I could not say what the effect of any future legislation of the local legislature would be. It is impossible to say whether it would constitute a grievance or render it nugatory. But that does not affect the question here.

Mr. MILLS (Bothwell). It does.

Mr. DICKEY. I cannot follow the hon. gentleman. Our jurisdiction when we are seized with remedial legislation to rectify the wrongs of the minority, is unquestionably based on the principles laid down by the Privy Council in other matters, and so this and all ancillary matters are matters that are reasonably necessary in the judgment of this House to carry out this purpose.

Mr. McCARTHY. What was the case before the Privy Council conferring this right? On what case does the hon. gentleman rely as authorizing this course ?

Mr. DICKEY. I do not refer to any cases on this point, but to the general class of cases, for instance, with respect to bankruptcy. There was a case argued by the hon. gentleman (Mr. McCarthy) along the lines on which the hon. member for Bothwell (Mr. Mills) is now proceeding, but the Privy Council did not adopt that view.

Mr. McCARTHY. Does the hon. gentleman refer to Tennant vs. the Union Bank ?

Mr. DICKEY. In that case the Privy Council held that this Parliament in the exercise of its jurisdiction in regard to bankruptcy had power over warehouse receipts, although it interfered with civil rights. Then there is the case of Cushing vs. Dupuy, and a large class of such cases. I do not think there is any dispute about the point.

Mr. DAVIES (P.E.I.) I think the Minister of Justice is right in asking the committee to discuss this important point on the assumption that we have jurisdiction in the matter. That is a very fair demand to make in commencing his argument. If you grant the premises assumed by the hon. gentleman, there is some difficulty in avoiding the conclusion reached by him. On one point, however, the hon. gentleman has arrived at a very faulty conclusion. He starts out with a wrong premise, in my judgment. Some lay members of the House asked me why the lawyers are making so much contention over this section. It did not take me a moment to answer them. Its importance lies in the fact that if this section is unconstitutional, the whole framework is destroyed. Laymen should, therefore, understand that this is the key to the whole situation, and if those who take the position that this section is unconstitutional are correct, the Government are only legislating foolishly, and the whole framework will fall if this substructure is knocked from under it. The point in dispute lies here. The hon. gentleman says we have jurisdiction to restore certain rights with respect to education, which rights the local legislature have withdrawn. In order to start fairly, we have to decide what are the rights which have been withdrawn from the minority with respect to education. The position of my hon. friend (Mr. Mills), and which I thoroughly endorse, is this, that there is a broad, cardinal distinction to be drawn and kept distinct between the rights themselves and the administration of the law with regard to those rights, and if you do not keep that distinction in view from the beginning to the end, you are sure to go astray. We admit, for the purpose of argument, and this we must do, that the right to exempt from taxation, the right to appropriate their own taxes to their own schools, the right to teach religious education and determine the books on morals and religion are three rights secured to the Roman Catholic minority in Manitoba, and you have the right to restore those, if you choose to do so. Supposing the remedial order, which you passed calling upon Manitoba to restore those three rights was acted upon by the local legislature ; supposing they had passed a law a month ago giving those rights to the Catholic minority, and determining in the exercise of the plenary and exclusive jurisdiction that the administration of those rights should remain in the general board which the province had established, is there a lawyer in this House who would question their power ? Or would any lawyer say that the omission to constitute a new board in itself created a right of appeal or gave us the power to pass supplementary legislation to that of the Manitoba legislature ? I say, clearly not. The machinery to administer the law is there at your hands already, provided for the minority by the local legislature of the province, in which alone is vested that power, which is indeed part of the machinery of government. So soon as we have restored the substantial rights of the Roman Catholic minority which were legislated away, the power of this Parliament ceases. It is not a question of policy, it is not a question as to whether there should be two boards or one board. This Parliament has no power to put another Board of Education there, or a dozen boards, or to divide the province into ten districts and have ten superintendents. To put the argument in a nutshell, the administration of the law will continue to rest with the local government, as it has been vested in that local government from the first.

Mr. HAGGART. Does the hon. gentleman mean to argue that administration and procedure may not affect a right or privilege ?

Mr. DAVIES (P.E.I.) If the local government, in administering the law in regard to these three points, administer it so as to create a grievance, whether it is now or ten years hence, such action will create a right on the part of the minority to appeal to have that grievance rectified ; but you cannot possibly provide against that now, and you are not justified in assuming beforehand that the proper authorities in whose hands the constitution has vested the administration of the law will violate the power reposed in them. You cannot make that violent assumption. Suppose the local administration administered the law fairly for two or three years, and a new administration came into office and declined to apply the law any longer, that, of course, would give a right of appeal under this section.

Mr. McCARTHY. The right would still exist. The fact that parties did not administer the law would not affect the right.

Mr. DAVIES (P.E.I.) My view of the law is this, that when you pass this law you make it part of the educational code of Manitoba. It is no use talking to me about the plenary powers of this Parliament to legislate in regard to education. We have a limited power, and no other, and when we enact legislation with respect to education in Manitoba it becomes part and parcel of the educational code of the province, to be administered by the province ; and if, in the administration of the law, a grievance arises as against the rights of the minority, it will give the right of appeal. This is not a right which once exercised never can be exercised again. This right of appeal may arise every year or every ten years. It may arise from time to time, and it may be in a very serious matter or a very slight one. The Privy Council may allow an appeal or they may say, It is so trifling a matter, we will not take any notice of it. Supposing it to be a serious matter, there will be a grievance. But the point we have to determine and settle right on the threshold in this Bill is this, have we got the legal power to administer the law passed by the local legislature, that is, the right to ignore the Board of Education which is constituted for the administrating of the educational law of Manitoba, and the right to constitute another board. The hon. gentleman says that by the decision of the Privy Council you have incidentally the necessary powers to carry your law out. Supposing you have, that does not advance you one step. I start with the proposition that the machinery to carry your law out exists there now. If the Manitoba legislature refused to make such machinery, you might incidentally have the power to constitute it.

Mr. DICKEY. There is no machinery to deal with separate schools in Manitoba.

Mr. DAVIES (P.E.I.) Yes, these separate schools become part of the public schools, and you call them separate schools merely as a matter of convenience. There can be no reasonable doubt that, if you constitute them, they become part of the public schools of the province, and they are to be administered by the machinery which the province has provided. To set up a dual system of administration is, in my opinion, beyond our power, and will render the whole of the legislation nugatory.

Mr. DICKEY. I realize fully the position taken by the hon. gentleman (Mr. Davies), but I cannot altogether fall in with him. I wish to draw his attention to this. He says that we should pass this Act and leave it for the province to administer. But, supposing the province did not administer it; supposing the advisory board said—as it very probably would say—we have neither authority, nor jurisdiction to administer it, and we will not administer it. What then?

Mr. McCARTHY. What are the courts for?

Mr. DAVIES (P.E.I.) The hon. gentleman from Bothwell (Mr. Mills) advanced the proposition that you might add an alternative proposition, and that, if you go so far as to assume that the local power will not administer the law, you might say, in the event of their not doing so, another power would have the right to do it.

Mr. DICKEY. It is quite clear that this is a difficult matter, because we have three different views concerning it. The hon. gentleman from Bothwell (Mr. Mills) says that we should take power in the alternative to appoint ourselves, if the local government does not. The hon. gentleman from Simcoe (Mr. McCarthy) says the courts would carry out our law; and the hon. gentleman from Queen's (Mr. Davies) says that neither of these views is correct, and that we should put the duty on the local authorities, and let the minority appeal again, if there was any trouble about it.

Mr. DAVIES (P.E.I.) I did not say, let the minority appeal again. I thoroughly concur in the view that we can say in this Bill, that the existing board shall carry this law out. If the existing board does not carry the law out, there might be an appeal, if necessary. I say that it is a violent and improper assumption to make, that local officials won't carry the law out. If you start with that assumption in all legislation, you will never get on at all.

Mr. DICKEY. If it is a question of doing violence to the local authorities, it comes down to a question of policy, and is a question for this House to consider, whether it is desirable to put the duty upon the advisory board, and so have difficulty, and have an appeal, and have more trouble, and more agitation, or to deal frankly with the question and reinstate the Catholics in the right which they had—a board of nine. I think myself that, both practically and constitutionally, the course proposed by the Bill is the better one, and I shall ask the committee to adopt it.

Sir CHARLES HIBBERT TUPPER. As the hon. member for Bothwell (Mr. Mills) has referred to me, I would like to say one word. I do not think it is possible that I can add much to what has been said in regard to the powers of this House, but I want to place myself with those who take the widest view of our powers under the circumstances in dealing with the subject of education, so far as it is embraced within the terms of the remedial order of March, 1895. I think that we come within the classifications to which the Minister of Justice referred in regard to the British North America Act, as to our plenary powers, and as to the right to exercise all the authority incidentally necessary for the complete exercise of the jurisdiction over this subject of legislation. That is to say, my view is: that on these questions within the limits of the remedial order, our authority here is as complete as though that subject were ranked under the same heads as insolvency and bankruptcy, for instance. And, in the exercise of our jurisdiction over these matters, we often deal with the civil rights of the provinces, and also with procedure. The cases show that we have the clear right to do so, incidentally. I would like to say that this is the view of the counsel of the Manitoba government, and, in the argument addressed to the Privy Council of Canada, hon. gentlemen will see that, on page 63 of the report, the counsel for Manitoba said:

> So that on this power and authority, which I understand you may, under certain circumstances, exercise, is a power and authority which, under the events which have happened, may arise, and if it does arise, it is a legislative authority to be exercised like any of the other legislative authorities conferred by section 91 of the British North America Act.

That is my view, and, in the case to which reference has been made to-day, I think we can do that. While no man would say it would prevent litigation, or that we can adopt a Bill here that can go through that gauntlet safely, still I think we can deal with this subject as we would with any of these subjects referred to in the British North America Act, within the limits I have mentioned.

Mr. MILLS (Bothwell). The words of the British North America Act are:

> In case any decision of the Governor General on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then, and in every such case, and as far only as the circumstances of each case requires, the Parliament of Canada may make remedial laws.

There is an assumption that the right shall be given to the parties to execute the laws, before even remedial legislation is passed. In this case, as I have already pointed out, the separate schools are a part of the public school system. They cannot complain if it is required that there should be qualified teachers. The separate school supporters, in case persons who are not qualified, were allowed to teach, could not complain if the legislature afterwards amended the law and imposed a qualification the same as for public school teachers. They would not, under the law, be at liberty to come here and say: We had, as a right or privilege, the right to employ whom we pleased, whether such party possessed a certificate or not. The right or privilege relates to the constitution of the school and to the religious instruction given in the school. Now, the right of administering the law, of providing for the proper efficiency of the schools, is a matter of administration, vested in the Government, and can never become a right or privilege, because it is a part of the right which belongs to the whole public as much in the separate schools as in the ordinary public schools. Now, take, for instance, under that law, you propose to provide for improved plans for the construction of school-houses. Is there any difference between the plan of a school-house in which simple secular education is given, and the plan of a school-house in which religious instruction is given? The planning of the school-house is no right or privilege. It is a common right to the whole community, exercised through the representative assembly, so far as the law is concerned, and through the responsible Ministers of the Crown, or any subordinate officers whom they may appoint for the purpose of seeing that the law is properly administered. In the province of Ontario we had a Board of Public Instruction, as they have an advisory board in the province of Manitoba; but that was all wiped away in the province of Ontario. Nobody came forward and said that this was a right or privilege which belonged to the minority. If the hon. gentleman's contention were correct, the province of Ontario would have been doomed to the day of judgment to have a superintendent who was not a responsible Minister, aided and supported by a council of public instruction. The hon. gentleman will see that the constitution of a board, the manner in which the law is administered, is not a right or privilege: but if the right or privilege is violated by a public officer, then you may make provision for redressing the wrong done by such violation. Let the hon. gentleman look at what he has done in this Bill. At the very start he says "the Lieutenant-Governor in Council of Manitoba shall appoint, to form and constitute the separate school Board of Education, a certain number of persons." Where does he get his authority for saying that the Lieutenant-Governor in Council shall appont a certain number? Suppose they were to appoint a smaller number. How can the hon. gentleman order them how they are to constitute the board? Then, in the next section the hon. gentleman says the Department of Education may make regulations. I am not complaining of that; you are doing what you have a right to do, in conformity with the law. Then you propose in this section to re-establish the board which the legislature of Manitoba has abolished. It is your duty to assume that proper regulations will be made by the province for the administration of the law; and you may go on and provide that in case no such regulations are made, you may constitute a board and prescribe its duties. But that board remains in abeyance; it has no active functions, and it cannot have any active functions, until the local government fail to make proper provision for the administration of the law.

Sir CHARLES HIBBERT TUPPER. The right to manage the schools was a right that was taken away from the Roman Catholic minority. The remedial order distinctly requested that that right should be restored; and it is by means of this board and this machinery that that right, as it seems to me, can alone be restored. The legislature having refused to restore that right, or to appoint the board by which that right can be exercised, it seems to me that we have now authority to do so.

Mr. MILLS (Bothwell). The internal management of the schools is one thing. The general management of all the schools is another thing. The one is a matter of education, and falls within the right or privilege; the other is a political right and falls within the administration of the schools, which belongs to the province. If the hon. gentleman extends that provision as far as he suggests, I have no doubt that it would be ultra vires in a large degree. You do not want to give the people a series of lawsuits. You want to restore the rights and privileges which they had in reference to giving religious instruction. The others are rights and privileges belonging to the province in its political capacity, as much so as the administration of justice or the administration of public works, or anything else relating to the affairs of government. The difference between what the hon. gentleman proposes and my suggestion is this. I say that the local government have this right of administration, and you cannot take it away or supercede it if they wish to exercise it; but you may make an alternative provision that in case the province discards that right of administration, you can bring it into operation. That is as far, in my opinion, as it is possible for you to go.

Mr. DAVIES (P.E.I.) I argued the other day, as a subsidiary proposition, that the word "manage" as you used it in the remedial order, must be construed with reference to the collocation of the words in which that occurs. If you go over the remedial order, you will find that the word there has not that larger meaning which the hon. member for Pictou (Sir Charles Hibbert Tupper) gives it. It is used with reference to the duties appertaining to trustees—with reference to the internal economy and management of the schools.

Sir CHARLES HIBBERT TUPPER. It is described as a right.

Mr. DAVIES (P.E.I.) Building a school-house and equipping a school-house are not rights.

Sir CHARLES HIBBERT TUPPER. They are most important and material rights.

There is the right not merely to build, but the right to build in the manner provided for in the statutes which were repealed, and to take advantage of public aid.

Mr. DAVIES (P.E.I.) There is where the mistake is made. What you call rights are not rights in the meaning of the British North America Act or the Manitoba Act at all. The rights there referred to relate to religious instruction, and to the taxation of the minority to further that object; and my argument the other day, and I repeat it now, was this. I said, assuming my first point to be wrong altogether, that your remedial order was not broad enough to enable you to legislate in the direction you are seeking to do, because you are providing, not only for the constitution of a separate Board of Education, but for the internal economy and management of the schools, which are necessary incidents, but which do not in any sense relate to the management of the school system throughout the province. The word "manage" in the remedial order has the limited meaning I speak of, and not the larger meaning the hon. gentleman gives it. There is all the difference in the world. One is a right which belongs to the parents, and the other is a matter of state policy. The one relates to education, and the other to the machinery or administration. Supposing Manitoba, which is now a small province of 150,000 or 200,000 people, is satisfied with a very primitive and crude system of education, and supposing, ten years hence, that young giant should reach the size of a million people, and require an altogether different system of administration. Would it not have the power to change the administration or system without affecting any rights secured to the minority by the British North America Act?

Sir CHARLES HIBBERT TUPPER. The Bill would not be worth much if your view were sound.

Mr. DAVIES (P.E.I.) The only privileges which the minority seek are the right of exemption from general taxation for school purposes; the right to appropriate their own taxes to their own schools; the right to share in the general grant to the schools; and the right to teach in those schools their religious views. These will all be secured, and they do not ask any more.

Sir CHARLES HIBBERT TUPPER. You could not move a foot without the action of the government which has refused to act.

Mr. McCARTHY. It is necessary to go behind the remedial order which the hon. member for Pictou (Sir Charles Hibbert Tupper) seems to rely upon it, naturally enough, as the authority the most important—perhaps more important than the Manitoba Act. We have to go back to the power to pass that order. The words, "right or privilege," used in the second section of the Manitoba Act are the same words as are used in the first section of the British North America Act. In the Barrett case what was determined, was this, and it settles the point. That what everybody could do without any law was not a right or privilege within the meaning of this section. It was not a right or privilege to send your children to a school for which you are paying; but a right or privilege is something which is not common to all Her Majesty's subjects. It was a right or privilege that the Roman Catholics enjoyed from 1871 to 1890, of appropriating their own taxes to the support of their own schools, and it was one which no other section enjoyed. Therefore, the right or privilege which we have to restore is that of which they were deprived, namely, the right to educate their children in the particular way in which they were being educated before 1890, and the right to appropriate their own share of taxation to that purpose. When you go beyond that, you are legislating without authority. It matters not what the remedial order told us or told the Manitoba legislature to do. That does not confer jurisdiction beyond what the remedial order ought to have gone. All that order ought simply to have directed was the restoration of the rights and privileges, in the sense of the terms as expounded by the Judicial Committee in the Barrett case, and that is the extent of our jurisdiction. If we were confronted with the difficulty that there was no machinery in Manitoba to carry into effect the law, we might, perhaps, under the reasoning of the cases the Minister of Justice has referred to, such as Cushing and Dupuis, legislate for the purpose of making our substantive enactment effective. That is all that is said in Cushing and Dupuis. The question there was whether the jurisdiction was vested in the local legislatures and not in the Federal Parliament. The local legislatures are clothed with absolute authority in civil matters and rights, and Mr. Davidson, for the appellants, argued that when we undertook to prescribe a procedure to the court, we were necessarily interfering with civil rights and that, therefore, the Insolvent Acts were ultra vires of the Dominion Parliament. What was said in regard to them:

> It is a necessary implication that the Imperial statute, in assigning to the Dominion Parliament the subjects of bankruptcy and insolvency, intended to confer on it legislative power to interfere with property, civil rights and procedure within the provinces, so far as the general law relating to those subjects might affect them.

As the only authority to deal with bankruptcy was in this Federal Parliament, and as to make that law effective it was necessary to interfere with civil rights and property, to that extent could this Parliament interfere with these subjects. But what is the position of the present matter? We are asked to restore a separate school system to Manitoba. Well, we find ready to our hands, constituted by the province of Manitoba, a system of which we can at once avail ourselves. Now, I venture to say that if we did not do more than pass a law restoring the rights and privileges, that the two laws meeting together would accomplish all that was necessary and required. Under the Manitoba Act, the Department of Education has the power to appoint inspectors of high and public school teachers of provincial, model and normal schools, directors' or teachers' institutes, &c. Well, will not the system we are now establishing be a system of public schools ? Nobody will pretend they are private schools, and being public schools, they come at once under the jurisdiction of the Department of Education. The Minister of Justice seems to anticipate difficulties. What difficulties ? Is it to be supposed that the Department of Education which, in point of fact, is the department of state—or, in other words, the Lieutenant-Governor of that province—will not execute constitutional law ? Where are you to start and to end if you go upon that principle ? We pass a statute here, conferring jurisdiction in bankruptcy upon the courts of the province. Are we to go on and say that, if the judges will not do their duty, certain other officers are to execute the bankruptcy Act ? We are bound to assume —or else this province is in a state of rebellion—that the Crown, represented in the province, will execute its duties. And the late cases have shown that the Crown is represented in the provinces to the extent of their jurisdiction, their executive power, just as much as the Crown is represented in the Dominion, and we are bound to assume that the duties of the Crown in the province will be executed without our saying " shall," which is impertinent and improper. But, when we go further and deal, not with the Crown, but with the advisory board, we can then use the word " shall," and at once we give the courts jurisdiction to enforce the authority of this Parliament. So that the scheme of legislation is perfect, by adapting the local law, so far as it is workable with the law which we pass here, and going beyond that, where there is anything dealing specially with the religious section of the separate schools, dealing, to that extent, necessarily with them. So it seems to me that the point made by the hon. member for Bothwell (Mr. Mills)—I have to confess that on Saturday, though I had not formed an opinion about it, one way—does strike me as being a very formidable argument, and I think the Minister of the Interior will say that he was impressed with the force of the argument. Is there any answer to the illustration that, if this Act of 1890 had simply swept away the Board of Education and had substituted for it—I forget what Dr. Ryerson was called under our old system in Ontario—

Mr. MILLS (Bothwell). Chief superintendent.

Mr. McCARTHY. If the law had simply said that from this time out the Act should be administered by the chief superintendent of education, instead of a Board of Education, and that all the terms in the Act referring to the board should be held to refer to the new official, will any lawyer in this committee argue that that would have given the right to appeal ? Now, I am borrowing the illustration of my hon. friend from Bothwell. It convinced me, I am bound to say, and I do not think any answer has been made, or even attempted to be made. In that case the schools would have gone on, there would have been Protestant schools and there would have been Catholic schools, and they would have been carried on just as under the advisory board.

Mr. DICKEY. I have marked a passage in the judgment of the Privy Council. Will the hon. gentleman tell me what he thinks of it ?

Mr. McCARTHY. I shall be glad to read the passage my hon. friend gives me, but I do not see that it has any bearing on the case :

> With the policy of these Acts their lordships are not concerned, nor with the reasons which led to their enactment. It may be that as the population of the province became in proportion more largely Protestant, it was found increasingly difficult, especially in sparsely-populated districts, to work the system inaugurated in 1871, even with the modifications introduced in later years. But whether this be so or not is immaterial. The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed has been effected by the legislation of 1890. Their lordships are unable to see how this question can receive any but an affirmative answer.

Mr. McCARTHY. That is plain enough.

Mr. DICKEY. Go on.

Mr. McCARTHY :

> Contrast the position of the Roman Catholics prior and subsequent to the Acts from which they appeal. Before these passed into law there existed denominational schools, of which the control and management——

Mr. DICKEY. Control and management.

Mr. McCARTHY. They are stating the fact.

Mr. DICKEY. As by right.

Mr. McCARTHY. My hon. friend surely does not mean to say that that is his reading of it. His lordship is merely stating a fact. It was undoubtedly a fact :

> —before these passed into law there existed denominational schools, of which the control and management were in the hands of Roman Catholics who could select the books to be used and determine the character of the religious teaching.

Mr. DICKEY. And in that respect the right was taken away.

Mr. McCARTHY.

Mr. McCARTHY. Suppose I grant what the hon. gentleman says. If the illustration which was given by the hon. member for Bothwell were to take place, would they not have still the right, for instance, to select the books ?

Mr. DICKEY. But there would not be "control and management."

Mr. McCARTHY. But his lordship says the "control and management" were in the hands of Roman Catholics, not in the control of a Roman Catholic board. The school trustees were Catholics, who could select the books and determine the character of the religious teaching. You do not, by changing one feature of the organization, deprive them of that right. My hon. friend has not dealt with my argument that what everybody can do is not a right or privilege.

Mr. MILLS. The hon. gentleman will see from the first part of the paragraph he has read, that administration is treated as a matter of public policy, and not as a matter of right.

Mr. McCARTHY. When the whole of it is read, it becomes evident that what the Lord Chancellor had in his mind was that it was a privilege—not to build a school 40 feet by 20 feet and 10 feet high, with such and such a method of ventilation. Nobody would call that a privilege, or to have other sanitary arrangement conformable to a certain system. The privilege was to devote their taxes, to divert, as it were, their taxes from the public schools to their own schools, and to have in their own schools a system of denominational teaching which did not exist in the other schools.

Sir CHARLES HIBBERT TUPPER. In the Barrett case, did not the court draw a distinction between "rights" and "privileges," under that section ?

Mr. McCARTHY. No, not as I remember the case. But I have the argument I have mentioned clearly in my mind. I remember Sir Horace Davey putting it to the board that a privilege could only be something which a section of the community, or an individual in the community, had apart from the common right of all.

Sir CHARLES HIBBERT TUPPER. The board went that far.

Mr. McCARTHY. I do not remember that, but I remember that that was the argument put by Sir Horace Davey, and it seemed to carry conviction to the judges. Look at what we propose to do. We propose to give to this new board the power to make general regulations for the government and discipline and carrying on the schools. Look at what the advisory board is to do under the Manitoba law :

> To make regulations for the dimensions, equipment, planning, furnishing, decorating and ventilation of school-houses and for the arrangement of school premises.

Who in the world would call that a right or privilege ? And yet here is a paid lot of officials for the purpose of making these arrangements with regard to public schools. And we are proposing—but that is another matter, with which I shall deal a little later on—we are proposing to create another board to perform the very same duties for a very small minority of the population, doubling the expenditure without any necessity, as I venture to say. But still, as I have already intimated, that is beside the question whether we have or have not the jurisdiction. Now, we have undertaken here to recognize the Department of Education. In the third clause, we recognize that, and invest it with certain powers. Therefore, there is no objection on the part of the Government to deal with existing facts, and to treat this Department of Education as an existing fact ; and why, then, is it necessary to pass over the advisory board ? There was no Department of Education in 1890, there was no right in the Catholic minority to have their school affairs to any extent administered by the government of the country. My hon. friend is compelled to blow hot and cold. He is compelled to justify section 3, which the Minister of Public Works argued was essential to the constitutional validity of this Act, and, at the same time, he is compelled to ignore everything else that exists in the province of Manitoba. Now, I take it, of course, that it is the desire of every member of the Government, and I trust the desire of the members of this committee, to try and make this a workable Bill. When it leaves our hands, we hope it will be in such a condition that it will not cause friction, and litigation, and doubts, and differences ; and if the point of the hon. member for Bothwell is well taken, that we have no power to do this, that our power is limited simply to restoring those rights, and we find that there is a Department of Education representing, in point of fact, the Government, and we find there is an advisory board, and we can direct, if it is necessary to go that far, that these powers should be assigned to this different board, then we accomplish all that is necessary by assigning those powers. Now, the hon. member for Pictou (Sir Charles Hibbert Tupper) read in support of his argument, from page 63, something that I said in course of the argument before the Committee of the Privy Council. I do not see that it is necessary for me to qualify anything I said then in those general observations. This is what I said :

> They might repent and pass it the next session, if they pleased, or even the same session. They might not deal with the matter until this Parliament dealt with it. So that this power and authority, which I understand you may, under certain circumstances, exercise, is a power and authority which, under the events which have happened, may arise, and if it does arise, it is a legislative authority to be exercised like any other of the legislative authorities conferred by section 91 of the British North America Act.

I do not depart from one single word I said there. The authority that this Parliament has in the way of education only arises when all the events happen which, in this case, have happened; when there has been a separate school system, when that system has been abolished, when the minority appeal against that, when a remedial order has been made, and when a remedial order has been disobeyed, then we have a right to deal, just as the statute says we have, and to that extent only. So that order is limited to restoring the right or privilege which has been taken away, limited in law, if not in fact, and can have no wider signification. The power of this Parliament is to execute the order, and only to execute it, of course, to the extent that that order is effective. Now, I refer to the matter with which I was dealing when the discussion was diverted by the argument made by the hon. member for Bothwell. The Minister of Justice, in reply to my argument, says that he does not propose to guess at the construction of his own clause. Well, now, that is a very unfortunate position for us to be in. The hon. gentleman who introduces this Bill to Parliament has prevailed upon the committee to pass clause 3. We reach clause 4, and our powers are so limited that we cannot go back to clause 3. We find that clause 4 and clause 3 are in conflict, and my hon. friend says that he won't guess at its meaning, he won't interpret it for us, and he won't assist us to know what was in the mind of the draughtsman of this clause when these two sections, apparently contradictory, were incorporated. Now, I put this to my hon. friend the Minister of Justice. Does he mean to argue that we have to pass clause 3 under the terms of the remedial order, or under the terms of the 22nd section of the Manitoba Act? Does he contend that we must repeat, where the exact facts do not exist to enable us to reenact it, the legislation as it existed in 1890? I would like to know if that is the view which my hon. friend puts forward?

Mr. DICKEY. No.

Mr. McCARTHY. Then, this clause 4 and this clause 3 do not gain any strength from the fact that they were equivalent clauses prior to 1890?

Mr. DICKEY. Oh, yes, they gain a great deal of strength.

Mr. McCARTHY. I am not now dealing with the question of politics. We are dealing now with these two conflicting sections. If it is not compulsory on us to pass two contradictory sections, why should we do so? It is not necessary, my hon. friend admits, to say to show they were in existence in 1890. We are passing them now, and propose to enforce this law, and the first thing we do is to put in two contradictory sections, in which we confer one set of authority as to certain matters upon the Lieutenant-Governor in Council, for the Department of Education is practically such, and the same matters again upon this Board of Education.

Mr. DICKEY. It existed for nineteen years without friction.

Mr. McCARTHY. My hon. friend forgets that though there was no friction during all that time, now there is friction. Surely we should not pass contradictory enactments because, at a time when all was peace and harmony, nobody called them in question. Surely it is our business here to make this section harmonize with the preceding section. And yet we are not in any sense trying to do that, and it is no answer to say that for nineteen years there was no friction. My hon. friend beside me (Mr. Daly) told us candidly on Saturday that so far as he could ascertain, nothing had been done by the late Board of Education during those nineteen years, that the whole administration had been exercised by the section, and not by the board itself. But now you give to the department—I want to press that point upon my hon. friend—you give to the department itself, the complete power over the school system, and by the next section you hand it over again to the Board of Education. What will be the inevitable result? It will be, it seems to me, that while the Government may be persuaded to pass regulations respecting these schools as coming within the purview of section 3, and subsection 2 of that section, the Board of Education may equally go on to act under the subsection of section 4, and at once create a conflict of jurisdiction. Who are the trustees to obey? Who is the inspector to obey? Whose rules and regulations are to be in force? Can that be settled in any way except by an appeal to the courts? And is it desirable, when we have now the power, when we are in committee on this very clause, to enact, for the first time, clauses literally in conflict, one with the other, and which must inevitably cause that confusion and trouble which it ought to be the business of this committee to endeavour to prevent.

Mr. MARTIN. This discussion has been very interesting to me, for the reason that I do not exactly understand the position taken by the Government in regard to this matter. I understood the Minister of Justice to say that it was necessary to have a Board of Education on the principle that we are entitled to provide such machinery as is necessary to carry out the principles of the law. But I understood the hon. member for Pictou (Sir Charles Hibbert Tupper) to go further, and to contend that, by the terms of the remedial order, the government of Manitoba was called upon to restore, not only separate schools, but the Board of Education, so far as the Catholics were concerned. These matters are really two separate matters, and they were put in two separate Acts, when the legislature of Manitoba came to deal with this question. There was a very general dissatisfaction with the old system—I am speaking altogether apart of the question of separate schools—when, in 1890, this legislation was introduced. There was dissatisfaction with the system, not only as regards the Catholic, but the Protestant section of the board, and it was decided by the government to abolish that system, wholly and apart from the question of separate schools. The question was one peculiar to Manitoba. It could not have been contemplated at the time of confederation. We determined on two changes in 1890: first, that we would abolish separate schools. We did so by chapter 38, An Act respecting Public Schools, which completely took away from the Roman Catholics the right of separate schools, as provided under the statute of 1891. Second, we determined to change the mode of administering education in the province. The question put by the hon. member for Bothwell (Mr. Mills) is therefore pertinent. He asked, supposing Manitoba determined to appoint a Minister of Education and to abolish the Catholic and Protestant sections of the board, would it be an interference with the rights and privileges of the minority under section 22 of the Manitoba Act? The government came to the conclusion that the system of education in Manitoba was entirely unsatisfactory, not alone as regards the Catholic section, but also as regards the Protestant section, and the government came to that conclusion before they considered the question of separate schools. They first determined to abolish separate schools, and the other question came up in connection with the consideration of it. Mr. Smart, who was then Minister of Public Works, and who was specially active in this matter, made a speech long before the speech I made, about which so much has been said, when the hon. member for Simcoe (Mr. McCarthy) was present at Portage la Prairie, in which he dealt with the manner in which the Catholic section of the Board of Education had done its work.

Mr. McCARTHY. Was that Clearwater?

Mr. MARTIN. I think it was at Wawanesa. The complaints were against the system, and were not confined to the Catholic section of the board. The complaint I made, and it was shared by other members of the government and by the people, was that educational matters in Manitoba were entirely in the hands of the churches. I do not mean the Catholic Church alone, but the Protestant churches. We took the ground that it was the duty of the government to manage education, so far as the public schools were concerned. So far as regards the Catholic section, it was clear that it was entirely managed by the Roman Catholic Church. That section of the board was composed largely of Roman Catholic priests, coupled with a minority of Roman Catholic laymen.

Mr. McCARTHY. Was there any layman on it?

Mr. MARTIN. The inspectors of the schools were all Roman Catholic priests, and so all the way through the Roman Catholic section. In the Protestant section it was pretty nearly the same, but, instead of the power being in the hands of one church, it was divided among three or four churches. The Protestant section of the board was appointed by the government, as was the Roman Catholic section, but distinctly on the lines of churches. The Episcopal Church considered itself entitled to many members on the board, the Presbyterian Church claimed so many members, and the Methodist Church so many members.

Prior to the time when the people began to consider this thing, and when the Episcopalian, Presbyterian and Methodist churches had representation on the Protestant board, the leading clergy of these denominations had always a place on that board. The archbishop, then the Bishop of Rupert's Land, represented the English Church; Professor Hart represented the Presbyterian Church, and the Rev. Dr. Sparling, head of the Wesley College, represented the Methodist Church. There were, in addition, always one or two others of each denomination on the board. A few lay members were appointed on account of their position in one of these churches, just as Roman Catholic laymen were appointed because they were Roman Catholics. Years before 1890, this matter was in the mind of the legislature. From 1893 to 1890 and some years afterwards, I was in the legislature, and I am familiar with all the discussions that took place there with regard to education. Prior to 1890 there was considerable dissatisfaction among Protestants as to the composition of the Protestant board. There was also the objection to the board, that the western portion of the province was not represented, and that there was too much power centred in the city of Winnipeg. In the year 1884 or 1885, the Conservative government of Mr. Norquay, adopted the principle of appointing two men from the west on the Protestant board; one from Birtle, one from Brandon, and later on, one from Portage la Prairie. The question of the standing of those gentlemen in the churches was not the sole consideration, but they were appointed to represent western districts. It has been said, time and again, that from 1871 to 1890 we lived in peace and harmony in the province of Manitoba, so far as education was concerned. Mr. Chairman, I dispute that statement. I deny the truth of that statement. I say there was no peace and no harmony except on the surface. During all those years, at any rate from the time that immigrants came from Canada—as they were called there "Canadians,"—began to be strong enough to make their influence felt in the province, there was a very serious dissatisfaction—though perhaps not on the surface—not only with the question of separate schools, but also with the question of the manner in which Manitoba managed her educational affairs. I beg leave to say that the Government represented fully the opinion of the province in making these changes with regard to administration and management, just as much as they did in regard to the question of separate schools. There was a serious objection to the old law, arising from our system of responsible government. The government grant for education which then amounted to $60,000 or $70,000, was divided between the two boards according to a census of the children. The superintendent of the Protestant board, and the superintendent of the Catholic board made separate reports of the number of children attending the schools under the control of each, and a committee of the government was appointed to settle the proportion in which this grant was to be divided each year.

Mr. WALLACE. Was that a census of the children of school age, or of those who attended school ?

Mr. MARTIN. I am not quite positive as to that, but I think it was a census of those who attended school.

Mr. DALY. It would be the daily attendance at school, I think.

Mr. MARTIN. Yes, that was it.

Mr. McCARTHY. It was according to the residence. I have the Act here up to 1884, and it says, if not amended, that the proportion shall be in accordance with the number of children residing in the various parts of the school districts.

Mr. MARTIN. At all events, the point is not very important. When the committee of council decided the proportion of the grant, the provincial treasurer issued one cheque to the Protestant superintendent, and one cheque to the Catholic superintendent, for their respective shares, and that is the last we saw of the money. That system struck us as being radically wrong, and as against the spirit of our institutions.

Mr. LaRIVIERE. Was not that changed by law before the schools were abolished in 1890 ?

Mr. MARTIN. Yes ; I am just coming to that. The Government of Mr. Harrison lasted only a few months, and in 1888 it was succeeded by the Greenway government. I dwell upon these matters to show that our objections were not influenced at all by the question of religion. So far as this matter of administration is concerned, there was no question of difference between Catholics and Protestants. That question did not arise at all. There was dissatisfaction with the system on account of it being administered by the churches, Protestant and Catholic, the responsibility being removed entirely from the government and placed on the shoulders of men who were, after all, only creatures of the government, appointed by them. There was no responsibility at all to the people. That was what we objected to. Under that system the government disclaimed all responsibility, and properly so, for the administration of education, either Catholic or Protestant. They said, you must blame the Board of Education ; for Catholic matters you must look to the Catholic board ; for Protestant matters you must look to the Protestant board. The money was handed over in lump to the two boards. In 1888, we came into power, and it was our feeling with regard to that matter which led to the discussion in the council, and finally to the abolition of the whole system. We altered the law so that the money was not handed over to the two boards ; but payments for education were made in the same way as payments for public works or for the expenses of the other departments of the government. That is to say, vouchers were made out and passed through a department in the regular way. After all, that was only a trifling change. I mention it to show that from the very first this question of education engaged the attention of the new government—the Greenway government—not at all with regard to the question of separate schools, but independently of the question of separate schools, and it might well have happened that we might have determined not to interfere with separate schools, but only with the old system of administration. The two subjects were kept quite distinct in our minds. As it turned out we did interfere with both : we abolished separate schools and completely changed the system of administration. But I emphasize the fact that the change in the system of administration had nothing whatever to do with the abolition of separate schools ; because we abolished the system for the Protestant section as well as for the Catholic section, and we made a new system under which the government was directly responsible for the administration of every dollar of the people's money that was voted to education. We did that because we thought that was the proper policy under our system of responsible government. If we had never abolished separate schools, we still would have abolished the old system of administration, because it was a most defective system. How did it work out in the case of the Protestant board ? It worked out in this way, that that board was simply a clique, which administered matters within the smallest and narrowest compass. I am told—and I have every reason to believe it to be true—that the Protestant board had an understanding, which practically remained unchanged for many years, by which they mapped out the province, recognizing a certain portion of the province as belonging to the Episcopalians, a certain other portion to the Presbyterians, and the remainder to the Methodists. That was a practice which had the force of law in that section of the board. If a situation became vacant in the Methodist portion of the province, it was considered a breach of this understanding to appoint any person to that situation who was not a Methodist; and the same with regard to the Episcopalians and the Presbyterians. That certainly was unsatisfactory to the people at large. It was very unsatisfactory to a certain element connected with education in the province. In all those years, from the first time I knew anything of Manitoba institutions, there was a strong element among the teachers, backed up by persons interested in education who were not actually engaged in teaching, who were very hostile to the bureaucratic manner in which the Protestant board was managed. The dissatisfaction went so far that an educational weekly, known as the "Educational Times" was published for the express purpose of giving voice to those complaints, which were beginning to loom up larger and larger in the public mind. That paper was published for a number of years right up to 1890, when all those abuses against which it was directed were cured. I do not know whether or not that publication is on file in our library: but if hon. gentlemen will refer to it, they will find in it article after article directed against these very abuses. Its arguments impressed the government, and the government came to the conclusion that they would change the system and adopt the system of Ontario. It is true, they did not adopt the Ontario system exactly, but very nearly. They did not arrange to have a Minister of Education, but they put the control of educational matters under a board. It was not called a board, but a Department of Education, nominated by the Lieutenant-Governor in Council, and under the charge of one member of the executive council. During the time I remained in the government after the passing of the 1890 Act, a little over a year, I was the member of the government who administered the educational affairs of the province. After I left, Mr. Sifton took the management of the department, and to-day, I think Mr. Cameron, the provincial secretary, occupies that position. We modified the Ontario system so far as to adopt the principle of an advisory board. That was done at the suggestion of Professor Goldwin Smith, a very distinguished educational authority. At that time he used to visit Manitoba almost every year, and the government took advantage of his presence to consult him with reference to the changes they proposed making; and I notice that the commission appointed by the Ontario government with regard to the University of Toronto have also called upon him as a distinguished specialist in educational matters, for advice regarding the proposed reorganization of Toronto University. We discussed the matter with Prof. Goldwin Smith, and it was his suggestion that there should be an advisory board to deal with purely educational matters, such as the selection of text-books and the examination of teachers, in order that these should be taken entirely out of the domain of politics. We desired to assume the fullest responsibility for educational expenditure and the administration of the law, but Prof. Smith suggested that we should have a small board, on which should be represented the teachers. Of the seven members, two are elected by the teachers of the province. The province is divided into two districts, eastern and western, and these two districts elect by ballot two members of the board. Another member is appointed by the University of Manitoba, and the other four are appointed by the local government. These matters were discussed, entirely apart from the question of continuing the separate school system or not; and I thought it desirable to make this explanation in view of the interesting discussion before the committee, as to whether it was necessary, in restoring to the Catholic minority the rights and privileges of which they were deprived by chapter 38, to interfere with chapter 37. The House will notice that these two matters were separate in fact, because they were dealt with by separate statutes. The Department of Education Act is the one which makes the particular change we are now discussing; and the other School Act is the one which abolished separate schools, and which was passed later on in the same session. It seems to me quite clear that we have no right to interfere with this change in the system of administration, which was adopted by the province entirely apart from the question of abolishing separate schools, and under which the separate schools proposed by this Bill could very well be worked.

Mr. O'BRIEN. The hon. Minister of Justice intimates the possibility of the Government withdrawing the second subsection of clause 3. It seems to me that the hon. gentleman is beginning at the wrong end. If any change be made, it ought to be in the direction suggested by the amendment. Instead of placing the control of separate schools in the hands of the irresponsible body contemplated by the Bill, it would be better to place it in the hands of the advisory board, which is peculiarly qualified to deal with a subject of this kind. By doing this, you would at once get rid of the difficulty suggested by the hon. member for Bothwell, and which neither the Minister of Justice nor the Minister of the Interior has attempted to meet. We would also get rid of the other great difficulty, which has not been touched upon, but which is of the first importance, and that is the difficulty that there are no funds to enable this board, which it is proposed to constitute, to carry its operations into effect. The advisory board of the Department of Education, on the contrary, has all the necessary means at its disposal to enable it properly to discharge these functions. And another difficulty we would get rid of would be the complicated and clashing authority in the second subsection of clause 3 and the first subsection of clause 4, to which this amendment is proposed. The conflict which must necessarily arise is obvious. The second subsection of clause 3 speaks of the organization of the schools, and subsection (a) of clause 4 treats of the management of the schools. Who is to tell where organization ends and management begins? The Board of Education, which it is now proposed to establish, would be a body responsible, not to the government, because it would be administering a system to which the government of Manitoba is opposed.

It would be responsible to nobody, because it would be a body in the formation of which the country at large, the legislature, or any educational body would have nothing to say. It would come to be one or other of two things—either a body which cared little and had no experience, and so would be unable practically to carry on the affairs of the school, or it would hand over its functions practically to the ecclesiastical authorities, and in that case we should simply have a return to the system which prevailed previous to the legislation of 1890. But I am sure that those who are in favour of establishing separate schools cannot wish that the system in force before 1890 should be perpetuated, particularly if, as appears to be held, that, having passed this Bill, there is no possibility of our making a change. In that case we should be imposing upon the Roman Catholic minority of Manitoba a system which has been proven by experience to be utterly deficient. Under these circumstances, it does seem to me an extraordinary thing that the Government will not relieve themselves from the difficulty in which they stand by simply adopting the amendment in your hand. They would avoid this difficulty about jurisdiction, and they would not have a Bill in which the machinery was perfectly useless, they would get rid of the question of expense. Not a dollar is provided for the necessary expenses of this board.

Committee rose and reported, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into Committee.

(In the Committee.)

Mr. O'BRIEN. When you left the Chair, Mr. Chairman, I was pointing out the advantages that would accrue to the Government by accepting the amendment now in your hands. I referred particularly to the relief it would give them through the pecuniary difficulties caused by the Bill. Of course, machinery such as that established under this Bill cannot be run without some expense, and as no money is provided, the whole Bill would be practically inoperative. The other night I said something about the opinion of Principal Grant upon this subject. And as he is a gentleman of great authority, who has paid special attention to the subject, and who visited Manitoba for the express purpose of making himself acquainted with this question of Manitoba schools, there is no doubt that his opinion will be valuable, and will be accepted by the House in the same spirit as it was asked to accept the opinion of Sir William Dawson to a somewhat contrary effect. Principal Grant's objections to the Bill are pertinent to this clause, because he deals mainly with the difficulties which this amendment is intended to obviate. On the 2nd March, shortly after this Bill had been introduced, and just before the second reading, Principal Grant was asked to give his opinion with regard to it. He said:

> The proposed Remedial Bill, in my opinion, is well adapted to irritate every one without doing a particle of good.

That is the very objection I take to the Bill. The amendment proposed would have the effect of obviating a great deal of the friction, and therefore the opinion I am quoting is pertinent to this discussion.

> It combines the prospects of a long continued Donnybrook between the province and the Dominion——

Of course, hon. gentlemen will understand the allusion to Donnybrook, at least the hon. member for Ottawa County (Mr. Devlin) will understand it. Principal Grant desires it to be understood that if the Bill is passed in its present form, there will be a regular pitched battle, in which a number of parties will take part, not only the provincial authorities fighting with the Dominion authorities, but the advisory board with the Board of Education, and a general scrimmage between those in favour of separate schools and those opposed to them. Finally, the matter will be referred to the courts, and then the lawyers will have their Donnybrook, only it will be more profitable to them than to the rest of us.

> —with a barmicede feast for the Manitoba Roman Catholic minority.

That is as much as to say that the minority will get but little advantage from it.

> There must be dozens of men in Parliament who after a little reflection will see how it is sure to work.

I hope there are a great many dozens.

> The Bill puts all the powers of the provincial government into the hands of a Board of Education which is responsible to no one.

They are appointed by a Government that feels no responsibility in these schools and will not give facilities necessary for their prosperity and success.

> To entrust such powers to nine gentlemen of whom nothing is required but that they shall be nominally Roman Catholics——

That is all the qualification that is required of these gentlemen who are to have practically entire control of these schools.

> —is secondary to the whole spirit of our constitution that one is tempted to think that the measure must have been drawn up by the innocent Father Lacombe.

Father Lacombe is a rather prominent gentleman just now. He undertook to lecture the leader of the Opposition upon his duty. He thought that having spent thirty or forty years as a missionary among the half-breeds on the Saskatchewan, he was competent to lecture the hon. gentleman upon his constitutional duties as leader of the Opposition. The hon. leader of the Opposition must have been very much gratified to receive such advice from such a source.

> When, however, we look a little deeper, these extravagant powers are seen to be pure delusions.

That is exactly the view we have been trying to impress upon the House.

> The machinery looks wonderfully complete, it is spread over forty pages of type. But there is not one pound of steam to run it. Not a cent is provided, even to enable the board to hire a room to meet in or to defray its necessary expenses.

That view has been impressed upon the House, and it has been clearly shown that there is no steam. One of the reasons why we advocate the amendment is that it provides the steam. If the amendment were carried, the management of the schools would be in the hands of a body that has all the machinery necessary for carrying on the work efficiently.

> The executive officer of the board is the superintendent, and he must have a good salary.

I rather think the superintendent will expect a good salary. He might be a gentleman, perhaps, sufficiently qualified to have a seat in this House, and if so he would not like to give up the high position occupied by gentlemen in this House to take the superintendency of the schools in Manitoba. Of course, we have no idea who this superintendent may be, but at the same time, I think, he might be a person who has held a seat in this House, or who is qualified to hold a seat in this House.

Mr. LaRIVIERE. If the hon. gentleman says that as an insinuation against me, he is altogether mistaken.

Mr. O'BRIEN. There is a French proverb which says 'Qui s'excuse, s'accuse,' and I think it is admirably adapted to the hon. gentleman who has just spoken. If the cap fits him, he is welcome to wear it. I made no reference to any gentleman in this House; I simply said it might be a person who had held a seat in this House, or who was qualified to hold a seat in this House.

Mr. LaRIVIERE. The hon. gentleman will not be selected.

Mr. O'BRIEN. I do not think, if I was selected, I would be a suitable person. I am sure the duties would be incompatible with my taste. Whether they would be compatible with the taste and capacity of the hon. gentleman who puts the cap on his head so neatly, this House can judge as well as I can. But surely it is a very extraordinary thing that an hon. gentleman occupying the position in this House of the hon. member for Provencher (Mr. LaRivière) should jump up in such a hurry and take it to himself. We now know from the hon. gentleman's action who is the intended superintendent of separate schools in Manitoba, if this Bill is passed. This superintendent will have all the work to do, and a difficult country to travel over. I wonder whether the travelling is likely to suit the hon. gentleman, whether travelling on a pony, or on a buckboard, would be best suited to his capacity. It would appear from the duties he is about to undertake that he will have to do a good deal.

Mr. LaRIVIERE. At any rate, I have never travelled on an ass.

Mr. O'BRIEN. Well, perhaps the hon. gentleman is more likely to travel on a buckboard than on horseback.

Mr. DEPUTY SPEAKER. Question.

Mr. O'BRIEN. Without the initiative of the superintendent nothing could be done. The hon. gentleman has to make a start in everything. Whether he travels upon an ass, or a pony, or a buckboard, he has to take the initiative. I have no doubt he is exceedingly qualified to do so :

> His salary, and the salaries of the local inspectors, the expenses of the normal schools, as well as more than half the salaries of the teachers, are all to be paid out of a fund to be voted by the legislature of Manitoba. It sounds like a huge joke.

I am afraid that the hon. member for Provencher will find it a huge joke before he gets the appointment, to which he is evidently aspiring.

> Of course Manitoba will not vote one dollar.

I think, if Manitoba knew that the hon. member for Provencher was a candidate for the position of superintendent, they would be much more willing to vote his salary than they would be if that superintendent were unknown to fame. Now, the Bill says that any sum granted by the legislature for these separate schools shall be placed to the credit of the board. No doubt, the 74th clause of the Bill says so, upon which some hon. gentlemen seem to place a great deal of reliance Clause 74 is the least effective of the whole Bill, because I do not think anybody will pretend to say that the Dominion Government have any power to compel the Manitoba legislature to vote money out of their own resources for the support of a system of schools to which they are opposed.

> The constitutional question is shirked. If the Roman Catholics are thankful for such a Bill, the fox must have been thankful for the dinner to which the stork invited him.

I wonder if the hon. member for Provencher, in the course of his reading, ever read the little fable about the fox and the stork. If not, I will tell him.

Mr. DEPUTY SPEAKER. The hon. gentleman might proceed to discuss the section before the Chair. That would be the best story we can hear just now.

Mr. O'BRIEN. We will leave the fable of the fox and the stork for a future occasion.

> However, let us suppose that the board does meet on the street or elsewhere, and finds a superintendent who will work for love, and put his shoulder to the wheel and set the machinery in motion.

Just fancy these nine gentlemen meeting at the corner of a street, and the hon. member for Provencher coming forward without salary and putting his shoulder to the wheel. No doubt, he would give it a very efficient push. But for all that, we still have not got the necessary funds.

> He organizes a few school districts and gets trustees appointed. These call on the municipal council to levy a separate school tax and the municipality obeys.

So, from whatever point of view we regard this Bill, we find it beset with difficulties, all which difficulties would be obviated, if the Government would be only wise enough to accept the proposal to place these powers in the hands of the executive authority, and not create a board to perfom them.

> The Bill, too, proposes that Roman Catholics assessed for the support of sectarian schools, are to be exempt from taxation for the public schools.

Of course, if they are exempt from taxation for public schools, they still have to pay their taxes in order to create a fund from which this Bill can be carried out.

> The British North America Act gives no power to the Dominion Government to make such exemptions. If it does, may it not also exempt the Mennonites, who came to Manitoba under promise of the most-favoured-race treatment, and the Anglicans who had more schools in 1870 than the Roman Catholics, and people who have no children, and corporations? Of course, if the taxes are not paid, the province must proceed against any man who refuses to pay the provincial tax. What a veritable Lucullus banquet to the lawyers is promised by all this litigation.

Then, there is another way by which the board might possibly raise money, and that is by way of loan. The Bill makes elaborate provisions in later clauses to enable the authorities to raise money by way of loans, if they cannot get it from any other source. Let us see how that will work:

> Suppose they require a loan and the Lieutenant-Governor in Council declines to sanction it, can the British North America Act by any stretch of meaning, be made to cover this transference of power? Besides, what means are provided for informing His Excellency's advisers as to whether there is sufficient security for such loans?

So you see the Bill provides no money in order to meet the expenses of the board. It does not give the board or the trustees the means of raising money from any other source. It is questionable whether they can levy a tax municipally, and it is a question even whether they can raise a loan. So there are blocks in every direction. All these difficulties would be obviated if the Government would accept the proposal of the hon. member for North Simcoe (Mr. McCarthy) and place these powers in the hands of the advisory board. Principal Grant points out that the Government have found it necessary to resort to coercion. That is the opinion of very many. Our criticisms have not been met and have not been attempted to be answered. If it were not that the Government determined to force through this Bill in spite of every opposition, it would be unnecessary to offer further criticism, and if hon. gentlemen opposite were wise, they would withdraw the Bill; but if they are determined to press it, we shall be obliged to continue our criticism. I should like to give the final advice which this high educational authority gives. Principal Grant is not, by any means, opposed to separate schools, but he points out the difficulties standing in the way of the Government as regards the Bill under discussion. He says:

> Even at the last hour I would fain hope that the Government will frankly recognize that it is attempting the impossible. The longer it perseveres in the present course the worse for it and the country. If this Bill would settle the question I might be induced to give it a grudging support. But clearly it will not. I see that Archbishop Langevin is already saying that he hopes for more in the future.

Funds will be required almost immediately after the Act goes into force.

> He will need more, and need it soon. Why, then, should men be pressed to vote for it at the cost of their political life, or at the cost to the country of their political superannuation.

That is a very good word, superannuation. There are various people who could be superannuated, including members of Parliament. The hon. member for Provencher (Mr. LaRiviere) is one of those who is not going to profit by the Bill, so this remark is not applicable to him:

> Intelligent Roman Catholics must now see that, as the Hon. Mr. Fielding put it, "One point conceded by the government of Manitoba will be worth more to them than half a dozen promised by the Dominion."

These remarks go to bear out my assertion as to the impracticability, the impossibility, in fact, of making this a workable measure. And yet, as I have pointed out, those difficulties would be obviated were the Government to accept the proposal of the hon. member for North Simcoe and place the administration of the law in the hands of the authorities that now have power to carry it out. It is hardly necessary to point out that the Board of Education is an irresponsible body. It is appointed by a government that is hostile to this Bill, or, at all events, is exceedingly indifferent as to the success of this measure; whereas, were the powers placed in the hands of the advisory board, they would have to do one of two things, either accept the Act and endeavour to carry it out to the best of their ability, or make themselves amenable to actions in the courts, because the intent of the judgment of the Privy Council would be violated, a grievance created, and an action would lie against the board. The easiest way to settle this matter is to take the final clause of the judgment, which declares that all that is necessary is to pass supplementary legislation so as to secure the rights to the minority to teach religion, and to be exempt from taxation for pubilc schools, these being the two main objects they desire. By adopting the amendment, we would be doing exactly what the judgment of the Privy Council and the remedial order require, passing supplementary legislation to make the law effective in the directions indicated. It is necessary that this legislation should be passed in such shape that it shall not only be in accordance with the spirit of the constitution, but be made workable. What is the use of passing unworkable Acts, which cannot be made effective? Is it not perfectly obvious that the Government is insincere when, in addition to other evidence, we have the fact that this Bill, if passed through this House, will utterly fail to carry out the purposes of those for whose benefit it is intended. Under all these circumstances, if the Government really desire to make the Bill one of advantage to the minority, and if the whole action of the Government is not a wholly pretense, the committee must come to the conclusion that the amendment is one that should be adopted.

Mr. WALLACE. In speaking to the amendment of the hon. member for North Simcoe (Mr. McCarthy), I desire to enter my protest against the unnecessary expense incurred by the proposals in the Bill. There is no necessity for incurring additional expenditure. Manitoba is not in a financial position to be able to undertake large expenditures necessary for a new Board of Education, and all the machinery already supplied. When the dual system of schools existed prior to 1890, the expenditure of the Protestant section of the board was about $24,000, and the cost of the Roman Catholic section about $6,000. Why incur unnecessary expense, particularly when there is no provision for meeting it. The Bill provides no means for meeting this expenditure, and, therefore, those who are trying to force this Bill through are creating difficulties which will have to be met by special legislation. Religious and racial strife has been unnecessarily created by the Government in forcing this Bill upon the House, and if we take power to introduce supplementary legislation next session, the measure is still more objectionable and still more calculated to cause strife. I contend that the advisory board could very well discharge the duties which are relegated to a distinct board under this Act. I am sorry the Government are not paying more attention to this Bill, and I observe a great deal of apathy on their part. That is more particularly to be complained of, because we were told by the leader of the House that this is the most important legislation that has ever been brought before the House of Commons. We are for the first time taking advantage of a clause in the Manitoba Act which wrests from the province powers which up to this date were under its exclusive control. When the attention of the country and the House is being very largely directed to this question, the indifference on the part of the Government is to me unaccountable. We find some members of the Government who are unable to answer the legal points brought up in this committee, and who tell us in this House: Wait until Mr. Ewart comes down. I am told that Mr. Ewart is here now. We know that Mr. Ewart is the agent of the hierarchy in Manitoba, that he is looking after their interests, and when questions on the construction of the law come up for consideration, we are told that the whole matter is to be referred to the legal adviser of the Manitoba minority. Sir, that is very humiliating, considering that we have so many lawyers of high standing in the Government, and so many members of the Conservative party behind them who are also learned in the law, whose eloquence during the last few days has been more demonstrated in their votes than in their heads. We must call upon the Government to elucidate these questions, and not to sit in their seats careless and silently. An hon. member behind me says: "Help you to obstruct." When the weakness of the Bill and its incongruities are pointed out, and we ask for explanation, their only answer is: If we attempt to reply we would be charged with obstruction. The only obstruction I have seen in this House on this question so far is by hon. gentlemen behind me. But, if it is necessary to obstruct this legislation, I do not think there are many who are opposed to it but who will be willing to say that they will take every legitimate and constitutional means of expressing their dissent to its passage. I am certain that I shall not be deterred from expressing my opinion both as to the Bill in general and as to every clause of it which does not meet with my approval. The whole Bill, I consider, is one that is not called for in the interests of the province of Manitoba, nor in the interests of the constitution either, and I shall do my duty as a member of the House of Commons in opposing what I think is wrong. I wish to call attention, moreover, to this fact. We have been told by the member for Inverness (Mr. Cameron), and by other members from the province of Nova Scotia, that the school law of that province, and its administration, provides all that they require, and that the minority there have no grievance. I have not studied the Nova Scotia school law and the Manitoba School Act to compare the two as thoroughly as I would like to, but so far as I can find out, the school laws of Nova Scotia are not any more liberal towards the minority than are the present school laws of Manitoba towards the minority there. Then, if the School Act of Nova Scotia is unobjectionable to the minority, what strong objection can be urged against the school law of Manitoba. There is none that I can see. We have had assurances from the government of Manitoba, assurances which were repeated the other day to the commissioners in Winnipeg, that if there are any difficulties, they would be only too glad, when they are pointed out, to remove them, where the principle of their law is not concerned. The province of Ontario with 300,000 Roman Catholics and 1,800,000 Protestants, does not require to go to the expense of two sets of machinery, although it has a separate school system; but both that system and the public school system are managed by one Department of Education, and there is no grievance on the part of the minority there. If the province of Ontario can get along without this double machinery, I think the province of Manitoba can do the same. Again, if the principle be established of having not only separate schools, but duplicated machinery, in the province of Manitoba, then to be consistent and logical you will have to apply the same principle to all the provinces to be established in the future in the North-west Territories. These inconsistencies in the Bill having been pointed out by eminent legal men in this House—and they can be clearly seen by every one, whether a legal man or not—the Government should either explain them or withdraw this clause of the Bill. The Government of Canada sent commissioners to the province of Manitoba a week or two ago to see if some settlement of this question could not be made. I think every member of this House must regret that some such step had not been taken long ago. If it had been, I think a settlement would have been very much easier than it was when undertaken by the commissioners. That is the opinion of at least one of the commissioners themselves.

Mr. DEPUTY SPEAKER. The hon. gentleman is not speaking to the clause.

Mr. WALLACE. I think I am discussing the clause in this way: if these commissioners had made some adjustment of the question, it might not have been necessary for us to be considering this clause at all. What did these commissioners go to Manitoba for? To see if the legislature of Manitoba would not enact legislation to carry out the provisions of this clause.

Mr. DEPUTY SPEAKER. That is not the question before the committee. We are on the amendment of the hon. member for North Simcoe.

Mr. WALLACE. When we are discussing the amendment, I think we have also the right to discuss the motion to which it is an amendment. Is that correct? Silence gives consent.

I have not heard any reason given by the Government or its supporters why this amendment should not be agreed to. It appeals to the common sense and good judgment of the House. Suppose the amendment be rejected, and the clause carried in its present shape, we have two conflicting Boards of Education, and you will have them making all sorts of contradictory regulations. Each one will decide on different text-books, and the poor school teacher will not know which to obey, because by the Bill he is subject to each. Then each board could provide for separate qualifications of the teachers. The one might say unless a teacher has a certificate from us, we will not allow him to teach; and the other board might insist on the teacher getting his certificate from it. What is the poor teacher to do under the circumstances? Must he get certificates from both, or run the case of being bounced by either? The Government are in duty bound to enlighten the House upon this matter, and if they should do so, we shall not bring any charge of obstruction against them. On Saturday they could not give us the information because Mr. Ewart had not arrived, but Mr. Ewart is here now, and I call upon them now to tell us why they put in these contradictory clauses.

Mr. McCARTHY. The hon. member for West York (Mr. Wallace) has certainly made a most reasonable appeal.

Sir RICHARD CARTWRIGHT. The legal advisers are not in.

Mr. McCARTHY. I observe that the Minister of Justice and the Minister of the Interior are not in their places, and therefore perhaps it would be unreasonable to press from the Government that they should discuss the legal aspect of the case. But the hon. gentleman who assumed charge of the Bill (Sir Charles Tupper) is in, and we are glad to see him, because the hon. gentleman who has charge of the Bill surely ought to have the courtesy to remain in the committee when it is under discussion. So far, we have not heard one solitary word from him in its defence or explanation, although he is not only in charge of it, but was deemed the only person competent to take charge of it since he took it out of the hands of the Minister of Justice, who introduced it. I do submit that if we are to make any progress at all, the Government ought not to treat us with absolute disrespect. There was some excuse on Saturday, because the Minister of the Interior (Mr. Daly), who then took charge of the matter, was only filling the position temporarily for the Minister of Justice (Mr. Dickey), and it was not unreasonable that he was not able to give some reason for the course the Government has taken. But surely there can be no excuse to-day. Leaving aside the legal difficulties so earnestly pressed by the hon. member for Bothwell (Mr. Mills), and which have not been satisfactorily disposed of, I want to know why the Government are going to create a Board of Education and waste the public money of Manitoba—because the board will sooner or later have to be paid, and it will have to be paid out of the funds of Manitoba—when there is no necessity for it? Why should this be done when everybody admits, and everybody must admit that the rights and privileges that are restored to the Roman Catholic minority can be enjoyed and can be protected without the creation of the Board of Education. At all events, by limiting its duties to the matters that are of a strictly denominational character. For my part, I think we could get on if we once knew why that course is adopted. It has been pointed out that it is not the course followed in Quebec. I pointed out on Saturday that it is not the course pursued in the North-west. The hon. member for Winnipeg (Mr. Martin) who knows more about this matter than probably any other member of the committee, explained to us that long before the Government proposed the policy of separate schools they had determined, at the instigation of all classes, Protestants and Catholics alike, to do away with the system of administration, partly on account of the expense, and partly on account of its inefficiency, and he explained that that applied as well to the Protestant section of the board as to the Roman Catholic section. Here we have an advisory board duly constituted. We have a Department of Education filling the place of the Board of Education. And the policy of the Bill in connection with this 4th clause—because upon this 4th clause, and upon this very term the questions rests—is that although there are these two bodies, the Government proposes to create and hand over the administration of this Act to a new board. Let me draw attention to the manner in which this board was paid under the old law. Section 10 of the Act of 1881 provided :

> From the sum so appropriated to each section——

That was the legislative grant.

> —they shall first pay the incidental expenses of that section and such sum as the superintendent of education and the Lieutenant-Governor in Council deem just.

Now, it rather appears that the proposed superintendent of education is sitting in this House. The hon. member for Provencher (Mr. LaRivière) at once acknowledges the corn, though he disclaimed that he wants it to be understood that he was the member. No person supposed that he was to be the new superintendent of education, and for whom this money was to be expended, until he spoke.

Mr. FOSTER. By denying it, he maintains it.

Mr. McCARTHY. Yes ; I think, under the circumstances, we may say so. No person suggested that he was to be superintendent before he himself spoke. I am glad to see the Minister of Finance taking an interest in this matter. He has been deserted by his new leader, and perhaps he can tell us why this new board is to be created.

Mr. FOSTER. I would be glad to do so, if the committee had not been told about 500 times already.

Sir RICHARD CARTWRIGHT. It appears to me that the request is reasonable to this extent : We had the Minister of the Interior, acting for the Government, admitting that there is an apparent conflict between subsection 2 of section 3 and this subsection that we are discussing. It would not be unreasonable that the Government should take a day or more to consider that matter. But I think we are entitled to be told, before we proceed with the discussion, whether the Government have made up their minds to abandon clause 2 of the third section, or whether they propose to proceed with it. It does appear to me, even if we had not been practically assured of it by the hon. Minister of the Interior, that the Government, in introducing this Bill introduced a measure of which they knew exceedingly little. I doubt very much—we have not the advantage of the presence of the ex-Minister of Justice (Sir Charles Hibbert Tupper)—whether the Government, or any member of it really drew this Bill. It does appear to me that whoever drew it drew it clumsily and carelessly, and without any adequate knowledge of the constitutional provisions upon which this federal compact of ours depends. That much is tolerably evident to hon. members of this House, whether they be lay or whether they be legal. Now, there is one thing pretty certain, pretty clear, and that is that we are being called upon for the first time in our history, to consider an entirely new question. Such a measure as this has never before been proposed to our Federal Parliament. It requires to be carefully considered. If the Government were not able to adopt the suggestion of my hon. friend from North Simcoe (Mr. McCarthy) and refer certain disputed questions, which will undoubtedly be ventilated in the courts, to the decision of the Supreme Court, then bearing in mind the inevitable difficulties that attend any attempt to interpolate the jurisdiction of this Parliament into an Act passed by the provincial legislature of Manitoba, the Government ought to have their legal advisers here, and they ought to be prepared with a very much clearer explanation. With regard to an important section at the very opening of this Bill, we were told by the hon. gentleman who, for the time being, represented the Government, that he did not know the sense of it. It was put there, he supposed, for some good purpose, but what that purpose was he did not know. He understood that a certain legal gentleman who had been retained in the legal cases arising out of this dispute, had recommended that it should be inserted. I submit that that is no sort of explanation to offer to this Parliament; it is no sort of explanation on the part of the Government or its legal advisers, to offer to the country. These points ought to have been well weighed and thoroughly understood by the Government as a whole, and more particularly by the men who act here as their legal advisers. Now, all this difficulty, I fancy, might have been avoided and a day might have been saved to the Government if they had known enough about the measure they propose to put through to tell us whether they intend to drop this subsection or not. Can the Minister of Finance tell us? It is not in his department, I know, and perhaps he does not take a burning interest in it. But I think that before we go further we have a right to know whether the Government are going to drop this subsection or not. If they are, then, I presume, to a large extent, the force of the amendment will be broken: but if they had not determined, then, they should softly notify us to that effect. I put that, at any rate, as a reasonable request.

Mr. FOSTER. If I thought my hon. friend was burning for information, I should be glad to give it to him. He seems lax in attending to what is going on in this House, or he would have known that somewhere between 10 a.m. and 12 p.m., on Saturday, this question was asked over and over again——

Sir RICHARD CARTWRIGHT. But not answered.

Mr. FOSTER. Answered over and over again. If I were to answer, the answer to-night would be the same as that given on Saturday. If the hon. gentlemen wish to go over these questions again and so obstruct a measure which the majority of this House is anxious to have put upon the statute-book, I am sorry to see my hon. friend taking his place amongst the ranks of the obstructionists.

Sir RICHARD CARTWRIGHT. I think nobody contributed more to the obstruction than did the Minister of Finance by the firebrand which he mischievously flung into the House on Thursday afternoon; and I would not be much surprised if it was done with the intent of creating discussion. However, I am bound to say that he did not obstruct so much as his leader, whose conduct on that occasion was pre-eminently calculated to obstruct this Bill, as it did obstruct it for many hours. But the hon. gentleman is not correct in saying that any satisfactory answer was given to him. What we want to know is, do the hon. gentlemen intend to proceed? Are they willing to eliminate subsection 2, or are they not? They have had time to consult Mr. Ewart, and to find out why Mr. Ewart wanted it put in, if they did not know before. They might at least tell us why Mr. Ewart wanted subsection 2 put into clause 3. If they cannot give us that information, why do they want to keep a clause which they are unable to explain?

Mr. HENDERSON. I would like to say a few words on the amendment proposed to section 4. To my mind the control and management of separate schools in Manitoba as proposed under the Bill, is placed in the hands of a new board created under that Bill. The amendment proposes instead to place the control and management of the schools under the advisory board which already exists in Manitoba. Now, I think if remedial legislation is to be adopted at all, if we are to interfere in any way with the school system of Manitoba, that interference should be of as slight a character as possible, and I for one object in any way to encumber the existing school system by any new clause in this Bill, if the object can be reached in any other way. As hon. gentlemen are aware, I voted against the principle of the Bill. I preferred that some settlement of this question should be arranged in another way than by passing this Bill, possibly by a secularization of all the schools in Manitoba. I did not vote against the Bill for the reasons given by many hon. gentlemen in this House. For instance, the hon. member for Albert (Mr. Weldon) said it was no use to the Roman Catholics. The leader of the Opposition said it was a faint-hearted measure. The member for Verchères (Mr. Geoffrion) said it was only a half measure; the hon. member for Kamouraska (Mr. Carroll) said it was simply a shadow of what they wanted; and the hon.

member for Richelieu (Mr. Bruneau) declared it was no remedial law at all. I did not vote against the Bill for any of these reasons, but for the reason I have stated, that I was not in favour of the principle of separate schools in any form. Now, it appears to me that I cannot consistently support the amendment of the hon. member for North Simcoe, who proposes even a stronger measure of separate schools than the Remedial Bill before us. He proposes a system of separate schools which shall be tacked on to the existing public school system of Manitoba. Well, although I voted, as he did, against the principle of the Bill on the second reading, I do not propose to stultify myself now and go back on my former record, and declare that I am now in favour of separate schools in any form. I trust, therefore, that the amendment of the hon. member for Simcoe will not carry. If we are to interfere at all with the school system of Manitoba, I think it should be done in as slight a manner as possible ; and that it would be better to retain the clause in the Remedial Bill than adopt the drastic amendment proposed by the member for Simcoe.

Mr. McCARTHY. I had felt a moment ago like congratulating the hon. member from Halton. I remembered that a night or two ago he voted to give up Saturday for the purpose of railroading through this measure. I remembered that this Saturday was between Good Friday and Easter Sunday, which had never before since confederation been taken up in the sittings of this House ; and I was very much surprised that an hon. gentleman who had voted for the six months' hoist and voted against the second reading, should have been so anxious to place this measure upon the statute-book that he voted to take that Saturday for the purpose. But I now see that this opposition of his to the second reading was somewhat of a sham character.

Some hon. MEMBERS. Order.

Mr. McCARTHY. Well, it is perfectly clear now that the hon. gentleman does desire, not merely to have separate schools, but to have them in the most vicious way possible, and a way that will do the most injury to Manitoba. Now, the proposition of the Bill is that all these powers contained in subsection "a" to "f," exclusive, shall be vested in a Board of Education to be created under this Act, to be paid for, if this clause is to go through, or if this Bill is to go through, it should be done with as little friction, as little injury, as little damage, to the existing institutions in the province, as possible ; and that for that purpose we should transfer to the existing advisory board all the matters in connection with the separate schools to be created under this Act. The hon. gentleman says he cannot vote for that because he is opposed to the principle of separate schools. Remember, the House has already passed the second reading of the Bill, and we are bound to make it as good a measure as we can, reserving our right to oppose it on the third reading, if, taken as a whole, it is not such a measure as we can support. But it is clearly the duty of all of us, no matter whether we are opposed to it or not, to make this Bill as little hurtful to the province upon whom it is to be imposed, and as effective for the purpose for which it purports to be designed, as we possibly can. Why, is it not important that the Roman Catholic children in Manitoba should be properly educated ? We are now saying to the people of Manitoba : We propose to take the education of the Roman Catholic children out of your hands into our own hands ; and will the hon. member say that we ought not to make that measure in the interests of Roman Catholics as favourable as possible ? Let the hon. gentleman look at the sections which follow this one. The standard for the qualification of teachers is nominally to be the same as the standard of qualification in the public schools, but the candidates are to be subjected to examination by the Board of Education, a board of nine gentlemen, whose only qualification is that they are to be Roman Catholics, and who, if they carry out the system that prevailed before 1890, would take very good care, no matter what the standard might be, that the passage of that standard should not be very difficult. I do not care what its standard may be, if I had the marking of the papers I would not have any difficulty in passing any person whom I chose. We further find that the books and maps and globes to be used are to be in the discretion of this board, and it is limited to such as are in use in the public schools and separate schools of Ontario. Why should that be so ? The hon. gentleman may reply that these matters can be considered when we come to the clauses, but all these matters can be more efficiently attended to in the interest of the education of Roman Catholic children by the advisory board than by the Board of Education. So the hon. member for Halton must have misunderstood the object of my amendment, or he must be willing to place on the statute-book a system which is much less likely to prove successful than the one I propose. I desire to state to the Minister of Finance this, and if I am wrong he can correct me, that we have never heard any hon. member on the Treasury benches explain why the Government prefer to create a Board of Education rather than transfer these powers to the advisory board. No one doubts that legally it can be done, but as a matter of policy, why are the Government creating a Board of Education and transferring to it powers and duties which the advisory board in existence is appointed to discharge, when no such system exists in Ontario or the Nort-west, and the result is to organize a double system of machinery, with its attendant expense and inefficiency.

Mr. PATERSON (Brant). I should like to see a little progress made with the business before the committee, and if this clause cannot be passed, I suggest that it be allowed to stand and other clauses be proceeded with. I have sat here all Saturday and I have been in my seat during to-day and have heard questions asked and no one present who is prepared to answer them for the Government. There is no one at the present time in charge of the Bill, which has been declared to be the most important one ever brought before Parliament. The most eminent lawyers in the House have declared that the whole framework of the measure depends on the constitutionality of this section. Ministers have been asked to explain and state the position of the Government in regard to it. The Minister of Finance has risen and stated in reply to the hon. member for Oxford (Sir Richard Cartwright), that the answer given yesterday is the answer to be given to-day. The committee cannot, however, be satisfied with the answer given yesterday, because one Minister stated that the section was correct and should remain, and another Minister said a doubt existed with respect to its constitutionality, and it was questionable whether it should be allowed to remain in the Bill. Speaking as an independent listener to the debate, it seems to me to be almost impossible to proceed with business at the present time. The Minister of Marine and Fisheries has not seen fit to defend the Bill. He must think the Bill is not one worthy of his approval. The Minister of Public Works ventured that one opinion to which I have referred, but it seems to have exhausted him. He is not now in his place. The Postmaster General, who has recently arrived, seems to have nothing to say. The Controller of Customs is the only lawyer present representing the Government, except the Postmaster General, and he has not ventured an opinion upon it. The Secretary of State, who is in charge of the Bill, is not present. That is the position in which this committee is placed when the members are endeavouring to do business. The section last passed is one in regard to which a doubt was cast by hon. Ministers, and it may be struck out at a later stage. The section following, which is just now under discussion, is contradictory to the preceding one. In the face of the strong objections offered the committee is asked to go on with the section, whether it is contradictory or non-contradictory, whether it involves the minority in a series of lawsuits, or whether it is part of a Bill which will be of no benefit whatever. An amendment has been submitted by the member for North Simcoe (Mr. McCarthy) to obviate the difficulty, and that is by substituting the advisory board for the Board of Education. That suggestion seems to possess great weight. A strong reason for favouring it is found in the fact that the Bill provides no funds by which this board to be created can carry on its affairs, while the advisory board is part of the provincial educational system and is provided with funds to carry out its operations. The objections taken have not been made in a carping spirit, and nothing in the way of obstruction has been offered, and accordingly the charge of obstruction made by the Minister of Finance is wholly unwarranted. If obstruction has occurred, it has been due to the course taken by the leader of the House who has forced divisions for no purpose, except to force some hon. gentlemen who voted against the second reading to vote for a more drastic measure, and at the same time the taking of such divisions occupied the time of the committee. There is no one here in charge of the Bill, there is no Minister to explain a Bill of the first importance, and the fact that we have present only two or three Ministers, and they as dumb as oysters, is a condition of affairs not creditable to this Parliament. I repeat my suggestion that if the Government require further time to consider this section, it should be allowed to stand, and the committee should proceed to the consideration of subsequent sections.

Mr. SPROULE. I wish to say something on this clause, Mr. Chairman, before it is carride. It seems to me somewhat strange that the members of the Government have either collapsed or become silent, so that they are not able to give explanations of this law, or not willing to accept reasonable suggestions for its amendment. It would appear as if this Bill were drawn by some one outside of this House who has not thoroughly coached the Ministers, or else, that the Ministers have drawn it in a hurry and not being sure of what it means, they think that silence is golden. If Mr. Ewart drew the Bill, as I think the Minister of the Interior intimated he did, then I would suggest that Mr. Ewart be brought here and placed in such close proximity to the Minister of Justice, or to the Minister of the Interior, that he could coach them from time to time, and enable them to give intelligent information to the House.

Mr. McCARTHY. And we will agree not to see a stranger on the floor.

Mr. SPROULE. Yes, I would be inclined to permit that violation of the rules of the House, if we attained the object of getting some information in regard to the Bill. I was surprised at the member for Halton (Mr. Henderson) objecting to support this amendment on the ground that he opposed the Bill. I, together with him, opposed the second reading, believing, with such an authority as Dr. Bourinot, that the six months' hoist was the proper way to kill the Bill. I thought it was better to vote for that than to vote against the second reading, because if the Bill was only defeated on the second reading a motion might be made to reinstate it on the Order paper, two days afterwards. I regarded the six months' hoist as the only legitimate way of killing the Bill, and I voted for that amendment, as the hon. member for Halton did. If we put a Bill on the statute-book at all, I am bound to believe that the hon. gentleman (Mr. Henderson) should be desirous of having a measure that is workable, and economical, and useful for the needs for which it is intended. If we can economize the funds of the minority in Manitoba, who, judging from their numerical strength, cannot be very strong financially, we should avail ourselves of the services of the advisory board in Manitoba, which is already constituted and paid for by the Manitoba government, and not take extra funds from the minority to pay for this board, which is to be created under this Bill. Now, that is one intention of the amendment, and I do not see why the hon. member for Halton (Mr. Henderson) would not vote for it. It is pertinent for us to ask: Would not the advisory board, just as well as this proposed board in this Bill, carry out the provisions of this Bill without infringing on the conscientious scruples of the minority? I believe it would. If that is the case, then every intelligent man must see that the amendment of the hon. gentleman (Mr. McCarthy) would improve the measure in that respect. I confess that I can see no just ground for claiming that the duties assigned to this board cannot be done equally as well by the present advisory board, connected with the Education Department in Manitoba. After all, the duties of the board provided for here, are such as might be discharged by one body as well as the other. The board in this Bill have power to make regulations for discipline. It does not require a Roman Catholic or a Protestant to do that. It only requires ordinary intelligence and common sense. Then the board in this Bill are to be appointed to carry out the provisions of this Act. This Act contains 112 clauses, and it would be pertinent to this question if I were to examine the entire of these clauses, but, if I did that, it might be said that I was trying to obstruct this Bill, and for one, I do not desire to have that imputation hurled at me to-night. There are many provisions which I must refer to, because it is important to ascertain whether these provisions could be carried out equally well by the board now in existence in Manitoba and paid by the government of Manitoba, as by the board which is to be created under this Act, and which must be paid out of somebody's funds. Then again, this board is to arrange for the proper examination of teachers. Well, that is done by the present advisory board. Any educated person can do that, and it is not necessary that he should be either a Presbyterian, a Methodist, a Church of England member, or a Roman Catholic. One could do equally as well as the other, so long as he set himself about doing it with a proper intention. Then, this board is to provide for grading of teachers.

Now, teachers must be graded after they are examined; and, from the number of correct or incorrect answers which they give, I assume that they would be assigned to one grade or another. This only involves the necessity of ascertaining whether their answers have shown that intelligence which indicates them to be possessed of the qualifications to enable them to be good teachers or otherwise. It is not work of a technical character, and it can be as easily done by the advisory board as by the Board of Education. This board may also withdraw the license to teach for sufficient cause. It is the duty of the advisory board to do that in the case of common school teachers, and if the same standard is to be applied to all the teachers in all subjects except religion and morals, then that duty could be performed as well by the advisory board as by the Board of Education. This board is to fix the standard of qualifications for teachers, which is to be the same in secular matters for teachers of the separate schools as for teachers of the common schools. If so, that work can be as well done by the advisory board as by the Board of Education. Then, the certificates issued by the Department of Education are to be acceptable for teachers of separate schools, except in the matters of morals and religion, in which they may be specially examined. This is a work which the advisory board would probably not be suitable for doing, and an extra examination by some competent authority might be provided for that purpose. That is something that might fairly be done by the church, and I do not think any one would object to that being assigned to an independent board appointed under this Act. Then it is provided that the Department of Education shall be recognized by the Board of Education. As the Department of Education controls the advisory board, surely the Board of Education would be doing practically the same work. Then, this board is to select the books, maps, and globes. Now, the selection of books seems to be confined to two sources. The books may be the same as those authorized for use in the high and public schools of the province of Manitoba. The advisory board selects these books, and it is equally capable of selecting the same class of books for the separate schools. If the separate schools refuse to accept those books, they may as an alternative accept the books used in the separate schools of the province of Ontario. Now, I have here a series of the books used in those schools, and from a cursory examination, I regard them as very suitable for children. I take Sadlier's First Reader. If I would be in order in going through these books, I would gladly do it, because they contain some very valuable information, which I presume this House would like to hear. This book commences by giving the alphabet—the A, B, C, which is the same as we have in the common schools, because as a boy I remember going over these same letters. Then, we have some beautiful pictures. The first is that of an axe, and below is the spelling, "A-x-e," commencing with a capital "A," because the compiler thinks it well to teach spelling with the aid of pictures. It might be assumed that this axe was for the purpose of splitting wood, which would bring up the question of cooking; for the compiler evidently had in view the imparting of knowledge to the budding intellects of the juveniles who used this book. Then we have a picture of a bell. That bell might be for calling you to dinner.

Mr. DEPUTY SPEAKER. I do not think the hon. gentleman should go through all that.

Mr. SPROULE. I do not propose to go through it all, because if I did I would have a job that would be too much for my strength. But I am merely referring to them to show the kind of work which the advisory board have to perform. For that purpose, I shall only refer cursorily to a few of them in order to show that the advisory board of the Department of Education, under the Manitoba Act, can do the work equally as well, if not better, than the board created by this Bill. I take up the second reader.

Mr. FOSTER. Order.

Mr. SPROULE. I simply wish to show what the board can do.

Mr. DEPUTY SPEAKER. The hon. gentleman should confine himself to the amendment, and not give us a dissertation on these books.

Mr. SPROULE. I am not proposing to do so, because that would take up too much time. I am only referring to the educational series of the elementary schools of Ontario to show how easy it would be for the advisory board to select the books required, and thus save the expense of the additional board. Then, there is the selection of the maps and the globes. Could not the advisory board do that as well as the board contemplated to be brought into existence by this Bill? Then this Board of Education has to approve of the plans for the construction of school-houses. If the Bill provided that there must be an architect on that board, I could understand that there might be some necessity for it, but there is no such provision regarding this board any more than there is regarding the advisory board, so that one is equally as competent as the other to approve of the plans. Then this board has to make regulations regarding the selection of school sites. Any one could select a school site. I venture to say that you yourself, Mr. Chairman, could select a school site, if you walked over the section and saw the number of the inhabitants. You would first take into consideration the healthfulness of the place, and then whether it was convenient of access for most of the children. You would choose a cheerful locality on some public road. If there were public buildings, such as post offices or churches, you would probably place it as near one of these as you could. This is work that might be done by any one of commonplace intelligence. The board also has control of the size of school grounds. Of course if there were a hundred pupils, the grounds would be larger than if there were only twelve pupils. Then, a rich section might afford to buy larger grounds, while a poorer section would be content with smaller. "The formation and alteration of school districts under its care." I notice that further on in the Bill you provide that municipal councils shall make the school districts, with an appeal to this Board of Education. You might as well leave it to the advisory board in the first place. "To make and enforce regulations for the establishment and operation of the departments." I suppose that means departments in the schools. If the children were all of one age, there would naturally be one department, but four or five departments might be necessary where the children differed considerably in age and attainments. But that is work of simple nature that any intelligent person could do; it might be left to the trustees. But, if it is competent for the Board of Education to do under this Act, it is equally competent for the advisory board to do it. Therefore, the amendment should be adopted. "In such of its schools as it may deem suitable for the preparation of candidates for the annual examination of teachers and for matriculating at the University of Manitoba." That is only commonplace work and can be done by any one. They have nothing to do with the examination itself. They must provide a building and the means for carrying on the examination. The advisory board could do it as well as any other body. "And for the doing of general literary work." Here is something that may require literary ability, but I assume that the advisory board would be men of as high ability as the men of the Board of Education. "And to give special aid to such schools from the funds at its disposal." This is work that could be done as well by one as by another. You do not restrict the board in its place of meeting. It is provided that Winnipeg shall be the usual place of meeting, but they may meet anywhere in the province. It might be that they would have to meet outside of Winnipeg to decide some question of school site or school regulation. But there is nothing to show that the advisory board could not do as well. It is provided that:

> Any member of the board absenting himself from the meetings of the board for six months, unless sickness or absence from the province, shall be considered to have, ipso facto, resigned his position.

That has nothing to do with it, one way or the other. The same provision could be made with regard to the advisory board. The Lieutenant-Governor in Council is to appoint one of the members of the board superintendent of the schools, and the superintendent shall be the secretary of the board. If no appointment shall be so made, the board shall appoint one of its own members to be the superintendent. Here is a divergence from the usual course provided in this Act. The usual course, where the Lieutenant-Governor in Council does not act, this Government acts, but here it is provided that the board shall act, if the Lieutenant-Governor in Council fails to do so. The board is to appoint one of its own members as superintendent. But the advisory board could do that as well as the Board of Education. I find that, under this Bill, the municipal council is to establish a school district within its own bounds, with an appeal to this board. But this is ordinary work, and might be done by the school trustees. It is provided :

> It shall be lawful for the board to form or subdivide any city or town or any school district which includes or is included in a city or town, into wards for the election of school trustees.

But this might be done by the municipal council, and, if it were handed over to the municipal council, I believe it would be accepted without complaint. And they are to :

> Determine the number of trustees, not exceeding two, to represent each ward.

That is only a choice or selection of one or two. That is neither a very important nor a very difficult work. The Bill says also :

> Provided, further, that the board shall have power to maintain its district as it existed before the incorporation of said city or town, or so to extend its district as to include Roman Catholics residing in the vicinity where no separate school is in operation.

It does not require special capacity to do that, it requires a commonplace intelligence. Then it is the duty of this Board of Education to grant them this permission if they see fit. But why could not the advisory board do it as well ? Why could not the trustees do it quite as well ? Then, in portions of the province not organized into municipalities, the Board of Education shall have authority to form and alter school districts under its authority, and in portions of the country not organized, they shall have authority to form and organize school districts under its authority. Well, all school districts are under its authority. There are many other things in this Act that are assigned as duties to this board, and it would be quite relevant to the subject for me to go over the whole of them and ascertain what those duties are, and to show that they could as well be done by the Advisory Board, but I forbear, in order not to take up the time of this committee. On the whole, I have come to the conclusion that if we want to make this Bill as efficient as possible, then the hon. gentleman who has charge of it should accept the amendment proposed by the member for North Simcoe, and substitute the advisory board for the Board of Education. It may be said that the advisory board won't do this, but we might say the same with regard to the Department of Education. We have no right to assume that they will not do what this Act commands them to do, we have no right to assume that they will not obey the law. If we place upon their shoulders the responsibility of administering this law, and they refuse to do it, then the courts can compel them to do it. I think we have no right to assume that they would not obey the law ; we have no reason to assume that the advisory board will not do this work equally as well and as efficiently as the board contemplated by this Act.

Mr. CRAIG. I wish to say a word or two before the committee votes upon this clause of the Bill. Unfortunately, I was not able to be present on Saturday and listen to the discussion on this Bill. Like some other members, I had to be away, and I was very much gratified that my absence from the House on Saturday was mentioned in to-day's "Globe," along with the absence of some other gentlemen. It was stated that my absence was equivalent to voting for the Bill. I think that was hardly a fair reflection on my absence, because I was compelled to be absent ; and I may say also that my hon. friend sitting behind me, the hon. member for Lennox (Mr. Wilson), had to be absent on Saturday owing to serious illness in his family. I notice that the criticism was rather one-sided, because all the members mentioned as being absent belonged to this side of the House. But the hon. leader of the Opposition was also absent on Saturday, as I see in the paper that he was in Toronto on important business. I think, therefore, it is only right that his name should be coupled with ours. It is hardly fair to give the benefit of this free advertisement to Conservative members only, and deprive hon. gentlemen opposite of the same advantage. Now, I only rise to say a word on this question, because it happens that I am paired with an hon. gentleman who will not be here until to-morrow ; I rise to state how I would vote. I may say that after listening to the discussion to-night, and after reading up the "Hansard" of the previous discussion, I would vote for the amendment of the member for Simcoe. I think if that amendment were passed, it would improve the Bill and would simplify it.

Amendment (Mr. McCarthy) negatived.

On section 4, subsection (b),

Mr. McCARTHY. This is a clause which requires to be discussed, as it differs in many respects from the principle of the clause we have just been dealing with. I do not know how we are to proceed here, unless there is some member of the Government having charge of the Bill who can set us right upon a matter of detail. If I understand this clause, it is to some extent a new one. It is not one which has been ordered by the Remedial Bill. The clause as it originally stood, so far as my information goes, was as follows :—

> To arrange the proper examination, grading and licensing of its teachers, the recognition of certificates obtained elsewhere, and for withdrawing licenses upon sufficient cause.

Now, the committee will observe that the first three lines of this paragraph are the same as the old law, and all after that is new, namely :

> Provided that the standard of qualification for teachers shall be in secular matters the same as that at any time prescribed for teachers of other schools of a public character established under the statutes of the province of Manitoba. Provided further, that all teachers' certificates issued by or under the authority of the Department of Education shall be recognized by the Board of Education.

These words are all new. On what principle are we asked to pass this clause ? We have been told so far that there is no power resting with the Government to go beyond the remedial order ; but we are now going far away from the remedial order, and far beyond its terms.

Mr. DAVIES (P.E.I.) We have here two different points raised which should be answered. One is a question of policy simply, shall we prescribe that the separate school board shall carry out the examination and grading of teachers ; shall there be, in point of fact, a dual system established in Manitoba in that regard ? I hope something will be said from the Government benches on that point. Next we have a legal point, on which we want an explanation. I have heard from the hon. Minister in charge of the Bill that he does not defend the policy of some of the clauses, except on the ground that they were in the old Act, and the hon. gentleman thinks they should be restored by the new Act. If the ground is taken that the Government are not asking the passage of clauses for their intrinsic merit, but only as part of the old school law, then they must drop the latter part of the section, because thereby they are setting up a different standard from the old school law, and are importing conditions and limitations which were not embodied in the old law. Therefore, this change must be recommended on the ground of policy, or the Government must abandon the position taken before, that they adopted some sections only becaue they followed the lines of the old school law. Whatever line the Government may take, they should make some explanations to the committee.

Sir CHARLES HIBBERT TUPPER. I think the hon. member for Queen's has hardly fairly stated the position taken by the Minister of Justice this afternoon. The hon. Minister's argument seemed to cover the principle suggested as well as the point immediately under consideration, because he did not say that we were following the old Act, but he distinctly stated to the hon. member for North Simcoe (Mr. McCarthy), that he was not using that argument, but that it was an additional point to whatever else might be said for the Bill when the language happened to follow the provisions that obtained under the law previous to 1890. As an argument, I agreed fully with it, and I endeavoured briefly to say so, that we are not confined by any means to the exact language of those statutes, but that in carrying out the main principles of remedial legislation and in enacting the principles outlined in the remedial order, we must be considered to have plenary power and jurisdiction here to make such reasonable provision as would effectually carry out the object of the legislation. I think it is a fair matter for discussion as to whether we are adopting unreasonable provisions for making the legislation efficient. Sub-section "b" of clause 4, so far as it departs from the language of the old statute bears on its face its vindication. The object of the words that are not found in the old section is to meet much of the criticism that has been directed against the old law; and the position of the Government long ago was that when we came to pass remedial legislation, the object of the Government would be not to impose on Manitoba an inefficient system, but a system equally efficient with the public school system. We cannot adopt all the arrangements or machinery, but this additional legislation, whether it accomplishes its purpose or not, is intended to safeguard and protect those who are to have the benefit of the schools intended to be established under the provisions of this Bill. I am safe in saying that that was the explanation made by the Minister of Justice this afternoon.

Mr. MILLS (Bothwell). But you provide that teachers already having certificates from the provincial authorities shall not require to be examined.

Sir CHARLES HIBBERT TUPPER. Yes.

Mr. MILLS (Bothwell). Then you recognize the provincial board of examiners.

Mr. McCARTHY. I was endeavouring to elicit the policy of hon. gentlemen with respect to the constitutional rules of the House. I certainly gathered from what has been argued by the Government that we were to implement the remedial order. It was pressed on us on Saturday that the policy was to restore not merely their rights, but to give back to the minority the management and every detail, and it was very strongly argued by the hon. member for Pictou (Sir Charles Hibbert Tupper) as well as by an hon. Minister, that the right to manage is one of those rights. It is perfectly plain if that is so, that this board is not to have unlimited control in the management of the schools so far as granting certificates is concerned. Before 1890, the board arranged for the examination, grading and licensing of teachers. It was absolutely uncontrolled so far as its authority in that respect was concerned. Here is a proviso which limits the whole authority of the board. It stipulates what the standard shall be, and it goes on to provide that teachers certificated by provincial authorities are to be recognized by the board. How can the Government reconcile that position with the one they have formerly taken ? If it is right to establish this board, against which we have so earnestly protested, why does the Government throw a slur on the board, and say that the board must accept a standard and recognize a body as regards granting certificates, although not thought fit to be entrusted with the general administration of the law. How can the Government reconcile those contradictory provisions. In section 3 we recognize the Department of Education, in section 4, sub-section "a," we ignore the advisory board, but in sub-section "b," we again recognize the advisory board because it grants teachers' certificates which are imperatively to be recognized by the new board. Now, a word as to the policy of the matter. The hon. member for Pictou says the object was to attain efficiency. Of course, that is predicated upon the assumption that prior to that there was inefficiency, and that has never been denied in this House or out of it. I say so in the hearing of the hon. member who intimated that he was not going to be the new inspector.

Mr. LaRIVIERE. For the information of the hon. member, I deny that the schools were inefficient.

Mr. McCARTHY. That is the first time I have heard that statement made. I defy the hon. member for Pictou (Sir Charles Hibbert Tupper) to say that the object can be attained by this clause. Will the hon. gentleman point out, how it is proposed, that by a board which admittedly would not do its duty in that regard unless we imposed it upon them ; who will therefore seek to evade the duty of having qualified teachers ; how it is proposed by this section to enforce the qualification of a teacher, which after all is most essential. I would be glad if the hon. member would answer me.

Sir CHARLES HIBBERT TUPPER. I shall be glad to answer it so far as I can at the moment. The hon. member (Mr. McCarthy), of course, approaches this question from a different standpoint from my own. First of all, we have to deal with the facts as we find them. Every effort has been made, to put under the Department of Education with fair conditions, the regulations and administration of a system that will do justice to the minority. All efforts in that direction have failed. We have no reason to believe that the Department of Education, a government body, are in the slightest degree friendly to this system. On the contrary, we have positive evidence from the government of Manitoba that they are hostile to the principle of this Bill, and to every feature of it. The hon. gentleman speaks slightingly of this Board of Education which is to be, and whether his idea will be borne out in the future remains to be seen. But, it seems to me, that we in this Parliament, dealing with this measure, are perforce driven to the conclusion that that board will do its duty as effectively in regard to the subjects within this Bill, as the Department of Education does its duty in connection with the subjects that fall under it. We have not been able to obtain their co-operation, but we now attempt to clothe the board with all these powers, and it is due to them to suppose that they will administer this law in a proper spirit. And, having the duty to see that the standerd of qualification is of a certain character, they will take the means, which they have ample opportunity of doing under the provisions of the Bill, to see that these qualifications are possessed by the teachers.

Mr. McCARTHY. Would the hon. gentleman say to what he refers ?

Sir CHARLES HIBBERT TUPPER :

> Provided that the standard of qualification for teachers shall be in secular matters the same as at any time prescribed for teachers of other schools of a public character.

The hon. gentleman's argument is, that the board may not do its duty, and he in effect says that there may be fraud in all this. Speaking at the moment, I consider that we are largely at the mercy of that board in reference to the administration of this Act. There are some checks, but in regard to this question, everything depends on that board showing good faith ; just as the public of Manitoba are at the mercy of the Department of Education in regard to their taking the proper steps to see that properly qualified persons have certificates.

Mr. MILLS (Bothwell) :

> Provided that the standard of qualification for teachers shall be in secular matters the same as that prescribed for teachers of other schools of a public character established under the statutes of the province of Manitoba.

Which no doubt contemplates examination on religious as well as on secular subjects.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman probably understands as well as I do why that word is there.

Mr. MILLS (Bothwell). Yes, but the hon. gentleman will see that it says again :

> Provided further, that all teachers' certificates issued by the Department of Education shall be recognized by the Board of Education.

So that all those teachers who receive certificates from the Board of Education would not be required to be examined in religious subjects to qualify for teaching in the separate schools ; whereas, those who appear before the separate school board may be so required. I could understand the clause if it were to confine the examination by this board to religious subjects, and to accept the certificate in the others.

Sir CHARLES HIBBERT TUPPER. I think the hon. gentleman is pressing the point rather unnecessarily.

Mr. MILLS (Bothwell). No.

Sir CHARLES HIBBERT TUPPER. While these certificates will be accepted so far as they go, the board are not obliged to employ every gentleman who presents a certificate from the Department of Education.

Mr. MILLS (Bothwell). You do not recognize them.

Sir CHARLES HIBBERT TUPPER. Certainly to the extent to which they go. As I said before, the certificate of the Department of Education will be sufficient so far as the educational qualifications of the person is concerned, but, reading the whole section together, the board are in no sense obliged to appoint every gentleman producing that certificate. If other qualifications are required by them for religious instruction, that is a matter for them to settle in regard to the candidate.

Mr. MILLS (Bothwell). I simply want to know what is in the mind of the Government.

Sir CHARLES HIBBERT TUPPER. I do not know what is in their mind, but I speak my own.

Mr. McCARTHY. Surely there ought to be some one here to represent the Government.

Mr. MILLS (Bothwell). The school trustees, and not the board employ the teachers, and the trustees are forced to employ parties having provincial certificates. Why should there be a board to qualify persons with regard to secular matters at all, and yet this board's duties are not limited to further examination of those who are qualified. There must be some reason for this provision standing in this form. I am anxious to discover what it is.

Sir CHARLES HIBBERT TUPPER. Of course, I am not speaking for the Government, but, reading that clause and recognizing what has been said in public discussion and the history of the operation of the old Acts, I think the reason for the distinction there is that, in connection with some of the religious bodies in Manitoba, to whom the minority must appeal for assistance, and even charitable assistance, it would be impossible for a teacher to obtain a certificate under the rules of the general School Act. To submit themselves to a public examination would be impossible—not that they are in any sense deficient, but owing to the rules of some of those religious denominations ; whereas, by the machinery provided by this Bill, the board could be satisfied of those qualifications existing.

Mr. MILLS (Bothwell). By an examination only.

Sir CHARLES HIBBERT TUPPER. Certainly, by an examination, but not a public examination outside of the orders that exist there. That is my idea of this provision.

Mr. LAURIER. I do no question the motive ; it may be all good ; but it is evident that, in the terms of the section, there is an anomaly which, to a large extent, defeats the object of the Bill. The first portion of the section contemplates that the teaching in the schools shall be conducted by men who in secular matters shall be equally competent with the teachers of the public schools, and at the same time competent to teach the tenets of the Roman Catholic Church. It says :

> To arrange for the proper examination, grading and licensing of its teachers, and for the withdrawing of licenses upon sufficient cause ; provided that the standard of qualification for teachers shall be in secular matters the same as that at any time prescribed for teachers of other schools of a public character established under the statutes of the province of Manitoba.

There is no statement here that the teacher who is to qualify for teaching in the separate schools shall be examined in religious subjects ; but that is implied, because in secular matters it is provided that he shall have the same competence as teachers of public schools. Therefore, in other matters he must have an examination. What are those other matters ? Religious matters—the doctrines of the Roman Catholic Church. So that I understand that a teacher to be qualified must have passed an examination in both religious and secular matters. It is further provided :

> That all teachers certificates issued by or under the authority of the Department of Education shall be recognized by the Board of Education.

What does this mean ? It means that a teacher who has a certificate to teach in the common schools, must be accepted by the Board of Education, without further examination, as qualified to teach in the separate schools. In other words, a man who is perfectly competent to teach in secular matters, but not competent to teach in religious matters, may be engaged to teach in the separate schools. Surely this is not contemplated. Immediately before you have provided that a teacher, to teach in separate schools, must be competent both in secular and in religious matters. Surely, the latter provision defeats the first part of the clause. There is an anomaly here which cannot have been the intention of the draftsman of the Bill, whoever he was.

Mr. MILLS (Bothwell). Supposing a teacher is licensed by the Department of Education, is it intended that this board shall have the power to withdraw his license from him ?

Sir CHARLES HIBBERT TUPPER. Clearly not, so far as the license is to teach in the public schools. But they could withdraw his right to teach in their schools. Clearly, under the first three lines of this clause, the Board of Education may make regulations in regard to the holders of departmental licenses ; and may also, for proper cause, and under circumstances which existed when this power was exercised before, withdraw the liberty to teach in the schools constituted under this Bill.

Mr. MILLS (Bothwell). If teachers licensed by the Department of Education were required to have a further examination on the subject of religion and dogma of the Catholic Church, before being qualified as separate school teachers, the withdrawal of the special license in respect to religion would disqualify them from teaching in those schools ; but they do not require any such license to qualify them to teach. I do not see how they are to be touched by this provision for the withdrawing of the license upon sufficient cause. Suppose a man were to be turned out for intoxication, and the Department of Education did not choose to withdraw his license, it seems to me that, under this clause, he would nevertheless be qualified to teach in any school.

Mr. CRAIG. While there may be some point in the objection raised by the hon. member for North Simcoe that the standard set up by the examiners appointed by the separate school board and those appointed by the public school board might not be the same, I do not know that that objection would have a great deal of force, after all, because the board itself is to be appointed by the Lieutenant-Governor in Council or by the Governor in Council. We must assume that they will appoint a proper board; we have no right, on the face of it, to assume anything else. We might raise the same objection to the examiners appointed under the Public School Board. I do not suppose the examiners are the same every year. I know that some examiners are a great deal easier to pass than other examiners, because some have not so high a standard as others. Therefore, I do not attach much importance to that objection. With respect to the other matters, a great deal of stress is laid on the last clause : “Provided further, that all teachers' certificates issued by or under the authority of the Department of Education, shall be recognized by the Board of Education.” Now, it has been said that if this proviso remains here, the trustees who have the formal engagement of the teachers would have the power to engage teachers not properly qualified. I deny that. I hold that the trustees of these separate schools would not have the power to engage any teachers except those who were licensed by the separate school board. The Bill says : Provided further, that all teachers' certificates issued by or under the authority of the Department of Education, shall be recognized by the Board of Education.” What are these certificates for ? We notice, first of all, that the standard of qualification for teachers shall be, in secular matters, the same as that at any time prescribed for teachers of other schools of a public character, established under the statutes of the province of Manitoba. I take it, these certificates only relate to secular matters, and not to religious matters, which are part of the qualification of these teachers in separate schools.

Mr. MILLS (Bothwell). No, the Act is not as you state it.

Mr. CRAIG. It says : All teachers' certificates issued by or under the authority of the Department of Education, shall be recognized by the Board of Education. What do those certificates certify to ? To a certain amount of secular knowledge.

Mr. MILLS (Bothwell). They certify that he is entitled to teach, and the Board of Education is bound to accept them.

Mr. CRAIG. I hold that this certificate only certifies that he is entitled to teach in a public school. If a teacher has a certificate from this Department of Education, then he need not pass the examination of the separate school board.

Mr. MILLS (Bothwell). He need not pass it.

Mr. CRAIG. I go further. While the separate school board has to recognize that he has passed this examination, and need not pass its examination in secular matters, it is not obliged to give him a license until he has passed an examination in religious matters.

Mr. O'BRIEN. The further we go with this Bill, the more incongruities and inconsistencies we discover, and I am not so much surprised that the hon. Minister of Justice should have taken an opportunity to absent himself and leave this House utterly in the dark. It seems to me that the real object of this last portion of the clause is simply a blind. It is intended to make the public believe that the separate school teachers are to have a certain qualification which they need not have. What is the use of telling us that the Board of Education must recognize the certificates of the Department of Education, when it is not compelled to employ the teachers having those certificates, and when it will not employ them. The teachers who practically will be employed will not have that qualification, and the clause will be just as effective without these words.

Mr. McCARTHY. I think my hon. friend from East Durham (Mr. Craig) has been rather hasty in coming to the conclusion that he would vote for this clause. No doubt, he desires that the teachers should be efficient. If he does, he ought to take some practical means of accomplishing that end. Will he tell us why it is we did not leave the matter as it was in the old Act ? The Manitoba Act stopped there, at the end of the second line and half of the third. All the rest is new. The Manitoba Act reads : "To arrange for the proper examination, grading and licensing of its teachers, and for the withdrawal of licenses upon sufficient cause." That is exactly the same as the first part of this section. Why were these words added ? They were added unquestionably because, as has been proved conclusively, the teachers employed in the separate schools were absolutely inefficient and uneducated, and this is an effort made to show that, under the separate schools to be established, they shall be efficient. That is all.

Mr. FOSTER. If your premise is granted, will you object ?

Mr. McCARTHY. I do not object. I want to make it efficient, and if the hon. gentleman is sincere, I hope he will vote for making it efficient. There is no use in putting in a sham. What do you do ? You place confidence in the advisory board because you direct that the standard of qualification shall be that adopted by it. If you are going to have confidence in your new board, why not leave that to it. You have not confidence in it, you know it will not do better now than it did before 1890. You say the Lieutenant-Governor will appoint better members of the board. Look at those he appointed before, from the Archbishop at the head and the distinguished members of the church. Can you improve on those ? And what is the result ? It is that you recognize the advisory board as, at all events, laying down a proper standard, and you are not willing to trust the board you are creating. If you are willing to trust the advisory board in regulating that standard, why not trust it the whole way ? Why do you say you will recognize their teachers' certificates, but you will not allow them to do the whole of the secular work ? Will any one say there is any consistency in that ? Surely, if we want to attain efficiency, a reasonable proposition would be to let the secular examination be made by the advisory board, the religious examination to be made by this board. You will have a uniform system and the secular examination will be as efficient for the separate schools as for the others. Teachers must have passed the secular examination, but it would not be according to law to employ them until they had got a license from this board after satisfying them as to their religious qualifications. I ask the hon. Minister if that does not secure efficiency. He has asked me a moment ago if I objected to it. I do not object to it. I want to secure efficiency, but in some reasonable way. If the hon. Minister will look at the examinations in Mr. Wade's book, which no doubt he has seen, he will find the case illustrated. In appendix (a), is an examination for the Catholic schools and for the others. And you will at once recognize that, although both sections have equal authority and an equal share in proportion to numbers of the public funds, in the one case there was efficiency and in the other there was no attempt to provide for the education of the teachers, or to see to the education of the children. We are not accomplishing what we are attempting to do. The hon. member for Pictou (Sir Charles Hibbert Tupper) candidly stated that we could not do more than we were trying to do, that is to say in the clumsy way we have been trying to secure efficiency. But there is a simple, easy way to secure it which I trust the Government will even yet adopt.

Mr. DAVIES (P.E.I.) I do submit to the leader of the House whether it is quite seemly that the House should be asked to pass these important paragraphs in the Bill without some explanations from the legal advisers of the Government. The hon. member for Pictou (Sir Charles Hibbert Tupper) has given his opinion, but he does not pretend to speak for the Government. The Minister of the Interior (Mr. Daly) and the Minister of Justice (Mr. Dickey), are not here, and some very grave points arise as to our powers and whether we are exercising them properly. In the first place we all agree that we can only legislate within the lines of the remedial order. I would like to ask the Minister of Justice, if he were here, upon what part of the remedial order he relies as clothing us with the authority to legislate according to this section at all. I have read the remedial order and I cannot find it.

Mr. McCARTHY. Nor can anybody else.

Mr. DAVIES (P.E.I.) How are we to know——

Mr. HUGHES. Common sense.

Mr. DAVIES (P.E.I.) Perhaps the hon. member for North Victoria (Mr. Hughes) will bring his common sense to bear.

Mr. HUGHES. I do not wish to obstruct.

Mr. DAVIES (P.E.I.) Rumour credits the hon. gentleman with a strong desire to obstruct. It is said he voted against the Bill being read a second time.

Mr. HUGHES. The House has decided that, so let us get on and get some other business done.

Mr. DAVIES (P.E.I.) The hon. gentleman professed not to want it passed and now he favours the passing of it. Surely he does not wish to pose as Mr. Facing-both-ways. But I wish to call the attention of the committee seriously to this point. It is all nonsense our passing this unless we are satisfied we have the power to do so. We do not want to play at legislating here, I suppose. We are establishing a new board with certain powers, among them that of examination, grading and licensing of its teachers. Where do we get that authority within the lines of the remedial order. I find that it claims for the minority:

> The right to build, maintain, equip, manage, conduct and support Roman Catholic schools.

I do not find that the licensing of teachers can, by any kind of construction, be covered by any of these words.

Mr. WOOD. "Manage."

Mr. DAVIES (P.E.I.) Does the hon. gentleman think it would come under that?

Mr. WOOD. You could put a wide interpretation upon it.

Mr. DAVIES (P.E.I.) I do not think with the widest interpretation the hon. gentleman can force it so far as that. There may be an answer to that point, and I do not want to labour it. But coming down to the other point we were discussing. Passing from the question of our power to act and dealing with the question of policy whether we should act in the way proposed, we are declaring that licensed teachers shall be accepted by this new board. You do not examine them in secular or religious matters; you simply endorse their certificates. But you take other people who cannot pass and who have not passed or obtained teachers' licenses under the advisory board's regulations, you take these and examine them, in secular and, I presume, in religious matters, although it does not say so explicitly. Why is it that you examine some men in religious matters and do not examine others? It seems to me that the only solution of the problem, if you determine that your powers go so far, is to adopt the suggestion made that this board shall examine duly qualified teachers on religious subjects, and, if found qualified, give them certificates.

Mr. WOOD. The hon. gentleman questions first the legal right of Parliament to pass legislation outside of what he terms the limits of the remedial order, and in the second place, he touches upon the matter of policy brought up by my hon. friend from North Simcoe (Mr. McCarthy). Now, as to the first question, whether our authority is wide enough to cover the examination, licensing and grading of teachers, I refer to the argument used ever since the beginning of the debate on this Bill, and that is, that once the government of Manitoba has declined to interfere, plenary power devolves upon this Parliament. There is very much to be argued from a position of that kind, such as my hon. friend from Pictou (Sir Charles Hibbert Tupper) has taken.

Mr. DAVIES (P.E.I.) The hon. member for Pictou (Sir Charles Hibbert Tupper) has not taken that.

Mr. WOOD. If he has not, others upon this side have.

Mr. DAVIES (P.E.I.) Does the hon. gentleman take it?

Mr. WOOD. I do say that very much can be argued from that. While we must all admit that plenary jurisdiction does rest with the provincial parliament, once they refuse to act, then we, having become seized with power to legislate and to remedy admitted grievances, have plenary jurisdiction to supply those defects.

Mr. McCARTHY. Where do you get the plenary jurisdiction?

Mr. WOOD. We get it once the government of Manitoba refuses to regard the remedial order. I say we get the jurisdiction here when there is a refusal on the part of Manitoba to legislate, having been requested to do so. I do not think any hon. member upon either side of the House will question that statement. I say we have plenary jurisdiction, and, once having been seized with the subject-matter of legislation here, we have power to make it effective. Now, with regard to the question of policy, I am unable to understand why the member for North Simcoe would find fault with the proviso here, because it certainly does tend to make the schools more efficient.

Mr. McCARTHY. I suggest an alternative which is more efficient.

Mr. WOOD. And that alternative is that we should do away with the Board of Education we create.

Mr. McCARTHY. No.

Mr. WOOD. Well, if you trust entirely to the certificates——

Mr. McCARTHY. In secular matters.

Mr. WOOD. We have nothing to do with the certificates of our own board, in other words we drop them.

Mr. McCARTHY. What I propose is that they should pass an examination before the advisory board, and get certificates as the teachers in the other public schools do; and pass an additional examination in religious subjects before this board.

Mr. WOOD. You would exclude this board from all power of examining in secular subjects ?

Mr. McCARTHY. Exactly.

Mr. WOOD. My opinion as to the true meaning of that proviso is that once this Bill becomes law, if it ever does become law this session.——

Mr McCARTHY. It is very questionable.

Mr. WOOD. But it is quite possible it will become law during this session of Parliament, and once it becomes law and comes into operation in the province of Manitoba, then I could understand there would not be at first competent teachers. Teachers with certificates would not be obtainable at once for the purpose of teaching in these schools. Now, the proviso says :

> Provided, further, that all teachers' certificates issued by or under the authority of the Department of Education, shall be recognized by the Board of Education.

These men, if you like, might waive the examination on religious subjects. Now, I submit to the understanding of every reasonable man in this House, that it would be quite competent for the separate school board of any section, under the authority of this section, to say : We must recognize this as being a perfectly legal certificate, therefore we will engage this teacher ; and although he may not, perhaps, be fully competent to undergo the test of a religious examination, that is our matter so far as it goes. But at all events, by means of this proviso, we may be able to obtain a teacher who holds a certificate on a standard of examination equal to that which prevails in Manitoba in other respects.

Mr. MILLS (Bothwell). I think the hon. gentleman's views, even though they may have been carefully thought out, are of less authority than the opinions expressed during the argument by Lord Watson on this very subject. He said with regard to our powers :

> The power of Parliament is simply to correct something that has been wrongly done ; not to legislate themselves upon the subject one hair's-breadth further than to set right what has been wrongly done.

The hon. gentleman will see that he proposes to go a good deal further than that. What are the rights of the local legislature ? They have exclusive jurisdiction over all these matters that are of common concern. There is no difference between separate schools and the other public schools. What are these people petitioning for ? What have they appealed to the Governor in Council for ? What are we called upon to legislate for ? To put them in the position of the public schools again, to restore them to the position as provincial institutions entitled to public aid, that they occupied before. Now, in order that they may get that aid, they will require to have provincial certificates. The advisory board are the authorities, under the provincial statute, to examine persons so far as their secular attainments are concerned, and to license them. They do not license them for any particular section, but they give them a license to teach. Well, under that, they may be employed in separate schools as well as in any others. They possess the necessary qualifications. The local government cannot say : We will not give you public aid because you are not a properly qualified teacher. But the local government could legally say : Even though you had the authority to compel them to contribute their proportional taxation to these schools, they could say : These persons are not qualified in accordance with the provincial law ; we do not know their qualifications, we do not know the institutions from which they derive their certificates. Then why do you create difficulties and provide for law suits in this matter when it is altogether unnecessary. All you need to do is to provide for a board to examine these parties, if the minority require them to be examined, as to their qualifications to give the necessary religious instruction that they would be entitled to give if they saw proper, and to give it by persons efficient in that as they are efficient in secular matters. But with regard to those secular matters, surely it is the business of the local legislature to decide what the qualification will be, and by whom that qualification shall be ascertained. Now, you propose to create another body. You do not alter the qualification, you admit that it is a proper standard, you admit their superiority over your own opportunity for forming a judgment, by saying that the qualifications they fix shall be the qualification. Having done that, why undertake to create a second board to do that which the one board can certainly discharge ? It seems to me that the Government are simply putting it in the power of the local legislature and Government to say : These people have not the qualification that our law requires, and you have no right to call upon us to contribute anything from the public revenue to aid these institutions. They are not taught by persons properly qualified. That, I say, is unnecessary, it is creating a ground for litigation, it is creating a ground for antagonism where an excuse ought not to be given, and where you are going beyond that which you are called upon to do.

Mr. DAVIES (P.E.I.) One or two words with reference to the argument advanced by the Controller. I did not believe there was any one in the House who entertained the view of the constitution that he has advanced to-night. Perhaps I misunderstood him, but I gathered that his idea was that the moment Manitoba withdrew from the minority a right or privilege which they possessed under any post-union legislation, that moment the jurisdiction and the plenary power to legislate in the matter transferred to us.

Mr. WOOD. I did not say anything of the kind. I said that after Manitoba had refused to legislate upon the subject at all, it opened up a door for legislation to be introduced into this Parliament. This Parliament having become seized of the subject itself, I said, then, that we did have, if not plenary power, at all events, sufficient power to enable us to enforce the subject-matter we were dealing with.

Mr. DAVIES (P.E.I.) I understand the hon. gentleman to mean, not that any power is transferred to us from the mere fact of their withdrawing it in the first instance, but after an appeal has been taken, a remedial order made, and after they have refused to obey the remedial order, then, I understand the hon. gentleman to say that the jurisdiction attaches to us. The hon. gentleman said also that plenary power attaches to us.

Mr. WOOD. In as much and in so far as would enable us to make effectual, within reasonable limits, the legislation on the subject-matter we have on hand. I might add, on the lines of the remedial order. They both go together.

Mr. DAVIES (P.E.I.) I understood the hon. gentleman to concede that our power to act is limited by the terms of the remedial order.

Mr. WOOD. They are limited by the terms of the remedial order generally, but I still maintain we have some plenary power to make effective the legislation we have here. What would be the use of our simply saying so and so shall be the case, when we know that Manitoba will not put forth a single effort to enforce it ?

Mr. DAVIES (P.E.I.) It is not a point as to whether it is policy for us to go thus far or not. The point I am canvassing is a legal one. The hon. Controller, for whose legal opinion I have the very highest respect, acknowledges that until a remedial order is passed, we have no power, and it is not until the remedial order has been passed and there has been a refusal on the part of Manitoba to obey it, that we obtain power. The hon. gentleman acknowledges that, if Manitoba obeys the remedial order in terms, we have no jurisdiction. There must be a remedial order passed, a refusal on the part of Manitoba to obey, in whole or in part, before any jurisdiction attaches to us, and just to the extent of the refusal to obey does the jurisdiction attach to us. But this proposed legislation goes beyond the terms of the remedial order. It is no use to say that in some way this Parliament has plenary jurisdiction beyond that. It is only playing like children for the committee to go one step beyond what we know is the limitation of our power. The limitation of our power is contained in the remedial order. If hon. gentlemen opposite can show me one word, or one line, in that order giving this Parliament power to enact subsection "b," section 4, I should like them to show it. If not, let the hon. gentlemen opposite withdraw it, and do not go to the farce of adopting the subsection. We have not present the Minister of Justice or the hon. gentleman in charge of the Bill. This committee, composed, as it is, of respectable lawyers and men of commercial standing and common sense, are entitled to be advised on matters of this kind, where the legal talent present come to a conclusion adverse to the constitutionality of the clause. Surely, we have the right to be advised by some legal authority on the part of the Government. An hon. gentleman laughs, but there is the greatest possible doubt on this point, and even such distinguished lawyer as the Controller of Customs will not commit himself to the position that there is a line in the remedial order which justifies this position. If that is the case, what are we doing ? The hon. gentleman insinuates that there may be some plenary power, but he knows there is nothing in that point. The committee ought to be instructed and advised by legal authorities.

Sir CHARLES HIBBERT TUPPER. I think the hon. gentleman is quite right in his conclusion, if his premises are correct, if the Controller, speaking for the Government, is in grave doubt as to whether we have jurisdiction to pass this part of the proposed legislation. But I certainly did not understand the Controller to throw the slightest doubt upon it.

Mr. DAVIES (P.E.I.) I asked the Controller to give the line or any part of the remedial order which he thought gave Parliament the right to pass this subsection, and he could not do it. He spoke of some plenary powers we possessed.

Mr. O'BRIEN. I was going to move an amendment which would put the matter on a better footing, but when we find the ex-Minister of Justice and the Controller of Customs expressing different legal opinions on a matter of so much importance, I think a proper motion would be that the committee rise.

Mr. MULOCK. Let us go on with the Bill.

Mr. O'BRIEN. Then I move :

That subsection "b" of section 4 be struck out, and the following be substituted :—

"b." The provisions in the Education Department Act of Manitoba as to the qualification and examination of teachers and the granting and cancellation of their certificates in force, or which may hereafter be in force, in the province of Manitoba shall apply to the teachers in the

> separate schools established or authorized by this Act; provided always that the teachers who obtain certificates thereunder shall before being eligible to teach in separate schools be required to pass an examination in such religious subjects as the Separate School Board of Education may prescribe.

Mr. LaRIVIERE. What part of the remedial order authorizes the hon. gentleman to propose that amendment?

Mr. O'BRIEN. We are dealing with the Bill brought in by the Government, which is clearly not within the scope of the remedial order, and we are justified in endeavouring to improve it and make it a practical measure. We are not as much anxious in regard to the remedial order as are the hon. gentlemen who are bringing in this legislation.

Mr. FOSTER. The hon. gentleman should have adopted that reasoning a moment ago. Members of the Government were satisfied, and therefore the committee should have been satisfied.

Mr. DAVIES (P.E.I.) One was a question of legality, and the other was one of policy.

Mr. O'BRIEN. We admit that the Bill is illegal, but we are endeavouring to improve it. We wish to ensure that the teachers in the separate schools shall be properly qualified for their duties, and shall possess the same qualifications as teachers in the common schools, but also that the teachers of separate schools shall be granted certificates in regard to religious knowledge. When a man comes before them with a proper certificate as to his secular knowledge, let him pass an examination with regard to his power to give the necessary religious instruction. Undoubtedly the state should get some benefit for the grant which this presumes it is to make. That is the amendment, and it should be accepted, and it will relieve the Government from the responsibility for the ambiguity of these clauses.

Mr. FREMONT. I believe that paragraph (b), which we are now discussing is quite within the scope of the remedial order. That part of the remedial order which the hon. member for Queen's (Mr. Davies) has cited, reads as follows:—

> The right to build, maintain, equip, manage, conduct and support Roman Catholic schools, in the manner provided for by the said statutes which were repealed by the two Acts of 1890, aforesaid.

When the hon. member for Queen's (Mr. Davies) cited this paragraph, he omitted the last words, which are very important, namely:

> In the manner provided for by the said statutes which were repealed by the two Acts of 1890, *aforesaid*.

Therefore, the remedial order instructs the government of Manitoba to enact provisions similar to these which were in force previous to 1890. If we refer to the Act which existed previous to 1890, 44 Vic., chap. 4, Manitoba statutes, we read, in section 5:

> The board shall resolve itself into two sections, the one consisting of the Protestant and the other of the Roman Catholic members thereof, and it shall be the duty of each section:
>
> (b.) To arrange for the proper examination, grading and licensing of its teachers; the recognition of all certificates obtained elsewhere, and for the withdrawing of the licenses upon sufficient cause.

This clause (b), which I have read, corresponds exactly with paragraph (b) which is now under consideration.

Mr. DAVIES (P.E.I.) No.

Mr. FREMONT. It is exactly the same thing. Paragraph (b) of the Bill under consideration provides for the proper examination of the teachers, and for the recognition of certificates obtained elsewhere, that is to say, the certificates obtained from the Department of Education. It also provides for the withdrawal of licenses upon sufficient cause. For these reasons, I think that the clause is altogether within the scope of the remedial order, and I do not see very much force in the argument of the hon. member for Queen's (Mr. Davies).

Mr. DAVIES (P.E.I.) The hon. gentleman from Quebec (Mr. Fremont) will see that the words do not extend the meaning of the controlling words of the section. The controlling words of the section give you power to build, maintain, &c., the schools.

Mr. FREMONT. Not only "build and maintain," but "conduct."

Mr. DAVIES (P.E.I.) The addition of the words does not extend their meaning beyond their normal meaning. The hon. gentleman will see that omission of the words by me in reading the clause does not affect my argument in the slightest. If there are limitations to the old Act, you incorporate them by the use of these words here, and by the use of the words "in manner provided by the said statutes," you do not enlarge the meaning of the words "build or maintain."

Mr. FREMONT. "Conduct and support."

Sir CHARLES TUPPER. I do not intend to detain the committee, but I can hardly understand a motion of this kind coming from the source which it does. The hon. gentleman from Muskoka (Mr. O'Brien) seems to be anxious to be more Catholic than the Pope. This clause provides further: That all teachers' certificates issued by or under the authority of the Department of Education shall be recognized by the Board of Education. It enables a Protestant who has a certificate granted by the Department of Education to be employed as a separate school teacher, if the parties who have the right to employ the teachers so wished, and the amendment moved by the hon. member for Muskoka (Mr. O'Brien) absolutely prevents any Protestant—however desirous the authorities in a separate school might be to have a Protestant teacher for any reason—it prevents the trustees from employing him, and compels them to confine themselves to Roman Catholic teachers. I could understand such a motion coming from some person who says: You are giving too great latitude here; you are making it possible to have a Protestant employed. But I cannot understand it coming from the source which it does, except for this reason, sir, that hon. gentlemen in this House who have taken the ground from the first that they will prevent this Bill from becoming law, will make any motion, and will urge any point that they think is calculated to mar and destroy and disfigure this Bill. It is the source from which these propositions come that induces me to look upon them with a great deal of suspicion. There are two objects. One is the wasting of the time of the House.

Mr. WALLACE. Order——

Sir CHARLES TUPPER. I am perfectly in order: because we have had the intention boldly avowed from the source from which these amendments come, and the House has had ample opportunity to learn that a small, comparatively insignificant section of this House has undertaken to prevent this Bill from becoming law. If there were no other reason to look with suspicion upon these amendments, we must remember that they come from parties who are not anxious to make this Bill a workable Bill, but who are anxious to prevent it from becoming law at all.

Mr. MULOCK. It is extremely unfortunate that the leader of the House should address himself to the committee in this manner. We have been proceeding to-day in a way that cannot be taken exception to by any person who is a fair judge of the motives of the various members. I believe that the discussion up to this moment has been perfectly relevant. There is no clause in the whole Bill so important as this section 4. Some of the clauses are mere matters of form, and will only take as much time to pass as is involved in their reading. But this clause involves a careful examination of the provisions of the remedial order, to see whether we are framing a workable and legal Bill; and I am sure that if the Secretary of State had been in attendance during the hours that this committee has been considering this measure, and had really informed himself of the drift of the arguments, he would not have expressed himself in the way he has done. I would be sorry to misjudge his object; but it occurred to me that he rather feared that we were likely to make progress to-night, and therefore he threw in an apple of discord to disturb the harmony of the committee, lest we should do so. If he were replied to in the way his declamation invited, it would certainly have the effect of interrupting the pleasant course of the debate. I hope he will avoid such disturbing expressions, and allow the committee to proceed with the work it has in hand. He must be aware that we have but a few days in which to legislate.

Some hon. MEMBERS. Oh.

Mr. MULOCK. I speak, Sir, in all seriousness. There is no time to be wasted; and, while some members of this House may perhaps not feel as responsible as the Government, and may therefore not be so blamable if they do go into irrelevant discussion, I submit that the Secretary of State is the last one who is justified in diverting the attention of the House from the subject-matter that is now engaging its attention; and unless he can bring a more peaceable disposition, to bear, I hope he will continue, as heretofore, to confine his attention to that room where he obtains so much personal comfort and relaxation from the duties devolving upon the members of this committee. If he will have the goodness not to import acrimonious matter into this debate, but will allow the committee to proceed, I venture to say that more substantial progress will be made. Now, there are two lights in which this clause is to be considered. One is the legal, and the other is that which appeals to our discretion. First, it must be made clear that the provisions of the clause are within the scope of the remedial order. Our power is limited by that order. This Parliament has no jurisdiction until Manitoba has made default in complying with the demand of this Government. Now, what part of the remedial order calls upon Manitoba to establish a Board of Education, to examine teachers, and to issue certificates of qualification to teachers for the separate schools? Is it the clause which says to build, to maintain, equip, manage, conduct and support those schools? I am unable to think that any of these words have to do with the qualifications of teachers. I think the Controller of Customs depends on the words "to manage.' But that means to carry on a school after it is in full working order, having buildings and teachers. You cannot manage a school until it is a going concern. So that the remedial order did not ask the legislature of Manitoba to provide for the qualification of teachers, and, therefore, no jurisdiction on that subject accrues to us. But passing that point, the question now is, what is wise for us to do? This section provides that the standard of qualification required of separate school teachers shall be the same as that required of public school teachers. Merely to set up an abstract standard accomplishes nothing; it is the living up to the standard that is the real point. If the standard is to be the same for both classes of teachers, why have two systems of examinations? It is an unnecessary piece of expense to provide a duplicate system for doing the same work.

Mr. FREMONT. There were two separate examinations formerly.

Mr. MULOCK. I am aware that there were formerly two examinations. Under that system the board was a creature of the statutes. It disappeared with the statute, and hon. gentlemen are now making the fatal mistake of assuming that a piece of the old board can be treated as still in existence for the purpose of this Act. They are justifying that section of this Bill which creates a new board for separate school education, on the ground that it corresponds literally to that section of the old board. Now, I do not think you can under this Bill create a board at all, as you did not call upon the local legislature to create a board. But even if we had jurisdiction, I would ask the Controller of Customs (Mr. Wood) if he would be good enough to answer me, because he has not exausted himself on this measure. If, under this Bill, the same standard of examination in secular matters is to be maintained for separate school teachers as for public school teachers, why should there be two examining boards instead of one?

Mr. WOOD. If the normal school should have regulations by which certificates would only be granted conditional on those obtaining them teaching only in the public schools, that would prevent their being employed by the separate schools, and thus defeat the purposes of the Act.

Mr. DAVIES (P.E.I.) Are the separate schools not public schools, under this Act?

Mr. WOOD. That is not decided.

Mr. MULOCK. That does not commend itself to me as a reason at all.

Mr. WOOD. I do not think anything I could say would commend itself to you.

Mr. MULOCK. I am really anxious to see what necessity there is for two boards to do exactly the same kind of work. You are simply imposing on the Roman Catholic minority of Manitoba an unnecessary expense by the creation of this new board to do work which is now done by the advisory board. Has there been any desire expressed for this? The petitions do not point to any such desire on the part of the minority. Have the minority, when pressing their views before the Government, in the conference that took place, when Manitoba was summoned to appear, or at any other time, except in the general words of the petition, positively asked for this authority to create a board of examiners? Do they attach any importance to this feature of the Bill, or is it just thrown in by the Government, following the language of the old Act of 1881.

TUESDAY, 7th April, 1896.

Mr. LAURIER. My hon. friend is altogether too inquisitive. He has asked for fair information, but this Bill is to be voted blindly, and the Government are determined not to give any information. Nothing can be fairer than the question put by my hon. friend; and I trust that if the Government desire to make progress, they are not adopting the proper course by refusing to answer questions of this kind. I do not rise to ask a question, for that would be useless, but I want to draw attention to the statement made a moment ago by the hon. Secretary of State, and which, in my opinion, has great bearing, not only on the question before the committee, but on the whole subject. When we began discussing this section, I ventured the opinion that it presented this anomaly, that the teachers of the separate schools have to pass examinations or qualification both in secular and religious matters. They have to satisfy the board of examiners that they are competent to teach secular matters and also competent to give religious tuition. There is another proviso. It is stated that the teachers who are qualified to teach in the public schools shall also be accepted by the Board of Education. That would mean qualified to teach in secular matters, but, as a matter of course it would not follow that they were competent to teach in religious matters. I thought this was the construction. But my hon. friend from East Durham (Mr. Craig) thought I was wrong. I thought it simply meant that, when the teacher has a certificate from the advisory board, he would be competent to be accepted as a secular teacher by the Board of Education, but would have to pass an examination as to his qualification to teach in religious matters.

Sir CHARLES TUPPER. Hear, hear.

Mr. LAURIER. The hon. gentleman says, "hear, hear," approving of that construction. But such was not the construction given a moment ago by the Secretary of State. His construction was that it should be competent—the clause had been specially designed for that—for the trustees of separate schools to engage the services of a Protestant teacher if they saw fit. I want to know if that is the object of the Bill.

Mr. FOSTER. Oh, oh.

Mr. LAURIER. Yes; I want to know it. Here is the hon. member for Provencher (Mr. LaRivière) who represents the minority more than the Minister of Finance (Mr. Foster). I would like to know if he is satisfied with that interpretation. If the minority are satisfied, well and good; I have nothing more to say. But what is the object of separate schools under this Bill?

The object is that in every school there should be given, not only secular education, but religious education as well, from the Roman Catholic point of view. If this is the object of the Bill, and this is the principal thing for which the Government pretend to have been fighting all along, why have we this declaration of the Secretary of State who has charge of this Bill, that it is the object of the Bill that a system of schools shall be established in which Roman Catholic teaching shall be given, yet it will be competent for the trustees of such a school where religious teaching is obligatory to appoint a Protestant teacher who will not be competent to give this education.

Sir CHARLES HIBBERT TUPPER. He did not say that.

Mr. LAURIER. He said it in so many words, and appealed to the generosity of the committee upon it. He tried to browbeat my hon. friend from Muskoka (Mr. O'Brien) for not understanding the liberality of the Government in providing that the trustees might employ Protestant teachers. If it is to be left to the option of trustees of separate schools to employ Protestant teachers, why should they have separate schools at all. This is an anomaly. If it be not an anomoly in the interpretation of the principle of the Bill, I would like to know from the hon. member from Provencher what he thinks of it ?

Mr. LaRIVIERE. If the hon. gentleman had consulted me from the beginning, I would have told him not to move the six months' hoist.

Mr. LAURIER. Perhaps the best argument for moving the six months' hoist has just been given by the hon. gentleman. He will not answer that question, and unless we have another explanation, I must assume that the explanation given by the leader of the House was the right one, that the trustees of separate schools where religious teaching from the Roman Catholic point of view is obligatory may employ a Protestant teacher who is not competent to give that education.

Mr. FOSTER. My hon. friend, if he had any argument in the remarks he addressed to the committee is driven inevitably to one position. Does he take it ? Will he take the position that a clause should be put into this Bill which will render it impossible for Catholic school trustees to employ a Protestant teacher if they wish to do so ?

Mr. MILLS (Bothwell). Most assuredly it should be so.

Mr. FOSTER. That is the point of his argument, and there is no alternative. Is he honest in that or not ? If he is, will he say to this House that he would put a clause of that kind into the Bill. Let me remind the hon. gentleman that Catholic trustees having schools in cities will have schools of more than one department. As very often happens, they may wish to get an expert teacher for some special branch—say mathematics—and they find they can get a Protestant teacher who makes that a specialty. That is not a detriment to the religious teaching which goes on in a school. But my hon. friend takes the illiberal position of prohibiting the Catholic trustees from employing such a teacher.

Mr. LAURIER. I have only this to say,—that if there are to be separate schools in Manitoba in which religious education is to be obligatory, that education must be given by persons who are competent to give it.

Mr. LaRIVIERE. I understand the occasion of this clause is that there are actually a number of Catholic school teachers in Manitoba who have had to qualify under the present existing law, and the object of this clause is to allow these teachers, having certificates from the provincial authorities to come in under the new law and to teach without passing a new examination.

Mr. LAURIER. That is not the interpretation given.

Mr. LaRIVIERE. If you will read it I think that you will find that that is the interpretation. I quite agree in the impropriety of employing a Protestant teacher to teach a Roman Catholic school. At the same time I must say it has never been an absolute rule in our Roman Catholic institutions to refuse the admission of Protestant teachers in their teaching body. For instance, take Laval University of Quebec—you have had some teachers of that important institution who were Protestants.

Mr. SPROULE. On first reading this clause, I felt inclined to support it. I thought this Board of Education was intended for some specific purpose that could not be carried out by the advisory board. My examination of the Bill led me to the conclusion that if there was one duty more than another that could and should be performed by this board, it was the examination of teachers with regard to their religious efficiency. But the Secretary of State having told us that teachers who have passed the examination of the advisory board are equally eligible and efficient, and it is proper to have them teaching separate schools, I do not see any object in having a Board of Education for that purpose. It is only another admission from hon. gentlemen themselves that it was not necessary to have this Board of Education, and that the advisory board could do the work as well. But if it is satisfactory to the Roman Catholics to have Protestant teachers or teachers that have not passed an examination with regard to their moral and religious fitness for their duties, I would vote against this clause, because I do not see any object in giving a specific duty to the Board of Education to examine these teachers in religion and morals if these are not required. For that reason, I shall vote against the amendment of the hon. member for Muskoka (Mr. O'Brien). I hope the Government will do away with the Board of Education, or at least that duty of the Board of Education and accept teachers examined under the advisory board. I differ from the hon. member for North York (Mr. Wallace) in his criticism of the speech of the Secretary of State. At length we have heard from the gentleman who is supposed to be in charge of this Bill. It is really humiliating to think that, when we were sitting here and deliberating on the provisions of a Bill which had been deserted by the Minister of Justice and by the Minister of the Interior, the hon. gentleman who is supposed to have been brought over especially to put the Bill through, has never taken the trouble to open his lips since we have been in committee. I am inclined to think the hon. gentleman does not know anything about the Bill, and is afraid to trust himself to speak on the subject. But we have heard a word from him. He really thought he was going to make another sectarian point. He had been endeavouring all along to arouse the Catholics against my hon. friend who leads the Opposition, and appealed to them because my hon. friend moved the six months' hoist. Now he thinks he can make a point on the other side, and he accuses my hon. friend from Muskoka (Mr. O'Brien) of being more Catholic than the Pope himself. That is the hon. gentleman's idea of politics, apparently. It is not whether this is a wise position, it is not to see whether the Bill can be improved or amended in any way, but his object is to make a little point by which the sectarian bitterness which the hon. member pretends he is here to allay, can be further aroused to his advantage. Sir, there has been no single argument, since we met here, advanced in favour of the sections we have been considering. My hon. friend the Controller of Customs, taking pity upon the forlorn condition of the Treasury benches, stepped forward in an endeavour to defend them, but he soon found out he was travelling unknown paths, and was stepping in where angels feared to tread, and he very wisely withdrew. Now, we have had these provisions interpreted in various ways. Do they mean what the leader of the Opposition pointed out, or do they mean what the member for East Durham (Mr. Craig) pointed out? The contention of the hon. member for Pictou (Sir Charles Hibbert Tupper) is that this proviso sheds light on the whole section, and that, although a man may obtain a certificate from the advisory board, nevertheless, he is not qualified to teach unless he obtains a certificate from the Board of Education. If that is the right interpretation, what is the point of the observation of the Secretary of State? If there is to be an examination, if there is to be a certificate obtained from the Catholic board, what is the point of his observation with regard to my hon. friend's motion in amendment? Now, if that is not the object, it is hard to see what is the proper meaning of the section. One cannot comprehend that one class of men are to be eligible without passing the board, and another class of men are to be eligible only on passing the board. The point is this: Is it desirable that, so far as secular education is concerned, there should be but one examination and one board of examiners? Now, it is important to see what the delegates from this Government proposed in reference to the question of teaching, and to see whether they are not insisting in the Bill on something very different. The hon. hember for Provencher (Mr. LaRivière), who, I suppose, has had a good deal to do with the framing of this Bill, tells us that the object under this latter clause is to allow Catholic teachers who have obtained certificates from the board, to be eligible to teach in separate schools without re-examination. One can understand that, but there is no reason why Catholics who have been examined by the board for the last five or six years, should not be examined by the board in the next five or six years. Is there anything against religion and morals in a Catholic submitting to be examined by the advisory board? Now, what was asked by the commissioners who went from this Government, on the subject of teaching:

> Catholics to have representation on the advisory board; Catholics to have representation on the Board of Examiners appointed to examine teachers for certificates.
>
> It is also claimed that Catholics should have assistance in the maintenance of a normal school for the education of their teachers.
>
> The existing system of permits to non-qualified teachers in Catholic schools to be continued for, say two years, to enable them to qualify, and then to be entirely discontinued.
>
> In all other respects the schools at which Catholics attend, to be public schools and subject to every provision of the education Acts for the time being in force in Manitoba.

Remember, this commission went up, not as an independent commission, but as a commission authorized merely to do what the minority in Manitoba permitted them to do, to accept what that minority allowed them to accept, and really were the representatives, not of this Government, but of that minority, and all they wanted was that they should have representation upon the board of examiners and upon the advisory board.

Mr. LaRIVIERE. I would like to correct the hon. gentleman. The proposals made by the Government delegates were not the proposals of the minority, and they were not made in the name of the minority. In fact, the minority was never consulted in the matter.

Mr. McCARTHY. Perhaps the hon. gentleman will tell us his grounds for saying so. I think he was not in Manitoba at the time.

Mr. LaRIVIERE. What are your grounds for saying they were made in the name of the minority ?

Mr. McCARTHY. Because it is so stated in all the papers.

Mr. LaRIVIERE. We will see when we get the official papers brought down.

Mr. MILLS (Bothwell). The commissioners did not press the normal school matter.

Mr. McCARTHY. I am reading from the suggestions made by the commissioners.

Mr. DEPUTY SPEAKER. Would it not be better for the hon. gentleman to wait until the official papers are brought down ?

Mr. McCARTHY. I shall have to use my own judgment. I am perfectly in order in defending my course here by reference to the proposals made by the commissioners of this Government. Now, if they were willing to accept a Catholic on the board, and a Catholic on the board of examiners, why should we be constituting another board ? Now, with regard to the second part of the clause, it may be that it goes too far. If it be, as my hon. friend says, that in these schools they employ experts, then I think that clause is too stringent. There is no use in creating difficulties. I do not think the Secretary of State is desirous of making this an efficient measure. Although under no circumstances will I support the third reading, I am desirous of making it a good Bill if it is possible, a measure under which the Roman Catholic children of Manitoba will obtain efficient education. That is the object I have in view, and that is the object which the hon. members as a whole should have in view—not a mere matter of party triumph, but the enactment of a Bill under which Roman Catholic children in Manitoba will obtain efficient education. I move in amendment that all the words after "provided always" be omitted.

Mr. LAURIER. That will never do, because I understand from the great liberal speech delivered by the leader of the House it would be put into effect if this were accepted.

Mr. McCARTHY. But I am desirous of meeting the views of the leader of the House. He wishes to let Protestant teachers instruct in the separate schools, and I do not wish to deny him that privilege.

Mr. LAURIER. I cannot agree to that.

Mr. SPROULE. I wish to support the amendment to the amendment, because I never could see any reason——

Mr. HUGHES. I saw the hon. gentleman's name on the paper as seconder of the amendment.

Mr. SPROULE. I did not see it, and I am not aware of it.

Mr. DEPUTY SPEAKER. Both hon. gentlemen are right ; the name of the hon. member for East Grey (Mr. Sproule) has been written as seconder, and has been struck out.

Mr. SPROULE. I thought the hon. gentleman was a little too sharp, and that is nearly as bad as not being sharp enough. It occurred to me that when the board was to be composed of Roman Catholics it was to do work which Protestants could not do, to examine in religion and morals, and that therefore the teachers were to be examined in religion and morals. But when the committee was told by the Secretary of State that if teachers passed examinations before the advisory board they would be equally eligible with those who passed before the Board of Education, then it was apparent that there was no necessity for having the board composed of Catholics. If it be admitted that the teachers are equally eligible if passed by the advisory board, there is no need for the amendment proposed by the hon. member for Muskoka (Mr. O'Brien), and I support the amendment to the amendment. But I might even go further, and say that there is no reason why the teachers should go before the Board of Education, if the advisory board can examine them in everything that is necessary to enable them to teach in the separate schools.

Mr. WALLACE. There is an evident desire for undue haste on the part of the committee in pushing through this clause. From the statement made by the Secretary of State it is obvious that the intention of the Government is to have Protestant teachers for Roman Catholic separate schools. I should like to know a single separate school in Canada that has a Protestant school teacher. The essence of separate schools is instruction in the doctrines of the Roman Catholic Church. You might as well engage Protestant ministers to preach to Roman Catholics on Sunday as to have Protestant teachers to give instruction in the doctrines of the Roman Catholic Church. If the Christian religion is to be taught, it can be taught in the public schools, but not the doctrines of a particular sect. But we are asked to give separate schools in order that the doctrines of the church may be taught by Roman Catholic teachers. They must have teachers who are experts. In the whole city of Toronto the separate schools and public schools are all graded. If they require a Roman Catholic teacher to take the second book, they would equally require one to teach the fourth book class, and so with all the other classes in the school. Therefore, the whole argument as to the necessity for this clause falls to the ground. I think it was the Minister of Finance who said it was obligatory. Well, there is no obligation about it.

Mr. **FOSTER.** I think the hon. gentleman has got the wrong man this time. Would my hon. friend (Mr. Wallace) tell me which of these amendments he is in favour of.

Mr. **WALLACE.** I am going to have a look at them. I am not going to go it blind like the supporters of the Bill, and I will exercise my judgment, and my judgment is that there is no necessity for this clause at all. Now, this Bill says that they shall arrange for the proper examination and grading and licensing of teachers. Now, that is all well provided for under the Act of 1890 to be done by the advisory board.

Mr. **DEPUTY SPEAKER.** Is the hon. gentleman speaking to the amendment or sub-amendment?

Mr. **WALLACE.** It is immaterial, and I will use my own discretion. As the Act of 1890 provides for all these regulations being thoroughly and well carried out, there is, I say, no necessity for providing another board of examiners to examine teachers on the very same subjects. The new board of examiners must necessarily be inefficient, because there would only be about 4,000 children of school age and great expense would have to be gone to in order to examine a few teachers every year. If the standard is to be the same, then it furnishes another argument why you should not attempt to have another board of examiners. You may appoint a new board of examiners and you may say that the standard of examination is to be the same, but if the new board of examiners intend to make the examination light they can easily do so. No matter what the examination papers may contain, if the board of examiners want to let a crowd through they can do so. What has been the experience in the city of Ottawa? I have here the report of the commission relating to the Ottawa separate schools, and it shows a most deplorable state of things, and shows that the separate school teachers in this capital city were most incompetent for their duties. This is the report of friendly commissioners, appointed not by hostile influence, but at the request of the separate school board of Ottawa itself, who were thoroughly dissatisfied with the non-success of the teachers and the poor progress made by the pupils. Every obstacle had been placed in the way of those commissioners. There were first appointed one Catholic and two Protestants. But the two members of the commission who were Roman Catholics were virtually ordered by the Archbishop of Ottawa not to act, and, obeying his order, they threw up the job. The Minister of Education then appointed two other gentlemen to assist the third commissioner, Professor Scott, who had not retired. These gentlemen made an investigation into the schools, and their report is sufficient to condemn the system of examining teachers that prevails here. The report states that these teachers were incompetent for the duties they were appointed to perform. I think the House should read this report. (The hon. member here read extracts from the report.) Now, the language of subsection "b" clearly indicates, contrary to the contention of the Secretary of State, that there must be an examination in religious matters as well as in secular matters. If that is not the case, strike out the word "secular;" then the amendment proposed by the hon. member for Muskoka (Mr. O'Brien) will not be required, and it might be withdrawn. What is the meaning of the phrase "shall be recognized" in the last portion of the clause? Does it refer to secular qualifications only, or does it also include religious qualifications? If all teachers' certificates issued by the Department of Education are to be recognized by the Board of Education, we would like to know it. Is that recognition to be compulsory or permissive? I would like to have this point clearly explained by the Government, as it would influence members when we come to vote on the amendment of the hon. member for Muskoka.

Mr. Deputy Speaker having left the Chair, it was taken by Mr. Mills (Annapolis).

Mr. **DAVIES** (P.E.I.) I would like to ask who is chairman of the committee. If the House is going to adjourn, I would not wish to refuse to the hon. gentleman the privilege of going out of the chamber; but I want our proceedings to be conducted regularly, and if the hon. gentleman is going to retire from the House, I submit that no other hon. member can take the Chair. He is the permanent chairman of committees.

Mr. **FERGUSON** (Leeds). This is a courtesy which has never been refused to the Chairman of committees in this House since he was appointed.

Mr. **DAVIES** (P.E.I.) I am not objecting to his going out as a matter of courtesy for a little while, if he wishes to do so. The sitting can be suspended in the meantime, and I have no objection to suspending it. But the committee cannot legally proceed in the absence of the permanent Chairman, appointed to preside over the committees of the House.

Mr. **WALLACE.** I think the same rule ought to apply to the Deputy Speaker that applies to the Speaker in the Chair. The Speaker cannot call the Deputy Speaker to the Chair, and take a seat in the House; at least, he has not done that. Moreover the Deputy Speaker, being the permanent Chairman of committees, cannot retire from the House and call another to take his place.

Mr. **FERGUSON** (Leeds). I would ask the hon. member for Queen's, who is a lawyer and well versed in procedure, whether the permanent appointment of a Chairman deprives him of the right to call another member to the Chair ?

Mr. McCARTHY. The hon. gentleman supposes that it is the House that appoints the Chairman of the committee. It is the Speaker who appoints him.

Mr. FERGUSON (Leeds). I think that is not the usual procedure.

Mr. McCARTHY. It is the usual procedure. The Speaker leaves the Chair, and calls a member to take the chair of the committee. But the question is, when we have a permanent Chairman, whether he has any authority to do that.

Mr. DAVIES (P.E.I.) The standing order which was adopted by this House in 1885, is perfectly plain. The hon. gentleman has been called to the Chair by the Speaker. He is in the House, and has taken the Chair, and he cannot leave it and appoint some one else in his place. If we are to be kept here all night, I suppose he is to be kept here all night also.

Mr. OUIMET. I think it has been the rule in this House that the permanent Chairman is not required of necessity to preside. The rule does not imply that he can never leave the House after he has taken the Chair. On the contrary, it has been the invariable practice, since we have had a permanent Chairman, for him to leave the Chair and be replaced by another member. I can say, from authority that will not be disputed, that that has also been the rule in England ever since they have had a permanent Chairman there.

Mr. DAVIES (P.E.I.) My point is a very simple one, and we will have to take the opinion of the Speaker upon it if it is not agreed to by both sides. It is that the gentleman chosen by the Speaker to fill the position of Chairman of committees cannot delegate his appointment to another member.

Mr. OUIMET. I presume that the hon. gentleman does not deny that that has been the invariable rule ?

Mr. DAVIES (P.E.I.) As a matter of courtesy it has always been allowed. I only raise the point if there is a determination to compel us to stay here all night.

Mr. OUIMET. I think you ought to rule, Mr. Chairman, that you are rightly in the Chair.

Some hon. **MEMBERS.** Question.

Mr. O'BRIEN. It is very agreeable to the House to find hon. gentlemen a little more cheerful than they were a short time ago when they found themselves unable to answer any objection raised on constitutional grounds to the clause under discussion. The hon. Secretary of State was only fulfilling his proper function when he spoke in that dictatorial tone in which he is such a proficient. He is here not leading the House, but endeavouring to insult and brow-beat or read out of the party, members who do not feel disposed to act according to his dictation. With regard to the amendment, if it is not desirable that it should be imperative upon this Board of Education to require this religious qualification, why not change the word "shall" into the word "may" in the amendment, and we would then have a proposal which would commend itself to the common sense of the House. The certificates as regards secular education would be granted by the advisory board, so that there should be a uniform standard throughout the province, and then if the Board of Education representing the minority desired religious qualification, they might give it. No doubt, in the ordinary management of the separate schools, Roman Catholic teachers would be engaged ; but if the trustees wished to engage anybody else, they would be at liberty to do so.

Mr. MULOCK. Now that I see the hon. Minister of Justice (Mr. Dickey) here, I would ask him the question which I put some time ago, whether the minority have ever asked for this provision ?

Mr. DICKEY. As I understand the matter, this is one of the powers which the Catholic section of the board had before 1890 and was part of the organization of the schools. It is a very important part. The clause is not as wide as it was before 1890, an effort having been made to limit it in the direction that would secure the recognition of a certificate granted under the Public School Act. It is part of the rights which Catholics had before, and therefore one to which they are entitled.

Mr. MULOCK. Has it been asked for by the minority ?

Mr. DICKEY. I understand this to be one of the powers asked for by the petition and adjudicated upon.

Mr. MULOCK. I do not find any reference to it in the petition.

Mr. DICKEY. You will not find a number of other things in the petition, but it surely is included.

Mr. MULOCK. I do not find it in the petition or the record. The point was taken that we had not the power to confer upon the advisory board the duty of examining candidates for the separate schools. I argued that there is nothing in the remedial order saying what body shall examine, but the proviso makes it imperative on the separate school board to recognize the certificate of the advisory board. You are assuming that you have the power to compel the Board of Education to recognize the certificate granted by the advisory board. If that proviso is valid, then a clause to that effect generally applicable would be equally valid, and it is simply a question of policy as to whether or not we should pass this clause. It is certainly advisable to have a uniform standard of examination, so that the teachers in the public and separate schools shall be all equally qualified. The presumption must be that the separate school board will not attach as much importance to qualifications in secular matters as will the other board; and yet in the battle of life, it is of great importance that the secular side of education should not be neglected. If we have an inferior class of teachers in charge of the minority, the minority will suffer. Now, this Bill acknowledges the importance of a high standard of education in the separate schools, by declaring that the standard of qualification of the teachers shall be the same as that of public schools. But a declaratory clause like that must be backed by effective machinery. I should like to know how you can have equally good results from two separate boards, each pursuing a policy of its own, each adopting its own standard. Who is to be the judge as to whether the standard of separate school examinations is equal to the standard of the public school examinations? And if the separate school board adopt an inferior standard, how are you going to compel them to raise it? By this subsection, you are going to do injury to the Catholic minority.

Mr. FAIRBAIRN. Are they complaining?

Mr. MULOCK. This is being forced upon them. They have never asked for it.

Mr. FAIRBAIRN. Have they petitioned against it?

Mr. MULOCK. We supposed they were quite able to point out wherein they are wrong. They have had able counsel to put on paper their grievances.

Mr. FAIRBAIRN. Has not their counsel agreed to this?

Mr. MULOCK. We have been told that subsection 2 of section 3 was put in at his request, but what were his reasons we do not know. At any rate, the petitioners did not ask for this in their petition, as the Minister of Justice has admitted. He does not pretend to say that the minority asked for it in the petition except in very general terms.

He certainly attached no importance to this, as shown by the fact that he proposed a system of joint examination. The system in Ontario, to which I have referred, has worked well, and I fail to see why it should not work well in any other province. The duplicate system of examination of teachers is one of the most unfortunate features of this Bill, in respect to the machinery provided for carrying this out. Why should we not lighten the burden of taxation as much as possible, and refrain from imposing new burdens? Not one argument has yet been advanced in support of this clause. I mention that in the presence of the hon. member for Provencher (Mr. LaRivière), who takes a deep interest in this Bill, and, I think, tries to be reasonable.

Mr. LaRIVIERE. Yes, I try to.

Mr. MULOCK. I believe so, and I believe that, if this Bill were submitted under more favourable conditions, this clause would never be pressed. As one who has had something to do with this very feature in connection with educational matters, I submit there is no necessity whatever for a duplicate board to conduct examinations for denominational institutions. I am sure the hon. member for East York (Mr. Maclean) will corroborate me, speaking from his experience in connection with educational affairs in the province of Ontario. I do not wish to allow that unfortunate feature of the Bill to become law without placing my views upon record. The Government have their majority, and, if they are determined to use it, not wisely, but obstinately, they will pass this into law. They are professing to give bread to the minority in this respect, but they are giving merely a stone.

Mr. MACLEAN (York). I was about rising to say almost the very words used by the hon. gentleman (Mr. Mulock). I know something of the condition of education in Ontario, and I know that the separate school system of that province has been improved, and has done better service to the minority every time they have adopted a part of the common school system. There was a time when they had teachers' examinations of their own, but they adopted the public school examinations, and, as a result, there has been a distinct improvement in the separate schools of Ontario. I cannot see why this duplicate system of examination should be foisted on the province of Manitoba. Why cannot we adopt the certificates of the provincial examinations, and thus save energy and save money. The great objection to our system of education in the past has been the waste of energy. Our universities in Ontario have been improved, just as they have come to see that they should not waste their energy in duplicate teaching. The result of duplicate teaching in the three or four universities in Toronto had been divided energy and poor work. Gradually they are coming to see that the best way to advance education is to conserve energy on all possible occasions. I am glad to see that the Methodist body is one of the first to find the futility of wasting energy in duplicate teaching. I hope the day will come, too, when Trinity University will join with the Provincial University, and in that way really promote the cause of education. This undue and unnecessary duplication of the examining power in Manitoba does not exist in any other province, and no reason has been given for introducing it into Manitoba.

Amendment to the amendment (Mr. McCarthy) negatived : yeas, 10 ; nays, 33.

Amendment (Mr. O'Brien) negatived.

On section 4, subsection (b).

Mr. O'BRIEN. To meet the views of the Secretary of State, I would like to change the word "shall" to "may," in the last amendment, so as to leave it optional with the Board of Education. As an amendment to the clause, I move the former amendment, with the word "shall" changed to "may."

Amendment (Mr. O'Brien) negatived.

Mr. SPROULE. I wish to ask the Minister who has charge of the Bill, what interpretation he puts upon the 29th and 30th lines of the clause. Does he consider that as making them competent to teach in these schools under the circumstances ?

Mr. DALY. Yes.

Subsection (b) agreed to.

On subsection (c).

> (c.) To select all the books, maps and globes to be used in the schools under its control ; provided, however, that no book, map or globe shall be selected unless such book, map or globe has been authorized for use either in the high or public schools of the province of Manitoba or in the separate schools of the province of Ontario.

Mr. FREMONT. I beg to move :

> That all the words after "under its control" in the second line of subsection (c), clause 4, be struck out, and replaced by the following :—
>
> Provided, further, that in the case of books having reference to religion and morals, such selection shall be subject to the approval of the competent religious authority.

Mr. FREMONT. (Translation.) This clause is one of very considerable importance, as regards the proper administration of separate schools so as to give satisfaction to the Catholic minority. Under the old law, prior to 1890, the separate school board had the choice of the school books which they thought fit to adopt for the education of the children attending the separate schools. That law will be found in statute 44 Vict., chap. 5. The terms of the statute are identical with those of the amendments I have just submitted to the committee. Now, the right of the minority to select their own school books was recognized by the British Privy Council judgment, as will be seen from the following extract I am going to read to the House, in which it is pointed out that it is one of the privileges specially recognized by the Privy Council :

> The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed has been affected by the legislation of 1890. Their Lordships are unable to see how this question can receive any but an affirmative answer. Contrast the position of the Roman Catholics prior and subsequent to the Acts from which they appeal. Before these passed into law there existed denominational schools, of which the control and management were in the hands of Roman Catholics, who could select the books to be used and determine the character of religious teaching.

So, it is explicity set forth here that one of the privileges previously enjoyed by the Roman Catholics was that of selecting their own school books. Further, this privilege has also been formally recognized by the remedial order, and I believe that we should give the minority the very same privileges which they enjoyed prior to 1890. This clause as it stands in the Bill now under consideration does not give full satisfaction to the Catholic minority. If you read attentively that paragraph, you will find that the privilege granted is not such as to satisfy the minority. It reads as follows :—

> (c.) To select all the books, maps and globes to be used in the schools under its control ;

But, Sir, let us weigh carefully the limitation which is made to the law as it stood prior to 1890, as follows :—

> Provided, however, that no book, map or globe shall be selected unless such book, map or globe has been authorized for use either in the high or public schools of the province of Manitoba or in the separate schools of the province of Ontario.

I believe that such a limitation takes away any credit the clause might otherwise claim, and under this paragraph no privilege is granted to the Catholic minority, as it is enacted that they have the right to select the text-books, but only so far as those books have been authorized for use by the Department of Education of the province of Manitoba. It seems, therefore, that the privilege as to the selection of text-books is not enacted under this clause as it should be, in favour of the Catholic minority.

It is further urged that they may select text-books authorized for use in the separate schools of the province of Ontario. I think, Mr. Chairman, it is, to say the least, very strange and at variance with the elementary notions of any good Administration to force a Board of Education to apply to an outside power for the choice of its books. It seems most remarkable that the Board of Education of Manitoba should be forced to apply to another province for text-books to be used in the schools under its control, for it is the Department of Education of the province of Ontario which is here constituted judge under this clause, as no books can be selected unless such books are authorized for use in the separate schools of Ontario. It seems to me that this point will give rise to difficulties in practice. To my mind, it would be far better to restore to the separate school board the privilege which the minority enjoyed under the old law, that is, of selecting their school books as they think fit. Evidently they will use, as far as possible, the books already in use in the Manitoba public schools, but as to books having reference to religion and morals, the separate school board should be vested with the authority of selecting books relating to morals and religion, subject to the approbation of the competent religious authority.

Mr. MARTIN. I want to know from the hon. member why he does not propose that the Quebec system, by which the books selected by the priest, shall be applied to the province of Manitoba.

Mr. FREMONT. In the province of Quebec the priest does not choose the books.

Mr. MARTIN. In Manitoba the school books on morals and religion were chosen by the head of the Roman Catholic Church, the archbishop, and I ask the hon. gentleman why he adopts that system rather than the system in the province of Quebec under which the curé selects the books.

Mr. FREMONT. The hon. gentleman is mistaken. In the province of Quebec the curé has nothing at all to do with the choice of books. It is the Catholic section of the Council of Public Instruction that chooses the books. That has been the law over twenty years.

Mr. MARTIN. That is different from your proposition.

Mr. FREMONT. My proposition is exactly the law as it stood in the province of Manitoba, that is, that this Board of Education, which replaces the Catholic section of the old council, shall choose the books, but that those books, when they relate to religion or morality, shall be subject to the approbation of the competent religious authority, that is, I suppose, the Archbishop of Manitoba.

Mr. MARTIN. In the province of Quebec, under the old law, which the hon. member for Bagot (Mr. Dupont) says was changed about twenty years ago, the books were chosen by the curé. At present, are those books chosen by the Catholic section of the Council of Public Instruction, subject to the approval of a competent religious authority ?

Mr. FREMONT. No.

Mr. MARTIN. Then why does the hon. gentleman propose a different method for Manitoba ? Because that was the old law, or because it is the better way ?

Mr. FREMONT. Because that was the old law, and, I think it should be adopted as it was before 1890. The reason I propose the amendment is that the Bill, as it stands does not give any privilege to the minority. It gives them the privilege to choose from among the books that have been adopted in the public schools. That is not a privilege. As an alternative, it gives them the privilege to select those in use in the separate schools of Ontario. Well, I think there is a great deal of inconvenience in obliging the Department of Education of one province to make application to the Department of Education of another province to choose books for use in their schools. I think each province should be left to administer its own affairs without reference to another province in matters of this kind. For these reasons, I have the honour to move this amendment, seconded by the hon. member for Bagot (Mr. Dupont).

Mr. OUIMET. This amendment, if accepted, would imply that the separate school board provided by this Bill, composed, as it is to be, of Catholics, could come into conflict with the religious authorities. I protest against the assumption that there might be a conflict or division between the Catholics and their clergy. The reason for this clause, as drafted, is that uniformity in the teaching and in the books of the separate and public schools is of great advantage. A Catholic may live in a community where there are very few of his own creed; he may have to send his children to the public school ; and, if so, his children will have the use of the same books that they have been accustomed to in the separate schools, except books on religious subjects. This is a great advantage. I must admit that a good many of these clauses have been arranged to meet that general charge of inefficiency that has been brought against the Catholic schools as they existed before. This charge has never been admitted by the Catholics of Manitoba; but the opponents of this Bill have made so much of it that it is important that the country should know that the separate schools we are creating will be, in every detail, certainly the equals of, if not superior to, the public schools, and this will go far to dispel any idea in the public mind that we are going to establish inferior schools for the Catholics of Manitoba. The charge that the Catholics are disposed to accept for their children an education inferior to that given to the Protestant children, is utterly without foundation ; and everything that could give colour to that charge has been excluded from the Bill. Again, the Catholic Church is composed of laymen and clergymen, and they are one. It would certainly be a libel on the Catholics, as a body, to assume that the laymen supporting the Catholic schools could be divided with their clergy on matters relating to morals or religion. This clause should be accepted as it is, with the few verbal amendments that have been asked by the representatives of the minority, to make it more perfect.

Mr. DUPONT. Give us the words of the amendment you intend to propose.

Mr. OUIMET. The clause, as amended, will read as follows :—

> Provided, however, that no book, map or globe shall be selected, unless such book, map or globe is now in use either in the high or public schools of the province of Manitoba or in the separate schools of the province of Ontario.

Mr. BRODEUR. What is the effect of the amendment ?

Mr. OUIMET. The section, as it stands, provides that only such books, maps or globes as have been authorized for use shall be selected. We are informed that there is no such authorization existing. There is another reason for the amendment, that the books now in use are known, especially those in use in the province of Ontario, and against these no objection can be raised.

Mr. WALLACE. I think objection can be raised against the books in use in the province of Ontario.

Mr. OUIMET. Not by the Catholics.

Mr. WALLACE. Yes, by the Catholics. I have a report in my hand, and I am sure that it will be news, and welcome news, to the hon. Minister that the Roman Catholics of the city of Ottawa have objected to the books used in the separate schools of that city. I will take the liberty of reading some of the objections made by Mr. J. F. White, the superintendent of the separate schools in the city of Ottawa. Here is the report of the commission appointed by the Ottawa school board to examine into the school books used in the separate schools. You will see by this report that the books are condemned wholesale. Beginning with the primary books of the De la Salle series, they are pronounced utterly unsuitable. In the preliminary reader, the lessons are pronounced not well graded, and the selection of subjects poor. The report goes on to say:

> Such subjects as providence, obedience, the theatre, are unsuitable for pupils beginning to read. The sentences, as a rule, are without connection and logical sequence, and would prevent any kind of naturalness in reading.

Yet these are the books which the hon. Minister of Public Works would foist upon the province of Manitoba. If there is one thing that the separate schools have steadily neglected, it is the art of reading, which is one of the most important accomplishments. The report says that it is impossible to teach the children to read out of these books. The clause provides that no book, map or globe should be selected unless it has been authorized for use either in the high or public schools of the province of Manitoba or in the separate schools of Ontario. Now, we may take it for granted that the public schools will not be selected. If they would, that would be an additional reason for having no separate schools, but continuing the plan of public schools. One of the principal reasons why the minority want separate schools is because of these different school books. If the books in use in the separate schools of Ontario be selected, I have shown what kind of books these are. Mr. Leblanc, himself a Roman Catholic, and superintendent of the schools, endorses this report, which is made by the Roman Catholic separate school trustees of the city of Ottawa, and that report contains this sweeping condemnation :

> On the whole, we consider that the primary readers of the De la Salle series have no redeeming features.

The readers are utterly condemned by the school trustees of Ottawa endorsed by J. F. Leblanc the superintendent who is a good authority. This is a very valuable report, and I would not be doing my duty to the country if I failed to call attention in the strongest possible manner to the condemnation of these separate school books, before we adopt them for the province of Manitoba. The report says that the primary book has not a single redeeming feature, and that although the elementary book is a little better it is still utterly bad. Now, as regards the report of the superintendent himself, with regard to these books which the members of the House of Commons are asked to force upon the people of Manitoba. He says that most of the geography should be done away with altogether, and that it should be revised up to date. I presume that the member for Victoria and myself have learned from Morse's Geography of forty years ago, in which the United States is given as one-fourth of the whole world, and Canada is represented as a little strip of land with Esquimaux dogs to drag the inhabitants around. I presume that is the kind of geography they have in the separate schools of Ontario. All the discoveries, and changes of recent years are not referred to at all.

Mr. EARLE. If those text books are used in the province of Ontario why did you not take some steps to remedy it ?

Mr. WALLACE. In the year 1894, I left Ottawa and spent three weeks going through the province of Ontario to try to induce the people of Ontario to remedy this. I tried to drive out of power the government that forced these books on the province.

Mr. EARLE. You were not successful ?

Mr. WALLACE. No, but it was not my fault.

Mr. McLEOD. Did the members on the other side of the House assist you ?

Mr. WALLACE. No, and mighty few on this side of the House although they were

Conservatives. I know of but two or three Conservatives who left the House to assist me.

Mr. HUGHES. Did the hon. member for North Simcoe (Mr. McCarthy) assist you in that campaign ?

Mr. WALLACE. I do not think he did, nor I do not think the member for North Victoria (Mr. Hughes) did either.

Mr. HUGHES. The member for North Victoria did a good deal.

Mr. WALLACE. Excuse me, I am just expressing my opinions.

Mr. HUGHES. I beg to correct the hon. gentleman. I say that the member for North Victoria did a great deal more than the member for West York.

Mr. WALLACE. We redeemed our constituency in West York and that is more than the member for North Victoria can say.

Mr. HUGHES. That is because Toronto was added on to it.

Mr. WALLACE. No, it was not.

The CHAIRMAN (Mr. Mills, Annapolis). The question is on the amendment.

Mr. WALLACE. I am not going to be deterred from discussing it by the question being on the amendment. We know that. If you have any other information to give we will be glad to receive it. Another objection to this precious separate school geography which the House is asked to force upon the province of Manitoba, is, that it does not give much information about the country we live in. What is more required among our youth than to give them a knowledge of our country, and to teach them the immense capabilities of our great Dominion. Yet the inspector says that this geography is lamentably deficient in this. Mr. White the superintendent then condemns the arithmetic in use in the public schools, and this is the arithmetic which the Parliament of Canada is asked to compel the schools in Manitoba to use. I think the House should pay great attention to the strong language which these books are condemned by the trustees and by a superintendent of the separate schools of the province of Ontario. I will use every argument to appeal to the reason of hon. gentlemen, not to press this Bill. My experience is that when you appeal to the reason of this intelligent assembly, you never appeal in vain. I have no doubt that I have converted the Minister of Public Works to my idea. I know that when he sleeps over it he will say that I am right, and that I am endeavouring to aid him in his desire to have the separate school children as well educated as the common school children. I am not expressing my own opinion upon these books, but I am expressing the opinion of Mr. White, the superintendent of the separate schools of Ottawa, whom you all know well and whom you believe to be a competent authority. The inspector states that the history of Canada used in the schools, though good in several respects, contains too little material, that one of the text-books on English history could be dropped, and that in composition, a book is not necessary, the teaching of it being more dependent upon the teacher than on the text-book. You are proposing to force these objectionable or unnecessary books on the province of Manitoba. The inspector also points out that there is not a uniform price charged for the books used in the schools. I have called attention to the unnecessarily high price of the text-books used in all the schools of Ontario. Experts in the business have told me that the men who handle these books could sell them at one-half their present price, and make a good profit.

Mr. INGRAM. How do you account for them being so dear ?

Mr. WALLACE. By the monopoly established by the Ontario government.

Mr. MACLEAN (York). Is the gentleman who is building the sanitarium for consumptives one of that monopoly ?

Mr. WALLACE. I believe he is.

Mr. MARTIN. And yet you are going to force that on Manitoba ?

Mr. WALLACE. Yes, and these gentlemen who know that, are supporting this measure. The price of these books are an enormous burden on the people who send their children to the public schools, and a greater burden on those whose children attend the separate schools, because they are smaller in numbers, and they, necessarily, have to pay a higher price.

Mr. HUGHES. Has Mr. W. J. Gage, or any of the publishers referred to, anything to do with the publication of the separate school books ?

Mr. MARTIN. It easily might occur. The objection is that the people of Manitoba are subjected to what is done in Ontario by the Ontario government, without being in a position to hold that government responsible. They would be quite helpless.

Mr. WALLACE. Does the hon. member for North Victoria (Mr. Hughes) deny that there is a monopoly of the public school books in Ontario ?

Mr. INGRAM. Nobody denies it.

Mr. WALLACE. More than that, I know a book used in the separate schools of Ottawa which is a subject of monopoly in Ontario.

Mr. MARTIN. The case is very much worse, because in Manitoba the people would be absolutely at the mercy of the publishers of separate school books for Ontario. These publishers might be restrained by some fear of the people of Ontario, but in Manitoba they could double or quadruple their prices.

Mr. MACLEAN (York). The hon. member for North Victoria (Mr. Hughes) said that the public school books of Ontario could not be adopted by the separate schools of Manitoba.

Mr. HUGHES. I never said anything of the kind.

Mr. MACLEAN (York). The clause provides that they may use any book authorized for use in the high or public schools of Manitoba, and they have adopted some of the Ontario school books. In that way Ontario public school books do go into Manitoba, and the Ontario monopoly presses upon the public schools of Manitoba.

Mr. WALLACE. Manitoba, being a small province, may not feel able to afford the large initial expense of starting an independent series of school books. While that is only a small thing for the population of Ontario, it would be an enormous undertaking for a small province like Manitoba. Therefore, the Ontario school books are used in that province and under this Bill the school works, which are under this monopoly, and which are open to the very serious objections I have pointed out, will be thrust upon Manitoba. In every clause of this Bill the expense is piled up. It is the old story that men can be very liberal with other people's money. We are saddling the enormous expense of this dual system of boards of education upon Manitoba ; but what do we care ? Manitoba will have to pay. In the last clause of the Bill power is reserved for further legislation by the Parliament of Canada at any future session. The result will be that we will have these same gentlemen, who are petitioning for this Bill, coming back to us in order to get rid of some of its incongruities and inconsistencies. They will also complain that, while we have provided the machinery we have not provided the funds to meet the expenditure. It is not likely that Manitoba will contribute anything, and in that case we will be called upon to pay the cost. All the provinces of the Dominion, all the people in those provinces, Protestants as well as Roman Catholics will be called on to provide funds to enable this proposed law to be operative.

Mr. HUGHES. If I remember right, a few days ago, the hon. gentleman urged, as one reason why this Bill should not be passed, the fact that, if it became law, it would become irrevocable. If that be the case, I would like to know how it would be possible for this House at some future date to vote any money ?

Mr. WALLACE. I was not expressing my own opinion only when I made that statement, but I quoted the opinion of the Privy Council of Canada, and I assumed that the Canadian Government were competent judges. I do not know that the hon. gentleman who has interrupted me is a bright light in the legal profession himself. I am told he has practiced at the Bar, but I do not know with what success. I do not know that he stands as high in the legal profession as the Minister of the Interior or the Minister of Justice or the late Minister of Justice, who formed part of the Privy Council, and who came to this conclusion. Now, with regard to the point that if this legislation be irrevocable, there can be no further legislation, I would tell the hon. gentleman that irrevocability means that the legislation you do pass you cannot change.

The inherent right of every legislature is to repeal its own law, except in this special case, in which the Privy Council has declared that that right does not belong. Clause 112 of this Bill is irrevocable, and it opens the door for further legislation. We cannot repeal what we have passed, but we may enact further legislation, and as no money provision is made for expenses here, we can under new clauses vote sums of money belonging to the people of all Canada, and vote them not for all the people of Manitoba, but for a section of the people of that province. That principle is all wrong. If you vote money for a section of the people of Manitoba, why could you not vote it for a section of the people in other provinces ? For all these reasons, this clause should be simply dropped out. The whole thing should be left to the province of Manitoba, as it is in the province of Ontario. There are no complaints in Ontario that they interfere with any rights that may have been acquired in regard to separate schools. Why should we suppose that the people of Manitoba, with the same desire to promote the best interests of their province, and the same anxiety to have their children educated for their fight in the world, would act in a different manner from the people of Ontario. The people of Ontario have a separate school system granted by law, but they have never asked that this machinery you propose to force on Manitoba should be given to them. You deprive the people of Manitoba of that right of self-government which every province should possess, and which in our experience of the Dominion every province has exercised wisely. We have found that if a province should make a mistake, the people of the province were ready to remedy that under their own constitution. The more you examine into it, the more inexcusable it appears that the Dominion Parliament should have the assurance to say to the people of Manitoba : We will tell you what kind of school-books you have the right to supply to your children. There is no sense or reason in trying to force these miserable school-books on the people of Manitoba. The people of Canada are too intelligent and fair-minded to give their assent to any such proposition. Bear in mind, that in a very short time we will have to go before our constituents, and when we tell them, or rather when some hon. gentlemen tell them : We forced such school-books down the throats of the people of Manitoba, our constituents will asks us why ? "Oh," these gents will say, "because it was in the Bill," and when we are asked who made that Bill, our answer will have to be : The Lord only knows. The Government cannot explain anything about it. The Minister of the Interior says : We will wait until Dickey comes, and when Dickey comes, he says : Hold on till Ewart comes down, and when Ewart comes down he don't understand it any more than the others. The massive intellect of the Minister of Railways, sleeping on his desk, cannot give any information about it. He simply says : Vote it through, boys. That kind of logic may do for the House of Commons, but it ain't worth a cent in the country. Here we are discussing the most important legislation Canada has ever seen at 4 o'clock in the morning, and only two members of the Government here. We have been three or four days discussing this important Bill, and we have only been able to pass about one clause a day.

Mr. FRECHETTE. Whose fault is that ?

Mr. WALLACE. It is the fault of the Government, because we cannot get any information about it.

Some hon. MEMBERS. Question.

Mr. WALLACE. Am I not discussing the question, Mr. Chairman ?

The CHAIRMAN. Well, not too closely.

Mr. WALLACE. But just close enough to strike the happy medium which is very desirable in all things. I have now made some preliminary observations on this Bill, but I have a large amount of information to give with regard to the school-books used under the old system in Manitoba. They tell us that they enact this legislation because it is in the old law. Well, that is the worst possible argument for me. Is that an argument to use in the most intelligent Parliament that Canada has ever seen, and especially is that an argumenet to be used in presence of the pick and choice of that Parliament, who now sit around me, listening attentively to my few remarks ? Was there ever a poorer, weaker, more fallacious or unreasonable argument submitted to any assembly of men ? Now, the Chairman tells me that the hon. member for West Elgin (Mr. Casey) has arrived. I do not know what he means by that. Does he mean that I am to repeat all the arguments that I have used ?

Mr. CASEY. I would like to hear them.

Mr. WALLACE. If the hon. member wanted to hear all those valuable arguments, why was he not here ? But I have so much new matter, that I ask him to pay attention to what is yet to come—if, indeed, it is necessary to make any more observations after the few remarks that I have made. I am sorry that the Minister of the Interior has not been here through the whole of my remarks.

Mr. DALY. I have been here all the time.

Mr. WALLACE. Then I am sure the Minister of the Interior is now of the same opinion as myself. He comes from the province of Manitoba, and I have no doubt he was acquainted with all these facts before ; but I have refreshed his memory, and I am sure that the arguments I have offered will impress his mind, because no man is more susceptible to sound, solid argument than the Minister of the Interior. I regret, Mr. Chairman, that you have not been in your place during all of my remarks, because I am sure that the information I have given would have been received by you with delight. I know your desire to obtain accurate knowledge, and I regret your absence, not merely for your own sake, but for mine, because I like to have an appreciative audience.

Mr. DEPUTY SPEAKER. The question is on the amendment of Mr. Fremont.

Mr. WALLACE. I regret to say that I cannot support that amendment, or the clause, either ; I am against both. There is no reason why this House should adopt that clause. You are proposing to re-establish in Manitoba the old system that was discarded by the people there, because it was an utterly bad system. Is there any attempt to show that it was a useful or efficient system ? The only argument of the Government is that the Bill re-enacts the old law. That is no argument at all to appeal to intelligent men. Here is a most important statement which was made by the Manitoba commissioners at the conference held a few days ago :

> At present in every city, town and village in the province, outside of Winnipeg and St. Boniface, the Roman Catholic children attend the public schools. Not a word of complaint is heard. Absolute contentment and satisfaction prevail. The children have the advantage of efficient instruction, and numbers of them are qualifying themselves to become teachers in the public schools. We do not hesitate to say that not only is there no desire to separate, but, if left to themselves, the Roman Catholic people in the cities, towns and villages, outside of Winnipeg and St. Boniface, would not consent to a change in the direction indicated.

In the face of that statement, can we not fairly ask the Government to drop this Bill? Now, I have a lot of valuable information here, but though I think it is of the greatest importance that I should give it to this House, yet I realize that I have imposed on your patience although I have received your careful and undivided attention, for which

I feel grateful at this late hour. My eloquence has sent the hon. member for Halton (Mr. Henderson) to his slumbers and the hon. member for North Victoria (Mr. Hughes) pretty far in that direction. I shall not trespass on your time, Sir, any further. At a later stage, I shall have further observations to make, because I know the House is anxious to have this question decided. I have just made an introduction to the question, as it were, and you have listened with such attention, and the hour is so late that no doubt the Government will be glad they moved the adjournment of the debate and permit the members to go to their homes. For myself, I feel so much pleasure to be here that I would not like to leave, anyway. I know there are members sitting here, studying up their arithmetics and geographies and other such works, but for myself, the pleasure of being in such company is so strong that I would not like to leave, in any case. I have shown that those books which we are attempting to impose on the people of Manitoba are not only expensive, but have been pronounced by most competent authorities as utterly worthless, some of them, and as only fairly good the rest of them. It is proposed to force these worthless and high-priced monopoly books on an unwilling people. I have too much faith in the patriotism, good sense, and honest desire to act fairly, on the part of this Parliament, to believe that this attempt will succeed. We shall soon have to go back to the people, and with what grace can hon. gentlemen tell their constituents in Ontario that they have been sitting up here all night and all day trying to force these inferior and high-priced school books on an unwilling people. But there are men here who are bound, at any cost, to defeat this attempt, and when the Government supporters tell the people that in spite of all they could do, they could not make these men bend—when they say to the people: Although we remained in session night and day to force this Act through Parliament, we could not succeed against the stand taken by these men, who stood up for the rights of Manitoba—when those gentleman go back to their constituents and make them that declaration, I predict that they will not get very good reception. The people of the province of Manitoba are not in favour of this law.

Mr. DEPUTY SPEAKER. Question.

Mr. WALLACE. I am speaking right to the question. I am saying that the clause is not one that should be enacted, and when the people are appealed to they will pronounce their condemnation of the legislation now sought to be forced through this House.

Mr. MARTIN. It does seem to me, after the remarks of the hon. member for Quebec (Mr. Fremont) and the hon. member for West York (Mr. Wallace), that this subsection 3 is one of very considerable importance. I must say that I desire to make some remarks of a half an hour or so upon that question, but it is most unreasonable for the Government to ask me or any other member of the House to do that at this hour. That section was not before the committee until about two o'clock this morning. I admit that the Government are entitled to fight obstruction, but how can there be said to be obstruction in the desire of the committee to reasonably discuss a clause of that importance before it becomes law. The hon. member for Quebec desires to have the old law re-enacted. The Government have departed from the old law for certain reasons which were explained very briefly by the Minister of Public Works. Surely that is a matter which requires some consideration. The most ardent friend of the re-establishment of separate schools will not contend that this clause does not require considerable discussion. I move, therefore, that the committee rise, report progress, and ask leave to sit again.

Mr. CASEY. I rise to speak to the motion of my hon. friend from Winnipeg (Mr. Martin). I do really think that those who insist upon the House sitting at such hours of the day as these are the real obstructionists. It is perfectly absurd to expect calm, considerate and reasonable discussion at this time of the morning, and the inevitable result of the Government's persistence in continuing the sitting will be to lead to disgraceful talk instead of debate, to wordy squabbles across the floor, and raising points of order. Sitting at these hours, puts members of the House out of physical and mental condition for properly considering this Bill. I maintain that such a course is obstructive, and that the Government, by so doing, are injuring the chances of this Bill passing through the House. I am willing to admit that at this late period of the session, two o'clock, or even three o'clock in the morning, would be a reasonable hour for adjournment, but to insist upon sitting later necessarily arouses a spirit of opposition on the part of those who are not anxious to see the Bill pass, as well as upon the part of those who are anxious to see the Bill pass, but who wish to maturely consider its provisions.

The whole conduct of the Government in this matter is, what would be called outside of this House, a game of bluff. They feel it necessary to create the impression among certain classes that they are anxious to have the Bill pass, and that the Opposition are causelessly discussing it, but they will find themselves mistaken in that, for every man of common sense knows that this is not the way to get a Bill through the House. In 1885 the Government adopted the same tactics as now, with regard to the obnoxious Franchise Act. They tried to bulldoze and terrorize the House, but we sat for nearly three months on that Bill, and that experience ought to teach them that they will not be successful now. The people of Quebec are deeply concerned in seeing this

Bill perfected, and placed upon the statute-book, but the course of the Government is extremely likely to prevent its passage. The particular amendment now under consideration is a case in point. Two friends of the Bill have an idea about this clause, which differs from that of the Minister of Public Works, to some extent, but yet, the Minister wants to have their amendment voted down without any explanation. Before this Bill went into committee, the Minister of Public Works told the House that when it got to committee it would be fully discussed, but he is not now carrying out that promise. Even when a supporter of his own seconded the amendment, he declines to discuss it except to the very slightest extent.

All along, the Government have said : Never mind whether the Bill is constitutional or not, or whether it is the best for the minority of Manitoba or not, let us get it through in some shape or other, so that we may not be discredited before our friends in Quebec, to whom we have promised great things. I think that when the Minister of Public Works was in Verchères, he called upon the Almighty to witness, that if we did not have this legislation during the session of 1895, he would leave the Government. He carried out that pledge literally, though scarcely in spirit, for he did leave the Government, but he stayed out only a few days until he came back to the cream, and he has been in the Government ever since. Even after the Minister of Public Works found that the Government were not ready with this legislation, as they promised to be at the opening of the session, he still remained in the Government. He knows very well now, that if this Bill does not go through the House, the blame will be justly laid upon the Government by the people of Quebec. He feels that the people of Quebec know that the Government were not sincere, or otherwise they would not delay the bringing down of this measure for two months after the House met. We have been told that the dissensions in the Cabinet were not because of the Remedial Bill, but it is quite certain that some members on the other side of the House will not believe that, and the hon. member for North Victoria (Mr. Hughes) certainly does not believe it, for in a recent letter to the "Mail," he wrote :

> When seven Protestant Ministers resigned, leaving Sir Mackenzie Bowell and other ultra-remedial legislationists in the Cabinet, several wild anti-remedial legislationists in the House were suddenly seized with a desire to drop their convictions against such a measure. They offered to assist Sir Mackenzie Bowell in electing his new Ministers favourable to remedial legislation, and some of them were even scrambling after positions. I was opposed to remedial legislation before, during and since the crisis, and promptly declined to be approached, even by most influential friends, during the crisis, to influence me towards supporting the remedial legislationist wing of the Cabinet, or to accept any prominence therewith. Therefore, I opposed Mr. Laurier's motion because those easy-conscienced persons were wildly upholding him.

In the Lindsay "Warder" recently—and I suppose the hon. member for North Victoria (Mr. Hughes) is responsible for what appears in that paper—it was stated :

> During the crisis, though very strong influences were brought to bear on Mr. Hughes to induce him to give up his principles on the school question for personal preferment, he promptly refused to listen to any such proposals.

The hon. member for North Victoria (Mr. Hughes) says he opposed Mr. Laurier's motion, because my hon. friend from West York (Mr. Wallace), and my hon. friend from Grey (Mr. Sproule) and several other wild anti-remedialists were opposing it. He will have a nice time trying to explain that statement when he comes before his electors.

There is a distinct statement, at any rate, that the rupture in the Cabinet was caused by the objection of the revolting Ministers to remedial legislation. I believe this is the fact, though it has been officially denied on the floor of the House. The hon. member for North Victoria seems to have got at the bottom of the matter, and here is a beautiful chance for him to explain how he got at this Cabinet secret. Yet the Minister of Public Works sits in the Cabinet with these ultra-Protestant Ministers, and their object is to be partially accomplished by the deformation of this Bill. I say, because it does not secure the rights of the minority of Manitoba, that this Bill has been deformed intentionally, so that it will not be of any use to the Catholics of Manitoba if it does pass. All the Government want of this Bill is to have it for an election cry. As the Minister of Public Works said in the House, after it passes, they will take the risk of it. These few words, uttered by him in a moment of sincerity, throw a glare of light on the motives of the Government in proposing this legislation. There are other things which the Minister of Public Works will have to explain. Last spring he called God to witness that he would have nothing less than the remedial order. Now, he is asking us to enact a law which re-establishes separate schools in Manitoba ; yet within the last few days he has declared that he is willing to accept something very much less than that, and do away with this Remedial Bill altogether. I will give you his words, uttered in this House on March 24th :

> Suppose this Bill were passed it would be a recognition of the rights of the minority and upon it they could always fall back if they were not satisfied with the few concessions that I have thought would be sufficient. These concessions could be made by regulation enabling Catholics where they are in sufficient number to control their schools, to use their books and give their religious teaching. If these few concessions were given to them, this Bill would become perfectly unnecesssary.

Now, Sir, if we are to believe in the correctness of documents quoted in the newspapers of late, the correctness of which has been practically admitted by the Government, the concessions offered by Manitoba were practically those which the Minister said were sufficient to make this Bill unnecessary; and yet he insists on our going on with the Bill. His position is illogical and self-contradictory, and he will have considerable difficulty in explaining it when he goes before his constituents. He went on further to point out what the Catholics of Manitoba wished. He spoke of:

> A few concessions so as to give the Catholics what they claim, the control of the religious teaching of their children in their schools, and bring this whole trouble to an end. This would enable the Catholics to pay their taxes to the public schools, and they could be managed according to their own ideas, leaving always in secular matters the obligation on the Catholics to give to their children a teaching up to the same standard and in the same subjects that is maintained in the public schools. I say this would be an end to all the trouble.

This is exactly in line with what has been urged by the hon. member for West York (Mr. Wallace), the hon. member for East Grey (Mr. Sproule), and other speakers tonight—that the best arrangement that could be made would be to enable Catholic children to attend the public schools and get the same education as other children in secular subjects, leaving religion to be taught by their religious teachers. The Minister of Public Works is the special representative of Catholic rights in the Government, or appears to arrogate that position to himself. It was he, and not any Protestant Minister, who made that statement, and he said that little would satisfy the minority.

Mr. OUIMET. I said that if the Bill was passed, a compromise would be very easy, by which everything would become smooth. Don't forget that.

Mr. CASEY. I do not forget that.

Mr. OUIMET. Pass the Bill, and you will see that my prediction was right.

Mr. CASEY. The hon. gentleman said even if those concessions were granted, we should go on and pass the Bill. That is what I complain of as being inconsistent. He said that if these concessions were made, the Bill would be wholly unnecessary. If so, why, in the name of all that is logical, should we go on and pass the Bill. The hon. gentleman has some experience in eating crow, and he will have to do some more of it before he is through. He first promised separate schools as they were before 1890. The Bill, of which he is one of the godfathers, does not go nearly that far, and the language he used in the House the other day does not go even so far as the Bill. He will have some difficulty in harmonizing the salad that he will make out of these materials. But there is another Minister who is officially responsible for this Bill—the hon. Secretary of State. Why he took the job of putting the Bill through the Committee, out of the hands of the Minister of Justice, who introduced it, I do not know. It may have been for the purpose of exhibiting the statescraft which he was supposed to possess; but he only showed the possession of what Mark Twain calls a broad and comprehensive ignorance of the principles of the Bill, what led up to it, and everything connected with it. He gave us the history of confederation, but he never showed any comprehension of the Bill itself. His role has been, not to discuss or explain the Bill, but to bulldoze and rampage—to play the old war-horse. I believe there would have been a very good chance of the Government pulling through the present crisis, and probably saving themselves at the polls, if it had not been for the mutiny in the ranks of the Cabinet in the first place and the importation of the Secretary of State in the second place. There can be no doubt now of the result, because at the rate at which he is reading out the members of the party, there will be a very small role call at the end of the session.

Mr. MARTIN. There will be a baker's dozen.

Mr. CASEY. Yes; there will be more than that; there will be fourteen because every member of the Cabinet will remain. Now, the Secretary of State, who has been the chief agent in forcing on this unnecessary Bill, has made speeches on general subjects, but he has made no speech on the Bill itself, nor said anything to facilitate its passage. The Minister of Public Works and the other Ministers have apparently resigned the matter into his hands. Whether the Premier has done so or not I do not know. The Secretary of State has claimed to be the leader of his party. When he was reading some of the members out of the party he said: "Who has a right to speak for the party if not I?" It remains to be seen who will go to the polls as leader of the party. For my part, from a party point of view, I had rather see the party led by the Secretary of State, because he would lead it to greater danger than the Premier. But for the sake of the party it would be deeply to be regretted, it would be almost a scandal in the political history of Canada, should a man, pampered and highly paid, a perfectly useless public servant.

Mr. DALY. This has been going on long enough. I think we have stood enough of this thing. The hon. gentleman started out by complaining there was not opportunity for discussion, and he has not said one word in connection with the clause under consideration.

Mr. MARTIN. The motion is to rise and report progress.

Mr. DALY. I do not think that what the hon. gentleman has stated is germane to the discussion.

Mr. CASEY. Whether the hon. Minister of the Interior thinks this thing has gone on long enough, I shall go on with it as long as it seems convenient to me, and as long as I keep within the rules of debate. I am giving reasons why the motion to adjourn should be adopted, and one of the strongest is that this measure has been put before the House by a half-hearted, dishonest Government.

Some hon. MEMBERS. Order.

Mr. CASEY. I withdraw the word "dishonest," and I shall say by a Government that is not actually united in wishing this Bill to succeed. We have to use parliamentary language whatever be the nature of the thing we have to describe, and if it cannot be described in parliamentary language, so much the worse is the thing to be described. I will not say that the Government is not honest, but that it is not united, that there are two heads to it, and that it is impossible to say whether it is Sir Mackenzie Bowell, who has been honest all along in favour of remedial legislation, or the hon. Secretary of State who is shaping the course of the Government in this matter. The hon. Secretary of State may be a war-horse, but he is certainly an elderly war-horse, and nobody can expect him to be here at this hour watching the progress of the Bill of which he is in charge.

Mr. INGRAM. Our leader is not old enough to compel us to keep a water can at his feet and screens around to keep the draughts off.

Mr. CASEY. I did not say that he required to be treated in that way. I did not say that he was decrepid, or unfit to attend to his duties in this House, but I do say that he is unfit to be here at two or three o'clock in the morning.

Mr. OUIMET. Question.

Mr. CASEY. The hon. Minister of Public Works will get plenty of the question before I am through. The question is whether we should stay here at this hour of the morning, when the Secretary of State, who has charge of the Bill, cannot be here to explain it. While the Government are going through the farce of pretending to wish to pass the Bill, when they are making it impossible to have it discussed, the friends of the measure are getting their eyes open to the intentions of the Government, and I can assure those gentlemen that the friends of the Bill in Quebec or elsewhere will not forget this at the polls.

Mr. TYRWHITT. I have not taken part in the debate on this very interesting subject, but I have become so intensely interested, owing to the flood of light which has been thrown on the subject by the hon. member for East Elgin (Mr. Casey) and the hon. member for West York (Mr. Wallace), that I feel almost compelled, even at this late hour, to give my views upon it. I am one of those who are honestly opposed to the Bill. From the earliest period that I have been interested in politics, when separate schools in Ontario were the issue, I was opposed to separate schools in Ontario, and were that question in issue to-morrow, I should be in favour of abolishing those schools.. I feel that the Government, in undertaking to impose this legislation upon the young province of Manitoba, whose people are unanimously opposed to it, have undertaken a difficult task. The hon. Secretary of State has described those opposed to it as an insignificant minority. Possibly, owing to his long absence from the country, he is not aware of the feelings of a large section of the Conservative party in Ontario; but later on he will find that though possibly for various reasons, they appear an insignificant minority in this House, a very large majority of the people of Ontario, who will express their opinion later on, not only as opposed to separate schools in Manitoba, but in favour of the repeal of the separate school system in Ontario, and the establishment of the national school system for the entire Dominion, will endorse the course of that minority. It appears to me that I am treating this subject at this early hour with a greater degree of sincerity than possibly the small audience I have before me would warrant. I have listened very attentively to the arguments during this debate, and in the earlier part of the debate, and must confess that I was occasionally convinced one way or the other; but latterly, I am inclined to look on the whole subject as a joke, and have returned to my original conviction. I voted against the second reading, and propose to record my vote against the third reading, should we be unfortunate enough to reach that stage. For the information of the House, as it is a common practice to read from the reports of the journals of the day, giving their opinion on the question at issue, I might quote, from the Montreal papers, their opinion of what is taking place in this House. Though opposed to the dual language, I feel compelled to read you an extract from "La Presse":

> La séance d'hier, qui a duré de 10 heures du matin à minuit, fera époque dans nos annales parlementaires, en ce qu'il n'a été absolument rien fait de sérieux : toujours des discours pour tuer le temps, de la part des obstructionnistes. L'hon. M. Laurier, et presque tous ses partisans français de la province de Québec, étant absent, la loyale opposition était virtuellement conduite par M. McCarthy, qui donnait le signal des discours.

I may tell the House that, in my earlier years, I attended, during four years, schools that were altogether Catholic, and I have never discovered that they had any injurious effect upon me at the time, nor should I be afraid to-morrow to trust sons of mine or the youth of the country in whom I am interested, to schools of that character. But one of my reasons for being opposed to separate schools —not a new one, by any means —is the fact that with our separate schools we divide the children of the country into hostile camps. We know that the friendships contracted in youth are carried on later in life, and I think that if the youth of our country, of different creeds and nationalities, were brought together in their early days, they would become more friendly in after life, and that reason alone should be sufficient to induce any of us to favour the national school system.

Mr. LACHAPELLE. In the province of Quebec we have separate schools, Protestant and Catholic, and we are all friends. I do not see, therefore, how the hon. gentleman can conclude that we can be friends only where there are no separate schools.

Mr. TYRWHITT. I do not suppose that anything I may say would influence the hon. gentleman. I am not asking him to believe what I say, but am simply giving my own honest convictions, and they are the convictions of a vast number of other people, brought up in the same political school in which I was brought up in the province of Ontario. When the hon. Secretary of State talked about reading men out of the party, it appeared to me it would be necessary for him to read out the entire Conservative party in Ontario, because that has been a part of our policy for years past. I have been a pretty steady follower of the Conservative party, and I was going to say that, possibly, if they change their policy, I might change my views. As an old Conservative. I find it impossible to take such a rapid curve as has been described as our duty by the hon. leader of the House. The hon. leader of the Opposition has described his objection to the schools in Manitoba on the ground that they are possibly Protestant schools. I have a work here by Mr. Wade, which has been quoted often in this House as an authority, and he gives the regulations of the advisory board regarding the religious exercises in those schools. The reading exercises comprise selections from the English version of the Bible, and the Douay Roman Catholic version. Certain forms of prayer are also provided. It would be highly improper for me to read any of these portions of scripture to my audience in their present frame of mind, and I would refer them to page 44 of Mr. Wade's book. I know that you, Mr. Chairman, take a very great interest in this Bill, and I hope that during the debate which I am told is to last day and night for the remainder of the session, that I may again have an opportunity of addressing you when you have received a little well-earned rest and refreshment, and when you will no doubt be in a better frame of mind to receive impressions from my remarks, which will no doubt convince you, as they must convince the majority of members in this House, that this Bill is altogether opposed to the good sense of the people of Canada.

Mr. CAMPBELL. I have not taken up much of the time of the House in discussing this question, but I have patiently listened to the arguments during the last two or three days, and I agree with the leader of the House, that it is one of the most important Bills which has ever come before Parliament during the twenty-eight years we have been a confederation. No matter how well the Bill could have been drawn, or no matter how consistent one clause of it might be with the other, it must naturally be expected that a great deal of discussion will take place upon it. This is one of the most important clauses of the Bill which we are now considering, and I agree with the hon. member for West York (Mr. Wallace) that it has not received proper attention. Although the Ministers are paid $8,000 a year each, not a single one of them, but the Minister of the Interior has been here to explain this Bill to us. The Government have no right to ask hon. members to sit at this unreasonable hour in the morning, and I do not believe that the country will sustain the Government in forcing legislation such as this through the House, in such a manner. Out of 215 members, there are only about thirty here, and two-thirds of those are asleep. The Minister of Justice has probably some reason to give to the House why these contradictory clauses were put in the Bill, and it is an outrage upon the House to cause us to sit here until six in the morning, without being able to get explanations. The hon. member for West York (Mr. Wallace) is the only person who has really discussed the matter, and he has presented several strong reasons why this clause should not pass. I would like to hear some opinions from the members of the Government in rebuttal of his arguments before I form an opinion on this matter. It is not unreasonable to ask now that the committee should rise, and the House adjourn. There are several important committees, such as Agricultural and Railways, summoned for to-morrow morning, at an enormous expense, and unless the House adjourns, they cannot meet. Although the Government may think we have made no great progress with this measure, yet I think we have made sufficient progress to satisfy the mind of any reasonable persons. This Bill is irrevocable. After it has passed, this Parliament cannot change it, and I would press upon the House that such a measure as that should not be discussed at this hour. It cannot be reasonably expected that a Bill of such tremendous importance as this can pass through the House in a few days. Take the Criminal Code, which was introduced by the late Sir John Thompson. It was first discussed in the Senate ; but he considered it of so much importance that he did not press it the first session, but left it over in order that he might get the opinions of judges and prominent lawyers and others all over the country upon its various provisions, so that at the following session he was able to present to Parliament a carefully prepared measure. You see the care and attention with which he guarded the rights of the people in that instance. How long was that Bill discussed in the House? It was first referred to a special committee, composed of the leading members on both sides of the House, and was gone over carefully by them, and when it was brought into this House, several weeks were spent in discussing it. Yet what was that Bill in importance compared with this? As the Secretary of State has said, this measure transcends in importance the Criminal Code, or any other Bill that has ever been introduced into this House. We could amend or repeal the Criminal Code; but here is a Bill which, once it goes on the statute-book, we have no power to amend or repeal. And the idea of having all-night sessions, with 25 or 30 members in the House, and to pretend that we are legislating—it is a roaring farce, and a positive disgrace to the Government of the day. They are trying to pass this Bill through without discussing it or saying a word upon it. I object most decidedly to any such proceeding. The more I study the Bill, or read about it or hear it discussed, the more I think it is not a measure that ought to be passed in its present shape at all. We shall have to meet here again in two or three months, and why not let the Bill stand over until we come back here fresh from the country. Instead of taking up the Estimates and trying to pass them, so as to avoid having another session of Parliament, the Government are wasting the time of the House with this measure, and involving the country in an expense of over half a million dollars to get this Bill passed. The Government had six months to prepare the Bill before the House met; and yet, although the House was called together on the 2nd of January for the express purpose of passing this Bill, its second reading was not moved until two months afterwards. And what sort of a Bill is it? It is unworkable and unconstitutional. Nearly every clause in it requires to be put into proper shape. The Minister of the Interior declared that one section was going to be abandoned because it was unconstitutional.

Mr. DALY. I did not say anything of the kind.

Mr. CAMPBELL. You stated that you had grave doubts.

Mr. DALY. I said there were grave doubts. I did not say it was going to be abandoned.

Mr. CAMPBELL. You stated that there were grave doubts whether there was power to pass it, and you were going to reserve it for further consideration. That was only on the 4th clause. How many more will there be before we get through? At that rate you will have to reserve about 30 clauses out of the 112. This only shows the carelessness, the negligence and the ignorance of those who drew up this Bill, although having all this time to prepare it. If the Government were in earnest, why did they not move to take Mondays and Thursdays for the discussion of this Bill two months ago?

Mr. SMITH (Ontario). Would you have supported them?

Mr. CAMPBELL. I would have listened to their arguments, and there was every reason why they should have taken them. But it was only last week that they took the two days, showing that it was a farce. And now, in order to make the people believe that they are in dead earnest, they are making a pretense of rushing the Bill through in the last days of the session without any debate. Why, the thing is ridiculous; and they expect the people to believe them. The Secretary of State gets up and says he is going to die for this Bill, and then he goes off to sleep every night at nine or ten o'clock, and the next day comes back refreshed. The whole thing is a roaring farce from beginning to end. The Government only brought in the Bill as a pretense. If they wanted to remedy the grievances of the minority in Manitoba, they would give something besides this Bill, which does not provide for a dollar to carry it out.

Mr. DUPONT. We will amend it.

Mr. CAMPBELL. That is what we are trying to do. Several amendments have been proposed, but the Government have voted them down. The Manitoba government being opposed to the Bill, will certainly not contribute a dollar to carry it out; and if this Government were sincere, why did it not put a clause in the Bill providing that if the Manitoba government did not give any money, this Government would? They bring forward a Bill which they know is unworkable, which I believe is unconstitutional, and which they call a Remedial Bill. It is remedial in nothing but the name. The Government are playing with the people. They never had the slightest intention of making this Bill become law, from first to last, and delayed bringing it in until the session was through.

Mr. DUPONT. Make it law and that will be a good joke against them.

Mr. CAMPBELL. Of course they will have to face the music. The course of the Government has been one of obstruction. They have not tried to pass the Bill. Why, the hon. leader of the House, in the various bitter, insulting and tantalizing speeches which he has made, contributed, in no small degree, to preventing its passage, and evidently must have spoken purposely for the purpose of obstruction, because it is hardly credible that a man of his ability and long parliamentary experience would be such a fool as to make these bitter speeches, if he did not want the Bill to fail.

Mr. DUPONT. Then you are playing into his hands by obstructing.

Mr. CAMPBELL. No, I am just pointing out where he has been obstructing by making these speeches. I simply rose to make a remark or two, and have not taken up any of the time of the House. I am waiting to hear the argument of the hon. member for Bagot on the amendment he proposes to move, and I hope he will speak in English, so that I may be able to follow him. I always take great pleasure and interest in reading the translations of his speeches. I remember his speech last session on this same subject, which I thought was one of the ablest speeches ever delivered in this House. It seems to me that the Government ought to grant this motion to adjourn. Here we are, a deliberative assembly, discussing the most important measure ever brought forward in this House, according to the authority of the hon. leader of the House. After being here all night, we are naturally tired, and it is only fair that we should be given an opportunity to rest and come back refreshed. The hon. member for Bagot will then be able to put his motion to the House, and I myself will feel like supporting him. I, therefore, think that this motion now before the House should be adopted.

Mr. McMILLAN. I wish to say a few words before the question is put. It seems to me that the committee should rise and report progress, if only for this reason that the Minister of Justice has just come back from Manitoba and that we ought to have a statement from him at the earliest moment regarding the conference at Winnipeg. Then we require to make up our minds with regard to certain clauses of the Bill which, according to the Minister of Interior, are unconstitutional, and which, according to the Minister of Public Works, would be better left out. The hon. Minister of Justice was not prepared to give an opinion, and that being the case the House should adjourn to give him every opportunity to deliberate and form an opinion. According to the decision of the English Privy Council, it is not essential that the statutes repealed by the Act of 1890 should be re-enacted. What was the grievance of the people of Manitoba? It was that by the Bill of 1890 they had been deprived of the right of having religious exercises in the schools. My own opinion is that it was not necessary to enact this long measure in order to redress the grievances of the minority. We all admit that, according to the decision of the Privy Council, there was a grievance, and that that grievance should be redressed, but it was to be redressed in the most amicable manner possible. Let me say that it is not the eyes of our people alone that are on the Government, but of the people of the old country as well. I had a letter from a young friend of mine in Glasgow on Saturday. He had been observing very closely for the last four years that there had been trouble in school matters and that the province had passed a Bill which they thought was reasonable but that the Dominion had taken action ; and he asked if I thought that the School Act of Manitoba would be settled this season. The members of the Government said that it was the speeches delivered by members of the Opposition which was the cause of the North-west Territories not being filled as rapidly as we desired, but it is the course of the Government on this school question which has done more to keep the people from going to North-west Territories and Manitoba than any other question that ever came up. If this Government persists in enforcing this Bill upon Manitoba, by and by they will seek to impose a similar Bill on the North-west Territories, and immigration will be retarded to an indefinite extent. The hon. Minister of Public Works said it was of the utmost importance that uniformity should prevail among the schools in Manitoba. If that were so, the Government would not have appointed this school board, but should have allowed the advisory board that is in existence to perform the functions provided for in this clause. I find All these things which are required to be done, could have been performed by the advisory board which is in existence under the present school law in Manitoba, and it would save a great deal of money to the people. This question of economy is of the utmost importance in a young country, and I can say that, from the experience I have had in Ontario, where I have lived since before our present school system was inagurated. A very great hardship was imposed upon the people of the province of Ontario to find funds in the early settlement to enable us to have schools, even when the whole land was available for settlement. What must it be in the province of Manitoba and the North-west Territories, where a certain portion of the land has been set apart for railway companies, and where the settlement is very sparse. I might quote from page 24 of the Manitoba school case to show, that even according to the view of the Government, this law when once passed is irrevocable both by the Parliament of Canada and by the provincial legislature. That being the view of the Government, it certainly is a very unwise thing to impose upon a young country like Manitoba, two expensive school boards. That makes it all the more important why every clause of this Bill should receive the greatest discussion from this House. Indeed, Sir, if the Government were in earnest, they would have had this Bill ready when the session first opened.

Why shoud we pass any Bill, much less such an important Bill as this, without a single member of the Government being able to give a satisfactory explanation of it. I noticed that when the leader of the House introduced this Bill, he did not give any opinion about its provisions, and when asked the other day to do so, he still sat mute and dumb. I could quote the words of the Minister of Public Works to show that a very small amount of legislation was necessary to provide for the removal of the grievances of the minority of Manitoba. He admitted that all the Catholics of Manitoba had been deprived of was their religion in the schools, and that they would be satisfied if that were restored to them. Now, if he uttered the sentiments of the Government in that, why should they get up a Bill with so many intricate clauses, when a couple of simple clauses would have given the minority all that they require. The whole course of the Government in this matter places them in a most ridiculous position. They should have been ready and able to give thorough explanation of the provisions of this measure before they asked the House to pass upon it. The government of Manitoba have stated that they would be willing to grant redress of the grievances of the minority, and Mr. Ewart himself admits that, in the course of an interview which was published in the newspapers. My opinion is, that if this Government had sent a commission in the first place, when there was plenty of time to consider the matter and to talk the question over peaceably with the Manitoba government, we would have no difficulties staring us in the face at the present time. But hon. gentlemen on the Treasury benches only sent that commission to Manitoba when they found that the sentiment of the country was very strongly in favour of it. When that commission was sent, there was no time to discuss the question, and no time for the government of Manitoba to pass the necessary legislation. Our Government have not shown a disposition to deal fairly with Manitoba. The feeling went through the country that this Government were determined to coerce Manitoba, but they will discover that they will fail in doing that. Mr. O'Donoghue, who went before the Government here, stated plainly that he had come in contact with a large number of people in Manitoba, that he had been closely connected with the schools there, that he found there was a disposition, even on the part of the Roman Catholics, to adopt the school system which had been brought into existence by the local government, and that it was only a question of time when the Roman Catholics would be in favour of it. He said he had two daughters who were teaching in the public schools, and they never could see any objection to the nature of the teaching given there. I hold it was the duty of this Government to have dealt in the most friendly manner with the province of Manitoba. Even if they failed in their negotiations, a Bill of a few clauses, giving to the minority the right to have religious teaching in the schools, would have been sufficient. If they had done that, it would have saved all this strife and wrangling. I have lived in Ontario for fifty years, and I know we have had a great many heartburnings in reference to our schools. If this Bill should become law, I am not certain whether it will not create a spirit among a certain class in the province of Ontario that will advocate for a change in our present school system. I hope that the Government will withdraw the Bill even at this late stage. I believe that even yet, if Manitoba were approached in the proper spirit, an amicable arrangement could be arrived at. Interference with the legislation of any province in the Dominion should be the last resort. In 1890, when the Manitoba Education Act was passed, there was a large majority in favour of it. In 1892, there was a general election, and the House met in 1893, when a resolution was brought in to repeal the school law. What was the result in that legislature, fresh from the polls, where the one question at issue was the Manitoba school law ? A full House contained 40 members, and there were 39 present, one occupying the Chair, and the vote stood 34 to maintain the law, and only 4 for its repeal. When we consider the feelings of the people of Manitoba on this question, we must come to the conclusion that they are wedded to the system of schools now in existence there. Then, when we consider that this question was before the people in the recent elections in the province, can we say that the people of Manitoba have given such a verdict as would warrant this Government in imposing a law upon them contrary to their wishes ? A large majority of the people of Manitoba are perfectly satisfied with the school system as it stands. In the rural districts especially, it would be impossible to have separate schools, owing to the sparseness of the population. It is only in Winnipeg, and in two or three other places, where any trouble would exist at all, and, I believe, that trouble could be overcome to the satisfaction of both the minority and the majority of the people of Manitoba. This Government has been spending large sums of money to bring settlers to the North-west, but they have utterly failed. A great many of those who came have been leaving the country, and if this Bill is imposed on the people of Manitoba contrary to the wishes of the majority, and contrary to the wishes of a very respectable number of the minority, it will put an end to immigration in this country for a number of years. People all over the world are becoming alive to the importance of education, to the prosperity and progress of a country ; and no system of education can be built on a solid foundation that will keep people apart in childhood, when the deepest impressions are made and the most lasting friendships are formed ; but it will cause a spirit of hostility to spring up between the children thus separated. Let us have in Manitoba such a system of education as they have in New Brunswick, which the Secretary of State admitted was giving the greatest satisfaction to the people of that province. I have never been able to understand how the Secretary of State, after boasting that he had introduced the Nova Scotia school law, which has given so much satisfaction to the people of that province, could try to force a Bill through this House to destroy the very same system in the province of Manitoba. Since the people of Nova Scotia have settled their school affairs in a peaceable and amicable manner, why could not the people of Manitoba do the same thing for themselves ? The people of Manitoba have not had an opportunity to settle this question for themselves. Before the decision of the Judicial Committee of the Privy Council reached them, the Dominion Government summoned them before them to discuss that question. This Government, before being certain what that judgment contained, except by telegram, took it out of the power of the Manitoba government to effect a settlement. A great many were under the impression—I believe the Government themselves were—that the decision would be favourable to the majority of Manitoba ; and when the decision was known, it was the bounden duty of the Government to have approached Manitoba peaceably, instead of sending up the remedial order. After sending that order to Manitoba, they caused the statement to be published over the length and breadth of the Dominion that they had no power to do anything more than they had done—to receive the judgment from the Privy Council, and to pass it on to Manitoba. That theory is now exploded. The Minister of Justice, in his place in this Chamber, said that the Government were not bound to grant the appeal ; they could have left it alone, or granted a smaller measure of relief. This country has been at times agitated by other questions, and they have been settled amicably, and why not this question ? We know that disputes between the Dominion and other provinces, the province of Nova Scotia with regard to confederation, the province of British Columbia with regard to the terms of union, and the province of Ontario with regard to the boundary and other questions—have been settled amicably. All these cases should have satisfied the Government that there was a better way to settle these grievances than to invoke the whole force of the constitution upon the heads of the people of Manitoba. I believe the government of Manitoba are to-day very anxious to have a settlement ; but it was most injudicious to send up a commission at the time it was done. They seemed to think they were going to terrorize the people of Manitoba to come to the terms of the Dominion Government. This is a question I am deeply interested in ; I have a number of friends in the North-west who are deeply interested in this question ; the welfare of that country and of the whole Dominion depends on this question being settled quietly and peaceably, without coercion in any form. I do not believe this Bill will become law. I was amused the other morning when a resolution was moved, on which the House was practically unanimous, and when the Secretary of State to impede the progress of the House, called for the yeas and nays. I never saw a clearer case of obstruction in this House. When I see such obstruction on his part, I do not believe the Bill will become law. There is a fair and reasonable desire on the part of this side of the House to have the Bill discussed, but the Government are not disposed to discuss it. They do not seem to know its different clauses or what is in it. I am under the impression that the Minister of Public Works could never have given utterance to the sentiments he expressed here, if he had truly understood the conditions of this Bill. In discussing the appointment of separate school inspectors in Ontario, the hon. member for North Victoria (Mr. Hughes) said that they were all appointed on the recommendations of the Bishops of the Roman Catholic church. Now, I happen to konw something of the last appointment that was made. I have been acquainted with the gentleman for a great number of years, and I know that he was appointed on the recommendations of the school board and of prominent public and business men of the district. I was asked myself to give a recommendation to Mr. Prendergast, which I would not have been asked to do, if he had been appointed on the recommendation of the Roman Catholic Bishops. I am proud to think that Ontario manages her school affairs with one Department of Education. And if the school system of Ontario can do with the one department, why should not the school system in Manitoba be managed by the one board ? Why should we impose a number of officials upon that young, growing country where every precaution should be taken to make the schools as efficient as possible. There can be no uniformity between separate and common schools, if two distinct boards are to be established. This Government has made the greatest muddle of the Manitoba school case that could possibly be made. Had the late Sir John Macdonald lived to see this day, the question would have been peaceably settled, and it would never have been introduced into Dominion politics, but we have a class of gentlemen at present conducting the affairs of the country who do not seem to know their own mind. We are reminded every day by their conduct of the kick that six or seven of them made at the opening of the session. We cannot come to any other conclusion, from all we have witnessed, but that there is division in the Cabinet with respect to this Bill. They tell us that they have always been in perfect accord ; but if so, what was the cause of the kick that took place and lasted from the 2nd to the 7th of January ? And what was the cause of the crisis when the House adjourned from the 9th January to the 15th ? They have called each other traitors and all sort of names, and yet they have the assurance to tell us that all has been peace and harmony and good will on this school question Bill, which they are determined to impose on Manitoba. The Bill itself was introduced too late to give any guarantee that it would pass. It is perfectly ridiculous to suppose that a Bill of this kind, containing 112 clauses, could be discussed with any degree of care in the short time at our disposal. In order to discuss it properly, we should compare it, not only with the Manitoba Act of 1890, but with the various Acts before 1890 ; and these were only put into our hands last night. Taking all these things into consideration I hold it is the duty of the Government to accept the motion before the House for the committee to rise and report progress, and ask leave to sit again.

Mr. BAIN. I have a feeling of regard for the hon. Minister of the Interior (Mr. Daly), and I propose to discuss the resolution of the motion to adjourn. It is preposterous to expect a Cabinet Minister to stay here all night and have to get his refreshments brought to his seat, and yet be in a position to intelligently discuss the question before the House. In fact, it will take considerable refreshments to enable the hon. gentleman—and I am not speaking slightingly of his ability—to discuss successfully the exhibit made by the hon. member for West York of the books he proposes to thrust upon the people of Manitoba in their separate schools. The idea of putting upon the province a series of books that has met with such severe condemnation from official sources in Ontario where used, should be sufficient to convince us that we ought not to go with this Bill, especially after this long night's sitting; and if the Government insist on continuing the sitting, I can only come to the conclusion that they do not want the Bill passed and are looking around for some excuse to drop it on the way. When the hon. Secretary of State introduced the Bill, he took particular care to discuss everything but the Bill itself, and if we were to follow his example we would talk about everything from confederation downwards and give the Bill a rest. Such being the condition of things, it is preposterous to expect that this House is going to enter into an intelligent discussion of this measure. It is simply beyond human capacity, and if the Government insist that the House shall sit, they either intend to force the Bill through, in the face of physical exhaustion of members, or else they are not able to sustain an intelligent discussion of the measure. I am strongly inclined to belive that there is a good deal of force in the view taken by the hon. member for North Victoria in that noted letter of his to the "Mail and Empire," in the early part of the session, in which he said that the Government have not got one opinion on the question, but were divided in their sentiments and were only anxious to tide over the present difficulty and let the future take care of itself. They are thrusting upon us legislation that does not properly belong to this House. If the great political leader of that party, the late Sir John Macdonald, were living to-day he would never have allowed things to drift on to this muddled condition. On the section before us, we find not only private members of the House but the Minister of Public Works appearing on the scene with amendments to the Bill, which they had declared so satisfactory. The idea of keeping us in session with a fragment of the Cabinet in the House, sometimes one or two Ministers apparently asleep and sometimes not, appears to be a kind of comedy that can only have one effect, and that is to bring legislation into contempt.

It seems preposterous to undertake after an all night session, to gravely tell us that they propose to proceed with the consideration of the clauses of this Bill. If they are physically strong enough, they may force through the legislation in the face of the opposition that has been presented. But what results will follow from legislation of that kind ? It can only have the result of disgusting the people at large, especially the people of Manitoba, and leading to a strong feeling of discontent. On the second reading of this Bill, the leader of the House autocratically decided that at a certain time the discussion should close. The result was, a feeling that the House was being forced into a false position, and when you undertake by brute force to compel men to do what in their nature they are unwilling to do, it simply provokes opposition. I venture to say that that experience seriously widened the breach between the leader of the House and many supporters of the Government, who until that time were at least disposed not to go into open rebellion against the men who had been their political leaders. We are met to-day with another attempt at just the same sort of thing. If I wanted to do the innocent Roman Catholic children in Manitoba a wrong, I should give every facility to rush the Bill through with this clause in it as proposed to be amended by the Minister of Public Works, and to force upon these children a series of school books, without any choice on the part of the authorities of an independent province who should control their own educational affairs. I would not force these school books on the children in the face of the severe condemnation of the character of these books presented by the member for West York (Mr. Wallace). Some person sneeringly called these children in Manitoba "French half-breeds," but whatever their origin may be, there is no text-book too good for them to learn from, and there is no education that can be got for the money, too good to secure for these children, who are to be the men and women of that province. Why should we seek to thrust upon them antedeluvian school books, that are repudiated by educationalists to-day as being unfit for the children of the city of Ottawa. The children here are no better entitled to first-class text-books than are the children on the banks of the Saskatchewan and the Red River ; nor is the cost of efficient school books greater. I repudiate the idea of being a party to any such legislation, and if it comes down to a question of legislating by physical force, I do not believe that the Government will accomplish anything. Any attempt of that sort can only have the effect of discrediting in the country the men who attempt it. The arbitrary mode in which the Secretary of State has undertaken to dictate to this House, and the fact that he is conspicuous by his absence, while the Bill is to be discussed, proves to my mind that the Government does not feel that they are on solid ground in this legislation. The very fact of calling this sixth session shows that the Government never grappled with the question on its merits, and that they never approached Manitoba fairly and equitably in the matter. The Premier was all through that country last summer, and he never attempted to reach a solution of the difficulty that exists. One of the members from Montreal (Sir Donald Smith), whose interest in Manitoba is undoubted, and whose interest in the welfare of the people of that province has been displayed on many occasions, took steps to move in the matter, and until he did that, it seems to me questionable whether the last friendly discussion that took place between the provincial authorities and the delegation from this Government would ever have occurred. It is true that the discussion for the present has proved abortive, but, taken in connection with the previous record of the Manitoba government with respect to the leniency with which they enforced the Public School Act, in the rural sections, I do not feel that there was a fair and equitable ground for reaching a settlement of that question, without our thrusting upon an independent province what must necessarily be unsatisfactory to any free people exercising the rights that the constitution places in their hands. And we cannot forget that the highest court of the Empire has decided that the Manitoba government were perfectly within their power in passing this legislation with regard to education.

If there had been no expression of opinion from the province of Manitoba on that question, we might have supposed that their views were not so fixed, but at least on three occasions this school question has been an issue before the electors in that province, and with the result that the political party that is allied with this Government on Dominion matters, is found to-day in the legislature of Manitoba as strongly opposing the action of this Government here as do the gentlemen who administer the executive of that province. That simply means, that after they had a prolonged experience of the old double-barrelled school system, it proved a burden too grievous to be borne, and that the people of the province have practically unanimously reached the conclusion that they would stand it no longer. To-day the Conservative party of Manitoba are as decided in their sentiments with respect to public schools in that province as are the government of that province themselves. It is pitiful to see the Government, with the splendid majority left to them by Sir John Macdonald, dissipating that majority. Every day or two the Secretary of State reads out of the party some members who have struggled for years in discharging their duties as the people's representatives, while he was occupying the position as High Commissioner in London. It is pitiful to hear an hon. gentleman at the head of a political party, which has been slowly built up by better men, tell those very men that they do not belong to that party with which they have been for so many years associated. By this Remedial Bill we are seeking to force on Manitoba legislation on the school question whether the people are willing to accept it or not. Until the Government are better able to convince the committee as to the necessities of this Bill, it will be better to carry the motion to adjourn. One of the principal results of passing the measure must be to have a magnificent crop of law suits. Much has been said, especially by the Secretary of State, in regard to the sufferings of the Manitoba minority. They are represented as crying to heaven for justice, and it has been pointed out that during six years the minority have been deprived of their just rights. If this legislation is enacted, and the lawyers get a fair show, they will occupy six years in ascertaining what the law is. In the meanwhile, the Catholic children will be growing up, and if the Catholics proceed to construct school buildings they will find themselves heavily burdened within a few years. This is an attempt to place on the statute-book legislation that will be a discredit to our civilization, and to our judgment and policy in administering public affairs. It would be a standing disgrace to impose on an independent province an Act which would lead to serious trouble, and which, in the opinion of the best authorities, would be exceedingly unlikely to accomplish the end in view, if that end is to furnish a good system of education to the minority. Another source of trouble is that there are other measures awaiting consideration. The employees of this House have a right to expect payment for their services when the proper time arrives, and to this end the House should consider at the earliest day possible the Estimates. There is other important legislation to which attention should be given. Among the Bills on the paper is one respecting a railway to Hudson Bay. This should be taken up and carefully considered.

Mr. TAYLOR. Where is your leader ?

Mr. BAIN. I am not hunting for him. I hope he has sense enough to take care of his life. He is an important citizen just now. I don't want him to sacrifice his health like the leader on the other side of the House, who says he is prepared to die before he will see this Bill defeated. But I observe that he is taking his rest at the present time. I do not think my hon. friend who interrupts me is extremely anxious to see this Bill pressed ; or if he is, he has seen new light recently. I do not believe that it is with his approval that we are asked to sit day and night for the purpose of pressing this legislation to a conclusion. I do not think this is the best way to succeed. You know there is a good deal of the old Adam left in humanity still, and although we are descended a good ways down the path since he started into life, when we are pressed and pushed in any direction against our will, there is a tendency to object. I think the Government are pursuing the most roundabout, the most circuitous and the most expensive way they can, to carry out the object they have in view, if indeed they have that object at heart. If they are only obstructing this legislation which they are apparently promoting it, but I think it is an admirable arrangement, because it is an attempt to throw the responsibility on those who feel responsible, while they stand by and insist that the thing shall go on. But, Sir, the people are the masters of Parliament, after all. And sooner or later, they will have to present themselves before their masters to receive their judgment. Were I to venture a guess, I would say that the Government are very much afraid that the people will not endorse their action. I think if they were strong in the belief that the sentiment of the people in this Dominion was in favour of this great big Bill, with 112 clauses, called the Remedial Bill, I am satisfied that if they believed that the people would endorse their action in promoting this legislation, instead of insisting that we should sit night and day and be expected intelligently to discuss this Bill at half-past eight o'clock the next morning, they would not be found trying any such legislative capers. Sir, it is because they dread the people, it is because they fear the popular verdict when the hour of their trial comes, that they are so exceedingly unwilling to face the electorate. But the time will come when they can no longer postpone an appeal to the people, and judging by the action of the Government, they are very much afraid that the people will take away from them the five loaves and the two fishes that have been their care for the last few years. It is evident that there can be no result to this legislation save to stir up feelings of antagonism among people of different race and creed, though it is essential to the welfare of the Dominion that harmony should prevail. Has it come to this that a political leader cannot hold his own without appealing to these sentiments that we all hope had long since been buried ? There are times in the history of every country when a powerful party after having been dominated by a capable leader finds itself without his guidance and assistance and then many members of it realize how far they have drifted away from the anchorage upon which they believed themselves to be resting. I can only hope that the men who are seeking to stir up these unfortunate feelings will be taught a salutary lesson by the electorate. The pressing forward of this Bill in this unreasonable way prevents the consideration of issues that are of the very greatest importance to the Dominion. The hon. Secretary of State, before he assumed the leadership of this House addressed the Board of Trade of Montreal upon the important subject of the trade relations between the colonies and the mother country. That is a question that is growing in importance in the public mind. I observe that the Right Hon. Secretary of State for the Colonies has announced a conference to discuss this matter. And although that issue presents itself for our consideration, we leave it aside to occupy all our time with the consideration of legislation such as this, which is distasteful to an energetic young province upon which in a large measure, the future of our country depends. It looks like nothing less than infatuation on the part of the Government thus to press a measure of a character never before attempted while broad issues such as I have spoken of are awaiting our attention. My hon. friend from East Grey (Mr. Sproule) has just returned to this chamber. Here is another example of the effect of the course we are taking—we have to legislate in sections, if at all, in order that members of the House may get some rest.

Mr. CAMERON (Inverness). This is not the first time we have had to do it.

Mr. BAIN. No, it is the second time ; and it is in connection with forcing legislation upon the same unwilling province. Before my hon. friend from Inverness (Mr. Cameron) came in I was pointing out that important measures were neglected because of the unreasonable manner in which this Bill is pressed. I had spoken of the question of the trade relations between the colonies and the mother country. That is a question that must appeal to the patriotism of my hon. friend from Inverness. He is one of those who believe that it is almost a sin to sell anything to the Yankees if we can sell it in Great Britain. He must feel that it would be better both for Great Britain and for the colonies to develop trade within the Empire. The conference to which I have referred will probably take place. The boards of trade of Great Britain have taken an interest in the matter. They seek to increase trade on peaceful lines. They do not adopt the policy which the ex-Minister of Justice (Sir Charles Hibbert Tupper) about a year ago said was the policy of Britain—to use the army and navy to enforce trade upon unwilling savages. If this conference takes place, our Government will hardly be not so unpatriotic as not to send a delegation. That delegate should go armed with the instructions of Parliament after full discussion. And this is blocked, as are other important matters in order that we may deal with legislation of this kind which can lead to nothing except a long series of law suits and continued ill-feeling among the people. These are the reasons why the committee should rise and report progress, in order that at subsequent sittings members of the Cabinet may be able to answer the questions asked by the hon. member for West York (Mr. Wallace) with respect to text books and other questions of importance.

Mr. MACLEAN (York). I must join the protest entered against the prolongation of this discussion. It is high time that the House adjourned in order to give hon. members an opportunity of rest. The Government will not gain anything by conducting the debate in this way. Up to three o'clock this morning the question was debated on its merits; but when that time arrived hon. members thought it time to protect themselves, and if necessary to discuss other matters than the clause under consideration. Especially are they justified in adopting such a course when the Ministers are absent or are not ready to defend the Bill. Hon. members need rest for another reason. The House is to be placed in possession today of certain valuable information in connection with the recent mission to Manitoba. That mission was a most important one, and we all expect to obtain a full account as to what transpired between the Dominion commissioners and the government of Manitoba. Were the House now to adjourn, we would be able at the next sitting, perhaps, to obtain this information, and then be able to discuss the subject intelligently. Hon. members are being overtaxed, and yet the Government only the other day committed themselves to the eight hour system with regard to certain of their employees, and at the same time hon. members are called upon to sit not twenty-four hours, but one hundred and forty-four hours, or the entire week. That is not fair, and surely the Government should treat hon. members as well as they do their servants, and it must be remembered that the Ministers take long rest and absent themselves from the House.

Mr. DALY. The hon. gentleman is incorrect. I am here prepared to answer any question pertinent to the amendment under discussion. I have never been asked any.

Mr. WALLACE. I have repeatedly asked questions of the Government and no answer has been forthcoming. I asked the Minister of Public Works and other ministers questions time and again in regard to particular clauses. The statement is incorrect that Ministers have not refused to answer questions. They have refused time and again.

Mr. MULOCK. I will give an instance. I asked the Minister of Justice for some information, especially as to whether the minority had asked for certain things found in subsection "b." The Minister of Justice looked at the remedial order and gave me a very partial answer, and suddenly rose and left the Chamber. I thought he was called away suddenly, but the Minister of the Interior said he would be absent some time. He has not yet returned, and although the clause was carried, no answer has been given to my question. The Minister of the Interior was present at that time. Therefore in my opinion the statement of the hon. member for East York (Mr. Maclean) is fully sustained.

Mr. MACLEAN (York). I wish to say that the Government would make more substantial progress if the House sat only from three o'clock in the afternoon until three o'clock in the morning, especially if during that time the legal members of the Government were present prepared to answer questions. I am interested in the proceedings of the Railway Committee, which meets to-day, and I am going to attend its sittings. It is, however, not fair that the opportunity should not be afforded to attend the committees and the committee work go on. What is the particular urgency in regard to this Manitoba school question? It is really no more urgent than are other great issues before the people, yet it has occupied the whole attention of Parliament this session. There are other important questions. There is for example the question of improved Imperial trade relations. True, that this has been discussed to some extent, but it has not received full consideration. The most important question for this country is the material development of the Dominion. We have done nothing in that direction this session. We should be more concerned in regard to the settlement of the North-west, to immigration, establishing a mining and an iron policy rather than be taking up the time of the House in discussing this miserable school question, which will not be settled no matter what policy may be adopted. It must be remembered that this question is not going to be settled by a vote of the House this session. Hon. gentlemen will have to face the people and assume the responsibility of their actions. It is going to be one of the leading questions at the forthcoming elections. Those who now sit in this House and who go before the people for re-election will be held responsible by their constituents for their conduct here. By passing the Bill now they will not evade that responsibility. Hon. gentlemen talk about the constitution. It is not the constitution that governs this country—this Dominion is governed on principles of parliamentary responsibility. Every party is responsible for its programme, and every individual member is responsible for his vote. He cannot seek refuge behind the constitution or a decision of the highest court. It is true we have a written constitution, but we have parliamentary government in connection with it. Candidates at the forthcoming elections will be called upon to take their stand on one side or the other, and they will be asked to outline their position on this question as regards the formation of new provinces. It is true we have a dual system of education in Ontario, which it is not proposed to disturb, but the question is whether in new provinces we shall have such a system incorporated in the constitution. I am afraid the House and the Conservative party have been misled on this school question owing to the fact that there are too many lawyers in the Cabinet. They have a trick of taking refuge in the law. When it is a question as to whether this measure will be for the public good, they say that the law says so and so, and the question must be settled in that way. The Government would occupy a much stronger position if there were fewer lawyers and more statesmen in its composition, and if they had regard for our political welfare rather than for the constitution. I wish to give an illustration. If a departmental store had a lawyer at the head of each of its departments, it would not achieve much success. It is the man who studies public sentiment, the man of affairs who has intelligence and common sense who succeeds, and the Conservative party has been injured rather than benefited by the fact that there are so many lawyers in the Government, and that so much attention is paid to constitutional issues than to the true welfare of the country. I can give an example in the case of one leading man of the country, who is connected with the Liberal party. On being asked his opinion in regard to the introduction of a protective policy into Canada, he said : " My dear Sir, I am giving my whole attention to the study of the constitution ; I think my fort is in that direction, and I do not care about industrial progress." That too truly represents the position of many members not only in the Liberal party but in the Conservative party who have a legal turn of mind. In regard to the special clause under the consideration of the committee, much information is yet required, and in order that it may be furnished the committee should rise and report progress. If there are members who wish to discuss this particular clause, I am willing to vote for the amendment that the committee rise, report progress, and ask leave to sit again.

Mr. MARTIN. I scarcely think the committee will be willing to accept that amendment, because it seems that some fresh members are now coming in who have not heard the arguments that have been adduced in favour of the motion which is now before you. Now, one strong argument which was alluded to by the hon. member for East York (Mr. Maclean) is the fact that at half past ten this morning the members of the Railway Committee have been notified to attend a meeting of that committee to consider five Bills. The first one is a Bill to secure the safety of railway employees and passengers, in which the hon. member for York is interested. Representatives of the great railway companies are coming here this morning at great inconvenience to themselves, to take part in this discussion, but the Government, by their course in insisting that the committee shall continue to sit upon this Remedial Bill, will prevent the Railway Committee from taking up that railway Bill. I admit that the clause of the Remedial Bill now before us is a most important one. The Minister of Interior has said that the Government were here prepared to answer questions, but I say they have not been prepared to answer questions. I say that this is one of the most important clauses in this Bill. It is so important that the hon. member for Quebec County (Mr. Frémont), a Liberal who supports the Bill, seconded by the hon. member for Bagot (Mr. Dupont), have introduced an amendment which changes the whole meaning of the clause. That amendment was introduced at about half past two o'clock this morning. The Government propose that the separate schools of Manitoba should take the text books that are provided for the separate schools of Ontario, and the text books that are provided for the high and public schools in Manitoba. Strong reasons have been assigned why that would be an outrage upon the people of Manitoba, upon the separate school supporters of Manitoba. The Government themselves are prepared to recede from the proposal which is contained in the Bill, because they have told us that, without any discussion, they intend, when this particular amendment is voted down, to introduce an amendment to the section by providing that the school books which are now in use in the separate schools of Ontario and in the high schools of Manitoba, shall for all time to come be the text books for the separate schools of Manitoba. Now, that is a matter that we should not be compelled to swallow at one gulp. It would be a great mistake in the interest of separate schools in Manitoba that we should acknowledge the principle that no better book could be written in the future than now exists in connection with morals and religion from a Catholic standpoint. Now, surely, Mr. Chairman, that is a question that ought to be considered carefully, and the House at the present moment is not in a condition to consider anything. Of course those members like the Secretary of State, who is proceeding to die for this Bill and for the country by quietly going to bed at nine o'clock in the evening and after a good sleep and a good breakfast, coming on to see how the poor unfortunate members like myself, who have had to stay here, are getting along. They, perhaps, may be in a position to consider this matter. Then, Sir, there is the Bill of the hon. member for Glengarry (Mr. McLennan), which was to be taken up in the Railway Committee to-day. Although that hon. member is a strong supporter of the Government, even upon this iniquitous Remedial Bill, yet they propose deliberately to insult that hon. gentleman by preventing a consideration of his measure. We have also in the Railway Committee, Bill (No. 61) to incorporate the Toronto, Hamilton and Niagara Falls Electric Railway Company. Gentlemen interested in this railway have put advertisements in the papers according to the rules of the committee, they have paid their fees, and the Bill has been introduced and is now before that committee. It seems to me that it is a great outrage upon the citizens of this country that they should be prevented from having this legislation taken up and considered in committee. Then there is another Bill to incorporate the Hudson's Bay and Pacific Railway from the Hudson's Bay to the Pacific Ocean running through Manitoba, North-west Territories and British Columbia. Yet the Government propose to prevent the distinguished capitalists whose names appear in this Bill, from expending the large amount of money they are prepared to expend in this country in constructing these railways. Now, there is a rule of this House that the Railway Committee cannot sit while the House is sitting, and I would suggest that the Government consent to this committee rising in order that the members of the Railway Committee may attend that committee and proceed with the consideration of these very important Bills. More than that, there is the Bill concerning the Chignecto Marine Transport Railway which stands for a second reading, but all other business before the House is blocked by the insistance of the Government in proceeding with this Remedial Bill. I know that the Government and their supporters are charging the opponents of that Bill with obstruction, but I appeal to the judgment of the hon. members of this committee if every speech which has been delivered until, say, half-past four o'clock this morning, was not a closely reasoned and pertinent discussion of the clauses of the Bill. The hon. member for North Simcoe made the clearest presentation of the law points upon that Bill which I have heard in this House. Now, it is nearly ten o'clock, and I think the Government would do well to adopt the suggestion I have made. If this committee were to rise, as proposed, it would advance the progress of the Bill, and the only theory upon which the conduct of the Government in forcing us to sit night and day can be accounted for, is that they do not want the Bill to pass. It has been openly stated in the Conservative press that the Government could not obtain the second reading of the Bill but upon the promise that it should not go through the committee of the whole. Their conduct in trying to bring the Bill into ridicule furnishes additional proof that they have no desire that the Bill should pass. There are many considerations involved in this question which have not received due attention from hon. members. I do not address myself to members like the hon. member from South Victoria (Mr. Fairbairn) who come here refreshed with sleep and breakfast——

Mr. FAIRBAIRN. We are all right.

Mr. MARTIN. Yes; the hon. gentlemen are all right, but there are other members who have had neither rest nor food.

Mr. FAIRBAIRN. You may go; we do not wish to keep you.

Mr. MARTIN. But I fear that if we, who have shown such an interest in the Bill by staying here all night, were to leave now, some accident might happen to this measure. It is much better that my motion should be carried than that some hon. gentleman hostile to the measure should move that the committee rise. If that were carried, the Bill would be killed, which many hon. gentlemen would regard as most unfortunate. I did wish to point out some features in the documents relating to this case, which, I think, have not received due consideration. But I fear that would be trespassing too much upon the patience of hon. members like the hon. gentleman from Two Mountains (Mr. Girouard), who have been here all night. It would be better that the Government should accept my motion, and then we could come at 3 o'clock and discuss the matter reasonably, and, no doubt, pass a number of clauses. But I do not wish to have these clauses so closely affecting my own province passed at a time when I cannot hear the arguments advanced with regard to them. Even so far as we have gone we have not had satisfactory explanations from the Government. The hon. Minister of Railways (Mr. Haggart), who has just come in may be able to do better, but we found the Minister of the Interior (Mr. Daly), and the Minister of Public Works (Mr. Ouimet), very unsatisfactory in this respect.

Mr. FAIRBAIRN. You do the talking, and we will do the voting.

Mr. MARTIN. I regret that that is the tone of the whole Government in this matter. They say in effect : Here is your dose ; ask no questions, but swallow it. But we can hardly blame the Government, for experience has shown that the course they are taking is the best one in their own interest. The Minister of the Interior was foolish enough to discuss one clause, and he found, after discussing it, that the Bill would be better without it. But, so far as the passing of the Bill is concerned, there is no reason for trying to tire out the House. I do not see why the Bill should not get through the committee. There is plenty of time between the 6th—or, this is the 7th, I believe—there is plenty of time between the 7th and the day for closing Parliament to get the Bill through. But it never can be got through under this plan of operations. The members of the House cannot do business when they are tired out, and so the Bill will be blocked. But that is the object the Government have in view, as has often been charged, and they have not dared to deny it. It cannot be said that, so far as the Opposition are concerned, there has been any obstruction. If any hon. gentleman goes through the speeches that have been made he will be unable to find any indication of a a desire to delay unduly the passage of this Bill. I admit that there has been obstruction on the part of the Secretary of State (Sir Charles Tupper). For instance, he took up time in the little operation of turning out of this House certain members of his party. But the speeches on this side have been made only with the object of perfecting the Bill. I find the Government guilty——

Mr. MILLER. I would hate to have you for a judge.

Mr. MARTIN. The country will judge them as I do. Is there a member on that side of the House who can show reasons why I am wrong ?

Mr. SMITH. We want to vote.

Mr. MARTIN. That is the usual course—no reason given, only the force of a brute majority. I regret that I have to go to breakfast, and cannot discuss this matter any longer.

Mr. MULOCK. I am glad to notice that the members who have been resting during the night are now returning to their labours. No doubt they would like to know what has been going on in their absence. We have been discussing a motion that the committee rise, report progress and ask leave to sit again. If that motion were carried, no doubt the committee would sit again very soon. We are a representative body, and, no doubt, the Government boast that they are the people. Well, the people were engaged, as some would say, in legislating last night. We have about 15 members of the Cabinet, some 13 of whom have seats in this House. This measure, which has been called the most important ever brought to the attention of Parliament, was considered last night by a small section of the House, led by two members of the Cabinet, sound asleep. The Minister of the Interior (Mr. Daly) occupied two chairs. The Controller of Inland Revenue (Mr. Prior) enjoyed blissful slumber during the whole night. Round them were sleepers in all attitudes. Gentlemen who had boasted that they were ready to stand by the constitution were, we may say, sleeping by the constitution. They were, many of them, men who will never occupy seats in this Parliament again, and who will not dare to face their constituents. Many of them, if rumour be true, will enter the peaceful quarters provided for the faithful supporters of the Government, and their names will be added to the civil list. This is called legislation, but is it legislation simply to press a measure through by exhausting the physical powers of members of the House ? Who drew the Bill ? We had it on the admission of the Minister of the Interior that portions of it, at least, were not drawn by the Government, that Mr. Ewart, the counsel for the minority, had demanded that certain clauses be put in. They have been put in, but why, no one can tell. The Secretary of State came into the Chamber last night and sought to disturb the harmony that was prevailing in the debate. I am glad to know that he is just now dying for his country in his own quiet bed. It is part of his methods to pose before the people as a martyr, but when they come to know that this self-created martyr, this self-canonized saint, has had his office in this building transformed into a bed-chamber and ample provision made for his comfort, they will come to the conclusion that he is really not such a martyr as he professes to be. I would ask hon. gentlemen who have any influence with their imperious master to seek to induce him to absent himself from the Chamber, and from brow-beating members and injecting offensive remarks into the debate, and then the committee can proceed satisfactorily with the discussion. I would almost be warranted in promising that if hon. gentlemen opposite would bring a judicial and conciliatory spirit to bear on the debate, and would occupy a fair portion of time, substantial progress would be made at the end of each sitting. I am not speaking for the party, but as a member of the party, and I would use any influence I possess to carry out such an understanding ; but if the Government have taken the bit in their teeth and are determined to sit from Monday afternoon till Saturday at midnight, to sit for a period unexampled in parliamentary institutions, the blame must rest on those who are endeavouring to coerce what should be a free parliament.

Sir RICHARD CARTWRIGHT. It may be as well that we should have a distinct understanding with the Government. This House has now been in session twenty-four hours.

An hon. MEMBER. Where were you ?

Sir RICHARD CARTWRIGHT. I was doing my duty to myself and to my constitution, and I am now perfectly prepared to do my duty to the constitution at large. I want to say a word or two to the members of the Government present. After being in session twenty hours, every one knows perfectly well that any proper discussion of the measure now before us is utterly impossible. That measure under any circumstances is one which would task our energies and require that every hon. member should address himself to it with his brain clear and mind fresh if any good is to come from the discussion. We have been kept here since three o'clock yesterday afternoon. This Chamber has neither been swept nor ventilated, and it looks like it ; the atmosphere has become fouler all the time, and is likely to become more so, and the health and constitution of yourself, Mr. Deputy Speaker, and of members, must be seriously affected. I wish particularly to say a word or two as to the matter of the rights of Parliament. I have not been obstructing this Bill. I have sat here many hours, and have discussed this Bill wholly and entirely as it should be discussed, and I challenge hon. members to say otherwise. But it is my right to point out that while the Government use all reasonable and fair means to carry on the discussion, they have no right whatever to insist on pressing the discussion at such hours as to render it perfectly impossible for hon. members to be here. That is the position which I take, and it is in conformity with the essential doctrine on which Parliament is based. I am not disputing the rights of the Government or the rights of the majority ; I am requiring that they should exercise with decency, patience and fairness those rights, which is not being done in the present instance. I do not object in a case of this kind to the Government taking every day of the week for the discussion. I do not object even to their taking a very long number of hours for the discussion. That I have done in their places, and that I would do again ; but I object to any attempt to bulldoze or terrorize the minority by physical force to carry on a discussion at a time when it is utterly impossible for individual members to be present. It is no answer to say that certain members have exercised their privilege in discussing the Bill in a way that is not acceptable to the leaders. For their actions they are responsible to their constituents, but that does not justify the Government in attempting to force the Bill through under the circumstances I have described. The Minister of Railways, to whom I chiefly address myself, is an old member of the House. He has been a prominent factor in similar exploits, and in holding the House under circumstances for which there was very little excuse. I remember how he and the Secretary of State, when I was Minister of Finance, held the House for forty-eight hours on a question for which there was no show of excuse, because their business was to prevent the House adjourning, and they prolonged the House by speeches abounding in every conceivable irrelevancy and nonsense. It ill lies in the mouths of these hon. gentlemen to read a lecture to hon. members on the question of obstruction. I well remember the Secretary of State, to the injury of many members—and to the great injury of the Chairman as it turned out—held the House eight hours in Committee of Supply, and no item was passed, because the Government had refused to adjourn on St. Patrick's Day, when he wished to deliver an address. I entirely refuse to submit to this tyranny. These rules under which we are carrying on this debate were framed especially for protecting the minority against any such attempts as is being made. I do not want to exhibit to this country the disgraceful spectacle which may occur if the House is very many hours more in session. We are all aware of the methods pursued by some hon. members opposite to strengthen their nerves and their hearts, and I give them warning that if the disgraceful orgies are repeated which occurred on previous occasions, and which I believe led to the death of one hon. member a few days ago, those members will be held up to public reprobation. I am afraid we ought to move to abolish the bar in this House. I can promise all parties concerned that if there be a repetition of those very disgraceful scenes, no regard for the feelings of members will prevent their names being given, and they will obtain all the publicity they desire. On this occasion it is our duty to avail ourselves of all the powers which the minority possess to prevent the Government tyrannizing over them. It is our determination to do so to the full ; but before we are called upon to meet this unpleasant situation, I wish to tell hon. members of the Government present that we are prepared to adopt a modus vivendi, to agree that this House should sit for a reasonable number of hours and adjourn at a reasonable hour, and in that way conduct the discussion, and, further, that we will allow a reasonable number of clauses to be passed from day to day ; but we are fully determined and prepared not to allow this attempt to pass a measure by sheer physical force to prevail. Hon. gentlemen opposite may make their selection and choice. That is our determination. We have done more than that in times past.

For three months and more we succeeded with a far inferior force to that at our disposal in holding up the Franchise Bill. If this question is in such a shape that this measure cannot be passed, who are to blame ? The men who are to blame are the Government. They have no business whatever to attempt to pass this measure during the last five or six weeks of the session, called under the circumstances under which this session was called. If they had been honest in their desire to pass a Remedial Bill, and this has been stated frequently, and will be stated on every husting in Canada, it would have been laid on the Table of the House on the 2nd January, and proceeded with the moment the Address was disposed of. Two whole months were allowed to elapse before the second reading, and the Government knew that the utmost time at their disposal was three months and a half. That shows the hypocrisy of the whole proceeding, that there was no honest desire on the part of the Government to pass this measure ; that shows clearly that there are two distinct factions, one who do not want the Bill, and the other who want to push it through. The Government are wholly to blame for the present position. What was to prevent a session being held in November ? Had a session been held then, this measure could have been passed. Instead of doing so, they waited until 2nd January, and the Government then allowed a whole month to elapse without any substantial progress being made. Then with the full knowledge that the House must dissolve on 24th April by efflux of time, they deliberately spent a whole month over the discussion on the Budget, which was neither necessary nor useful. That is their position. Now, I have no hesitation in saying, because although I cannot judge men's motives, I can judge their acts, that their conduct was utterly incompatible with any sort of real desire to pass this measure. What they want to do now is not to pass the measure. They do not intend to pass the measure, they have not intended, I believe, to pass it ; but they want to shift the responsibility from their own shoulders as far as they can, to the shoulders of the Opposition. They want to be able to say : We did our best to pass this Bill, we sat day and night to pass this Bill, but the Opposition would not let us. If there had been any honest desire on their part to pass the Bill, it is not on the 7th day of April that they would have begun these long sittings. What was to prevent them, if they were really in earnest, from commencing their long sittings on 1st February ? They might have been as far in the Bill as they are to-day, on the 1st February, had they any desire to pass the Bill. I repeat the offer I have made. If the hon. gentlemen chose to show a little common sense, if they desire to spare this Parliament from the disgrace which always attends these protracted sittings, if they desire to maintain parliamentary forms, then let them accept the offer I have made and agree to a reasonable modus vivendi ; let them sit a reasonable number of hours and discuss this measure in a rational manner, for it is utterly impossible to expect that it will be so discussed under the conditions we are now in.

Mr. McNEILL. I entirely concur in the remarks made by the hon. member who has just addressed the committee. What possible benefit can accrue by this extraordinary procedure on the part of the Government ? How can this measure be advanced, if that is really the wish of the Government ? Do the Government really suppose that they can force this measure through the House by the exertion of physical force ? I do not think they can really believe that. If they have the slightest expectation that by merely wearing the members out, by depriving them of sleep and thus breaking down their health, they can succeed in carrying the measure, I am sure they will find themselves entirely mistaken. I am quite sure the course they are adopting is neither calculated to raise this House in the estimation of the country, nor to raise in the estimation of the country, the gentlemen who are responsible for the exhibition which is being made at the present time. I think a reasonable course to pursue would be for the Government to take so many hours of the day for their measure, any reasonable, or almost unreasonable, number of hours for their measure, and that then they should proceed with the other business which is of such great importance to the country, and carry their estimates through the House and thus provide money for the running expenses of the country, so that we may, if possible, not be under the necessity of holding another session of Parliament this year. But the idea of endeavouring to coerce this Parliament by keeping us sitting here day in and day out, the idea that British people can be treated as if they were slaves, is an insane idea. Why, Sir, this is not the leading of a House, this is an attempt to drive Parliament, and this Parliament is not to be driven. This may be all very well if it were an attempt to drive slaves, but the representives of a free people are not to be treated as if they were slaves, and the people of this country do not expect their representatives to be so treated. Now, I will repeat my proposal to the Government, and that is that notwithstanding all the delay that has taken place, notwithstanding the fact that we are forced to discuss this matter at this untimely period of the session, even although this attempt to coerce the House of Commons has been made, still I say that for my part I am willing to let bygones be bygones. I am willing that we should go on with the discussion of this measure for a certain number of hours in a day, and then go on and endeavour to pass the estimates necessary to provide money for the running expenses of the country.

Mr. SMITH (Ontario). Will you do what you can to pass the Bill ?

Mr. McNEILL. Now, my hon. friend knows very well that I am not going to do what I can to pass the Bill, but I am going to do what I can to improve a very bad Bill. My hon. friend knows that I voted against the second reading of this Bill, and at one time I thought my hon. friend was going to vote against the second reading, but he did not do so. I am opposed to the Bill on principle, and I am still very much opposed to the passing of the Bill in its present form. I desire to have the Bill discussed and improved in every way possible, if it is to become law, because in the shape it is at present, it is a mass of absurdities, it is a mass of contradictions. It really would be advisable from the point of view I have been pressing that we should rise and report progress. What is to be gained by sitting here until this hour ?

Mr. JONCAS. We want to give you a chance to discuss the Bill.

Mr. McNEILL. This is not a reasonable time for discussion. Besides, though the Bill is an important matter, there are other important matters to occupy the attention of the House. By sitting at this time we prevent the sitting of the committees, which are most important. For instance, my hon. friend beside me (Mr. Sproule) is chairman of the committee on agriculture and colonization. We all know how important is one of the matters that has this session been occupying the attention of that committee—the question of shipment of meat to England in cold storage—particularly now that our cattle have been scheduled. The sitting of the committee is prevented by an attempt to coerce Parliament into passing this Bill. We are not here to discuss this Bill, it would appear, but we are here to be coerced into passing it. The attitude of mind which leads to coercion is the very reverse of that which leads to discussion. You cannot coerce and discuss at the same time.

Sir RICHARD CARTWRIGHT. Nor can you coerce and negotiate at the same time.

Mr. McNEILL. My hon. friend is quite right, and I have no doubt that more will be said about that later on. If the Government wish this matter discussed, they must withdraw the coercion. The Government virtually say that they do not intend to discuss the matter. It is as well that the country should understand that. I am not surprised that they do not wish discussion, considering the result to them of the discussion thus far. We know that the Minister of the Interior stated that the 3rd clause was essential to the constitutionality of the Bill, and after further discussion he said that, perhaps, it would be well to strike out that clause altogether. Then, in the discussion of the 4th clause, the hon. member for North Simcoe (Mr. McCarthy), the hon. member for Bothwell (Mr. Mills), and the hon. member for Queen's (P.E.I.) (Mr. Davies), declared that it was an unconstitutional attempt to interfere with the rights of the local legislature. The hon. gentleman who ought to have charge of the Bill, the Minister of Justice (Mr. Dickey), but out of whose hands it has been taken by the Secretary of State, always discusses a subject in a judicial manner. He is not here now to be questioned upon the subject. But, judging from his argument in this House, I venture to say that he would hesitate before he would say that his mind was free from doubt as to whether we had any power to legislate in the direction proposed in this 4th clause. And when we have three such high constitutional authorities as the gentlemen I have referred to declaring that the clause is unconstitutional, is it any wonder that the Government desire to avoid discussion of the measure ? The attempt has been made to coerce Manitoba, but it has failed, and now the attempt is being made to coerce this free Parliament, and it will fail. In the debate on the Address, I urged that the proper course to take was not that of coercion, but the British course of conciliation and compromise. The Government have admitted by their actions that the course I proposed was the right one. And though the results have not been all that was desired, still they have been such as all must have been glad to observe. A great deal of the acrimony that existed in Manitoba has been removed, and, on the other hand, it has been shown that the Manitoba government wish to deal with this Government, and with the people of Canada, in good faith. Much has been done to break down the barriers which were, unfortunately, raised very much, as I believe, by the injudicious course of the Government in the earlier stages of the controversy. But good cannot result from their attempt at coercion. One result only too likely to follow is the bringing of this House into contempt. If the Government are wise and patriotic they will drop coercion, and proceed with discussion in accordance with the well established usages of Parliament.

Mr. WELDON. I support very earnestly the motion now before us. I see before me the wearied face of the Postmaster General (Sir Adolphe Caron). Why should that faithful servant of the state be compelled to sit here until eleven o'clock in the morning, twenty hours after the Speaker took the Chair. And the Postmaster General is only one of a number equally faithful who are called upon to make sacrifices of health and comfort that should not be demanded of them. "A fair day's wage for a fair day's work" is a maxim among the men who work with their hands, and why should we be compelled to do three days' work in one day ? We must throw upon those who are responsible for rejecting this motion the odium and dishonour which will attach to the deliberations of this Parliament. This is the 7th of April, and we have still 15 days left, excluding Sundays, before, by operation of law, this Parliament is dissolved. The Finance Minister (Mr. Foster) thought ten days enough to fairly discuss this Bill. In that case we should still have five days more than are necesssary for the consideration of this measure. But, I call the attention of those who wish to force this measure through in this manner, that by compelling us to sit day and night they render us unfit to do good work in any hour of the 24. I do not agree with the Minister of Finance ; I do not believe that there is time enough left this session for this Parliament, unfamiliar as it is with school law, and called upon for the first time in its 30 years of existence to legislate upon the subject, to consider the details of such a Bill. The hon. member for South Oxford charged the Government with not being in earnest. If they are not in earnest, they are the most clever comedians who have ever played on a public stage.

Sir RICHARD CARTWRIGHT. What I pointed out was that there were two factions in the Government : one might be in earnest, the other certainly was not.

Mr. WELDON. I will speak as a member of one faction. If the leader of the House is not in earnest, then all recognized signs of earnestness are a delusion. I have been absent from the House for a few days.

Sir RICHARD CARTWRIGHT. You have escaped being read out.

Mr. WELDON. In reading the papers it occurred to me that there must be left in good standing on the front row of this side of the House no members except Ministers, and perhaps Sir Donald Smith and the whip of the party. My breath was almost taken away when I found that my old friend the member for North Bruce (Mr. McNeill) had been read out, or attempted to be read out, although the Secretary of State seems to have awakened the wrong passenger. I remember after the last elections that the whole front row was without a break, filled by men very much more able and capable than two-thirds of the members of the Cabinet, and I have never concealed that opinion. As a life-long Conservative, having been ten years in the House, my breath was almost taken away on finding that members of the "old guard," those who year after year had gradually forced their way to the front, were being forced out of the party. I do not know what is the standing of the hon. member for West York (Mr. Wallace) ? I do not know whether he has been disciplined or not.

Mr. WALLACE. I am all right.

Sir RICHARD CARTWRIGHT. Harpooners never attack a certain species of whale, because he is too fierce.

Mr. WELDON. I congratulate, not only the member for West York but the leader of the House in not undertaking to drive him from the ranks of the party. These incidents show to one who has been absent for a day or two that these high pressure sittings are having a very bad effect on the Conservative party. The front row is frightfully broken. There may be a rupture among the members of the second row, among the men next in experience and party service. The member for Inverness (Mr. Cameron) is in danger. He will vote with me against the Bill on the third reading. The committee should rise and report progress, for you, Mr. Deputy Speaker, as well as the official reporters and pages are all worn out. Men cannot do business when they have been actively at work for twenty-four hours. No one believes that this Bill containing 112 clauses should be allowed to pass without full consideration. The hon. member for North Bruce (Mr. McNeill) urged that an arrangement should be arrived at by which the Bill would be taken up at three o'clock in the afternoon and the discussion continued until a specified hour in the evening. If such arrangement were made, more progress would be made in one hour than in three at the present time when the House is under the threat of the lash. I think the Government is between the devil and deep sea, and I reach that conclusion largely by reading the public journals, more particularly the French papers. "La Presse," which has given great attention to this school question and discussed it very fairly, although it sometimes uses the words renegade and fanatic, accused the Government of insincerity when it adjourned some days ago at 3.40 a.m. It declared the Government had given away to the obstructionists. I know perfectly well that the Government had proceeded as far as they could go. The French papers were inspired by an unwarranted fear that the measure would fail. Their papers are forcing the Government forward, and the Cabinet are paying too much attention to those journals, and even to the English papers. I trust the Government will not hurry faster by any pressure brought to bear on them from any quarter outside this House. This question of a school law is a new one to members of this House. I am not thoroughly posted in regard to the Ontario school or in regard to the Catholic system in the province of Quebec. At the earliest opportunity I shall visit Hull or some other place in the province of Quebec and see how the religious exercises are conducted and how the schools are managed. But let us be fair to the administration. It is true that we are making war upon the administration, but we are doing it in order to save the party, we are trying to save the old party. But we say the Administration has led the party wrong. We say the Administration has made a wild bid for the vote of Quebec. We say that is bad party politics, that is deplorable statecraft in this country, or any other, but especially a country like ours made up for the most part of two races. I say it is bad statecraft for the national authority in any country to make an unscrupulous bid for the support of any particular class in that country. The result that might be expected has happened, and you are creating a resentment in the rest of the country, and making the difficulties deeper that we hoped were becoming less. I deplore the move made by the late Minister of Justice. I think much of the disaster that has fallen upon our party in the last year and a quarter, is due largely to the impulsive temperament of that hon. gentleman, and in part is owing to the fact that he was called to a portofolio for which his previous seven or eight years experience had not well fitted him. He had been studying Marine and Fisheries, and was called suddenly to deal with questions of the national importance of this Manitoba school question. I think he should have declined to take that portfolio. But the difficulty in which our party finds itself to-day can be traced to what happened immediately after the death of Sir John Thompson. I wish to make no invidious comparisons, but I say with great gravity, that if the selection had been made by the Prime Minister in January, 1895, that he made in January, 1896, of my hon. friend the member for Cumberland, who is now the Minister of Justice, with the incomparably better opportunities he had had for dealing with a question like this, owing to his long and active legal experience before he took this portfolio, I think the country would not have found itself in the position we are now in. Now, I am not disparaging the ability of the late Minister, I am speaking simply of his want of opportunity. I am sorry that hon. gentleman is not in the House at this moment, but he can read in the "Hansard" what I am saying. I say nothing could be more deplorable than the selection of a gentleman for the portfolio of Justice who had not had the previous necessary training and experience. That is a portfolio for which an expert was wanted, but a gentleman was selected whose best friends even could not claim for him that his previous employment had fitted him for it. On the other hand, the hon. gentleman who now holds that portfolio has been much more fortunate, as every member of this House knows. Not only had he already won a high standing at the Bar of his native province, but for five or six years in this House the member for Cumberland had taken an active part, and had become a very influential member, and his opinions upon all legal questions under discussion, both in this House and in the Committees of this House, were regarded with great respect. Therefore, I do charge that many of the disasters that have overtaken our party and country are due to the fact that an impulsive, an impetuous, and excitable young gentleman was put in charge of a portfolio where coolness, self-possession, learning, judgment and openness of mind, were needed. Now, Sir, I have spoken many times on this school question since 1890, and I have had the pleasure of saying many a time that the position taken by the late Sir John Thompson seemed to me well taken, that his course was skilful, that he was a wise pilot, that he handled this question sailing, as he himself said, by the pole star of the constitution. I do not know that one mistake was made by him in dealing with this question in a constitutional way up to the time of his death ; but since then there has been scarcely an important move made that has not been, from my point of view, a mistake. Let us be just to the Government. The Government has no department of education, it has no corps of experts, such as Mr. Mowat might have, or Mr. Blair in New Brunswick might have, or Mr. Fielding in Nova Scotia might have. There is no minister of education, there is no general superintendent. Therefore this Government must not be impatient when we tell them that their Bill is a bad Bill. You might expect to find it crude ; and I think it was not possible to have chosen any other fifteen gentlemen from this side of the House and put them into the Cabinet, who would have framed a Bill, perhaps, any less imperfect than the present Bill. Now, Sir, the supporters of the Government charge us with obstruction in opposing this Bill. For my part I do not fear that word. During the ten years that I have had the honour to sit in this House, although I have spoken often, I do not think any hon. gentleman can charge me with having intentionally spoken in an irrelevant manner, in a manner not pertinent to the subject under discussion. But I say that the Bill which is under discussion at present, will not be furthered by sitting all day and all night. For this non-important and irrelevant discussion, such it is, the responsibility must fall upon those who insist upon driving us, and keeping us in this unbroken continuous sitting. It has been pointed out that there are two committees who should have sat this morning, the Railway Committee and the Committee on Agriculture and Colonization, but neither of those committees can sit while this House is in committee. There is simply a collapse of business, a suspension of all other business of the House. This Bill can make no progress under these conditions. If you will agree to let the committee rise at some sort of an hour in the morning, and let the members go home and get some rest, and come back in the afternoon, you will get out of them all that it is possible to get out of them. If a man is going to obstruct, he will obstruct; but you are not only justifying obstruction, you are provoking obstruction. Therefore I submit that this motion, that the committee now rise at half past eleven in the forenoon, ought to carry.

Mr. PATERSON (Brant). I think the members of the committee can not fail to have perceived that the position taken by the hon. gentlemen on this side of the House is unassailable in demanding that the discussion on this Bill should be carried on at reasonable hours, and under circumstances that will permit the members to give it that calm consideration that its importance requires. The importance of this Bill can scarcely be overestimated. It is a Bill that will have to be discussed in various constituencies; the representatives will be asked to explain it, and to explain their votes upon it: and it is very desirable that the fullest discussion of the Bill should take place during hours at which every member of the House can be present. Now, the hon. member for Albert (Mr. Weldon) has pointed out that there has been a division on this question in the Government ranks. He has pointed out that many gentlemen on the Conservative side of the House who had greater capacity and ability for administering the affairs of the country than have the members who compose the Government, have now been read out of the party because they were unable to agree with the Government on the question. He has pointed out that there has been scarcely a break in their ranks except in the case of the chief whip of that party; and I venture to think that unless he has been terrorized by the denunciations of his leader, he must soon be read out of the party likewise, or else he must forfeit his word solemnly given to the House. I see that the speech he delivered in the House the other day has been printed. It is headed "Mr. George Taylor's speech in the House. He defines plainly his views on the Remedial Bill." The paper bears his likeness, so that the people may make no mistake. Now, the hon. gentleman said, if this is a correct report, and is said to have been taken from "Hansard":

> For myself, I think the requirements of the constitution and the decision of the Queen's Privy Council would be fully met, if, when the Bill gets into committee, it is amended in this way: That in the province of Manitoba there shall be one national school system, that there shall be one school, and that in that school no religion shall be taught that will be offensive to the consciences of the parents of any child. That would be my view; that, I believe, would settle the constitutional grievance, because it would place the whole of the community on the same footing. That is the view I shall take, when we get into committee on the Bill.

We are now in committee on the Bill and the clause we are considering provides not for a national school system but for a second school system, and of course now is the hon. gentleman's time to propose his amendment. He will be bound, if he is a man of honour, to rise and propose——

Mr. TAYLOR. When you over there give me a chance I will go on.

Mr. PATERSON. I will give the hon. gentleman a chance now. If he meant what he said, he will be bound to use his endeavours to have this clause struck out of the Bill, because it is absolutely contradictory to what he wishes. We cannot believe that a gentleman of his well known sincerity will remain silent under these circumstances. Even though he feels that he is in danger of the attentions of the Secretary of State and that he will no longer be the only Conservative on the front seat who has not been read out of the party, he will, no doubt, carry out his promise.

Mr. TAYLOR. How about the chairman.

Mr. PATERSON. He is not always on the front seat; he occupies the chair of this committee sometimes. If the hon. gentleman from Leeds (Mr. Taylor) looks on either side of him he will see men who have declared their opinions regardless of the thunders launched against them. It is alleged by the Secretary of State that the House having passed the second reading, that was sufficient reason for the House allowing the measure to pass in its crude condition and without due consideration. But as I have pointed out, one of the clauses of this Bill, it has been admitted, may be unconstitutional. If it is unconstitutional, the Bill will be no advantage to the minority but the very contrary; it will confer upon them only interminable law suits and heavy expenditure. But the position the hon. Secretary of State took seemed to me that because a majority supported a second reading, therefore the country sanctions the Bill. But there is this point to be considered. The hon. Secretary of State says that if this Bill does not pass, then in the general election which is immediately upon us, the people of this country will sweep the Opposition away and will send back the Government with an overwhelming majority pledged to this measure. If that is to take place, it will take place within two months. Then there cannot be so much danger for the minority. Will it not be better then that we should go on with the other business of the House. But, so far as this Parliament is concerned, it is a matter of doubt whether many of the gentlemen supporting the second reading represented the opinions of their constituents. It has been matter of congratulation on the part of those who favour the Bill that the members from Manitoba and the North-west with the exception of the member from Winnipeg (Mr. Martin) supported the second reading. That is a strong point, if these gentlemen represent the opinions of their constituents. But let us appeal to the organs of public opinion in that portion of the country. I take, for instance, the Regina "Leader," whose editor has been described by the hon. member for West Assiniboia (Mr. Davin) as a prodigy of editorial ability.

Mr. MILLS (Bothwell). And brought up at the feet of Gamaliel.

Mr. GIBSON. One of his own disciples.

Mr. PATERSON. Does the Regina "Leader" speak for the hon. gentleman's constituents ? This is what is says :

> FOR OR AGAINST.
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> To say that a majority of the people of Western Assiniboia felt amazement, chagrin and humiliation when the report came that Mr. Davin had voted with the Government on the second reading of the Remedial Bill is to express no more than the truth. To say that "The Leader" was humiliated, chagrined and amazed at the circumstance is to put the case mildly. We knew, it is true, that the Government were putting forth desperate means to win, cajole, purchase or intimidate the anti-Remedial Conservatives——

Sir, some of these words are rather gross, but I read it as it is in the paper :

> ——but that Mr. Davin could be fairly won, cajoled, purchased or intimidated to desert the conviction we knew him to possess on the question of re-establishing separate schools in Manitoba, we had not the faintest fear. Our confidence in him was the legitimate result of a study of his record of independence since he entered Parliament in 1887. As we reviewed that record we failed to perceive that Mr. Davin had ever been a servile Government follower ; on the contrary, he had ever placed the interest of his constituents and of the West in general above the interest of his party. Relying, therefore, upon the steadfastness of his conviction on priniciple and to his recognition of the best interest of the West, we had absolute confidence that Mr. Davin would vote against remedial legislation. As our confidence was absolute, so our humiliation is complete.
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> To the causes which Mr. Davin asks West Assiniboia to attribute his conversion, we will refer in a moment. The cause to which West Assiniboia really does attribute his action is the strength of machine politics. It is now known that on the 14th March a meeting was held at Moose Jaw which assumed the functions of the Conservative Association. That meeting passed a resolution instructing Mr. Davin to vote with the Government, which resolution was wired to Ottawa. The meeting and resolution were, we believe, the direct suggestion of a member of the Government ; and it was undoubtedly put forth as a means of coercing the member. Whether they are judging rightly or wrongly, the impression that at present prevails with the people of West Assiniboia is that by foul means, of which the above was doubtless only a minor example, the member for this district was coerced into voting for the Remedial Bill. It is freely asserted in Moose Jaw that the meeting was not a meeting of the Conservative Association, and that the resolution was not an expression of the wish of that organization. We can well believe it. Last week we asserted that no representative meeting in this district could be gathered that would endorse the Government's course ; and the fact remains undisputed. That Mr. Davin could believe that any Conservative Association in West Assiniboia would endorse remedial legislation, would not tell well for his intelligence or for his appreciation of the character of his constituents. He knows perfectly well that nine out of ten of the Conservatives of Moose Jaw were two months ago opposed to interference with Manitoba. The Conservative Association meeting at Regina in December gave him no uncertain indication of the feeling of Regina Conservatism. Does he think these Conservatives can change their convictions and feelings as swiftly as Mr. Hughes, McGillivray, and Ross of Dundas? (One consolation is left to us, Mr. Davin, is that you escape the supremely idiotic ridiculousness of the position of those three gymnastic please-alls.) We say that Mr. Davin must have known when he voted for the Bill——

I call the attention of the Ministers to this :

> ——that he was flagrantly misrepresenting the opinion of the people to whom he owes his seat in Parliament. Regardless of political lines—Conservatives, Liberals and Patrons alike—the people of the West are practically unanimous against unnecessary interference. If Mr. Davin voted under coercion, we have no words to designate his conduct. If he voted honestly and honourably according to an altered conviction, we say he knowingly cast a vote which he had no warrant from his constituents to cast,—and he occupies a position of an usurper in casting it.

There are much more in the article, but——

Some hon. MEMBERS. Read it.

Mr. PATERSON. No, I will not take up the time now. I merely wished to make this point—that the Secretary of State may not be wholly correct when he argues that because the majority of this House voted for the second reading, therefore it was our bounden duty to allow the Bill to pass without proper consideration. I do not say that an hon. gentleman should not vote as he thinks right. But I do say that the vote in this House, in view of the expression we find in this and many other Conservative newspapers, does not necessarily reflect the opinion of the country. We may say that the organs of public opinion are all wrong, but if so, the country will make known its views to Parliament, and there can be no doubt that the will of the people will ultimately find expression in the statute-book. It seems to me that the motion before you is a most reasonable one. There is nothing to be gained by this kind of child's play over this Bill. The Bill is a most important one, the Secretary of State says the most important that has ever been before Parliament. Everything goes to show that we should have a thorough discussion of the measure in this House. I have not taken much part in these discussions myself, believing that they might be more profitably left to those members versed in constitutional law. As the hon. member for Albert (Mr. Weldon) said this is a new kind of legislation for us, and, having no Minister of Education, no official experts on the subject to guide us, it is incumbent upon us to pay all the attention and give all the more care to perfecting the details of the measure.

Mr. DAVIN. From the moment I cast the vote upon which the hon. member for Brant (Mr. Paterson) has commented, I have never had a doubt that I took the right course. Although at the eleventh hour I came tardily and unwillingly to the conclusion. I had no doubt at the time of casting the vote, and everything that has since occurred has confirmed me in the opinion that I acted rightly. I have taken a good deal of interest in educational matters, and in those connected with the North-west and with Manitoba, and if the Opposition had moved in their assault on this Bill on legitimate lines, and if the other opposition, which I may say has been the donkey-engine to the Opposition proper, had moved on legitimate lines, I would have spoken earlier in the committee. But with the limited time at our disposial, I had no desire to take up the time of the committee of the House in attempting what I felt certain under the circumstances would have been quite fruitless, to contribute something towards the discussion and towards the enlightenment of the committee on this matter. What has been the character of the opposition to this Bill ? In the first place, every means that could be taken outside the Bill has been taken to waste the time of the House.

Some hon. **MEMBERS.** No, no ; yes, yes.

Mr. DAVIN. Some hon. members say no. It is plain as a mountain, open, palpable ; it is notorious ; it is plain in the sight of the country.

Mr. GIBSON. Answer the leading article in your own paper.

Mr. DAVIN. I can answer that article. I can answer the hon. gentleman, and I can answer everything necessary for me to answer here or elsewhere. But I want to comment on the character of the opposition to this Bill. I say now, as I said in conversation with a leading opponent of the Bill, there is enough in the Bill surely to assault on legitimate grounds without adopting every extreme parliamentary device to prevent it being discussed, and if passed, passed in proper form. We have had discussions on little side issues, on motions to adjourn, on every possible question that could be raised in order to avoid coming to this Bill.

An hon. **MEMBER.** Come to the Bill.

Mr. DAVIN. I think I am as much in order in dealing with the Bill as hon. gentlemen opposite have been. They have commented on it, but they have dealt with the Bill very gingerly. With the exception of the hon. member for Bothwell (Mr. Mills), the hon. member for Queen's (Mr. Davies), and one other member, they have wholly applied themselves to issues lying outside the Bill. They seem in their attacks to be rather afraid of the Bill, and we have seen from time to time a certain embarrassment on the Opposition side of the House.

Mr. GIBSON. You have not been here for a week.

Mr. DAVIN. That statement, if I could characterize it in parliamentary language, would, I am afraid, place the hon. gentleman outside the bounds of polite society.

Mr. DALY. He has not been here himself.

An hon. **MEMBER.** You have been in bed.

Mr. DAVIN. An hon. member said I was in bed all night. I was, and I am very glad I was. The tactics adopted by hon. gentlemen, with very few exceptions, have been tactics that were properly characterized as obstructionist tactics, and this Bill is one of too great importance in all its bearings and relations to have been treated in that way. With respect to the opinion of the writer of that article commenting on my vote, no one can expect a journalist to take the time to consider the complex issues presented to an hon. member, who belongs to the party dominant in the House of Commons, when he has to deal with a vote of want of confidence that takes the form of a motion for the six months' hoist to a Bill with which, on its merits, he does not agree. The member has to consider several points. One of the points I had to consider on the very threshold was, what advantage is to be gained by transferring power from the Government to another body of men who are led by the hon. member for Quebec West (Mr. Laurier), who is in favour of remedial legislation, and supported by the hon. member for Bothwell, who made a most elaborate argument in favour of remedial legislation, and supported by hon. members, many of whom declare that the only fault of the present measure is that it is not strong enough and does not go far enough ? That is a practical issue which members of Parliament had to decide. A journalist sitting down to write an article in an hour or an hour and a half does not weigh these points. It is easy to write an article after this fashion, and I have done it myself. I have sat in judgment on public men. But it is a very different thing in this House when an hon. member is supporting a party with which he agrees as regards nine-tenths of its policy and differs on one-tenth, to vote against the party, when, if the Government is thereby defeated, as would have been the case had I voted against them, he will assist in placing in power men who on that question hold the same opinions, or even more advanced opinions, than the men he turns out. The constituents of those hon. members who differed with them in regard to a vote given on the second reading will have to consider what they, as Conservatives, would have done themselves if asked to turn out a Conservative Government. That is the first issue which presents itself to a member voting in this House at present for the six months' hoist.

A question which might be asked of an extreme Orangeman is, what would you think of a man who, other things being equal, would not be influenced by party feeling ? But more than that. What would you think of a member of a party who, when his own friends are placed in a position of difficulty, and when its majority is reduced to a small number, will not take some personal risk and stand by his friends? I do not hold such an opinion of the Canadian people as to believe that they would think worse of a man who may have held even a strong opinion on this Bill, and yet felt when his friends were in difficulties that he should sustain them.

Some hon. MEMBERS. Oh, oh.

Mr. DAVIN. Some hon. members laugh, and no wonder, because the minute their leader has failed to carry them into power they have chassèd him—a pack of disloyal deserters.

Sir RICHARD CARTWRIGHT. The hon. member must be referring to the colleagues of Sir Mackenzie Bowell.

Mr. DAVIN. I should not like to lead such members.

Some hon. MEMBERS. Oh, oh.

Mr. DAVIN. Mr. Bright used to say, speaking of a certain class of politicians, that they were men with whom he would not like to go tiger hunting. If a man goes tiger hunting with a friend and the tiger leaps on him and this friend pulls his trigger and shoots the tiger through the head he may escape, but if his friend deserts him he is sure to lose his life. I should not like to go tiger hunting with some members of the present Opposition.

Mr. DAVIES (P.E.I.) The fear is mutual.

Mr. SOMERVILLE. What about the speech ?

Mr DAVIN. I have the hon. gentleman on a spit and I will roast him, although he is the smallest barnacle on the Grit goose. He feels the heat, and I am going to give him a little more of it. I say the people of Canada will consider all these matters. The leader of the Opposition looked around with misery a little while ago at the vacant chairs, for he thought of the desertion there had been from his own ranks. I have great sympathy with him, and when the hon. member for Simcoe went over and spoke to two of his friends ; I saw his face ; it had in it the look of jealous fear ; he seemed to imagine that the member for Simcoe was seeking to take away a couple of his chickens. There is that spirit in myself and in the majority of the Conservative party that if we had differences with our leaders we felt we should on this occasion crush down everything that rose up of a centrifugal character and sustain them in their difficulties. All these points will have to be considered. From the time I heard the hon. member for Bothwell not a single politician or Minister had a word of conversation with me, not a letter did I receive from my constituents, and it was only after reflecting on the speech of the hon. member for Bothwell, and reading it, I decided on the course I would pursue. We remember that the hon. member for Montreal West made an appeal to the leader of the Opposition and said : Let us have a unanimous vote on the second reading, and then send a commission to Winnipeg. Is it not a remarkable thing that not a man has attempted to formulate the proposition which is the only rock-ground for those who are opposed to any interference whatever on the part of this Parliament with Manitoba ! What is that proposition ? It is this ; it is the proposition I hold myself : that so many are the difficulties in the way of interference and so many evils may attend it, that it is better to treat the 22nd clause of the Act as a dead letter. Neither the member for Simcoe (Mr. McCarthy), nor the member for West York (Mr. Wallace), have ventured to bring forward this proposition. The amendment of each to the motion for the second reading implied that if the courts decided this Bill was constitutional they would support it. Mr. Sifton at once admitted, after the decision of the Privy Council was made known, that the constitution was different from what he had thought, and the proposal of Manitoba to the commissioners admits that there was a grievance, as well as the principle of remedial legislation. Why is it that the only logical proposition is not made ? Is it not because that, though in a corner a man may be ready to whisper "let us blow up the safe," he does not like, in open day, to drill a hole and put powder into it, and thus break open the constitution, commit burglary in broad day light. No one dares to say remedial legislation is not in the constitution. No one will openly formulate the proposition, there was no grievance. The vote on the second reading was merely a vote on the principle, and no man on either side has dared to rise and say that the principle of remedial legislation is not in the constitution.

Mr. WELDON. I most emphatically declare that the principle of any such Bill as lies on the Table, is in the constitution.

Mr. DAVIN. No ; the principle of a measure is simple, and voting for the principle does not pledge you either to a single clause or to the third reading. I have great respect for my hon. friend's opinion, but I differ with him. My hon. friend will not dare to deny that the principle of remedial legislation is in the constitution.

Mr. WELDON. The fallacy of my hon. friend lies in his assuming that remedial legislation means the kind of a law which is in that Bill.

Mr. DAVIN. You might just as well say that when Mr. Disraeli brought forward his 1867 Reform Bill, and its proposals did not meet with the approval of Bright, Gladstone and others, and when these men, after voting for its second reading, changed it completely in committee—you might just as well say those men actually voted for something else besides the principle of reform for which they contended. Now, let me say in reference to what I deem to be in the constitution, I will take the third section of the 22nd clause, and, if necessary, I will read it with the closing words of the Lord Chancellor, and that third subsection says that this Bill shall——

Mr. MACDONALD (Huron). "May," not "shall."

Mr. DAVIN. I thank the hon. gentleman for the correction.

Mr. CHARLTON. It is a very important difference.

Mr. DAVIN. The hon. member for Bothwell says that "shall" is never used to a sovereign body, so you sit at the feet of your Gamaliel just when it suits, or else your are forgetful of his teachings. Now, it is quite clear to my mind that when we are seized with this legislation, this Parliament has complete discretion.

Mr. DAVIES (P.E.I.) Plenary, do you mean ?

Mr. DAVIN. No ; when my hon. friend uses the word "plenary" he means unlimited. No ; of course, it must be limited within the remedial order, but I hold that we are thus limited in giving a minimum or a maximum of remedial legislation. Therefore, the moment we get into committee we are in a position to amend these clauses and to minimize as much as we like what is proposed. I may say that when the remedial order was issued I took the view that its form was objectionable, and I expressed my opinion strongly at that time.

Mr. DAVIES (P.E.I.) Why ?

Mr. DAVIN. It is enough for me at present to say that I would not have issued it precisely in that form. I stated at the time my opinion of the possibilities attending on remedial legislation, and I concluded with these words : No one can say for one minute that, constitutionally, the Government has not done right in issuing the remedial order ; but we hope, speaking as statesmen, that the government of Manitoba will be allowed to deal with the question. I thought that although remedial legislation was in the 22nd clause, the statesmen of Manitoba should still be allowed to deal with it, for the reason, chiefly, of the almost insuperable difficulty of this Parliament effecting anything, a difficulty which arose from the state of opinion in the country, and from the fact that neither in the 93rd clause of the British North America Act nor in the 22nd clause of the Manitoba Act, machinery was provided for carrying out these provisions, I reasoned that no machinery had been provided for carrying out the judgment in favour of the appellants. They came to this Parliament, and we have now the Bill before us ; and suppose we pass this Bill, where are you ? Unless Mr. Greenway's government co-operates with the Dominion Parliament, I cannot see how you are going to pass any legislation that can be effective. For that reason I thought at the time the remedial order was issued that everything should be done to leave it, if possible, with the government of Manitoba. As early as 1891 or 1892, I forget which, I went so far as to call upon the late Archbishop Taché, whom I had the honour of knowing, and I said to him : You are going to move under the appeal clause of the British North America Act ? He said, I am. I said to him: Has your Grace any idea of the difficulties you are going to meet ? And I led him through the appeal to the Privy Council, to the issue of a remedial order, and even up to he possible passing of a measure through the Dominion Parliament. I said to him : If you do pass it through, what good can it do ? when no power is given to tax for the schools ? I went pretty well into the details with him, and my right reverend friend said to me : Mr. Davin, I am tired of compromise, I will have no compromise. I said to him : Your Grace, you will get more by throwing yourself on the majority in your province, than you will ever get from the Dominion Parliament.

Mr. FRASER. This is a very important matter. May I ask the hon. gentleman if he took notes of the conversation ?

Mr. DAVIN. I do not know that a conversation between a great prelate and a humble politician like myself, is of any great consequence. If my hon. friend had gone there, I dare say he would have taken notes of all that took place : but when I have a private conversation with a gentleman I do not take notes.

Mr. FRASER. Of course, the hon. gentleman is not giving evidence that would be acceptable in any court, because the prelate is dead ; and the well-known rules prevail that you cannot give a conversation when no answer to it can be given.

Mr. DAVIN. Now, that just illustrates the difference between a statesman and a pettifogger.

Mr. FRASER. I make no objection ; I am very much obliged to the hon. gentleman for the expression.

Mr. DAVIN. I did not hear the hon. gentleman, but if he is a statesman, let it be said of him as Artemus Ward said when he was showing his panorama. There was a scene representing mounted Indians on the plains, and the lecturer said, pointing to the horses: "These air horses; the painter told me so." Let the name "statesman" be written under the figure of the hon. gentleman. Now if there had been statesmen in Manitoba who would have had the courage to take up the cause of the minority, this question might have been settled. But the minority by the Act of 1890 were treated in a burglarious and brutal manner. If an appeal had been made to the majority in the first instance, the people would have made a generous response and would have declared for justice to the minority. When we come to deal with this matter here in a practical way we find that this Chamber is not merely the great Consult of the nation but also the great battle ground between two parties, and you have to take into account the course that will be adopted and the use that will be made of the difference of opinion by unscrupulous partisans. If the Manitoba government will not work in with you, the difficulties of the situation are grave. Parliament is upon new ground in dealing with a measure of this kind. And there is always danger of provisions that will be unconstitutional. When the Bill was shown to me first, though a little rusty as a lawyer, I came to the conclusion that there were parts of it that were ultra vires, and other parts that it would be extremely difficult to implement in practice. But when it came saying "yea" and "nay" I did not think that because I took that view, I should therefore vote against the second reading, seeing that the six months' hoist was a want of confidence resolution. With regard to the clause under consideration, my opinion is that the Manitoba government have approched what might fairly be considered a solution of the difficulty, and if they would not stand on technicalities, the question might be settled. Probably hon. gentlemen are not aware that at the present moment there are forty-one Catholic separate schools in operation in Manitoba, most of the teachers, I am sorry to say, being uncertificated.

Mr. MILLS (Bothwell). Are they organized under the Act, or are they private schools?

Mr. DAVIN. I believe they are working under the Act, but that they are practically separate schools.

Mr. MILLS (Bothwell). Then they have certificated teachers.

Mr. DAVIN. I believe not. I have not looked into the matter so as to verify it, but I think my information is correct as I speak on the authority of a gentleman in Winnipeg who is in a position to know. Suppose that you had for both public and separate schools the same curriculum but that from 3.30 to 4 o'clock religious instruction, satisfactory to the trustees should be given, then you would have practically the same results as in Nova Scotia. It would be the same system as we have in the North-west Territories. We have public schools and separate schools. Some of the teachers in the latter are ladies who have taken the veil. The curriculum in both is the same, up to 3.30 p.m.; but after that the religion approved by the trustees is taught. And that system works well. What I would suggest to Mr. Greenway and his government is this: When they meet on the 16th, which is eight days before this Parliament expires, let them bring in a Bill that will remedy the grievances which they have already acknowledged, and provide for Catholic schools ostensibly as they have already done surreptitiously.

Mr. DAVIES (P.E.I.) Do I understand that the hon. gentleman wishes the Manitoba government to carry out the offers made by Mr. Sifton and Mr. Cameron to the Dominion commissioners and legislate on those lines, and not that they should establish state-aided schools?

Mr. DAVIN. They practically have separate schools now, and they are standing on a technicality, if they will make one move, I am satisfied that the change will be acceptable to the minority.

Mr. DAVIES (P.E.I.) That is, that the Government should——

Mr. DAVIN. I do not like to formulate a clause of an Act of Parliament off-hand, but what I wish is the adoption of the same system that we have in the North-west Territories.

Mr. WELDON. What is that?

Mr. DAVIN. We have a board of public instruction composed of the Territorial Executive of four members and four outside members, two of whom are Catholics and two Protestants, one being a clergyman and one a layman in each case. Under these is the general superintendent. Then we have a school ordinance, which I have not at hand at the moment, under which it is provided that after half-past three, if I remember, in the afternoon religious instruction satisfactory to the trustees shall be given. In a Catholic community religious instruction is given, and in a Protestant community Protestant instruction.

Mr. McMULLEN. Then in a community with a Catholic majority, no provision would be made for religious instruction for the children of the Protestant minority?

Mr. DAVIN. The children of the minority do not attend the religious instruction.

Mr. LANGELIER. It seems to me very unjust that the children of the minority should be excluded for religious instruction in that way.

Mr. DAVIN. It works very well. I have heard no complaint against it except on one or two occasions.

Mr. SPROULE. Was it not characterized by Archbishop Langevin as entirely unsatisfactory ?

Mr. DAVIN. That may be ; I am not in a position to speak as to that ; but I may say that it works pretty well. At any rate I am stating what I believe would be a solution of the difficulty, and I know I speak the views of people very deeply interested in this question.

Mr. DAVIES (P.E.I.) I see that the ordinance the hon. gentleman refers to is in the words of the offer made by the Manitoba commissioners the other day, to the effect that no religious instruction, bible-reading, reciting of prayers or asking of questions from a catechism shall be permitted from the opening of the school at nine o'clock until half an hour before the time of closing, after which time such instructions will be given as is decided upon by the trustees. That I understand to be the offer made by the Manitoba government.

Mr. DAVIN. I told you that they were very near the proposition I wish to see adopted.

Mr. DAVIES (P.E.I.) Then do I understand the hon. gentleman to say that this Government should have accepted the offer?

Mr. DAVIN. I say nothing about that. But our system is satisfactory——

Mr. DAVIES (P.E.I.) And this would be also ?

Mr. DAVIN. Well, things that are equal to the same thing are equal to one another.

Mr. DAVIES (P.E.I.) Then why does the hon. gentleman support a Bill to force a different system upon the people ?

Mr. DALY. We have not the power to pass such a law here.

Mr. McNEILL. I wish to call attention to the words to the hon. gentleman : "They have Catholic schools in Catholic districts in Manitoba practically now."

Mr. DAVIN. I am told that in some parts they have.

Mr. McNEILL. The hon. gentleman mentioned that point with great emphasis.

Mr. DAVIN. I am told they have such schools. As the hon. member for Brant (Mr. Paterson) made a reference to me, I rose to explain my position, as I think the House is entitled from an hon. gentleman to an explanation of his position, if he is placed in the postion which would seem to the House to be either inconsistent or unworthy, and the country is also entitled to an explanation of his position. I have ventured to explain my position on the Bill. I have voted for the remedial principle on the second reading of the Bill, but with the Bill itself I do not agree.

Mr. FRASER. Two facts have been brought out by the hon. gentleman in the course of his speech. The first is, that the Opposition will give as much to Manitoba as the Government, and consequently they can hardly be charged with obstructing the Bill. The second is, that the hon. member for Assiniboia (Mr. Davin) has no definite opinions on this matter whatever. I would have supposed that he was a leader in a fakers' circus crowd when the thimble is now here and now is not. His opinions are so diverse that they resembled those performances, and when attempting to speak about education in the North-west it appeared that he knew nothing about it. One would imagine that the hon. gentleman sometimes was really in earnest. His turns are very sudden ; they are so sudden that we do not know the next time he speaks what he is going to say. I am glad he has spoken of centrifugal force, for it has generally been centripetal. Like all perverts the hon. gentleman has given a reason for his conversion—indeed he has given two reasons. The first reason is that he was converted by the hon. member for Bothwell, and the other reason is that he could not leave his party. How does he reconcile them ? If his conversion was intellectual, what other influence led him to support the party rightly or wrongly. I will give another reason, and it is contained in a letter :

> I was down at Qu'Appelle a week ago to-morrow. While there a telegram came to Angus Mackay, the manager of the Dominion Government Experimental Farm and President of the Eastern Assiniboia Conservative Association, to wire Davin as it was expected that part of Eastern Assiniboia would be in his constituency after next election, and to wire him (Davin) that it was the desire of the Conservatives that he (Davin) should vote with the Government on the Remedial Bill.

Mr. McDONALD (Assiniboia). Angus McKay is not President of the Liberal-Conservative Association.

Mr. FRASER. That may be or may not be the case, but it does not alter the fact. The letter proceeds :

> This was done, and he came to Qu'Appelle along with Billy Boyd, another of the Conservatives, and asked the faithful to do the same there, but they refused to do so. The same thing was done at Regina but I am not sure whether it was successful or not here. It was successful at Moose Jaw.

The letter is dated 23rd March. So we have three reasons for the sudden conversion of the hon. member for West Assiniboia (Mr. Davin). The real reason is this telegram from Angus McKay. All sinners give one good reason for their conversion, but here this chief sinner gives two reasons, but he does not give the real reason, even although he is standing in the penitent box. How are we to understand the statement made by the hon. gentleman as to the interview between himself and the dead Archbishop. Every statement he made to the prelate was against the Bill. He told the Archbishop that it could not be operated, that it was not within the power of the Dominion Parliament to levy taxes. Why did the hon. gentleman introduce that statement into his speech? Can there be any other reason than by his own motion he was obstructing the Bill? As a supporter of the Government he has occupied nearly two hours' time. And why has the hon. gentleman introduced the name of the venerable prelate who is now dead? Was it to show the distinguished society he moved in before the sudden conversion occurred, and to show that he could speak with that great and good man on a subject like this, sinner as he was? I can see no reason except possibly the other one, that the hon. gentleman does not want the Bill to pass, and is giving diverse reasons for his action. The hon. gentleman can fall back on any of these reasons he has advanced. His speech is suited to any audience in Canada. He can go before an audience in favour of the Government and say, I voted for the Government. He can go before an audience adverse to the Bill, and say I have expressed my opinion that the Bill cannot be worked; my manly brain solved the difficulty, and I told the Archbishop it could not be worked. He can further say that when I go back to my constituents I can change my opinions in a moment, and so soon as you present the occasion I am there; if it is a Bill, I will vote for it if there is good reason, or I will vote against it if I lose nothing, but in the meantime I will stand by the Government. The hon. gentleman practically says, I must have the support of the Government, and in these the dying hours of Parliament I will wipe out all the ugly past in connection with my action towards the Government, the men whom I have held up to scorn, to those whom I called fossils, rats with ribbons around their necks, who are called men. The hon. gentleman would blot out the past, and he would say, when the heavens were shaking and the earth was trembling I stood firm. True I got a little light from the hon. member for Bothwell, said the hon. gentleman, but that was not enough; I want it to be understood that the hon. member for Bothwell strengthened my opinion, and I want the Government to understand that they would have been defeated if a number of men like myself had not stood by them. The hon. gentleman was compelled to introduce the constitutional ground in his speech in order to show that he was loyal. What a fine violinist he would have made, for he would never have been at a loss for strings. Here are three or four, all required on a good violin. He has the hon. member for Bothwell's speech, standing by the Government, the dead Archbishop, and the law in the North-west, which he did not understand. But above and beyond all there was the fact that the hon. gentleman must support the Government. These, however, are all base strings, just as is his conduct. Of course I have not a single word to say in regard to the motives of the hon. gentleman; these we judge from his speech. The hon. member for Albert saw that the hon. gentleman was moving like a meteor, and suggested that he adopt a logical course. His speech had no ground-work, it was all excluded middle, there was no connection between the premises and the conclusions, because the excluded middle cut it all out. If a new work on logic is to be prepared for the North-west the task should be entrusted to the hon. member for Assiniboia (Mr. Davin), but the hon. member for Albert (Mr. Weldon) should revise it, and he might do with it, as has doubtless been with much of the hon. gentleman's manuscript, destroy it. Now, I wish to repeat that the government of Manitoba have made an offer which, in the mind of the hon. member for Assiniboia, would solve the whole difficulty, because it goes as far as that law which he says has worked well in the North-west Territories. The hon. member must know what he is talking about, and when he says that that law, if applied to Manitoba, would work well, I think the Government ought to pause and adopt the suggestion made by one of their own supporters.

Mr. LaRIVIERE. I differ with my hon. friend from Assiniboia, when he says that the actual law in the North-west Territories works well.

Mr. FRASER. Well, here is another difficulty. I supposed that the hon. member for Assiniboia was a perfect encyclopedia, and that he could not give information on this question that was not correct. For my part, I am bound to accept the statement of the hon. member for Assiniboia that the Act works well in the North-west Territories, because he comes from that place.

Mr. CHARLTON. The motion before the Chair that the committee do now rise, I consider a very proper motion indeed. We have before us the Minister of Justice, who was one of a deputation sent by this Government to Winnipeg. We have the report of the conference in the newspapers, which, although it lacks authenticity, I think we may assume to be fairly correct, and this report gives the outcome of the mission of the delegation to Winnipeg. This commission presented certain terms to the Manitoba government, and the reports show that the Manitoba government made certain counter-propositions. Now, I think that, if there were any propositions made by the government of Manitoba to the deputation, this House should be in possession of those propositions. We are not in possession of the information necessary to enable us to discuss this question properly, until we know what those proposals are. A few moments ago, we had the statement made by the member for West Assiniboia as to the character of the school law in the North-west. That statement is that religious instructions are given in those schools under certain terms, and that the law is satisfactory to all sects of people in that country. We have it reported that the Manitoba government has made an alternative proposition to that made by the deputation, which is substantially the same as the law now in operation and working satisfactorily in the North-west. Now, if that be true, these proposals should be placed before this House, and the discussion on this question should be suspended until we know what those propositions are. Sir, we know that this question arouses a good deal of feeling ; it is a question which promises to have far-reaching results, and, if it can be settled in an amicable manner, if the propositions of the Manitoba government will give substantial relief to the minority in that province, certainly we should know what those propositions are before proceeding further. This question in the North-west is liable, if the government persists in the course it is taking, to have unlooked-for consequences. The people who inhabit Manitoba are the select and choicest portion of the Anglo-Saxon population of the provinces of this Dominion, especially of the province of Ontario. These people have strong convictions. The school law of that territory has been passed in accordance with the convictions of these people. They desire to settle this matter, and their government have made a proposition which, in my opinion, is as far as the people of Manitoba will go, a proposition that goes to the utmost limit that the population of that province will ratify. Now, suppose that we refuse that proposition, and suppose that we proceed to force this Remedial Bill through the House, what may possibly be the ultimate consequences ? Manitoba may possibly secede from this confederation. We cannot measure the magnitude of the issues ; we cannot arrive at a conclusion as to what extent the indignation of that people will be aroused. We are unable to say whether this may not be a matter of the gravest import to all that relates to the life of this Dominion. Sir, we are trifling with great interests ; we are here madly and blindly—I refer to the Government—attempting to force through an ill-considered law, which will be inoperative, and will arouse the fiercest animosities, racial and religious, and which may shatter this Dominion. Therefore, I say that if the Government have any correspondence before them, any proposition which is fair and reasonable on the part of the Manitoba government, that proposition and that correspondence should be laid before us before we proceed further.

Now, Sir, I must protest most energetically against the course of the Government in forcing this measure through in the way they are attempting to do. The members of this House have rights, and among those rights is the right to demand that the Government shall adopt a policy that will not be calculated to kill them off. It is said that one of the members of this House—I do not know how true the report is—possibly owes his death to the conduct of the Government on the second reading of this Bill.

I know that the course the Government is pursuing now must be most detrimental to the health of the members ; it is cruelty, sheer cruelty, and disregard of the commonest rights of humanity, to compel the members of this House to sit here hour after hour, and day after day, in a continuous consideration of this measure.

Mr. JONCAS. Don't obstruct.

Mr. CHARLTON. Who is obstructing ?

Mr. JONCAS. You are.

Mr. CHARLTON. No, Sir. But the Government that proceeds to force a measure through without proper discussion and in violation of parliamentary usages is obstructing. This is a measure that should not be dealt with by a moribund Parliament, elected on a voters' list virtually eight years old, but it should be dealt with by a Parliament that has consulted the people, and that has received its mandate from the people how it shall deal witth this matter. There are rumours that many gentlemen on the other side do not expect again to face their constituents, but that they have received promises of senatorships or other appointments.

Mr. ROBILLARD. Name them.

Mr. CHARLTON. That could very easily be done—promises of senatorships, customs collectorships, judgeships, and so on. Do the people of the country doubt that this is one element in securing the Government's majority ?

Sir CHARLES TUPPER. I suppose the hon. gentleman knows that when an hon. member made that statement with the Speaker in the Chair he was called to order, and very properly so.

Mr. CHARLTON. I am aware that that was the case, and I do not know that I should dispute the propriety of that ruling. But I do not think it affects very much the truth of the assertion. Now, we have professions of great sympathy on the part of gentlemen on the Government benches for the minority, who, we are told, have been subjected to untold grievances. It would not be parliamentary to call in question the genuineness of these expressions. But I think the Government would have done well to investigate whether the majority felt they suffered under the alleged grievance. I doubt that they do. The pressure for redressing of these grievances does not come from Manitoba. It is said that a great majority of the separate schools have fallen into line and have come under the Act.

Mr. LaRIVIERE. That is not correct.

Mr. CHARLTON. I do not know; but I have the report of a gentleman, a Roman Catholic, which does not indicate that there is the dissatisfaction among the minority that some hon. gentlemen would have us believe. At any rate, I believe that the proposition which it is reported has been made by the government of Manitoba would be accepted by nineteen-twentieths of the Roman Catholic laity as a solution of the difficulty.

Mr. LaRIVIERE. It would not.

Mr. CHARLTON. We have the hon. gentleman's assertion——

Mr. LaRIVIERE. It is as good as yours.

Mr. CHARLTON. I am not making any assertion upon my own authority, but we have the report of this gentleman, who is a representative Catholic, Mr. O'Donohue. He is not a countryman of the hon. gentleman (Mr. LaRivière), but is evidently a man of influence, having received ninety per cent of the Catholic votes in a school election against the influence of the priesthood.

Mr. LaRIVIERE. Is that the gentleman who proposed to inaugurate one of the public schools in Winnipeg with ceremonies of Freemasonry?

Mr. CHARLTON. I do not know, but I should doubt very much that a gentleman professing to be a Catholic would propose anything of that kind.

Mr. LaRIVIERE. It is a fact of public notoriety in Winnipeg.

Mr. CHARLTON. I doubt that very much. This is the report to which I refer. It reads:

> I am a resident of Winnipeg, a public school trustee for Ward 3, and a member of the Catholic Church and a regular communicant. I desire to appear before you to present my views on the public school question on behalf of myself and a large number of Catholics of the province of Manitoba whom I represent.
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> When I first arrived in Manitoba, in 1882, my business for the first five or six years brought me into contact with the people all over the province, more particularly the French settlements. From the first I took considerable interest in the schools, and it was clear to me from the first that the French schools and the Catholic schools generally were not in the progressive state that the Protestant schools were. My reason for coming to this conclusion was on account of the class of teachers generally employed, and the wretched shape of the schools, both as to grounds, buildings and furniture, notwithstanding that in most of the school districts, the school taxes should be sufficient to maintain the schools in a much better shape as to comfort and efficiency. Seldom did I find a French teacher that could teach or even speak English. I called on his Grace the Archbishop, and asked him if there could not be some improvement. He said that he was looking forward to a better state of affairs, but at that time he was not prepared to make much change, as the class of teachers necessary was not easily procured, and if they were the accommodation they would require was not procurable. So matters went on as of old from year to year. In the year of, I think, 1886, I spoke to the Hon. John Norquay and asked him if he could not do something to improve the French and Catholic schools so as to put them on a level with the Protestant schools of Kildonan and St. Andrews, and other country Protestant schools. Mr. Norquay's answer was that the Catholic School Board had the matter entirely in their own hands, and he saw no reason why their schools should not be as efficient as the Protestant schools. I may here say that I don't think that 25 per cent of the French youths can write their names, while I think I am safe in saying that 75 per cent of the Protestant natives can read and write.
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> When the present provincial government came into power, or soon after, I called on Mr. Martin and asked him if he would take up the school system of Manitoba and remodel it in some way that would improve them, and in particular the Catholic schools. He, Mr. Martin, said then that he did not think it was within the jurisdiction of the provincial government to do so, but it rested with the Federal House, but he promised me to give the matter his consideration. I afterwards spoke to Mr. Smart, Minister of Public Works, in that strain. He also said he would think the matter over. So when the present School Act of 1890 was spoken of, and after its adoption, I gave it my humble and strongest support, and have no reason to regret the course I took, but am more convinced than ever that it is the best for the country and for the Catholics in particular, that they would be the greatest gainers, and would accept the School Act if the French clergy would allow them to do so.
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> Another grievance many Catholics complain of is that our school property, instead of being held by the Catholic trustees, for the people, is held in fee simple by the Superintendent General, or head of the Oblat Fathers in France, and although in Winnipeg, all the cash invested belongs to the people, the Oblat Fathers always charged a good rent for the Catholic schools. I may also state that about three years ago I canvassed some of the members of our City School Board to find out if there might not be a compromise effected as regards our city schools. My idea was to try and introduce something known as the Faribault system, then and now in force in Minnesota, that is, our Catholic friends would engage Catholic teachers qualified as the law requires, if our City School Board would provide funds for their payment. I received reasonable encouragement from the City School Board, and then waited on our clergy and made the suggestion as above. The idea was heartily received by Father McCarthy for himself, and on behalf of the parish priest, then Father Fox. The former asked me to wait on the Bishop and lay the matter before him, and said he had no doubt but his Grace would think favourably of the scheme. I said I would not go alone, but if the priests would nominate two other parishioners to go with me, I would see what could be done on the lines mentioned above. The two gentlemen named by the priest and myself visited his Grace, and to my surprise were told that it was useless to suggest any compromise, and the interview was cut short, his Grace adding that he was advised by his eastern friends to accept nothing short of the 1890 School Act, as he honestly considered the constitution and bill of rights entitled him on behalf of his people.

Mr. LaRIVIERE. Would the hon. gentleman tell me what standing in society Mr.

O'Donohue has, what was his occupation, what was his calling in life ?

Mr. CHARLTON. The hon. gentleman will have to tell us.

Mr. LaRIVIERE. Well, he is a cattle dealer. Perhaps the hon. gentleman will think that that makes him a judge of school matters.

Mr. CHARLTON. I hope that the fact of a man dealing in cattle does not imply that he has not brains enough to know something about school laws. It seems from this report that this Catholic, Mr. O'Donohue, was trying to make a settlement of this difficulty by the adoption of the Faribault system, which was acceptable to the Catholics in Minnesota, and it received the support of their priests there, including Archbishop Ireland. But this was rejected by the Archbishop of St. Boniface on the ground that he was advised by his eastern friends to accept nothing but what had been demanded. So that the pressure in this case comes not from the minority in Manitoba, but from the east. We know where the pressure comes from, and where the Government expect to make political capital. It is not for the votes of Manitoba that they are posing but for the Catholic votes in another province, and it is the pressure from the east that has raised the barriers in the way of a settlement. I believe the Catholic minority are ready to accept the proposition which, it is reported, has been made by the Manitoba government. I believe that the question can be practically settled on a friendly basis and that we are worse than wasting our time here in discussing an unworkable Bill that the Government seeks to force upon us, while we have a proposition which would afford substantial redress of grievance and settle this question which may otherwise end in dissension and civil war

Some hon. MEMBERS. Oh, oh.

Mr. CHARLTON. You may sneer at that, but I assure you that we are treading upon dangerous ground, and we require forbearance in order to have a settlement of this question. To do this we must retreat from the indefensible position we now occupy.

Mr. LaRIVIERE. You spoke for Quebec a little while ago. Suppose you speak now for Ontario.

Mr. CHARLTON. I speak from a Dominion standpoint and with a desire to see this question settled fairly to all concerned. Now with regard to the course of the Government, no man who has watched the progress of affairs can believe that at the time the petition of the minority was heard and the Government refused to give the necessary delay to allow the Attorney General of Manitoba to attend the hearing, he being engaged in his duties in the legislature, and when the Government issued the remedial order, that there was anything but a political motive behind it all. They expected immediately to go to the country, but something occurred to change their plans. But the order had been issued from which all this trouble has arisen, and it was issued for political reasons. The leader of the House desires to carry out this legislation in order to satisfy the hierarchy, and at the ensuing elections he expects to carry the province of Quebec, and to retain a sufficient number of constituencies in other parts of the Dominion to enable him to retain power. Hon. gentlemen opposite are taking an unpatriotic course.

Mr. JONCAS. What is the purpose of your leader ?

Mr. CHARLTON. The leader of the Liberal party, if he had been dealing with Manitoba, would have exercised a friendly and conciliatory spirit ; he would have heard what the Manitoba government had to say with respect to the school laws, he would have endeavoured to ascertain if it was not possible to arrive at some agreement with the parties, and in this way he would have avoided the difficulties and dangers which now threaten this Dominion. In this way he would have sought to arrive at a solution of the difficulty, which at present threatens to set religion against religion and race against race.

Mr. LaRIVIERE. Who is doing it ?

Mr. CHARLTON. Hon. gentlemen opposite.

Mr. LaRIVIERE. It is the Greenway government.

Mr. CHARLTON. Hon. gentlemen opposite have treated the Greenway government with the utmost hostility, and only at the last hour have they sent a delegation there, which should have been sent at first, to seek to effect the settlement of a question which threatens the disruption of the confederation. The committee should rise and report, and at a subsequent sitting of the House obtain an authoritative statement from the Government as to what transpired between the Dominion commissioners and the government of Manitoba, as to what offers were made by the commissioners and as to what counter proposals were made, and the present position of the case. If we obtain knowledge of the status of the case we shall not be moving in the dark. We are told that the Manitoba government felt insulted by the fact that this Government proceeded with the Remedial Bill while the commissioners were in Winnipeg to negotiate. It certainly was an indelicate and improper course to pursue, and it defeated the ends that hon. gentlemen opposite had in view. An attempt is now being made to force this Bill through the House. An effort should be made to ascertain not only what the people of Manitoba are willing to grant, but what the minority would be willing to accept.

Mr. SPROULE. We are ready for the question, if the Government are prepared to accept an adjournment.

Mr. FOSTER. We are not prepared.

Mr. SPROULE. It is evident that the Deputy Speaker and the officials of the House are worn out by these constant sittings, and that the health of hon. members is being injured. Hon. members will remember that in 1885 the House was decimated on account of the long sittings. The Government have announced that they intend to apply the eight hour rule to employees of the Printing Bureau, and surely a similar rule should obtain in this House. We know that there are two very important committees of this House who are called to meet this morning; but there is a rule by which they cannot sit during a sitting of this House, and as there has been no intermission of this sitting since it began on Monday afternoon at three o'clock, these two important committees of the House are precluded from doing any business whatever. Now, there are several very important Bills which were to have been taken up in one of these committees affecting the interests of many people of this country, but all those interests must suffer because of the determination of the Government to monopolize the whole time of the House, day and night, on this Remedial Bill. Besides, I see that on the Order paper there are a number of Bills standing in the name of several hon. gentlemen, dealing with questions affecting the interests of this country, but we are precluded from considering them at all. There is a Bill authorizing the Governor in Council to raise, by way of loan, $3,000,000 to provide for the defences of this country, but even a measure of the supreme importance of that measure, has to give way to this Remedial Bill. We can only devote our attention to these important measures by this committee rising, and I sincerely hope that the Government will yield to the very general demand of the members of this House, and consent to that proposition. In a short time, money will be required for the purpose of carrying on the public business of this country, the Estimates of last year will soon be exhausted, and until those Estimates are passed, the public business of this country must stand still, and the interests of the whole people will suffer in consequence. Sir, the country is watching this House most intently to see what it is going to do, and the country will view with great dissatisfaction the course of this Government in subordinating all other public business to this Remedial Bill. We have been told by one hon. gentleman that the minority in Manitoba are not suffering so much, after all. Then, if they are not suffering so much under the system that obtains at present, why should the Government take up all the time of the House in applying a remedy which they do not need? The hon. member for West Assiniboia (Mr. Davin) gave us a long defence of his course on this question, and of the reasons which induced him to change his mind, and vote for the second reading of the Bill. I would like to ask that hon. gentleman, if he were here, when the doubts that he formerly had, were removed. It seems he was some time ago strong in the belief that this Bill was not calculated to meet the wants of the minority in Manitoba, but, at the last moment, his doubts were removed. I would like to ask him when the scales fell from his eyes. What influence was used to make him change his mind? What means were brought to bear upon him that were successful in destroying the faith which he had held for four years, and finally induced him to support the Government? He says that one motive was to prevent the Government from being defeated. That may be a justifiable reason, and, to my mind, it would be a strong one, but I doubt if it will be sufficient to satisfy his constituents. Hon. members know that for many years I have been a strong supporter of this Government; some say I have been imbued with as much party loyalty as most men. Well, I have always endeavoured to stand by my party; but I have always said, during my whole career, that I conceived it possible that a time might come when a party man, in order to obey his conscientious convictions, might have to oppose the Government. I recognize the fact that the interests of the country are of much more importance than the permanency of a Government, or even the permanency of a party. I believe the Conservative party are right to-day, but the Government are very largely in the wrong. I know that a large number of Conservatives do not approve of the course of the Government in forcing this Bill through Parliament, but as they desire to stand by the Government as loyal supporters, they have consented to waive their convictions, and to support the Government in the course they are taking.

Mr. McMULLEN. I have been glad to notice in the press an outline of the proceedings that recently took place in Winnipeg between a commission from this Government and the Manitoba government upon the position of the Catholic minority in that province. I see that considerable concessions were made on both sides, and I think if the delegates had remained a longer time, they might have been able to come to some final arrangements. Therefore, I regretted that the efforts of the Dominion delegation were obstructed by the decision of the Government to push this Bill through the committee stage while the negotiations were in progress. I should like very much to hear some explanations from the Government to justify them in thus pressing the Bill in committee, when it was so necessary to adopt a conciliatory course. I must say, Mr. Chairman, that I think the Government are making a great blunder in trying to push this Bill through committee with such desperate haste, regardless not only of the convenience of members, but regardless of their health, and regardless of all the other public business that is waiting for consideration. I think it would be better for the Government, better for Manitoba, and better for this country if the whole question was dropped, and if a further effort was made by this Government with the government of Manitoba in order to arrive at some amicable settlement.

I listened to the hon. member for West Assiniboia, and followed closely the suggestions he made as to the means of settling this difficulty. Listening to his arguments, I am forced to agree with him that any settlement that is attempted without the consent and hearty co-operation of the province, will breed discord and result in disaster to the minority. I recognize the peculiar nature of the reserve power in the constitution for the relief of the minority in such a case as this. But it is unfortunate that well-defined methods of proceeding were not also set forth, so that we might know exactly how this reserve power is to be brought into effect. No doubt, the legislation of Manitoba has been harsh to the minority. I do not favour anything that will trample upon the rights of any minority, and I do not believe that there is any desire, except, possibly, in the case of one or two members, to do injustice in that way. But, though the power of this Parliament to act is undoubted, it must not be forgotten that, unless that power is exercised judiciously and with consideration for the province, you may so exasperate and antagonize a powerful majority so that they will resent the use of your power, and the practical result will be to make the state of things for all, including the minority, worse than before. The remedial order, recognizing a grievance on the part of the minority, called upon the government of Manitoba to re-establish, as I understand it, the old condition of affairs. That, in my opinion, was a mistake. I am not a constitutional lawyer, and, though I have listened with attention to the opinions expressed here on these constitutional aspect of the whole matter, I do not know that I see very much more clearly with regard to them than I did before. I respect lawyers as much as any man does, but I think, perhaps, it would be better if we had not so many in this House, differing upon technical points; but, if we had more sober-minded, sensible men of municipal experience and experience in dealing with affairs of practical interest to the welfare of the communities. I should prefer if we could take a plainer and more homely way of dealing with the whole question. In my opinion, a great mistake has been made from the start. If Manitoba had been approached in the spirit of an honest desire to settle the whole question, instead of in the mandatory spirit that has been shown, a settlement might have been reached. My hon. leader, some time ago, suggested a modus vivendi that met with great favour among men of all political parties—that a commission should be appointed and a thorough investigation made into the condition of things in Manitoba. But, instead of seeking a settlement in that reasonable fashion, the Government, led in this respect, apparently, by the ex-Minister of Justice (Sir Charles Hibbert Tupper), took a very high-handed course with the government and people of Manitoba. Instead of being treated as an independent and responsible portion of the general governmental system of this Dominion, they were treated like culprits. And that false step has led us to the present condition of affairs. I believe that some members of the Government are honestly anxious to have a settlement. Others want the Bill to be discussed and not carried. I do not think there is any more agreement among them now than there was during the time of the Cabinet difficulty. I do not find fault with the minority for feeling that there has been a serious interference with their rights and with what they regard as an established principle. But, notwithstanding that, courtesy and fairness will do more than anything else to bring about a settlement. But I hope the minority will, before many years, be able to express the same sentiment as that uttered by the hon. member for Halifax (Mr. Kenny), a few days ago, when he stated that in his province the Roman Catholic minority were treated with consideration and courtesy by the Protestant majority. I was glad to hear that, for the sake of the class to which I belong. I have not the slightest doubt that in Manitoba the same condition will prevail, and that the majority will concede to the minority the relief they are entitled to. Now, as regards the Government keeping the House sitting. There was an understanding last session that, when some reasonable progress had been made, even though it might be limited, when one or two o'clock was reached, members were allowed to retire and prepare for the duties of the coming day. That is a good rule. You cannot wonder at hon. members resenting such treatment as we have received. I say frankly that I have no desire to obstruct the progress of this Bill. I claim the right which belongs to every hon. member, to discuss the provisions of the Bill, as they come up. But I cannot but believe that, if the Bill becomes law in its present form, it would be an actual injury to the minority. My sympathies are with the minority.

Some hon. MEMBERS. Oh, oh.

Mr. McMULLEN. Some hon. gentlemen may challenge that. But I am sure that in the section where I have lived for forty years, there is not a man who will challenge the sincerity of that statement on my part. I hope a settlement will be secured, and that the rights admitted will be given to the minority, and they will be relieved of what they conceive to be an injustice under the present legislation of Manitoba. We cannot but feel the loss at this time of some of the old members of this House, who occupied positions in the Cabinet. If Sir John Macdonald had been here as Minister of Justice, the Remedial Bill would never have been introduced. He would have secured a settlement of the difficulty with the provincial government, instead of bringing us face to face with a serious condition of affairs. Mistake after mistake has been committed. We may hope, however, that as the results of the Government's action eventually the rights of the minority and the relief to which they are entitled will be granted. It has been said that the public schools in Manitoba are Protestant schools, but I have read over the curriculum and I find nothing in it that could offend any Catholic ; at the same time, if there is anything offensive I should like to see it removed. We on this side of the House are anxious to get before the people on the trade policy, and I regret that this educational question has come in. If this Bill is not passed, there will be great confusion in the public mind. I am glad the Manitoba legislature will meet on the 16th inst., for there may possibly be introduced an amendment to the school law or some other proposal made. We should proceed with this remedial legislation very gently until that date, and every one would be glad if the Manitoba legislature amended the Act so as to give a measure of redress to the minority with which they would be satisfied. This will be a session long to be remembered owing to the introduction of this Bill, and the peculiar manner in which it is being pressed through the House. The Secretary of State has endeavoured, to some extent at least, to tyrannize over the House by dictating the course that should be adopted, and endeavouring to force this measure through the House in a very ill-considered and tyrannical manner. If the Secretary of State had shown a little more courtesy towards hon. members and treated them with a little more regard, he would have been more successful in passing this measure through the House.

Mr. LAURIER. The Government by this time, no doubt, are satisfied that the methods adopted by them are not conducive to promote the good results they desired to secure. Nothing has taken place which can justify the Government in their extraordinary proceedings at the present time. I remained in the House from 3 o'clock yesterday until 1.30 this morning, and listened to the discussion, and it was perfectly legitimate in order, and in accordance with the practice of this House. I admit that the discussion was perhaps a little more protracted than it might have been : but if it was protracted, it rested not with any hon. member but with the Government. The business was left in charge of two hon. gentlemen, the Secretary of State and the Minister of Finance, and whether they were not posted on the Bill, or whether they would not afford information, it is notorious that they did not give the information legitimately asked by hon. members. If those hon. gentlemen had chosen to give fair and legitimate information asked for, more progress would have been made with the Bill. It is fair to assume, and I may affirm also that when the Government came here yesterday at three o'clock, they were determined to have one continuous sitting from Monday at three until Saturday at midnight, and no hon. member will contradict that statement. Hon. gentlemen opposite must understand by this time that this is not the way to carry on the business of the House. They have chosen their own time to bring forward this Bill—they brought it forward on 3rd March—but they have not consulted the convenience of the House in carrying forward the Bill. I am anxious and willing that we should have a legitimate discussion on the Bill from three o'clock in the afternoon until say two o'clock in the morning. I remember very well that at the opening of the House last session, the leader of the House, the Finance Minister, agreed that eleven o'clock was a proper hour to adjourn. Every one considered that a most reasonable understanding. I am willing, under the peculiar circumstances in which we are now placed, to postpone the adjournment three or four hours, and not adjourn until two or even three o'clock in the morning : but to sit beyond that hour is an outrage upon the rules of the House and upon what is due from an hon. member to another. The course, however, has been adopted of compelling hon. members to sit here, and the result has been that very little progress has been made. We have now arrived at the business hour this afternoon, and for my part, I would invite the House to give attention to a discussion of this Bill until two or even three o'clock to-morrow morning. It is certainly fair that hon. members should not be asked to work more than ten or twelve hours in the day. I quite agree with the hon. member for Albert that there is only a certain amount of work in a man. We have now, I say, come to the business hours, and I therefore suggest that we apply ourselves to the discussion of the Bill in a business-like way. This course was pursued up to two o'clock this morning, and if a different course was pursued subsequently it was perfectly justified, and the country will justify it. No one can expect that hon. members who are here to discharge important duties can sit here twenty-four hours. I therefore suggest that we dispose of the amendment and proceed with the consideration of the Bill before the committee.

Mr. O'BRIEN. Is it possible that the leader of the House is so absolutely lacking in courtesy as to refuse to give an answer to the very reasonable proposition made by the leader of the Opposition ? Is it possible that the hon. gentleman is so deaf to an appeal made in such temperate language that he will not offer a reply ? Is that the temper in which the business is to be conducted ? Intemperance and petulance have been displayed by the leader of the House. If the hon. gentleman is determined to force on the business and pursue the course which he appears determined to follow, we are quite ready to accept the issue ; it is just as easy to keep up the debate until twelve o'clock on Saturday night as twelve o'clock to-night. The hon. gentleman need not have any doubt upon that point. The hon. gentleman apparently can find no better method of pursuing his course than by resorting to physical force, and I am prepared, and other hon. members are prepared, to accept the issue. I am surprised that an appeal made in such temperate language, and based on such exceedingly reasonable grounds as that presented by the leader of the Opposition should not have met with a reply. I venture to say that the leader of the House, in his position of High Commissioner in London, does not treat those with whom he comes in contact with the same discourtesy. I venture to say that the hon. gentleman, in dealing with those great people he is so fond of speaking of, is as obsequious as he is the opposite here. There are many reasons why the committee should now rise. The hon. member for East Grey has stated many reasons, based on physical grounds, and these should be borne in mind, especially by the Finance Minister. I would strongly urge upon the Government the advisability of this committee now rising and reporting progress. It is to be remembered that this House is in no parliamentary sense, qualified to deal with this question. We are now entering upon the last two or three weeks of a Parliament which is practically responsible to nobody, and there are many hon. gentlemen who do not intend to seek re-election. That fact is notorious. There are many hon. gentlemen in this House who will have the best reasons for not seeking re-election, hon. gentlemen who have supported the Government on this measure, but who feel convinced that their constituents will not sanction their action. I hold that this committee ought to rise, because the Government have wholly failed to give any answer to the constitutional objections that have already been raised against the three or four clauses of this Bill that we have so far considered.

Sir CHARLES TUPPER. I was unfortunately absent from the House when the leader of the Opposition rose to address the committee. I can assure the hon. gentleman that no discourtesy was intended to him in failing to make any observations when the hon. gentleman sat down. I understood the hon. gentleman to propose that, so much time having been wasted in the most palpable obstruction that it was possible to conceive, by hon. gentlemen, for whose conduct I do not held him responsible, that we should not dispose of this question and take up the Bill and go on with it. In that proposition, I heartily concur. But I rise to point out to the hon. gentleman that we stand, as every person must recognize, in a very peculiar position. The hon. member for Brant (Mr. Paterson) made a somewhat forcible address to the committee, pointing out the wild opposition of the people of this country to this measure. I do not understand that to be the case at all. I understand that many people in this country have been deluded into supposing that the question under consideration was as to whether separate schools should be established in Manitoba, and many people are opposed to that. But I would remind the hon. gentleman that notice was given nine months ago that this Parliament would be called on the 2nd day of January to deal with this measure. Now, surely nine months has given this country ample time to express any very wild indignation in relation to this measure. Where have there been any monster public meetings ? Where has there been any demonstration of public feeling throughout this country against this measure ? On the contrary, all the efforts that have been made to excite and delude the people into a false impression that this was a question of whether separate schools should be established in Manitoba or not, have fallen flat. The country has not been roused, petitions have not poured in upon this House since the 2nd January. Hon. gentlemen know very well that the life of this Parliament is limited. We know that an inordinate time was taken up in passing the Address, and an inordinate time was then taken up in passing the Budget But, immediately these two subjects were disposed of, this Bill was laid upon the Table. Now, I call attention to the fact that the Government obtained a substantial majority on the second reading, a majority composed, not only of members of its own party, but of several hon. gentlemen supporting the leader of the Opposition. Now, what happened ? Why, a comparatively small section of this House, who declared from the outset that they intended to prevent this measure ever becoming law, have, from that hour down to the present moment, confronted the Government with the most palpable, open, and determined obstruction that it is possible to conceive. These hon. gentlemen declared that they intended to kill this Bill. Well, when the House went into committee, the solemn farce was played by hon. gentlemen who had declared their determined hostility to this measure, getting up and pretending to assist the Government in perfecting this measure. Why, Sir, I do not believe that in the history of parliamentary government so monstrous a farce was ever before played in the presence of an intelligent assembly. Well, that question was dealt with effectively by this House. The leader of the Opposition knows the danger of our going out of committee if we want to do anything with this Bill. He knows that when we have gone out of committee, one subject after another was brought before this House to prevent our getting back into committee. Now, if the hon. member for Brant is correct, he should desire this Bill to pass, because he says that it will be the death of this Government, that if this measure is passed, the Government will be swept out of power.

Mr. PATERSON (Brant). I did not say anything like that.

Sir CHARLES TUPPER. Then it must have been some other hon. gentleman. But I assume that hon. gentlemen opposite do not believe that this Bill will be fatal to this Government, and that if we wish to come back here, as I claim we shall, and if it be true that this Bill is as obnoxious to the country as the hon. member for Brant stated, when he said there was a widespread feeling of hostility to this measure throughout the country——

Mr. PATERSON (Brant). No, I did not say that.

Sir CHARLES TUPPER. Well, did the hon. gentleman speak at all to-day ?

Mr. PATERSON (Brant). The hon. gentleman has been losing so much rest that he has not been able to follow me. What I did was to read an extract from a journal in the North-west, in which it represented the feeling of that country as opposed to the Bill. I did not express my own opinion at all.

Sir CHARLES TUPPER. I must have been mistaken. I had thought the hon. gentleman had made a speech of half an hour's length apart from the interesting newspaper extract that he read. To return to the subject: If this measure is so obnoxious as hon. gentlemen pretend, if it is so opposed to the sentiment of the country, why do not they allow it to pass ? They tell us that it is a worthless measure, that it will have no effect. Why not, then, allow it to go upon the statute-book, and not meet the Government with obstruction that could not be used under ordinary circumstances. Ordinarily we should be protected by the fact that we might sit here till the autumn to pass this measure. But I call the attention of the leader of the Opposition to the fact that we are in a different position with regard to taxing the powers of hon. members. I think there is complete justification for what is being done. If the Bill is of the character ascribed to it by hon. gentlemen, it can do no harm even though it passed. Let them pass this measure and then pass the Estimates, and thus avoid wasting half a million dollars of the public money by another session, and then we will give them an early opportunity of appealing to the people to decide between us. It is trifling with the intelligence of the House and of the country for hon. gentlemen to proceed as they are doing in the face of the most overwhelming evidence that the House does not desire obstruction. Situated as we are, it is possible for an insignificant minority to offer obstruction which, under ordinary circumstances, they could not offer. We hear it said that this Parliament is not qualified to deal with this question. I challenge hon. gentleman to quote a single instance in British parliamentary history in which the principle has been laid down by prominent Liberals that Parliament, from the hour of its birth to the hour of its death, is not clothed with all the powers necessary to carry on the public business. The system of plebiscite is not known in Great Britain. I could quote the very highest authority denouncing the idea that parliamentary government involved anything but the principle that members, from the term of their election, were clothed with power to discharge what they believed to be their duties to the country.

Mr. MILLS (Bothwell). Does the hon. gentleman remember going to Washington and having an election before going ?

Sir CHARLES TUPPER. I remember going to Washington and I remember stating on many platforms the grounds on which we appealed to the country—perfectly constitutional grounds. I said that the Government of Canada proposed to send delegates to Washington to negotiate an important trade arrangement ; and the Government found themselves in this position—that if they went at the close of the Parliament, the United States press might represent that in a short time there would be an election, and the party then in power would be in Opposition, and therefore their negotiations would be of no use. But they desired to do so with the mandate of the the people, and with time enough before them to bring the negotiations to a successful issue. Every person knows that this session was called for the purpose of dealing with this measure, and the announcement that that would be done was received with no protest worthy of the name. A substantial majority of the House has declared that it was desirable that this Bill should become law. And from that hour, as the hon. leader of the Opposition knows, we have been met with the most persistent, unjustifiable opposition that any Government in this House or in the world has encountered. How do I prove the position that this House has taken in this matter ? I moved a resolution, after the suggestion of the hon. member for South Oxford (Sir Richard Cartwright), of whom I do not and have not complained. I say that the hon. gentleman said that if the Government arrived at the conclusion that this House must rise on the 24th of April at the latest, it would form a strong ground for taking more time for Government business. That opinion commended itself to the House. We stated that we had come deliberately to the conclusion that this Parliament's existence would terminate on the 24th April, and I moved a resolution that, after Monday next, for the remainder of the session, the House should sit on Saturdays, commencing at 10 a.m. How was that met ? By wasting a day.

Mr. LAURIER. No ; by the amendment of the Minister of Public Works.

Sir CHARLES TUPPER. True, but a necessary amendment, caused by hon. gentlemen taking advantage of the fact that the resolution had not been moved at the date originally intended. This House by a majority of 45—46 votes to 91—declared that they wished to sit on Saturday, anxious as they were to enjoy a rest on that day, for the purpose of passing this Bill. That was followed by a motion by the hon. gentleman who bandies words in this House, who ventures to taunt me with obsequiousness. Was I ever so obsequious as to allow a typewritten resolution to be thrust into my hand, and to be put up to move it, and then have the gentleman who prepared it pull me down and cut off half the resolution. When the hon. gentleman found that all his support had deserted him, and that he and the framer of the resolution would have stood alone, that was the course pursued. That hon. gentleman followed up that obstruction. I am not surprised, because these hon. gentlemen gave us notice from the outset that a body of gentlemen in this House—a very small body, I am glad to say—would prevent this Bill becoming law. And when they found we had got into committee, they got up and blandly expressed their desire to take charge of the Bill. The hon. gentleman moved in opposition to the motion which had just been decided. When I spoke of the majority of 46, the hon. gentleman asked, tauntingly, what that mattered. I venture to tell him that if that was not enough for him the House would give him a larger one. The resolution of the hon. member for Muskoka was voted down by a majority of 66. Could this House show more plainly its determination that this obstruction should cease, and that consideration of the Bill should proceed ? This hon. gentleman who is never obsequious, when he finds that the Bill cannot be obstructed in the ordinary sense of the term, turns one of the most complete somersaults ever witnessed in this House, and comes out as a protector of the Roman Catholics of this country, by moving a resolution that nobody should be permitted to teach in these separate schools until he had passed an examination in the Roman Catholic faith. So that, for the purpose of obstruction, he was willing to pose as the advocate and protector of the Roman Catholic religion. His mentor and tutor having discovered the blunder into which he had fallen, he taunted me with knowing nothing about the Bill. I do not think I put myself in such a ridiculous position before the House and the country as the hon. gentleman, who had been burning the midnight oil preparing this trap for his obsequious friend from Muskoka (Mr. O'Brien). No doubt, hon. gentlemen have seen a hen who had hatched a duckling running along after the duckling as it made for the water. My hon. friend from Simcoe (Mr. McCarthy), with all his feathers on end rushed in the same manner after his duckling from Muskoka. The hon. member for North Simcoe seemed to think that nobody is a legal authority in this House except himself. I do not profess to any legal knowledge, but I have common sense, and that teaches me never to take my law on any question from the counsel retained on the other side. I have, therefore, resisted the two attempts of the hon. member for Simcoe to take charge of this Bill, to take over this unhappy bantling to be reared under his tender nursing. If anything could show hon. gentlemen that not the Government, but the House, is opposed to this obstruction, it would be the fate of the hon. gentleman's motion. He found a majority of 92 in this House telling him that the House did not want any teaching from the hon. member for North Simcoe, as filtered through the hon. member for Muskoka. I have detained the House for a few minutes, but with this important object in view, and that is to draw the attention of the leader of the House——

Sir RICHARD CARTWRIGHT. I would call the hon. gentleman's attention to the fact that he is a little previous.

Sir CHARLES TUPPER. I suppose it is a case of coming events casting their shadows before. I can only say that I trust that when the hon. gentleman does reach this position he will be happier than he is in the place he now occupies. I desire to call the attention of the leader of the Opposition to the fact that not only has this House declared its approval of the principle of this measure, but it has, by the most overwhelming majorities ever placed on our Journals, declared that this obstruction is diametrically opposed to its wishes. I will do the leader of the Opposition the credit to say that I do not believe there is an hon. member on either side that entertains that opinion more strongly than he does. But I appeal to the hon. gentleman to assist us. I admit that he has a contingent that is uncontrollable and that even if

I were desirous to do so, I could not hold him wholly responsible. His position in the House, as everybody recognizes, has been seriously damaged. He has ceased to be the leader of the Opposition. With the exception of a few tried cohorts around him, his forces are beyond control and do not recognize the authority of their leader. But the emphatic determination of this House to proceed with this Bill is plain. And, as we have but a few days in which to complete the measure, I call upon the hon. gentleman to give all the aid that lies in his power to complete this measure and other necessary business of the House, and then let the people decide between us. I do not hesitate to say that, in my judgment, it matters little to the Government whether this measure is passed or not, for the reason that there is not an intelligent man in Canada who has given the slightest attention to the subject who does not know that the Government have done all that men could do to implement the pledge they gave the House and the country that they would exhaust every means to enact this measure into law. Knowing that, and recognizing the fact that we have determined to do all men can do to implement our pledge and to faithfully carry it out, not only because it was a pledge, but because we believe in our hearts and consciences that the interests of Canada, not the interest of the party, require that the issue between the two great parties in this country should not be determined on a question of either race or religion, we seek to press this question to a conclusion, because the most unfortunate thing that could happen in the interest of this country would be to have racial and religious divisions between the two great political parties. These are the grounds on which we feel compelled to do what, under other circumstances, we would not desire to do, press forward this Bill as we are doing, and allow the two parties to go to the country with their respective policies and accept the final issue, whatever it might be. Under these circumstances I feel that the committee cannot rise, if we are going to do anything, because the moment we go out of committee, hon. gentlemen know that the most scandalous and unjustifiable obstruction of this measure will be resorted to. I thank the hon. member (Mr. Laurier) from the bottom of my heart for his suggestion that this question should be disposed of, and that we should now take up the Bill and make substantial progress with it. If there was any evidence that the Bill would be dealt with in such a way as to bring it to a prompt conclusion, the hon. gentleman would find no disposition on this side of the House to tax the physical powers of any hon. member. There is no hon. member on either side who is in as much danger in regard to a matter of that kind as himself, or who is more reluctant that any such means should be resorted to; and if this were an ordinary session, I would be prepared to sit until autumn rather than resort to anything of this kind, but the House and the country will understand that we have pledged ourselves to pass this measure, believing as we do that the vital interests of Canada depend upon its prompt solution by this Parliament, and we have therefore no alternative but to exhaust every means that can be used to carry this Bill to a successful conclusion.

Sir RICHARD CARTWRIGHT. I do not propose to imitate, though the temptation is great, the Secretary of State, in deliberately obstructing the business now before the committee. I am afraid that when the hon. gentleman refuses, as he has refused, the most reasonable proposition made by my hon. friend beside me (Mr. Laurier), who was prepared to do his very best to enable the leader of the House to make fair and reasonable progress between the present moment and midnight, the hon. gentleman has made it manifest to every human being in this House, and out of it, that the Government have no honest desire to pass this measure.

Some hon. MEMBERS. Try them.

Sir RICHARD CARTWRIGHT. I am perfectly willing, though I am bound to say that my hon. friend is going a very long way in offering, after five-and-twenty hours sitting, to go on with the ordinary consideration of the Bill; nevertheless, probably it may be as well for the purpose of showing publicly how utterly insincere are all the professions of the Government as regards desiring to put this Bill through, that this motion should be allowed to be voted on and some progress made, though after such a long sitting, the Government have not the slightest right to expect such a proposition. But my hon. friend has made it, and the hon. gentlemen behind him will be perfectly prepared to implement it. I want to recall to the hon. Secretary of State certain incidents in his past career. The hon. gentleman thought it was a most outrageous thing that the debate on the Address should have been delayed. Did the hon. gentleman ever hear of the year 1878? Parliament met on 7th February. We did not spend a fortnight in squabbling among ourselves, but 16th February arrived before we got the Address through, and the chief obstructionist on that occasion was the Secretary of State himself. Must I recall to his mind all that happened in those nine days? The hon. gentleman did not occupy much less time than was occupied by us, in fact, fully as long, or a longer period. The hon. gentleman said that he is not disposed to take his law from the retained counsel of one party. Perhaps not. But he is perfectly willing to take this Bill from the retained counsel of the Manitoba minority, because, if this Bill has any paternity, unless it is a legal bastard, its only father is the counsel for the minority of Manitoba, Mr. Ewart. He has had more to say than all the occupants of the Treasury benches as to that Bill, and, therefore, it was quite to be expected that the Minister of the Interior would ask a little time to consult him. I think hon. gentlemen opposite will discover that the position of my hon. friend (Mr. Laurier) has not been seriously injured by the course he has pursued. I doubt if any hon. member in this House has ever improved his position so rapidly as my hon. friend, by the bold and manly course taken by him in moving the six months' hoist to this Bill, and I believe not only in Ontario, Manitoba, and all the other English provinces, but among his own countrymen, and I must express regret that the Secretary of State should have attempted to stir up animosity and prejudice against my hon. friend because he would not support this Bill, which he, and every other man, knows is a sham and a fraud. The hon. gutleman has told us that he knows we cannot sit until the autumn. He and his colleagues knew that long ago. If he and his colleagues had any real or honest intention of passing this measure, knowing as they did in July, 1895, that Parliament would expire by efflux of time on 24th April, 1896, why did they not summon Parliament for November, when this Bill might have been properly considered? If they thought it was so all-important, why was it they were not prepared to proceed with the Bill on January 2nd? Why did they waste two weeks in intrigues among themselves?

Sir CHARLES TUPPER. Allow me to suggest to the hon. gentleman that we did not get the answer from the government of Manitoba till last December.

Sir RICHARD CARTWRIGHT. Hon. gentlemen opposite were so helpless and resourceless, so devoid of knowledge as to what the government of Manitoba might be expected to do, after what had passed, they were unable to prepare a Bill, and they must wait until Manitoba replied. What was to prevent them sending commissioners to Manitoba in July or August, 1895, as had been suggested by my hon. friend, time and again? Had there been any real and sincere desire to get this Bill through coute que coute, what they should have done was to have communicated direct with the government of Manitoba. There would have been no difficulty, any more than there has been lately in obtaining from that government a complete answer as to what they desired and intended to do. Then hon. gentlemen could have come down to this House and laid the proposition before it, and it might have been acted on. Waiving that point, and they have never given a proper explanation of it, I contend they should have been prepared with the Bill to submit to Parliament on 2nd January, as the Government would have been in England, to which the hon. gentleman is so fond of referring. When they knew that Parliament would expire in three and a half months, they allowed two months to elapse before the second reading of the Bill was taken, they have themselves to blame for the position which they occupy to-day. It was their fault, and I say to hon. gentlemen from Lower Canada on both sides of the House that, in my judgment, they were sold mercilessly by certain members of the Government, if not by all, because I believe a certain contingent may have had an honest and sincere desire to promote the Bill. But the Secretary of State wants to know of any similar instance in a British Parliament of similar obstruction. The hon. gentleman must be more or less conversant with what took place in the British Parliament during the last few years, and also the period occupied in passing certain Irish Bills. Not less than four or five months were occupied in passing some of those measures through the House of Commons, and sending them through the House of Lords, and during that time a much longer period was occupied in discussing them than has been spent in any discussion which has taken place here. I should like the Secretary of State to show a single case in the last century or the last two centuries, down to the Rump Parliament, during which the Parliament of England ever died by efflux of time, and I should like still more the hon. gentleman to give any instance where, during the last three or four weeks of its existence, the British Parliament took up and put through a Bill of first-rate magnitude or one in any way as important as this particular measure. Can the hon. gentleman give us, within two hundred years, I give him down to the days of Charles I., any measure at all analogous to this in importance which was presented to the British Parliament during the last three or four weeks and attempted to be forced through that body? But the hon. gentleman does not properly understand that this is a Federal Parliament, or, if he does, he would lay much less stress on the legal right. I dispute there is a legal right, because it was his duty and the duty of his colleagues to have dissolved Parliament long ago, after the census of 1891 had shown that this Parliament was not properly representing the several provinces, and, more particularly because the province whose interests are chiefly affected by this Bill is not properly represented on the floor of Parliament. More than that, we had a Redistribution Bill, and, according to English practice and precedents after a Redistribution Bill has been passed, and more particularly must this apply to a Federal Parliament having a partially written constitution, there is an appeal made to the people. I have already said that the present Parliament does not represent 60 per cent of the electors now in Canada. A very curious proof has been put into my hands with respect to one of the constituencies of Ontario. I refer to West Durham. The revision of 1891, after the last elections, showed a total population of 15,374 souls, with an actual voting strength of 3,722, with a total number on the list of 5,530. On one revision alone, and it was a revision which took place five years ago, 1,768 names were struck off the rolls, and 902 names added. That gave 2,670 votes out of a nominal vote of 5,530; and there is another revision to be heard from. Could there be any better illustration of the truth of what I said, but although we may technically represent the electorate, we do not really and truly represent the electorate, and therefore, it is doubly wrong, on moral and conscientious grounds, to attempt to deal with this question. I would ask the leader of the House another question. He has had a great deal of experience in parliamentary matters, and I ask him whether he does not think he would make more progress by accepting the offer of my hon. friend (Mr. Laurier) than by attempting to dragoon the House into sitting de die in diem until Saturday night. He must know, as every one knows, that any such attempt can only result in defeating the last chance of the Bill. If the hon. gentleman accepts the proposal of my hon. friend, there is a fair chance of progress being made; but if he refuses, there is no chance of progress being made. If he has the slightest desire to pass the Bill, he will accept this proposal, we will sit a reasonable number of hours, and then adjourn. If there is obstruction, then we shall know where it lies.

Mr. PATERSON (Brant). I desire to inquire if the remarks of the leader of the House were meant to convey the idea that the committee will be kept sitting continuously until the Bill is passed.

Sir CHARLES TUPPER. I did not say that.

Mr. PATERSON (Brant). I wanted an answer, in order to frame a question. Does the hon. gentleman not think it would be proper that the report of the commissioners to Winnipeg should be laid on the Table and an opportunity be given to discuss it? I would ask the Minister of Justice if he does not think that the report of the commissioners should be handed in to the House, with the Speaker in the Chair, and that we should have an opportunity to discuss it? But, if the hon. gentleman proposes these continuous sittings in committee, when does he propose that the House shall be put in possession of that report?

Mr. DICKEY. At the request of the leader of the House, I beg to say that there were two parties to this reference, and that the commissioners of the Dominion Government felt bound to report first to their principals the proceedings of that commission. The other party to the conference, who were dealing directly as principals, have already published all the proceedings that took place before the conference, and, as a matter of fact, they are in the possession of every member of this House. Technically, the report of the commissioners has not been brought down, owing to the fact, the leader of the House stated, that the report did not come before the House sat again. But it does not add anything to what has already been published on the part of the other party to the conference.

Mr. PATERSON (Brant). Is the House to be treated in that way, that all the information that we are to have is a report published in the papers? The leader of the House promised that it would be laid before the House immediately, and the House would like to have good faith kept with it once in a while, at any rate. We ought to have that report before another step is taken in this committee.

Mr. McCARTHY. It is an extraordinary thing that we are to be told that we are to get our information with reference to that commission from the newspapers. It is certain that the newspapers do not contain a very important part of the documents which, when brought down, will be laid before us. We want to know what the instructions to the commissioners were. I was contradicted here last night, when I said that I gathered from the papers that the commissioners were told to negotiate on the basis of a settlement which would be satisfactory to the minority; and the hon. gentleman who undertook to contradict me, stated that the minority had never been consulted.

Mr. LaRIVIERE. The hon. gentleman said last night that an offer had been made to the local government in the name of the minority. I denied that, and said that the minority was not consulted at all, when that proposal to the local government was made by the delegates.

Mr. McCARTHY. The hon. gentleman misunderstood me. What I said was that the commissioners, so far as I could gather from the papers, had gone to Manitoba to negotiate a settlement, one condition of which was that it should be satisfactory to the minority. Now, it is important to know what the instructions were, it is important to have the formal report of the commissioners with reference to the whole subject, and I agree with the hon. member for Brant that this committee ought not to advance a step until these important documents are laid upon the Table, and they cannot be laid upon the Table until the Speaker is in the Chair. It is more important in this way, that, if we are to judge from what we have seen, not only is faith broken with this House, not only did the Secretary of State commit an offence against Mr. Greenway, in garbling his telegram, for which he was forced to apologize, but we know now that the statement we made on the floor of this House repeatedly, that it was understood that, pending these negotiations, the Bill was not to be advanced, was true, and we know, from the commissioners, that this was the arrangement that was agreed to in Manitoba, and that the Minister of Justice had sincerely to apologize for the conduct of his leader.

Mr. DICKEY. No, you are entirely mistaken.

Mr. McCARTHY. Well, when we have the papers we will see who is mistaken. Now, a word as to the insignificant minority. This insignificant minority is disturbing the sleep and the quietness of mind which the Secretary of State would otherwise enjoy. Now, we were promised that this House should meet on the 2nd January for the purpose of passing the Remedial Bill, but, as has been repeatedly stated, we were not asked seriously to consider the Remedial Bill until two months of the session had gone by. What is the excuse ? The excuse is given in the words of my great leader—I do not allude to the Secretary of State—that the genius of politics is reiteration, and I gathered that the Secretary of State thinks that by reiterating and reiterating that this Bill has been obstructed in this House, he will cover up and conceal the mistakes, or the deliberate design, of this Government, by pretending to pass this remedial measure, introducing it at such a time as they knew it could not be passed. Why, this Bill might have been laid on the Table on the 3rd January. No person pretends to say that the Bill could not have been printed and read the first time, when the Address was passed, on 23rd January. That stage would have been reached but for the feud that had raged in the ministerial camp, and the difficulties that arose there delayed the proceedings of this House until 16th January. Now, I challenge any fair-minded man in this House to say that the discussion on the second reading occupied an undue length of time. It has been pointed out that more time was consumed by gentlemen on this side of the House than by hon. gentlemen opposite. The hon. gentleman says that if we went out of committee, we never could get in again. Well, we met on Saturday morning at ten o'clock, and at eleven o'clock we were in committee. We met upon Monday at three o'clock, and this House was in committee before four o'clock. Where has been the delay in getting into committee ? Now, Sir, I am bound to say, on behalf of the insignificant minority, that I am glad that at last my hon. friend who leads the Opposition has been absolved from all responsibility for my misconduct. That has been formally done on the floor of Parliament by the hon. gentleman who leads this House. I am quite willing to bear all the sins and assume all the responsibility for the course I am taking ; and I repeat again, that in committee I propose to investigate every clause and every line of the clause. I am endeavouring to improve the Bill ; I cannot help it, if the majority won't accept my suggestions. I am endeavouring to make it as good a Bill as it can be made, and if, in the end, it comes to a third reading, I shall oppose it, because, notwithstanding any improvements I shall have succeeded in making, it will still be, in my opinion, a most objectionable Bill. I pointed out the other night that the last great measure that was brought before the British Parliament, was introduced on 13th February, and did not get to the House of Lords till 1st September. During that time, when the cloture was in force, it was clotured in sections ; the Bill was divided into three parts, and at certain dates these parts were put by the Chairman of the committee. But, notwithstanding the strict application of the cloture, the Bill was forty-seven days in passing through committee. Relatively, that Bill was not more important than the Bill we have now before us. That was brought in for the purpose of relieving a minority, this is for the purpose of oppressing a province. One was for the purpose of restoring peace and harmony in Ireland, this is for the purpose of creating difficulties and trouble in Manitoba. I think that every member who takes that view of it, is bound to oppose it in every legitimate way. I have nothing to regret in anything I have done so far, and I do not hold out any promise that my course in the future will be different from what it has been in the past.

Mr. CHARLTON. The Secretary of State, a few moments ago, said that this was not to be considered a moribund Parliament so far as relates to the consideration of an important measure. He made allusion to some matters upon which, in my opinion, some answer should be given. His assertion that the Parliament that was dissolved in February, 1891, was a moribund Parliament strikes me as singularly destitute of foundation when placed side by side the statement that this is not a moribund Parliament for the consideration of a Bill so important as this. The Parliament dissolved in 1891 had held four sessions. This Parliament is now nearing the end of its sixth session. The reason for dissolving that Parliament was that it was necessary to have a Parliament fresh from the people to consider the proposed treaty of reciprocity. I think it would be well briefly to review the circumstances. In 1891 the public meetings held by the Liberal party in favour of reciprocity had resulted in showing that that measure was received with great favour by the people. And in order to checkmate that the Government deliberately decided to dissolve the House a year before the time. They also sought to make it appear that they were the true friends of reciprocity and that under their guidance, negotiations were progressing favourably. On the 15th January, 1891, the Toronto "Mail" had a despatch as follows :—

> It is reported from Ottawa, on authority which leaves little reason to doubt that the rumour is true, that the Imperial Government is urging the Dominion Ministers to unite in a proposition to arrange all matters in dispute between Canada and the United States on the basis of a wide measure of commercial reciprocity.

To that despatch the "Empire" made the following answer:—

> The "Empire" is authorized to give this statement an unqualified denial. Not only is it not true, but, on the contrary, it is learned from the very best sources that the Canadian Government has recently been approached by the United States government with a view to the development of trade relations between the two countries and that our Government has requested the advice of Her Majesty's Government on the subject.

These statements became known in Washington, and on the 29th January, 1891, Mr. Chas. S. Baker, a member of Congress wrote to Mr. Blaine, Secretary of State, as follows:—

> Washington, D.C., 29th January, 1891.
>
> Hon. James G. Blaine,
> Secretary of State.
>
> My dear Mr. Blaine,—It is reported in the newspapers of Canada and along the northern border of my state, where my constituents are deeply interested in the subject, that negotiations are going on between this country and Great Britain with a view of partial reciprocity with Canada, including natural products only and not manufactures, and it is stated that Sir Charles Tupper is on his way here as commissioner to negotiate for such modification to our tariff. I would be very glad if you would enable me to answer my constituents.
>
> Very truly yours,
> CHAS. S. BAKER.

To this inquiry Mr. Blaine replies on the same day:

> Washington, D.C., 29th January, 1891.
>
> My dear Mr. Baker,—I authorize you to contradict the rumours you refer to. There are no negotiations whatever on foot for a reciprocity treaty with Canada, and you may be assured that no scheme for reciprocity with the Dominion confined to natural products will be entertained by this government. We know nothing of Sir Charles Tupper's coming to Washington.
>
> Very truly yours,
> JAMES G. BLAINE.

Here was an explicit denial on the part of the Secretary of State of the United States that negotiations were in progress and a statement that the basis upon which the Government proposed to make a reciprocity treaty would not be considered by the American government. Five days afterwards on the 3rd February, Parliament was dissolved. Inspired despatches in the same terms were printed in the "Gazette" of Montreal, "Empire" of Toronto and "Spectator" of Hamilton:

> The sixth Parliament of Canada is at an end. Acting on the advice of his responsible Ministers, His Excellency the Governor General has been pleased to dissolve the House of Commons and issue his writs for a new Parliament.
>
> Nominations take place on Thursday, 26th February, polling on Thursday, 5th March. The writs are to be dated 4th February and made returnable on 25th April.
>
> In view of the foregoing important statement, the question will naturally be asked, what are the reasons which have induced the Government to appeal to the country at the present time? It is understood that the Dominion Government have through Her Majesty's Government made certain proposals to the United States for negotiations looking to an extension of our commerce with that country. These proposals have been submitted to the President for his consideration, and the Canadian Government is of the opinion that if the negotiations are to result in a treaty which must be ratified by the Parliament of Canada, it is expedient the Government should be able to deal with a Parliament fresh from the people rather than with a moribund House.
>
> It is understood that Canada will send a delegation to Washington after 4th March, the date on which the life of the present Congress expires, for the purpose of discussing informally the questions of the extension and development of trade between the United States and Canada, and the settlement of all questions of difference between the two countries. This delegation will visit the United States capital, it is said, as the result of a friendly suggestion from Washington.
>
> In view of the importance of the reasons which have induced the Government to appeal to the country at the present moment, the "Empire" is privileged to publish a copy of the despatch from His Excellency the Governor General to the Secretary of State for the Colonies, showing the nature of the Government's proposals to the United States, and indicating the earnest desire of the Administration for the development of trade between the United States and Canada.

This statement made by the "Empire" proved that that article was inspired by the Government because the despatch was not accessible to the "Empire." The despatch referred to refers first to negotiations in progress for a reciprocity treaty between the United States and Newfoundland. It stated that Canada had always been ready for reciprocal arrangements and had made repeated efforts which had been refused or ignored by the United States. This despatch then went on to say that overtures had been made to the Canadian Government by the State department at Washington. Sir John Thompson, in a speech in Toronto, said:

> On hearing that these negotiations were progressing——

That is, between the United States and Newfoundland:

> —we insisted upon the British Government demanding at Washington that Canada should have the option, if she pleased, of having Canada included in any treaty which might be made with the colony of Newfoundland, but we indicated at the same time that the proposed treaty with regard to Newfoundland did not seem to be upon lines so extensive as would suit the wants and interests of Canada, and that it might be better to avail ourselves at the same time of entering upon separate negotiations on behalf of Canada. Well, Sir, that intimation was

promptly conveyed by Her Majesty's Government to Washington, and the answer made by Mr. Blaine, the Secretary of the United States on behalf of his government, was an overture to reciprocity.

So the assertion was that the overture emanated from the American government, and here is the same assertion made by Sir John Thompson. The elections were held and the Government were successful. On the 1st April, Secretary Blaine addressed a communication to Sir Julian Pauncefote, British Ambassador at Washington, with regard to the statement that proposals for reciprocity had emanated from the United States. Among other things, he said :

> A copy of the basis of negotiation which you placed in my hands on the 22nd of December last is appended hereto.
>
> You told me, if my memory is not in error, that you were instructed by Lord Salisbury to propose the topic to the United States for discussion, and, if possible, for agreement.
>
> I answered that I felt sure that the President would be willing to appoint a commission to consider the propositions as they were stated, and, furthermore, that I should be unwilling to submit them to the President.
>
> After some further conversation, in which you repeated that the propositions were merely the basis upon which a discussion might be instituted, I replied that in any event I had not a moment to give to the subject until after the adjournment of Congress in March, but that after that date I would be willing to respond to your request "to have a full but private conference with the British Minister and one or more agents from Canada, and go over every point of difference, and consider every subject upon which a mutual interest could be founded.
>
> If an agreement is reached, all well ; if not, no official mention is to be made of the effort.
>
> Above all things, it is important to avoid public reference to the matter.
>
> This the President will insist upon.
>
> While no notes were exchanged between us I carefully minuted my modification of the paper you left with me containing Lord Salisbury's proposition, and did so immediately after you left the department. You will observe the private character which I wished to impart to the conference is recognized by you a month later in your note of 27th January, when you called the correspondence "confidential."
>
> In view of the fact that you had come to the State Department with the proposals, and that the subject was then for the first time mentioned between us, and in view of the further fact that I agreed to a private conference as explained in my minute, I confess that it was a surprise to me when several weeks later during the Canadian canvass, Sir John Macdonald and Sir Charles Tupper, both stated before public assemblages that an informal discussion of a reciprocity treaty would take place at Washington after the 4th of March, by the invitation of the Secretary of State.
>
> I detail these facts because I deem it important, since the matter has been for some weeks open to public remark, to have it settled that the conference was not "initiated" by me, but on the contrary that the private arrangement of which I spoke was but a modification of your proposal and in no sense an original suggestion from the government of the United States.

So great was the feeling caused by this, I cannot exactly say perfidy, but bad faith on the part of our public men, that when our commissioners went to Washington they were refused an interview. The President treated them with the scorn he believed their perfidious conduct deserved. He left Washington refusing to answer the note of Sir Julian Pauncefote, and our commissioners left Washington on the evening of the same day on which they arrived. In our sessional records appears a communication dated the 21st April, 1893, from Sir Charles Tupper, in which he said :

> I told Mr. Blaine in reference to these charges, that I wished at the outset to recognize the accuracy of the statements contained in his letter to Sir Julian Pauncefote, which I had sent in reference to the initiation of the negotiations regarding the reciprocity arrangements between the two countries.

And so the hon. gentleman admitted that the statements he had made were false. Now he refers to these reciprocity negotiations and tells us, forsooth, that it was proper in 1891 to dissolve a Parliament which had sat four sessions in order to take into consideration this fictitious treaty that he had not negotiated, and that he had no expectation of negotiating, and his statements with regard to which he admitted were false. But he tells us that the Remedial Bill affecting the whole future of Canada may properly be passed upon by a Parliament sitting two sessions longer than the Parliament of 1891, and now within eighteen days of its dissolution. He acknowledged that he was guilty of falsehood, and we can give little credence to the statements of the hon. gentleman with regard to this matter or anything else.

Mr. McMULLEN. I cannot allow the statement of the Secretary of State that palpable obstruction has characterized the action of hon. members on this side of the House, to pass without contradiction. The remarks I offered this afternoon were certainly not of an obstructive character. Perhaps, however, the hon. gentleman referred to the remarks made by the hon. member for Assiniboia (Mr. Davin), who spoke for about two hours. I must confess that during fifteen years I have never seen the House so miserably led as it is at the present time. The Secretary of State comes into the chamber and indulges in a variety of attacks, and then he leaves before hon. gentlemen have an opportunity to reply. It is perfectly evident from his action this afternoon that the Government are not anxious to carry this Bill. The hon. gentleman instead of throwing oil on the troubled waters this afternoon, simply aroused antagonism. The hon. gentleman made an attack on the hon. member for Brant (Mr. Paterson), which he had to retract. Then he made an attack on the hon. member for North Norfolk (Mr. Charlton), and he had to retract his statement in that case also. All these facts furnish evidence that the hon. gentleman does not desire to carry the Bill. The offer made by the leader of the Opposition was a business-like offer and it was one which would cause the Bill to receive full and proper consideration at the hands of the committee. Again, the Secretary of State referred to the broken ranks of the Opposition. That was entirely a fallacy on the part of the hon. gentleman. We rejoice in the stand taken by our leader and admire the course pursued by him. He has proved the Bill to be a sham and a fraud, prepared for the purpose of deceiving the minority, not only in Manitoba but throughout the country. Further, the Secretary of State referred to hon. members on this side of the House as a lot of disloyal followers. Let him look a little nearer home. I have never seen the Conservative party in such a demoralized condition, and this has prevailed ever since the Secretary of State became the leader of the House. Whenever an hon. member expresses an independent opinion he is pounced upon as if it were by a lion. If the leader of the Government had accepted the proposition of the leader of the Opposition, we would have been prepared to take up the Bill clause by clause, and I would be ready to endeavour to carry out, as far as possible, the wishes of my leader. We would have given full consideration to the measure up to two o'clock in the morning and, if necessary, later, and in this way, I believe it would have been possible to have got through the Bill. If obstruction took place we would know with whom it rested. The leader of the Opposition would only be responsible for the action of his followers, and as regards the course pursued by the leader of the third party he would not, of course, be answerable in any respect.

Mr. BORDEN. Every day, almost every hour, adds additional proof, and makes it evident that the Government are not anxious that this Bill should pass, and it is absolutely clear that the leader of the House, whatever other members of the Government may desire, is determined that the Bill shall not pass. The hon. gentleman is an astute politician, a man of great experience and a man of some tact. Can any one believe that the hon. gentleman would act in this House as he has done to-day, if he desired the Bill to pass. The hon. gentleman has insulted one hon. member after another, even including leading members of the Liberal-Conservative party. The hon. gentleman has so acted as to compel them to reply and occupy the time of the House. Then the hon. gentleman has charged obstruction against members of the Opposition, in my opinion for no other purpose than to draw out those hon. members, because the hon. gentleman's statements were such as to make it absolutely necessary that a reply be given. The hon. gentleman cannot expect that members of this House will listen to a tirade of abuse and not make replies. And so, in my opinion, the hon. gentleman is playing a game by which he is endeavouring to throw the responsibility of opposing the Bill on hon. members on this side of the House.

I was impressed by the statement made and questions asked to-day by the hon. member for Brant (Mr. Paterson). He asked the Government when they intended to lay on the Table papers connected with the Winnipeg conference. The only answer vouchsafed by the Government indicated that it was their deliberate intention to sit in committee for the purpose of preventing the opportunity of laying those papers on the Table. Before another step is taken those papers should be formally in the possession of the House. It has been stated that they have been published in the newspapers. That may be true, but we have a right to be officially seized of the matter, to have placed in our hands the papers with the official seal of the Government. What possible object can be accomplished by the Government keeping from the House the official statements as to what took place at the Winnipeg conference ? The object of the Government is, however, very clear. They dare not allow the House to be placed in possession of the records of the proceedings of the conference or give the House an opportunity to consider the proposal made by the Manitoba government in order to effect a settlement of this vexed question. The Secretary of State boasted of the considerable majority given to the second reading of this Bill. I ask the Secretary of State now whether he dare submit, untrammelled by party considerations, the proposals which the Manitoba government made to his representatives, and whether he is prepared to accept the offer made by that province as full settlement of this question. If the Government submitted that proposal there would be a majority, not of four, but equal to two to one in favour of accepting as a basis of further negotiation the proposition made by Manitoba. It is the duty of the Government to bring down these papers. The committee should rise and report progress, and at the next sitting the papers should be formally presented before the House, and not another step taken before the opportunity has been offered of ascertaining everything done at the Winnipeg conference. I should like to know the opinion of the senior member for Halifax (Mr. Kenny) on the offer made by the Manitoba government ; I should like to know the opinion of the hon. member for Inverness (Mr. Cameron). I should like to ask those hon. gentlemen their opinion on that offer, for both of them are entirely satisfied with the condition of matters in Nova Scotia.

Mr. CAMERON (Inverness). No.

Mr. BORDEN. The hon. member for Inverness says he is not satisfied, but the hon. member for Halifax has said over and over again that he is satisfied.

Mr. CAMERON (Inverness). No.

Mr. BORDEN. Yes, and I can prove it from "Hansard." The hon. member for Halifax (Mr. Kenny) said that the administration of the school law in Nova Scotia was satisfactory to all concerned.

Mr. CAMERON (Inverness). He said in Halifax.

Mr. BORDEN. I should like to hear the opinion of the hon. gentleman, because I believe this offer made by Manitoba gives more than the minority in Nova Scotia have received as the result of the gracious manner in which the law of the province has been administered by the Nova Scotia government.

Mr. CAMERON (Inverness). They did not profess to do anything of the kind.

Mr. BORDEN. Last night we had a demonstration of the fact that the Government is not prepared to furnish this committee with information to which it is entitled. This is a new departure in our legislation. It is the first time this Parliament has attempted to pass any legislation by which it is proposed to supplement the laws of the province, and it is a question on which the Government should be prepared to give the fullest possible information. Yet last night hon. members failed to obtain information from the Treasury benches. The hon. member for Queen's asked a member of the Government to show any word in the remedial order which would be justification for subsection "b" of section 4 of the Bill, and asked in vain. The hon. gentleman who leads this House says that we must remain in committee, and that he will do as he likes about supplying the information which we are asking for, or, in other words, that we must go it blind. Surely, the hon. gentleman does not sufficiently appreciate the importance of this measure. If this Bill becomes law, it may result in interminable mischief to the province of Manitoba. Improve it as much as you like, make it as perfect as possible, and still there is danger of lawsuits resulting from the passage of such a measure. If you pass it in the crude condition in which it is now, you will bestow upon the province of Manitoba a legacy which will result in enormous and expensive litigation. Why, Sir, this school question has been a subject of litigation for the last six years, and I undertake to say that, if the hon. gentleman succeeds in passing this Bill, we shall find that we have only just begun the litigation, the expense of which will be ten times over all the expense and time that have been occupied in litigation up to the present time. We have heard a good deal with regard to obstruction. So far as I am personally concerned, I have addressed myself to the subject only once. I have never been one to take up a great deal of time in this House, but on a subject of this great importance, I feel it my duty to express my opinions; and I believe it my duty and the duty of every hon. gentleman to see that, if this Bill is put through the House, it shall be made as perfect as it is possible to make it.

Mr. MILLS (Bothwell). The proposition made by the leader of the Opposition to the leader of the House, it seems to me, is a reasonable one. My hon. friend offers to assist the Government in a legitimate consideration of this Bill in committee, and proposes that from three o'clock in the afternoon until two o'clock in the morning, if necessary, shall be devoted to that purpose, without keeping the House in continuous session. It seems to me that is a reasonable proposition, and one which will promote the measure now in committee. The Government gave notice some days ago of their intention to move to take to-morrow. That motion was passed over without being moved at all. Why? Because the leader of the House had resolved that there should be a continuous session, and that the day would be surreptitiously obtained in that way by a continuous session, instead of being obtained in the ordinary parliamentary way. I think we have in that fact an explanation, also, why these very important papers relating to the Winnipeg conference have not been laid before the House. The hon. gentleman cannot lay these papers before the committee, because the committee is not entitled to receive them. The committee has only to do with the measure which is immediately before it. Now, I agree with my hon. friend from Brant (Mr. Paterson) that it is of the first consequence that these papers should be submitted to us, and that a full statement should be made by the Minister of Justice with reference to these negotiations, in order that we may be able to see how near the local government and the commission approached each other in discussing the differences between them, and whether there is any prospect that a further discussion may overcome the differences which separate the commissioners from the local government. An approximation towards common ground will go to show that if an earnest effort had been made at an earlier period, and under somewhat different circumstances, there would have been no necessity for passing this Bill at all. I think my hon. friend the leader of the Opposition has made a reasonable proposition, and that proposition has not been met in the spirit in which it was offered. We have heard much about obstruction. I ask, from which side of this House has obstruction come? I am sure that, on the part of the hon. gentlemen who support the leader of the Opposition, there has been no improper discussion, no attempt to delay the proceedings of this committee.

I am sure that I have done nothing of the sort. I have only been anxious to correct what I believe are very serious defects in the Bill, and which, if permitted to stand as part of the Bill, in my opinion, are ultra vires, and will lead to litigation. Now, my hon. friend from South Oxford says that this is a moribund Parliament, and that we ought not to undertake to deal with a controverted subject like this, because there are not now 60 per cent of the electors in the country who were electors when this Parliament was returned. Well, what answer does the hon. Secretary of State make to that ? He says that there has never been a case of Parliament refusing to deal with a subject because it was moribund, especially by a Liberal Parliament. Let me mention one case. When Mr. Gladstone undertook to put an end to the church establishment in Ireland, what position did Mr. Disraeli take? He said : You are members of this House to legislate under the constitution, and not to make important alterations in the constitution, and you are without a mandate from the nation, who alone has a right to alter the constitution. You may be entitled to deal with ordinary questions of legislation, because you may amend the law to-day, and to-morrow a new Parliament may undo what you have done. But, when you make radical changes in the framework of the constitution, you do what your immediate successors cannot undo. But the hon. gentleman was careful not to say that any Conservative Government had not taken that position. Well, take the case of Lord Grey. Lord Grey, when he was called upon to legislate upon the subject of parliamentary reform, when Parliament was being dissolved, put into the King's mouth these words : I am proroguing Parliament with the intention of an immediate dissolution for the purpose of ascertaining whether the nation approves of the measure which my advisers have recommended to the consideration of Parliament. There you have a Reform Government proposing to act upon precisely the same grounds. Also, in the case of the negotiations with the United States in 1891, Sir John A. Macdonald said he wanted a mandate from the people, from a Parliament fresh from the people, before going to Washington for the purpose of negotiating a reciprocity treaty, and upon that ground a premature dissolution of Parliament was decided upon. But I am not asking the House for delay on the ground that this is a moribund Parliament ; I am simply answering the statement made by the hon. gentleman. It does seem to me that this committee ought to rise, and that the papers concerning the negotiations between the commissioners and the government of Manitoba ought to be laid upon the Table, and at eight o'clock we can go into committee again on the Bill, and make quite as much progress as we are likely to make under the course which hon. gentlemen have resolved upon. I am not going to discuss the clauses of the Bill immediately before us ; I shall do that whenever this question that the committee rise is disposed of by the House. I do not propose to obstruct, but I propose to give to the measure that full consideration which I think, from its character and from the legal difficulties by which it is surrounded, it ought to receive from both sides of the House.

Amendment (Mr. Martin) that the committee rise, report progress, and ask leave to sit again, negatived.

On amendment (Mr. Frémont),

Mr. SPROULE. I think that this is one of the worst amendments yet proposed to the Bill. We already complain that there are too many bodies in control of these matters, and the hon. gentleman proposes to add still another by providing that the selection of books relating to religion and morals shall be under competent religious authority. What is that authority in the estimation of the hon. gentleman ? It seems to me that a board composed of Roman Catholics should be sufficiently satisfactory to the people of that church.

Mr. LaRIVIERE moved that all the words after "struck out" in the amendment be left out.

Mr. MILLS (Bothwell). I would call the attention of the Minister of Justice to this section 4, subsection "c." I do not find that any provision is made anywhere in this Bill with reference to religious education. Provision is made, impliedly with regard to examination. In the Act of 1891, section 5, subsection "c," it is provided that the selection of books, maps and globes in the school shall be under control of the board as well as plans for the construction of schoolhouses.

> Provided, however, that in the case af books having reference to religion and morals, such shall be selected by the Catholic section subject to the approval of competent religious authority.

Although this Bill is nominally for the restoration of the right to give religious instruction, it makes no provision with regard to this essential right. The power with regard to examination is strictly limited, and though the board are authorized to select books there is a proviso that they shall select only those books authorized for the use of public schools in Manitoba or separate schools in Ontario. Thus the power of selection that you give them you take away again. That surely cannot be what the hon. gentleman aims at. I suppose that in drafting this statute, another was copied from, and certain essential things have, by accident, been dropped out. If any power with regard to religious instruction be given, it should be that of selecting books with reference to religion and morals.

Mr. DICKEY. The hon. gentleman's criticism deserves every consideration, and the best answer that can be made to it. The hon. gentleman will realize now that the drafting of this Bill was no easy matter. One of the objects in view was to secure the greatest possible efficiency for the schools established under the Bill. The schools in existence before 1890 were violently attacked on the ground of inefficiency. The minority declared that they wished no favours, but desired to have equal efficiency in teachers and text books with the other schools, provided their conscientious convictions were observed. I frankly say that the Government, in this Bill, limited the rights existing previous to 1890, so as to secure, on the face of the measure, a high standard of efficiency. We have not wholly limited the selection of text books, but we have given the choice between two classes. The hon. gentleman would prefer that the choice of books should be made by the advisory board of the province, as it exists, but that would be a Protestant board. This Bill provides that the selection shall be made by a board consisting of nine Catholics. One of the strongest objections made to the schools before 1890 was that they were unduly under ecclesiastical control. But it was thought that if the choice of these books lay in the hands of nine Catholics, the conscientious convictions of their fellow-religionists would not be in any danger. We left out the element of ecclesiastical veto in the original Bill. The clergy have no rights, under the constitution; the rights are those of the minority.

Mr. MARTIN. I desire to call the attention of the hon. member for Quebec (Mr. Frémont) to the fact that when he said that the selection of books relating to morals and religion did not rest with the curé, under the Quebec law, he was mistaken. He and the hon. gentleman from Bagot (Mr. Dupont) said that that law had been changed about twenty years ago. But on looking at section 1912 of the Revised Statutes of Quebec, subsection 4, I find that the Council of Public Instruction selects the books, but it is provided that books referring to religion and morals shall be selected as provided in article 2026, subsection 4. On looking at that, I find that it provides that the curé of the Roman Catholic Church shall have the power to select books having reference to religion and morals. I understand that this rule does not work very well, as it gives such a variety of books. The hon. member seemed to think that the Council of Public Instruction adopted a long list of books, and the curé selected from the list. That may be the practice, but it is not the law. It is a strong objection to the proposition of the Government that the books to be used shall be those in use in the public schools or in the separate schools of Ontario. This, of course, includes a very considerable number of books. If applied to books at present in use, there would be an objection on the ground that there would be no improvement, but that objection is removed by the assurance given that the word "hereafter" has been inserted. But the member for West York (Mr. Wallace) pointed out that the proposition of the Government was objectional from the fact that many of the books in use in the separate schools in Ontario are not of a high standard. The hon. gentleman read from the report of the separate school inspector at Ottawa and from the trustees of the separate schools here declaring that certain books now in use were inadequate and unfit to use. If that is the fact, why should we adopt in Manitoba books which have been officially condemned in Ontario. But there is a strong reason why the books should not be accepted in Manitoba and that is that under the Bill the books to be used are to be those adopted by an authority over which the province of Manitoba has no control whatever. It has been charged that there is a monopoly in school books in Ontario; but I am not going to discuss that question.

Committee rose and reported, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into committee.

(In the Committee.)

Mr. MARTIN. Mr. Chairman, at six o'clock I was dealing with the amendment of the hon. member for Quebec county (Mr. Frémont). The explanation by the Minister of Justice of the Government's reason for adopting this peculiar clause in the Bill, which it is proposed to amend, was a most remarkable one, namely, because they desired to prevent the schools becoming inefficient, by means of the restrictions imposed by this clause. They first undertake, unconstitutionally, to appoint a Board of Education, composed of nine Roman Catholic citizens of Manitoba, to administer the separate school law, and then they refuse to trust that board with the selection of the books. I consider that proposition a direct insult to the Roman Catholic people of Manitoba. If it is not possible to find nine Roman Catholic citizens of Manitoba competent enough and honest enough to provide efficient text books for the schools, why appoint that board at all? Why not give the management of the separate schools to the Department of Education, which has also the management of the public schools? I protest against the proposition of the Government as most unfair and unreasonable. If you are going to have this Board of Education, trust to their honour and capability in this matter; if you cannot do that, do not give them any control over the schools, but give the control to some body you can trust. I believe it is easy to find nine honest and intelligent citizens of Manitoba who can well be trusted to select proper text books for the schools. Now, having taken that preliminary objection to the restrictions imposed by the Government on this board, let us see whether the restrictions are reasonable or not. In the first place, the board are limited to selecting books which are used in the public or high schools of Manitoba, or in the separate schools of Ontario. The Minister of Public Works says there are no books authorized in the separate schools of Ontario, and he proposes to change the clause to provide that the board shall select such books as are now, or may be in use in those schools. How are we to know what books are in use in the separate schools of Ontario ? I am very much surprised to learn that there are no books authorized in those schools. Is that so or not ? Will some private member of the House give us information on this point which the Government ought to give ? Can it be possible that the separate schools of Ontario are allowed to use any books they see fit ? Is that the law in Ontario ? If it is the law, it is a most absurd and ridiculous thing for this Parliament to adopt it for the province of Manitoba. The Government are not willing to trust these nine men in Manitoba to select the books, but they are willing to trust any back-township board of separate school trustees in Ontario to select the books for use in the separate schools of Manitoba. Now, I am very sorry the members of the Government, and the members of the House were not here in larger numbers after two o'clock this morning to hear the very strong reasons given by the hon. member for West York (Mr. Wallace) why it would not be right to adopt for Manitoba the books in use in the separate schools of Ontario. He read from the report of an investigation which had been recently held into the separate schools of Ottawa, and showed that in the opinion of Mr. White, the separate school inspector of this city, and also in the opinion of the separate school trustees themselves, several of the books used in the separate schools in Ottawa were entirely unsuitable. Then, it is suggested that there is a monopoly in the publication of the school books in Ontario. It is suggested by the opponents of the Mowat government that that government has given undue privileges in regard to the publication of school books to certain favoured individuals. I do not know whether that is true or not ; I believe the Mowat government deny it ; but whether it is true or not, it would be possible for such a thing to happen in Ontario, and what remedy would the people of Manitoba have against the government of Ontario if such a monopoly were extended to that province ? Now, I am in favour of the amendment of the hon. member for Quebec. Though I regard the appointment of this Board of Education as unconstitutional, I say that if you are going to appoint that board, you cannot, on any reasonable principle, withhold from it the right to select the books ; and the provision we had in the old School Act of Manitoba, that the books on morals and religion selected by the Catholic Board of Education should be subject to the approval of the competent religious authority, was a proper provision. I am entirely opposed to separate schools ; but if by your law you establish Roman Catholic separate schools, you acknowledge the right of the Roman Catholic Church to teach the tenets of that church in those schools ; and if you do so, who ought to determine what the tenets of that church are ? Surely it is the competent religious authority who, in the province of Manitoba, has always been understood to be the Archbishop, who has spiritual authority there. It is well known that I am opposed entirely to allowing religious teaching or religious exercises in state schools at all ; but if you undertake to teach religion, unless it is effective as a training in religion, it is a farce. If you have religious teaching, you must have a qualified religious teacher, and that teacher ought to be examined in morals and religion. There are only two courses open, logically, in this matter. Either you must give to each denomination separate schools, and give the church control of the question of religion, or you must adopt one kind of school for all without regard to the question of religion ; because, if you merely have religion there as a symbol, without any attempt to see that the teacher is properly qualified, it becomes a mere farce, as it is admitted to be in the public schools of Manitoba to-day and the Protestant schools of Ontario. No one who is familiar with the religious exercises held in the Protestant schools of Ontario and the public schools of Manitoba will contend that they advance the pupil one iota in religion. Their effect is quite the contrary, as every one knows who has gone to those schools. They are looked upon as a mere formality, and the effect is rather against religious teaching than in its favour. It is quite absurd for those who are in favour of these merely formal religious exercises in the schools, to attempt to meet the argument of those who are in favour of secular schools, by saying that they are against religion. That argument cannot possibly be raised with any effect. If there were no other way of meeting it, I might ask how it is that so many eminent clergymen in Protestant denominations hold the view that the public schools should be entirely free from any attempt to teach religion, on the ground that the state has nothing to do with the teaching of religion. Is that an attack on religion ? No, but it is an attack on the old idea of a state church. When we arrived, in Canada, some forty years ago, at the determination not to have a state church, then, so far as the public schools are concerned, the only logical position is to exclude the teaching of religion from those schools ; because, if you are going to effectively teach religion, you are first to decide what religion it is to be, and then you have to see that your teachers are competent in religious as well as in secular matters. But when we adopt, as we do in this Bill, the principle of separate schools for Roman Catholics, it follows that that denomination must be given control of the teaching of religion in those schools ; and in what better way can that be done than that proposed by the hon. member for Quebec county (Mr. Frémont), and as was the law in Manitoba prior to 1890 ? The law in Quebec is different, and I submit that the old Manitoba law was much superior. In Quebec, instead of the books on morals and religion being selected by the highest ecclesiastical authorities, they are selected by the parish priest in each school district, and the result is very unsatisfactory. The sale of books for his schools becomes a matter of patronage for each parish priest, and a family moving from one school district to another, has to get an entirely different set of books for its children. The proposition of the hon. member for Quebec (Mr. Frémont) is much better, and that is, that there should be one set of books upon morals and religion selected once for all in the whole province by the highest ecclesiastical authority.

I desired to make these few remarks, which I think hon. gentlemen opposite will admit are to the point, but I refused to make them at 4.30 in the morning. That was no time in which one could discuss properly a question of this kind. I have no doubt that we shall have the privilege of hearing from the hon. member for Quebec (Mr. Langelier) and others upon this very important question. Surely, there could be no stronger commentary on the outrageous conduct of the Government, in attempting to force this Bill through by brute force, than the present subsection, in which they have attempted a radical departure from the old law, and as to which the House, before finally deciding, will be desirous of hearing the fullest and freest discussion from members from the province of Quebec.

Mr. LANGELIER. I want to remove a mistake which exists in the minds of many members from the province of Quebec as to the clause which we are now discussing. Many of them think that this clause embodies the law which is now in existence in that province. That is not at all the case. Were any such clause as this proposed in Quebec, the ecclesiastical authorities, who form part of the Council of Public Instruction, would refuse to continue members of that board. What is the law in the province of Quebec as regards the selection of school books ? There is a Council of Public Instruction, which is divided into a Protestant committee and a Catholic committee. The council, as a whole, almost never sits. I have been a member of it nearly nine years, and there has been only one sitting of the whole council during that time. All the work is done by the Catholic committee and the Protestant committee, each acting separately, and each selects the books for its own schools. Each committee is authorized to make a general list of books—apart from the books on religion and morals—which may be used in the schools, but it has no power to select the particular books to be used in any particular school. The selection of the books to be used in each school is left entirely to the school commissioners, but they must make their selection from the general list prepared by the Catholic or Protestant committee. If they do not, they are liable to lose the Government grant. I would not vote for this amendment. It proposes that the Board of Education, which it is proposed to appoint, shall have the selection of all books, but that the books on religion and morals must be approved by the competent religious authority. That is not the law of Quebec.

Mr. DICKEY. "Competent religious authority" is the term.

Mr. LANGELIER. It amounts to the same thing. In Quebec, not only can no book on religion and morals be used in a school, without the approval of the priest who has the spiritual control of that school, but it cannot be used except upon his choice. He is the sole authority who has the right to select the books on religion and morals.

Mr. MARTIN. I would not understand that the term "competent religious authority" would mean the priest in each district. In the Manitoba Act these words are always supposed to mean the highest authority, which is the bishop.

Mr. LANGELIER. Well, the competent religious authority might be the bishop, but in the first instance it would be the priest having the direct control of the school, subject to appeal to the bishop. Of course, if the diocesan bishop approved of a certain book, the priest could not revoke the order of his bishop ; but, in the first instance, he would be the authority to select the books, subject to the appeal to the bishop. In the province of Quebec, even the Catholic committee of the Council of Public Instruction has nothing to do with the selection of the books on morals and religion. That is left entirely to the competent religious authority.

Mr. MARTIN. In Manitoba it would not be the priest, because there the books are selected for each school district, but for the whole province by the board. The board would not consult each individual priest, but would consult the bishop.

Mr. LANGELIER. That is why I say the amendment proposed by the hon. member for Quebec county (Mr. Frémont) is not at all the law of the province of Quebec, but it is the law which existed in Manitoba before 1890. Under the law in Quebec, the curé or priest, having jurisdiction over a school has the exclusive right of selecting the books having reference to religion and morals for the use of the pupils of his religious faith.

The law of the province of Quebec for Protestants is exactly what would be the law for Catholics in Manitoba under the amendment which is now being discussed. For Protestants in Quebec the selection of books for morals and religion is left with the Protestant committee, and so far as Protestants are concerned there is no distinction made at all between books and morals and religion and other educational works. My friend from Winnipeg (Mr. Martin) is entirely mistaken as to the abuse which he spoke of in the selection of these books on morals and religion. There is practically a monopoly with regard to some of them, but it cannot be otherwise. These books are mostly catechisms, and every Roman Catholic in the House knows that the selection of catechisms is not left to individual choice. They are published by authority of the ecclesiastical superior of the diocese.

Mr. FOSTER. Then none could be used unless they obtain authority.

Mr. LANGELIER. Yes, they must be published with the authority of the diocesan bishop. Nobody but the Queen's Printer has any right to publish the laws of the country authoritatively, and it is exactly the same thing in the Catholic Church with regard to the catechisms and books on morals. These small catechisms in which the elementary doctrines of the church are taught are the only monopoly I know of, and I never heard of any complaint being made against the ecclesiastical authorities on that score. If it is intended to really give separate schools to the province of Manitoba there is no more important enactment than the one we are now considering. It is absurd to say that we are giving separate schools to the Roman Catholics minority if we do not give power to the Board of Education to select the books. As a matter of fact and practice, there is no more important matter to be decided by the Council of Public Instruction in Quebec than the question of the selection of books, and these are not only books on morals and religion, but other educational books, such as history for instance. It is well known by all those connected with education that there are certain parts of history which it is impossible for a Catholic to view as a Protestant would. If the selection of books is left to the advisory board of Manitoba, which is composed of the very same persons who composed the Protestant Board of Education before the law of 1890, there would be no use in separate schools. Under the clause of the Bill we are now discussing we leave in the hands of Protestants the selection of books for Roman Catholics, and we say that they may take the books of the separate schools in Ontario. But who makes the selection of books in Ontario ? It is the government of Ontario, after having consulted more or less the advisory board established by the law of that province. There could be no greater insult to the Roman Catholic minority of Manitoba than that we should pass the clause as it is in the Bill. It amounts to this, that this Parliament declares that the minority are too stupid or too dishonest to select books for their own schools. For my part, if it were proposed to make such a law in the province of Quebec, I would prefer to go to the public schools. I would never accept such a law from the legislature. If you suppose that the Catholics are intelligent enough to make a selection of books, why do you compel them to take books selected by the government of Ontario. If you want to be logical, and if you really want to give separate schools, you must give the minority full power in the matter. I have been nearly nine years a member of the Council of Public Instruction for the province of Quebec, and knowing as I do the practical working of that council, I know that one-half of the time of the committee of the Council of Public Instruction is occupied by the selection of books. The other duties of the Council of Public Instruction of Quebec, as set forth in the statute, are comparatively unimportant compared with this duty of selecting books. By this Bill you create a board of public instruction, but you take from it the most important of its powers, and the only real power which can give that board the control of Catholic education in Manitoba. The amendment of the hon. gentleman (Mr. Frémont) should go much further, and should give the educational board the power to select books, with the exception of books on morals and religion, which should be left to the proper ecclesiastical authorities. If that is not done, I shall vote against this section. A good many who voted for the Bill thought that this Bill was creating separate schools, but I state now that if this clause is allowed to remain as it is, it will never give separate schools to the minority of Manitoba.

Mr. DEVLIN. Days are passing, the hours, in fact, are flying, and the end approaching ; not the end of the Bill, but the end of the session. I for one would be very sorry to offer, in the slightest degree, obstruction to the end that we desire—at least the end which I desire—the successful passing of this Bill. But, Mr. Chairman, I wish to point out that the amendment offered by the hon. gentleman (Mr. Frémont) ought, I think, to be adopted by the Government. What we have to determine is whether the clause as found in the Bill offered by the Government is a better clause than the one found in the old Manitoba school law. I do not think it is. We know that certain privileges were taken away from the minority, and our business here is to restore such privileges. The clause in the Bill before the House does not precisely restore these rights, but the amendment offered by my hon. friend (Mr. Frémont), which is in substance to be found in the old law of Manitoba, does restore to the minority the privileges of which they were dispossessed by the Act of 1890. For that reason I support the amendment. With regard to my hon. friend from Quebec Centre (Mr. Langelier), I think I can sympathize with most of the views offered by him. This amendmest of the hon. gentleman (Mr. Frémont) is a good amendment. It is taken from the old law of Manitoba, which was enforced for twenty years, practically speaking. It consecrates one of the elementary principles of separate schools, and more than that, it will not be objectionable to the Protestant majority, as stated by the hon. member for Winnipeg (Mr. Martin). That gentleman objects to the Bill in toto, but he adds : Since you are bound to give separate schools, give them what they require for the best management of these schools, and the Protestants of Manitoba shall not object thereto. There is another reason why the amendment ought to be accepted. It sanctions the doctrine of the right of the parent in regard to education ; that is the right to determine not only the education, but the form of education which the child shall receive. The Bill will be improved by the elimination of this clause, and by the replacing of it by the amendment of the hon. member (Mr. Frémont). Mr. Chairman, I would like to add many other reasons, but I know that obstruction is in the air, and I would most sincerely regret that a shadow of any such charge should lie against me.

Mr. BRODEUR. Was there not a sub-amendment offered by the Minister of Public Works early this morning ?

Mr. DICKEY. I understood from the Minister of Public Works that he moved an amendment. It was to meet the difficulties that there are no school books authorized for use in the separate schools of Ontario, and it proceeded to say : The text-books authorized in the separate schools for the province of Ontario, which are now or hereafter may be in use in any of the separate schools of the province of Ontario. That meets the difficulty with regard to French books of a high educational standard, which will then become suitable for use in the separate schools under this Bill. With regard to what the hon. gentleman from Quebec (Mr. Langelier) and from Ottawa County (Mr. Devlin) said, I beg to say that the committee will remember that under the present condition of affairs—irrespective of this Bill—the religious minority in Manitoba is obliged to use the text-books of the public schools there, unless they desire to establish their own schools and pay for them. This Bill is intended as a measure of relief, and it was thought that from motives of economy, if from no other, the minority would adopt the text-books which are published in Manitoba, and which are found for sale in every country store at a cheap price. It was considered that there was no reflection at all upon the Manitoba minority in authorizing the use of these books in regard to education, but the fatal deficiency of these books, from a separate school standpoint, is that they include books which are conscientiously objectionable to the minority. This difficulty was met by throwing open to the minority all the text-books that are in use in the separate schools in Ontario, which, of course, entirely meets the conscientious objections of Catholics.

Mr. BRODEUR. Why not take those of Quebec also ?

Mr. DICKEY. Because the province of Ontario furnished a parallel case, having a system of Catholic separate schools for a minority, which was much more likely to meet the case of Manitoba than that which exists in the province of Quebec. The Governement desired to give the board sufficient liberties to meet every possible conscientious objection ; and at the same time to narrow the choice so as to reach the highest possible standard of efficiency.

Mr. MARTIN. How can they tell what books are in use in Ontario ?

Mr. FOSTER. It is the easiest thing in the world—simply by making inquiry.

Mr. MARTIN. Are they going to inquire of every separate school board what books they use ?

Mr. FOSTER. A board which has the duty of ascertaining what books are used in Ontario would make diligent inquiry, and could without any trouble ascertain what books are used in the separate schools in Ontario. The simplest way would be to write to the inspector of separate schools in Ontario, who would at once supply them with a list of all the books in use.

Mr. MARTIN. Then they would have to get a list every month or every week in the future.

Mr. FOSTER. It is not obligatory in the future. It is a range of choice which the Board of Education have, covering the list of books used in the separate schools in Ontario.

Mr. McCARTHY. As I understand, the law is not for the present, but for the future. Does the Minister know what books are now used in the separate schools in Ontario ?

Mr. DICKEY. I am not familiar personally with the books, of course ; but there is, I understand, a regular series of text-books, French and English, of a high educational class, and touching every controversial subject, such as histories and readers, in use in the separate schools of Ontario. What I wish to direct the attention of the committee to is this, that the proposal of the hon. member for Quebec (Mr. Frémont) is to revert to the old system. That, of course, is a matter for the committee to decide. I think it leaves the arrangement with rather loose ends, and I should be sorry if the supporters of separate schools should press for it. It is quite conceivable that under that system a miserably inefficient set of books might be chosen. I do not say they would be; but there would be no limitation whatever as to the standard. We might perhaps extend the limit of choice, but I think it should be limited to a standard of sufficient height to be equal to that of the public schools. I do not think any hon. member of this House wants to run any risk of an inefficient system of schools in Manitoba under this Bill.

Mr. BRODEUR. There is no evidence that they have been inefficient.

Mr. DICKEY. I am not saying that there is; but the hon. gentleman knows that that contention has been made; and every friend of the separate schools should desire to surround them with every safeguard. It is with that view that the Government propose the limitations they do.

Mr. LANGELIER. If the selection of books is not to be left exclusively to the board to be created by this law, but if they are to be compelled to select books in use in the separate schools of Ontario or in the public schools of Manitoba, I do not see why they are not to be at liberty also to take books selected by the Catholic Council of Public Instruction in the province of Quebec, the majority of which is composed of bishops of that province. To limit the selection to the separate schools of Ontario is somewhat of an insult to that council. If you let the Manitoba board go outside of the province, I do not see why you should not send them to a Catholic province instead of to a Protestant province.

Mr. FOSTER. Is the hon. gentleman of the impression that the government of Ontario, being a Protestant government, selects the books for the separate schools of Ontario? If he is, I think he is quite mistaken.

Mr. McCARTHY. He is not mistaken.

Mr. LANGELIER. I think they would be more likely to get a proper selection of books from the council of Catholic bishops in a Catholic province than from a Protestant province. The proposition of the Government is an insult, not only to the Catholic minority of Manitoba, but to the Catholic bishops of Quebec.

Mr. BRODEUR. (Translation.) Mr. Chairman, it is an undisputable fact that in the province of Manitoba, just as in the province of Quebec, there was a Board of Public Instruction, composed of two sections, one of which was Protestant and the other Catholic. The Catholic section had the choice of the books in use in Catholic schools. In 1890, the Board of Public Instruction was abolished and in its stead a Department of Education was created. Now, we are attempting to restore to the Manitoba Catholics the privileges taken away from them by the law of 1890. With that end in view, the Government have deemed it fit to introduce a Remedial Bill, and I believe it to be their duty, unless they have very strong reasons to urge for pursuing an opposite course, to restore to Catholics the privileges which have been taken away from them under the law of 1890. Now, among other privileges, they had that of selecting the text-books for use in their schools. Well, in my opinion, we are bound to restore to the minority, under this Bill, the right of selecting books for their schools. Now, what is the position taken by the Government under this Bill? Is the separate school board authorized to make the choice of school books? I regret to see that such is not the case. On the contrary, it is enacted by subsection "e" of section 4, that the separate school board shall have the right to select all the books to be used in the schools under its control, but subject to the provision that no book shall be selected unless such book has been authorized for use, either in the public schools of the province of Manitoba or in the separate schools of the province of Ontario. So, Catholics are told in so many words that they are entitled to select their own books, but provided such books as are selected shall be those approved of by a Protestant government, the Manitoba government or by another Protestant government, that of Ontario. What are the books in use in the public schools in the province of Manitoba? Who is entrusted with the choice of school books? Is it not the government?

Mr. DICKEY. For Ontario.

Mr. BRODEUR (Translation). I am speaking about Manitoba. Is it not, I say, the Government? Now, for over a month it has been admitted here, even on the Government side, that the Manitoba government offered no security to the Catholics of that province; and, notwithstanding that, they propose to restrict the privileges enjoyed formerly by Catholics as to the choice of their books, by enacting that they shall have to select only books authorized by that government. Now, in the province of Ontario, who has the choice of those books? Those school books are selected by the Minister of Education who is, generally speaking, a Protestant. The Minister of Justice cannot deny that statement. It is the Minister of Education who, under the law as it stands in Ontario, if I mistake not, makes the choice of school books for use in the province. So, it is a Protestant Minister of Education who selects the books. I am aware that now, thanks to the Liberal government of Ontario, that choice is made on the recommendation of the bishops, but who can tell whether, later on, the Minister of Education of the day will not be succeeded by a Marter or a Whitney, and then, I ask, what guarantees will the Catholic minority have? None. I say then, the position taken by the Government is most unfair. Why do the Government take such a position? Why have they abridged the rights and privileges of the Manitoba Catholic minority? Wherefore have they not restored the position which the Catholic minority enjoyed prior to 1890? The hon. Minister of Public Works told us that they had to secure a uniform series of school books. But, I ask, how will that uniformity be secured, when the minority have to apply to Ontario for a regular series of text books? The hon. Minister of Justice just told us that the Government propose the limitations they do under this clause with a view to reaching the highest possible standard of efficiency for the separate schools. I think the Government have no right to take such a position. What evidence is there actually before this House going to show that the Catholic schools in Manitoba prior to 1890, were inefficient, and that the choice of text books was not judiciously made? I know, Mr. Chairman, that charges have been made in connection with the selection of text books by the Catholic section of the Board of Public Instruction in Manitoba prior to 1890. I am perfectly aware that charges were made against my hon. friend from Provencher (Mr. LaRiviere) when he occupied the position of secretary of the province. But we have no evidence that such charges were well grounded. The position taken by the Government is an insult offered to my hon. friend, the member for Provencher. I consider that it is a reflection upon the Manitoba minoirty; it amounts to say that none are found in that minority intelligent enough to make a judicious selection of books. There is no evidence before us to that effect, nor is there any proof that the selection of books for separate schools prior to 1890 was defective. Therefore, I say that there is no other alternative left but to restore to the minority the rights and privileges which they enjoyed prior to the law of 1890, unless evidence is brought down, showing that the minority have abused such rights and privileges. It is a concession made to a dangerous element rampant in this country, the fanatical element of Ontario. It is contended that the Catholic schools in Manitoba were in a state of inefficiency; but I hold that you have no right to take action upon the mere assumption of wrong-doing, without first substantiating your charge. Now, no such evidence was brought down before this House. Therefore, there is but one course open to the Government, and that is to restore purely and simply the rights and privileges enjoyed by the Catholcs prior to 1890. Moreover, Mr. Chairman, why compel the minority to go and select books in use in the province of Ontario; and, if you let the minority go out of the province of Manitoba, I do not see why you should not send them to the province of Quebec. As my hon. friend from Quebec Centre (Mr. Langelier) remarked, the selection of school-books in the province of Quebec is in the hands of perfectly competent men. Why, then, compel them to take text-books from the province of Ontario, instead of going to Quebec?

As I said, the proposal made by the Government is an insult offered not only to the Manitoba Catholics, but also to the Catholics of the province of Quebec. I hope that the hon. Postmaster General, who has not been in his seat since last night, and with whom we could not debate this question—and this House will recollect how strongly and eloquently he pleaded in favour of the educational system of the province of Quebec, showing how excellent and efficient it was—I hope, I say, the hon. Minister will tell us why the Government deal that way with the province of Quebec, and grant a special privilege to the province of Ontario. Why did they not extend the limit of choice of text-books to the province of Quebec? Why do they try to discriminate against that province? Mr. Chairman, that is a concession made to the fanatical element in the Cabinet. I hope, therefore, that the House will support either the motion made by the hon. member for Provencher (Mr. LaRivière) or that moved by my hon. friend from the county of Quebec (Mr. Frémont), and that the proposal of the Government will not be accepted by the committee.

Mr. WOOD. The hon. member for Rouville (Mr. Brodeur) has contended that in Ontario the Department of Education directed the selection of books for use in the separate schools of that province. That is not the case; and when I state that fact, the whole speech of the hon. gentleman falls to the ground, because that was the whole burden of his speech. The school books used in the separate schools of Ontario are selected by the separate school boards, and are made uniform, as far as possible, under the inspection of the inspector.

Mr. LANGELIER. Are they at liberty to select any books they choose?

Mr. WOOD. Yes, provided they are uniform in the schools for which they are selected, and subject to the approval of the inspector of separate schools appointed by the government.

Mr. LANGELIER. He is Minister of Education in the second degree.

Mr. WOOD. The Education Department has nothing whatever to do with that. It makes the selection for the public schools and not for the separate schools.

Mr. BRODEUR. Who appoints the school inspector?

Mr. WOOD. He is appointed by the Ontario government. That being the case, I submit it would be very much better to adopt the amendment suggested by the hon. Minister of Justice, because that gives a degree of definiteness, which is certain to secure throughout Manitoba the standard of efficiency enjoyed by the separate schools in Ontario. We are agreed on one point and that is to make a good Bill go as far as we can. The amendment of the hon. member for Quebec (Mr. Frémont) would not promote the efficient working of the Bill, but that proposed by the Minister of Justice would go as far as it appears to me this Parliament has the power to go. To remove any doubt, I may say that when the hon. member for East Durham (Mr. Craig) was a member of the Ontario legislature, an attempt was made to bring about a condition of things such as he (Mr. Brodeur) appears to have been erroneously under the impression did exist in that province. Sir Oliver Mowat said, referring to the motion of the hon. member for East Durham:

> If that motion were confined to public schools, he would have no objection to it. As far as separate schools were concerned, he was not prepared to admit that the legislature had the authority to prescribe what text-books should be used in them. The legislature was bound by the British North America Act, and he was not prepared to say that that Act gave the power referred to. There never had been any jurisdiction admitted to be exercised by the legislature over the text-books of the separate schools. Attempts had been made to get them to use voluntarily the text-books of the public schools, but to impose those text-books upon them he was not prepared to say the House had jurisdiction to that extent, and he would not advise the House to that extent. He quoted the 93rd section of the British North America Act.

The Hon. Mr. Hardy said that if any attempt were made to legislate concerning the text-books, those affected would appeal to the Privy Council at Ottawa, which would undoubtedly sustain them. I give these remarks to show how utterly mistaken was the hon. gentleman who has just taken his seat and also the hon. member for Quebec Centre.

Sir HECTOR LANGEVIN. The question raised is why should you select the separate schools of the province of Ontario in choosing your books, instead of selecting the books that are used in the Catholic schools of Quebec. I do not see why we should not meet the difficulty by simply adding to the clause as it is the words "or in the Catholic schools of Quebec." That would cover the whole ground. It would give the power of selecting books not only from those used by the separate schools of the province of Ontario but also from the Catholic schools of the province of Quebec.

Sir CHARLES TUPPER. After the interesting discussion we have had, I have no hesitation in saying that the Government are prepared to accept the motion made by my hon. friend, which covers the case so fully dealt with by hon. members on both sides.

Mr. MARTIN. I wish to protest most emphatically against the proposition that we cannot find nine Roman Catholics in Manitoba who are fit to decide what books shall be used in the separate schools of that province. I do not see that the suggestion of the hon. member for Three Rivers (Sir Hector Langevin) meets the objection at all. Why should we go to Ontario or Quebec to determine what books shall be used in the separate schools of Manitoba. It is a direct attack upon the economy of Manitoba. In giving a separate school system to Manitoba, you do not propose to give them one that has to be decided by Ontario or Quebec. You are to decide in this House what system you are going to give, and how far you are going to restore the rights the minority had. This proposal is a decided insult to the Catholic citizens of Manitoba. Hon. gentlemen laugh, but I beg to say that there are none in Manitoba who have greater respect for the Roman Catholic citizens of that province than I have; and I am glad to say that many of them are friends of mine. I differ from them on this question of separate schools, as I have the right to do, and many hon. gentlemen on the other side who support this Bill are as strongly opposed to separate schools as I am. It is ridiculous to say that you cannot trust to nine men chosen by the Manitoba government to determine what books shall be used in the separate schools. The acceptance of this restriction shows that the Government do not believe that the board which will be appointed in that province, will be capable of doing its work. I am opposed to separate schools, but I am accepting the situation. The Bill has been read the second time by this House; and if we are to have separate schools, I do not see what possible objection there can be to the old law in Manitoba. Under that law, so far as morals and religion are concerned, the school books shall be determined by the Board of Education, subject to the competent religious authority. If you establish these separate schools, there is only one course to pursue, and that is to let the church decide what kind of religion and morals is to be taught in them, and that is the old law. Why have they departed from the old law in this instance? It must be because they are afraid that the Roman Catholics in Manitoba, if left to themselves, will not have efficient schools. What right have they to put that insult on them? Where will this proposition land us? It has been shown that in Quebec the books on morals and religion are not selected by the Council of Public Instruction nor even by the inspectors, but by individual priests in every school district.

Mr. JONCAS. They are selected from a list of books authorized by competent religious authority. There is no person in the province of Quebec who can choose a book which is not authorized by competent religious authority.

Mr. BRODEUR. I beg the hon. gentleman's pardon. He can do it.

Mr. JONCAS. He may choose for his school the books he wants, but he must take them from a list furnished to him.

Mr. BRODEUR. No.

Mr. JONCAS. Authorized by a competent religious authority.

Mr. MARTIN. Let me read the law to the hon. gentleman. Paragraph 4 of article 2026 of the Quebec statutes :

> The curé or priest administering the Roman Catholic Church shall, however, have the exclusive right of selecting the books having reference to religion and morals for the use of the pupils of his religious faith.

Mr. JONCAS. That is correct. The priest of the parish has the exclusive right to choose the books on religion and morals, but these books he cannot choose outside of those which have been authorized by competent religious authority.

I will give the hon. gentleman an instance. Take the catechism. Will the hon. member for Quebec Centre (Mr. Langelier) tell me that any priest in any parish of the province of Quebec can use any other catechism than the one authorized by the bishop.

Mr. LANGELIER. I took a good deal of trouble to point out that the competent religious authority was the priest, in the first instance, but he was under the control of the bishop.

Mr. JONCAS. Exactly.

Mr. MARTIN. I do not differ from the hon. gentleman as to the practice, but he will agree with me that it is not in the law. The practice which prevails in the province of Quebec is just what the member for Quebec proposes to apply to Manitoba. By that amendment there would be liable to be selected by the Board of Education in Manitoba, any of the numerous text-books which possibly, with the approval of the bishops, are selected for these schools in the province of Quebec. I claim that we are entitled in Manitoba to have one set of school books, properly subject in matters of morals and religion, to the approval of the bishops. It is argued that it is not constitutional to have a separate school board at all, but if you are to have a separate board, surely you ought trust them with the selection of the books. As a Manitoban, I protest against our being compelled to select any books from Quebec or any other province. I wish to know what is the opinion of the Government with regard to the amendment of the hon. member for Provencher (Mr. LaRivière), who proposes to leave it absolutely to the board to select the school books, not only for secular subjects, but also in morals and religion, without the ecclesiastical sanction. It seems to me that he misses the real principle of separate schools by overlooking the right of the ecclesiastical authorities to say what the books should be.

Sir CHARLES TUPPER. The position of the Government on the question is this. The amendment which they approve of, is as follows :—

> To select books, maps and globes to be used in the schools under its control, provided that no book, map or globe shall be selected, unless such has been authorized for use either in the high or public schools of the province, or in the schools of the province of Quebec, or have been or may hereafter be used in any of the separate schools of the province of Ontario.

That answers the question of the hon. gentleman (Mr. Martin).

Mr. MARTIN. There are no books on morals or religion authorized for use in the Catholic schools in Quebec.

Mr. DEVLIN. The hon. gentleman (Sir Charles Tupper) used the words "in the schools of the province of Quebec."

Sir CHARLES TUPPER. Hear, hear. That is exactly as I read it.

Mr. LANGELIER. That would not remove the objection, because the ecclesiastical authority in one diocese should not be compelled to use books authorized in another diocese. Each bishop controls his own diocese.

Mr. CAMERON (Inverness). Oh, pshaw, I thought we were all the same.

Sir ADOLPHE CARON. The hon. gentleman (Mr. Langelier) seems to fear that the Catholics of Manitoba may be forced to adopt books that might be accepted by the Catholic authorities in Quebec. I can tell the hon. gentleman that the Catholic minority in Manitoba are perfectly satisfied with this clause. The fact that the minority in Manitoba agreed in the clause of this Bill, indicates that the books which are in use in the province of Quebec are quite acceptable to them.

Mr. EDGAR. We are told to hold our tongues here because the minority in Manitoba had accepted the whole of the Bill, from beginning to end. It appears now that the minority in Manitoba have accepted something which will be put from the Chair in ten minutes, and which they never could have seen. The whole thing is a farce.

Mr. LAVERGNE. This amendment of the Government means that the religious authorities in Manitoba will have no right to compose any text-books on religion or morals, but are bound to go to other provinces to get these books. The amendment of my hon. friend from Quebec (Mr. Frémont) gives them the right to choose these books and to get them wherever they like. It is against the Roman Catholic doctrine not to give the choice of these books to the Catholic authorities in the diocese. My hon. friend from Quebec (Mr. Frémont) puts in his amendment the words of the old law, and that is what the minority want to have restored to them. The Protestant majority in Manitoba, which is fairly represented by the member for Winnipeg (Mr. Martin), say that they will be satisfied with that amendment, and if it is in accordance with the wishes of the minority, and of the majority in Manitoba, and in accordance with the doctrine of the Catholic religion, why should it not be accepted ?

Mr. MILLS (Bothwell). Those schools are public schools, so far as secular education is concerned, and why should you have arithmetics, grammars and geographies different from those in use in the public schools ? There might properly be an exception as regards history, although it is a secular subject. What right have we to regulate the question of books on religion and morals ? It seems to me that, when you jumble books on the special subject which gives a right to separate schools, and books on the common subject which belong to the separate and public schools together, you are making a great mistake. Supposing, after your Bill is passed, the province should say : You have not adopted the books we have adopted on secular subjects, there is not an opportunity of making a fair comparison in inspection, and we decline to have anything to do with your books. You are simply putting an impediment in the way of any advantage to those who are desirous of having separate schools, and it seems to me, so far as you can, you should make the separate schools like the other schools.

Mr. POWELL. I think I have an amendment which would meet all the difficulties of the case. Would not this do : In section "c," after the word "globe" add the words "other than books on morals and religion." and at the end of the paragraph, the words, "or in the separate schools of the province of Ontario" may be erased. That will leave the selection of books on morals and religion entirely in the hands of the Catholic board, and will have the effect of cheapening the books used in these schools.

Sir RICHARD CARTWRIGHT. It seems to me there is a good deal in the suggestion of the hon. gentleman (Mr. Powell). I cannot see why there should be a difference in the text books on all subjects, which are used in the separate or public schools, except in regard to history. Fortunately, as yet, there is no Protestant or Catholic algebra or grammar, that I have heard of. There is nothing except history which there ought to be any difficulty about whatever. I think that the amendment of the hon. member (Mr. Powell) does look most reasonable.

Mr. McCARTHY. I quite agree with the suggestion of the hon. member for Westmoreland (Mr. Powell), and I had already prepared an amendment in that direction. I had not included history, but it seems to me it ought to be included.

Sir CHARLES TUPPER. I think the amendment suggested by the hon. member for Westmoreland covers the whole ground, and will be satisfactory all round.

Mr. LaRIVIERE. I could not accept that amendment.

Sir CHARLES TUPPER. Then, Mr. Chairman, take the vote on the motion before you, and then the hon. member for Westmoreland may move his amendment.

Amendment (Mr. LaRivière) negatived.

Mr. POWELL. I move :

> That all the words in the amendment after "that" be struck out, and that the following be substituted :—After the word "globe" in the third line of paragraph "c" the following words be inserted : "other than books on history, morals or religion," and that all the words after the word "Manitoba" in the fifth line be erased.

Mr. SUTHERLAND. As I understand it, I intend to vote for the amendment moved by the hon. member for Quebec (Mr. Frémont). If you are to have separate schools, and a particular church is to have control of the religious education in those schools, it seems to me that it is only fair and right that the authorities of that church should decide what religious text books should be used. For this reason, I intend to vote against this amendment, and in favour of the amendment of the hon. member for Quebec.

Mr. LaRIVIERE. Though I admit the good-will of the hon. member who has proposed this amendment, I am very sorry that it is quite unacceptable to us. The separate schools in Manitoba, in most cases, are schools where the dual language is taught. I do not think that they are on that account inferior to other schools, where but one language is taught. The books authorized by the Government of Manitoba are merely a set of English books, and the effect of this amendment would be to deprive us of the use of French books in our schools. I do not think it is the object of this Bill to prevent the teaching of the French language as well as the English language in our schools. Therefore, I do not see why the suggestion of the hon. member for Three Rivers (Sir Hector Langevin) is not carried out.

Mr. WALLACE. I think this amendment makes the clause a very complex one, and it should not be passed until we have an opportunity of seeing it in print, so that we may see exactly what effect it would have. If the Government accept the amendment, I think they should ask the committee to allow the clause to stand until we can see it in print.

Mr. MILLS (Bothwell). I think the amendment hardly makes sense as it stands. You can hardly speak of books, maps, and globes other than on the subject of religion.

Mr. EDGAR. I always thought the "Globe" was an authority on religion.

Mr. POWELL. If my hon. friend had kept his ears open, he would have heard that the amendment is not what he says. It is "books, maps and globes, other than books on the subject of religion."

Mr. DEPUTY SPEAKER. As proposed to be amended, the clause would read :

To select all the books, maps and globes to be used in the schools under its control ; provided, however, that no book, map or globe other than books in history, morals or religion shall be selected unless such book, map or globe has been authorized for use either in the high or public schools of the province of Manitoba.

Mr. McCARTHY. It seems to me that the statement made by the hon. member for Provencher (Mr. LaRivière) is worthy of attention. The hon. member has told us that the books in use in the public schools of Manitoba are in the English language, whereas the separate schools will be nearly all French schools.

Mr. LaRIVIERE. No, mixed schools.

Mr. McCARTHY. Mixed schools, at all events. Surely we ought to provide for a bilingual series of books, as is done in Ontario.

Mr. LaRIVIERE. I think the hon. gentleman is entitled to some compliments from me.

Mr. MARTIN. Is the hon. gentleman sure that the advisory board has not provided bilingual books for French schools in Manitoba ? My impression is that they have.

Mr. LaRIVIERE. No.

Mr. LANGELIER. I think the following which would be shorter than the clause, as proposed, would meet the case :—

To select books, maps and globes which may be exclusively used in the schools, with the exception of books on morals and religion, which books shall be exclusively selected by the competent religious authority.

The effect of this would be to leave the selection of all books, whether in French or English, except those on morals and religion, entirely within the discretion of the board. They might select books used in the separate schools of Ontario, or in the schools of Quebec, or any other set of books.

Amendment (Mr. Powell) agreed to : yeas, 55 ; nays, 37.

Mr. McCARTHY. I move the addition of the following :—

And in districts where any large number of pupils attending the separate schools do not understand English, but speak French or a foreign tongue, the books and maps shall, so far as practicable, be bilingual, in the English or French or foreign language spoken by the pupils, with the object of teaching the English language in the most efficient way.

Mr. BERGIN. I object strongly to that amendment. French is not a foreign language in Canada.

Mr. McCARTHY. I have not called it a foreign language. I have been very careful not to do that.

Mr. DICKEY. That amendment seems to me to be objectionable, in that it involves a very large and unknown expense. It means that the Board of Education would be obliged to go to the expense of obtaining a French translation of any book now authorized in the Manitoba public schools, and it must be in both languages. I would ask the committee if they do not think the suggestion of the Government, in the first place, has merits, that is, to go to the separate school system of Ontario for French books.

Mr. McCARTHY. There are no French books in the separate schools of Ontario. There is a bilingual series in the public schools, not in the separate schools.

Mr. DAVIN. We have in the North-west Territories, a bilingual series, just as they have in Ontario.

Mr. McCARTHY. This amendment does not require them to print books. They can get the books anywhere. We have had a good deal of trouble with this in Ontario, and a commission was appointed and reported that the only thing to do was to have a bilingual series.

Mr. LANGELIER. I want to know where we are. I want to know the exact effect of the amendment which has been adopted. How will the clause read ? I understand the amendment adopted on the motion of the hon. member for Westmoreland (Mr. Powell) to be to the effect that the selection of the books is to be confined to the books now used by the public schools of Manitoba. I do not know whether I am rightly informed or not, but I am informed that there are no French books at all used in the Manitoba schools. Is the Government disposed to wipe out the French language altogether ?

Sir CHARLES TUPPER. No.

Mr. LANGELIER. I think this is an insult to the French-speaking members, and I do not believe there is one who would support it, if he knew what the clause as amended meant.

Mr. DICKEY. I was going to ask the committee to allow that clause to stand, because the motion of my hon. friend the member for Westmoreland has somewhat changed the aspect, and I think the objection of the hon. member for Provencher is perfectly well taken. It is difficult to take in the bearing of such a complicated amendment as the hon. member for Simcoe has suggested, and I would like time to consider the whole question.

Subsection (c), with proposed amendment allowed to stand.

On subsection (d),

To approve of the plans for the construction of school-houses.

Mr. FLINT. I move in amendment that that be struck out. There is no reason whatever for this subsection. You will be compelling the school trustees in Manitoba for all time to come to submit the plans of their buildings to a board at Winnipeg, and possibly a board not as competent to form a good opinion of what is required as the trustees who are on the spot. This is bound to create delay and inconvenience and a great deal of irritation. The majority of school-houses in the rural districts are of very simple architecture, containing only one room, so that there is no occasion for drawing plans or requiring the approval of a board perhaps 500 miles distant.

Mr. MILLS (Bothwell). I agree in what my hon. friend has said. The people in every school section are the best judges of what amount of taxes they can bear. The trustees elected by those who pay the taxes and who are compelled to construct the building ought to be at liberty to decide what the school-house shall be. In Ontario the school inspector may decide that a new school-house is required or that a certain cubic passage is to be furnished to every child, but the erection of the house and the determination of the structure is in the hands of the trustees. You will create great conflicts between the Board of Education and the taxpayers by a provision of this sort.

Mr. DICKEY. These words are exactly as they were in the old law of 1881, and that takes away a great deal of the argument of the hon. member for Yarmouth.

Mr. FLINT. Does not the hon. gentleman think this will impose entirely unnecessary expense? It would involve the making of a plan by a regular architect and necessarily involves the interference by a central board with the plans of the local trustees.

Mr. MARTIN. The fact that it was in the law before is no reason that it should be in this law. This very clause is one of the reasons why we objected to the old law. These boards became bureaucratic and were continually interfering in every trifling matter. You had to go to this school board, which was practically going to the superintendent, for every little step you were going to take in every school district. If you were going to build a school, you had to go and get the plans assented to, although in most cases no plans were required. It might be reasonable to make regulations requiring that no school-house should be built unless the rooms were of a certain area or that each child should have so many cubic inches of ventilation, but to say that the board must approve of every plan, when as a matter of fact many of the school-houses are mere log houses, which are put up by the people themselves, who call a bee for that purpose, is absurd.

Mr. MACLEAN (York). Whatever provision there is in the present provincial law of Manitoba, the same provision should be in this law.

Mr. FRASER. If there is to be supervision of the plans for the construction of school-houses at all, it should be made by the inspector who travels around, and not by a board which meets in the city of Winnipeg perhaps 500 miles away from the locality where the school is to be erected. Some one in the section objects to a school-house being built at all, and files a petition against it, to which he obtains a few signatures, and sends that on to the board, and the board will compel these people to travel all the way to Winnipeg in order to hear what they have to say for and against the petition.

Mr. MARTIN. That is what they used to make them do.

Mr. FRASER. I can see how this would create an endless amount of trouble, and I do not think it is necessary at all.

Mr. McCARTHY. I would suggest in amendment that it would be better to use the language which we find in the Manitoba Act, and which was used after experience of the difficulties referred to :

To make regulations for the dimensions, equipment, style, plan, furnishing, decoration and ventilation of school-houses and for the arrangements and requisites of school premises.

Mr. LAURIER. I think this is one of those matters in which there should be uniformity. There may be a separate school and a public school within a stone's throw of each other, and it would be much better that both should come under the same regulations as regards construction. This is a case in which there should be uniformity.

Mr. McCARTHY. That is my view, but it has been so often overruled by the committee that I did not think there was any use in suggesting it.

Mr. WALLACE. I do not see any necessity for this clause at all. If you make those restrictions, you will prevent the very thing the Bill aims at, namely, the erection of schools and the promotion of education. If a poor school section has to submit plans to the Board of Education and the Board of Education does not meet perhaps for six months, here is this school section a thousand miles away from the place where the board meets, and not until that board meets, they cannot have a bee and put up their school-house. But they have to employ an architect and submit a plan for the approval of this board, all of which means expense that they can ill afford to pay. You may depend upon it they will establish the best school-houses they can afford. It can be said about the people of Manitoba as about the people of the other provinces, that they give what money they can afford to erect good school-houses and to pay competent teachers. It is absurd to place these restrictions contained in this clause, and I would ask the Government to strike out the clause altogether. I am glad to notice that there is a spasmodic attempt on the part of the Government now to attend to the business of the House.

Mr. DICKEY. I do not see any great objection to leave that clause out of the Bill. There is no particular object in it, but at the same time I do not agree with the argument of the hon. gentleman from Yarmouth (Mr. Flint). In spite of what the hon. gentleman from York (Mr. Wallace) has said, sometimes we get sections which are exceedingly mean with regard to the school-houses they provide, and I do not know of an educational code in which there is not a standard for school-houses. We should certainly insist upon that principle. I would suggest that this clause be struck out and when we come to other clauses referring to advisory board we can deal with this matter.

Mr. LAURIER. Hear, hear. The more attention the hon. gentleman (Mr. Dickey) gives to this Bill, the more he will be convinced that the views laid down by my hon. friend from Bothwell (Mr. Mills) are correct, and that all the matters which relate purely to administration and are altogether civil or municipal in their character, should be left to the advisory board. In regard to school buildings and those other matters, the question of separate schools cannot come in. The question of separate schools can only have one object, namely, the teaching of religion, and if you have uniformity in everything else, you will have a better system.

Mr. LaRIVIERE. In everything that does not require the action of the advisory board, there may be no objection to submit to any of their rules, but where we dictate any duty to be performed by the advisory board, I would object to giving them power, because they may refuse to act.

Mr. McCARTHY. They must act.

Mr. LaRIVIERE. You cannot compel them.

Mr. McCARTHY. Yes, you can.

Mr. WALLACE.

Mr. LaRIVIERE. We will have to secure you as our solicitor.

Mr. McCARTHY. I will take the fee now.

Mr. LAURIER. As has been explained by my hon. friend (Mr. Mills), separate schools are public schools in every sense but one. Although they are public schools in every way, they have this further privilege granted to them that they may teach their own religion.

Mr. McCARTHY. They are public denominational schools.

Mr. LAURIER. Yes. And wherever all these matters outside of religion are provided for already for the public schools, it would meet every requirement of the case, if you had confined the power of the Board of Education simply to the part which relates to the teaching of religion.

Mr. McCARTHY. That is the proposition I started out with.

Mr. WALLACE. Then why not enact here now, that all the regulations of the advisory board shall have force in the separate schools. I have too much confidence in the fairness of the advisory board to think that they would be guilty of such meanness as to make a regulation specially to injure the minority. You should leave all these civil regulations to the advisory board, just as is the case in Ontario and Quebec and everywhere else. These regulations have nothing whatever to do with the teaching of morals and religion.

Amendment (Mr. Flint) negatived.

On subsection (e),

To make regulations regarding the selection of school sites, the size of school grounds, and the formation and alteration of all school districts under its care.

Mr. FLINT. This is practically open to some of the objections that I mentioned with regard to the former clause.

Mr. McCARTHY. These powers should be assigned to the advisory board. They are a matter of administration.

Mr. LaRIVIERE. No, no.

Mr. FLINT. The School Act of Nova Scotia would, I think, be a fair model and I find all these regulations are placed under the head of duties of trustees. I do not think that the trustees should be governed in this matter of the selection of a site by a central board miles away from the school district.

Mr. FRASER. What is the meaning of the words "to make regulations regarding the selection of school sites." No person should select a site except the ratepayers who are most interested in having it in a suitable place for the school district.

Mr. McALISTER. Suppose they do not agree ?

Mr. FRASER. Then the inspector should decide, and it should be one of his duties to do so.

Mr. POWELL. It means general regulations, such as that a school-house must not be erected near a tavern or within a certain distance from a dwelling house, and not specific regulations.

Mr. FRASER. If it is simply laying down a rule where a school site shall not be, I think the clause is unfortunately wrong. If that is the meaning, is not the inspector the best man to decide that ? There is no regulation relating to this in Nova Scotia.

Mr. DICKEY. The hon. gentleman is entirely mistaken.

Mr. FRASER. No, the matter is left to the inspector of schools.

Mr. LANGELIER. The construction put upon this regulation in the province of Quebec is that given to it by the hon. member for Westmoreland (Mr. Powell). It is very essential that the school ground should be large enough to give fresh air to the children attending the schools, and we have regulations forbidding the placing of a school-house near a cemetery, or near an inn or place of bad repute, or too near other buildings ; and I think it is a very wise provision of the law.

Mr. MILLS (Bothwell). In Ontario, most of these regulations are made in the statute itself. For instance, it is provided that the school site shall be as near the centre of the section as possible, that it shall contain not less than an acre of land, that it shall not be near an orchard or a pleasure ground, and so on. This clause of the Bill is too vague, because you hardly know from it what the parties who make these regulations can or cannot do. I think a number of these regulations should be set out in the law, as they are in the Ontario law, leaving the subordinate regulations to be made by the Board of Education.

Mr. FLINT. This clause compels the board to make regulations regarding the "formation and alteration of school districts under its care." That is very vague. I do not see any clause providing for the manner in which the school districts are to be laid out. I think this conflicts with section 10, which gives a large portion of that power to the municipalities.

Mr. POWELL. One is general, and the other is specific.

Mr. FRASER. Under the law of Nova Scotia, it is no part of the duty of the Council of Public Instruction, which corresponds with this Board of Education, to decide on school sites or anything of that kind. The trustees select the site, and the inspector approves of it, as the county commissioners used to do. And I think that this clause, instead of leaving that matter to the Board of Education, should leave it to the ratepayers themselves, subject to the approval of the inspector of schools, as is done in Nova Scotia. The inspector has to make the round of all the schools, and he could easily do that work.

Mr. McCARTHY. I do not understand why we should strike out clause "d" and leave "e" to stand. I understand that the Government propose to transfer the power mentioned in clause "d" to the advisory board.

Mr. DICKEY. No.

Mr. McCARTHY. I thought so. What has become of "d," then ?

Mr. DICKEY. What I intended to state was that regulations could be made hereafter, as we came to the proper place, that school-houses could be built according to the plan adopted by the advisory board ; but I never proposed that the plan should be subject to the approval of the advisory board.

Mr. McCARTHY. If that is the case, I see no difficulty in providing for section "e" in the same way. Leave out the latter part of the clause, which is to be dealt with separately, and say what the advisory board has to do—"to make regulations for the arrangement and erection of school premises." Why can you not provide, just as you do with reference to the construction of school-houses, that these regulations shall be applicable to the separate schools ? Why do you say in section "d" that the regulations with reference to the construction of school-houses shall apply, and refuse to say that the regulations as to school premises shall apply in the same way ? I think it would be better to strike out both, and make the provisions uniform.

Mr. LAURIER. The provisions of this subsection, so far as they relate to the selection of school sites and the size of the school grounds, are now well understood ; but I would call the attention of my hon. friend to what follows :—"and the formation and alteration of all school districts under its care." Can he explain what is intended to be the nature of these regulations. Section 10 provides that school districts shall be formed by the mayors and reeves of the municipalities under regulations that may from time to time be issued by the Board of Education. What does this mean ? Does it mean regulations in regard to the notice to be given to the electors, or the form of procedure which mayors and reeves are to follow ? What is the nature of these regulations ?

Mr. DICKEY. I should suppose they would be general regulations, applicable to the circumstances under which it would be advisable to establish new districts—as to the number of pupils——

Mr. LAURIER. It cannot be the number of pupils. That is provided for by the Act.

Mr. DICKEY. That is only one limitation. I suppose it would be regulations of that character.

Mr. McCARTHY. Why not leave it to be settled in accordance with the plans of the advisory board, just as you do with regard to the size of the school-houses ?

Mr. FLINT. Is there not danger of giving this board too much power—of giving them really legislative powers ?

Mr. LAURIER. I would suggest to the hon. Minister of Justice that he might let this clause stand. On reflection he will find that there is a great deal in the contention of my hon. friend from Simcoe, that the first two objects, namely, the selection of school sites and the size of school grounds really might go under the regulations of the advisory board.

Mr. LaRIVIERE. Suppose the advisory board will not act, there is a deadlock.

Mr. LAURIER. The hon. gentleman does not seize the point. The advisory board has made permanent regulations for the selection of school sites and the size of school grounds, and there is no reason why they should not apply just as well to the separate schools. That would be better than to have one set of regulations for the separate schools and one for the common schools. I am not disposed to accept the contention of the hon. member for Simcoe that the same regulations should apply to the formation and alteration of school districts, because these regulations must necessarily be different. What is the nature of those regulations ? They apply to the condition of things in Manitoba, and there is no gentleman on the Treasury benches who can give the information.

Mr. LaRIVIERE. The subsection is simply a re-enactment of the power which the Board of Education had formerly. They were regulations made by each section of the board, and one of these was that no school site should be approved of unless it was of the area of at least one acre. There were other regulations. This subsection does not provide merely for general regulations, but also for particular ones. Take the regulations regarding the selection of school sites, that might be of a general naure or of a special nature ; and the board, whether the Board of Education or the advisory board, would require perhaps to act specially in a special case. Well, if we are appointing a Board of Education, we should clothe it with all the necessary powers ; and in order to avoid friction, anything that requires any action on the part of that body should not be vested in another institution. If we required anything from the advisory board, they might refuse to act, and their refusal might bring about a deadlock and prevent the object we have in view.

Mr. MILLS (Bothwell). What steps are to be taken for the purpose of making these regulations known ?

Mr. LaRIVIERE. They are published annually in the report of the Superintendent of Education.

Mr. MILLS (Bothwell). There is no provision for the report of the Superintendent of Education in the Bill or for the publishing of these regulations.

Mr. LaRIVIERE. We could provide a clause to meet that objection.

Mr. McCARTHY. It would be ultra vires, not having been provided for in the remedial order. As regards the objection of the hon. leader of the Opposition concerning the formation and alteration of school districts, that is met by clause 10, which provides for this matter.

Mr. LAURIER. Subject to regulations.

Mr. McCARTHY. But the very fact that clause 10 provides for the formation and alteration of school districts subject to regulations, gives the power to make regulations which need not be given here again.

Mr. LAURIER. The regulations for the separate schools in the formation of districts may be different from those which apply to common schools.

Mr. McCARTHY. The advisory board do not deal with the regulations for the formation of school districts, but with the regulations as to school premises.

Mr. LAURIER. That is all right.

Mr. McCARTHY. That is all I propose—to make regulations for the dimensions, equipment, arrangements and requisites of school premises. With regard to the other clause, dealing with the formation and alteration of school districts, that is sufficiently dealt with in section 10, and if not, when we reach that section we can make it right.

Mr. WALLACE. The same objections which applied against subsection (b) apply with greater force to subsection (e). The two things provided for in subsection (a) should be subjected to the same regulations as the advisory board makes. With regard to the third portion of the clause, referring to the formation and alteration of school districts, that is amply provided for in clause 10. What is the necessity of duplicating power and authority ? The Government have been so conciliatory this evening in dropping for the present altogether clause (c), and in dropping entirely clause (d), that I hope they will either give some good reason for the retention of clause (e), or drop it altogether. The regulations for the selection of school sites and the size of school grounds, which are good enough for the public schools, ought to be admirably adapted to the separate schools.

Mr. DICKEY. It seems to me that this Board of Education, which is to control the education matters of the province, should certainly have power to make regulations with reference to the selection of school sites and the selection and alteration of school districts. The latter is particularly necessary. They may be dealing with a municipality which, in some quarters, may be hostile to the system of separate schools, and all sorts of difficulties might arise unless the body itself, which is trying to work out this school system, laid down regulations to which these school districts should be subjected.

Mr. LAURIER. What is the nature of those regulations ?

Mr. LaRIVIERE. One of the principal regulations that the school board in former days had to make had reference to the area of the school district, and decided within what range the school district would serve and what children were within its limits. There were also regulations regarding the location of school-houses in cases of township lots and river lots. Those regulations were published from time to time in the annual report of the Superintendent of Education and were scattered broadcast. One regulation was, that in case the municipality would decline to interfere in the formation of a school district, then the board have the power to pass a special regulation.

Mr. LAURIER. That is provided by clause 10.

Mr. EDGAR. Why should the power be left to the board to arbitrarily select a school site, without the sanction of the ratepayers. Why does not the Government adopt the provisions of the law as it stands in Manitoba to-day, and which regulates these matters very well. We should not delegate to the board the functions of a legislature about such a very important matter as the selection of school sites, which are permanent, and upon which public money has to be expended. I do not know how it is possible that we can delegate to the board power to expropriate land for a school site.

Mr. DICKEY. This has nothing to do with expropriating the land at all. It merely refers to the preliminary selection of the site.

Mr. FLINT. Why not have a few of these regulations inserted in the clause. It seems to me that the wording of the clause is too vague, and that the principle upon which the board should be empowered to make regulations could be laid down in a few words.

Mr. MILLS (Bothwell). Instead of these regulations provided for generally, you ought to have a number of clauses similar to those in the Manitoba Act of 1890, and which are copied from the Ontario statutes. It would be a most unusual proceeding, if we had the power to expropriate private property, and put it under the control of a board, and to say where it should be taken and under what conditions. All these matters which the hon. gentleman proposes to hand over to the board, are in reality regulated by statute under the Ontario school law. It seems to me that the parties who pay for the school sites should have the opportunity of choosing them.

Subsection (e) agreed to.

On subsection (f).

> To make and enforce regulations for the establishment and operation of departments in such of its schools as it may deem suitable for the preparation of candidates for the annual examination of teachers and for matriculating at the University of Manitoba, and for the doing of general literary work corresponding to the standard required for these examinations, and to give special aid to such schools from the funds at its disposal, not exceeding in the aggregate one-twentieth of its appropriation, provided that no school shall be entitled to receive such special aid that does not comply fully with the regulations made by the board for its operation ; provided further, that each such department shall be established only with the consent of the local board of school trustees.

Mr. FLINT. It seems to me that this is in the nature of giving the board power to establish a normal school.

Mr. FOSTER. Do they not want to prepare their teachers ?

Sir CHARLES HIBBERT TUPPER. It is copied word for word from the statute of 1887.

Mr. FLINT. I am speaking now as to the extra financial obligation which we are placing upon this board.

Mr. DICKEY. It is only an enabling clause.

Mr. FLINT. But this is legislating in the direction of higher education, which is not one of the grievances complained of to the Privy Council, and which is altogether distinct from separate common schools.

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Mr. DICKEY. It does not seem to me that the fact that the teaching was extraordinarily good and supplied a high standard of education, would take it out of our power. We are providing generally for the education of the youth, and I do not see why we should not carry it up to a high standard. It is one of the powers which was exercised by the minority, and was taken from them, and it is simply intended to restore it. If this system is to be of any good, you must have teachers, and this is a means of getting proper teachers educated to carry on the system efficiently.

Mr. MILLS (Bothwell). This clause speaks of "the preparation of candidates for the annual examination of teachers." Does that mean condidates who are to be prepared to examine teachers ?

Mr. DICKEY. I understand it to mean, candidates to go up for examination. I have no objection to making it read "as teachers."

Mr. EDGAR. Will the hon. Minister point out the exact clause of the former Act from which this is taken ?

Mr. DICKEY. Section 11 of the Act of 1887.

Subsection (f) section 4 agreed to.

On section 5,

> 5. The board may, whenever they shall see fit, appoint and hold a meeting of such board, in any part of the province, and such meeting shall be as valid as if held in the city of Winnipeg, which shall be the usual place of meeting of such board or section.

Mr. FRASER. Where is the provision in the Bill that the board shall be paid their travelling expenses if they meet elsewhere than in Winnipeg ?

Mr. FOSTER. The board would be sensible enough not to go unless they could pay their way.

Mr. FRASER. The board cannot pay themselves, unless authority is given them to do so. This is providing that work shall be done without remuneration.

Mr. LaRIVIERE. I can inform the hon. gentleman that this Board of Education has existed for nineteen years, and not one of the members ever received a cent for his services.

Mr. FOSTER. The Board of Education of the province of New Brunswick is not paid.

Mr. McDOUGALL (Cape Breton). The Board of Education of the province of Nova Scotia is not paid.

Mr. FRASER. In the province of Nova Scotia the executive of the province are the Board of Public Instruction, and they have never held a meeting outside of the executive chamber. But if that board had to travel over the province, it would be a different thing ; their expenses would have to be paid ; and if this board have to travel outside of Winnipeg, there should be some provision as to how they shall be paid, and I ask, where is the provision ? Otherwise, we are imposing a duty upon them that will not be fulfilled.

Mr. POWELL. It is not a duty at all. It is optional.

Mr. FRASER. But even in that case, are they not to be paid ? Is it expected by the Government that this board have to travel at their own expense ?

Mr. WOOD. Surely the hon. gentleman must know that the board may never be called upon to travel outside of Winnipeg at all. This is only to provide for emergencies—that in case the board should be called upon to hold any meetings outside, they might do so, and their action would be valid.

Mr. FLINT. I do not find anything in the Bill necessitating the board travelling, or having more than one place of meeting, and I think it is important that the governing body should have a regular headquarters, where it would always meet. It seems to me this is a provision which is very much in danger of being abused. I think the clause might as well be struck out. It is an invitation to extravagance and useless expense.

Sir CHARLES HIBBERT TUPPER. This was in the old Act.

Mr. FRASER. I think it should be provided in this clause that the board should be paid.

Mr. CAMERON. Oh, no.

Mr. FRASER. It is very well for gentlemen who will never be members of the board to say, "no," but you cannot get good work done unless men are paid for it.

Mr. LaRIVIERE. I have been a member for ten years, and I have not been paid.

Mr. FRASER. Unless there was some good reason why the board should meet elsewhere than in Winnipeg, this would not be in the section ; and if that is likely to happen—and I can conceive of some occasions when it might be necessary—you cannot, and will not get the work done unless you provide for paying their expenses. Banks and other institutions do it, and I do not think this board ought to be made an exception.

Mr. LAURIER. When a question is asked why a certain provision is in the Bill, it is not unfair to expect an answer to be given. What is the reason you have such an obsolete provision as this ? The only reason given is that it is in the old Act. Well, I do not suppose it is a sacramental matter that everything that was in the old Act must be in this Bill. What reason can there be for giving this board such a power ? There is a board of education in the province of Quebec, and I am sure it has no such power. It meets in the city of Quebec, and nowhere else ; and, as far as I can understand, the practice is the same in every other province. No one can conceive why the board should meet in any other place than the usual place of meeting.

Mr. FOSTER. What is the objection ?

Mr. LAURIER. The objection is that unless you can give a reason why a provision is in the Act, it should not be there. There should be no redundancy in the law. No reason is given for this obsolete provision, and unless some good reason is given for it, I am not prepared to support it. I move that it be struck out.

Sir CHARLES TUPPER. I think it is a sufficient reason that there was a similar provision in the old law, and I assume that there was a reason for it. I can see a very good reason. Suppose that in a district remote from Winnipeg a number of cases should arise, and the board should come to the conclusion that it would be more convenient for them to go to the locality instead of bringing all the people concerned from there to Winnipeg, why should they be deprived of that power ? The very fact that, in the condition of the country, with which they were better acquainted than we are, they did adopt that provision, appears to me to be a good and valid reason why it should be in this Bill.

Mr. LaRIVIERE. I could, perhaps, give some explanation with regard to this clause. Winnipeg and St. Boniface are close together. In former days, a majority of the members of the Catholic section of the Board of Education resided in the town of St. Boniface, and the chairman of that section was the lamented late Archbishop Taché, who had been ailing for years. In order, therefore, to legalize the meetings of that Board of Education, the law was amended so as to permit any section of the board to decide where they should meet. I do not see what objection there can be to that. In some cases it might be more convenient to the majority of the board to meet at St. Boniface.

Mr. LAURIER. That is a tangible reason which one can understand, but there is no reason in the suggestion made by the hon. Secretary of State that the board would have to travel in order to dispose of cases. The board would simply send its inspector, and decide on his report. If it is thought advisable that the board should have power to meet in St. Boniface, there could be no objection to that, but I do not think we should give it power to travel all over the province.

Mr. DICKEY. I think the objection of the hon. member for Guysboro' answers the hon. leader of the Opposition. As long as there is no money, they will not go jumping round the province.

Mr. FRASER. By no means. The hon. Secretary of State has given us good reasons why this clause should be amended. If this is to be a perambulating commission, I would move, in amendment :

When the board holds a meeting in any part outside Winnipeg, such members as attend such meeting shall be paid their actual expenses.

If it will be only necessary for them to meet in St. Boniface, let that be put in the section, and there will be no need for my amendment.

Mr. EDGAR. I would propose an amendment which, no doubt, will meet the case. It would be proper to fix, by statute, a place of meeting for the board, and I would suggest that the following be substituted for this section—

The place of meeting of the board shall be either at Winnipeg or at St. Boniface, and that at all meetings a majority shall be a quorum.

Amendment agreed to.

Mr. DEPUTY SPEAKER. Shall clause 5, as amended, be adopted ?

Mr. FLINT. I see that there is no provision for the election of a chairman, and I move that the following be added :—

And the board shall at its first meeting elect a chairman who shall preside at all meetings of the board.

Mr. DICKEY. I do not think any such amendment is necessary, and, in any case, the one proposed is very objectionable, because if the chairman should not be elected at the first meeting of the board, it would be questionable whether they would have power to elect one at any other meeting ; and if the chairman should die, they might not be able to elect another.

Mr. GIBSON. The hon. Minister of Justice must know that the first duty of the board is to elect a chairman.

Mr. DICKEY. No doubt, but I do not think it is necessary to put it in the Bill.

Mr. GIBSON. Without a chairman, no business could be conducted, as there would be no one to give a decision or to appeal to. In my opinion, the board would not be legally constituted unless we provide for a chairman.

Mr. DICKEY. There is not the slightest objection to providing for a chairman, and I would therefore move, in amendment, that the board shall have power from time to time to elect a chairman to preside over its meetings.

Mr. FLINT. I withdraw my amendment in favour of that.

Mr. JEANNOTTE. Will the chairman have the right to vote ?

Mr. DICKEY. Not under that amendment.

Mr. EDGAR. I do not think the hon. Minister of Justice has taken the best way of doing it. On a permanent board, it is always well to have a permanent chairman. This amendment only provides what any meeting can do, that is elect a chairman for the special meeting.

Mr. DICKEY. I think it is better to leave that to the board.

Mr. EDGAR. It is not usual or business like. The board will have the control of money, and they will need a permanent chairman for the signing of cheques.

Mr. DICKEY. That is for them to say.

Mr. EDGAR. I do not think it is.

Mr. SOMERVILLE. The usual course pursued in Ontario with regard to the selection of a chairman for a Board of Education is, that the chairman is selected at the first meeting, and he presides over the deliberations of the body for one year. According to the provision just read by the Minister of Justice, this board whenever they meet, might have to appoint a chairman, but if you have a chairman appointed for a fixed period then he controls the movements of the board. I think it would be advisable that this board should be put on the same working basis as the boards of education in other provinces. All men are possessed of a certain amount of ambition, and I suppose this office would go around, and then you would have a new chairman at every meeting, and the result might lead to endless difficulties. We should strive here to make this Bill more workable, and I think that this would be accomplished if the suggestion is adopted. I do not think there is any sense in the assertion frequently made during the discussion, that because a certain clause is in the old Act, it should be transferred to the new. This is a progressive age, and it is to be supposed that this is a progressive legislature. It often occurs that there is necessity for special business, and the teachers go to the chairman and ask that a special meeting of the board be called, and then the chairman instructs the secretary to call a meeting. If there is no chairman these teachers have no one to go to.

Mr. DICKEY. I am very anxious to make this Bill workable, but I think there is some danger in appointing a permanent chairman. In the first place there are no functions for the chairman to perform under this Bill, and it seems to me that all we need do is to give them power to organize properly, and then they could select a chairman for such time as they think proper.

Mr. DEVLIN. Why not say "the board shall have power to elect a chairman at its first meeting." I am not a lawyer, but I think that would meet it from a common sense point of view.

Mr. DICKEY. I see no very great objection to that.

Mr. FRASER. I would suggest to the Minister that he would adopt the provision of the Nova Scotia Act in regard to this matter.

Mr. DICKEY. Under the present advisory board in Manitoba, there is no provision for a chairman or anything about it.

Mr. FRASER. But there should be, and if you specify it in this Bill you will save a great deal of trouble.

Mr. EDGAR.

Mr. POWELL. In the New Brunswick law there is no provision whatever for the election of a chairman, and there has been no trouble in the matter for twenty-five years. As a matter of practice the Lieutenant-Governor is always selected as chairman when he is present, but there is no provision in the law. The New Brunswick regulations have been in every court from the parish court to the Privy Council, and they have stood fire.

Mr. EDGAR. In order to try and make this section perfect, I would move as an amendment :

> The board shall have power at the first meeting in each year to choose one of its members to be chairman of the board for that year.

Mr. DICKEY. I think that would suit.

Amendment (Mr. Edgar) agreed to.

Section 5 agreed to.

Mr. DICKEY. With regard to section 4, subsection "c"——

Mr. LAURIER. I hope the hon. gentleman will not go back to that. Quite a number of gentlemen who took an interest in that section have gone away under the impression that it would not be taken up again this evening.

Sir CHARLES TUPPER. The whole matter has been completely discussed, and I think agreed to by the House. The only object now is to cover the French language, and the proposal of my hon. friend the Minister of Justice with that object will, I am sure, meet with universal concurrence.

Mr. LAURIER. I beg the hon. gentleman's pardon. I have been informed just now that the amendment proposed by the hon. Minister of Justice is not satisfactory, and that was why I asked that the clause be allowed to stand.

Sir CHARLES TUPPER. Perhaps if the hon. gentleman will hear it read——

Mr. LAURIER. I know what it is. It is to add Ontario and Quebec, and I know that is not satisfactory.

Mr. DICKEY. I do not feel like going on with it, if the committee does not want to ; but of course I would like very much to get on. I have no desire to enter on a protracted contest, after twelve hours work.

Mr. EDGAR. The hon. member for North Simcoe, who had an amendment as to that, is not here.

Mr. DICKEY. Yes, I think that is a very strong reason.

On section 6,

> Any member of the board absenting himself from the meetings of the board for six months, unless from sickness or absence from the province, shall be considered to have ipso facto resigned his position, and the superintendent of

the board shall notify the Provincial Secretary of the vacancy so caused, and the member appointed to replace him shall hold office only for the unexpired term of the member whom he replaces.

Mr. MILLS (Bothwell). Suppose that the provincial secretary or the provincial government refuse to have anything to do with the administration of the law under this Bill, this notice would be altogether nugatory. There is no propriety in sending the notice to the local government.

Mr. McLEOD. The only object of the notice is to empower some one to make the appointment.

Mr. IVES. The provincial government will make the appointment if they see fit. If they do not see fit to do so, then other authorities will act. I do not think we can presume that they will refuse to act. If they do not act, and the appointment is made by the central government, the notice given to the provincial secretary does no harm.

Mr. MILLS (Bothwell). The hon. gentleman has failed to catch my point. There is no provision that in case the provincial government refuse to act, any one else shall act. This section requires to be amended by the insertion of a provision similar to those in sections 1 and 2, that in the event of the provincial government not making the appointment, the Governor in Council or other authority may do so.

Mr. McLEOD. Section 2 provides for that.

Mr. FRASER. Yes, but the second authority that may make the appointment if the first fails, ought to be notified as well as the first ?

Mr. IVES. You naturally wait for three months before you apply to the Government of Canada through the Secretary of State to fill the vacancy.

Mr. FRASER. In the meantime, if all the members absented themselves for six months you would be then without a council at all.

Mr. IVES. That is hardly a supposable case.

Mr. MILLS (Bothwell). Why do you give notice to one government to fill the vacancy and not the other ?

Mr. IVES. You do not ask the Government of Canada to act unless there has been default for three months by the provincial government.

Mr. FRASER. That three months only refers to the first appointment. Does the hon. gentleman think that in the case of each vacancy you must apply to the local government, and then wait for three months ? In that case, you might have no board at all for three months.

Mr. IVES. You might have an earthquake.

Mr. FRASER. Under the Act, five constitutes a quorum, and if five absented themselves for six months, there would only be four left and there would be no board. You must make provision that the board shall be continuous, and that the vacancy shall be filled at once.

Mr. IVES. If there are only four members left, then the majority of the four may report.

Mr. FRASER. Then, I suppose that if only one remained, he could carry on the work. Is that the idea ?

Mr. IVES. That is the idea.

Mr. MILLS (Bothwell). The Minister of Trade and Commerce has not caught the point I raised. In the first place, you propose that the board shall be a provincial board, to which the appointments shall be made by the Lieutenant-Governor in Council, and you give them three months within which to act. So far as the first appointments are concerned, you ascertain whether the local government has acted, and if not you make the appointments here. But when a vacancy occurs, you provide that notice shall be given to the provincial secretary ; but you make no provision for giving notice to the Governor in Council here. Both parties who have the power to make the appointment should be notified of the vacancy, otherwise the vacancy might continue for a whole year without anybody being appointed to fill it.

Mr. POWELL. In the first case a notice is required, because after the lapse of three months the power of the local government to make the appointment is spent. The power of the Governor in Council is not spent by any lapse of time, and the local government might claim that they would have made by the appointment. For that reason the notice is provided simply to protect them.

Mr. MILLS (Bothwell). That is absurd.

Mr. FLINT. This is a copy of the old clause, but it provides for an entirely different set of circumstances. It has to provide for an alternative, and an alternation in it is absolutely necessary to make it meet the different condition of things. There is no proviso in this clause in case a member was appointed and refused to act.

Mr. POWELL. The common law would provide for that.

Mr. FLINT. The common law will not provide for a case which arises under a statute. Then, who is to judge of the validity of the excuse to be offered by any member for his absence from the meetings of the board ? Who is to settle the question whether the seat has become ipso facto vacant ? Then, there might be no provincial secretary.

Mr. SOMERVILLE. In the Ontario school law, the provision is that if a member of the board is not in attendance at three successive meetings, his place becomes vacant; and if he takes a seat after that and votes at the meeting, he renders himself liable to a fine of $20 for each time he does so. That would be much more effective than this provision, because the matter is there definitely settled, and it is not left to anybody to settle. This provision may lead to endless trouble. A man might say he was sick when he was not sick at all, and thus he might continue a member of the board and not attend any of the meetings. Then he might be a resident of a foreign country, and still be a member of the board, under this clause. Then it should be made necessary to notify the Governor in Council as well as the provincial secretary, because if the provincial secretary refused to act, it would be necessary to invite the Governor General in Council to act. I think that six months is too long a time. That should be changed to three months, as otherwise the board might not be able to get a quorum for the whole year. I therefore suggest that the time limit be changed to three months.

Mr. MILLS (Bothwell). There may be serious evils arising through a number of vacancies existing in the board, and if the Lieutenant-Governor in Council does not act, surely it is important that the Governor General in Council should be notified. Some officer of this Government should receive the notice in order that action may be taken and the board so constituted as to enable it to discharge its duties. You cannot suppose that the Governor General in Council have some unusual means of obtaining information, and will know that a vacancy exists without being officially informed of it. Why do you require this notice to be given to the provincial secretary? It is that the notice may be official, and not mere hearsay; and you provide that when a vacancy exists, a certain party authorized to fill it shall receive the notice. You make this provision, not because it is a favour conferred upon the party, for it is an obligation which you call on him to discharge; and if the provincial secretary fails to discharge the duty, the other party, the Governor General in Council, on whom the duty falls, should receive the notice also.

Mr. GIBSON. Under this provision, a member of the board might be sick all year, or refuse to go to the board for five months, and then leave the province, and no one has the power to elect another in his place. It seems to me that a number of the members of the board, either through sickness or absence from the province, might leave the board in such condition as not to be able to conduct business. Some provision should be made that after a member has been absent for three months from the board, his place should be declared vacant, and if, after that time, he took any part in the proceedings, he should be fined. The very fact of any member of the board leaving the province should be at once a reason for electing another in his place; but, under this Bill, that very fact would prevent the government appointing some one in his place.

Mr. DEVLIN. Suppose the Roman Catholic Archbishop of St. Boniface should be a member of the board and should be called to Rome, as he frequently is, he could not get back for several months, and he would be excluded from the board under my hon. friend's suggestion.

Mr. GIBSON. Then put in the words "temporary absence from the province" and we shall overcome that difficulty. This seems to me a most ridiculous provision. A member of the board might say he was sick and he might remain sick for a whole year, or he might move into another province, and the hands of the board would be tied for twelve months until another election could take place.

Mr. FRASER. I would suggest that any member of the board absenting himself from three successive regular meetings shall be considered to have resigned his position, and a new member shall be appointed to replace him, who should hold office for the unexpired balance of the term. This provision shall not apply to clergymen.

Mr. DEVLIN. A member of the board might be a member of Parliament and he might be here during a session lasting five months.

Mr. HAZEN. It would be much better to fix the length of time than the meetings. You might have three meetings in a week.

Mr. LANGELIER. It is not contemplated by this Bill to pay any fees for attendance to members or even their travelling expenses, and therefore it cannot be expected that the board will meet very frequently. It is as easy to travel in Quebec as it is in Manitoba, and yet in Quebec the Catholic committee of the Council of Public Instruction only sits once in every six months. The result of this clause would be that if a man absented himself from one sitting he would vacate his seat. It am stating the actual facts. In Quebec, from 1869 to date, the committees of the Council of Public Instruction have never sat more than twice a year. The Catholic committee sits once in the month of May and once in September. This board will not sit more frequently in Manitoba. And under this clause, if a man absented himself from one sitting he would lose his seat. I think, therefore, that some amendments as suggested by the hon. member for Guysboro' should be accepted. We should also adopt the suggestion of the hon. member for Grey that no excuse should be entertained in the case of absence. In Manitoba when Mr. Hamilton was a member of the Norquay government he went to reside in the United States for some years. Suppose he had been appointed to this board, he might live in the United States two or three years and two or three other members of the board might do the same thing, and its sittings would be completely prevented. Even if a man has legitimate reasons of absence, yet, if he cannot attend, he should vacate his seat. The board requires his actual presence, and, whatever may be the reason of his absence, if he is not there he should not continue to be a member.

Mr. DALY. We have one duty here, and that is to restore the rights and privileges of the minority, as they existed previous to 1890, and so we must proceed legally. If we seek to give the minority greater powers than they enjoyed under the old law, it would be ultra vires, and consequently we might undo all the good we seek to do. The section under discussion is identical with the section under the old law, as it existed from 1881 up to 1890. We may not think it right, but then there is the danger that we may go beyond our powers in making these alterations suggested by hon. gentlemen opposite. It is impossible for us to alter or amend this clause, as it stands now, so as to give greater or other powers to the board than they enjoyed previously to 1890.

Mr. EDGAR. Surely, the Minister of the Interior cannot contend that.

Mr. DALY. I do most seriously.

Mr. EDGAR. Before the hon. gentleman came into the House, section 5 of the Bill was struck out altogether, and two different things substituted for it. Are we to be told that this Parliament has to sit here and not improve the details of the measure ?

Mr. DALY. Section 5 is entirely new.

Mr. EDGAR. How could the hon. gentleman put in something new, and which, as he says, might render the whole law illegal?

Mr. DALY. Because it was not supposed at the time to give greater or other powers than what existed previous to 1890.

Mr. EDGAR. I decline to accept that contention of the Minister of the Interior. I would move to amend section 6 :

> By adding the words " without permission of the board " after the word " himself " in the first line ; to strike out the words " absent from the province " in the third line ; to strike out the word " six months " in the second line and to substitute therefor the words " three successive meetings of the board."

That is a much more practical and reasonable clause than the present one. I may mention that the Minister of the Interior is greatly mistaken, when he says that we might have amended clause 5, because it was a new one. As a matter of fact, clause 5 of this Bill is absolutely identical with clause 6 of the old Act.

Mr. DALY. I do not see it in the old law.

Mr. EDGAR. This is a case in which the Cabinet is divided against itself. The Minister of Justice has one opinion, and the Minister of the Interior another. The Minister of Justice, who had charge of the Bill until one o'clock, discussed this clause very fully, and accepted an amendment which I moved myself.

Mr. DALY. I would have been glad to do so myself, but I contend that clause 5 is not identical with the old law, as it existed prior to 1890.

Mr. EDGAR. But the hon. gentleman said it was new.

Mr. DALY. Yes, as it is framed here, it is new. I have got the old law here before me, and I fail to find that clause in it.

Mr. EDGAR. I can read the old law to the Minister, and he will find that clause 6 of the old law is identical with clause 5 of this Bill.

Mr. DALY. Unfortunately for me, clause 6 of the old law has been omitted from the copy which I have before me.

Mr. EDGAR. I do not accuse the hon. gentleman of stating intentionally that it was not in the old law.

Mr. DALY. That does not alter my position at all. I have no doubt that any suggestions the Minister of Justice accepted were not in the line of giving greater powers to the minority than they enjoyed prior to 1890. I am perfectly sure the Minister of Justice would not have accepted the amendment, if it altered materially the old law.

Mr. EDGAR. We cannot help one member of the Government having a different view entirely about the fundamental laws which govern this Bill. The Minister of Justice never suggested that we could not amend any of these clauses.

Mr. DALY. I do not say that we cannot amend any of these clauses. I said that the amendment proposed to clause 6 would so materially alter the clause, that it would make it ultra vires, and I am satisfied that it would, because we would be giving other and different powers than they had prior to 1890.

Mr. EDGAR. The amendment would make it very much more workable and much more reasonable, and if the law is good at all this won't hurt it.

Mr. WALLACE. I am surprised to hear the Minister of the Interior make the statement that if a clause restores rights and privileges that existed prior to 1890 it must not be touched. Where does he get the authority for that ?

Mr. DALY. The remedial order.

Mr. WALLACE. The judgment of the Privy Council is a much higher authority than that and it does not say so.

Mr. DALY. That is not the question.

Mr. WALLACE. The judgment of the Privy Council says : "It is certainly not essential that the statutes which existed prior to 1890 should be restored." And yet we have the Minister of the Interior saying the contrary to that. We have amended clause 5, which was a reproduction of the old law before 1890. In fact, the judges of the Privy Council go further, and say that it may not be desirable to re-enact the legislation prior to 1890. This is a most unworkable clause as it now stands, and I agree with the hon. member for Brant (Mr. Somerville) that it should be amended on the lines of the law in this regard as it exists in the province of Ontario.

Mr. HAZEN. The amendment suggested by the hon. member for West Ontario (Mr. Edgar) I think, meets the case exactly, and I trust that the Minister of the Interior will be able to see his way clear to accept it. I fail to see how that amendment could be construed in any way as giving greater power to the minority in Manitoba than they had under the Act of 1881. While it is within our power to give less to the minority than they had prior to 1890, we cannot give them greater power. I do not think any court would construe this amendment as giving the minority greater power than they had before.

Mr. MILLS (Bothwell). The Minister of the Interior made an observation that has frequently been made in the House before —and I do not think it has been confined to the Treasury benches—with which I do not agree. I do not think that this House is bound up in the way that the Minister suggests. I have already indicated what I think are the rights and privileges which this Parliament is entitled to restore. But, assuming that there is to be no action on the part of the local legislature, I do not think that this House is restrained, if, as a matter of necessity, it has to provide the machinery for the purpose of giving effect to those rights and privileges ; because that is a matter of procedure, which cannot be tied, even by the remedial order. You are tied by the remedial order with regard to everything relating to rights and privileges, but not as to matters of procedure. Their Lordships, in their judgment, say :

> With the policy of these Acts their Lordships are not concerned, nor with the reasons which led to their enactment.

What do they mean by the policy of these Acts ? They mean the various modes adopted for carrying them into effect. As they have used no expression to which they do not attach, in their own minds, a definite meaning, hon. gentlemen will see how far the Government have crippled themselves by tying themselves up to the mode of procedure, as it existed under the old law. These matters of procedure are matters of public policy, and you might have made every one of them different from what they were before, without in the smallest degree making an ultra vires provision. The rule of ultra vires does not refer to them at all.

Mr. FRASER. I hope it will not be contended that this Act will become ultra vires, if any member of the board absents himself from any of the meetings for six months without the consent of the board ; because that is the whole change. With regard to this notice to the Provincial Secretary, if the provincial authority failed to comply with the Act, he might pigeon-hole the notice : consequently, you must have a provision by which notice shall be given to the Governor General. What I propose is to provide that, in the event of a vacancy, the new member shall be appointed "by the proper authority." This section must be remodelled in some such way, if it is to be made effective. The hon. member for Ottawa (Mr. Devlin) said that this might apply to the bishop, if he was a member of the board. I have provided for that : "this shall not apply to any clergyman who may be a member of the board, or any member temporarily absent from the province." This slavish attempt to adhere to the words of the old Act that never had in contemplation the necessity of coming to the central Government, is most absurd. An entirely different Parliament is legislating now. Nor must we follow slavishly the words of the remedial order.

Mr. DALY. The hon. gentleman says we are legislating here under a certain authority. That authority is the remedial order ; and under that authority we have to restore the rights "in the manner provided for by the said statutes which were repealed by the two Acts of 1890"—not slavishly to the full extent, but within the terms of that order. We cannot, by legislation here, give other or different powers to the board which we are creating under this Act, from those possessed by the Roman Catholic section of the board under the old law. The alteration suggested by the hon. gentleman, that we should change the six months to three months, might, I admit, be a very satisfactory change but it is a very material alteration, and the court might hold that this law should have been enacted in the terms of the old law prior to 1890, which provided for the case of a member absenting himself for six months, and not for three months. That would be a material change, and might affect the legality of the whole clause. It was supposed, when we framed section 2, that that met the difficulty, in case the notice was given to the Provincial Secretary, and the provincial government refused to act. The hon. gentleman says that we should provide for giving notice to the Secretary of State or to the Governor General in Council. We contemplate that the local government will act. If they do not act, power is given in section 2 to the Governor in Council to act. If, under section 6, notice is given to the Provincial Secretary and the time elapses mentioned in section 2, common sense will suggest that the superintendent will give notice to the proper authority. The Governor General having created the board, the difficulties arising under section 6 would not arise. If the local government appoints the board, the notice under section 6 will be given, and, if the Lieutenant-Governor does not act, the superintendent would act, as common sense would suggest, under section 2.

Mr. FRASER. The answer the hon. gentleman gives is not an answer. Section 2 contemplates that the provincial government may not act, and provides for that contingency. Section 6 must provide for the same contingency. How can you read into a section what common sense will dictate ? Any court will say at once that, if the contingency mentioned in section 2 was likely to happen under section 6, the Provincial Secretary, or the Governor in Council, as the case may be, should be notified. The insertion of two or three words in that clause would get over the difficulty.

Mr. McLEOD. The matter seems to me very clear. Section 2 gives the power, first of all to the Lieutenant-Governor to make the appointments to the board, and he has three months within which to make them. If he des not make them in these three months, then the Governor General shall make them. If any vacancy occurs—and it does not matter whether the appointment was made by the Lieutenant-Governor or by the Governor General—then the Lieutenant-Governor has three months within which to fill the vacancy, and if he does not fill it in these three months, the Governor General shall do so. When a vacancy occurs, notice is sent by the superintendent of the board to the provincial secretary, so that the local government may make the appointment if they choose. But if they do not make the appointment within the three months allowed them, then the Governor General shall make it. No notice is required to be sent to the Governor General of the vacancy, but of course he must be notified in some way of the default of the Lieutenant-Governor to make the appointment before he can act. When a Dominion officer dies or resigns or his place becomes vacant from any cause, there is no formal notice given to the Governor General, but as soon as the fact that the vacancy exists comes to his attention he has the power to make the appointment. No doubt, in this case, the superintendent would make it a point to inform the Governor General that the Lieutenant-Governor of Manitoba had not filled the vacancy within the prescribed time, and no doubt then the Governor General would act. No practical difficulty can occur at all.

Mr. DALY. If the hon. member for Guysboro' insists upon pressing his point about the notice, I have no objection to meet him, and I shall prepare a special subsection to section 6, which will meet the difficulty that seems to perplex him, by providing that the superintendent shall give notice to the Governor General. We did not think it was at all necessary, but in order to get ahead, I will undertake to have such a clause framed.

Mr. FRASER. I think the suggestion of the hon. Minister will meet my views. I think that the contention of the hon. member for St. John (Mr. McLeod), that although the Lieutenant-Governor in Council may have refused to make the appointment, still when a vacancy occurs he must be given notice, and has three months in which to fill the vacancy, cannot be sustained as a legal contention.

Mr. McLEOD. Section 2 says so.

Mr. FRASER. Section 2 is based altogether on the assumption that the Lieutenant-Governor is not going to act. Section 2 is new and section 6 was in the old law now reproduced. Section 6 had reference solely to the Lieutenant-Governor, who alone acted under the old law, and I contend that the notices called for by section 6 to be given the provincial secretary only applies where the appointments were originally made by the Lieutenant-Governor in Council.

Mr. McNEILL. With regard to the second subsection, that provides that if the Lieutenant-Governor in Council does not within the three months make appointments to the board, the Governor General may act. Under that section, if the Lieutenant-Governor made two appointments, he would comply with the law, because he would have made appointments, and the Governor General could not interfere.

Mr. DAVIES (P.E.I.) I would like to ask the hon. gentleman how far the proposed amendments before the Chair are acceptable to the Government ?

Mr. DALY. I cannot accept them. I do not want to disturb this clause.

Mr. MULOCK. I do not like the summary manner in which a member may be extinguished from this board without having an opportunity to establish a case.

Mr. DAVIES (P.E.I.) I presume that when this clause is passed, it is the intention that the House will adjourn.

Mr. DALY. We are going on with the Bill.

Mr. DAVIES (P.E.I.) I thought, perhaps, that when the clause was carried, the committee would rise.

Mr. FRECHETTE. Next Saturday night.

Mr. IVES. Let me ask the hon. gentleman who leads the Opposition, does the passage of this clause depend upon our adjourning afterwards ?

Mr. DAVIES (P.E.I.) I do not suppose it does; but, if you pass this clause, you would make what is considered reasonable progress, and it is now three o'clock in the morning. Do I understand the Minister of the Interior to say that he feels bound to adhere to the clause because it was a clause of the old Act. He seems to be under the impression that we are bound to keep to the wording of the old section.

Mr. DALY. As far as we can. That change proposed from six months to three months would, in my opinion, be a material alteration.

Mr. DAVIES (P.E.I.) As far as I am concerned, it seems to me that the amendment of the hon. gentleman (Mr. Edgar) is in the right direction.

Mr. McNEILL. I wish to refer to the suggestion of my hon. friend (Mr. Davies) that the committee should rise after this clause has passed.

Mr. IVES. Is the hon. gentleman in order in referring to this matter now ?

The CHAIRMAN (Mr. Mills, Annapolis). I do not think so.

Mr. McNEILL. Then, in order to put myself in order, I move that the committee rise and report progress. In view of the fact that the gentleman who represents the Government says that the committee is not to be allowed to rise after having been sitting for thirty-six hours, I think the motion which I make is a very reasonable one. The suggestion that we can consider this Bill at this unreasonable hour is absurd. I would suggest to the members of the Government here, and who are now very sleepy, as to whether it is not absurd to suppose that a British Parliament can be coerced in this way. I have made this motion at three o'clock in the morning.

Mr. DALY. It was made at half-past two, yesterday morning.

Mr. McNEILL. We have given you half an hour more, and you do not seem to be thankful for it. The best possible argument in favour of this motion has been adduced by the Minister of the Interior, who pointed out what little progress has been made during the twenty-four hours. That is what might be expected, for this is not the way to make progress. This kind of thing has been tried before, and tried in vain. We can, of course, continue changing men until the end of the session, but I want to know if there is any reason in compelling the House to sit in this way ? I think it is something we as a Parliament ought to be ashamed of.

Mr. FRECHETTE. You ought to be ashamed of it.

Mr. McNEILL. Those who are responsible for the attempt to coerce this Parliament ought to be ashamed of it. My hon. friend thinks I ought to be ashamed of it, and I think he ought to be ashamed of it. Now, I think there are a great many reasons why the Committee should rise. The Committee was reminded that this was no way to make progress, and my hon. friend has practically told us that no good result has followed the attempt to force this business through this House. If no good result has followed that proceeding in the past, what is the use of continuing it now ? The only argument in favour of this course is that through physical incapacity men can be coerced to allow measures to pass which they otherwise would not. That is the only argument that can be adduced, and I do not think it is a very creditable argument. Now, there has been a great deal of talk with regard to the rights of the minority in Manitoba having been violently taken away from them, and their conscientious objections to attending public schools having been trifled with. A strong attempt has been made to create sympathy for this measure, for which I have very little sympathy. Not that I have not sympathy with the conscientious scruples of any of Her Majesty's subjects. I would have been very glad if such evidence had been adduced to show that the minority really entertain strong conscientious objections to attending public schools. We have no evidence of that kind which we could rely upon.

Mr. COATSWORTH. What about the petitions ?

Mr. McNEILL. No man knows better than the hon member who interrupts me how little reliance is to be attached to a petition.

Mr. COATSWORTH. Not when the petition amounts to a retainer.

Mr. McNEILL. What is the point of the hon. gentleman ?

Mr. COATSWORTH. The point is that the petition was presented by the counsel of the minority and was signed by about 4,500 of the minority of Manitoba.

Mr. McNEILL. What in the world does that amount to ?

Mr. COATSWORTH. I say it is almost the equivalent of a retainer. It is an expression through the counsel for the minority, in the way of evidence of the grievance they sustained, and as such was accepted by the Judicial Committee of the Privy Council.

Mr. McNEILL. Will my hon. friend tell me in what way there is any value to be attached to those signatures which a gentleman brings before a court?

Mr. DALY. While the hon. gentleman is resting. I think we had better understand ourselves. At half-past two yesterday morning, over twenty-four hours ago, the hon. member for Winnipeg (Mr. Martin) made a motion similar to the motion made to-night by the hon. member for North Bruce (Mr. McNeill.)

Mr. WALLACE. I beg the hon. gentleman's pardon. At half-past two I was addressing this House on clause "c" of section 4, and I continued to address this House till about half-past four; and no motion to adjourn had been made the whole night.

Mr. DALY. I speak subject to correction, but I say that at half-past two yesterday morning the hon. member for Winnipeg moved a similar motion, that the Committee rise and report progress. At that time there were in your hands, Mr. Chairman, two amendments to subsection "c," of section 4. The committee had no opportunity, after the hon. member for West York had finished his speech, of discussing those amendments at all; because before there was any possible chance, either for the Government to state their position on those amendments, or for any discussion on them, the hon. member for Winnipeg made his motion; and from that time till the time I left the House at one o'clock the committee were discussing subsection "c" of section 4, and that section had not been passed by the House yet, for what reason I cannot say. This committee has been discussing to-night section 6 and two proposed amendments to it, and the hon. member for North Bruce, who has no doubt refreshed himself by sleep, comes here and commences the same tactics that we had last night. I want to place the responsibility where it belongs. If the tactics of the hon. member for North Bruce, the hon. member for West York, and hon. gentlemen opposite, have the effect of preventing this Bill passing, the blame will have to rest upon their shoulders.

Mr. DAVIES (P.E.I.) I cannot sit silent and allow the hon. gentleman to make that charge, which is totally unfounded. I was in this House at three o'clock this afternoon, when the leader of the Opposition made a kind, a gentlemanly suggestion across the House that the Government, having detained the House for twenty-four hours in session——

Mr. DALY. The Government?

Mr. DAVIES (P.E.I.) Yes, the Government—and preventing members getting their natural rest, the leader of the Opposition urged that we should proceed to make proper progress with the different sections of the Bill; and, speaking on behalf of those he leads, he said they were one and all prepared to go on and make proper progress with the Bill. The hon. gentleman must understand that these sections are not to be swallowed wholesale. They must be discussed, and any one who has followed the discussion during the last 24 hours must see the necessity of a lineal examination and discussion of this Bill.

Mr. DALY. There is no objection to discussing the Bill.

Mr. DAVIES (P.E.I) What took place when that suggestion was made? Why, Sir, if the leader of the House had accepted it, we would have been away on in the Bill before now, and a large number of sections would have been passed; but the leader of the Government got up and for forty-five minutes spoke on matters entirely foreign to this Bill. He deliberately obstructed the proceedings, for some object, I do not know what. He attacked most violently some gentlemen who have been in the past accustomed to act with him, and went back to quote the divisions of the House from time to time; and, after wasting forty-five minutes of time, he sat down without saying one word on the proposition my hon. friend made. And after this open and deliberate attempt to obstruct the business of the House and to prevent us getting on with the Bill, we have the hon. gentleman getting up and saying we are trying to prevent this Bill passing. I say there is no foundation for that charge. After the leader of the Opposition had begged the leader of the House to get on with the Bill, the leader of the Government gave the cue to his followers not to get on with it.

Some hon. MEMBERS. No.

Mr. DAVIES (P.E.I.) Is it true that for 45 minutes the hon. gentleman scolded and denounced members who had heretofore been associated with him, and said not one word on the Bill itself? What was it done for? What was that forty-five minutes occupied for just at the time of day when progress could have been made? The hon. leader of the Opposition spoke in that strain at that time of the day when it is customary to get to work, and when we were prepared to let bygones be bygones.

Mr. DALY. I make that proposition now: Let bygones be bygones.

Mr. DAVIES (P.E.I.) At three o'clock in the morning.

Mr. DALY. You are just as fresh as I am. You have had a good sleep.

Mr. DAVIES (P.E.I.) So far as I am concerned, personally, I would like to see section 6, as amended, carried, and then have the committee rise. This hour in the morning is no time to proceed with the Bill.

Mr. WELDON. We are pretty well agreed to accept section 6 as amended, and we are coming to a section which will provoke as determined a discussion as any section of the Bill before we reach section 74. There is a radical principle in that section which, if my information is correct, is not to be found in any existing systems in these provinces which have separate schools. There shall, therefore, be a very thorough discussion on that section, and I would urge on the Government to accept the proposal, and consent to adjourn after we have adopted this section 6.

Mr. JEANNOTTE. (Translation.) Mr. Chairman, if I rise, the first among the French-speaking members, to participate in the discussion of a very peculiar kind now going on, it is because I feel it my duty to record my strongest protest against the words fallen from an hon. member of this House. That hon. gentleman said that the leader of the Government gave the cue to his followers, and that we blindly followed the Government. Quite the contrary ; we are here the representatives of our constituencies, pledged to support the Government when they pursue a straightforward course, and as the measure they have brought down, and which is now before this committee, is a fair and just one, we support it, not because we are bound to support the Government at any cost, but because the measure is fair and just in itself. The hon. member for Queen's (P.E.I.) (Mr. Davies), was not warranted in saying that we blindly follow the leader of the House. We will support the Ministers so long as they are entitled to our confidence, and so long as they propose as fair and just measures as the one which is now before the House.

Mr. McNEILL. So far as I am concerned, when I moved that the committee rise and report progress, I had reference simply to the fact that we were given to understand that if we passed this clause, we would still be kept in session. I would be satisfied to withdraw my motion on the understanding that we should rise and report progress after agreeing to clause 6. As the Government do not seem inclined to agree with that, I do not feel disposed to withdraw my motion. As far as the statement of the Minister of the Interior (Mr. Daly) is concerned, regarding the course I have taken, I am not at all desirous of minimizing the course I am following at present. The country can judge as to whether it is reasonable or not to endeavour to force through legislation in this way in a dying Parliament. The Government desire to force it through a dying Parliament, because they know they could never carry it through a new Parliament. I do not hesitate to take the responsibility that my hon. friend endeavours to throw upon my shoulders. I desire in no degree to withdraw from the position I assumed. I say here and now that this attempt to force legislation of this kind through the House by keeping the House in session thirty-six hours is one which cannot be too strongly denounced. The hon. member for Toronto (Mr. Coatsworth) who, I understand, is a barrister, made use of an argument which astonished me. He argued that because a petition is handed to a counsel, that makes it any more valuable than it was before. The idea that because a petition is brought to a counsel, it proves any more than one which was not so treated, is a most extraordinary one, and I give the hon. gentleman who expounded it credit for being serious while he unfolded his theory.

Mr. HUGHES. Easily seen he is a constitutional lawyer.

Mr. McNEILL. Well, he is a poor constitutional lawyer or he would know that it is very bad for the constitution of hon. members to have to sit up so late. I was about to make some reference to the views of the minority in Manitoba, but I cannot do so because of the noise that is going on. However, I shall rest my voice until the disturbance ceases.

The CHAIRMAN (Mr. Mills, Annapolis). I do not think there is any disturbance that requires you to take any rest.

Mr. McNEILL. I think that I must be the judge as to whether I am able to talk over the noise that is made, or not, and if you are not able to keep order, I am not bound to raise my voice. I was speaking about the views of the minority in Manitoba, and I would like to know what evidence has been produced as to their views here. The only evidence is that of the petition, which has apparently received extraordinary value because it was handed to a counsel. I do not regard that as any evidence because a petition can be easily gotten upon almost any subject. Unless we have evidence to show that there is a desire on the part of the minority for this Bill, we should not proceed with it. And we have no such evidence. I personally have had some intercourse with members of the Roman Catholic church. In my younger days I was very much brought in contact with a great many of them, and was on terms of very great intimacy with them. And I must say, from what I have learned, I have very great doubt as to the foundation for those statements that the minority in Manitoba are very much opposed to public schools. I think, at all events, that the proposals made by the Manitoba government to set aside a part of the day for religious instruction ought to be sufficient to meet the case. I must ask you, Mr. Chairman, to keep order.

The CHAIRMAN (Mr. Mills, Annapolis). There is sufficient order for you to speak.

Mr. WALLACE. The obstruction is apparently encouraged by the Chairman.

Mr. McNEILL. It is not supposed that we are here to transact business at this hour. The very suggestion is absurd. I was about to say that in Ireland I have known a case somewhat in point in reference to separate schools, and which with the permission of the House I would relate.

Mr. MULOCK. Is it a proper story ?

Mr. McNEILL. Quite proper.

Mr. MULOCK. Go on then.

Mr. McNEILL. We have no proof that the minority in Manitoba really have conscientious objections to attending public schools, and the supposition that they have is the foundation for our legislation here. I was told the other day, very much to my surprise, by an hon. member for Nova Scotia, that he knew no Roman Catholic in his province who was not in favour of separate schools. There was a man living in the county Antrim whose name was McElheran.

Mr. MULOCK. Give us his family history.

Mr. McNEILL. I do not think that is quite necessary. He was a poor man. His son went to sea and became commander of one of the Black Ball liners. He was a Roman Catholic, and one of the persons connected with the company by the name of Tracey was intimately acquainted with him.

Mr. MULOCK. What was Tracey's first name.

Mr. McNEILL. I do not know, but he was a Roman Catholic. Mr. Tracey had two children.

Mr. HUGHES. Both boys.

Mr. McNEILL. Both girls. His wife died. These girls were left on his hands, and he had to have them educated, and he sent them from Liverpool to the County Antrim to the care of this old man McElheran.

Mr. HUGHES. Was Tracey the father of the children ?

Mr. McNEILL. Mr. Tracey was the presumed father of the children. Mr. McElheran sent the girls to a school there.

Mr. FAIRBAIRN. What has this got to do with the Remedial Bill ?

Mr. McNEILL. This is strictly on the Remedial Bill. The school was a good school and the father was greatly pleased with the progress the girls were making, and he told McElheran he was on no account to take them from that school without his leave. Some time after a Roman Catholic school was established in Larne where McElheran resided.

Mr. FAIRBAIRN. Where is that ?

Mr. McNEILL. It is in the County Antrim, Ireland. I hope my hon. friend has nothing to say against Ireland, or against the County Antrim.

Mr. FAIRBAIRN. Not at all. Erin go Bragh.

Mr. McNEILL. The Roman Catholic priest, Father McKenna, with whom I was well acquainted, and who was a very amiable man, came to McElheran and told him he must remove the children from this school and send them to the Roman Catholic school. McElheran said he would not do so without the leave of the father of the children. He was told by the Rev. Father that that would not do at all, and that he must have the children sent to the Roman Catholic school. The old man refused again unless he could obtain the leave of the surviving parent.

Mr. HUGHES. He was a stubborn old man.

An hon. MEMBER. He was from the north of Ireland—that is enough.

Mr. McNEILL. Yes, he was a stubborn old man. He wrote to Mr. Tracey in Liverpool, and asked him what he should do. Mr. Tracey, who was a Roman Catholic, wrote back to say that he was on no account to remove the children from where they were.

Mr. FAIRBAIRN. I thought he would have advised him to join an Orange lodge.

Mr. McNEILL. He might have done worse, but he did not. The priest came back to McElheran and asked him what his determination was, and McElheran showed him the letter he had received from the father of the children, and said he intended to obey his instructions, and not the instructions of the Roman Catholic priest. The result was that he was deprived of the rights of the church, but he adhered nevertheless to his determination and he retained the children at the school where they were making such good progress. There is a case in point where two Roman Catholics united in a determination not to send the children to the separate school. I want to know whether, under circumstances such as those, I would be justified in assisting to pass legislation that would force those people to send their children to that Roman Catholic school. I want to know whether this House of Commons is to assume that there is proof that the Roman Catholics of Manitoba wish these separate schools. I know that in the town of Walkerton—and my hon. friend from East Grey (Mr. Sproule) the hon. member for South Grey (Mr. Landerkin) may know of it too—there was a most determined resistance to an attempt to establish a separate school: resistance by the majority of the Roman Catholics of that town. I know that men of the highest standing in society belonging to the church were amongst those who resisted that attempt. A separate school has nevertheless been established there. I want to know whether, under those circumstances, it could be fairly said that it would be trampling on the rights of the minority if that school was done away with, for I think it was established contrary to the wishes of an overwhelming majority of the minority there. We had it stated here by the hon. member for North Norfolk (Mr. Charlton) that a representative Roman Catholic from Manitoba had stated here that the wishes of the minority in that province were in favour of their being allowed to attend the public, and not the separate schools. The hon. member made the remarkable statement that this gentleman had been elected a school trustee by the minority, in opposition to the wishes of the hierarchy, by a majority of 90 per cent of the Roman Catholic voters of the municipality of Winnipeg.

An hon. MEMBER. I understood the minority did not elect the trustees now in Winnipeg.

Mr. McNEILL. I am not speaking about what they do now. In view of the statement of this gentleman, it is a very grave matter for this House to consider, how far we are justified in assuming that the Manitoba minority is in favour of this legislation.

Mr. DALY. Mr. O'Donohue was not elected by the minority. He was elected as a school trustee, and he was voted for by all.

Mr. McNEILL. Ninety per cent of the Catholics voted for him.

Mr. MULOCK. Was it an open vote?

Mr. DALY. By ballot, I think.

Mr. McNEILL. In view of these circumstances, I venture to think it would be well to pause in our consideration of this measure, and that the committee should rise.

Mr. MULOCK. The member for East Toronto (Mr. Coatsworth), I think, stated, that some 4,000 Catholics of Manitoba had petitioned for this legislation.

Mr. COATSWORTH. Are you asking me that question?

Mr. MULOCK. Yes, I wish to get some information on the point.

Mr. COATSWORTH. Look in the census. You have the same opportunity to get the information that I have.

Mr. DEVLIN. The hon. member (Mr. Coatsworth) is perfectly correct.

Mr. MULOCK. I am only asking for information.

Mr. DEVLIN. I suppose I have the right to answer.

Mr. MULOCK. I do not object. How have the Government come to the conclusion that the majority of the minority have asked for this legislation?

Mr. McGREGOR. There are 20,800 Catholics in Manitoba according to the census. The petitions were placed in the churches, and those who went out or came in were asked to sign the petition. All ages, all sizes, and all persons attending the church were asked to sign the petition. I was in the country at that time myself.

Mr. SUTHERLAND. It is not fair for the Minister of the Interior to state that the motion that the committee rise was made yesterday at half past two o'clock.

Mr. DALY. I was mistaken. The Chairman says it was 3.40 o'clock.

Mr. SUTHERLAND. The position taken by the Minister of the Interior and by the Secretary of State to-day, in fact taken every day since this Bill has been introduced, is not fair. Every member of this House who does not obey the will of the Secretary of State is accused of obstructing this measure. I want to point out that so far as I am personally concerned, it appears to me that the result of the position in which we are placed is due to the action of the Government themselves. I think any man in this House, whether on the Government side or on this side, whether opposed to the Bill or in favour of it, will admit that most of the discussion previous to the moving of this motion for the committee to rise, was germane to the sections of the Bill under consideration. If any evidence was needed that it was desirable to discuss those sections of the Bill, we had it in the fact that after the legal gentlemen on both sides had criticised them, the Government adopted the suggestions and amendments that were offered. So important did it appear to be to perfect the Bill that the Minister of Justice asked that a certain clause should stand, until he could draft a more perfect clause. There are gentlemen in the House who yesterday morning and this morning have had to remain, who are in favour of the Bill, and who are not obstructing. Others whose constituents are, by a great majority, opposed to this legislation, feel that they would not be held blameless if they were not present to watch it, and take part in the discussion; and they have assumed the responsibility of their action. I do not think any member of this House should be forced under the circumstances to stay here at an unreasonable hour to discuss the merits of the Bill. I wish it to be clearly understood that the accusation made by the Minister is unfair and unfounded in fact. No doubt, like the leader of the

Government this afternoon, his object was to make political capital.

Mr. DALY. Not at all.

Mr. SUTHERLAND. The Government by their action are forcing members of this House into the position of apparently assisting those who are taking the responsibility of opposing this measure in every legitimate and constitutional way; but I think the country will understand that while they are accusing gentlemen of obstruction, those who are anxious to get on with the business are not responsible for it simply because the assertion is made.

Mr. WALLACE. I think some misapprehension exists with regard to the statements that have been made by the Government. Those who are determined to criticise this Bill and examine into its clauses, and who ask that proper hours be given for that purpose, are not making this request to save themselves, but out of deference to the wishes and weaknesses of the gentlemen who are supporting it. We are here ready to criticise the Bill; but we have not got to that pass where we are ready to submit to the dictates of brute force. This attempt to coerce the House by continuous sessions is a game that two can play, and we accept the Government's challenge. So far I do not suppose the result has been very encouraging to those gentlemen who told us that they were going to compel the House to accept this measure without proper consideration. That cannot be done. The House will consider and criticise it, and we would not be doing our duty if we did otherwise. We will not be deterred from that duty by any threats to keep the House in continuous session until Saturday night. We were told that there was no law to prevent our sitting on Sunday. Well, the gentlemen who have been making those threats will find us as ready and willing to do our duty as they are to take that course. A very reasonable proposal has been made, that the House, after considering the section now before it, should adjourn and be ready to meet again at three o'clock this afternoon. That proposition was not accepted. The leader of the Opposition, I am told, made an equally reasonable proposition this afternoon, and he received the compliment from the leader of the House of having it neither accepted nor rejected. Well, that course does not advance the legislation of the House to any extent, so far as I can see. I see many members coming in at one or two o'clock in the morning. I do not think that is a very good plan to secure the proper consideration of the Bill; and if the Bill does not receive proper consideration, the onus must fall on the Government of compelling members to come here at unseasonable hours to consider it. From three o'clock yesterday afternoon till three o'clock this morning, so far as I know, there has been proper criticism of the Bill. There was no motion for the committee to rise, and no attempt to discuss anything but the clause immediately under consideration. Therefore, having spent 12 hours in the consideration of the clauses of the measure, I think we have spent as much time as we should be asked to do for one day. Yet the Minister of the Interior accused us of obstructing at half-past two.

Mr. DALY. I corrected that. I said 3.40.

Mr. WALLACE. The hon. gentleman will have to correct that again, because at 3.40 I was addressing the House on subsection "c" of section 4.

Mr. DALY. The Chairman is my authority.

Mr. WALLACE. Then, the Chairman will have to revise his statement too. I addressed the House till half-past four, and any motion must have been made after that hour. Suppose the House began discussing a measure at three o'clock on Monday afternoon and continued discussing till five o'clock on Tuesday morning, and some one then moved that the committee then rise. I think that was a very reasonable proposition. I think it was a sign of a long-suffering House and a model legislature. We have lost more than two months of the most valuable time of the session, because the early days are those in which business can be put forward. In July last, the pledge was given that on the 2nd January the session would be called together for the purpose of passing a Remedial Bill, should no settlement have been come to with Manitoba in the meantime. No such settlement was arrived at; and when the 2nd January came, the country expected that the Government would have had this Bill ready to present to Parliament and would have demanded that Parliament should immediately take it up and give it first consideration over all other business. But what occurred? Troubles occurred in the internal organization of the Government, the responsibility and accountability for which rested entirely with the Government themselves. Time was wasted and the business of the House was not even attempted to be proceeded with. After more than two months had elapsed, after Parliament had been marking time for two months, we were brought face to face with this question, the most important that was ever brought before Parliament. I agree that it is a subject of great importance and therefore demands very exhaustive discussion. Parliament went into committee on the Bill after passing the second reading. Hon. gentlemen opposite say to us: you must stay perfectly quiet, we will not permit you to give consideration to the Bill, and it will be pushed through, night and day. What does that mean? A man cannot remain here twenty-four hours each day in the six.

Therefore if the Bill is proceeded with every hour of the day, what will be the result ? It will be that members of Parliament, whose duty it is to criticise every clause of the Bill, will be unable to be present and watch this legislation and propose any amendments that may be necessary, and therefore will lay themselves over to a charge of neglect of their duty. Supposing some clauses of the Bill, which are considered very objectionable, went through in my absence, what would my constituents say ? The would say : You should not have let that clause go through ; and nothing I could say would convince them that I was not derelict in my duty. There is only one way to obviate that, and that is to adjourn at reasonable hours and give up these continuous sittings. It is hardly likely there will be any more clauses passed until three o'clock this afternoon. If the Government is anxious to have us here sitting with them, we will spend our time discussing, in a general way, all those problems which it is the privilege of a great and free Parliament to consider. We will spend our time considering these very great questions which have been excluded from Parliament the last three or four months. Why, we are neglecting the material interests to which the country expects us to give attention. There is the great question of whether a policy of free trade or protection is best adapted to the interests of the people. We will be going before the people in a few days or weeks at the most. Some say a few days, and the sooner the better I say. But we will go before the people very rusty on these material questions. We have lost sight of them in our discussion of the religious question. We have been preparing ourselves to wear gowns and go into pulpits and discuss theology. We have been studying theology and discussing religion since the 2nd January. But, looking around me, I do not see that it has improved the morals or the manners or the Christianity of members of this House. I have my eye on a gentleman who used to occupy a pulpit with great acceptance, in days gone by, but who has apparently lost all semblance of Christianity.

Mr. MULOCK. Name.

Mr. WALLACE. The hon. member for East Toronto (Mr. Coatsworth).

Mr. MACDONALD (Huron). He has fallen from grace.

Mr. WALLACE. I hope not. We will pray that he may not fall from grace, but I must say that the outward and visible signs are such as to lead us to the conclusion that he has really fallen from grace.

An hon. MEMBER. The chairman is asleep.

Mr. WALLACE. Oh, I do not think so. I was making a few observations on theology. I have been trying to wean myself away from theological subjects and to come back to these great material interests. They are not of as great importance as the paramount questions of theology and the future of our benighted friends in Parliament or out of it, but there are important material interests which it is the duty of this Parliament to consider.

An hon. MEMBER. Go on.

Mr. WALLACE. I am told by my hon. friend to go on. I shall be delighted to do so, but is there encouragement to go on ? I see the hon. Minister of Railways, whom I thought I had converted to my views last night, but when I was almost sure of it, I found he was sound asleep. I found that the eloquence I had been trying to exert and the solid arguments I had used, instead of convincing him, had just sent him into the arms of Morpheus. So that I am not much encouraged to go on. Our hon. friend from South Simcoe has followed the example of the Minister of Railways and Canals. Even my hon. friend at my elbow has yielded to the peaceful influence of the hour. I was going to say that it is not only the question of remedial legislation that should be engaging our consideration. Instead of spending our time on this question, there are other interests we should be discussing. And I do not think I could spend a few more moments more profitably than in discussing them before this intelligent audience. I have had occasion to observe once more the gentlemen whom I see around me to-night, the most select of that great gathering of the intelligence of the Dominion, the Parliament of Canada. There is my friend the hon. Minister of Interior, who bows and smiles and blushes because he has to recognize the truth of that statement. I say we should be considering the great material interests of Canada. There is the great protective policy which has built up this Dominion during the last eighteen years and made this country prosperous from one end to the other notwithstanding the depression that has existed in every other country.

An hon. MEMBER. What about cold storage ?

Mr. WALLACE. Cold storage is closely allied to the question of protection.

Mr. MACDONALD (Huron). How would it do to put the Government in cold storage ?

Mr. WALLACE. I think that the Government perhaps might be allowed to cool off a little. They seem to be getting a little heated. It does not appear likely this Bill will become law.

Mr. McNEILL. The progress is not rapid.

Mr. WALLACE. No, and we have only a few weeks to consider it. We want more time than that. They say they are going to give us the opportunity of considering it night and day. We are delighted at that; and I suppose if there were more than 24 hours in the day we could have them with pleasure.

Mr. MACDONALD (Huron). What about the dead-meat question now?

Mr. WALLACE. That is simply a branch of the great protective policy of the great Conservative party. I hope that the members of the Government will discuss Bill 58 in a general way now. There are 112 clauses, and on every clause a whole sermon in theology could be preached.

Mr. MULOCK. Do you not think it would be well to adjourn now until three o'clock to-day?

Mr. WALLACE. Not at all. It would be a disarrangement of our plans, and it would be better to carry out our programme. The Minister of Trade and Commerce could deliver a sermon on each of the clauses of this Bill.

Mr. MULOCK. Which particular clause would you like him to deal with?

Mr. WALLACE. Any one.

Mr. MULOCK. But he is more competent to deal with some than others.

Mr. WALLACE. I would prefer leaving that to himself; but he can take section 4 if he likes.

Mr. WELDON. I wish to emphasize some reasons why the committee should now rise. Some little regard for health has compelled even the most industrious members of the House to divide into sections, and so we notice in the Chamber new faces at different hours of the sitting. That is more true with regard to members of the Administration, for there are only two of them present at this hour. I submit that the absence of the Minister of Justice, the leader of the House, the Minister of the Interior, and others peculiarly qualified to deal with the Bill, is a strong reason why the committee should rise. We are asked to waste our time here, and yet the Cabinet Ministers, by their absence, treat us with constructive contempt. They ought at least undergo the strain and fatigue they are putting us to, or elese the committee should rise. During the last 24 hours the House has given such close and careful attention to the Bill, as to cause this motion to be reasonable. Each clause of this Bill is an organic part of the whole, and yet the consideration of it is dealt with for eight hours by one group of men, and for another eight hours by another group of men. There consequently cannot be any unity of critisism on the Bill. I agree with the hon. member for York (Mr. Wallace) that with the organization which seems to be perfected on both sides, we can, with very good results to our health, continue at this until the leaves bud and the snow flies again, but really it is a most grotesque proceeding and we should not be asked to participate in it.

Mr. MULOCK. Every one will admit that a condition precedent to any legislation of this kind is, that it shall have been asked for by the minority, and the committee has a right to be told by the Government if this legislation has been asked for by the minority. The member for North Essex (Mr. McGregor) has told us that the request has come in the form of a petition signed by men, women and children. I would submit that the only persons whom the law would recognize as the petitioners, would be the taxpayers, who, if they so wish, will have their taxes diverted from the public schools under the provisions of this Act. If the majority of the duly qualified ratepayers of the Catholic minority of Manitoba have not asked this legislation, what put the Government in motion to issue their remedial order? If the Government are not sufficiently well represented now, to give this information, this clause should certainly be allowed to stand and the committee should rise. If this condition precedent to which I have referred has not been complied with, the Bill would be a dead letter, and we would occupy the ridiculous position of sitting here as a Parliament in order to pass a measure that is not worth more than the paper it is printed upon. The Privy Council decided no question of fact one way or the other. They simply decided a theory. They made clear what the Government were in doubt about before, whether this Parliament could pass the remedial legislation or not; and the Privy Council has simply advised the Government that we have that power. There is no legal obligation created by the decision of the Privy Council. We are simply to construe the statutes in the light in which the Privy Council have told us we should construe them. Now, if there has not been that proper legal request required by the law, all our labour is in vain. I think the question is sufficiently important to receive an answer from the Government. But they refuse to give us the information we are entitled to. It looks as if they had deliberately fixed upon the policy of preventing progress being made on this measure, first, by disturbing the debate by accusing the members of obstruction, as the leader of the Government did this afternoon, and as the Minister of the Interior has done to-night, and, secondly, by refusing to give us necessary information. I submit that the foundation of all this legislation is, first of all, a legal application, made in form and substance as required by the Act, and representing at least a majority of the duly qualified Roman Catholic ratepayers of the province of Manitoba. If only 4,500 men, women and children have applied, there are only about 25 per cent of the total number. Do you think we are entitled to be told by the Government that there has been any legal foundation for this legislation? As they refuse to give the fullest information to the country upon it, I am compelled to the conclusion that they are at least doubtful, and unless an explanation is offered of the course they are pursuing, we must conclude that their design is to prevent the passage of this measure, or a fair consideration of its various clauses. I now submit to any member of the Government whether it is not due to every class of people in the country that they should state whether or not we are going through an ante-election campaign, whether the Government are engaged in a mere buncombe process of vote-catching, or whether we are engaged in settling a very important public question.

Mr. MACDONALD (Huron). I want to speak for a short time about this farce that is going on. There is not a man sitting opposite but who knows that the whole thing is as great a farce as has been enacted in any Parliament. Do these gentlemen think we are all such fools that we are going to give them the same opportunity of passing clauses when we are forced to be here hour after hour at this unseasonable time, as we would if they permitted us to go home and get reasonable sleep? I cannot understand what they mean. They know now by experience that after a certain hour of the morning human nature asserts itself, and does not propose to go any further under the whip or lash of any man, or any party or any Government; and they will find out as they grow older that there is too much Scotch in some of us to be overcome in any such way. I am very much amused at the attempts the members of the Government are making to impress the country with the idea that we are obstructing. This Government cannot do that with any consistency, in view of the history of their dealings with this Bill. This session, the sixth session of this Parliament, the first that has ever taken place since confederation, was called for the very purpose of considering this Bill. From the time this session was promised on the 8th of July to the 2nd of January, when it met, there were six or eight months during which the Government did not do anything to prepare themselves for the session. Why did they not during that time prepare this Bill, so that when the House met they would be in a position to submit it? The day after Parliament met there was a convulsion in the party. Seven of the Ministers were not prepared for remedial legislation, and they resigned, and were called traitors and bolters, and a number of other hard names by the Conservative press. They were out about fourteen days, during which time the leader of the Government bent every energy to form a new Cabinet, but no sooner did he secure one accession than the new-comer was button-holed by somebody else and decided to remain out. Finally the bolters came back and fell right into the hole from which they had been projected. The Opposition kept urging the Government to bring down the Remedial Bill; but although Bill after Bill was introduced, this great measure, which we had been called together specially to consider, was mysteriously delayed, and when it did come down, it ranked the fifty-eighth on the list. Fifty-seven other Bills had been introduced before it. Why did not the Government introduce the measure earlier? Was it because Sir Charles Tupper, Bart., had summoned himself from across the sea to take control of the Government, and the Bill could not be introduced until he had obtained a constituency and was elected? Whether that was the reason or not, it was he that took charge of the Bill, and he gave us convincing proof that he knew nothing at all about it, when he proposed the second reading, for he spoke on almost every other subject except those treated by the Bill. This Bill has had a most chequered career. We have every reason to believe that it was submitted to people outside the House for approval before it was submitted to this Parliament. Anybody who has read Father Lacombe's letter to the hon. leader of the Opposition must draw the inference that he had seen the Bill before it was presented to Parliament, because his letter was dated the 20th January, in which he urged the leader of the Opposition to support the Bill, and the Bill was not introduced until the 11th February. The debate has taken such a wide range, the Government have done so much to cloud the real issue, that I think it would be interesting if I were to give a short sketch of the history of the Bill and the causes which led up to it. I think I can show that the province of Manitoba has occupied a very consistent position all along the line. For about 200 years that province was governed by the Hudson's Bay Company, but in 1868 or 1869 the rights of the Hudson's Bay Company were purchased by the Dominion, and the money paid over, and the next step taken by Canada was to annex the country. We appointed a Lieutenant-Governor, the Hon. William MacDougall, who went as far as Pembina, sixty miles south of Winnipeg; but when he got there he was met by a deputation of half-breeds, who gave him to understand that he was not wanted, and that if he valued his life he had better not proceed any further, but stay where he was—which he did. The people held a convention, called the convention of twenty-four. This council drafted a bill of rights and sent it to the Hon. William MacDougall, and sought to extract the promise from him that the Dominion Government would accept that bill of rights. Some trouble after this arose, and there was a rebellion. Riel put himself at the head of the rebellion, and the Government took steps to pacify the rebels. They sent up three delegates to negotiate, Sir Donald Smith, Colonel DeSalaberry, and the Revd. Mr. Thibault. On the arrival of these delegates, they called a meeting of the inhabitants, about a thousand of whom attended. And out in the cold, with the thermometer 20 degrees below zero, these people stood for five hours discussing the question of their admission into the Dominion. During the whole of that discussion there was not on either side a word said regarding separate schools. Acting on Sir Donald Smith's advice, forty delegates were chosen, twenty of whom were taken from the French half-breeds, and twenty from the Scotch and English half-breeds, and these forty delegates met together and formulated a basis upon which they agreed to come into the Canadian confederation. That meeting is known in history by the name of the Council of Forty. They discussed the question five days, and then on the advice of Sir Donald Smith, they appointed a committee of six to draw up a bill of rights. That committee, after two days of deliberation, formulated the bill of rights number two. Bill of rights number one they had sent to the Hon. Mr. MacDougall. In this bill of rights number two, there was not one word about separate schools. (The hon. gentleman read the various clauses of the bill.) The ninth provision is the only one at all in which reference is made to schools, and that provision says :

> That while the North-west remains a territory the sum of $25,000 a year be appropriated for schools, roads and bridges.

If it had been the wish of the province to make a demand for separate schools, it would have been made here, but it was not made and that shows that the people did not demand separate schools at the time. The thirteenth demand deals with the English and French languages, so that there must have been a discussion on the dual language, and if the dual school system had been under discussion, they would have made a demand for separate schools. Bill of rights No. 2 was submitted to Sir Donald Smith who promised that it would be accepted by the Dominion Government. He advised the settlers to appoint three delegates to repair to the city of Ottawa to present the demands of the settlers to the Government. One of the delegates was Mr. Black, another Mr. Scott, and the other Mr. Ritchot. That was on April 5th, but they were delayed in leaving Fort Garry, and in the meantime Riel formed a provisional government which formulated bill of rights No. 3. The delegates carried with them to Ottawa the bill of rights from the council of forty, and the bill of rights from the provisional government. After arriving here the delegates consulted Sir John Macdonald and Sir George E. Cartier. I have here the evidence of Sir John Macdonald in reference to the matter, and it goes to show that it was Bills of rights Nos. 2 and 3—probably a combination of both of them—but neither of them made any reference to separate schools. Therefore it is not pertinent to the point now, which of the two was accepted as the basis of union. Sir John Macdonald said the Federal Government could not recognize the provisional government, and that any document from the latter could not be presented in their name. Sir John Macdonald, as recorded in the Journals of the House of Commons, for 1874, make that statement. There was therefore no demand made for separate schools, because the bills of rights were the very papers that were sent home to the English Government and upon which was based the Act of Union of 1870. Sir John Young who was then Governor General of the Dominion, sent them in a despatch dated 29th April, 1870, to Lord Grenville. That will be found on page 129 and 130 of the "correspondence relative to recent disturbances in the North-west," and which was presented to both Houses of the Imperial Parliament. Now, I want to identify these with the bill of rights No. 3 which was sent down by the people from Fort Garry. The original copy of the same papers that were sent to the English Parliament were found among the papers of the late Thomas Munn, who was Secretary of State to Riel's provisional government, and they corresponded exactly with the papers sent to the English Government upon which the Act of Union was based, and in neither of which was found a single word asking for separate schools. I think that proves beyond a doubt that it was either Bill No. 2 or Bill No. 3 that formed the basis of union. The clauses in the Act of Union on which this whole dispute has rested was smuggled in by some interested party at Ottawa, for the request never came from the people of Manitoba at all. Manitoba never saw the Act of Union, and never was consulted in regard to it. It was passed here and sent up there at the point of the bayonet.

Mr. DALY. Will the hon. gentleman explain what he means by being sent up there on the point of the bayonet ?

Mr. MACDONALD (Huron). I will explain that. The Bill went up nearly at the same time that Colonel Wolseley went up at the head of the 60th Regiment, in the summer of 1870. The fourth Bill of Rights was published by Bishop Langevin in 1889, and when the late Mr. Taylor of Winnipeg pointed out that it appeared to be a bogus affair, Bishop Langevin did not deny it. He simply said it had its existence all those years, but the executive did not publish their determination, especially during times of trouble. Now, I think I have given the history of the union of the province of Manitoba with the Dominion. When the first step was taken by the minority in Manitoba, they claimed that rights and privileges were taken away from them by the Act of 1890. Dr. Barrett, a Catholic ratepayer, refused to obey the by-law passed for the collection of public money, and his case went to the Privy Council of England. The Privy Council decided that the minority had no rights and privileges at the time of the union, because there were no schools established by law at that time. They also decided that the Act passed by the Greenway government in 1890 was within the competence and jurisdiction of the province. The minority contended that if there were no rights and privileges at the union, they had rights and privileges which had grown up under the legislation of 1871, and which they had enjoyed for nineteen years, till they were taken away from them by the legislation of 1890. The case was first brought before the Supreme Court, which decided that they had no rights or privileges that would entitle them to an appeal to the Governor in Council. The Lords of the Privy Council, after hearing the case, decided that they had the right of appeal. That is all they decided. They did not decide or hint what this Parliament or the Governor in Council should do. They left the Governor in Council free either to interfere or not to interfere. It has been said that those rights and privileges were bestowed on the minority by the constitution, and an hon. gentleman said yesterday that the word "may" in the Manitoba Act read "shall." In my understanding of the English language, the word "may" indicates discretion, whereas the word "shall" is imperative. Therefore, the word "may" indicates that the Government here have discretionary power. That is the position we take.

Mr. COATSWORTH. What position does the hon. member for Bothwell take ?

Mr. MACDONALD (Huron). I know the position the hon. gentleman takes. It is said—I do not say it is true—that he is expecting some position——

Some hon. MEMBERS. Order.

Mr. COATSWORTH. I think the hon. member ought to withdraw that. It is absolutely untrue.

Mr. MACDONALD (Huron). What is untrue ?

Mr. COATSWORTH. The statement you made that I expect some position for my vote here.

Mr. MACDONALD (Huron). I did not say so.

Mr. MACDONALD (Huron).

Mr. HUGHES. He is too contemptible a coward to repeat it.

Some hon. MEMBERS. Order.

The CHAIRMAN (Mr. Mara). The hon. member for Huron says he did not make the statement.

Mr. DAVIES (P.E.I.) The hon. member for North Victoria (Mr. Hughes) used unparliamentary language in saying the hon. member for North Huron was a coward.

Mr. HUGHES. When he takes it back, I withdraw.

The CHAIRMAN (Mr. Mara). I did not hear the remark of the hon. member for North Victoria. He did not rise in his seat when he made it.

Mr. MACDONALD (Huron). What I said was that it was stated that the hon. member for East Toronto was expecting a position for the position he has taken on this question.

Mr. COATSWORTH. I submit that the hon. member has no right to repeat statements of that kind. As I said before, the statement is absolutely untrue.

Mr. MACDONALD (Huron). I did not say it was true, but I said it was so reported.

The CHAIRMAN (Mr. Mara). The hon. gentleman ought to withdraw the insinuation.

Mr. MACDONALD (Huron). I did not insinuate. I said that it was published in the press.

Mr. DALY. The Chairman has ruled, and I call on the hon. member for Huron to obey the chair.

The CHAIRMAN (Mr. Mara). The hon. gentleman should withdraw the insinuation.

Mr. MACDONALD (Huron). I did not make any insinuation. How can I withdraw an insinuation that I did not make.

The CHAIRMAN (Mr. Mara). I certainly understood the hon. member to insinuate that the hon. member for Toronto expected a position for a certain vote he gave in the House.

Mr. MACDONALD (Huron). If I made the statement that the hon. gentleman expected a position I withdraw it, but I did not say it.

Mr. HUGHES. He is a political blackguard.

Mr. DAVIES (P.E.I.) The hon. gentleman has a perfect right to explain what he said.

Mr. MULOCK. You said, Mr. Chairman, that you did not hear the hon. member for North Victoria, when, on a former occasion, he used most unparliamentary language. He has again said, from his seat in the House, that the hon. member for Huron is a blackguard. I submit that the hon. member for Victoria must demean himself as a gentleman, whether in his seat or addressing the House. There is no excuse for his departing from proper conduct so long as he is in this chamber, and I call upon you, Mr. Chairman, to protect members from insult and ungentlemanly and improper language; and if you do not give that protection, then we must take a vote upon your ruling.

The CHAIRMAN (Mr. Mara). If the hon. member used the epithet which he is charged with having used, it was unparliamentary and he should withdraw it.

Mr. HUGHES. What I said was political blackguard and I was not addressing the House.

Mr. MULOCK. He used the word "blackguard," for I heard it here. If the hon. gentleman says he did not say so, then I can only say that I heard him say it.

Mr. DAVIES (P.E.I.) Accepting the hon. gentleman's statement, his language was unparliamentary and he should withdraw it. Unless we are to degenerate to the level of a bar-room, it is time we should assert the dignity of the committee and make gentlemen who use offensive epithets withdraw them.

Mr. HUGHES. I shall withdraw the expression I made as soon as the cause of making it has been withdrawn.

The CHAIRMAN (Mr. Mara). If the hon. gentleman used the words "political blackguard" his language is unparliamentary.

Mr. MULOCK. He did not.

Mr. HUGHES. I beg your pardon, I did.

The CHAIRMAN (Mr. Mara). If he did, his language is unparliamentary and he should withdraw it.

Mr. INGRAM. I was sitting alongside the hon. member for Victoria and I certainly heard him use the words "political blackguard."

Mr. HUGHES. I used the term political blackguard with reference to the language of the hon. member from Huron. If the language was unparliamentary, I will withdraw it.

Mr. INGRAM. You have already ruled that the hon. member for Huron is out of order and he should withdraw his language.

Mr. MULOCK. I myself regretted when I heard my hon. friend allude to the hon. member for East Toronto in the way he did. I would recommend him to also withdraw what he said. What he said was,—and that is where he justifies himself, though even the justification is not perhaps sufficient—that it was said and he did not himself assume the responsibility of making the statement. Nevertheless I think that even that is too far to go. And I think it will be better for the work we have to do that the hon. gentleman should retract. It is a very honourable man, who, when he makes a mistake, acknowledges it. I do not think the less of the hon. member for North Victoria because he has seen fit to make proper restitution. Some people think it is undignified to withdraw, but I myself often make mistakes, and think all the more of a man who acknowledges when he is wrong.

Mr. SPROULE. With reference to the point of order, I would like to make one observation.

Some hon. MEMBERS. Order.

The CHAIRMAN (Mr. Mara). There is no point of order before the Chair.

Mr. SPROULE. After the hon. member for North York had spoken to the point of order, I got up immediately, when the hon. gentleman sat down, to make some observations with regard to the point of order. I do not want this disturbance to continue, and if hon. gentlemen persist in continuing I will name them before the House and let it go to the country that they are here with machines for the purpose of disturbing the work of the House. I regard it as quite in order for any member of this House to make use of the language that the hon. member for Huron did when he said that it was said——

Some hon. MEMBERS. Order.

Mr. SPROULE. I am speaking to the point of order.

Mr. DALY. I think the hon. gentleman misapprehends the position. There is no point of order before the Chair. What the hon. member for York said was that under the circumstances the hon. member for Huron was unfortunate in making the statement he did, and that it would be well he should withdraw it.

Mr. SPROULE. I certainly understood the hon. member for North Victoria to rise to a point of order. He challenged the statements made by the hon. member for Huron as being out of order.

The CHAIRMAN (Mr. Mara). There is no point of order before the Chair. The hon. member for Victoria (Mr. Hughes) withdrew the statement that he made.

Mr. HUGHES. I did not rise to a point of order at all.

The CHAIRMAN (Mr. Mara). The hon. member for Huron (Mr. Macdonald) said he did not make the statement ascribed to him, and he has the floor.

Mr. SPROULE. Then I appeal to you, Sir. How could an objection have been raised to the statement of the hon. member for Huron if it was not on a point of order ?

The CHAIRMAN (Mr. Mara). There is no point of order before the Chair.

Mr. SPROULE. Then I want to raise a point of order. Is an hon. member entitled in this House and is he within parliamentary rights when he refers to something which has been rumoured in the press? I say he is perfectly within his rights.

Mr. DUPONT. That is no point of order.

Mr. SPROULE. As I understand parliamentary rights and usages, an hon. member has the right to quote current rumour.

Mr. MULOCK. I am afraid that I am responsible for the tangle. I did not mean to suggest that my hon. friend from East Huron was out of order in giving his recollection of a statement in a newspaper, but as a matter of propriety, I think it would be better for him to withdraw the statement. I do not say there was any point of order in it, but if one gentleman departed from what is advisable as a matter of good taste, we should endeavour to get back to a proper spirit, for, after all, we are a club of gentlemen, and that we must always remember.

Mr. MACDONALD (Huron). If I said anything unparliamentary, I withdraw it. I was proceeding to say that instead of putting themselves in communication with the Greenway government, this Government issued a harsh remedial order, demanding the restoration of the schools which had prevailed in that province previous to 1890. It is said sometimes that the remedial order did not mean the restoration of the schools as they were previous to 1890, but the speech made in the Senate by the leader of the Government on the 11th of last July completely sets aside that pretention. According to his speech, the schools were to be restored as they existed previous to 1890, but still we are told that the remedial order was couched in language very smooth and complimentary. When this matter was discussed in the public press a certain individual in Winnipeg appears to have found a mare's nest, and wrote a letter stating that previous to that Order in Council, an Order in Council of the very mildest language possible was sent to Mr. Greenway, asking him to restore the rights which the government had taken from the minority. In order to show in what position Manitoba was when that Order in Council was passed, let me read the statement made by Mr. Fisher. I think it well to read the petition or memorial from the archbishops and bishops of the Roman Catholic Church of Canada, and which is dated May 8th, 1894. The statements made in that memorial, if true, would require to be adjusted and corrected. If these schools established by the Greenway government were Protestant schools, and if the Catholics were forced to send their children to Protestant schools, then I think this Government should interfere. That was the reason that many of us wished that a commission be appointed to ascertain whether these statements were real facts. I hold still, that if there had been a commission appointed for the purpose of placing these statements beyond dispute, then it would settle these differences that appear to exist. The charge is that the school property has been confiscated, and although this conference took place the other day, we find that it took no notice of this charge against the Greenway government. In answer to that petition of the Bishops and the Archbishop, this Government sent the following Order in Council. (The hon. gentleman reads from the Order in Council.) In this Order in Council the Government assumes the truth of all these statements in regard to the confiscation of property, and the schools being Protestant. Surely it was the duty of the Government, before sending this command to the Manitoba legislature, to ascertain whether these statements were true; and I ask the Minister of the Interior how he can explain that away. Here was a statement in which the Government acknowledged its ignorance of the facts, and at the same time asked the Manitoba government to redress the grievances which had been set forth. (The hon gentleman continues to read from the Order in Council.) Here is another statement that the school property belonging to Catholics had been confiscated by the Greenway government. Was it not necessary for this Government to make investigation into such allegations made by the minority, when the Government had no positive information as to their truth? (The hon. gentleman reads from the memorial of the Committee of the Privy Council.) Now, how could this Government ask the Manitoba government to redress grievances which they did not know existed? When we asked this Government to appoint a commission to ascertain whether these allegations were true, they refused to do so. Now, why did not the Greenway government redress those alleged grievances? Because they had investigated all these questions before; the legislature had discussed these questions as to the school being Protestant, and as to the lands of the minority having being taken away. As to some of those questions, they had already been before the courts and had been decided in favour of the province, and others were then pending. Now, was anything more reasonable than Mr. Greenway's answer to the remedial order? He said: We believed that when the remedial order was framed, the Dominion Government had not sufficient information upon the question to enable them to frame it in a proper way. Mr. Greenway again suggested the appointment of a commission. (The hon. gentleman reads a portion of the answer sent by the Manitoba government to the second remedial order.) Here Mr. Greenway again invited this Government to make an investigation into the disputed points between the provincial government and the minority.

Mr. McDONALD (Victoria, N.S.) Are you a Protestant?

Mr. MACDONALD (Huron). I think I am.

Mr. McDONALD (Victoria, N.S.) What do you mean by that ?

Mr. MACDONALD (Huron). I mean that I am a Christian man. Is not that satisfactory ?

Mr. McDONALD (Victoria, N.S.) No.

Mr. MACDONALD (Huron). The Greenway government goes on to say : (The hon. gentleman reads.) Here Mr. Greenway says distinctly that if there were any discrepancies in the law, if there were any injustice pointed out, he was perfectly willing to amend it. Now if a commission had been appointed, and it had been shown that any injustice had been done to the minority in taking over their lands, or in any other way, Mr. Greenway was bound by his answer to this Government to correct that injustice. But that plan was not followed by this Government, and the consequence is that we have all this turmoil and trouble, sitting up late, to the destruction of our health, and the aggravation of our own tempers. A couple of weeks ago a conference was appointed. Had that conference been appointed six or eight months ago, it would have accomplished far more than it has done. The Greenway government has now made two offers to the Dominion Government, the first is to secularize the schools, excluding, not religion, but religious teaching as such.

Mr. McDONALD (Victoria, N.S.) Do you want the schools to be perfectly secularized, and have no religion at all ?

The CHAIRMAN (Mr. Mara). Order.

Mr. McDONALD (Victoria, N.S.) I am quite in order. I ask the hon. gentleman, does he want all the schools in the country to have nothing taught in them but secular education, or does he want religion taught in them ?

Mr. MACDONALD (Huron). It is not a question of my private opinion in regard to the matter.

Mr. McDONALD (Victoria, N.S.) You are speaking as a member of Parliament, and I want to know your opinion as a member of Parliament.

Mr. MACDONALD (Huron). I am speaking now of the position of the Manitoba government, and if Manitoba thinks it is more to her interest to establish secular schools, I have no right to interfere with her.

Mr. McDONALD (Victoria, N.S.) I am tired of listening for the last ten days to this nonsense in the House. I want to know, do you want religion in the schools, or do you not want it ?

The CHAIRMAN (Mr. Mara). Order, order.

Mr. MACDONALD (Huron). As I said, Mr. Greenway has propounded two solutions of the question. One is to secularize the schools, and another is to allow the last half hour of each day to be given up to the religious teaching of the pupils. In Roman Catholic schools the teacher would have the right to teach the Roman Catholic religion during that half hour, and in Protestant schools the time would be divided between the various denominations in proportion to their numbers. In cases where 60 per cent of the children are Roman Catholics and 40 per cent are Protestants, three half hours in the week would be given up to the religious teaching of the Roman Catholic children, and the other two half hours to the religious teaching of the Protestant children. In Nova Scotia there is an arrangement between the Catholics and the Protestants by which religious instruction is given in the schools. But Mr. Greenway proposed to the commissioners an arrangement by which he would place on the statute-book a law under which such instruction could be given. The impression that the public schools of Manitoba were Protestant schools has been removed. The leader of the House introduced the Nova Scotia school law in 1864, a law which is substantially that now on the statute-books of Manitoba ; yet that hon. gentleman is now keeping this House sitting day and night for the purpose of passing a law to place shackles on that province with regard to educational matters. I have here the opinion of the Premier of Nova Scotia in regard to Sir Charles Tupper's action on the Nova Scotia school question, which I will read to the House.

Mr. DEVLIN. What reference has that to the matter before the Committee ?

The CHAIRMAN (Mr. Mara). I do not know what the hon. gentleman proposes to read.

Mr. DEVLIN. The hon. gentleman has announced that he will read an opinion expressed by the Premier of Nova Scotia in regard to Sir Charles Tupper.

The CHAIRMAN (Mr. Mara). We had better hear a few lines read.

Mr. MACDONALD (Huron). Mr. Fielding says :

> It is deplorable that Sir Charles Tupper should figure as he has done in this matter.

The CHAIRMAN (Mr. Mara). Order. I think the point raised by the hon. member for Ottawa County (Mr. Devlin) is well taken.

Mr. MACDONALD (Huron). I insist that the quotation I desire to read is pertinent to the question.

Mr. DAVIES (P.E.I.) The leader of the House introduced into the discussion this question in regard to the School Act of Nova

Scotia. His claim in regard to passing it through the provincial legislature was challenged by the hon. member for King's (Mr. Borden), and although there were three appeals to the Speaker, that hon. gentleman was ruled to be in order. The leader of the House replied a second time to the hon. member for King's, and that reply brought up comments made by outsiders, notably the Premier of Nova Scotia, as to Sir Charles Tupper's conduct. This question of the Nova Scotia school law has an important bearing on this discussion, and if you, Mr. Chairman, rule that it is out of order, I must appeal to the Speaker.

Mr. DALY. The hon. gentleman from Huron had better, perhaps, read further.

(Mr. Macdonald read the quotation referred to.)

Mr. DEVLIN. When the hon. gentleman rose to speak, the statement he made was that he was going to give Mr. Fielding's opinion of Sir Charles Tupper. It was against that that I protested.

Mr. MACDONALD (Huron). I wish now to refer to the manly stand taken by Sir John Macdonald in reference to the New Brunswick School Act. He would not interfere with the Act passed by the legislature of New Brunswick in 1871, because he held that as the legislature had the power to pass it, it was contrary to the principles of our federal system for the central authority to interfere. Sir John Macdonald was personally in favour of a legislative union, but he was prevailed upon by the majority of those who worked with him to accept a federal union. He pointed out that if the complaints of all minorities were to be listened to here, and their grievances redressed from here, the federal union would be in fact done away with. He admitted that the minority in New Brunswick had a grievance, and that the Federal Government had power to disallow their Act, but still he refused to exercise the power of disallowance. It is true that the minority were not given the right of appeal that is given to the minority in Manitoba, but still the federal power might have been exercised quite as efficiently by disallowance, but Sir John refused to exercise it. If he had been leader of the Conservative party to-day that party would never have got into its present position. But their pea-nut politicians have led them deep into the mire, from which they are not able to extricate themselves. The policy of their leaders has driven from them some of their very best men.

Some hon. MEMBERS. Oh, oh.

Mr. MACDONALD (Huron). They used to be called their best men. I can remember when, only three years ago, the hon. member for Albert (Mr. Weldon) was referred to as the coming man of the Consevative party. But because he cannot see eye to eye with the pea-nut politicians below him, they seek to deny even that he has the ability which formerly they were so glad to recognize. I desire to show the position taken by Sir John Macdonald with regard to the New Brunswick school question. (The hon. gentleman read the extracts referred to.) It will thus be seen how careful the hon. gentleman was to avoid interference with provincial rights. I have given a synopsis of some phases of this school question. Now with regard to obstruction, I believe it is the duty of every man to obstruct the Government after a reasonable hour. I do not go behind their backs to say that if they do not adjourn at a reasonable time, say three o'clock, and give people sent here to do the business of the country time for rest and recuperation, they ought to obstruct from that hour until the hour when the House should ordinarily sit again. And I will venture to advise the Government, if they wish to make progress, they should only ask the House to sit in reasonable hours, say from three in the afternoon until three in the morning. Members who are kept here at unseasonable hours are not in a proper frame of mind to criticise and to perfect a measure such as this School Bill, and every time they have tried to trample upon independent men they have come out at the small end of the horn, and at the next election the hole they will come out at will be so small that no one will be able to see it.

Mr. DAVIES (P.E.I.) When the hon. member for North Bruce (Mr. McNeill) moved at 3.20 this morning that the Committee rise and report progress——

Mr. DEPUTY SPEAKER. At 3.10, I think.

Mr. DALY. The Serjeant-at-Arms says at 3.05, and I have it at 3.

Mr. DAVIES (P.E.I.) We will not quarrel about the odd minutes. But when the hon. member for North Bruce moved the resolution, he suggested an important point as to whether there was evidence that the minority in Manitoba had applied for such a Bill as has been presented to the House. The hon. member for one of the districts of Toronto said that a petition, signed by 4,500 had been received by the Government, asking for this Bill. If this statement was true, it would be prima facie evidence that the majority of the minority were seeking for remedial legislation. Here a legal question arises of no small importance. Supposing the minority did not apply for remedial legislation, then it is plain that no appeal could be legally heard. The question arises whether we can go behind the remedial order as a Parliament, and enquire whether a proper petition was presented on which the remedial order was based. The hon. member for Toronto stated the other day that the Privy Council had ample evidence to justify them in concluding that the minority did desire remedial legislation of this character. But I desire to ask this committee to look at the facts in connection with this matter. So far as I have been able to ascertain, I think the statement of the member for Toronto is altogether wrong. There was a petition presented to the Privy Council in 1890, signed by His Grace, the Archbishop of St. Boniface, by several parish priests, by one member of Parliament, and one member of the provincial Parliament, and by 4,257 others. But that petition was not praying for remedial legislation at all, it was praying for the disallowance of the Act which had been passed in 1890 by the provincial legislature, on the grounds that certain rights which the minority claimed they had at the time of the Union, had been interfered with. That petition prayed that it might be declared that such provincial law did prejudicially affect rights and privileges with regard to denominational schools which the Roman Catholics had by law or practice in the province at the time of the union. At that time it was honestly believed by these petitioners that they had certain rights or privileges secured to them at the union which the provincial law interfered with. But this petition which was presented to the Privy Council praying for relief against the Acts of 1890, was based upon the supposition that they had certain rights at the time of the union. After that petition was presented, the Judicial Committee of the Privy Council determined there were no rights or privileges possessed by the minority at the time of the union, which were interfered with by the law, and the basis of that petition, therefore, fell to the ground, and it does not afford any basis whatever for the passage of the remedial order. That petition did not ask for remedial legislation. The remedial order has sole reference to the rights which had accrued to the minority subsequent to the union, and this petition had reference to rights which they claimed to have anterior to the union. Now, we have before us petitions presented subsequently as the basis of the action of the Privy Council in passing the remedial order, and it is important to know from what parties those petitions emanated. A petition was presented on the 20th September, 1892, signed by Senator T. A. Bernier, acting President of the Executive Committee of the National Congress, who had been, I understand, Superintendent of the Catholic school board. It is also signed by 14 other persons. Two days later there was a petition presented from His Grace the Archbishop, together with Mr. Bernier, Mr. Prendergast, and about 137 others. So that practically all those who have petitioned the Government amount to somewhat less than 150 persons, out of the whole population of Manitoba, asking for a restoration of the rights and privileges which were acquired by the minority subsequent to the union. Now, that number, it is admitted, is not 5 per cent of the whole minority; and the question arises whether that number of persons had a right to represent the minority, or whether the minority ever petitioned at all. It may be argued that His Grace the Archbishop had the right, as one of the minority, to petition on his own behalf and on the behalf of others; but there you are met with a very serious question. Now, it has always been my opinion that under the circumstances the duty of the Canadian Privy Council was to have instituted an inquiry and ascertained if the signatures to those petitions represented bona fide, and with authority, the views and wishes of the minority of Manitoba. My own judgment would be that it was not absolutely essential that a clear majority of that minority should sign a petition, but it is essential that those who did petition should prove themselves to be the representatives of that minority. Now, I have examined with some care the proceedings before the Privy Council when that remedial order was applied for, but I do not find that any inquiry was made, or any evidence offered to satisfy the committee that the signatories to these petitions in any way represented anybody but themselves. I do not find that they claim to represent anybody else. I do not find that any public meetings were called, either of the population or of the trustees; I do not find that these persons claimed that the rights which the minority acquired after the union had been infringed upon. I think I have made the matter clear, that so far as these 4,000 odd signatories to the petition were concerned, they referred to a matter upon which we could not pass remedial legislation; they referred to rights said to have been acquired before the union with Canada; and with respect to which, of course, we have no power to pass remedial legislation. Therefore, it appears to me, that there is nothing to show that the minority ever complained in any legal or official way, or in any way on which a remedial order could be based, that the rights which they acquired after the union, had been interfered with by provincial legislation. If that point is well taken, of course we could not proceed any further. I listened with some curiosity to hear what answer would be made by the Government to that objection. It may be that the extreme reluctance which was apparent on the Treasury benches to grapple with that question at all——

Mr. DALY. I am ready now to reply to the hon. gentleman on that point. The first petition the hon. gentleman referred to was that signed by Archbishop Taché, a gentleman who signed the petition and 4,257 others, and is dated in August, 1890. There was another petition dated 20th September, 1892, signed by the Executive of the National Congress. The next petition is dated 22nd September, 1892, and is signed by Archbishop Taché himself; and the hon. gentleman referred to another petition dated in November, 1892. Now, that petition is signed by the Archbishop of St. Boniface, by T. A. Bernier, President of the National Congress, by Mr. Ewart, counsel for the Roman Catholic minority in Manitoba, and about 137 others, and it was on that last petition that the sub-committee of the Privy Council heard the appeal and decided to pass the remedial order. Now, Mr. Bernier signs as president of the National Congress. The National Congress was composed of representatives from every Roman Catholic parish in the province of Manitoba. It was organized for the very purpose of making the application that was made in this case, and they assembled at St. Boniface. The Executive was composed of gentlemen representing all the parishes; these gentlemen being the leading men in the parishes, and the petition is signed by Mr. Bernier as President of the National Congress, with the authority of the Congress and as representing the minority. That is evidence that every Roman Catholic parish in Manitoba was represented on that petition, and I am sure the hon. gentleman will acknowledge that it clearly indicates that this matter was properly before the Privy Council of Canada, on the appeal that was made by them under section 22 of the Manitoba Act?

Mr. McNEILL. Were those representative men elected, or were they nominated, and by whom?

Mr. DALY. I do not know anything about that.

Mr. McNEILL. If they were merely nominated, and not elected by the Roman Catholic people, they would have no weight.

Mr. DALY. The information, which I have taken from headquarters, is, that these people were summoned for the very purpose of forming this Congress, and each parish was represented by one or more delegates elected by the people, so that the Congress was fully representative of all the Roman Catholic parishes of Manitoba.

Mr. DAVIES (P.E.I.) I want to point out one or two pertinent facts in connection with that. On the face of the petition, nothing is said about this. They do not urge that any meetings were held; the body petitioning does not tell us what the National Congress was or how it was constituted, whether they were elected by the people, or where the meetings were held. I would suggest whether it is not true that this congress was formed and the elections were held for the purpose of presenting the petition which was presented in 1890. I think the hon. gentleman will find that I am right, that the minority of Manitoba believing they possessed certain privileges before the union formed a national congress to secure legislative provisions. Mr. Bernier, who signed himself as acting president, signed a petition, which he would not have been able to do unless the congress had authorized him to sign.

Mr. DALY. On the 20th September, 1892, Mr. Bernier signed that petition. The council had not been fully informed at that time. They subsequently held meetings and Mr. Bernier was elected president, and they subsequently completed the organization.

Mr. DAVIES (P.E.I.) The record does not show that. The hon. Minister may be able to establish that these persons had power to take action on behalf of themselves and on behalf of the minority; on the contrary, it may appear that they had no such powers. All I contend is that so far as the record before the House is concerned, it is perfectly apparent they had no authority.

Mr. McNEILL. I do not desire to refer to this matter from the legal standpoint, but in regard to the duty of Parliament. Suppose there was a national congress elected, in order to know whether it was really a representative body we should know something in regard to the meetings at which those delegates were appointed. It is an easy matter to call meetings, but if they are not properly called they are hole-and-corner meetings. It is very easy to have delegates appointed, yet they may not represent the feelings of the people. We have no evidence to show that the minority really had any grievance of which they complained. We have heard that a large petition was signed by thousands of people. It appears to have been signed at church by men, women, boys and girls. There is no evidence to show that the heart of the minority is with this movement to establish separate schools; on the contrary, it goes to show the reverse. The very foundation of our action rests upon assuming something of which we have no proof.

Mr. OUIMET. Suppose there was proof of it, the fact would not change the hon. gentleman's determination to refuse separate schools, as already announced by him.

Mr. DALY. I think as a legal proposition it could not make any difference whether the petition was signed by one or half a dozen. There was a national congress, composed of representatives of every Roman Catholic parish of Manitoba, and it did not only what the law required, but went far beyond it.

Mr. MULOCK. I do not think it is a question as to what the people wanted, it is a dry question of law. The question is whether this matter is properly before Parliament to-day. At the earlier period of the sitting some hon. members used information which we did not possess, as to who had and who had not petitioned for this legislation, and that at once raised the point in the minds of hon. members present as to whether there had been an appeal. The Government understand that the jurisdiction of this House depends upon the validity of the remedial order, that depends on the validity of the appeal, and the appeal depends upon questions of facts as to who made the appeal, and as to what amounts to an appeal within the meaning of the Act. If there is not an appeal within the meaning of the Act to the Governor in Council, there can be no remedial order. I am troubled with the question as to what class must appeal, and how many of that class in order that the Government may be seized of the matter and the appellate power of the Government be set in motion. Information has been imported into the discussion which discredits the whole action of the Government in proceeding with this legislation. It is important therefore that we should discover where we are, because, as legislators, we must determine whether any good is going to come out of this legislation. The Minister of the Interior has stated that he will at a subsequent period explain how the Governor in Council was set in motion. There was a national congress, which appears to have been a voluntary association and presumed to represent the minority of Manitoba, and Mr. Bernier was appointed president. This association claimed to represent the minority and set the law in motion. So the question arises, what was Mr. Bernier's authority to set the law in motion ? He was one of the petitioners representing the congress, which it was said represented the minority in Manitoba. What was the authority of the congress, what were its powers and objects, had it a written or unwritten constitution, was it an incorporated or a voluntary association, did the members join in a formal or in an informal way, in what way did it acquire authority to speak on the behalf of the people of Manitoba or any class ? These are questions of fact and go to the root of the inquiry, as to what authority Mr. Bernier had or this congress had to speak for the class demanding legislation. My opinion is that the only class of the people who were entitled to appeal to set the law in motion were persons to be affected as rate-payers, and that the law will take no cognizance of minors ; and in order to show that there has been a valid appeal the Government must have been called upon to set the law in motion by the request of persons authorized and persons belonging to that class of the people. The principle of representation in law depends upon express rules, and power must be given by the rules of the court or by the statute.

Mr. IVES. I would like to ask the hon. gentleman a question, if he will allow me. If, for example, one member of the House can for three hours obstruct the passing of the Remedial Bill cannot one member of the minority act effectively in setting in motion the appeal ?

Mr. MULOCK. I thought the hon. Minister conscientiously desired to ask a question and I treated him with courtesy. I cannot hereafter regard him as a responsible Minister in these matters.

Mr. IVES. I did not intend any discourtesy.

Mr. MULOCK. This is a subject worthy of respectful treatment. The hon. Minister was the president of the council. A body of gentlemen assembled in this city who were representatives of the people and Ministers of the Crown, and in effect declared that while they were politicians and responsible as such, they had also other functions and they must hear the appeal of the Manitoba minority sitting in a judicial capacity. And they metaphorically clothed themselves with the ermine, and, deliberating which of their number they should chose as chief justice they selected as facile princeps among them the present Minister of Trade and Commerce (Mr. Ives) and made him president of the council. When the hon. gentleman could seek to escape his responsibility by thus clothing himself with the judicial ermine, and thus showed that he entirely misapprehended the position of affairs, we cannot be surprised if, when he deals with a question at a subsequent stage he is innocent of the first appreciation of what is the law required of Parliament. The appellants must have certain qualifications. They must be Roman Catholics, they must be residents, they must be ratepayers perhaps. One minor on signing a petition on behalf of himself and others could not set this machinery of remedial law in order. So it is with other minors ; and therefore we must ignore the signatures of children to the petition. The Minister of Trade and Commerce asked me if petitions were necessary. I did not say that. But I say the Government must be moved in some way on behalf of the minority. It seems clear that those affected in respect of taxes are entitled to petition. But whatever classes have the right to petition will sooner or later be decided by the law. If the appeal has not been consented to by the proper class or by a sufficient portion of the proper class, the Government has no right to exercise its powers, and its action will be read and the Bill based upon its remedial order will be void. I am glad to know that we are to have the facts made clear, and I hope the papers will be brought down at an early hour to-day.

Mr. WELDON. Two points have been discussed by the hon. member for North York (Mr. Mulock), one a question of law and the other a question of policy. As to the point of law I cannot agree with him. The condition precedent to the exercise of remedial power of the Governor General in Council seems to be that a right or privilege of the Roman Catholic minority is affected. I am satisfied that that has taken place. Believing that there is no initial defect I do not need to consider whether that defect would be cured by subsequent action, whether it would be held that, the Government having acted, it must be assumed that satisfactory proof of that right or privilege being affected had been adduced to them.

Mr. DAVIES (P.E.I.) The hon. gentleman will remember that I said I thought no court would go behind the remedial order. But suppose that in the matter of taxation one-tenth of the minority were to claim that to be a grievance which the other nine-tenths did not claim to be a grievance, could they cause action to be taken even against the wish of the nine-tenths? If it is a matter of religion and morals, I can understand that the head of the church could represent the body.

Mr. OUIMET. That cannot cause any trouble. There is a clause in the Bill, No. 26, I think—which is a permissive clause. Nobody is obliged to pay his taxes to separate schools. The Bill is not coercive. Any individual, if he chooses, may pay his taxes for the support of public schools and send his children to those schools.

Mr. WELDON. On the legal point I do not agree with the hon. gentleman. But on the point of policy, I think this Parliament may fairly say: Before we take the risk of creating disturbance which we must create by interference, we must be assured that the people affected are almost unanimous in asking for our help.

I wish to call the attention of the committee to another matter in the way of rebutting the charge of obstruction that is made against all of us. Hon. gentlemen are aware that a school Bill is now before the British Parliament, which is attracting universal attention in England, and arousing the deepest interest among all religious denominations. This question also shows a tendency to divide parties in a considerable degree there also. In a despatch which I find in the Ottawa "Citizen," of 6th April, it is stated that this school Bill is likely to make more enemies than friends to the existing Government. The English Government is proposing to take pretty much all the available time of Parliament for the discussion of this measure, and as Parliament there usually rises about the middle of August, they expect that the four and a half months now remaining up to that date, will be practically consumed in the discussion of this measure. Now, if so much time is needed there for the discussion of an educational measure, which is far less important, which has less far reaching consequences than this Remedial Bill, how can our Government charge us with obstruction when we demand more ample time for the consideration of this Bill, and how can they expect that it can receive the discussion its importance deserves, in the ten days which the Finance Minister tells us he is willing to give for that purpose? Then it is to be remembered that the English Government have had the aid in preparing their Bill of a board of education composed of trained experts, perfectly familiar with the whole subject; therefore, I say, it is no reproach to this Government, who have had no such advantage, who have never had any experience in dealing with educational questions in this Parliament, when we tell them that their Bill is crude, that many of its clauses are inconsistent; we must expect that their Bill would be clumsily drafted. Again, the English Parliament has full power—is not hampered as we are with questions of ultra vires. Therefore, I say that the Government are trying to rush this Bill through with undue haste, when they expect us adequately to discuss, in the committee stage, in so brief a time, a Bill of this importance, when the English Parliament propose to take four and a half months to discuss a Bill of far less relative importance.

Mr. McDONALD (Victoria, N.S.) I regret very much to see the hon. member for Albert (Mr. Weldon) taking up so much time of the committee in opposing this Bill. He is a gentleman for whom I have the utmost regard, and, therefore, I am very sorry to see him pursue the course which he has entered upon. As for myself I may say that I represent probably a county as thoroughly Protestant as any other in this Dominion, but so far as my constituents are concerned, I have scarcely ever heard the word Catholic mentioned among them. There is one parish, however, containing 315 votes, in which there are only four Protestants, and I have yet to learn that in that parish a teacher was ever asked whether he was Protestant or Catholic. If I chose to go to-morrow to my constituency and raise the Protestant cry, I could be elected by three to one. I will defy the hon. member for Queen's (P.E.I.) to come down to that county and try conclusions with me.

Mr. DAVIES (P.E.I.) You are not going to run again; you have told me so yourself.

Mr. McDONALD (Victoria, N.S.) Tell me that I wont, and perhaps I will. But I believe I will not, and I think if ever the hon. gentleman told the truth in his life, he has told it now. But it does not make any difference who is going to run, this question is not going to amount to a hill of beans in my constituency.

Mr. SPROULE. It is quite plain that the Government are making no progress with the Bill, and therefore the committee should rise and report. Yesterday the Secretary of State informed the House that as the amendment submitted by the hon. member for Muskoka (Mr. O'Brien) was type-written it had evidently been prepared for the purpose of obstruction. This was an extraordinary argument, for in my opinion, the hon. gentleman should be commended for having carefully considered the Bill and prepared an amendment in proper form and submitted it type-written. The hon. member for North Bruce, in the course of this discussion, declared that there is no evidence that the Roman Catholic minority asked for this Bill, and he quoted an opinion expressed by Mr. O'Donohue, of Winnipeg, to the effect that the Catholic laity did not demand separate schools. At the same time it was pointed out that Mr. O'Donohue might be fairly considered to represent the Catholics as he was school trustee, and 90 per cent of the Roman Catholics had supported him. In answer, the Minister of Interior stated that it was impossible to know that fact as the vote was taken by ballot. I find, however, by the Act of 1890, clause 7, that if a poll is demanded by the ratepayers, it shall be taken by open voting. The hon. member for North Bruce also called the attention of the committee to the fact that at Walkerton, where there is a large Roman Catholic population, the Catholics refused to have the separate schools for many years, and one was erected only within the last few years. At Collingwood, where there are over 500 Catholics, many of whom are very wealthy, there is no separate school, and the Catholics have refused to establish one. In Ontario at the present time there are 592,503 school pupils between the ages of 5 and 21 years. There are 5,641 public schools, an increase during the year of 64 schools. There are only 313 separate schools, although a dozen Roman Catholics in a locality can have a separate school. The increase in the public schools during the year was 64, and of separate schools one. Out of a school population of 592,503, there were 38,067 Roman Catholic pupils in the separate schools, and an average attendance of 21,863. Over 50,000 Roman Catholics attend the public schools of Ontario. Yesterday the Secretary of State called attention to the new school Bill introduced in the British House of Commons, and spoke of the great liberality shown there, mentioning at the same time that we in Canada were refusing justice to the Manitoba minority. The latest mails bring intelligence that the people of England are very much dissatisfied with this school Bill, that they regard it as an encroachment on the established order of things, and attention is called to the fact that state aid has heretofore been refused to secularized schools. That Bill is of course considered an important one in the Imperial House, and it has been announced that it will require the full strength of the Conservative party to carry it through Parliament during the next four months, even with the assistance of the cloture and a Government majority of 168 members. Is it reasonable, then, to say that there is time for us to consider this Bill and do justice to the important subject that is engaging our attention. What are we to say of the conduct of the Government in attempting to force this Bill through by sheer physical force and without due consideration. We find their support divided up into relays so that all may get their needed rest and yet the House be kept in session. Two Ministers sit here resting in their easy chairs, their copies of the Bill and their notes put away in their desks. And when we ask for reasonable information concerning the Bill, it is not given us. This is a species of coercion which is only equalled by the coercion attempted upon the province of Manitoba. It is said the country will take note of our obstruction. I believe the country will take note of what is going on here and will give us credit for doing our duty. We do not seek to obstruct this Bill; we wish to give it fair consideration. But I contend that there is not time at our disposal this session fairly to consider the details of so important a measure. It should not be said that we are obstructing business when all we ask is that after we have done a fair day's work an adjournment should be allowed so that we may get needed rest for our work next day.

Mr. BAIN. When the leader of the House on Monday afternoon instructs the House that it must not rise until it has passed certain legislation which, as admitted by those who favour it, involves many and grave difficulties and keeps this House in session until ten o'clock in the morning of the second day, he exercises tyranny which I for one do not intend to submit to without protest. If I decline to discuss the merits of the question, I do not feel that I am called upon to make any apology. I am prepared to give fair discussion to every measure submitted to us, I do not propose to submit to an order that legislation of this kind must be passed without fair discussion and for the purpose of advancing the political ends of the Secretary of State. The hon. gentleman comes down glowing with anxiety for the minority and says that this legislation is necessary in their interests. But the Government could not, without long delay make up their minds upon the details of this measure and they had to submit to strikes in the Cabinet and difficulties of all kinds before the Bill was prepared. I doubt that they would ever have succeeded in preparing this Bill had they not had the benefit of assistance of the counsel for the minority. But we are expected to deal with all these details without giving them the consideration they deserve. As has been pointed out the Imperial Parliament expect to take four months in the consideration of a measure of much the same nature as this, even though it does not involve the very important feature of interference with a provincial legislature under a federal system of government. Now, it won't be pretended even by the strongest advocate of the rights of the minority, that this question was not thoroughly considered in all its merits at the provincial election. Six months ago this Government intimated that if that province did not take certain action, legislation looking to enforce the views of the minority would be introduced here, and pressed to a conclusion.

Yet in face of the knowledge of all these facts, what is the result of the last provincial election? Is it not an overwhelming condemnation of the attempt that is being made by the Government here to force upon an unwilling province, legislation that the people of that province declare emphatically they do not want, that they are unwilling to have imposed upon them? Now, it is idle to say that the Liberal party are responsible for the sentiment that exists in Manitoba. The Conservative party ruled that province for many years, and they are equally committed to the maintenance of the public school system. It is trifling with the truth for hon. gentlemen in this House to get up and say that in Manitoba this school question is in any sense a political question. More than that, all the evidence goes to prove that it is not to redress the grievance of the minority of Manitoba that this Government are working so earnestly, but it is to carry out a policy to which they have committed themselves, and which they believe will secure them additional support in many sections of this Dominion at the coming election. I need not say that so far as the province of Manitoba is concerned, all the evidence goes to show that this Government are the aggressors in keeping up this burning question, this source of irritation, between the two religious sections in Manitoba. Let any one read the speech of the Secretary of State the other day, and he must come to the conclusion that the whole speech was an appeal to religious prejudices for the sake of securing support for his party. Now, what is the position of the province of Manitoba on this question? I submit that the provincial government have made every concession that a self-respecting government is able fairly to make, and have offered a fair basis of compromise. The Secretary of State claims that he has given to the Roman Catholic minority in Nova Scotia every right and privilege that they can ask for, and that from 1864 down to the present time, they have lived in peace and harmony, and in perfect satisfaction with their school laws. Hon. gentlemen will remember that when the Secretary of State made that statement, the hon. member for Albert (Mr. Weldon) was asked a few minutes later, if he could tell the difference between the Nova Scotia Act that was carried through that legislature by Sir Charles Tupper, and the Manitoba Act of 1890, under which this appeal was founded, and Mr. Weldon said he had carefully read both Acts, and that they were practically the same. I ask, can there be a more scathing condemnation of the position the Secretary of State assumes to-day, when he undertakes to force through this House, by sitting night and day legislation to destroy an Act which is practically the same as the Nova Scotia Act of 1864, which has given perfect satisfaction to the Roman Catholic minority of that province by the statement of the Secretary of State?

Mr. McMILLAN. I believe the sentiments of the people of this country are distinctly against the tyrannical measure attempted to be forced on Parliament by the Secretary of State with a view to carry this most extraordinary Bill with regard to Manitoba schools. It is absurd that the Government should attempt to pass this so-called remedial legislation in view of the sparce population in Manitoba, the lack of wealth in the province, the small average attendance at the public schools. Mr. F. C. Wade, in a pamphlet states that 190 schools in the province had an average attendance of only ten scholars. Complaint is made that the Manitoba government laid out the country in school sections too small. But it is shown that instead of this complaint being well-founded, the difficulty is that the children sometimes have to go five or even six miles to the public schools. The great trouble in that country is the sparseness of settlement, that makes it all the more difficult to operate the cumbrous double system of schools that is proposed under this Bill. Above all we should avoid making two school boards. In secular education there should be uniformity in order that the children of every class may have equal opportunities for education. While I believe that the education of the child belongs primarily to the parent, I believe that it is the business of the state to provide such means of education as shall qualify the children to discharge intelligently the duties of citizenship when they become citizens. But we are not moving in that direction by the double system proposed under this Bill. This question could easily be settled without interference by this Government and this Parliament. We need go no further than the province of Nova Scotia or the province of Prince Edward Island where a system similar to that which Manitoba seeks to establish is in operation without serious complaint from anybody. But this Government, when it was decided that there was a grievance, should have called upon the government of Manitoba to send delegates to a friendly conference. The result of the conference that has been held, disadvantageous as were the circumstances attending it, has shown what opportunities for settlement the Government have lost. It has been clearly established that Manitoba desires to remedy all grievances that can be remedied. This Government have never made an honest effort to settle the question nor have they ever done justice to the province of Manitoba, In the settlement of this question it is not alone the interests of Manitoba that will be affected, but the interests of the North-west country. We believe that great, populous and wealthy provinces will be formed out of that territory, and the system of education they will adopt is very likely to be, to a considerable extent, moulded upon that which will prevail in Manitoba. Therefore, we see how very important it is that the system in

Manitoba should be one that is adapted to the people of the province, and the best calculated to promote general education among them. Let me say that the policy adopted by the Government in forcing this measure through the House, by compelling us to sit night and day till Saturday, is something that would not be permitted in any other free country. I am astonished to see some hon. gentleman who voted against the second reading of this Bill, now aiding and abetting the Government in attempting to pass a measure which is intended to coerce Manitoba, after they had stood up and declared by their vote against the second reading, that they were not favourable to the passing of this measure. I am convinced that should the Government push this Bill through and should it become law, instead of giving peace and harmony, good will and satisfaction, either to the minority or to the majority of the people of Manitoba, it would produce the very contrary results, I am convinced that the great mass of the people of this country will condemn the Government for the course they are now pursuing. I believe that in the province of Ontario, even the Catholic minority, who enjoy separate schools, are not in accord with the Government in attempting to push this measure through the House of Commons. Therefore, I feel it my duty to my constituents to stand up and, so far as my weak power will enable me, assist in preventing this obnoxious Bill from becoming law during this present session. I am doing this even in the interest of the minority of the province of Ontario. In my own riding there is a large number of Roman Catholic voters, gentlemen whose feelings and whose views I highly respect. I have found them a respectable class of the community, a class that can be thoroughly relied upon, and whose promises made to me they have always fulfilled. We have the best evidence for believing that the Catholic people of Canada are opposed to the Government, by the evidence that is furnished in the by-elections that have taken place in the provinces of Quebec and Nova Scotia. So far as the recent election in West Huron was concerned, this school question was one of the principal questions upon which the people were called to pronounce. The hon. gentleman who now represents that constituency (Mr. Cameron) freely expressed his opinion on the platform, and announced himself as opposed to the passage of this Bill, and the people returned him at the head of the polls; whereas, the gentleman who opposed him in the Conservative interest, was very cautious in what he said, and it only came out after the election had terminated, that he had played a double part, and that he had not gone before the people upon the real merits of the question. I believe that the people of Canada are keenly alive to what is going on in this Chamber, and they are astonished that any statesman in the nineteenth century should adopt such tyrannical measures as are being adopted here to-day, measures which would only do credit to the Czar of Russia. This Government are endeavouring by mere brute force to pass this Bill, instead of endeavouring to convince the members by argument and moral suasion. The Minister of Justice has come before us and declared that he cannot give explanation of many clauses of the Bill, and the Minister of the Interior has declared that he believes a certain part of this Bill is unconstitutional. Another clause has been passed over, and left for future discussion. These things show most conclusively that the Government themselves have no faith in the Bill. I appeal to those hon. gentlemen sitting behind the Treasury benches, and who voted against the second reading, if they have a spark of independence left in their body, let them stand up and manfully oppose the policy of the Government, and defy the threat of the Secretary of State to read them out of the Conservative party.

Mr. INNES. As more than one member of the committee has expressed the opinion that the proposals made at the Winnipeg conference, by the delegation from the Manitoba government, might yet take effect, it may be well to examine what those proposals are. The suggestions that were made by the delegates on behalf of the Dominion Government, were as follows:—

> Legislation shall be passed at the present session of the Manitoba legislature to provide that in towns and villages where there are resident, say twenty-five Roman Catholic children of school age, and in cities where there are, say fifty of such children, the Board of Trustees shall arrange that such children shall have a school-house or school-room for their own use, where they may be taught by a Roman Catholic teacher; and Roman Catholic parents or guardians, say ten in number, may appeal to the Department of Education from any decision or neglect of the Board, in respect of its duties under this clause, and the Board shall observe and carry out all decisions and directions of the Department on any such appeal.
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> Provision shall be made by this legislation that schools wherein the majority of children are Catholics, should be exempted from the requirements of the regulations as to religious exercises.
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> That text-books be permitted in Catholic schools such as will not offend the religious views of the minority, and which, from an educational standpoint, shall be satisfactory to the advisory board.
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> Catholics to have representation on the advisory board; Catholics to have representation on the board of examiners appointed to examine teachers for certificates.
>
> It is also claimed that Catholics should have assistance in the maintenance of a normal school for the education of their teachers.
>
> The existing system of permits to non-qualified teachers in Catholic schools to be continued for, say, two years, to enable them to qualify, and then to be entirely discontinued.
>
> In all other respects the schools at which Catholics attend to be public schools, and sub-

ject to every provision of the education Acts for the time being in force in Manitoba.

A written agreement having been arrived at, and the necessary legislation passed, the remedial Bill now before Parliament is to be withdrawn, and any rights and privileges which might be claimed by the minority in view of the decision of the Judicial Committee of the Privy Council, shall, during the due observance of such agreement, remain in abeyance, and be not further insisted upon.

DONALD A. SMITH,
ALPH. DESJARDINS,
A. R. DICKEY.

It will be observed that there is a condition imposed on the Manitoba government which in the nature of things they could not be expected to accept, becaue the Act of 1890 was designed to do away with the separate school system which this arrangement proposes to re-establish. We know that the separate school system as establisned in 1871 and continued to 1890 entirely failed to fulfil the object in view, entirely failed to keep up the character of the school system, and fell below it, because it has been shown by evidence that cannot be doubted that the schools instead of being kept up to the standard of 1871 fell back, and disappointed the expectations of the minority who are now appealing for redress. Besides, there are inconsistencies in the proposition made. It has been shown that by establishing a separate board and still continuing part of the power to the Board of Education under the Government, it would not be a workable scheme I now call attention to the answer given by the delegates of Manitoba. They said:

> We have had under consideration the memorandum handed to us on the 28th instant, containing your suggestions for settlement of the Manitoba school question, and have the honour to submit herewith our reply thereto.
>
> We desire, first, to refer to the understanding upon which the conference was proceeded with. You will remember that we thought it necessary, before proceeding with the discussion of the question involved, to stipulate:
>
> First—That while the conference was proceeding, the Remedial Bill now before Parliament should be held in abeyance, and no proceedings taken thereon in the meantime, provided that the conference did not extend beyond Tuesday next.

We all know that this compact was departed from by the Dominion Government, and this breach of faith lies at the door of the Secretary of State, who has been guilty not only of breach of faith in this instance, but in other instances. We know that from the first the province of Manitoba has not been treated in that fair and generous spirit which ought to have been shown, and in my opinion if we had started in a different manner the province would have acted differently; at the same time I am bound to say that throughout they have behaved in a calm and judicial spirit, not actuated by prejudice, but seeking to meet the Dominion Government as far as possible consistent with the stand they have taken in favour of the system of national schools, started in 1890, which they are determined to maintain. They further say:

> Second—That in the event of an agreement being reached for settlement the Remedial Bill should be at once withdrawn, and the execution of the terms of the agreement left to the parties.

That also has failed to be done. We are in a prolonged discussion which commenced on Monday afternoon, in the course of which it has become evident that the Government are bent on forcing through this Bill without regard to the wishes of the people of Manitoba, who have expressed more than once their determination to oppose this imposition, as was shown by the verdict of the people given a few months ago when the provincial government was sustained by an overwhelming majority. They continue:

> These stipulations were agreed to by yourselves without hesitation, but notwithstanding such agreement, and in violation of its terms, the Remedial Bill was advanced a stage in the House of Commons on Saturday morning. While not desirous of taking advantage of this departure from the conditions upon which the negotiations were opened, we deem it due to ourselves to protest against the course thus pursued by the Government, by which you were commissioned.

If the delegates of the Manitoba government had chosen to act as the Government has done towards them they might have consistently, and rightly so, refused to go on with negotiations. But they were anxious to come to a compromise if possible, and so for the time being they forgot the breach of faith of which this Government was guilty and proceeded with the conference. They go on to say:

> We regret that we are unable to accede to the terms of the proposition submitted to us. A study of its details reveals the fact that it involves much more than would appear at first sight. The objections are both general, that is to say, as to principles involved, and special, that is to say, as to practical operation.
>
> An amendment to the School Act, embodying the terms of the memorandum, would divide the population for educational purposes into two classes, Roman Catholic and Protestant, giving to the Roman Catholic population distinct and special privileges as against the remaining portion of the people. It would establish a system of state-supported separate schools for the Roman Catholic people, and would compel their support by the school taxes and legislative grants. Not only so, but the whole school organization, text-book regulations, constitution of advisory board, board of examiners and normal school would be modified to bring it into accord with the separation principle, to an extent not usual even in places where regularly constituted separate schools systems obtain.

Hon. gentlemen will see that the proposal of the delegates of the Dominion Government was to re-establish separate schools. We know that with one exception, and that is Ontario, where separate schools are guaranteed by the Confederation Act, we have no separate school system in the whole of the Dominion. A separate school system existed for twenty years in Manitoba owing to exceptional circumstances, because at the time the Act was passed, and for several years subsequently, the population was largely composed of the class who now form the minority, but as immigration flowed in the previous majority became the minority, and the separate school system became so inferior, and was going from bad to worse, it became the duty of the legislature to pass the School Act of 1890, which abolished separate schools and established the public school system. The document goes on to say :

> In the Order in Council of December 20, 1895, transmitted to the Federal Government as embodying the views of the Manitoba government upon the question, it is stated that the proposal to establish a system of state-aided separate schools in any form cannot be agreed to. That Order in Council was taken as the basis of the policy of the government upon the question in the late general provincial election, and upon it the government was sustained. It is clear, therefore, that we are precluded from accepting the proposition which has been made. Such acceptance would, in our opinion, be a direct breach of faith with the people of our province.

It is not likely after the last general elections in Manitoba, when not only the Liberals, but the Conservatives were united in condemning separate schools and in favour of the continuance of the national school system, that the government of Manitoba would accede to the request of the delegates of the Dominion Government. They would have been guilty not only of a breach of faith, but they would have imperilled their own existence. Any government which would propose to re-establish separate schools in Manitoba would not have one hour of life. The document proceeds :

> Apart from the fundamental objection above stated, we think it due to you to state somewhat in detail a few of the practical objections to your proposal.

I call attention to these objections, because if hon. gentlemen read them they would give more dispassionate consideration to the subject than can be given by the special pleading which has been indulged in largely, especially on the other side of the House. It continues :

> As to the first clause :
>
> 1. Separate schools under this clause would result in a teacher having under his charge a comparatively small number of pupils of various ages and degrees of proficiency. The school could not, therefore, be properly graded, and could not attain the degree of efficiency reached by public schools in cities, towns and villages. Grading of classes and mutual competition would be destroyed. The separate school would, therefore, of necessity, be inferior. Experience elsewhere will prove the truth of this contention.

The experience had in Manitoba during twenty years of the existence of separate schools fully establishes this fact. Manitoba is not like any of the provinces of the Dominion ; it is not like Ontario, which is comparatively well populated, and where schools can be established in every school section with a fair school population. In Manitoba the population, in many parts, is widely scattered, and in many cases only eight or ten families live within a convenient distance so as to have a school established. So it would be practically impossible to have two systems workable. The document continues :

> 2. The organization of the separate school would be compulsory. Neither the Roman Catholic parents nor the school trustees would have any option. The voluntary idea upon which, almost universally, school organization depends, and which rules even in Ontario, where there is a fully developed separate school system, is entirely eliminated.

This, in itself, would be a very grave objection to the passing of this Bill, because it would require the compulsory establishment of separate schools in that province, whereas, in Ontario, it is left to the option of the Roman Catholics themselves whether a separate school should be established or not. We know, as a fact, that about 50,000 of the Roman Catholic school population in this province attend, not separate schools, but our common public schools, where they receive a first-class education, where there is not the least interference with their religious prejudices, and if the parents do not choose to allow their children to remain during the religious exercises, they can leave for the day. But in this case it would be compulsory, not only for a few years, but for all times. The very idea, in the nineteenth century, of forcing on a free people a system such as this, and this to be done by an outside power like the Dominion Parliament, is repugnant to all men of independent spirit, and there is no wonder that the people of Manitoba feel indignant that we should try and force at the tail end of a sixth session, such a system on them. The document proceeds :

> Given the requisite number of Roman Catholic children of school age, and the law would compel the separation without regard to the wishes of the parents or the trustees, and equally without regard to the ability of the district to maintain another school. It is most probable, also, that in such a case it would be held that the Roman Catholic children had no legal right to attend the public school. Thus we would by law compel Roman Catholics to separate themselves and deprive them of the right to send their children to the public schools. There seems to be no precedent even in separate school legislation for such a provision.

Here is another insuperable objection to the passing of this measure. Not only would Roman Catholic children be compelled to attend their own separate schools, but they would be precluded by the provisions of this Act from attending the public schools. It seems to me this is a piece of rank tyranny. This Parliament has no right to dictate, or to interfere with a parent's right or judgment as to the school to which he shall send his child. A Roman Catholic may have well-grounded objections to sending his children to a separate school, but in the event of this Bill passing, he would be precluded from sending them to the public schools. Another objection is thus pointed out :

> 3. In many cases it would be impossible to provide a separate building, and the Roman Catholic children would, therefore, be assigned a room in the public school. It seems beyond dispute that nothing could be worse than the separation of children into two distinct bodies within daily view of each other.

Then, again :

> The financial objections would be serious. A voluntary separate school system, such as exists in Ontario, or such as we had in Manitoba prior to 1890, could only be put into operation where the Roman Catholic rates, added to the legislative grant, would be sufficient to maintain the school, but under the plan proposed, this idea is not recognized. If the number of Roman Catholic children are to be found, a school must be provided and maintained. By whom ? By the public school trustees. The rates paid by the Roman Catholic taxpayers might be only one-tenth of the cost of the school, yet the rest of the district must maintain it. As a matter of fact, in a great majority of cases in cities, towns and villages in Manitoba, the contributions of the Roman Catholic ratepayers would only be a fraction of the cost of maintaining the school. As a result, the bulk of the expense would require to be met out of the taxes paid by the non-Catholic ratepayers, and the school would, therefore, be an additional and unnecessary charge upon the school revenue, already in every case heavily burdened. It would be hard to conceive of a more indefensible and offensive method of compelling one portion of the people to pay for the education and sectarian religious training of the remainder, and to maintain a separate denominational school, to the principle of which they were opposed.

This, also, would be a strong objection to carrying out a system of separate schools, because it would not only be a burden, on the Catholic ratepayers themselves, but an unjust burden on the ratepayers of other denominations. Again, the question naturally arises, how are the funds in the first instance to be raised for this purpose ? By the 74th clause in the Bill, there is provision made, but we know that neither this Government, nor any other government, can compel the government of Manitoba to give one cent for the establishment and maintenance of those schools. How, then, is this Government to get over that difficulty, even though they manage to pass this Bill, and make it law ? Here is another objection, showing how unworkable this scheme is :

> 5. It is quite clear that such a plan would prove unworkable. The non-Catholic people would continually struggle against supporting what they would consider to be an unjust burden. The trustees elected would probably be in accord with the views of the majority, and might prove hostile and refractory in carrying out the details of the scheme. Altogether it is clear that a most unhappy state of affairs would result. We believe there is no justification for substituting such an arrangement for that which now exists. At present in every city, town and village in the province outside of Winnipeg and St. Boniface, the Roman Catholic children attend the public schools. Not a word of complaint is heard. Absolute contentment and satisfaction prevails. The children have the advantage of efficient instruction, and numbers of them are qualifying themselves to become teachers in the public schools. We do not hesitate to say that not only is there no desire to separate, but, if left to themselves, the Roman Catholic people in the cities, town and villages outside of Winnipeg and St. Boniface, would not consent to a change in the direction indicated.

Not only is this scheme unworkable, but, as has been pointed out, we see that the public school system is being worked under the Act of 1890 to the satisfaction of the Roman Catholic minority. We have no knowledge of any petitions from the Roman Catholic minority of Manitoba being presented to this House in favour of the Remedial Bill. We have, on the contrary, the statement of the delegates who know of what they speak ; that, outside of Winnipeg and St. Boniface, Roman Catholics attend the public schools, that there is no complaint on their part, and that many of those young men and women are qualifying themselves as public school teachers. What more proof would this House require that the public school system, as established and operated in Manitoba, is giving satisfaction, not only to the Protestants, but also to the larger portion of the Roman Catholic people ?

> 6. It would be idle to say that such a plan would not impair the efficiency of the public schools. Such efficiency depends in the main upon the sufficiency of the school revenues. Given a sufficient revenue, the people under the stimulating action of the department may be depended upon to have a good school. The school taxes are now a heavy burden, and one of the ever-present questions in municipal finance is to decide how much the people can afford to pay for their schools. Subtract a substantial sum, such as would be necessary to maintain the separate schools, and nothing can be more certain than that a general lowering of the standard of efficiency of the public schools would result.

It is very evident that in Manitoba, with its sparse population scattered over a wide area of country, it is a very difficult thing for the ratepayers to maintain their schools, even with the liberal grant—as liberal as their finances will allow—given by the province. A large portion of the land is owned by non-residents. Some years ago, the Manitoba government, feeling that if they did not impose a tax upon the land of non-residents, the maintenance of the schools would prove an intolerable burden, imposed such taxes as enabled them to conduct their schools with efficiency. The document then goes on to consider the subject of religious strife, and to this I would ask particular attention :

> As to clause 2 :
>
> The effects of this clause would be to absolutely divest the legislature and government of control of the schools, so far as religious exercises and teaching are concerned. Where a majority of the pupils are Roman Catholics, doctrinal religious teaching without any restriction or control might go on at any hour or at all hours. The schools might be in effect, so far as religious teaching is concerned, church schools.

Which they practically were before the Act of 1890 came into effect, as we know by indisputable evidence, evidence that has not been denied.

> It might be said that if religious teaching were carried on to the detriment of secular education the department might withhold the grant. Even if this were done the school trustees would be compelled to carry on the school, and the penalty would be suffered by the ratepayers. Apart from that, however, the remedy is apparent rather than real. In actual administration we know, from experience, that it is most difficult to decide on the withholding of a grant on account of inefficiency. Repeated and troublesome inquiries have to be made, conflicting opinions have to be weighed, and in the end it is doubtful what course should be followed.

It is natural enough that if such a system were established it would be very difficult to prove the inefficiency of the schools. Repeated and troublesome inquiries would have to be made :

> Moreover, the withholding of a grant from a separate Catholic board, established in pursuance of a treaty of settlement, would almost inevitably be charged to be a violation of the spirit of the treaty.

If complaint was made that these schools were inefficient, it would at once be ascribed to the Government's opposition to the organization and establishment of such schools :

> Another feature of this clause is the effects on non-Catholic children. What would become of them while the religious education of the majority was proceeding ? Under our present conscience clause there is no possibility of trouble to any class. In the memorandum there is no safeguard. We know by experience that in schools where there was a Protestant minority under the old system most bitter complaints were made of the inability of the non-Catholic children to properly progress with their studies owing to the time of the school being taken up with religious instruction. The same result would inevitably follow in an aggravated degree if we were unable to control the holding of religious exercises in every case where the Roman Catholic children were in the majority. It is our belief that in such case the schools would be of little benefit to the non-Catholic minority. In view of the above remarks it will be unnecessary to deal at length with the other proposals contained in the memorandum, and our remarks thereon will therefore be confined to a brief space.

Now they come to deal with the question of books and the normal schools. We had a long and acrimonious debate upon the subject of books to be provided under this Act :

> As to text-books. It will be impracticable to provide by statute that the text-books should be satisfactory to the Roman Catholic minority, but we have no doubt that if other points could be agreed upon an arrangement could be arrived at on the text-books question which would be mutually satisfactory. We regard this part of the difficulty as comparatively easy of adjustment. We would have no objection to the Catholic people being represented upon the advisory board and the board of examiners. In point of fact his Grace the late Archbishop was offered a seat on the advisory board, but we see no practical way of embodying such a provision in the statutes. The effect of such a statutory provision would be that the boards would not be legally constituted without Catholic members, and the legal constitution of the board might be disturbed by the resignation of the Catholic members or the refusal of the Catholic nominees to accept office. It would also be impossible to give a statutory privilege of representation to one religious denomination without according the same privilege to others.
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> The proposal to adequately assist a separate normal school we could not consider. It would be absolutely unjustifiable. The normal school is a technical training school for teachers. We endeavour to raise it to the highest possible standard by devoting to it as much of the school funds as can be spared. There can be no argument advanced in favour of dividing the funds, or of separating Roman Catholic teachers in process of training from the others. The Roman Catholic teachers would not be prevented from acquiring religious instruction elsewhere, but it is clear that their own educational interests and that of the schools to be placed under their charge would be best served by their attendance at the provincial normal school.
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> As to the question of permits, the proposition in the memorandum might be agreed to by the Government, to be carried out as a matter of administration.

I need not dwell upon the clause relating to the normal schools, because I think it will be a long time before we see the establishment of a normal school in connection with the separate school system established under the Bill. They then go on to deal with the subject of breach of faith :

> The last clause of the memorandum, referring to the terms upon which the Remedial Bill would be withdrawn, is not, it is submitted, in accordance with the understanding arrived at upon the opening of the conference. The understanding was that in the event of a settlement being made the Remedial Bill should be immediately withdrawn. The passing of the necessary legislation and the carrying out of the terms of the settlement were to be left to the parties. The clause of the memorandum referred to is therefore a departure in that it requires as a condition of the withdrawal of the Remedial Bill that legislation to carry out the terms of the settlement, if made, should be enacted before the withdrawal of the Bill. Apart from the understanding which was had, it would be impossible to accede to the terms of the last clause. The legislature cannot meet until the 10th of April, and under

> the ordinary procedure the government could not undertake to have a Bill passed before the 25th of April, the day upon which the Dominion Parliament expires by effluxion of time.
>
> It will be seen from the above remarks that the plan proposed involves the establishment of a state-aided denominational system of separate schools which, in practical effect, would carry with it the evils of the system which prevailed prior to 1890, and would also involve grave additional evils and difficulties of which we have not hitherto had experience.

This paragraph shows, it seems to me, that the Government here never desired or intended to withdraw this Bill although the Manitoba government were led to believe that that would be done. The Government here seem to have made up their minds to proceed with this Bill for their own political purposes, while they sent delegates to Manitoba to make a feint at effecting an arrangement, which I believe they never hoped to do. The objections are summarized as follows :—

> 1. The statutory division of the people into separate denominational classes.

That is manifest.

> 2. The necessary inferiority of the separate schools.

That is admitted.

> 3. Impairment of the efficiency of the public schools through division of school revenues.

That is admitted.

> 4. The burdening of non-Catholic ratepayers by compelling them to maintain separate schools.

That is also admitted.

> 5. The according of special privileges to one denomination, which could not on principle be denied to all the others, but which in practice could not be granted to such others without entire destruction of the school system.

This also is admitted.

> It will not, therefore, be a matter of surprise to you that we are unable to accede to the proposition we do, or any proposition based upon similar principles.

If a measure like this granting the organization of separate schools to the Roman Catholics were passed, why should not the Mennonites be given the same rights, why should not the Lutherans, the Icelanders and every other sect be accorded the same rights, and if this were done the public school system would be frittered away. If the state considers it its duty to carry on the system of public schools, it must refuse to recognize any sect or race. Now we come to the offer made by the province of Manitoba, and here I would direct the particular attention of the House to what they say, because I consider it is an unanswerable document and that the offer it gives is of the most liberal character. The delegates say :

> We have promised, however, to make good the promise to remedy any well-founded grievance, if such exists, and we therefore submit a plan of suggested modifications, which we believe to be free from objections upon principle, and which, in our opinion, will remove any such grievances, and at the same time in no way affect the efficiency of the public school system, or deprive the Roman Catholic children of the privilege of participating in the same educational advantages enjoyed by the rest of the people. Our proposition is in the form of an alternative :—
>
> First, should it be accepted as a satisfactory measure of relief to the minority, and as removing their grievances, we hereby offer to completely secularize the public school system, eliminating religious exercises and teaching of every kind during school hours. We desire it to be understood in connection with this proposition that it is made as a compromise offer, and not as embodying the policy which the government and legislature of the province are themselves desirous of pursuing.

I believe that when the Act of 1890 was introduced it was on the lines of secular education, but in deference to a very large number of people belonging to the Protestant denomination religious teaching was made optional. We know that an objection largely made against the present system by the minority was on these lines, they asserting that the schools were Protestant schools, though such statements were denied on the ground that whatever religious teaching was given was of a character not objectionable to Roman Catholics any more than to Protestants :

> We are willing, however, to adopt such a measure in order to attain a settlement of the dispute.
>
> Second, in the alternative, we offer to repeal the present provisions of the School Act relating to religious exercises, and to enact in substance the following : " No religious exercises or teaching to take place in any public school, except as provided in the Act. Such exercises or teachings, when held, to be between half-past 3 and 4 o'clock in the afternoon." If authorized by resolution of the trustees, such resolution to be assented to by a majority, religious exercises and teaching to be held in any public school between 3.30 and 4 o'clock in the afternoon. Such religious exercises and teaching to be conducted by any Christian clergyman whose charge includes any portion of the school district, or by any person satisfactory to a majority of the trustees, who may be authorized by said clergyman to act in his stead ; the trustees to allot the period fixed for religious exercises or teaching for the different days of the week to the representatives of the different religious denominations to which the pupils may belong, in such a way as to proportion the time allotted as nearly as possible to the number of pupils in the school of the respective denominations. Two or more denominations to have the privilege of uniting for the purpose of such religious exercises. If no duly authorized representative of any of the denominations attend, the regular school work to be carried on until 4 o'clock. No pupil to be permitted to be present at such religious exercises or teaching if the parents shall object, in such case the pupil to be dismissed at 3.30 Where the school-room accommodation at the disposal of the trustees permits,

> instead of allotting different days of the week to different denominations, the trustees to direct that the pupils shall be separated and placed in different rooms for the purpose of religious exercises as may be convenient.

I think that this is a very liberal offer indeed and one that might consistently be accepted by the minority, as it assures their children of a good education, while getting religious exercises under a mutual arrangement which could readily be made for each school section. The only point is that they are determined to have what they call separate schools. But I do not see why they should not in all reason accept this other mode, because it gives them really what they contended for as really valuable under the old system :

> We believe that the foregoing proposal will remove any well-founded grievance. If the objection of the minority be that the schools are Protestant, as alleged in some of their petitions, then the objection can be fully and finally disposed of by complete secularization.

That seems not to be the wish of the Government, and I think it would not be the wish of the people, as was shown when the Act of 1890 was under discussion :

> If the real objection be the desire to have, along with efficient secular education, proper religious training, then the second plan proposed offers an effective method of attaining the object desired ; in fact it is difficult to conceive what better plan could be proposed, even were wé dealing with a system of schools entirely Catholic. It would be, in any event, necessary to have some general provision as to the time allotted for religious exercises and teaching. The individual school could not be permitted to act without restraint. The time suggested seems to be a reasonable and sufficient proportion of the school hours, and the hour in the day is undoubtedly the most convenient for the operation of the conscience clause. At the same time no distinction of any kind between denominations would be made. Absolutely equal rights would prevail. Non-Catholics desiring a greater amount of religious instruction than is given at present might carry out their views. While this desirable end would be accomplished, the uniformity and efficiency of the schools to which the children of all denominations would go would remain absolutely unimpaired and unaffected.
>
> CLIFFORD SIFTON,
> J. D. CAMERON.

Here we have a proposal to adopt the system that has been in practice for years under the Public Schools Act in Nova Scotia, in New Brunswick and in Prince Edward Island, and entirely to the satisfaction of the minority as has been stated here more than once.

The Secretary of State takes pride in saying that he was the author of the Nova Scotia School Act, the terms of which are on the lines proposed by the Manitoba delegates. I cannot see why the Manitoba minority cannot accept the same conditions, and why the plan that has worked well in Nova Scotia might not also work well in Manitoba. Now, we come to the reply of the Ottawa commissioners to the delegates of the Manitoba government :

> Gentlemen,—We beg leave to acknowledge your communication, dated yesterday, and written in reply to our suggestions for a settlement of the Manitoba school question. We regret to find that there has been some misapprehension as to any understanding upon which the conference was proceeded with. As to the first of those matters mentioned by you, we understand the facts to be that you insisted that no further consideration of the Remedial Bill should be pressed for by the Dominion Government until to-day (Tuesday), and that we directed your attention to the announcement to that effect in the newspapers of the day, and having every desire to meet your wishes, we further promised to communicate with the Dominion Government, asking that the Bill be not taken up on Friday. This communication we sent, and we were as much surprised as yourselves to find that late on the night of the Friday sitting the Bill was advanced a stage. We cannot say what consideration forced the Government to the conclusion that this step was necessary, and we sincerely regret that any misunderstanding has arisen as to a point upon which we carried out what we believed to be our engagement, and upon which we did all we could to have your wishes observed.

The explanation given by the delegates here, and the regret they have expressed that this understanding was not carried out by the Government in Ottawa, does infinite credit to the honour of the delegates. They express their regret that this agreement had not been carried out ; but the leader of this House has not expressed regret that he was guilty of a breach of faith.

> As to the second matter which you mention, there seems to have been a clear and, perhaps, not unnatural misunderstanding between us. We understood you to stipulate that, when the school question was settled, the Remedial Bill would be withdrawn, and we did not mean to lead you to believe that this was to take place as soon as an agreement was arrived at between us, and the concluding paragraph of our suggestions, therefore, expressed our understanding of what was originally agreed upon. We refer to those questions, which are in themselves unimportant, in order to remove from the controversy all matters of personal character.
>
> A few words are necessary as to the character of our memorandum. It was put in general terms as a suggestion basis, upon which our future discussions might proceed with a view to a possible agreement of all parties interested.

This may be true enough that the proposal made by the delegates from Ottawa was simply suggestive. But we find out afterwards that there was no disposition on their part to modify those suggestions, or the basis of agreement that they first laid down. So it appears they went there with suggestions already cut and dried, and there was no inclination to modify them to suit the views of the Manitoba delegates.

> It is, therefore, open to some of the objections raised by you, inasmuch as it does not deal with details, and professes only to lay down broad

lines upon which legislation might be drawn. In addition to this we must promise that sufficient weight is not given by you to the undoubted legal position of the Roman Catholics. Under the judgment of the Judicial Committee of the Privy Council and the remedial order they certainly have important legal rights in connection with separate schools, and while the Dominion Parliament may have jurisdiction to enforce some or all of these rights, it is universally asknowledged that this could be done with more advantage to all parties by the local legislature, and for this reason we are holding this conference.

A discussion of the disadvantages of separate schools is, therefore, in our view, not relevant to the present situation, and is likely to raise misleading issues. In our view, much of your argument misses its mark because you have not recognized the present position of affairs and dealt with our suggestion as compared with a regular system of separate schools such as might be established under the Remedial Bill, or under the old system, but have rather confined your attention to maintaining that our proposition would involve some of the drawbacks of these other schools. We deeply regret that you have felt obliged to reject our proposition, and with all deference it does not appear to us that the objections, general and special, which you urge are such as to necessarily involve so serious a step.

It would serve no useful purpose for us to support our views with any detailed argument, but some general considerations may be advanced as to the three objections upon principle which you mention, viz. : 1st. That our plan would divide the population into two classes, Roman Catholics and Protestants, giving the former class privileges as against the latter. 2nd. That it would establish a system of state-supported separate schools ; and 3rd, that the whole school organization would be modified to an unusual extent to bring it into accord with the separate school principle.

Now, here is what the delegates have to say in support of these three propositions which they have laid down. Let me observe that under the old system of separate schools which was in vogue from 1871 to 1890, the separation between the two classes was kept up, and if this Bill became law, there is no doubt the same separation would be continued.

As to the first of these objections we may observe that the separation of the Roman Catholics as a class does not arise from our suggestion. It is made by the constitution, and arises as to them because they happen to be a minority of the population. It is inaccurate to say that any privilege is given to them as against the rest of the population. It is only the rights conferred on the minority by the constitution that are in question. The problem presented in the school question is to secure to them their just and lawful privileges under the constitution in such a manner as to cause the minimum of interference with the public school system of Manitoba, and in that view we think our suggestion has merits.

Here again comes the difficulty that the Act of 1890 having been pronounced constitutional by the highest court in the realm, this proposed Act, if passed, would at once clash with the Act of 1890. So far as I can see, I cannot understand how it would be possible to carry out this Act and make it effective, because the two Acts will certainly clash with each other.

As to your second objection, we may observe that the Roman Catholic population contribute their share of all taxation for schools, and, in return, are entitled to obtain education for their children. It is now a question of the mode of that education, in view of the rights held by the minority under the constitution. The contention that the system we propose would be unduly expensive, and the limitations on ordinary separate school privileges embodied in our proposition will be considered later on. In so far as there is any principle violated by the application of taxes to the support of schools in which Roman Catholic doctrines are taught, your alternative suggestion would seem to be quite as objectionable as ours.

In reply to your third objection, we beg to urge upon you that the changes we suggest are much less than what we understand to be involved ordinarily by the establishment of separate schools. We do not insist upon normal schools. As to text-books and representation on the boards, as a matter of practice and administration, we find that you raise in point of fact, no objection. We do not ask that the Roman Catholics have a separate right to elect trustees or otherwise to have any special representation on the board of trustees, being content with the protection afforded by an appeal to your own Department of Education, and in this respect our proposals very materially limit what is always considered the privileges essential in connection with a separate school system. The proposed schools would be controlled by trustees elected by the whole body of ratepayers under the provisions of your school law. There does not seem to be any adequate foundation for your remark that the carrying into effect of our suggestion would involve a modification of school organization greater than usual in cases of separate schools. We desired to minimize such modification and think, to some extent, we succeeded.

As to your first objection in detail, we submit that, under existing conditions, there would not arise any great practical inconvenience, as in most of the localities affected the Roman Catholics are sufficiently numerous to afford all necessary facilities for grading and competition. In any event, it must be quite clear that the standard of efficiency maintained would naturally be higher than can be reached by Roman Catholics, who refuse, on conscientious grounds, to attend the public schools, and are, therefore, obliged to maintain schools from their own private means, and without the aid of the legislative grant. Considering the question of efficiency alone, we think it cannot be denied that the state of affairs under the system we suggest would be much better for the community than that which would obtain under existing conditions, or under the Remedial Bill, if it became law.

And if this is so, even the argument from efficiency is all upon the side of bringing the Roman Catholics amicably within the public school system by some such method as we suggest.

Your second objection in detail seems founded on a misapprehension. Our memorandum was drawn in general terms, and did not in any sense intend to exclude the principle of election on the part of Roman Catholics, a principle which is elementary and which is embodied in the Remedial Bill.

Then they discuss the question of finances :

As to your third objection, we cannot agree that there would be any special disadvantages in having Roman Catholic children in a separate room as distinguished from teaching them in a separate building. It would seem to be quite as objectionable on principle to separate them for religious exercises, as one of your own suggestions would involve. We cannot altogether follow your reasoning with respect to the financial objections. As before stated, the Roman Catholics must pay their share of the taxation, be it great or small, and in return they have a right to educational privileges. The school laws are full of financial anomalies, as occurs for example, in the case of a wealthy man without children, as compared with a poor man who has a large family. You observe that in Ontario and in Manitoba, prior to 1890, a separate school could not be established unless the rates with the legislative grant could maintain it, and suggest that our proposition is faulty in that this is not recognized. Your argument on this head loses weight when it is considered that we proposed that there should be in towns and villages twenty-five, and in cities fifty Roman Catholic children before they could ask for a separate room or building, while under the old law, before 1890 under the Remedial Bill, and even under your own existing law, the presence of ten children only is necessary to the establishment of a school district.

Here again we observe the difficulty that there would be under this system. Where a school might be established for ten children only, the expense in a sparsely-settled district would be exceedingly onerous upon the parents ; for, as I have already pointed out, even though this Bill were enacted into law, the provincial government cannot be compelled to make any grant for the organization and maintenance of separate schools.

We must again direct your attention to the evident advantages in point of economy in the system we propose, over the old system, over the schools under the Remedial Bill, and particularly over the existing state of affairs, where an important section of the public has to pay school taxes in addition feels compelled, from conscientious motives, to educate their children at their own expense.

There would be no expenses of organization, either general or local. The utmost that can be said is that it would cost the whole community the increase in expense, if any, which would necessarily be involved in the Roman Catholic children being educated together in one room or in one building, as compared with educating them scattered amongst the rest of the school children. It is only in small mixed communities that this could be a serious item. We note your objection that this would be an offensive method of compelling one portion of the people to pay for the education and sectarian religious training of the remainder, and must again remind you that, in principle, your own alternative suggestion is equally objectionable, because conceivably, the Roman Catholics, under your system, might pay a comparatively insignificant share of taxation, and yet you propose that their religion shall be taught them in the schools.

We must further draw your attention to the flagrant injustice of the present system, which compels Roman Catholics to contribute to schools to which they cannot conscientiously send their children, and we beg to submit that this fact deserves due weight and consideration. It is to be further noted that the Roman Catholics earnestly desire a complete system of separate schools, on which only their money would be expended, a state of matters which would meet the observation under consideration, but which you decline to grant. Our suggestion was to relieve you from the necessity of going as far as this. It is, perhaps, impossible to devise a system that would be entirely unobjectionable theoretically and in the abstract. We had great hope that what we suggested would commend itself to your judgment as a practical scheme doing reasonably substantial justice to all classes, and securing that harmony and tranquility which are, perhaps, more than anything else to be desired in a young and growing community, such as is now engaged in the task of developing the resources of Manitoba.

The ground taken in your fifth objection has been touched on in the preceding remarks. As to clause 2 of our memorandum, your objections could be met by provisions as to detail. If desired, the privileges of teaching religion could be limited to a certain time in schools attended by Roman Catholics.

The point that provision should be made for non-Catholic children is certainly well taken, and is quite in accordance with our views, which were, in this respect, imperfectly expressed in the memorandum. Neither of the propositions which you make would, as it appears to us, remove the sense of unjust treatment existing amongst the minority, nor would they possess the elements of permanency, and freedom from friction in administration, which are certainly necessary for a final and peaceable solution of existing difficulties.

We once more appeal to you in the interests of the whole population of the province, indeed, of the Dominion, as well as in the interests of the minority, to reconsider the decision at which you have arrived, and to make some proposal that we could regard as affording a chance of settlement which we so earnestly desire.

DONALD A. SMITH,
ALPH. DESJARDINS,
A. R. DICKEY.

Then we come to the final reply given by the delegates of the government of Manitoba :

Gentlemen,—We have the honour to submit herewith our views upon your memorandum of yesterday. As remarked by yourselves in your memorandum, a lengthened reference to the objections raised to your first suggestions will not serve any valuable purpose at the present stage of the discussion. Our purpose in stating the objections was to give you our view as to the results which would follow from the plan proposed, or any similar plan.

The point of difficulty in arriving at a basis of settlement seems to be very clearly defined. You maintain that, in the words of your memorandum, " the Roman Catholics " certainly have important legal rights in " connection with separate schools," and that your idea of the object of the conference is to give effect to those rights in the most unobjectionable way, through the action of the legislature of the province.

We hold, on the contrary, that the constitution gives the Roman Catholics no legal rights in reference to separate schools, except the right of appeal, under which the Federal authority may or may not restore any rights formerly enjoyed under provincial legislation.

Your proposition aims at the legal recognition by the legislature of Manitoba of the right to the Roman Catholic people to separate for school purposes. Our proposition aims at removing every practical objection to the present system without giving a legal right to separate. We understand that by Order in Council your authority is limited to making a settlement satisfactory to the minority, and as a matter of fact the minority will accept nothing short of statutory recognition of the right of separation. We regard ourselves as precluded, by our declaration of policy preceding our last election, from assenting to such statutory recognition. While joining with you in the earnest desire to reach a settlement, we are unable to suggest any way of reconciling these two propositions. We are of opinion that there would be no objection on principle to the plan we propose, and that its practical operation would prove to be very satisfactory. It would give substantial relief on every material matter without legal separation. If the minority insists on legal separation there does not seem to be any possibility of reaching a basis of compromise.

We cannot but express our regret and disappointment at the failure of our negotiations. We assumed, when a conference was asked for by the Federal Government, with full knowledge of the fact that we were clearly stopped by the terms of the Order in Council of December 20, 1895, from assenting to the re-establishment of separate schools in any form, that it was with the object of securing substantial modifications, which, while falling short of the principle of separation, would remove every alleged reason for Roman Catholic opposition to the use of the public schools. We think that the proposition which we made would, if adopted, remove every such reason, and it is, therefore, such a proposition as we believed you had come prepared to accept. Its non-acceptance apparently is due to the determination of the minority to insist upon the most extreme, and, in our opinion, unsound view of their legal rights. We entered upon the task of seeking a settlement of the question at issue in the face of grave and obvious difficulties.

In the first place, so far as the re-establishment of separate schools is concerned, the question has for years been considered settled, so far as the people of this province, to whom we are responsible, are concerned.

In the next place, we have hitherto believed that a state-aided separate school system, and that only, would be accepted by the minority. This view we have repeatedly stated, and we have not yet been authoritatively informed to the contrary. That our contention in this respect was, and is correct, is shown by your proposition, which indubitably means a system of schools separating by law Protestants from Roman Catholics, and wholly dependent for support upon municipal taxation, and the legislative grant.

It also appears that any settlement between the Government of the Dominion and that of Manitoba must, by the very terms of your instructions, be subject to the sanction of a third party, and, while all the members of both governments might approve of our proposition, or any other submitted as containing everything that in reason and in equity ought to be conceded, nevertheless, that approval would be worthless without the sanction of the representatives of the minority.

In a word, we are absolutely debarred from conceding a system of Roman Catholic and state-aided separate schools, while the representatives of the minority, and as a consequence, the Federal Government, will accept nothing less.

In conclusion, we have the honour to state that, notwithstanding the failure of the present negotiations, the government of the province will always be prepared to receive and discuss any suggestions which may be made with a view to removing any inequalities that may be shown to exist in the present law.

CLIFFORD SIFTON,
J. D. CAMERON.

Now, Mr. Chairman, I think any person, looking over this answer with a dispassionate mind, and willing to view the question on its merits, must come to the conclusion that, considering their position, considering the history of the province, considering that the province is sparsely inhabited, that the Manitoba delegates could make no other proposition than the one they have made. We must remember that the Act of 1890 has been pronounced constitutional, while, on the other hand, the clause in the Manitoba Act gives the minority a right of appeal. This Government have taken up that appeal, and the result is this precious Bill. They are now seeking to force separate schools on the province against the will of the people; and they seek to do it by machinery of a very imperfect character, as is shown in the provisions of the Bill. Even if the Bill is amended as much as possible, and is brought into operation, I cannot see how it can ever be worked with any satisfactory result.

The Manitoba government are still willing to listen to any suggestion made by the Dominion Government, are still willing to arrive at a settlement of some kind which will do full justice to the minority, while they are determined to retain their system of public schools which has been in operation for some years and given satisfaction to the large majority of the people of the province, and which in its essential points is equally as efficient as the school system of Ontario. Under such circumstances, it is folly for the Government to continue to attempt to force this Bill through the House, because the people of Manitoba will never consent to its operation even if passed, and even if it be passed it will prove ineffective and abortive.

Mr. O'BRIEN. There are certain hon. members who have opposed the Bill, but are now practically giving all support to its passage. The hon. member for North Ontario (Mr. McGillivray), the hon. member for Halton (Mr. Henderson), the hon. member for North Victoria (Mr. Hughes), the hon. member for East Simcoe (Mr. Bennett), and the hon. member for East Durham (Mr. Craig), will go back to their constituents at the forthcoming elections and declare with all the solemnity possible that they opposed this Bill. They will declare that they are opposed to separate schools in Manitoba, and have opposed this measure even at the risk of turning out the Government. The hon. member for North Victoria is one of the greatest sinners in this respect. It will be exceedingly interesting to notice the result of the interviews which these gentlemen will have with their constituents. Those gentlemen will state that they voted against the Bill, but they will be asked as to whether they assisted in putting the Bill through committee. It is hardly possible to conceive a greater piece of political hypocrisy than is being practiced by those hon. gentlemen at this moment. Shortly, however, they will meet their constituents, and will be taken to task for their double-dealing, for voting against the Bill, and afterwards assisting in forcing it through the committee. The electors may not be able to understand all the nice legal arguments that have been used as to the validity and the constitutionality of the various sections, but they will understand the extraordinary position taken by those hon. gentlemen in supporting the Bill at one time and endeavouring to force it through at another. I will leave them to settle these matters with their constituents, and I wish them joy. The committee should now rise in order that the chamber may be ventilated and cleared of the debris that have accumulated. The difficulty in regard to the committee rising is that the Government would then have to face the charwomen who still remain unpaid.

Sir RICHARD CARTWRIGHT. The hon. gentleman is suggesting that the House should be swept and garnished. Does he recollect what happened on another occasion when the House was swept and garnished.

Mr. O'BRIEN. The reference is so apposite that I need not pursue it. This, I understand, is Wednesday, and this day does not belong to the Government, but to private members. The Government, in fact, is guilty of petty larceny in stealing this day from us. There are a number of public Bills on the paper. Are the Government afraid that the Bill of the hon. member for North Simcoe (Mr. McCarthy) to prevent unconstitutional proceedings at by-elections would be reached ? Then there is another Bill on the paper to which they have practically assented, intended to prevent railway companies carrying voters to elections. An important provision in that Bill is that with respect to personation. At the last revision of the voters' lists in my constituency, 300 or 400 shantymen were in camp, and it was thought a good scheme on the part of my opponent to have them registered. I observe the hon. member for East Toronto (Mr. Coatsworth) has entered the chamber, and of that hon. gentleman I may say that there is no man who so thoroughly misrepresents his constituency.

Mr. McGILLIVRAY. This will be the last time you will be here.

Mr. O'BRIEN. If the hon. gentleman's seat was as sure as mine he could consider himself a very happy man. If he wants to try conclusions let him come up to Muskoka, where he can get all he wants.

Mr. McGILLIVRAY. Let the hon. gentleman try North Ontario.

Mr. O'BRIEN. The hon. member for East Toronto (Mr. Coatsworth) had the courage of his convictions, for he voted for the Bill, and he is now doing all he can to support it. He is not in the same category as the hon. member for North Ontario, who voted against the Bill, and is now doing all he can to force it through committee. I think the course taken by some of these hon. gentlemen is due to ignorance, because they do not understand the Bill.

Mr. McGILLIVRAY. I never read it.

Mr. O'BRIEN. The hon. gentleman is a sample of your pure partisan ; he is willing to support a Bill he has never read. That is the partisan right through, he believes in going it blind.

Mr. McGILLIVRAY. That is what you are doing.

Mr. O'BRIEN. I read the Bill through carefully.

Mr. McGILLIVRAY. I read it all but the forms.

Mr. O'BRIEN. The hon. gentleman is a sample of a class of legislators of which there are too many in this House, men who vote for Bills they do not read, who are willing to take information second-hand, and who are willing to vote in a certain direction because the Government tells them to do so. We are accused of obstruction in preventing the passage of this Bill. But, whether this Bill passes at this session or not, is not such a very serious matter. But there is a kind of obstruction that is serious, and that is the attempt to obstruct the people of Manitoba in the use of the school system which they believe to be best in their own interests, and to force upon them a system which experience has shown, even if its principle be admitted, as a matter of argument, to be wholly unworkable in their country. I hold that the committee should rise, in order to give the Government an opportunity to consider how best they may retrace their steps and get out of the false position in which they have placed themselves. We have a right of an explanation of the extraordinary statement that has been made that the commissioners went to Winnipeg on the understanding that the consideration of the Bill was to cease while the negotiations were going on. That is an imputation of more than bad faith to the Government. It is an extraordinary thing that a gentleman occupying the lofty position of leader of this House, a gentleman who for years represented us in London, should be ready to lie under the imputation of bad faith. We should have the report of the commission, in order that we may know whether the imputation is well-founded or not. If the Minister of Justice has been incorrectly reported, he should be given an opportunity to explain ; if the leader of the House has been unjustly accused, he should be given an opportunity to free himself from the imputation. I think we have given abundant reasons why the committee should rise, and why the charwoman should be allowed to come in and clear up this rubbish which we have to sit amongst. I was speaking about personation a little while ago, and said that in my constituency my opponent had placed on the voters' list some three or four hundred names of men who were employed in shanties during the winter, and, if the elections had come on in March, they were expected to vote against me. Of course they are now all scattered to the winds, but those three or four hundred names are still on this list, and consequently there is a grand opportunity for personation.

Mr. BENNETT. Was not the hon. gentleman elected chiefly through the support of some jobbers in Muskoka ?

Mr. O'BRIEN. I was elected by the free and untrammelled votes of the electors of Muskoka and Parry Sound. So far as these jobbers were concerned, there was no such vote to be had, and no such influences used.

Mr. BENNETT. Was not the hon. gentleman supported and elected chiefly by the efforts of Mr. George McCormack, of the Georgian Bay Lumber Company ?

Mr. O'BRIEN. He was not. He had Mr. George McCormack's support, and was very glad to get it, but the voters that Mr. McCormack could influence, were settlers living in the county, and were not his shantymen.

Mr. HENDERSON. It seems that the hon. member for Muskoka (Mr. O'Brien) who, this morning, is leading the disgruntled rump of the Conservative party, has come here in a very ill-temper. Whether he was in bed last night or not, I do not know, but I think he must have wakened up on the wrong side. The hon. member has called in question my action in this House, and endeavoured to show that my course has been inconsistent. I trust, however, that my course has not been so extremely inconsistent as that of the hon. member for Muskoka, who has, time and again, during this discussion, charged hon. gentlemen with swallowing their principles.

Mr. MARTIN. I would like to know if the hon. gentleman is discussing the motion before the Chair, which is, I understand, to rise, report progress, and ask leave to sit again.

Mr. DALY. As much as anybody else has been, since three o'clock this morning.

The CHAIRMAN (Mr. Mills, Annapolis). The hon. member for Halton (Mr. Henderson) has the floor.

Mr. MARTIN. I have stated a point of order.

The CHAIRMAN (Mr. Mills, Annapolis). Inferentially, I have given my decision.

Mr. MARTIN. You have decided that he is talking on the question ?

The CHAIRMAN (Mr. Mills, Annapolis). As much as anybody else.

Mr. MARTIN. That is not the point. Is he talking to the question before the Chair?

The CHAIRMAN (Mr. Mills, Annapolis). The hon. member for Halton, in my opinion, is in order.

Mr. HENDERSON. I am quite sure that I am in the judgment of the committee when I say my course for consistency will bear a favourable comparison with the action of the member for Muskoka. It is true, I voted against the principle of this Bill, and since then my course has, in every respect, been consistent along that line. I am quite sure that my course is satisfactory to my constituents, with whom, he says, I may not have very favourable interviews. I may say that I have had interviews with them, both personally and by letter, and in every respect they have been of the most agreeable character. I only trust that the hon. gentleman will find as much harmony among his electors when he goes back to Muskoka, as I have found in the county of Halton. Now, I am not here to waste the time of this House in reading papers, or engaging in discussion that is not at all pertinent to the question before the House ; therefore, I think I cannot be charged with obstruction. I think it is a proper thing that this question should be fairly discussed. The country will not find fault with a fair discussion, but I think the country will find a great deal of fault with an unfair discussion such as the hon. member for Muskoka has been engaged in, night and day, during this week. I do not believe that even the hon. gentleman's constituents will justify the course he is pursuing in this respect. However, I am not here to find fault with his course, neither has he any right to find fault with mine. I think I am perfectly prepared to take care of myself.

Mr. BENNETT. The hon. member for Muskoka (Mr. O'Brien) wants me to adopt him as my political godfather. There are several reasons why I cannot do so. The hon. gentleman has seen fit here to abuse Mr. George McCormack, the present Conservative candidate for Muskoka, and he has seen fit to throw reflections on the votes by which he was elected in his riding. Now, in the general elections, I entered a protest against my opponent, and there was likewise a protest entered against the member for Muskoka. The hon. gentleman begged me to withdraw the protest against my opponent, in order that his opponent should withdraw the protest against himself. Well, the hon. gentleman knew that his published election disbursements only amounted to $47, so that his election could not have been overturned on the ground of illegal expenditure. Therefore, the hon. gentleman must have had qualms of conscience on some other grounds. He wanted me to throw that protest to the winds, so that he might get off scot free. I congratulate the hon. gentleman that he did get his protest sawed off, for if it had not been sawed off, there would have been some very ugly disclosures made in court. When the hon. gentleman asked me to "saw off" my protest against his protest, I did wrong in his opinion, but before I can follow the hon. gentleman I shall have to entertain a higher estimate of his political honesty than I hold at the present time.

Mr. SUTHERLAND. No better evidence than the present discussion is needed to furnish a reason why the committee should rise and report progress. It is only fair to the hon. member for Muskoka to say that, while I have no personal knowledge of the matter, if general report is to be believed, in the event of the protest having gone on it would have involved not only the hon. member for Muskoka (Mr. O'Brien) but some members of the Government. The hon. member for East Simcoe (Mr. Bennett) has forgotten that when strong pressure was brought to bear to remove the protest that act reflected no political dishonesty or corruption on the part of the hon. member for Muskoka, but it was thought it might reflect on some very prominent members of the party. There was much talk about the matter at the time, and it was considered that the hon. member for Muskoka was not personally so much to blame as those who assisted him in seeing that his election was secured. I am glad the hon. member for East Simcoe (Mr. Bennett) has taken this occasion to expose such an outrageous measure as the gerrymander Act. It is very gratifying to find that he has denounced that improper Act, which sought to take away the rights of the people. Every hon. member will remember the able debates that took place on the Bill, but I do not think that, in view of the short time occupied by the hon. gentleman, a more able exposure of the gerrymander Act has not been made. The hon. gentleman has pointed out what outrageous changes were made by the Act, and how it sought to stifle the expression of the honest opinion of the constituencies. By this time the Government will surely have seen their mistake in endeavouring to coerce this House. Members sent here have rights, and their constituents expect them to be in attendance at the sittings of the House.

Sir CHARLES TUPPER. The people expect them to be here to do the business of the country.

Mr. SUTHERLAND. The hon. gentleman has no right to dictate whether members are right or wrong in their action. They are responsible to their constituents.

Sir CHARLES TUPPER. And their constituents will deal with them for obstructing and wasting public money.

Mr. SUTHERLAND. I can speak for my constituents. They expect me to be here when business is being transacted. Hon. gentlemen opposite must remember that a representative cannot sit here at all hours and do his constituents justice.

Mr. FOSTER. The representatives ought to do some work.

Mr. SUTHERLAND. I have done my work. The Minister of Finance undertakes to sneer and insult members of the House, adopting the policy that if you do not like it, you can do the other thing. We all know that the Government have stated that they do not care what views hon. members hold, that they have a certain object in view, and they are going to push this Bill through. They do not regard the interest of hon. members or of the people, but they declare they are going to satisfy the hierarchy by putting this Bill through. The people, irrespective of their views on this Bill, are not fools, and if hon. members of this House thwart the Government by adopting all constitutional means to defeat this Bill, they will not be blamed by the people. The people, in fact, can easily see that if the Government had decided to obstruct this Bill they have taken the very best means to accomplish their object. Hon. members on this side of the House have shown their willingness to discuss the Bill fairly even until an unreasonably late hour, but when the Government adopt coercion and keep up a continuous sitting, without even being in their places to answer questions, and determine to push the Bill through whether the clauses are right or wrong, the people will realize that their representatives are perfectly justified in their recent action. So far as I am personally concerned I am satisfied that my constituents almost unanimously, and irrespective of party, would endorse my action, if I should feel called upon in refusing to be coerced into considering any legislation in such unreasonable hours, as in the present instance.

Mr. CHARLTON. I am glad to see the leader of the House in his place at this moment. I believe he listened to one-tenth of the discussion, and when he enters the chamber it is generally to throw taunts at hon. members engaged in the debate, and to charge them with obstruction. The hon. gentleman takes good care to consult his own personal convenience, and not make an undue drain on his physical force, and he makes his appearance only when it is convenient to himself He knows very little about the progress of the debate, he knows little about the objections that have been urged to the different clauses considered. Under these circumstances he should hesitate before charging hon. members with being guilty of obstruction. It is impossible to consider a measure properly under the conditions existing at the present time. Not half the members can remain in constant attendance, and any attempt on the part of the Government to force consideration of this Bill day after day is unreasonable and unjust, and is sure to arouse the resentment of those who desire full and fair discussion. Under parliamentary practice the House should not sit beyond 1 or 2 a.m. During the discussion on the Franchise Act the House discussed the Bill until 1 a.m., and then we moved that the committee rise and report progress. Afterwards we moved that the committee rise, and the debate was continued. That was a proper course to pursue, and it showed the public the manner in which the Government was trespassing on the rights of the minority in Parliament. There are many members in this House who believe this Bill should not pass, and when the Government endeavour to bulldoze, they are justified in resenting such action.

Mr. COSTIGAN. That is rather strong language.

Mr. CHARLTON. Such action is usually called in the west "bulldozing," it is transgressing on the rights of the minority. It is an unwarranted and tyrannical exercise of power, which I, for one, resent.

Mr. LaRIVIERE. I am glad the hon. gentleman has sympathy for some minority.

Mr. CHARLTON. I have great sympathy for the minority represented so honestly and faithfully by the hon. member for Provencher (Mr. LaRiviere). It is admitted by all moderate men that it is desirable, if possible, to secure a satisfactory settlement of this school question. The result of the conference held at Winnipeg should be officially reported to the House. If the committee rose and reported, then there would be an opportunity for the Government to lay the official report of the conference on the Table of the House. We are told that the Manitoba government made two propositions: first, to make the schools purely secular, if the objection was urged that they are Protestant schools; second, that Manitoba would give the minority the right to religious teaching in the schools on the same terms as those enjoyed by Catholics in Prince Edward Island, New Brunswick and the North-west Territories. We have no right to proceed with the deliberation upon this Bill until we have taken steps to ascertain whether that proposal is or is not satisfactory to the minority.

Mr. McALISTER. Would you accept it ?

Mr. CHARLTON. Certainly. We have no right to assume that the minority in Manitoba would not accept it. We are trifling with a subject of grave importance when we seek to push a Bill through the House in the last days of the session while refusing to consider a proposal which gives practical redress to the grievances to the minority. Now, it has been said that the public schools of Manitoba are Protestant schools, and that is given as one of the reasons for opposition for the public school system on the part of the minority. I do not know whether this question has been entered upon in this committee, but it is one of the most important considerations in this question and one worthy of careful attention. The public school system of Manitoba is copied from that of Ontario, and the selection of scriptures to be read, I understand, are the same as those in Ontario. The form of prayer used is the same as that used in Ontario. And 50,000 Roman Catholic children attend the public schools of Ontario with the approval of the hierarchy of that province. First let me take the form of prayer for closing the schools. I well read it.

An hon. MEMBER. Dispense.

Mr. CHARLTON. No ; it is necessary to a thorough understanding of this question that this part of the religious exercises should be considered.

(Form of prayer read.)

Mr. CHARLTON. That is not a Protestant form of prayer, but a Christian prayer. Then there is a form of prayer which should be familiar to hon. gentlemen, the Lord's Prayer, which none will say is distinctly Protestant. The dismissal is in this form :

> May the grace of our Lord Jesus Christ, the love of God and the fellowship of the Holy Ghost be with us all ever more.

Then we have the scripture selections. There are seventy-one selections from the Old Testament and sixty-six from the New Testament.

An hon. MEMBER. Read them.

Mr. CHARLTON. I am about to do so. The first selection consists of the first nineteen verses of Genesis relating to the creation. I shall not read these, as I do not wish to consume time. The next selection is from the 20th to 31st verses of the 1st chapter of Genesis, being a continuance of the account of the creation. Let it be understood that the regulations provide that these selections may be read either from the King James version or from the Catholic version of the scriptures. The next is from the 3rd chapter of Genesis relating to the fall of man. Then we have the account of the deluge from the 8th chapter of Genesis. If any hon. gentleman wishes to discuss that we will read it and consider it.

An hon. MEMBER. Read.

(Selection read.)

Mr. CHARLTON. The next selection is the account of the trial of Abraham. The next relates to Isaac blessing Jacob and the next to Esau's blessing. I am going over these as briefly as possible. The argument is a pertinent one and I propose to pursue it candidly and fairly. The object is to ascertain whether the charge that the schools of Manitoba are Protestant schools is well founded. I shall read none of these selections except those asked for, but if any hon. gentleman challenges my assertion that these scripture selections are not such as are especially favourable to the views of Protestants, we will examine them. The next selection relates to Jacob's vision and the next to Jacob's return to Bethel, and the next relates to Joseph and his brethren.

Mr. WALLACE. Will the hon. gentleman be kind enough to read that about Joseph and his brethren.

Mr. CHARLTON. This is from the 37th chapter of Genesis, the first twenty-two verses.

(Selection read.)

Mr. BERGIN. I rise to a question of order. I do not think that in my parliamentary experience I have ever seen anything so profane or so irreverent as the reading of the scriptures for such a purpose—not for the purpose of informing the mind, not for any good purpose, but for the purpose of obstructing the proceedings of this House. When a man reads the scriptures in that irreverent way and without the design of paying his duty to the Creator, he is doing that which he should not be permitted to do in any Christian assembly. It is not the act of a Christian man, but of a man who is prepared to use the scriptures for the most——

Mr. McGILLIVRAY. Be careful, he is an elder in our church.

Mr. BERGIN. Then the sooner you get rid of him the better. If he does not read the scriptures in a better spirit in church than he does here, he is not an ornament to the church.

Mr. MARTIN. Mr. Chairman, this attack is simply an outrageous one. The hon. gentleman has no right——

Some hon. MEMBERS. Order; sit down.

Mr. MARTIN. Why should I sit down?

An hon. MEMBER. A point of order.

Mr. MARTIN. I am speaking to the point. The only irreverence that was shown was in the jeers and sneers with which the reading, which was made at the request of the hon. member for Chicoutimi (Mr. Belley)——

Some hon. MEMBERS. No, no.

Mr. MARTIN. Yes; these sneers and jeers were the only manifestations of irreverence. The hon. gentleman is reading for a plain object. He is showing or attempting to show that the schools in Manitoba are not Protestant schools, notwithstanding what is said. He is attempting to show that the schools in Manitoba are not Protestant schools, and he is doing it by reading the selections which have been apportioned by the Manitoba government to be read in schools, to show that those selections are not at all of a sectarian nature, and consequently are not Protestant schools. The only indecency and irreverence that I can see in connection with the matter, are the jeers, and hoots, and sneers that came from the other side, when the hon. gentleman was attempting to read.

Mr. DAVIN. I may say that I do not think the remarks of the hon. member for Winnipeg do a great deal of credit, either to his intellectual training or to his parliamentary training. He himself, I believe, is an ex-teacher, but he knows well that what the member for North Norfolk is attempting to do is a logical impossibility, namely, to prove a universal negative.

Mr. WALLACE. In my opinion, the member for North Norfolk is successfully attempting to disprove a statement that has been made a hundred times in this House and out of it, that the schools established by the province of Manitoba are not what they profess to be, that is, non-sectarian, but that they are Protestant schools, in other words, sectarian. This assertion is made in spite of the decision of the Privy Council in the Barrett case, and in spite of the recent opinion given by their lordships of the Privy Council, that this School Act is non-sectarian.

Mr. ROBILLARD. They did not say the schools were non-sectarian, but that the Act was non-sectarian.

Mr. WALLACE. But the hon. member for North Norfolk is proving that schools, in practice, are not sectarian, as they are non-sectarian by law, and he is proving that by reading the selections from Scripture which may be read in the schools, to show that they are of a non-sectarian character. As I understand it, there is a question of order now before the committee, as to whether the member for North Norfolk is in order in reading those selections.

The CHAIRMAN (Mr. Mills, Annapolis). I would remind the committee that the question before the Chair is a motion made by the hon. member for North Bruce (Mr. McNeill), at ten minutes past three this morning, that this committee rise.

Mr. WALLACE. I think the question of order raised by the hon. member for Cornwall and Stormont (Mr. Bergin), must have escaped your attention, Mr. Chairman. I am speaking on that point of order, and contending that the hon. member for North Norfolk is strictly in order.

Mr. CRAIG. I think myself that the hon. member for North Norfolk is quite in order in reading these selections. But, at the same time, I think the hon. member for Assiniboia is perfectly in order in saying that the member for Norfolk is trying to prove a universal negative, and, unless he reads all the selections which are arranged for this purpose, he will prove nothing at all, because there might be one or two which he did not read, which would prove that these schools are Protestant. For myself, I have always held that the schools are not Protestant. I must say, however, that, when I heard the hon. member reading the Bible, it gave me a little shock, and I will tell you why. I believe in treating the Bible with reverence, I believe in reading the Bible. I believe it is given us to read for a certain purpose, and I hold that it is not treating the Bible with reverence to read it in this way. I think that reading it under the present circumstances is treating the Bible with irreverence.

Mr. WALLACE. The objection of the hon. member for East Durham is that it is not a matter of good taste for the hon. member for Norfolk to read the Bible. But on that question I think the hon. member for Norfolk will have to be the judge of his own action. After we have been discussing theological questions for a month, it seems to me a natural corollary that an hon. member should read some portions of the Scriptures to us, when he does so in order to prove that schools in Manitoba are not Protestant schools.

Mr. ROOME. You are trying to drive the Bible out of the schools.

Mr. WALLACE. In what way?

Mr. ROOME. By not allowing religious instruction in schools.

Mr. WALLACE. Will the hon. gentleman quote any chapter, or any verse, or any statement of mine, to show that I would not allow religious instructions in schools. Now, I contend that the member for North Norfolk is quite in order. It is to be remembered that the course of the Government in keeping us here night and day continuously, has prevented us from our usual devotions, and, if a member of Parliament will give us an opportunity, right in the House of Commons, of hearing the Scriptures read, I think we should be grateful to him.

Mr. FOSTER. It seems that the hon. member for York (Mr. Wallace) has had a total change of heart within a few weeks, for I remember hearing him express very different opinions regarding the hon. member for North Norfolk from those he now expresses.

Mr. WALLACE. I admit that when the hon. member for Norfolk gives expression to his heretical views on the trade question, no words that I can use are strong enough to express my condemnation for that hon. member, but when he reads these Bible selections for the purpose for which they are read, I must approve of his course.

Mr. FRASER. I do not think there is any rule in this House against reading the Bible. I think it would be better if that book was read oftener in the House. For myself, I see no objection to the hon. member for Norfolk reading these selections. I think, if the hon. member for York (Mr. Wallace) read that book more, he would be in full accord with the hon. member for Norfolk on the trade question, because the principles of that book lie at the foundation of the trade question, as we understand it. It is very charming to hear the member for East Durham speak about consistency. It did strike me as being rather singular conduct on the part of that hon. gentleman, who, after voting against the second reading of this Bill, has since done so much to help it along. The question is, whether an hon. member has a right to read selections from books used in the public schools. I would not, in a mixed community, have scriptural reading in the schools, because I think education is the duty of the state. But surely, if the selections are used, it is perfectly in order for an hon. gentleman to read them.

Mr. McGILLIVRAY. The exception taken by the hon. member for East Durham (Mr. Craig) was that reference to scripture readings might be made, they should all be read, because fault might be found with some, although not with all.

Mr. FRASER. That would simply mean that the hon. member for North Norfolk should read the whole.

Mr. CRAIG. The hon. member for Guysboro' (Mr. Fraser) evidently believes in secular schools, as I do. I believe the Manitoba schools are not Protestant schools, and so does the hon. member for North Norfolk. What I said was this, while I believe the hon. member for North Norfolk is quite in order in reading these selections, Bible reading under present conditions is not very good taste. It is supposed that a good deal of this discussion is for purposes of obstruction, and a visitor to the House would suppose that a member who is reading from the Bible is taking time for obstruction purposes. In regard to my course, as to whether it has been a consistent one or not, the hon. members here know me, and I am known by the people of my constituency. I hold that my course has been perfectly consistent. I voted for the six months' hoist and against the second reading of the Bill. In doing so, I acted against the Government, but according to my convictions. I have watched the Bill in committee and taken part in the discussion, speaking on two clauses. I voted once with the hon. member for North Simcoe (Mr. McCarthy) and once with the Government, and I do not think I have been inconsistent. I have gone to bed regularly every night and have not stayed here to help the Government. I have been asked to join the obstructionists to the Bill, but I intend to maintain the independent course I have pursued, and watch the progress of the Bill, endeavouring to make it as perfect as possible, and then I shall vote against the third reading.

Mr. FRASER. I did not accuse the hon. gentleman of inconsistency, but I simply pointed out that the hon. gentleman was about the last man who should lecture members on consistency.

Mr. WALLACE. To one remark by the hon. member for Guysboro' I desire to take exception. The hon. gentleman said that if I had read the Bible more I would not have been such a strong protectionist. The hon. member passed over a certain chapter I observed, and I believe he did so because in it the policy of protection is advocated.

Mr. FRASER. Where is it ?

Mr. WALLACE It is the chapter which speaks of the storing of corn in the land of Egypt. This was protection, and by pursuing this policy Egypt became the greatest nation of the earth.

Mr. FRASER. This is a new style of theology. The hon. member for York sets himself up as a theological professor. But does not the hon. gentleman know that corn was stored in accordance with divine revelation, that there was going to be a seven-year famine in the land.

The CHAIRMAN (Mr. Mills, Annapolis). The hon. member for North Norfolk has the floor.

Mr. CHARLTON. I had not the remotest suspicion that I would have been accused of bad taste in illustrating an argument with respect to religious teaching in the schools in Manitoba by showing what the religious teaching actually was. The question is what is the character of the scriptural selections used in those schools. The only way of showing their character is to refer to the selections themselves. I gave the titles of the readings from the list contained in the Manitoba school regulations, and I said if any hon. member had doubt as to the character of any of the selections, they might be read. The selections from the Old Testament are historical and poetical. I pass from them to the selections taken from the New Testament. The first selection embraces the first eighteen verses of John, 1st chapter.

The hon. gentleman read the following list of selections :—

1 Christ the Word. John i. 1-18.
2 The Birth of Christ announced. Luke ii. 8-20.
3 The Visit of the Magi. Matt. ii. 1-12.
4 The Song of Simeon. Luke ii. 25-40.
5 Jesus in the Temple. Luke ii. 41-52.
6 The Baptism of Jesus Christ. Matt. iii. 1-17.
7 The Temptation of Our Lord. Luke iv. 1-15.
8 Testimony of John the Baptist. John i. 19-34.
9 The First Disciples. John i. 35-51.
10 Jesus of Nazareth. Luke iv. 16-32.
11 At Capernaum. Matt. iv. 13-25.
12 Sermon on the Mount. Matt. v. 1-12.
13 Sermon on the Mount—continued. Matt. v. 13-20, 33-37.
14 Sermon on the Mount—continued. Matt. v. 38-48.
15 Sermon on the Mount—continued. Matt. vi. 1-18.
16 Sermon on the Mount—continued. Matt. vi. 19-34.
17 Sermon on the Mount—continued. Matt. vii. 1-14.
18 Sermon on the Mount—continued. Matt. vii. 15-29.
19 The Miraculous Draught of Fishes. Luke v. 1-15.
20 The Healing of the Paralytic. Luke v. 16-26.
21 The Twelve Apostles Sent Forth. Matt. ix. 36-38 ; x. 1-11.
22. The Centurion's Servant—The Widow's Son. Luke vii. 1-17.
23 The Declaration Concerning John. Matt. xi. 2-19.
24 The Feast in Simeon's House. Luke vii. 36-50.
25 Privileges and Responsibility. Matt. ix. 20-31.
26 The Sabbath. Luke vi. 1-11.
27 Parable of the Sower. Mark iv. 1-20.
28 Parable of the Tares, &c. Matt. xiii. 24-35.
29 Parable of the Tares explained, with other Parables. Matt. xiii. 36-52.
30 Children Brought to Jesus—Conditions of Discipleship. Mark x. 13-30.
31 Tribute to Caesar—The Widow's Offering. Matt. xxii. 15-22. Mark xii. 41-44.
32 Christ Confessed. Matt. xvi. 13-28.
33 Christ Feeding Five Thousand. Mark vi. 30-41.
34 Christ Walking on the Sea. Matt. xiv. 22-33.
35 The Transfiguration. Matt. xvii. 1-13.
36 The Great Supper. Luke xiv. 7-24.
37 The Lost Sheep and Lost Piece of Silver. Luke xv. 1-10.
38 The Two Sons. Luke xv. 11-32.
39 The Pharisee and the Publican. Luke xviii. 9-17.
40 Blind Bartimeus—Zaccheus the Publican. Luke xviii. 35-43 ; xix. 1-10.
41 The Good Samaritan. Luke x. 25-37.

42 The Good Shepherd. John x. 1-18.
43 Christ one with the Father. John x. 22-42.
44 Humility. John xiii. 1-17.
45 The Death of Lazarus. John xi. 30-48.
46 The Triumphal Entry into Jerusalem. Mark xi. 1-11. Matt. xxi. 9-16.
47 Parable of the Ten Virgins. Matt. xxv. 1-13.
48 Parable of the Talents. Matt. xxv. 14-30.
49 The Judgment. Matt. xxv. 31-46.
50 Christ Comforts to the Disciples. John xiv. 1-14.
51 The Holy Spirit Promised. John xiv. 15-31.
52 Christ the True Vine. John xv. 1-17.
53 Last Sayings of Jesus. John xvi. 1-15, 26-33.
54 The Prayer of Christ. John xvii. 1-26.
55 The Box of Precious Ointment. Matt. xxvi. 1-13.
56 Last Supper. Matt. xxvi. 17-29.
57 The Agony in the Garden—The Betrayal of Jesus. Matt. xxvi. 30-56.
58 Christ Before Caiaphas and Peter's Denial. Matt. xxvi. 57-75.
59 Christ before Pilate. Matt. xxvii. 1-25.
60 The Crucifixion. Matt. xxvii. 26-43.
61 The Crucifixion—continued. Luke xxiii. 39-56.
62 The Resurrection. Mark xvi. 1-7. John xx. 2-18.
63 The Journey of Emmaus. Luke xxiv. 13-35.
64 Jesus Appears to His Disciples—the Doubt of Thomas. John xx. 19-29.
65 Jesus Appears again to His Disciples. John xxi. 1-23.
66 The Ascension. Matt. xxviii.

Mr. CHARLTON. Now, Mr. Chairman, I have given you a list of these scriptural readings selected by the Manitoba school board for use in the public schools, to show that they are in no sense sectarian. I submit whether I have not proved the assertion that the religious curriculum in the public schools of Manitoba is in no sense a Protestant one, that none of the selections from either the Old or New Testament are sectarian in character, but that all are carefully selected for the purpose of avoiding religious prejudices on the part of any denomination. All these selections teach Christian doctrines and truths that are accepted by men of all sects who recognize and believe that Christ is the Head of the church, and the Redeemer of His people. Now, if this is the case, the argument against the schools, based upon the assertion that they are Protestant schools, falls to the ground. Of course, they are not Catholic schools. These selections are neither Catholic nor Protestant, but they are Christian, and the object of this curriculum is to make the public schools unobjectionable to any denomination. No man can object to teaching the doctrine that Christ is over all, no man can object to teaching the doctrine that there is a God, no man can object to the doctrine that Christ is divine, no man can object to the assertion that Christ died and rose from the dead, and made propitiation for sin. These are all the broad teachings that all classes of Christians accept; and the object of the Manitoba school board was to provide a system of religious readings that could not be really objected to by any class or sect of Christians; and they have succeeded. Now, if it is necessary to have these schools divided so that sectarian doctrines may be taught in them, of course the Manitoba school law does not meet the requirements. But I hold that it would be desirable if all sects would be content to accept a public school system where the religious teachings are unobjectionable to any, and are calculated to produce beneficial results upon all, and be content to have sectarian teaching given to their children in church, or in Sabbath school, or at home. Now, if it is true that proposals have been made by the Manitoba government to meet the objections made by the minority in Manitoba to the school law, if proposals have been made which will give to the Catholic minority in Manitoba substantially the same privileges enjoyed by Catholic minorities in other provinces, and in the North-west Territories, where, in each case, they are satisfied with those provisions; if that is true, then I say we have no business to proceed with this legislation until we have officially before this House, in the first place, the character of those proposals made by the Manitoba government; and in the second place, until we have ascertained whether the minority in Manitoba would accept those proposals as satisfactory. The Manitoba government has made a radical departure for the purpose of satisfying the objections of the Catholic minority, a departure which we have no right to assume the minority in Manitoba will not accept. I say it is an outrage upon the principles of fair-play and liberty for us to proceed in face of an attempt made by the Manitoba government to satisfy the requirements of the minority, an outrage for us to proceed, assuming that that proposal is insufficient, assuming that the minority of Manitoba will not accept it. I now, appeal to the Secretary of State to avert the calamity that threatens this country, and to adopt a common-sense course, by allowing this committee to rise, and by placing before this House the official offer of the Manitoba government, and by proceeding to ascertain whether that offer is acceptable to the Catholic minority.

Mr. CAMERON (Huron). I do not rise for the purpose of taking part in a discussion which seems to have been prolonged unnecessarily already. I rise for the purpose of seriously asking the leader of the House if he has not at last realized the solemn farce in which Parliament is now engaged. Parliament undertook to deal with this question some time ago. The second reading of the Bill was carried by a fair majority. The committee stage was reached, and yesterday morning at three o'clock, when it was time for all honest men to be in bed, the hon. gentleman persisted in pressing forward this Bill. A motion was made that the committee rise and report progress, and that question was discussed from three o'clock yesterday until 4.30 yesterday afternoon. Up to that time we undertook to discuss the Bill on its merits, and the committee sat till between three and four in the morning, time for every man to retire to bed. The Government refused to allow the committee to rise. I ask the leader of the House now, what has been accomplished from three this morning until 3.30 this afternoon ? Is it his desire that Parliament should become an object and subject of contempt ? Does he desire that the lives of hon. members should be jeopardized by the course he is pursuing ? I am aware that the hon. gentleman stated he was willing to die in his tracks in order to force the Bill through. The hon. gentleman may desire in his later days to be a martyr, but I venture to say there are not many hon. members who desire so to end their days. We are willing to give a reasonable time at reasonable hours for the consideration of this Bill and to discuss the various clauses on their merits. But the hon. gentleman must see, as everybody in the country sees, that instead of advancing the progress of the Bill by his policy, he is retarding its progress. What attention have members of the Administration been paying to this Bill for the last few nights ? It is quite manifest that any important Bill of this kind, involving complex clauses, every one of which is open to discussion, if passed in its present shape simply invites and courts litigation. It is important therefore in discussing the various clauses, that members of the Administration, especially those who have the Bill in charge or assisted in preparing it, should be in their seats in order to give the necessary explanations. I reached my seat in this House this morning at 9.30 a.m. The front bench was graced by the hon. member for Peterboro' (Mr. Stevenson) and the hon. member for Annapolis (Mr. Mills) with the hon. member for Muskoka (Mr. O'Brien) sandwiched between them. Those were the only three members on the Ministerial benches; the second row was in a similar condition. How many Ministers were present ? The Minister of the Interior sat in his seat, like the last rose of summer blooming alone. Within a few minutes came in the Minister of Public Works, and he sat in his seat talking to the bard of the prairies, listening no doubt to his eloquent periods.

Mr. DAVIN. I rise to a point of order. I think the hon. gentleman is bound to refer to any hon. member in a given manner.

Mr. CAMERON (Huron). I referred to the hon. member for Assiniboia.

Mr. DAVIN. No.

Mr. CAMERON (Huron). The Minister of Public Works remained five minutes, and then went out. The Minister of Railways came in for about ten minutes. He sat with the Clerk of the House, no doubt discussing constitutional law, and at the same time cracking jokes with the Chairman of the committee. That is the way the Government have been attending to the interests of the Manitoba minority. At twelve o'clock the Postmaster General came in. He was sympathized with by the hon. member for Muskoka (Mr. O'Brien) on having been up all night, but he came in as fresh and brisk as he well could be, with his hair parted in the middle, well oiled and elaborately curled, and wearing a red rose in his buttonhole, as brisk as a bee, and as handsome as a daisy on a May morning. He remained ten minutes, and the place that saw him saw him no more. Then there is the Minister of Justice, who introduced the Bill, and was able to explain the various clauses. He was absent. Then there is the Secretary of State, the master-mind of the Cabinet, who moved the second reading of the Bill, and no doubt had posted himself thoroughly as to its contents, and the reason why the clauses were inserted. He was not in his seat. Like a wise man he was taking reasonable repose. The Minister of Marine was absent, the Minister of Trade and Commerce was absent, the hon. member for Victoria (Mr. Prior) was in his place for a few minutes, and then disappeared. That is the way the Government have been attending to the interests of the minority in Manitoba, the minority whose interests they propose to conserve, in whose interest this Bill is being forced through the House in the last days of a dying Parliament ; and yet when an important discussion is before the House Ministers are not present to give the necessary explanations. I solemnly protest against hon. members being asked to sit day and night. It is unreasonable and unjustifiable, and the leader of the House can point to no instance since confederation except one occasion, and then the Ministers were present to give some explanations. No one knows better than the Secretary of State that this Bill has set the people of the Dominion by the ears. All the provinces are arrayed against the Dominion, and yet we are sitting here to force a Bill through Parliament which members are not able to consider with clear and unclouded intellects. The hon. member for North Simcoe (Mr. McCarthy) submitted a reasonable proposition to the committee, and supported it with a clear and lucid argument, but the Government were not able to answer the proposition, and practically asked that the clause be allowed to remain over. Two or three clauses were then passed. Then we found there was a discrepancy between the clauses, and that it might be necessary to rescind a clause already passed. Surely this is ample evidence that Ministers should be present to explain the different clauses. It appears that the Government did not prepare the Bill, but that it was prepared by the solicitor of the minority in Manitoba. I have no objection to that, but I consider the Government should at least understand the nature of the clauses in the Bill. While I make these observations, I have been, and am now in favour of doing justice to the minority in Manitoba. If they have been deprived of rights they should be restored, but they should be restored by the authorities that took away those rights. I am satisfied from the conference that has taken place that if hon. gentlemen opposite had had wisdom, foresight and statesmanship we should never have reached the present situation. The whole matter would have been arranged by Manitoba making reasonable concessions to the Roman Catholic minority in the province. I remember reading a speech delivered by an ex-Minister of Justice in which he substantially stated that the Government had power and would exercise it. They have the power, they have tried to exercise it, and where are we to-day? The Government are on their marrow-bones asking Manitoba to give relief to the Catholic minority, while at the same time they are attempting to force this Bill through the House at the point of the political bayonet. The Government have a political bludgeon in the one hand and a flag of truce in the other, and they hope by that means to succeed in tiding over the difficulty. I have read many Bills submitted to Parliament, but a more crude and worse drawn Bill than this I never read, and I venture the prediction that if Parliament passes it in the interest of the minority of Manitoba, it will be the greatest curse which has ever been inflicted upon them. I venture the further prediction that if this Bill is passed and the Act ever finds its way to the Judicial Committee of the Privy Council, it will come back in such a shape that even the ex-Minister of Justice will not know it, that it will be mutilated, if not declared wholly beyond the competency of this Parliament to enact. If time permitted I would be able to show not only from the wording of the clauses of the Bill but from the authorities, that the Bill is unconstitutional, that it is beyond the purview of this Parliament, that it is ultra vires, and will not stand the test of a legal investigation. As the clauses come up I shall have an opportunity of pointing out those that are objectionable and ultra vires. Why are hon. gentlemen so anxious to push the Bill through this House in the dying hours of Parliament? Two reasons have been assigned by the leader of the House. One was that it was necessary justice should be done to the minority in Manitoba. The leader of the House tells us that justice must be done to the minority. I desire also that justice shall be done, but I am anxious that it should be done without the necessity of interference by this Parliament with the affairs of Manitoba, and with our present information and in the present condition of affairs. He declared also, if my memory serves me right, that the people were in favour of this Bill, and that would be shown in the next election, when the Government would sweep the country. The hon. gentleman has not been living in Canada, and does not know the position of affairs. He does not realize that he has practically destroyed that gallant phalanx that formerly stood behind him in this Parliament. He does not realize that in Ontario, in New Brunswick, in Nova Scotia and other provinces there is a power that has stood by the leader of the Conservative party for the last twenty-five years. I refer to the great body of Orangemen of this country. Representative bodies of that great order have been passing resolutions upon this subject, concerning which I venture to refresh his memory. As you know, Mr. Chairman, I am a young member of Parliament; I only came to the House on the 20th January, this year. In my constituency I had between 500 and 600 Irish and Scotch Roman Catholics. I respect and like them as men, and better as politicians, for they have been my friends from the first day I entered into a contest in the county of Huron. I declared on the public platform and in my address to the electors, that I was opposed to using a bludgeon of a coercive law to compel Manitoba to do what she did not want to do. And, in the face of that declaration, I polled from 75 to 80 per cent of the Irish Catholics of my county. And, from the assurances I have received since I voted against this Bill, I believe I shall poll 90 per cent of them, if I am a candidate in the next election. I would like to call the attention of the hon. leader of the House to the position of the Orange body on this question. The hon. gentleman is not in his place. You never find more than one member of the Government here at a time. They shirk their duty here, although they say that their object is to deal out justice to Manitoba. I find in the public press of 21st February last, that the Orange Grand Lodge of New Brunswick, sitting at Newcastle, adopted a resolution denouncing remedial legislation and authorizing a petition to Parliament to oppose its passage, at least until the people had declared their views at the polls. I am not an Orangeman. In many respects I do not sympathize with their sentiments. But I have many warm friends amongst them, who sometimes support me, and sometimes do not. But no resolutions, passed by any body of men, expressed views on this subject which seemed to me more sensible than these which I have referred to, protesting against the passage of this Bill until the views of the electors can be known. I find that the Grand Lodge of Nova Scotia met at Halifax on the 21st February of this year, and they passed the following resolution:—

> We, the Grand Lodge of Nova Scotia, in annual session convened, would reaffirm our attitude on the Manitoba school question, as said attitude finds expression in our declaration of April, 1895. Believing, as we do, in the principle of "equal rights to all and special privileges to none," and believing that the enactment

> of such legislation as is outlined in the Bill of remedial legislation—so far as is known to us—is subversive of that principle, and believing that the Government and Parliament of Canada are under no constitutional responsibility or legal obligation to enact such remedial legislation, and believing that the separate school system has been constitutionally repealed by the legislature of Manitoba, which action has been overwhelmingly and repeatedly endorsed by the province of Manitoba, and that the policy of the separate school system is wrongful and unnational ; be it resolved, that this Grand Lodge utter no uncertain sound against any legislation whatever in favour of any system of separate schools, and against interference of whatever sort with any legislation that endorses the patriotic principle of national schools ; and be it resolved, that we urge upon all Orangemen to support only those candidates for parliamentary honours who pledge themselves to support non-interference.

I do not know whether the Minister of Justice is a grand master or even an humble member of the Orange order. I do not know whether he has any Orangemen in his county. But I commend to him this resolution of the Grand Lodge of his province. These things indicate that, instead of the result of the election being an overwhelming majority for the Government, one of the principal elements of its strength is broken. Whether I am in Parliament or not, I venture to say that they will not come back with more than a baker's dozen from Ontario.

Some hon. MEMBERS. Oh, oh.

Mr. CAMERON. I can gauge the voices of hon. gentlemen that are crying "Oh, oh." I venture to say that ten out of eleven of those hon. gentlemen will not even face their electors. Now, there is another organization, and one in which, I am free to say, I take no stock. All the same, it is one that must be counted as an element in the election, especially in Ontario. I mean the organization known as the P.P.A. I understand, from the best authority, that they number about 300,000 votes in the Dominion. With the great body of the Orangemen and the P.P.A. in arms against the Administration, how can the hon. gentleman predict that he is coming back with an overwhelming majority ? I know that the hon. gentleman is a sanguine prophet, for I have listened to his prophecies, off and on, for thirty years. But I know that his prophecies never come true. I will read the resolution of the P.P.A. :

> Whereas meddlesome interference with the local government of any province by the Dominion Government is a source of danger to the stability of confederation, and also a menace to the integrity of the Empire ; therefore be it resolved, that the contemplated action of the Dominion Government in forcing a system of separate schools upon Manitoba against the will of the people of Manitoba as expressed by their representatives cannot be too strongly condemned.

So say I, though I have no sympathy with the P.P.A. We had a meeting of the Grand Lodge, of which the hon. member for West York (Mr. Wallace) is the sovereign. At their meeting in July last, they passed a strong resolution on this subject. Is the Grand Lodge not to be taken into account in the politics of this country ? Verily, the leader of the House will find that the Grand Lodge and the various lodges are no small political factor. We had the great meeting in Toronto, one of the largest and most representative gatherings ever held, the attendance, I understand, being about 75 per cent Conservatives. We know what action they took, and we know that it was opposed to the policy of the present Administration. We know that when this policy was entered upon, the Administration were besieged with telegrams and letters of protest from all parts of the country. We know that the consequences even in the ranks of the Government were serious. Not only did the organization I have referred to pass resolutions opposing their policy, but the Conservative press all over the Dominion has spoken against them. The St. John "Sun," a Conservative paper, said :

> It must have struck any one who noticed the list of Ministers who have resigned and those who remain that the line of cleavage is made more by the school question than by anything else. Nothing could be more improbable than that Mr. Clarke Wallace or Judge Meredith or Professor Weldon could agree on the Manitoba question with Sir Mackenzie Bowell, Sir Adolphe Caron and Mr. Costigan, to say nothing of Mr. Kenny.

Commenting on the Victoria, B.C., election, it said further :

> The one issue which was raised against Mr. Prior was the Manitoba school question and the proposed coercion of the province by the Federal authorities. The result of the campaign affords additional evidence of the unpopularity of remedial legislation as the people understand it. It is causing Protestant constituencies to turn against the Government, and is not preventing Roman Catholic constituencies from going over to Mr. Laurier.

I trust they will continue to come over as rapidly as they have done for the past few months. I have no doubt that, when the election is over, my leader will find that many constituencies upon which he does not now count, will send representatives to stand by his side. The "Evening Star" says :

> The shadow of Sir Mackenzie Bowell, the assassinated, will fall upon every caucus and secret council of the party for years. Faith, the sense of security, reliance upon each other, are gone for a generation. Tricks and treasons will be suspected where they do not exist, and will exist where they are not suspected. Haunted by the wraith of a strangled leader, the party house will permit no repose to the red-handed. Peaceful sleep will be impossible, and waking ease out of the question. The soughing of the wind will be ominous ; the bellying curtain at the open window will suggest a hidden bravo ; the word of a man will be held worthless, and his

> oath of small value. Before eating every dish will be tested for poison with the finger-ring of Machiavelli ; before sleeping, every couch will be probed with daggers, as in the palace of Henry VIII. Sir Charles Tupper is not the man to lay the ghost. It cannot be done in his generation, nor by one who was accessory before the fact. What is to be done to re-throne faith and to re-establish confidence ? Shall the men who introduced treachery at the hearthstone be made heads of the House or sent into exile ? Can they be exalted without treachery becoming the whole habit of the ambitious ?

Yet, in face of articles like this from organs of the Conservative party, the leader of the House has the assurance to tell us that he will return from the political contest with an overwhelming majority, prepared to force this Bill through Parliament, if it does not pass now. The Ottawa correspondent of the Hamilton " Spectator " says :

> The suggestion of a compromise between the remedials and antis is being talked over, and may eventually act like the atom of leaven that leavened the whole lump. It would not be the first time in politics that one party had successfully adopted a leading plank of the other party's policy for the good of the country. They are recalling stories of Beaconsfield's triumphs in that line across the water. The fact that Greenway and Laurier are advocates of a sensible way out of a difficulty should not be an insurmountable bar to the adoption of a similar course by the Conservatives. Nothing but personal feeling and stiffneckedness prevents an attempt on this basis.

The Hamilton " Spectator " further says :

> It is unfortunate for the Conservative party that its leader rushed into an alliance with bull-dozing bishops which has alienated Ontario. Will the Government go on with this suicidal policy ? Is the Conservative party to go to the country with an alliance of bull-dozing bishops ? Is the Conservative party, the success of which at the coming elections means the safety of trade, to be handicapped by an alliance with priests and bishops who cannot drive their flocks to the polls ? The failure of the bishops to coerce Laurier means that they will fail to coerce the people. It would be better for the Government to send Father Lacombe to take possession of his outrageous czardom in the North-west and tell him that that is all the Conservative party can do for the church just now. May we not hope that in view of recent developments, the Government will drop its insane intention of coercing Manitoba ?

The "Citizen," speaking in the days of trouble and turmoil, says :

> If Conservative sympathy in Ontario should receive a set-back from such voting as was done yesterday in Jacques Cartier, those who ought to be more interested in remedial legislation will only have themselves to blame.

Now, I have pointed out that not only the important Conservative organizations in the country, but the newspapers who have been the constant and steadfast supporters of the Administration, have taken the same ground. Why, I venture to assert that no respectable Conservative paper in the west sustains the policy of the Government, except the subsidized " Mail " of Toronto, and sometimes you cannot tell upon which side the " Mail " is. All the respectable Conservative papers, such as the " Spectator," and papers of that kind, have been denouncing the Government from the beginning down to the present hour. And yet, in face of the statement made by the friends of the Administration, and the organizations and organs supporting the Administration hitherto, the leader of the House, assuming the role of a prophet, predicts the return of his party to Parliament by an increased majority. Sir, I trust that Canada will be spared that infliction. We have had many inflictions, goodness knows, in our day, but that would be the most terrible infliction that ever overtook this grand country of ours. I trust and believe that a change for the better will take place ; I trust and believe that the difficulties that the Government has fomented in Manitoba by their unwise and unstatesman-like policy, will pass away when the hon. leader of the Opposition shall sit on the other side of the House. I believe that the wisdom and the sound common sense of the electors in Canada, from one end of it to the other, not excepting Assiniboia, will be true to the policy of the Liberal party, and will leave the Secretary of State and his friends at home.

Mr. CAMPBELL. We are discussing a Bill that the leader of this House declares to be the most important that was ever introduced into Parliament, a Bill of tremendous importance to the country. The Bill has 112 clauses, and no doubt it was a difficult matter to draw up such a Bill. I have no hesitation in saying that even the most competent man you could get to draw up a Bill on that subject, would find it an exceedingly difficult matter. But here you have entrusted this Bill to men who did not know what they were doing, who did not know what they wanted, and who have blindly gone on to present a Bill that every lawyer in the House says is no good at all, where one clause contradicts another, where one part of it is unconstitutional, where, after passing three or four clauses, the Government themselves admit that the Bill is imperfect, and one clause is left for further consideration. Is it not a great thing, this Cabinet we have in Canada ? We are paying a Minister of Justice $8,000 a year, and provide him with a deputy at a large salary, and with all the staff necessary to conduct his office, provided by the people of this country ; we have a Minister of Public Works, who is supposed to be a very brilliant lawyer ; we have the Postmaster General, another able and brilliant lawyer ; we have the Minister of the Interior, another man who stands at the very height of his profession ; we have also the Controller of Customs, who, as everybody knows, takes a high place at the bar ;

yet, notwithstanding all this legal talent, we find that this poor old Cabinet could not prepare this Bill themselves, but they had to send up and get Mr. Ewart from Winnipeg to come down and prepare it for them. Now, when it comes into the House of Commons, and when we ask a simple question about it, there is not a single man in the Cabinet who knows anything about it, they cannot explain it at all, and they say : We have sent for Mr. Ewart to come down from Winnipeg ; wait till Mr. Ewart comes. Mr. Ewart has come, and has been sitting in the galleries of the House for the last two or three days, when he is not consulting with the Government. They cannot tell us one single thing about it, and they have to ask Mr. Ewart why this clause was put in. Now, did you ever see such a farce ? Is that what the people of Canada pay these men for ? Is that the kind of Government we have, so helpless, so unfit for the positions they hold, that they have to send to Winnipeg and get Mr. Ewart to come down here and draw up a Bill for them ; and then, when the Bill is brought up in the House of Commons, the Minister of Justice, who ought to know all about it, does not know the first thing about it. The Minister of the Interior himself says : Wait till Mr. Ewart comes down ; he will be here in a few days, and he will tell us why it was put in. Did you ever see such an exhibition of a Government of Canada as we have to-day ? Could you imagine a more incompetent, a more helpless, a more incapable lot of men ? And to think that they are the combined intellect of the Conservative party ! They are the very cream of the Conservative party. The Conservative party has selected them as the very best men in their ranks, and we are paying them $8,000 a year each to conduct the affairs of the country ; and then we have to send to Winnipeg for Mr. Ewart to instruct them how to do their duty. The whole thing is a farce, and it is to pass such a Bill as this that the Government are forcing this House to sit night and day for a whole week. Now, who is responsible for this ? I see sitting in the House now many hon. gentlemen who were opposed to this Bill. I see the hon. member for Halton (Mr. Henderson) ; I see the hon. member for Lennox (Mr. Wilson) ; I see the hon. member for East Durham (Mr. Craig), and the hon. member for Dundas (Mr. Ross). Every one of these men have declared in this House that they are opposed to this Bill, that they believe it is a bad Bill, that it is a Bill fraught with great injustice to the people of Manitoba. And yet, strange to say, every one of these men are sitting in the House, night after night, and backing up the Government in forcing this Bill through. I say that their conduct is most inconsistent. I cannot imagine what the hon. member for Lennox can say to justify his conduct. He opposed the Bill. He says it is a bad Bill, it is a Bill that should not become law ; and yet he takes his turn like a little man, sitting twelve hours in the House, ready to vote down every motion that the Opposition may bring up. He is backing up the Government in forcing this debate to go on for a whole week ; and, when he goes back to Lennox, he will tell the people : Oh, I was opposed to the Bill ; it was a bad Bill ; it was a Bill that never should become law ; I voted against the second reading of that Bill, I voted for the six months' hoist. But he will not tell the people of Lennox that he sat day after day, and night after night, in the House of Commons, and supported the Government in forcing this Bill through.

Mr. WILSON. The statements the hon. gentleman is making are entirely untrue.

Mr. CAMPBELL. Well, the people of Lennox will know whether the statements are untrue or not. I have been in this House, with the exception of a short time last night, since it met on Monday afternoon, and I have not heard that hon. gentleman say one solitary word against the course of the Government in insisting that this House should sit night and day. He is one of the gang who are willing to sit twelve hours a day to vote down motions made by the Opposition. Last Saturday the hon. gentleman moved that the Government should take Saturday in order to enable them to push forward the Bill. So anxious are some hon. members opposite to oppose the Bill that the hon. member for Halton (Mr. Henderson), the hon. member for Lennox (Mr. Wilson), the hon. member for East Durham (Mr. Craig), and the hon. member for Dundas (Mr. Ross) voted to give the Government an extra day.

Mr. HENDERSON. The hon. gentleman is following the cue of the hon. member for Muskoka, and has apparently left the polished and able man who is the Opposition leader, and placed himself under the leadership of an hon. member whose position politically has not been known for some years past. The hon. gentleman repeated a charge which has been made against me a dozen times during the past few days, that of opposing the second reading of the Bill, and yet voting the Government an extra day for the purpose of pushing the Bill through the House. In regard to the resolution for taking Saturday, it simply stated that it was for Government business. But the hon. member for Kent (Mr. Campbell) voted for a motion to give Saturday from 10 to 6 for the same purpose. Surely if I was inconsistent, so was the hon. gentleman. The hon. gentleman must have been asleep during the last three or four days, and he could profitably occupy a little time in reading up his own record.

Mr. CAMPBELL. Read my name.

Mr. HENDERSON. I see the name of Campbell, and I believe there is only one Campbell in the House. Unfortunately, it is a French edition of the Votes I have. I find the hon. gentleman voted for Mr. O'Brien's motion to sit on Saturday from ten to six o'clock for Government business. The hon. gentleman says that was for the purpose of pushing through the Remedial Bill. I find the name of Campbell and McCarthy. The name of the hon. member for Muskoka (Mr. O'Brien) is not there, because the hon. gentleman shirked voting for his motion. If I am responsible in any way for taking Saturdays for the Government, the hon. member for Kent is little less responsible, all the difference being a matter of three or four hours.

Mr. CAMPBELL. The hon. member for Halton (Mr. Henderson) can crawl through as small a hole as any member in this House. The hon. gentleman said that the Government took Saturday, but he did not know it was for the purpose of putting forward this Bill, but simply for Government business.

Mr. HENDERSON. The hon. gentleman assures the committee that it was well known Saturday was to be taken for the Remedial Bill. Nevertheless he voted for a motion to give Saturday from ten to six for the purpose of pushing through that measure.

Mr. CAMPBELL. The hon. gentleman must have known, when the leader of the House moved that Government business should have precedence on Saturday, that it was for the express purpose of pushing this Bill.

Mr. HENDERSON. That was why the hon. member for Kent voted for it.

Mr. CAMPBELL. The motion was made to take Saturday. I voted against that motion and the hon. member for Halton voted for it. The motion was that the House should meet on Saturday at ten o'clock and continue in session until one o'clock, then adjourn for an hour and then afterwards continue to sit until midnight.

Mr. HENDERSON. That was not the motion. Put it fairly.

Mr. CAMPBELL. Midnight was not stated, but we knew that the Government would sit until twelve o'clock. That is too small an objection. The motion came up, and the leader of the House stated that the Government were bound to pass this Bill, and it was necessary the House should sit on Saturday. The hon. gentleman not only moved that the House meet at three o'clock, but at ten o'clock in the morning, so as to obtain extra time. So anxious was the hon. member for Halton (Mr. Henderson), notwithstanding all his professions, that this Bill should pass, that he actually voted for a motion that the House should sit at ten o'clock on Saturday morning.

Mr. HENDERSON. So did you.

Mr. WALLACE. If the hon. member will permit me, I desire to put the matter right. The statement has been made by the hon. member for Halton (Mr. Henderson) that the hon. member for Kent (Mr. Campbell) voted yea on the motion for the House to meet at ten o'clock on Saturday. When I gently reminded him a little while ago that he was not correct, he, in his overbearing and arbitrary manner, tried to push me down. I have the floor, and also a copy of the Votes and Proceedings. I find that Sir Charles Tupper moved that after Monday next, for the remainder of the session, the House should sit at ten o'clock, with a recess from one to two p.m., and that Government measures should have precedence. Among the yeas I find the name of the hon. member for Halton (Mr. Henderson). Among the nays I find the hon. member for Kent (Mr. Campbell).

Mr. HENDERSON. Read all the names.

Mr. WALLACE. I am calling attention to the vote on the motion to meet on Saturday. The hon. member for Halton voted yea on the motion to meet on Saturday at ten o'clock, and the hon. member for Kent voted nay, that the House should not meet at ten o'clock. The other point the hon. member for Halton was endeavouring to make was that the hon. member for Kent voted for the amendment of the hon. member for Muskoka (Mr. O'Brien). That amendment was that two should be struck out and 2.30 inserted, and that the House should stand adjourned at six o'clock. The hon. member for Kent voted for that motion.

Mr. HENDERSON. Hear, hear.

Mr. WALLACE. I do not see the point of that exclamation "hear, hear." The hon. member for Kent had either to support the amendment or the motion. The amendment was that the House should rise at six o'clock, and the main motion, in view of the straight declaration of the leader of the House in making the motion, was that the House should sit till midnight, and in fact it did sit until Sunday morning. That was the motion against which the hon. member for Kent voted. He had to vote either that the House should rise at six o'clock or go on till midnight, and he voted that it should rise at six o'clock. What does the hon. member for Halton (Mr. Henderson) make out of that ?

Mr. HENDERSON. If the hon. member for Kent (Mr. Campbell) is right, the hon. member for West York (Mr. Wallace) is wrong.

Mr. WALLACE. The member for West York is not on trial in this matter, and when the hon. gentleman chooses to make charges against him, the hon. member for West York will defend himself, and successfully too.

Mr. CAMPBELL. The House will now understand the position which the hon. member for Halton (Mr. Henderson) occupies. I voted, as has been explained by the hon. member for West York, against taking Saturdays. The hon. member for Halton (Mr. Henderson) voted for it. Then a motion was made that the House instead of meeting at two o'clock, should meet at 2.30, and should adjourn at six o'clock. I had to vote for one motion or the other, and I voted for the motion giving the Government the shorter time, but the hon. member for Halton was not satisfied that the House should adjourn at six o'clock, he wanted every hour given to the Government, even until Sunday morning. That shows the consistency of the hon. member for Halton (Mr. Henderson). No doubt he will go before his constituents and tell them that he voted against the Bill ; yet in every way possible he has assisted the Government in passing it, and he has been one of a gang to vote down every motion made from this side of the House. As to the hon. member for East Durham (Mr. Craig), he has undertaken to lecture hon. members on this side of the House on the subject of consistency. He also voted that the Government should take Saturday.

Mr. CRAIG. No. I think an hon. gentleman who rises to make charges should be careful that they are correct, because if I had been absent that statement might have gone uncontradicted, and it would have appeared on the record.

Mr. CAMPBELL. I beg the hon. gentleman's pardon. Where was the hon. gentleman ?

Mr. CRAIG. I had to go home. I was paired with an hon. member. I was in the same box as the leader of the Opposition, who did not vote because he had to go away, and I do not blame him.

Mr. CAMPBELL. With whom was the hon. member for East Durham (Mr. Craig) paired ? The hon. gentleman must have seen the notice on the Order paper. He was, however, so anxious that the Government should press forward the Bill that he secured a pair.

Mr. CRAIG. I was paired against the Government.

Mr. CAMPBELL. With whom ?

An hon. MEMBER. Never mind.

Sir RICHARD CARTWRIGHT. Was it the hon. member for East Toronto (Mr. Coatsworth) with whom the hon. member for East Durham (Mr. Craig) was paired ?

Mr. CAMPBELL. The hon. gentleman cannot get out of it that way. He was so anxious that the Government should have an extra day that he secured a pair. I suppose he will tell his constituents the same story as the hon. member for Halton will tell his. Then there is the hon. member for Lennox (Mr. Wilson). How can he explain his vote ? He voted for the six months' hoist and professed to be opposed to this Bill. But he voted to give the Government an extra day to pass the Bill, and he sits for twelve hours a day and supports the Government that are trying to make this Bill a law. Then there are the members for East Toronto (Mr. Coatsworth) and Centre Toronto (Mr. Cockburn). I do not see the name of the hon. member for Centre Toronto on the division list. Was he paired?

Mr. COCKBURN. I thank the hon. member for the kindly interest he takes in me. The last time he devoted so much attention to me, he was deeply interested in the brushing of my hat and the polishing of my boots.

Mr. CAMPBELL. In which the people of Toronto were so much interested that the hon. gentleman heard nothing but "hat" for about three months after. Then there are the members for Hamilton (Mr. Ryckman and Mr. McKay), and the member for South Wentworth (Mr. Carpenter). But he, at least, is not so inconsistent as some of the hon. members I have referred to, because he voted for the Bill, and he is sitting here twelve hours a day to help to force it through. This attempt to force legislation through Parliament is an outrage upon this House. I lay the blame upon the leader of the House. I believe that he has been humbugging the people from the start ; my opinion is that he never had the slightest intention of having this Bill passed. The Government knew that the hon. gentleman from West York (Mr. Wallace) was bitterly opposed to the measure, and that many others on their own side were against it. Six months before this session was called, it was known on what day it would meet. Was it not natural to expect, under these circumstances, that the Bill would be ready for us ? But not only was it not ready but the very Cabinet split up into two factions. They resurrected the High Commissioner and put him at the head of affairs. But two months were allowed to pass before the second reading was passed, and it was not until after that that they moved to take any days for Government business, other than Tuesday and Friday, which are Government days always, from the beginning of the session. Then the second reading was moved by the leader of the House in a speech calculated to arouse opposition on every hand, and dealing with every subject except that before the House. For the last week or two, he has thought it well to occupy much time in speaking, and in making the most violent, abusive, and tantalizing speeches that have ever been heard from the leader of this House. If he were desirous of obstructing the progress of the Bill, he could not have taken a course more likely to accomplish that object. And now he insists that we shall sit day and night to pass this Bill, which, as I have said, is a most outrageous proceeding. Mr. Chairman, you have occupied that Chair from three o'clock on Monday afternoon until now, five o'clock on Wednesday afternoon, and I think it time for the committee to rise, report progress, and ask leave to sit again. Therefore, I shall support the motion.

Mr. WILSON. I understood that this session of Parliament was called not only to pass the Remedial Bill, but to do the ordinary work of the session. I came prepared to do my share of that work, and I think that if those opposed to remedial legislation had taken as much pains to help on the business as they have taken to prevent its progress, we should not have found it necessary to call another session immediately after the election, to pass the Estimates. I voted to take Saturday for the business of the House. I have done that ever since I have been in Parliament. When the Government can spare the time to give attention to legislation, I think it better that we should be here attending to our parliamentary duties than walking around the streets doing nothing. I was attacked in the newspapers because I did not happen to be here on Saturday, after having voted for a sitting on that day. I regret to say that I had to go home on account of the serious illness of one of my sons. My position on the Remedial Bill is known, not only in this House, but by my constituents. But the House, having passed the second reading by a substantial majority, and having gone into committee on the Bill, my duty seemed to me clear. I take the position stated by the hon. member for North Simcoe (Mr. McCarthy), when he said that he would use his best efforts to make the Bill as good as possible, and, when it came to the third reading, oppose it as he did on the second reading. I hold myself free to vote for such clauses in the Bill, or such amendments to them, as I think will make the Bill most perfect, believing that if we are to have such a Bill it is desirable that we should have as good a Bill as we can make. I entirely disagree with the statement of the hon. member for Kent (Mr. Campbell) that this Bill, once passed, cannot be repealed or amended by Parliament. That seems to me a most unreasonable thing to say. Some hon. gentlemen have taken the position that this Parliament has no right to deal with the Bill. If that is so, then we have no right to do any of the business of the country. We were elected for five years, and that period has not yet expired. Our constituents have entrusted us with the duty of carrying on the public business for that length of time. It will not be long before we have a general election, and the hon. member for Kent will have to go before his electors, like the rest of us. He will have an opportunity of explaining whether it is in part through his obstruction that an extra session is necessary, which will involve an additional cost of $500,000 to this country. When the new Parliament is elected, if it is found that the majority have been elected opposed to this legislation, the Bill can be repealed or amended. The Government knows my position. I oppose this legislation because I am against interference with provincial rights. I believe that those entrusted with the management of provincial affairs, being on the ground, and knowing the local conditions, are better able to manage those affairs than is a body like this, composed of men from all parts of the Dominion. I voted for the six months' hoist and against the second reading, and I expect, if I live, to vote against the third reading.

Mr. CASEY. I propose to make some remarks regarding the conference which took place in Winnipeg last week between the delegates of this Government and the Manitoba government. The official proceedings of that conference have not yet been given to this House, although I believe they have been produced in the Senate. I believe their tenor is that these commissioners were authorized as plenipotentiaries by this Government to make such arrangement as would satisfy the Catholic minority in Manitoba. When these delegates arrived in Winnipeg, they put themselves at once in communication with the Manitoba government. They were treated with great courtsey, and they had every reason to expect success. I must ask the Secretary of State to remain in his place for a short time, as I have a serious charge to make against him, to which I shall ask him to reply. I see he has gone out now, but I expect he will return and will answer the charges I am about to make. Although the documents I have in my hand are taken from the newspapers, their genuineness is attested by the Minister of Justice. At the end of the proposal made by the Dominion delegates to the Manitoba delegates we find this clause :

> A written agreement having been arrived at, and the necessary legislation passed, the Remedial Bill now before Parliament is to be withdrawn, and any rights and privileges which may be claimed by the minority in view of the decision of the Judicial Committee of the Privy Council shall, during the due observance of such agreement, remain in abeyance and be not further insisted upon.
>
> March 28th, 1896.

This was signed by the three delegates of the Dominion Government, and is dated March 28th. That was the basis of consultation agreed to by the delegates, who had full plenipotentiary powers from this Government. They promised that if an agreement in writing was reached between them and the Manitoba delegates, the Bill now under discussion would be dropped, and the rights of the minority in Manitoba, whatever they might be, would remain in abeyance. The answer to that proposal came from the Manitoba delegates a day or two later, and after some proceedings had taken place in this House, and they remonstrated against the fact that faith had not been kept with them. The remonstrance was addressed to the Dominion delegates and signed by the Manitoba delegates :

> Gentlemen,—We have had under consideration the memorandum handed to us on the 28th inst., containing your suggestions for settlement of the Manitoba school question, and have the honour to submit herewith our reply thereto.
>
> We desire, first, to refer to the understanding upon which the conference was proceeded with. You will remember that we thought it necessary before proceeding with the discussion of the question involved, to stipulate :
>
> 1st. That while the conference was proceeding the Remedial Bill now before Parliament should be held in abeyance, and no proceedings taken thereon in the meantime, provided that the conference did not extend beyond Tuesday next.
>
> 2nd. That in the event of an agreement being reached for settlement the Remedial Bill should be at once withdrawn, and the execution of the terms of the agreement left to the parties. These stipulations were agreed to by yourselves without hesitaion, but notwithstanding such agreement, and in violation of its terms, the Remedial Bill was advanced a stage in the House of Commons on Saturday morning. While not desirous of taking any advantage of this departure from the conditions upon which the negotiations were opened, we deem it due to ourselves to protest against the course thus pursued by the Government by which you were commissioned.

I think they had reason to protest. Not only had a stage been taken with the Bill, but after that commission was appointed, and when the Secretary of State was questioned across the floor of the House in connection with the matter, he declared his intention to go on with that Bill, no matter what might be the results of the negotiations at Winnipeg. He declared that it would be forced on, that he would be willing to sacrifice his life to pass the Bill, no matter what might be the result of the proceedings in Winnipeg. At the same time, his commissioners up there had authority to propose, and did propose, and obtained their consultation in virtue of the proposal, to stop this Bill until the negotiations were concluded. Even at the very time this protest was made, the Secretary of State, speaking in the House about it, said :

> I may say in reply that when the Government announced that they proposed to open negotiations with the Government we distinctly stated that it was our intention to continue to press the passage of this measure. The hon. gentleman knows that we are not occupying the position a Government usually occupies with regard to Parliament.

Then he went on to point out that the short time left before the expiry of Parliament, necessitated haste, and he added :

> If this measure which is now before the committee becomes law, it will be a comparatively simple matter for the government of Manitoba to make such arrangements as will prevent its being brought into operation.

That is, he proposed to pass the Bill first, and then allow the Manitoba government to avoid it by legislation of their own. He continues :

> But if it is to become law, it must be proceeded with steadily until concluded.

This was the language of the gentleman who had authorized his delegates to propose a cessation in dealing with that Bill in this House during the negotiations. It was pointed out to him at the time that it was absurd to attempt to negotiate with a club in one hand and a sugar-plum in the other, with the government of Manitoba, who could not, with decent self-respect, accede to that, and it appears they did not accede to it. They only negotiated on the strict understanding that pending the conference, the Bill would not go on. The Secretary of State continued further—and this is a phrase to which I call the attention of his French supporters :

> If, on the other hand, it was abandoned or withdrawn, and the time lost by putting it upon the statute-books, and the negotiations did not succeed, the minority in Manitoba would be left in the same deplorable and helpless position in which they have been for the last five years. Under these circumstances, the Government proposed to press this measure with all the vigour and energy in their power until it is placed on the statute-books.

At the same time his delegates in Manitoba made this offer, which I read a few moments ago. That is, while he says in the House that they must necessarily go on and pass the Bill, his delegates in Manitoba are promising a cessation of proceedings, while the conference lasted, and that it should not go on at all, but be held in abeyance if an agreement was made between the consulting powers. There I charge an act of absolute bad faith, and to show that it was an inexcusable act of bad faith, I am going to read you another statement of the delegates, in which, while they admit bad faith, they confess themselves unable to account for it. In answer to the remonstrance of the Manitoba delegates, they said :

> Winnipeg, 31st March, 1896.
>
> Honourable Clifford Sifton, Honourable J. D. Cameron :
>
> Gentlemen,—We beg leave to acknowledge your communication dated yesterday, and written in reply to our suggestions for settlement of the Manitoba school question. We regret to find that there has been some misapprehension as to any understanding upon which the conference was proceeded with.

Mark these words, "the understanding upon which the conference was proceeded with." The conference was only proceeded with on the understanding that this Bill should be suspended in the House. They continue :

> As to the first of those matters mentioned by you, we understand the facts to be that you insisted that no further consideration of the Remedial Bill should be pressed for by the Dominion Government until to-day (Tuesday), and that we directed your attention to the announcement to that effect in the newspapers of the day, and having every desire to meet your wishes we further promised to communicate with the Dominion Government asking that the Bill be not taken up on Friday. This communication we sent, and we were as much surprised as yourselves to find that late on the night of the Friday sitting the Bill was advanced a stage.

That was the night we passed the Bill 'pro forma' into committee.

> We cannot say what consideration forced the Government to the conclusion that this step was necessary and we sincerely regret that any misunderstanding has arisen as to a point upon which we carried out what we believed to be our engagement, and upon which we did all we could to have your wishes observed.

I may say the delegates have cleared their own skirts from the charge of bad faith. They made the offer in good faith to suspend the Bill. They notified their principals that they had made that offer. That offer was binding on those principals here on account of the plenipotentiary authority these ambassadors had received. In spite of that, the leader of the Government in this House broke loose from all engagements made by his ambassadors, and on that particular Friday night, after getting notice of this arrangement, he took the Bill a stage further in this House. I ask you if any clearer case of bad faith, of breach of solemn agreement, was ever brought home to any individual than this which is brought home to the Secretary of State by his own ambassadors at Winnipeg. I asked the hon. gentleman before he went out to remain and explain this act of deliberate bad faith on his part. When he does come back to this House I am ready for him, and ready with the proof out of the mouth of his own commissioners, to show that he broke the agreement they had made in his name. There was bad faith exercised, also, towards the French supporters of the Government, who profess to be anxious in regard to the Manitoba minority. We have the Minister of Public Works (Mr. Ouimet), saying that we must go on with the Bill. This is evident from the following remarks made on March 24th :—

> When the Bill is passed a compromise can be arrived at between the majority and the minority which will cause all the dissatisfaction on the part of the minority to disappear, and will be the means of restoring peace among the people of Manitoba, and I may add that the Catholics may not after all be so very exacting. If a compromise is possible, it will be made easier because under this law the minority will have a guarantee so long as this law remains on the statute-book.

Mr. LAURIER. Then you want both the compromise and the law.

Mr. OUIMET. If these concessions are withdrawn from the minority, they will have a right to fall back on this law, and have independent schools, to which they are entitled, as decided by the decision of the Judicial Committee of the Privy Council.

Mr. MILLS (Bothwell). Does the hon. gentleman maintain that if Manitoba should make this concession, this Parliament would have the right to go on and legislate ?

Here is the Minister of Public Works declaring that the Bill must be proceeded with whether an agreement is arrived at or not, when, at that very time, the Dominion commissioners were promising the Manitoba government to let the Bill remain in abeyance. This is a breach of good faith between the Minister of Public Works and his supporters. Of course, the proposal of the commissioners was made with the consent of the Minister of Public Works, as a member of the Government. The Government were notified what the commissioners were doing, and they knew what they were doing at the very time these remarks were made in the House. If the hon. gentleman was not prepared to agree with the Government's action, it was his duty to have left the Cabinet. He will have to explain to his French supporters why the Dominion commissioners were proposing to suspend the progress of the Bill at the very time when he declared it must be pushed through Parliament.

I have arraigned the hon. gentleman, not on my own accusation, but on the accusation of his plenipotentiaries, who state that there is no excuse for this action on the part of the Government. This is one of the blackest incidents of bad faith known in our political annals. The conference was summoned, and delegates attended from the Dominion and Manitoba governments. Proposals were made by both sides, and I call attention to them with a view of showing some interesting points. In the first place, I intend to show there was a reasonable inclination shown by the Manitoba government to consider the question, to make considerable changes in the school regulations. Further, it is apparent that the proposals of the Manitoba and Dominion governments do not differ very much on points essential to the interests of the minority in that province. They differ in some important particulars, but the differences are not vital to the interests specially concerned. If those two bodies of commissioners, coming together under circumstances so unfavourable to negotiations, one party making threats to the other, and the other irritated by the threats, were able to come so near together, it is absolutely certain that a settlement could have been reached under different auspices. If the Government had taken the advice of the hon. leader of the Opposition years ago, and consulted Manitoba, an agreement would have been reached. If the Government had carried out their promise of last session to negotiate during vacation, a settlement could have been reached. If the Government, at the opening of this session had acted judiciously, a settlement could have been reached.

I contend, however, that the Government deliberately avoided entering into negotiations. The Premier visited Manitoba and the North-west, and inspected mission schools, and saw bright and pretty children, and, in fact, saw every person and thing of importance in the North-west except Premier Greenway, who was the principal person whom he should have seen. The Government ship has drifted so far towards the lee shore that the crew are compelled at the last moment to send a boat with three of the shipwrecked crew to beg help from the Manitoba government. No one would have been surprised if that government had said : "You are on a lee shore and refuse to save them from shipwreck." But the Manitoba government met them in a spirit of justice, generosity, and fair-play, as the Minister of Justice openly declared. The Government are keeping this question for the elections, and it remains to be seen how far they will succeed. The Government commissioners proposed as follows :—

Suggestions for settlement of Manitoba school question from Dominion commissioners for Manitoba government.

1. Legislation shall be passed at the present session of the Manitoba legislature to provide that in towns and villages where there are resident say, twenty-five Roman Catholic children of school age, and in cities where there are, say, fifty of such children, the Board of Trustees shall arrange that such children shall have a school-house or school room for their own use, where they may be taught by a Roman Catholic teacher, and Roman Catholic parents or guardians, say, ten in number, may appeal to the Department of Education from any decision or neglect of the board in respect of its duty under this clause, and the board shall observe and carry out all decisions and directions of the department on any such appeal.

2. Provisions shall be made by this legislation that schools wherein the majority of children are Catholics should be exempted from the requirements of the regulations as to religious exercises.

3. That text-books be permitted in Catholic school such as will not offend the religious views of the minority and which from an educational standpoint shall be satisfactory to the advisory board.

4. Catholics to have representation on advisory board.

5. Catholics to have representation on the board of examiners appointed to examine teachers for certificates.

6. It is also claimed that Catholics should have assistance in the maintenance of a normal school for the education of their teachers, the existing system of permits to non-qualified teachers in Catholic schools to be continued for, say, two years, to enable them to qualify, and then to be entirely discontinued.

7. In all other respects the school at which Catholics attend to be the same as the public schools and subject to every provision of the Education Acts for the time being in force in Manitoba.

I summarize these suggestions as follows :— 1. Separate tuition in separate schools where twenty-five Catholics demanded it in the country, or fifty in the city, that tuition to be by a Catholic teacher. 2. Where there is a majority of Catholics their children are to be exempt from religious exercises. 3. Inoffensive text-books for Catholic schools. 4. Catholic representation on the advisory board. 5. Catholic representation on the examining board. 6. Aid to Catholic normal schools. 7. In all other respects the schools to be public schools.

I wish to read Manitoba's proposals, and to show that they really grant, in substance, about what the Dominion commissioners asked for so far as the interests of the minority are concerned, though they might not grant all demanded by the prejudice of other parties :—

Our proposition is in the form of an alternative :

First—Should it be accepted as a satisfactory measure of relief to the minority, and as removing their grievances, we hereby offer to completely secularize the public schools system, eliminating religious exercises, and teaching of every kind, during school hours. We desire it to be understood in connection with this proposition, that it is made as a compromise offer, and not as embodying the policy the government and legislature of the province are themselves desirous of pursuing. We are willing, however, to adopt such a measure in order to attain a settlement of the dispute.

Second—In the alternative, we offer to repeal the present provisions of the School Act relating to religious exercises, and to enact in substance the following :—

No religious exercises or teaching to take place in any public school, except as provided in the act. Such exercises or teaching, when held, to be between half-past three and four o'clock in the afternoon.

If authorized by resolution of the trustees, such resolution to be assented to by a majority, religious exercises and teaching to be held in any public school between 3.30 and 4 o'clock in the afternoon. Such religious exercises and teaching to be conducted by any Christian clergyman, whose charge includes any portion of the school district, or by any person satisfactory to a majority of the trustees, who may be authorized by said clergyman to act in his stead ; the trustees to allot the period fixed for religious exercises or teaching for the different days of the week, to the representatives of the different religious denominations to which the pupils may belong, in such a way as to proportion the time allotted as nearly as possible to the number of pupils in the school of the respective denominations. Two or more denominations to have the privilege of uniting for the purpose of such religious exercises. If no duly authorized representative of any of the denominations attend the regular school, work to be carried on until four o'clock.

No pupil to be permitted to be present at such religious exercises or teaching if the parents shall object. In such case the pupil to be dismissed at 3.30.

Where the school room accommodation at the disposal of the trustees permits, instead of allotting different days of the week to different denominations, the trustees to direct that the pupils shall be separated, and placed in different

> rooms, for the purpose of religious exercises as may be convenient.
>
> We believe that the foregoing proposal will remove any well-founded grievance.

It is not my business to say whether this would remove every well-founded grievance, but I do say it goes a long way in that direction. It would effect about as much in the interests of the minority as the course proposed by the Dominion Government. If there had been time enough, and good faith on both sides, an arrangement would have been reached. There would have been time enough if this Government had begun negotiations during the recess, or even during the early days of this session. The good faith was not broken by the delegates on either side ; that should be said in justice to those delegates, but by the principals of the Dominion delegates. In the first place, there was delay in beginning the negotiations, then bad faith when negotiations were begun, and in the third place, such a spirit manifested here that it would have been a matter of surprise to everybody if an agreement had been reached. What a blessing it would have been to this country if an agreement had been made. It would have removed this question from the arena of politics, the elections might have been already over, and the new Parliament sitting, and, above all, the irritation between races and creeds would have been avoided.

Mr. LAURIER. I merely rise to renew what I said yesterday—to point out to the Government that they will gain nothing whatever by the coercive efforts they are making to railroad this Bill through the House. Every member of this House is disposed—at any rate, I speak for the members on this side—to give to this Bill fair and legitimate consideration. This is the time for business, and I am disposed to give full consideration to the measure. But once more I repeat to the hon. gentleman that when it comes to two or three o'clock in the morning, it is unjust, unreasonable and cruel to ask members of this House to sit longer, and particularly so to ask them to sit for twenty-four hours a day, and, for my part, I am not disposed to do it. The hon. leader of the House must have some consideration for the health and convenience of hon. members. Let the hon. gentleman remember, as I told him yesterday, that the Government has consulted their own convenience in the time of bringing down this measure. If they chose to bring it down late it is not the fault of the Opposition, it is the fault of the Government. Once again I enter my protest against the action of the Government. I intend, when it comes to two or three o'clock in the morning, that a motion shall be made for an adjournment that we may go where all honest men should be at that time, in bed.

Sir CHARLES TUPPER. I regret that I had not the pleasure of hearing the observations of the hon. leader of the Opposition. But I desire to recall the credit I gave him a few days ago when I came into this House and found the hon. gentleman making a proposal that the question before the Chair should be removed, and that the House should take the Bill up and proceed with it seriously. I gave the hon. gentleman more credit than he deserved. I am afraid I assumed, accustomed as I am to say exactly what I think, that the hon. gentleman really intended to assist the Government in putting down and removing the obstruction which the House had shown was unpalatable to it. But when I find that from that time to this, the hon. gentleman has succeeded in bringing those of his followers over whom he still claims to have some influence to maintain the most constant and persistent obstruction ever known in any Parliament of the world, I feel bound to say that I believe that the hon. gentleman is at this moment in the closest possible alliance with the hon. member for Simcoe (Mr. McCarthy), and is co-operating with him to the utmost of his ability in bringing every follower whose allegiance he can obtain to obstruct this measure and prevent it becoming law. I am reluctantly forced to that conclusion, and I admit frankly that the attitude in which I found the hon. gentleman when I entered the House a few days ago misled me. When we went into commmittee what happened ? Every person knows, it was manifest, that time was taken up with matters comparatively of no moment. Every possible captious objection that could be presented was brought up, while ostensibly we were dealing with the question before the committee, and it became perfectly obvious to every hon. gentleman that it was only obstruction in another form. From that time to this the hon. gentleman's followers have persistently obstructed the business of the House ; and the hon. gentleman will have to stand before the members of this House as well as before the people of the country as being in close alliance with the hon. member for North Simcoe and the small contingent who do his bidding, as acting in the most complete concert with that hon. member in endeavouring to prevent by every means this effort on the part of the Government and their supporters in this House to do justice to the minority in Manitoba. I do not envy the hon. gentleman his position. I have had letters from most respectable sources——

Mr. LANDERKIN. Produce them.

Sir CHARLES TUPPER. I can produce them, too. I will tell the hon. gentleman the contents. They were to this effect :—It is true you are standing in the face of the most determined obstruction that a Government ever was called upon to meet in this country, but you are not losing your time ; honest Grits all over the country are every day being made into good Conservatives.

And I tell the hon. gentleman that instead of doing his own work, instead of promoting the interests of his party, instead of increasing the prospects of the Liberal party obtaining power in this country, every hour the hon. gentleman spends in this gross, palpable obstruction of the business of the House, he takes the best and most effective means he can to prevent his ever reaching power in this country. He is showing to this House, he is showing to the people of the country, his entire unfitness to occupy a position of responsibility in reference to the affairs of this country. If he thinks by this means to turn the public attention away from the changing, the chameleon-like policy he has pursued in the past, showing that he was ready to go east, west, north or south on the great fiscal and commercial question before the country if it would only afford the least chance of his obtaining power—if he thinks he is going to turn the public mind away from the incapacity to grasp the true interests of the country in those great matters which make for the progress and prosperity of Canada, he is entirely deceived. The position the hon. gentleman occupies to-day is one showing his utter incapacity to discharge the duties of a leader of a loyal, constitutional opposition. The hon. gentleman knows that it is just such conduct as he is responsible for in this House to-day that has forced the Parliament of England to adopt the cloture. The hon. gentleman knows that a comparatively small body of men in the House of Commons in England forced Parliament to adopt that extreme measure. I can tell him more. I have the authorities under my hand to show that in New Zealand a similar course to that the hon. gentleman has adopted in relation to this measure was struck down by the Speaker of the House. When the business was prevented from being carried forward in committee, the committee rose, and the Speaker took the Chair and disciplined the obstructives as a necessary measure in defence of parliamentary government and parliamentary principle. And I can only say, Sir, that the course the hon. gentleman is taking in this House is not only outraging the sense of justice of this Parliament but it is outraging the sense of justice and fair-play and sense of public duty of every right-minded man in this country. The hon. gentleman knows that he is taking advantage, that he is taking unfair advantage of the fact that the duration of this Parliament is so limited to endeavour to prevent those of his own race and his own religion receiving justice, after long years of suffering, after long years of being deprived of the privileges enjoyed under the law and constitution of the country, even though the supreme tribunal, the Judicial Committee of the Privy Council in England, have decided that their rights and privileges are invaded. Yet, Sir, the hon. gentleman, by the most palpable and unfair obstruction, under the peculiar circumstances in which this House is placed, is determined to put on record before the House and the country that he cares not who suffers, he cares not what race they are of, he cares not what religion they are of, he cares not what their sufferings may be; in a vain attempt to grasp power in this country, he is willing to let them suffer, and to let them take the consequences. The hon. gentleman, by his alliance with the hon. member for North Simcoe, may succeed in preventing this Bill from becoming law: but if he does succeed by the means he and his co-conspirator are adopting——

Mr. MULOCK. I rise to a point of order.

Mr. DEPUTY SPEAKER. It is six o'clock.

Mr. MULOCK. Well, if you will hold the point of order good after recess, you may leave the Chair.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into committee.

(In the Committee.)

Sir CHARLES TUPPER. Mr. Chairman, I was about concluding my observations in reference to the obstruction that has been offered to the Government in relation to this measure, when the proceedings were interrupted by the arrival of six o'clock. I mentioned that this matter of obstruction had been regarded in a very serious light in other legislatures, and I will now take the opportunity of drawing the attention of the House to a very high authority on the course that was pursued in the colony of New Zealand. I quote from an authority that is recognized, not only in this country, but I am happy to say in every country where British institutions exist, that of Dr. Bourinot, under the head of "Suspension of Members." I will deal with that subject a moment later.

Mr. LANDERKIN. We will not take any action just now.

Sir CHARLES TUPPER. No. Perhaps the hon. gentleman may accept this as a significant hint. In the work on "Parliamentary Government in the British Colonies" by Alpheus Todd, who has long been recognized as a distinguised authority on these subjects, I find, on page 70, the following statement in reference to the action taken in New Zealand. The cloture had been practically in force in Victoria and in the New Zealand House of Representatives, but it had been abandoned; and they stood in precisely the same position in which this House stands now. But, says Mr. Todd:

> Nevertheless, in September, 1881, the New Zealand House of Representatives dealt sum-

marily and successfully in putting down persistent obstruction by a small body of its members.

I call the attention of the House to this fact, because there has already been placed on the Journals of this House a majority of 99 to 7 on this question of obstruction, and of preventing the due consideration of this measure :

> They had been kept continuously sitting from 2.30 p.m. on Wednesday, August 31, until 5 minutes to 5 p.m. Saturday, September 3, in Committee of the Whole, after a 48 hours' sitting during which time 23 motions, alternately to report progress and to leave the Chair, had been negatived.

I am quite sure that quite as many motions of the same character during the discussion of this question have been put and negatived. I call the attention of the committee to this fact, that in New Zealand, in a precisely similar case :

> The Chairman interposed and refused to receive any more such motions. A member resisted his authority, whereupon he left the Chair and reported the disorderly conduct to the House. The House resolved this member to have been guilty of contempt. Then the Speaker severely reprimanded him, and in so doing he dealt a severe and sufficient blow against this defiance and decorum and abuse of the freedom of debate. He asserted and maintained the inherent right of the House to control its own rules and not permit them to be notoriously abused.

That I draw the attention of the committee to as the course taken in a British colony, probably the most important next to Canada to be found in the British Empire. Now, Sir, I will make the quotation I was about to make from Dr. Bourinot's work on " Parliamentary Procedure," page 189, bearing upon the same subject :

> Expulsion is an extreme penalty only to be enforced under extraordinary circumstances. In cases of minor gravity, the House may be satisfied with ordering the Speaker to admonish or reprimand the offender, and the remarks of the Speaker ought always to be entered on the Journals after motion duly made. The House may also, under certain circumstances, proceed to the rigorous measure of suspending a member temporarily from his functions. " There is no doubt," says an authority " that under the common law of Parliament any member, wilfully and vexatiously obstructing public business, would be held to be guilty of a contempt of the House, and would be liable to a suspension from his duties as a member." The rights of electors are no more infringed than if the House had exercised its unquestionable power of imprisonment. No necessity has ever arisen in the Canadian Parliament for exercising this extreme power which ought clearly to be used only in a grave emergency. It has, however, been necessary to adopt a new standing order on the subject in the English House of Commons, on account of the conduct of certain members who have wilfully and persistently obstructed public business.

Now, Sir, I do not believe that in the records of the House of Commons of the United Kingdom a more persistent attempt at obstructing public business has ever been exhibited than that which we have seen in this House. I call attention to the fact that in New Zealand the very course that has been followed here, of persistently moving again and again and again that the committee rise and report progress, for the avowed purpose of obstructing public business, was dealt with ; and the House resolved that persistently obstructing public business in that way was a contempt of the House. I have drawn the attention of the House to the fact that in this very question, when the motion was put in the strongest form that the House should have an opportunity of going on for the purpose of carrying through this measure, the House resolved, by a majority of 99 to 7, against the motion that was placed before the House for the purpose of obstruction. I do not think it is necessary to say more, Sir, than that the Government under these circumstances have felt that they have only one duty to themselves, one duty to the House, and one duty to the country to perform ; that is, steadily and persistently and to the utmost extent of their power, to press forward this measure upon the consideration of the House. A suggestion has been made by hon. gentlemen opposite that we should go out of committee. That has been tried before on several occasions ; but hon. gentlemen on both sides of the House know that advantage has been taken of the committee rising, when the motion was made to go into committee again, to waste day after day of the time of the House in obstructive motions intended to prevent the House getting back into committee or any business being done. The Government have patiently, steadily and to the utmost of their power done all that it was possible for any government to do to advance this measure. They have shown that they are ready, at the sacrifice of their comfort and their rest, and even at the danger of their health, to do all that is possible to carry this important measure, which has been placed before the House under circumstances of an abnormally difficult character. Owing to the very short period that remained of the session, they found that there was no alternative. If there was any hope or chance of advancing this measure, the only hope lay in going into committee and remaining there until such substantial progress was made with the Bill as would show that hon. members had at last come to the conclusion to avoid obstruction and not take advantage of the position of the session to prevent this measure becoming law. It is just as painful to the Government, as it can be to any member on either side of the House, to be compelled to resort to such an extreme measure as continuously to remain in session for so long a period. But no other alternative remained, if there was any hope of this measure being dealt with, and of Parliament being allowed—not the Government, but Parliament, which has, by an overwhelming majority, demanded that we have an opportunity of passing this important measure—to dispose of it before this session closes.

Mr. LAURIER. Mr. Chairman, let me at once assure the hon. gentleman, who, before six o'clock, gave to the House such a sorry and sad exhibition of impotent and unseemly rage, that he will ever earn my gratitude for his vituperation, and that I shall ever feel obliged to him, if he will spare me his encomiums. Yesterday, the hon. gentleman, in a rare moment of candour, for once spoke the truth, when, referring to myself personally, he gave me the credit of not having been guilty of any obstruction to the measure now before the House. I must say, knowing the hon. gentleman as I know him, and hearing him for once speak the truth of an opponent, I thought, reviewing my course, that I must have made a mistake in tactics. But I knew that he could not long pursue such a course ; and I could point to his colleagues and supporters who from that moment went to him and told him that it would never do in the province of Quebec to give such a measure of credit to Laurier, but that it would be far better to go back to the tactics he had previously pursued, and once more attempt to arouse against an opponent who is not of the same creed as himself, all the religious bitterness that he is capable of arousing in this country. Sir, I knew that it would not be long before he came back to his own self again ; and today we have had him, as we had him long before, vomiting forth torrents of abuse, like a volcano, but like an extinct volcano—impotent, forsooth, to launch fire, but still potent to emit mud and smoke, which, to be sure, can soil, but which, I can tell the hon. gentleman, can never hurt. The hon. gentleman has charged me with obstruction. I deny the charge, but I say at once that it is not sufficient to deny, the proof should be forthcoming, and I will give the proof presently. Sir, after having had the painful humiliation of the hon. gentleman's encomium yesterday, I do not want to have it any more. Let me have his vituperation, for I believe that as long as I have his vituperation, my course will always be approved by the people of Canada. But having had, to my sorrow, the painful humiliation of receiving his encomium, I must now answer the new charge that I have been guilty of obstruction. I sat yesterday in this House from half-past three in the afternoon till half-past two in the morning, applying myself, with other members on both sides of the House to the task of trying to perfect this Bill ; and there never was a fairer or more legitimate discussion than that which took place during that time. What did we do ? We discussed this Bill carefully. Does the hon. gentleman dare to call it obstruction ? What was the result of the discussion ? First, the Government withdrew one clause of the Bill, clause 5, to have it replaced altogether by an amendment prepared by my hon. friend from West Ontario (Mr. Edgar). That is one thing. Then we forced the Government to strike out another clause completely, that is, clause (d) of section 4, as useless and cumbrous. Then we discussed another important clause, one of the most important in the Bill, clause (c) of section 4, relating to the books to be used in the separate schools, and the hon. gentleman in charge of the Bill accepted an amendment, and then another, and then a third amendment ; and, after having accepted amendment after amendment, he was so lost in them that he had to let the clause stand, and there it stands at the present time. This is the result of what the hon. Secretary of State calls obstruction. We had to take up that clause again ; but when we came to three o'clock in the morning, the members of the House asked that the committee should rise. Why did the committee not rise then ? If there had been obstruction, I could understand and approve of the hon. gentleman's course ; but there had not been the faintest trace of obstruction. Up to that moment the discussion had been fair by hon. gentlemen on both sides of the House. But the hon. gentleman refused—no, he did not refuse ; he had gone to his bed at that time ; but, before leaving, he ordered his lieutenants to refuse to allow the committee to rise. This the hon. gentleman calls obstruction, and he threatens us with the example of New Zealand. Well, Sir, the hon. gentleman has earned a reputation in this country for a good many things. He has earned the reputation of stretching ; but I think his powers of stretching have never been displayed to the extent to which they were a few moments ago. The hon. gentleman gave us the example of New Zealand, where he said the business of the House had been obstructed by twenty-three motions that the committee rise being moved in the course of forty-eight hours ; and he said that we had seen the same spectacle here. Sir, I challenge the hon. gentleman to show us these twenty-three motions that have been moved here. I challenge him to his face, and I dare him to rise and contradict me. I tell the hon. gentleman to his face that only two motions for a committee to rise were made.

Some hon. MEMBERS. Explain, explain.

Mr. LAURIER. This is the way the hon. gentleman has quoted New Zealand. Now. that is not all. The hon. gentleman said that I would stand here and be rebuked before my country for preventing him from doing justice to my fellow-countrymen and co-religionists of Manitoba. God help my poor fellow-countrymen and co-religionists of Manitoba if all the help they are going to have is what the hon. gentleman and his followers are prepared to give them. What are they prepared to give them? An unworkable Bill in which it is impossible to find head or tail. I pity my poor fellow-countrymen of Manitoba or anywhere else if they expect any justice from the hon. gentleman. Do we not know his record? Does he suppose that we are ignorant of history? Have we not here in a pamphlet published by one of his supporters, the declaration of a man who stood high in this House at one time—far higher than the hon. gentleman can ever hope to stand—the late Sir John Thompson, who said that all the difficulties which the Roman Catholics of Nova Scotia had to contend with had come from the party which the hon. gentleman has led for the last forty years. Here is the letter, signed by Sir John Thompson and dated in October, 1877:

> You are aware that nearly all the difficulties with which Catholics have to contend in matters of local legislation—education for example—have come from members of our party.

And this is the head of that party who here poses as the advocate of the Roman Catholic minority in Manitoba. Roman Catholics everywhere know what esteem the hon. gentleman has for them. They know that at one time he expressed himself—to use the very choice language which he then made use of—that he had no confidence in the breed.

Some hon. MEMBERS. Explain, explain.

Mr. LAURIER. If he has no confidence in the breed, let me tell him that the breed reciprocates the compliment, and has no confidence in him. But that is not all. The hon. gentleman's good soul went out in pity to this side because he said my leadership was wrecking the Liberal party. I have heard of one leadership in this Government accused of wrecking a party, and it was not the leadership of the Liberal party. And I am glad to say here, whatever may be my faults in this House or out of it, that I never was subjected to the humiliation of having my course denounced by any of my friends. I never had the humiliation of seeing one of my most important followers in this House denounce me as without honour and treacherous. I never had anybody in my party read to my face such a letter as was read by the hon. member for North Bruce (Mr. McNeill) a few days ago, when he stood up in his place and accused the hon. gentleman of treachery—not only accused him but brought the proof. I never was subjected to the humiliation of having one of my colleagues forced under his signature to admit that I had been guilty of deceit, as was the case when no less a person than the hon. Minister of Justice (Mr. Dickey) was forced, under his signature, to express surprise and sorrow that this Bill had been gone on with while negotiations were proceeding. I never was subjected to such a humiliation. We are engaged in the discussion of a great question. It is impossible to expect that all men of either party can agree on this question, but I am glad and proud to say that neither publicly nor privately did ever any member of my party refuse me his esteem and friendship. Every member of my party, however he may differ with me on any particular point, admits that I am entitled to his respect and confidence and continued support. If I had been subjected to the humiliating spectacle of seeing man after man in my party rising in his place and accusing me of ruining it, I would very soon have freed the party from the incubus of my presence. But that is not all. The hon. gentleman went into the prophetic line and predicted that as soon as the elections came on the Liberal party would find to their cost what a mistake had been made by their leaders, when they would find the people in shoals going against them. Oh, if the hon. gentleman goes into prophesy, that is enough to cause me to shudder. Sir, the hon. gentleman has a record as a prophet. We know that he predicted for Manitoba and the North-west an export of no less than 640,000,000 bushels of wheat per year. We know that he also predicted that every dollar of the hundred millions of dollars which he was putting on the people would be repaid by the sale of lands in the North-west. He staked his reputation on the floor of this House that in the space of ten years—and these ten years have long expired,—no less than $57,000,000 would have gone into the treasury from the sales of public lands. And now, when he tells me that the people are against our party, I tell him that there is as much truth in that prophecy as in the others he made. The hon. gentleman need not try to bully this House nor me. Ever since I have been entrusted with the powers which my party have confined to me, I have endeavoured to discharge those powers as befits a gentleman, and I tell the hon. gentleman that the only impression his invectives produce on me is one of amused contempt, and when we go before the people I am quite willing that we should go before the country with his record and my record—with his character and my character, his conduct and my conduct.

Sir CHARLES TUPPER. There is an old and true saying, but none the less true, that the galled jade winces, and I have never seen it more emphatically illustrated than on the present occasion. The hon. gentleman has descended to one of the grossest acts of deception that ever was attempted to be practised on a Parliament. He read a letter of Sir John Thompson's in order to prove that the party with which I was connected had been the cause of all the difficulties to which the Roman Catholics of Nova Scotia had been subjected. I put it to that hon.

gentleman, did he or did he not know that he was reading a letter written by a gentleman, who, throughout his whole public life was a devoted friend and follower of my own, from the first hours of his public life down to his close. If not, I can produce a letter from Sir John Thompson, signed by his own hand, and written by him in Paris three years ago, in which he declared emphatically that, from the first hour of his public life down to that hour, he was my devoted friend and supporter. I ask the hon. gentleman whether it was due to his own character to put before this House a statement that had no bearing whatever upon myself for the purpose of deceiving and misleading the House. Sir John Thompson's letter, which the hon. gentleman quoted, referred to a period in the history of the Conservative party when I was not a member of it at all. It referred to the action of the Conservative party before I ever went into Parliament at all. I have stated again and again that the very first year of my election, before I had taken my seat in the Parliament of Nova Scotia, I was entrusted with the reconstruction of the Conservative party. Why ? For this reason. In the elections of 1855, the Conservative party went to pieces and only sixteen out of fifty-two of its members were returned. I was the only person who had received the support of any portion of the Roman Catholics of Nova Scotia. The present Bishop Rogers, a distinguished prelate in the hon. gentleman's own church, was the parish priest in the town in which I was born. And at my first election he gave his support to the Hon. Joseph Howe who was my opponent. That distinguished prelate is living now and can say whether my statement be true or not. When I was called upon to reconstruct the Conservative party, I told them what I believed was the cause of their overwhelming defeat. I said : You have adopted a policy in this country which makes it necessary for a member of the Conservative party to be anti-Catholic. That is a fatal mistake, and the first thing that must be done is to change that policy. Judge Johnson, as he afterwards was, a venerable man, who was the leader of the party, got up and said : I am afraid there is too much truth in what Dr. Tupper says, and I recommend that he be entrusted with the reconstruction of the party. And from that hour down to this, I have been the leader of the Conservative party in Nova Scotia. What did I do ? Why, I adopted at once the policy of equal justice to all, irrespective of race and creed, and I defy the hon. gentleman to show one hour of my life, or one statement I ever made, that was inconsistent with the policy of maintaining that the Roman Catholics of Nova Scotia, the Roman Catholics of the whole country, had the same rights as the Protestants. Therefore, I charge the hon. gentleman, in the face of this assembly and country, of being so impotent to find any just charge to hurl at me, that he availed himself of Sir John Thompson's letter, which referred to a period anterior to my having anything to do with public life, and endeavoured to brand me with an offence which he knows I have never committed. I know the hon. gentleman's position is a desperate one, and one that requires him to resort to very desperate measures, but he should find some better means than the transparent misrepresentation of his opponents in public life, for improving his position. Now, the hon. gentleman charged me with having said that I had no confidence in the breed. I defy any man living to produce evidence of that. That statement is as unfounded as the misrepresentation which he attempted to force upon the House by attempting to read the letter of a man who is no longer living. If Sir John Thompson were alive, the hon. gentleman would never have dared to make that gross misrepresentation and aspersion of his character. The hon. gentleman says that, if he had been told by his followers that they had no confidence in him, that gentleman would cease to be a follower of his, or he would disappear from public life or abandon his position. Let me read what an hon. gentleman, now in close alliance with him, said about him. Let me recall to his mind the denunciation pronounced upon him by the hon. member for North Norfolk (Mr. Charlton), and published broadcast all over this country, in which he said that the Reform party could never succeed under the leadership of a machine politician like Edgar, and a Catholic like Laurier.

Mr. MARTIN. Is calling him a Catholic a denunciation of him?

Sir CHARLES TUPPER The hon. gentleman must not plume himself upon the fact that he stands in the position of never having been abandoned by his followers. What have we seen in this House in a very recent period? Let the hon. gentleman reperuse the brilliant and eloquent speech of the hon. member for Ottawa (Mr. Devlin). What does that speech contain ? It contains the most violent denunciation of the policy and practice of the hon. gentleman that one man could possibly utter with regard to the course of another. In that able vindication of the rights of his co-religionists, the hon. member for Ottawa took up, point by point, every portion of the policy of the hon. gentleman who leads the Opposition, and tore it to tatters, and scattered it to the winds. The hon. gentleman had to listen to the strongest denunciation of his policy and practice in a most vital and important question, by a gentleman who had been as strong and fervent a supporter of his as any member of his party. The hon. leader of the Opposition talks of what he would do, if he were shown that he had not the confidence of his supporters. Why, did he not witness the stampede of his supporters from this House, when they were called upon to vote for this obstructive policy ? What reduced the hon. gentleman's party, what reduced the party of obstructionists in this House down to the miserable number of seven ? The hon. gentleman talks loftily of what he would do, if his supporters had lost confidence in him. Why, he knows to-day that he has lost the confidence, not only in this House but in this country, of the great body of supporters which he had throughout Canada, and I tell the hon. gentleman that he has had to go back even upon the intimation that one time he gave that this Bill should have fair-play after going into committee. He has been obliged to go back on that, because he is now face to face with the fact—and it is known throughout this country—that having lost the confidence of his co-religionists, he has nothing to hang on to but the hon. member for North Simcoe (Mr. McCarthy) and the hon. member for West York (Mr. Wallace). These are the gentlemen upon whose co-operation he relies. These are the gentlemen upon whom to-day all his hopes—I won't say all his hopes, for I do not believe he has any—but all his former hopes, were rested as to the possibility of obtaining power. That is the position of the hon. gentleman (Mr. Laurier), and I do not envy him. He said that I had ventured into the line of prophecy, and he reiterated a statement which he knows to be without a particle of foundation of truth. I now refer to the prediction which hon. gentlemen in my absence—no hon. gentleman has ventured to make it in my presence—have stated that I made with reference to the grain that would be produced in the North-west.

Mr. MULOCK. We all heard you.

Sir CHARLES TUPPER. Not a member of this House ever heard me make such a statement. I defy the proof.

Sir RICHARD CARTWRIGHT. I shall be very glad to read the hon. gentleman's speech.

Sir CHARLES TUPPER. I shall be very glad if the hon. gentleman does read my speech.

Sir RICHARD CARTWRIGHT. Here it is :

> Sir CHARLES TUPPER. I may say that I believe there are few members of this House, much as our attention has been turned to the developments of the North-west, who have begun to contemplate in all its fullness what the capabilities of that great country are. I have spoken of its enormous extent, of the unexampled fertility of the soil, of the splendid description of wheat that can only be produced in these more northern and colder climes. But let me just ask the attention of the House for a single moment to a few figures which will indicate what the capabilities of that country are in regard to the production of wheat. One hundred thousand farmers, each farmer cultivating 320 acres of wheat land. Has any hon. member made the calculation of what they would produce ?
>
> Sir RICHARD CARTWRIGHT. Yes.
>
> Sir CHARLES TUPPER. Sir CHARLES TUPPER. I am glad the hon. gentleman has done so. I am glad his attention has been drawn to the fact that 100,000 farmers, cultivating 320 acres each, or 200,000 farmers, cultivating half that quantity each, and taking the product at only 20 bushels to the acre, instead of 27, or 30, which is the average in the North-west in favourable years, would give 640,000,000 bushels of wheat, or 50 per cent more wheat than the whole United States produces today. You have only to look at those figures for a single moment to see what the future of Canada is, to see what a magnificent granary for the world is placed in our Canadian North-west, and when you remember we have six belts running through that fertile country that would each give 320 acres each to 100,000 farmers, you can understand to some little degree what a magnificent future awaits us in the development of that great country.

Sir RICHARD CARTWRIGHT. It was not 640,000,000 bushels, but it was 3,840,000,000 bushels.

Sir CHARLES TUPPER. I want no more perfect illustration than that of the falsity of the statements made by the hon. gentleman. I presented a mathematical calculation to the House, a calculation which was not original, but which had been published in the papers, and the hon. member for South Oxford (Sir Richard Cartwright) said he had seen it himself.

Sir RICHARD CARTWRIGHT. I did not say that I had seen it.

Sir CHARLES TUPPER. Read what you said.

Sir RICHARD CARTWRIGHT. The hon. gentleman asked : Had any other member made the calculation of what that would produce, and I replied "Yes," and I made the calculation on the spot.

Sir CHARLES TUPPER. Quite so. I am not only absolved from having made such a prophecy, but the hon. member (Sir Richard Cartwright) declares that he made the calculation himself. If I cannot take the calculation of an ex-Finance Minister of this country as an authority, what shall I do ? The fact is that it is a gross misrepresentation to say that I had ever made that prophecy, and it is without a scintilla of foundation. I said that Mr. Taylor, consul of the United States, who had lived for twenty years in Manitoba, had put on record the declaration that three-fourths of the remaining granary of the world lay in Canada. I went on to show the enormous capabilities of that country, and I repeated the calculations that had appeared in the papers, and which the hon. gentleman (Sir Richard Cartwright) says is a correct calculation. I may call the attention of the hon. gentleman to the fact that this year the bankers of Winnipeg have estimated that the crop of Manitoba was over twenty-nine bushels to the acre, much beyond that which I had given in the calculation.

But, Sir, I was guilty of one crime, and I could not be guilty of a greater one in the estimation of hon. gentlemen opposite. I made a statement on the floor of the Parliament of my country as to the hopes I had for the future development of our western provinces. That is my crime, and that alone. I have listened to many speeches made in this House by the hon. member for South Oxford (Sir Richard Cartwright), but I never heard more rounded periods coming more trippingly from his tongue, than when he did me the honour to read my speech.

Mr. MILLS (Annapolis). It is the best he ever made.

Sir CHARLES TUPPER. I won't go so far as to say that, but I will say that if the hon. gentleman (Sir Richard Cartwright) would read my speeches and inwardly digest them he would avoid one of the most fatal mistakes he has ever made in the interest of his party, and that is : believing that he can rise to a position of influence and control of the public affairs of this country by denouncing his country, and denouncing every one who has a good word to say in favour of it.

But, Sir, what about the prophecy that I am alleged to have made with regard to the money that would be returned from the sale of lands, and which the hon. gentleman (Mr. Laurier) has referred to. I made no such prophecy. The right hon. gentleman who so long and ably led this House (Sir John Macdonald) stated that the Deputy Minister—Mr. Burgess, of the Department of the Interior, a gentleman who belonged to the Liberal party at that time—had placed in his hands a statement as to what he believed might be realized from the sale of lands in the North-west. We have been all greatly disappointed that that did not prove correct ; but, Sir, I never made the calculation, and I never gave it to the House as my calculation. I gave it to the House as the carefully compiled calculation of an officer of the Department of the Interior. So much for that prophecy.

But, Sir, I do venture upon the prophecy, and I repeat it, that the course which hon. gentlemen opposite have taken in the obstruction of this Bill will contribute to their discomfiture and defeat. I am willing to stake whatever judgment I may be supposed to have in political affairs upon that ; and hon. gentlemen opposite will do me the justice to say that I have never made a prophecy in regard to a general election in this country that has not come true. They well know that from the first hour I entered this House, I have never said that the great Liberal-Conservative party would carry this country without that proving to be true. I say to-night—knowing this country, I believe, as well as any man in this House—I have no hesitation in saying that if there was a doubt as to the result of the next general elections, that doubt has been wiped away by the policy of obstruction that hon. gentlemen opposite have indulged in, with regard to this Bill. Every intelligent man in the country, be he Liberal or Conservative, knows that these violent, these unnatural, these obstructive tactics in reference to the Remedial Bill have been adopted by the Liberals as the sole hope of wresting power from the Conservative party. They know that all that desperation—for it was a desperate act on the part of the leader of the Opposition—and all these desperate tactics were adopted with the hope of obtaining the confidence of the country, when their attacks on the fiscal and general policy of the Administration had taught them, time and again, that there was nothing staring them in the face but defeat. I know why I am so obnoxious to hon. gentlemen opposite. I know why their overcharged and overflowing vials of wrath are poured out on me. Sir, does the House not remember that in 1887, the whole session was spent by hon. gentlemen opposite, the leaders of their party telling Sir John Macdonald that he owed his victory to me.

Some hon. MEMBERS. Oh.

Sir CHARLES TUPPER. You may meet the statement with laughter, but day after day, my right hon. friend was told, that if he had not brought Tupper from England, he would have lost the elections. Again, when, in 1891, I was summoned by my old chieftain to take part in the battle, I would have refused had it not been that the Liberal party had inscribed upon its banners, a policy that the distinguished Edward Blake said would lead this country into annexation. I felt that every man, whatever influence and power he could exercise, was bound to come to the rescue and to fight for the maintenance of British institutions in this Canada of ours. I came here again, and, despite all the efforts of hon. gentlemen opposite, despite the combination of the most gigantic mass of corruption that was ever seen in this country, despite all the aid that Mr. Mercier and the funds of the province of Quebec could give them, hon. gentlemen opposite again found that standing side by side with my old chieftain, victory again perched upon our banners.

Mr. CASEY. Was it the hon. gentleman or his chieftain that won that victory ?

Sir CHARLES TUPPER. Never mind. The hon. gentleman has only to read, almost the dying words of that illustrious man, in which he bore testimony to the efficacy of my assistance in that great crisis. Notwithstanding that I knew I had to encounter all the obloquy, and all the abuse, and all the vilification that hon. gentlemen opposite could pour upon me, I thought it my duty to take part in the affairs of this country at the recent supreme crisis, when the Liberal party believed they were within forty-eight hours of the Treasury benches. But, Sir, they are still in Opposition.

I am glad to see to-night, my friend and colleague, the Prime Minister of this country sitting on the floor of this House. I am glad to be able to say in his presence, that I hurl back as the foulest slander that ever has been uttered in connection with my name, the charge that I ever intrigued or acted unjustly with reference to that hon. gentleman. From the first hour that Sir Mackenzie Bowell and I have sat in this House, and that is from the day of confederation, down to the present, I say that we have been allied together, standing side by side, and fighting the battle of our common country. Not only have we been allied politically, but we have been allied by the closest ties of friendship, ties which never, for one moment, have been disturbed. I refused to discuss the question of having anything to do with the Government, or with the party, until my distinguished friend Sir Mackenzie Bowell invited me to a conference with him, and that conference resulted in his asking me to become a member of the Administration, which I was proud to do, and with the object—an object attained—of the complete reunion of that great party to which Canada owes so much. That, Sir, is the fact. And yet, in the Liberal press of Canada, and in this House, again and again, I have been compelled to listen to tirades of abuse, which, indeed, did not discredit me, but reflected the deepest discredit on the hon. gentlemen who made them, and showed that they had so far forgot what they owed to this House, and to this country, as to indulge in slanderous misrepresentations, and abuse. They had no argument to address to the House. Sir, I will not detain the House further than to say, that I am willing that I should be adjudged by the declaration that I make here and now, that, come what will, whether we are forced to go to the country as having fought the battle to the death to save the Bill, or whether we are able to go to the country, as I hope we will, after having placed this Bill on the statute-book: I say to this House and to the country, that I am willing for all time to be judged, and I am willing that my reputation as a prophet be staked upon it: that we will come back here triumphantly, returned by the voices of the great majority of the independent electors of this country who have said again and again to hon. gentlemen opposite: Get you gone, there are better men administering the affairs of this country; we remember well our experience of the long-suffering five lean years of Canada under your management. They repeat to hon. gentlemen opposite in tones which cannot be misunderstood, that they have not yet shown any statesmanship which would warrant the people of this country in endorsing them, or placing them at the head of affairs.

Mr. DEVLIN. I rise for the purpose of correcting one statement made by the Secretary of State. I cannot allow that statement to go as it was given out by the Secretary of State. If I understood him correctly, when referring to the gentlemen who have separated from the leader of the Opposition, and mentioning in connection therewith my name, he said I had made a bitter and violent denunciation of the leader of the Opposition.

Sir CHARLES TUPPER. I beg the hon. gentleman's pardon. I said a brilliant and eloquent denunciation, and not a "bitter" denunciation.

Mr. DEVLIN. Well, we will substitute the word "brilliant" for "bitter," and still I take objection to that. I certainly have not been entirely in sympathy with much that has been said by my hon. friends in this House, and do not sympathize with the course that has been pursued by some of those gentlemen. But as I look through the speech which I made in this House on the Manitoba school question some weeks ago, I fail to find in it a denunciation of the hon. gentleman whom I was proud, and am still proud to call my leader

Sir CHARLES TUPPER. The hon. gentleman must allow me to correct him. I said the denunciation of his policy, and if the speech does not contain an overwhelming denunciation of his policy, it contains nothing.

Mr. DEVLIN. I have two very short passages which refer to the policy of the Liberal party in this House. The hon. Secretary of State must not forget that when I was speaking, I did, in the strongest terms possible, denounce the Liberal party of the province of Manitoba. I still denounce that party in terms as strong as I do the tactics of the Tory party of Manitoba. I see no difference between the Liberal party of Manitoba and the Tory party of Manitoba, in this respect. I did mention, in a straight way, the Liberal party, because the school policy of 1890 was introduced by the Liberal party of Manitoba. But, Sir, so far as that denunciation goes, I know, as a Roman Catholic, that I would find little consolation or little hope by throwing myself into the arms of the Tory party of Manitoba. I cannot forget that whatever mischief was done in 1890 by the Liberal party of Manitoba, that mischief was due largely to the teaching of the great Tory party of this Dominion. I know that this war of race and creed was raised in this country for the first time by the hon. member for North Simcoe (Mr. McCarthy) in the year 1886, when that gentleman was the president of the Conservative Union of the province of Ontario: and he was not denounced because of that campaign, or because of the doctrine he announced, either by the Secretary of State or by the men who cheered him so wildly to-night. When the hon. member for North Simcoe preached the doctrine at Barrie, in 1886, that the French race in Canada constituted the great danger to this confederation, he was encouraged and applauded, not by the Liberal party of Canada, but by the Conservative party of Canada.

Some hon. MEMBERS. No.

Mr. DEVLIN. Aye, they encouraged him in fighting against anything like justice to the Roman Catholics. This doctrine was so pleasant to the Conservative party that it was made a part of the policy of that party in Ontario at that time, and from that day to this it has been a part of the policy of the Conservative party in Ontario. Now, Sir, strongly as I denounced the Liberal party of Manitoba, I have not denounced my brilliant leader. I have never denounced the man who is to-day the brightest star in the whole political life of Canada. I certainly had a difference of opinion with him in regard to the question now before the House, and I am not afraid to express that difference ; but I did not do it by denouncing him. I know what the policy of the leader of the Opposition is. I know that in his veins their courses true and noble blood, and I know that there is not to-day in the whole Dominion of Canada a man who holds dearer the interests of the grand French Canadian race than the Hon. Wilfred Laurier. Sir, I would be sorry to do him the injustice of imputing wrong motives to him. I differed from him when he said that we had not exhausted all means for the settling of this question ; but, Sir, he has never spoken one word in this House against doing full and adequate justice to the minority of Manitoba—never. Why, Sir, read the "Mail and Empire," which is the organ of the hon. Secretary of State, and you find that paper, day after day, saying that the trouble with the leader of the Opposition is that when he comes to deal with this question he will go further even than the Government does in the present Bill. Read the speeches delivered by hon. gentlemen opposite, and what do you find in them ? That they vote against him simply because they are afraid that he will go too far in the direction of doing justice to the minority of Manitoba. No, Sir, I never denounced the Hon. Wilfred Laurier, and I have never felt that I could be denounced by him. I was to a certain extent, I believe, read out of the Liberal party in a pleasant way by one hon. gentleman. I do not mind his reading me out. He could not read me out of the Liberal party. I was born in the Liberal party, and I am a Liberal to-day ; and if I am strongly attached to that party, I will not say that it is because of the great esteem in which I hold all the members of the Liberal party, but because I am bound closely and dearly to the man who to-day leads the Liberal party, who is the proudest member of the French Canadian race, and the brightest star in the political life of Canada.

Sir RICHARD CARTWRIGHT. I congratulate you, Sir, and I congratulate myself. I had made up my mind, and I have no doubt you had made up your mind, to a dry-as-dust discussion to-night on the legal questions involved in this Bill, of which we have, perhaps, heard enough from members on both sides. But, thanks to my esteemed acquaintance with the Secretary of State, quite a new and pleasant development has been given to the evening's entertainment. Sir, allow me to call the attention of the House in the first place to the fact that the witness whom the Secretary of State called to discredit my hon. friend has, like Balaam of old, not cursed but blessed him. Now, Sir, as we are calling witnesses to character, I have one or two to call as witnesses to the character of the hon. gentleman himself, which I have no doubt will interest him and the members of the House. First of all, he has stated that my hon. friend had garbled, or, at any rate, misstated the letter of the late Sir John Thompson. My hon. friend stated that that letter was written in 1877, long before the Manitoba school question became a burning question, and, Sir, there is not the slightest doubt that my hon. friend was perfectly correct in saying that the late Sir John Thompson attributed all the difficulties the Catholic party had met with in the province of Nova Scotia to the conduct of the members of his own party, and, beyond all question, to the particular School Act which the hon. Secretary of State introduced. His words are :

> You are aware that nearly all the difficulties with which Catholics have had to contend in matters of local legislation, education, for example, have come from members of our party.

And there sits the man who introduced the educational system of Nova Scotia. Sir, I think my hon. friend has made out his case. Now, Sir, the hon. gentleman was good enough to tell us that it was not the late Sir John Macdonald or any other insignificant person, but "I," who saved the Conservative party in 1891. Sir, I have a curious testimonial of the regard in which the hon. gentleman was held about the year of grace 1891 by certain persons who are supposed to know a good deal of what the Conservative party thought. Here is an extract from an article of a very important paper which now supports the hon. gentleman. The "Mail," of March 9, 1891, says :

> In a letter which, though unfair to the Liberal party, comprised some wholesome truths, Mr. Edward Blake told us that the policy pursued of late years had done worse, far worse than injure our national prosperity. It had left us, he said, with lowered standards of public virtue and a death-like apathy of public opinion, with a subservient Parliament, an autocratic executive, debauched constituencies and corrupting and corrupted classes. Of the system which Mr. Blake deplores, Sir Charles Tupper has notoriously been the chief agent ; all that is worst in it and has tended to debase the national charcater is familiarly connected with his name, which may be said to be a household word of corruption. Nor has he, like his late chief, succeeded in

convincing the people that except when he is doing his dirty work of a political party his hands are clean ; or that if he governed the nation, its honour, while it might be in danger of such exposures as that of the Pacific Scandal, would be secure against a deeper stain. His name is at this moment unpleasantly connected with a suspicious commercial affair in England, and if the sentence of the arbitrators in the Onderdonk contract case next month should be against the Dominion, another sinister transaction will be called to mind. He will protest his innocence of course, but his word unhappily is that of a man whose veracity is much impugned and who does not scruple to use stolen letters.

Or to garble the telegrams occasionally.

It is too evident what sort of scene would be opened by his accession to power. He is the prince of political cracksmen, no doubt, but we cannot afford to purchase ability even of so rare a kind at such a price as that of continued and increased demoralization.

Quoth the "Mail" of March 9, 1891. I suppose it would sing a different tune to-day. Now, Sir, there is nothing, after all, in these cases, like quoting the opinion entertained of the hon. gentleman by persons who have been long and intimately associated with him as followers or otherwise. But, first let me say that when the hon. gentleman hankered after New Zealand, I think it was not New Zealand he had in his mind, but Siberia. The hon. gentleman, in his travels in Europe, has, I presume, become acquainted with Russian diplomatists and methods ; and if I do not misconstrue the pleasant expression of his countenance to-night, I think nothing would have given him greater pleasure than to have put my hon. friend under the knout. As to his statement that my hon. friend was unfitted for office, all I can say is that after the exhibition of tact, temper, dignity and skill in managing the House, which the hon. gentleman has exhibited during the last few weeks, I would hardly recommend my hon. friend, though a junior politician, to go to school to the Secretary of State. But, after all, there is nothing like a candid friend ; and it was our pleasure a day or two ago to hear an old and candid friend of the hon. gentleman descanting on his proceedings ; and, as he was not present, he will excuse me giving him the benefit of what his candid friend said :

But let us be fair to the Administration. It is true that we are making war upon the Administration, but we are doing it in order to save the party, we are trying to save the old party. But we say the Administration has led the party wrong. We say the Administration has made a wild bid for the vote of Quebec. We say that is bad party politics, that is deplorable statecraft in this country, or any other, but especially in a country like ours made up for the most part of two races. I say it is bad statecraft for the national authority in any country to make an unscrupulous bid for the support of any particular class in that country. The result that might be expected has happened, and you are creating a resentment in the rest of the country, and making the difficulties deeper that we hoped were becoming less.

Sir RICHARD CARTWRIGHT. This same gentleman also said :

If the leader of the House is not in earnest, then all recognized signs of earnestness are a delusion. I have been absent from the House for a few days.

Whereupon I remarked that it was lucky for him, or he would have been read out. He proceeded :

In reading the papers it occurred to me that there must be left on the front row of this side of the House no members except Ministers, and perhaps Sir Donald Smith and the whip of the party. My breath was almost taken away when I found that my old friend the member for North Bruce (Mr. McNeill) had been read out, or attempted to be read out, although the Government seem to have awakened the wrong passenger. I remember after the last elections that the whole front row was without a break, filled by men very much more able and capable than two-thirds of the members of the Cabinet, and I have never concealed that opinion. As a life-long Conservative, having been ten years in the House, my breath was almost taken away on finding that members of the "old guard," those who year after year had gradually forced their way to the front, were being forced out of the party. I do not know what is the standing of the hon. member for West York (Mr. Wallace) ? I do not know whether he has been disciplined or not. I congratulate, not only the member for West York but the leader of the House in not undertaking to drive him from the ranks of the party. These incidents show to one who has been absent for a day or two that these high pressure sittings are having a very bad effect on the Conservative party. The front row is frightfully broken. There may be a rupture among the members of the second row, among the men next in experience and party service. The member for Inverness (Mr. Cameron) is in danger. He has stated that he will vote with me against the Bill on the third reading.

Mr. CAMERON. The member for Inverness did not state anything of the kind.

Sir RICHARD CARTWRIGHT. Well, I am sorry for the member for Inverness. I thought he had more sense. I gave him, I see, too much credit.

The hon. gentleman went on, in a very temperate way, to point out the extreme unreasonableness of the attempt to press this measure through the House, the extreme haste with which the whole measure had been conceived, and the very great folly of the course of the Government. The hon. Secretary of State will recollect that those charges do not come from us, but from his own friends, who supported the party long, when he was not here to guide it, and who deserved much better treatment at his hands. If there ever was a measure which did not deserve to be railroaded as this is, it is the identical measure under discussion. The measure is a new one, bristling with difficulties, certain to be litigated in every possible way ; and yet the hon. gentleman, the moment it was brought into committee, threatened us, before we had been two hours in committee, that the Government were going to force it through, 'per fas et nefas,' without the slightest regard to the convenience of Parliament. I tell the hon. gentleman that that measure should be a final measure. You can do no worse injury to the progress of the whole generation that is to succeed us, than to introduce a measure which, by its own terms, by its final clause, is shown to be a measure which cannot be final, which must be supplemented again and again, and subject us to a repetition of just such scenes as we have witnessed in the last six weeks. I will tell the hon. gentleman a plain fact, for which, perhaps, he is not wholly responsible, for I do not know how far he was acting a paternal, or grand-paternal, part to the Cabinet, which was practically brought to a close in January last. But this is certain, that in no conceivable circumstance is it wise or prudent, in a country like ours, to have a sixth session of Parliament. I will not go to the extreme length of saying that it is absurd per se, but I will go the length of saying that you cannot take a step more likely to demoralize a party than by holding a session at a time when it is practically impossible to close it before Parliament expires by efflux of time. When you call a sixth session, you offer a premium for obstruction, you open the door to attacks from your own party, which it is extremely difficult to parry; and I may remind the hon. gentleman that it was almost a fixed principle of the policy of his predecessor, the late Sir John Macdonald, never to expose himself to such a contingency. There is just one solution of the difficulty, and that is to do what he ought to have done long ago, and appeal to the people for their judgment. Every day spent here, without an appeal to the country, on a question like this, is pure waste. That is what the Opposition have demanded. That is what common sense and the interests of the public service demand. There is no use in indulging in these foolish and silly vapourings, which the hon. gentleman is so fond of indulging in, as to whether he or we may be superior in the coming trial of strength. He disclaims all responsibility for the statements I read in the "Hansard." I suppose he disclaims responsibility, too, for that famous prophecy of his, that we would obtain $58,000,000 from the sale of public lands. In 1883, the hon. gentleman read in this House a letter from Mr. Burgess:

> Having given the subject my best and fullest consideration, I estimate that the receipts——

Sir CHARLES TUPPER. Who wrote that letter?

Sir RICHARD CARTWRIGHT. Mr. Burgess.

Sir CHARLES TUPPER. Hear, hear.

Sir RICHARD CARTWRIGHT. I am going to show the use the hon. gentleman made of it. I am not disposed to withhold any part of any document that I read to the House.

> Having given the subject my best and fullest consideration, I estimate that the receipts of this department from the sale of agricultural and coal lands, timber dues, rents of grazing lands, and sales of mineral lands other than coal, with the royalties from the minerals, between the 1st January, 1883, and the 31st December, 1895, both inclusive, will amount to not less than $58,000,000.

Sir CHARLES TUPPER. Hear, hear.

Sir RICHARD CARTWRIGHT:

> This note is signed by Mr. Burgess, under whose personal observation and information all these various points come. I give it to the House as an evidence of the soundness of the statement made by my right hon. friend, the Minister of the Interior.

Sir CHARLES TUPPER. Hear, hear.

Sir RICHARD CARTWRIGHT:

> I give it to the House as an evidence of the soundness of the statement made by my right hon. friend, the Minister of the Interior, when he told the House three years ago that he confidently relied upon the construction of the Canadian Pacific Railway being accomplished without its costing one dollar to the people of Canada, as the entire amount required to recoup the Government and the country for their expenditure in connection with it would, at no distant date, be returned by the sale of land and the revenues derived from lands in the North-west. I say that the evidence on that point is very conclusive.

I do not suppose it is necessary to inflict on the House the columns of figures with which the hon. gentleman followed that statement up. He went on to say:

> We estimated that by the time the Canadian Pacific Railway contract was to be completed, under the terms of the contract, we would receive not merely the $53,000,000 we were going to pay in connection with the construction of that work, but that we would receive about $60,000,000 or a considerable amount over and above the entire expenditure we were called upon to make in connection with the construction of that road. In order to show the House how thoroughly reliable and within the mark that calculation is, I will give the calculation made by my right hon. friend.

The hon. gentleman cannot accuse me of misquoting his statements, and, if those statements, so endorsed, do not constitute a prophecy, then I do not understand what is meant by an hon. gentleman making a prediction in this House. I would advise the hon. gentleman, for the sake of his own credit and dignity, to abstain in future from all these scoldings and vapourings. He knows perfectly well that my hon. friend (Mr. Laurier) was perfectly prepared to implement and carry out the offer he made last night. He has no right to say one word against what my hon. friend then said, because he himself entirely refused to accept the proposition on which it is based. My hon. friend was perfectly correct in saying the debate was conducted in a fair manner up to two o'clock, when it became impossible to carry on discussion. When my hon. friend proposed to assist him, it was on the express condition that this attempt at tyrannizing and bulldozing should cease, and that we should terminate our proceedings at a reasonable hour. I have had much experience in this House, and I defy the hon. gentleman to point to one instance in which the course he is taking has ever produced any other result than what we are witnessing. Time, temper and dignity are wasted, and the House made a perfect scandal, and in the end you are further off from the point you desire to reach than when the debate began. As to his leadership, let the hon. gentleman look along the Government benches, let him remember what the hon. member for Albert (Mr. Weldon) said, and he will see that of all men living he is the last to talk as he did of my hon. friend.

Sir CHARLES TUPPER. I put it to the hon. member for South Oxford whether he thinks it is fair, whether he thinks it is the treatment that one member of this House should expect from another, to read such a statement as he read from the "Mail" of 1891 with reference to myself? Was it an honourable thing to present that to the House and allow it to go upon "Hansard" as the opinion of a paper friendly to me, when he knew that at the time the "Mail" was the avowed and bitter enemy of the Conservative party? If he had said, when reading the quotation, that it was from a newspaper bitterly opposed to me, I should have had no fault to find; and I could keep the House a week reading Conservative papers denouncing the hon. member for South Oxford for almost every crime in the calendar. The "Mail" at that time was a most bitter enemy of the Liberal-Conservative party, and especially of myself, because I had publicly, on the platform at Toronto and all over the country denounced it for the course it had pursued in adopting a policy which I regarded as fatal in the interests of Canada, and that policy was an anti-Catholic policy.

Mr. WELDON. The term that was thrown at the members of the Liberal-Conservative party who broke with the Administration on the school question was the most offensive term that any parliamentary leader could cast at his parliamentary supporters, namely, the term of conspiracy. I rise, not with the passion which moved the leader of the House, but with a more temperate manner and tone, to rebuke that distinguished statesman for that word of insult which he threw at and which he had no right to throw, which no man has any right to throw at me.

Sir CHARLES TUPPER. I made no reference to the term "conspiracy" with regard to any person except the hon. member for North Simcoe.

Some hon. MEMBERS. Oh, oh.

Sir CHARLES TUPPER. I leave it to the official reporters of "Hansard." I said co-conspirator with hon. gentlemen opposite.

Some hon. MEMBERS. Hear, hear.

Mr. WELDON. I very promptly and fully accept those words of the hon. leader of the House restricting that imputation. I heard his words, and it is perfectly clear that he spoke in so much haste and passion that his words did have to the committee a bearing which he did not mean them to have. Therefore I say now, in spite of the jeers that come from the left, that I accept the altered situation, and am glad to learn that the hon. leader of the House has not described me, at all events——

Sir CHARLES TUPPER. Certainly not.

Mr. WELDON—as a conspirator. After the hon. gentleman's explanation, the reason for my speech has pretty much gone, for I rose with a subdued anger which has evaporated. One word on the question before the House that the committee should rise. I find that I am addressing an entirely new House from what was present when I last addressed it this morning, just as the sun was rising over the Laurentian hills. I scarcely see on either side of the House a face which I saw then. There are three or four Parliaments, in fact, sitting here every twenty-four hours, and the most remarkable results follow. Here we are ostensibly building a second temple of education for the Catholic children of Manitoba. Of what style of architecture will it be? The plans have been given us, but one day one group of workmen are engaged in the construction, and the following day they are replaced by an entirely new group, and each group alters and carves at its will. Will the architecture be Gothic or Grecian or Roman or Corinthian.

An hon. MEMBER. Barbaric.

Mr. WELDON. No doubt it will be from the foundation to the topmast pinnacle. The structure was only half way up when the hon. member for West York (Mr. Wallace) knocked out a flying buttress and put in place of it a Doric column. Then, when we came to the next section there was a narrow window which would not let in enough light, and the hon. member for North Simcoe knocked that out and put in a larger, so that in the end one can scarcely imagine of what character the edifice will be—whether Roman, Gothic or Byzantine or what else. For the credit of Parliament let the committee rise and let there not be three Parliaments sitting here every twenty-four hours. Let there not be three plans and purposes embodied in that construction.

I protest against this burlesque of legislation. If the country knew what we were driven to here, it would be at the back of this motion that the committee rise. We have given to this Bill an intelligent, rational, fair, patient, and close criticism for hours and hours, and we now ask that the committee rise. Give the Administration credit, if you will, for a sincere endeavour to put the Bill through, but we cannot say that their course will tend to advance its progress. Let me give a statement with reference to the experience of that great mother of Parliament, in Westminster. They are dealing with a question much like ours, and a question which is beset with somewhat the same difficulties. Mr. Chamberlain, in the House of Commons, is trying to put an Education Bill through. The great mass of the members of the Church of England, who believe in state money subsidizing education, the majority of the Roman Catholics, and other religious bodies are asking for this Bill ; while, on the other side, the great body of those who do not believe in an established church, the Presbyterians, the Methodists, the Baptists, and the Congregationalists are offering more or less determined opposition to this Bill It is instructive to compare that English Bill with ours. Although this is the eighth day of April, and although it may fairly be expected that the English Parliament will run to the 12th day of August, so far the English Government have made but one invasion into private members' days. Although it is probable that, after the Easter holidays, they may take another day for Government business. The English Government find it necessary to take four months to discuss their School Bill. I quote a statement which was published in that very excellent journal, the Ottawa " Citizen," a few days ago :

> The remainder of the session will be largely occupied with the Bill.

We see that the English Government expects to take the bulk of the time between this and the middle of August for their School Bill. Is not that an answer to the taunt that we are obstructing, when we say that it is impossible to put this School Bill of ours through in 14 days. In England, they are hampered by no questions of ultra vires or intra vires, no federal Parliament with shorn powers, and no provincial parliaments with full powers in certain matters. There they have one supreme parliament with full powers, and they are consequently at an enormous advantage in putting their Bill through; compared with us. We have no Minister of Education in this Government ; we have no expert staff of a Department of Education. The present Ministry are not to be blamed for that, because, no matter what men sat on the Treasury benches, they would be beset with the same difficulties. In England, they have the enormous advantage of having experts to draft their Bill. They have members of Parliament who have been long accustomed to deal with educational legislation, while none of us here who have not been members of the local assemblies, have that training about the details of the Bill. Sir John Gorst, a man of genius, is head of the English educational department, and with him there is an expert staff, which may be consulted. They have undivided powers in the English Parliament, they have practice in educational matters, they have a trained staff of experts, and yet they expect to take four months to put an Education Bill through, which is nothing like so difficult as the Bill we are now considering. How, in reason, can we expect to consider these 112 clauses intelligently, to have the third reading passed, to have the Bill considered in the Senate with the due consideration which the Senate, in common duty, is bound to give it ; how can we expect to have that Bill passed within a few days ? May we not expect to have behind us both the French and the English people, in the reasonable contention which we make in this House ? I would like to see the Bill go through more rapidly, and it will go through more rapidly, if we are allowed to have some sleep and rest, so as to enable us to consider it. I do not sympathize with the desire to retard the progress of the Bill ; but we would be false to our duty as public men if we allowed a Bill of this enormous importance to be rushed through in a few weeks without any consideration. Let us go on with the Bill and discuss it thoroughly, and, when a new Parliament meets in a few weeks, we can decide the question before us. We say that we are expressing the mind of the people of the country. Some of our friends say that we are misrepresenting the people of the country. Let the country decide between us. I therefore hope, Sir, that a more temperate and respectful consideration will be given to the motion that you do now leave the Chair.

Mr. PATERSON (Brant). The persistence of the leader of the House would lead one to believe that he had the object in view of holding back from us the report of the commissioners to Winnipeg. We have a right to demand that report, but it is impossible to receive it until the committee rises, and until the Speaker is in the Chair. That report has the very closest connection with the consideration of this Bill. I was surprised, yesterday, that the Minister of Justice, after consultation with the leader of the House, should venture to say that we had received the information as to that commission, through the Manitoba government, from the newspapers. It was an insult to the House to give such an answer. The Manitoba government are not in a position to state to this House what powers were delegated to that commission, and what instructions were given with reference to it. We have learned that the Manitoba government considered that there had been the very grossest breach of faith at the very inception of the negotiations with them. That we have a right to have a full explanation of. If the leader of the House was careful for his own reputation, he would take the earliest opportunity to have the committee rise, in order that an explanation may be given to the country, which, perchance, will place him and his Government in a better light in that respect. I would not like to suppose that the alleged breach of faith was done purposely for the view of thwarting negotiations, but the House has to speculate upon that, under present circumstances. The necessity for this explanation, as to that breach of faith, is, in my opinion, a supreme reason why this committee should rise at once. It is most unparalleled that we should be asked to sit in committee on this Bill one moment longer until that is done. I see that one of the commissioners (Sir Donald Smith) has just arrived in the House for the first time since his interview with the Manitoba government. The committee should rise now, and that hon. gentleman should have an opportunity of explaining the matter, while the Speaker is in the Chair. That hon. gentleman must have felt that his honour was somewhat damaged by the breach of faith, not on his part, but on the part of the Government. He admits, if we are to believe the newspaper reports, that he is at a loss to conceive how such a thing could occur. The member for Montreal (Sir Donald Smith) should now have the opportunity of stating what was done with reference to the matter, and the leader of the House should explain, if he can, for the sake of the honour of this country, how such a gross breach of faith was committed. The committee should at once rise, Sir.

Mr. TAYLOR. The chief whip of the Opposition, yesterday, tried to hurl back the charge made by the hon. the leader of the House, that there was obstruction by hon. gentlemen opposite. I think there is no doubt about the truth of that charge. Last week, a whole day was occupied by members of the Opposition in discussing the question as to whether the House should sit on Saturday. The House sat on Saturday, and from ten in the morning until tweleve at night the talk went on without any progress being made. The "Hansard" for Saturday contains 126 columns. 14½ columns were occupied by the hon. the Minister of the Interior, who had the Bill in charge, and by other friends of the Government; while 117 columns were filled by hon. gentlemen opposite.

Mr. McDOUGALL (Cape Breton) With what ?

Mr. FOSTER. Talk.

Mr. TAYLOR. With speeches not pertinent to the question under debate. The Minister of the Interior occupied 11½ columns of "Hansard," Mr. McLeod 1 column, Mr. LaRivière 1 column, and Mr. Dupont 1 column; while 8½ columns were filled by Mr. Edgar, 3 columns by Mr. Charlton. 24½ columns by Mr. McCarthy, 1¾ columns by Sir Richard Cartwright, 8¼ columns by Mr. Davies (P.E.I.), 5 by Mr. O'Brien, half a column by Mr. Brodeur, 7 columns by Mr. McNeill, 4 columns by Mr. Wallace, 12 columns by Mr. Mulock, 5 columns by Mr. Casey, 2 columns by Mr. Angers, 3 columns by Mr. Charbonneau, 10 columns by Mr. Bain, 4 columns by Mr. Semple, and 6 columns by Mr. Sproule. That was all pure and simple obstruction to any business being done. Many of the speakers referred to the fact that the Estimates had to be passed, and that other important legislation should be proceeded with, but still they talked all day on Saturday, and obstructed the progress of the Bill. The same state of affairs has continued since the House met on Monday at three o'clock Yesterday, the hon. member for Brant (Mr. Paterson) did me the honour of referring to some statements that I had made, when the second reading of the Bill was before the House. I then said that, when we got into committee on the question, I would have something further to say.

My hon. friend did me the honour, yesterday, to read a quotation from my speech. I have been waiting patiently until that stage would arrive when I would be able to address the House; but, judging from the course of hon. gentlemen opposite, that stage will never arrive. I have a motion, which, if permitted by the House, I will make now; but I presume my hon. friend will not agree with the motion I make, nor will he agree that the rules of the House would permit me to make it now.

Mr. PATERSON. Certainly. You should have made it on clause 4,, which was under discussion yesterday.

Mr. TAYLOR. It is just as pertinent to clause 6 as to clause 4. But I will give the hon. gentleman and those associated with him an opportunity before the Bill is through to divide the House on the motion I intend to submit.

Mr. BORDEN. Give notice of the motion now.

Mr. TAYLOR. I will give notice of the motion. I voted against the motion made by the hon. leader of the Opposition on this question—the motion which the hon. member for North Simcoe (Mr. McCarthy) would have moved; but as the hon. leader of the Opposition was assured by the hon. member for North Simcoe (Mr. McCarthy) that, if he moved the six months' hoist, the Government would be defeated, the leader of the Opposition moved it. I voted against that motion, because neither the hon. leader of the Opposition nor any gentleman behind him said that the defeat of this Bill now would settle the question for all time to come. I also voted for the motion of the leader of the Government to refer the Bill to the Committee of the Whole, and in giving that vote I voted that the principle of the Bill be affirmed, that is, that in accordance with the decision of the Privy Council there was a grievance ; but, as every hon. gentleman knows, when a Bill goes into Committee of the Whole, every clause in that Bill may be amended or changed, and it may be practically converted into a new Bill, if the majority of the committee so decide.

Mr. McCARTHY. Will the hon. gentleman tell me the principle of the Bill ?

Mr. TAYLOR. The principle is that relief to the minority in Manitoba should be granted by this Parliament. The Privy Council have decided that a grievance exists. The legislature of Manitoba have the right to remedy that grievance, but they failed to do so, although this Government have availed themselves of every opportunity to induce them to do so. This Government even sent a commission to Manitoba to negotiate, and the legislature which is in session at present, adjourned until the negotiations were concluded, in order that they might ratify the agreement of the commissioners by an Act. The commissioners, however, have returned, and I see by the papers that they have failed to get a settlement from the government of Manitoba, who were playing into the hands of the leader of the Opposition and the hon. member for North Simcoe, for the purpose of keeping this an open question during the coming election. Therefore, I am induced to take the course I mapped out, when speaking on this question before. Some time ago, I read in the press a letter written by the Rev. Alfred Andrews, of Minnedosa, a gentleman occupying a high and honourable position in the church to which I have the honour to belong, the Methodist Church—a gentleman who has been a missionary in that country for many years. In this letter the Rev. Mr. Andrews says :

> In the beginning Roman Catholics and Protestants were pretty evenly balanced in Manitoba, prior to confederation. Schools were established and supported by voluntary means, each party providing for its own schools. In 1870, Manitoba was erected into a province of the Dominion. In the same year elections were held for the legislature. In 1871, the first Parliament enacted a school law. This provided for public schools, which have been accepted by the Protestant electors, and for separate schools, to meet the demand of the Roman Catholics. Each party was taxed for the support of its own schools. Each became entitled to receive, according to population, its share of all public school moneys. This state of affairs continued, without any great complaint or agitation for change, until the memorable legislation of 1890, which summarily disposed of all separate schools. This was made easy by the altered condition of the electorate. The Roman Catholics had fallen behind in numbers, so that they were not much more than one-tenth of the population. On their part the Protestants had never looked favourably on separate schools. Had the majority been on the other side, there had been no abolition of separate schools. As the law now stands the government of Manitoba has made possible a much higher and better state of educational development than was possible under the old law, which they abolished, and they are deserving the support of the public, in so far as this better condition has been effected.
>
> The Protestant majority, a hundred and fifty thousand strong, say : "The law is all right," and on two occasions the electorate overwhelmingly have supported the government's policy.
>
> But the feeble minority say : "We suffer an injustice," religion is the first essential of primary education, and by religion they mean the Roman Catholic religion. This has no place in the present school programme. The majority reply : "The religious exercises are Christian, neither Protestant nor Catholic." The minority aver "so far as there is any religion it is the Protestant religion and unacceptable to us." "Your grievance is merely technical," the majority claim. "The grievance is real," maintained the Catholics, and for five years, at great expense, they have supported their own schools, at the same time being taxed to support the public schools. Herein lies the grievance ; before confederation, each party provided and maintained its own school. To-day the minority provide and pay for their own schools, and yet they are taxed for the public schools, whereas the majority is provided by general tax on all assessable property, with schools that are congenial to them, and pay nothing for their maintenance beyond their ordinary taxation. Had the Roman Catholic party been in as great majority and established schools congenial to itself, would the Protestant minority have considered that they had a technical grievance only ?
>
> The constitution having provided for the redress of grievances, whether affecting Protestant or Catholic minorities, the Roman Catholics have proceeded from step to step, until they reached the decision given by the British Imperial Privy Council. "Here is a grievance and you have a right of appeal to Ottawa." The Ottawa Government has spoken. And the provincial authority has been requested to remedy the evil. Failing this, the present Remedial Bill is before the House at Ottawa.
>
> The Dominion Government very justly considers that it is legislating not for the small number of Roman Catholics in Manitoba, but really for the whole of Canada. Of the population of this fair Dominion, I suppose we have over one-third Roman Catholics, whose religion is dear to them as their life, and they have rights as sacred as our own. It has been said that the remedial order was harsh and commanding. Suppose it was, for the sake of argument. Is there not a great principle of fair-play at stake ? And forgetting the immensity of court dignity, for the sake of peace and in the interests of national unity, why should not the Dominion Government graciously pause before it is too late, and ask the provincial government to meet them, not for political effect, but in the interests of the Canadian public, to state what they are prepared to do to render a Bill at Ottawa unnecessary ?

Now, the Dominion Government have done just what the Rev. Mr. Andrews has suggested here. They appointed a commission. That commission went to Manitoba and opened negotiations to try and bring about a fair and amicable settlement; but they failed; and, as the Rev. Mr. Andrews says, this Parliament has the right now, as a last resource, to redress the grievance; and that is what the Government are now doing in the legislation before this House. The reverend gentleman goes on to suggest what could be done. He says:

> To retain one national school system, the following are modestly suggested :—
>
> 1. All schools in the province receiving public aid to be public schools.
>
> 2. The management to be substantially as at present. Catholics and Protestants being on the Board of Management.
>
> 3. All teachers to be subject to the same examinations side by side.
>
> 4. All schools to be inspected by the same officers, whether Catholic or Protestant.
>
> 5. All text-books the same. A minority of one-third of the members present at the meeting of the Board of Education to be sufficient to reject any text-book from the school curriculum.
>
> 6. Where a majority of the electors through their trustees prefer Catholic religious teaching, let it be given. In other schools use the present forms, no scholars being compelled against the will of their parents to be present at any religious exercise in the school.
>
> 7. If these recommendations are not acceptable, then discontinue all formal religious teaching or worship during regular school hours. And provide that any minister or priest of any church shall have the use of the school buildings at such times as may be convenient to him, outside school hours, and as may be agreed upon by the trustees.
>
> Before confederation each party had its own school and paid for it. By these or perhaps other equally fair provisions we have one system of schools open to all, and not carried on in the interest of any church or party. The schools will give the necessary secular education, and the churches can provide at a minimum of cost all the religious education they need, and our children and young people will grow up together into a strong and united people. If these provisions or others which may perhaps better supply the place be not adopted, then there only remains the adoption of a separate school system pure and simple; and as a result a divided people for all time to come.

This is what the Rev. Mr. Andrews suggests, and he says that if these suggestions are not adopted by the provincial legislature, there remains only the course which this Parliament can take. I said that before I took my seat I would read the motion which I propose at the proper time to move. It is as follows:—

> That inasmuch as under the Manitoba School Act of 1890 the Roman Catholics of 1890 are, according to the Judicial Committee of the Imperial Privy Council, subject to a grievance in the matter of religious instruction in schools, the Bill now before the committee of the House, entitled the Remedial Act (Manitoba), be referred to a sub-committee of this House, consisting of Hon. Messrs. Haggart, Dickey, Ouimet, Daly, Mills, Davies and Mr. Choquette with instructions to draft and submit a Bill to be substituted in lieu of the one now under consideration, which shall provide that in the matter of religious instruction the principle of "equal rights to all" shall prevail (said principle being violated under the Act of 1890), which can be done by either making all schools purely secular or providing that an accredited representative of any and every religious body shall have the use of the school buildings for half an hour at the close of the school day, as may be agreed upon by the different religious bodies in each section; also making provision that the said substituted Act shall not become law if within three months from the passing thereof the legislature of Manitoba shall pass a law that will remove the grievance complained of, and decided by the Queen's Privy Council to exist.

That is my idea. That is the idea I advocated when I spoke first. I believed the provision of the law would be fully complied with in that way, if that were done. But it will be for the majority in this House to amend the Bill now before it in such a way, and the majority in this House ought to control; but, evidently they are not going to do it. It was decided by a large majority that we should go into committee on the Bill. We have been in committee two or three weeks, and practically no progress has been made. But as my hon. friend from South Brant (Mr. Paterson) intimated that I was not going to say anything further on the matter, I have given my opinion as to what should be done if hon. gentlemen opposite will proceed to work; but I presume that we are to go on to-night as we did last night, and have nothing but talk till twelve o'clock to-morrow, making no progress, and that the session will close without the Bill being passed, owing to the obstruction of hon. gentlemen opposite.

Mr. GIBSON. If the hon. gentleman had been in the House last night, instead of proposing a new Bill, which he has just done, he would have found the Minister of the Interior laying it down as a principle that the Bill now before the committee could not be amended in any shape or form, because it was based on the remedial order. It is quite evident that some notice should be taken of the statement of the hon. member for Albert (Mr. Weldon) that the House is divided into three sections, and that two-thirds of the members are not at work, but the other third does the business of the House. If the hon. member for South Leeds (Mr. Taylor), instead of lecturing members in regard to the number of columns of "Hansard" that their speeches have occupied, had refrained from obstruction, which he is so much opposed to, he might have saved to the committee the time he has occupied in reading that long newspaper quotation. The hon. gentleman says that he is in favour of equal rights to all, and that he is against the Bill now before the House, but he had not the manliness to vote against the Bill when it was up for discussion.

Mr. WALLACE. I do not think the hon. member for Lincoln (Mr. Gibson) ought to take the proposal of the hon. member for South Leeds very seriously.

Mr. GIBSON. I do not.

Mr. FRASER. Nor himself.

Mr. WALLACE. Nor himself. I do not suppose any other member of the House has the slightest belief in his sincerity in submitting the motion he has read. Why, Sir, the hon. member for South Leeds voted for the principle of this Bill ; he voted for its second reading ; and now he has the effrontery to get up and say that it is all wrong, and that if he had his way he would appoint a committee to draw a new Bill to take the place of a Bill which he has most solemnly voted that the House should enact. This is only on a par with the other actions of the hon. gentleman. It is stated that the hon. gentleman pledged himself to his constituents that he would oppose any such legislation as is now before Parliament. He came back to Parliament, and we all remember what he said last session. I would like the hon. member now to take this House into his confidence and tell us if there were any inducements offered to him—of course there were not—to change his mind. According to the opinions we hear from his constituency, he has radically changed his opinion on this important subject. I wonder whether he will dare go back and seek to justify his course before an outraged constituency, or whether he will subside into the dignified ease of a Civil Service position. I would ask the hon. gentleman to rise and tell us, if he intends accepting any position in the service.

Mr. SOMERVILLE. Superintendent of the Rideau Canal.

Mr. WALLACE. Others say he is to be made Deputy Postmaster General. I would like the hon. gentleman to say whether those statements which are being made, and which reflect on his credit and honour, have any foundation in fact.

Mr. TAYLOR. I rise to a point of order. The hon. gentleman has insinuated that I have changed my principles for a mercenary consideration. I repudiate the statement. He has referred to the Rideau Canal and the Postmaster Generalship. In reply, let me say that no member or Minister has ever offered me any inducement to take the course I have taken on this subject. There is no truth in the statement that I intend to accept any position at the hands of the Government. I intend to go before my constituents for re-election, and I hurl back the insinuation which the hon. gentleman makes. I have letters which the hon. gentleman has written to constituents of mine, asking them to try and get up opposition to this Bill, but they have replied that they had confidence in me as their representative and would not lend themselves to his schemes. I want to ask the hon. gentleman what he did during the time there was a little family trouble in this Government, when he offered to go into constituencies, and help to elect members who would accept office under the leadership of Sir Mackenzie Bowell, and enable him to pass this Bill. I have as many Orangemen in my constituency as there are, probably, in any other, and I am prepared to meet the hon. gentleman there, and have no doubt I will come back re-elected by as large a majority as he could ever hope to have.

Mr. WALLACE. The hon. gentleman has made a little speech, and entirely forgotten his point of order.

Mr. TAYLOR. I ask the hon. gentleman to withdraw his statement.

Mr. WALLACE. So far as the hon. gentleman referred to myself as having offered to assist in the election of any member who was in favour of remedial legislation, that is distinctly untrue, and I challenge him to prove it now or at any other time, or to prove that I ever offered to go into any Government where this Remedial Bill was to be the policy of the Government. It is true, that when difficulties arose in the Government, and when seven members of the Government retired, I had no hesitation in expressing my opinion, when that family quarrel occurred, as did almost every Conservative in this country, regarding the course of the gentlemen who attempted then to wreck the Conservative party. As regards the statement concerning himself, the hon. gentleman does not deny that he had pledged himself to oppose this coercion Bill, and he cannot deny it.

Mr. TAYLOR. The hon. gentleman says that I pledged myself. I never did.

Mr. WALLACE. So far as making promises to his constituents is concerned, I presume that is a pledge. I have a letter in my hand.

Mr. TAYLOR. Read it.

Mr. WALLACE. I am going to read a portion of a letter, dated Gananoque, 4th April, 1896, written, presumably, by one of the constituents of the hon. gentleman. He says :

> It was rather humiliating to Orangemen of South Leeds to see the stand taken by our present member, Mr. Taylor, on that Bill, after all the promises given by him in public and private that he would oppose it in Parliament and that if the Government introduced remedial legislation, he would vote against the Government.
>
> We see now he has betrayed the confidence reposed in him. L. O. L. number 5, Gananoque, passed resolutions expressing our views on that point, and I had the honour of presenting that resolution to him personally. That resolution called attention to his public promise given, but I can see quite plainly he is willing to trample his principles in the mud rather than vote against the Conservatives. Though I have been a staunch supporter of the Conservative party all my life,

I cannot support Brother Taylor should he be a candidate in South Leeds again.

The hon. gentleman says that I have received letters from his constituents, endorsing his course. In my position as Grand Master of the Orange Association, I sent a copy of the Remedial Bill to the masters of every Orange lodge in British America, and a circular letter with it.

An hon. MEMBER. Approving of it ?

Mr. WALLACE. No, do you think that I would act hypocritically and approve a Bill which I had publicly denounced ? Of all the letters I received—some 3,000—there were only three supporting this Bill. One was from the constituency of South Leeds, one is from St. John, and the other is from North Ontario. The hon. member for South Leeds has not denied the statements that have been made, charging him with the intention of accepting or receiving a position under the Government.

Mr. TAYLOR. I rise to a point of order. I hope the hon. gentleman does not want to misrepresent me. I did make such a denial.

Mr. WALLACE. I have the floor, and I had not finished the statement to which the hon. member for Leeds objected, when he raised his point of order. The hon. member for South Leeds stated to this House that he had not been offered either the position of superintendent of Rideau Canal or Deputy Postmaster General.

Mr. SOMERVILLE. He did not say he was not looking for it.

Mr. WALLACE. I would like him to answer the question I put. Is he going to accept either of those offices whether offered to him or whether he seeks for them ?

Mr. TAYLOR. I gave the answer before. I said and repeat that I intend to go before my constituents and hope to be re-elected. If the hon. gentleman does not take that for an answer, I do not know how to make one. If he wants to go on insinuating, probably when he gets through I will give him a Roland for his Oliver.

Mr. WALLACE. The hon. gentleman says he is going before his constituents and hopes to be re-elected. We all have that hope. Suppose he is not re-elected, or suppose he is, or he may not even get the nomination. But if he gets the nomination and becomes elected or defeated, he has not answered whether he would accept office under the Government. It has been usually the custom that we should, until two or three o'clock in the morning, do serious business, but that after that hour we should discuss matters in a more general way and perhaps take up other topics until three o'clock in the afternoon. I expected that that would have been the case to-day, but I find that a bad example has been set us, and set us by whom ? By the leader of the Government and the leader of the Opposition. For, Sir, we had a very interesting debate all afternoon and evening, but not a word about the Remedial Bill. After asking us to settle down each day and discuss this Bill, what did these gentlemen do themselves ? Did they talk about the Bill. You will bear me out, Mr. Chairman, when I say that not one word did they mention about it. They travelled into the history of Nova Scotia previous to the time the hon. leader of the Government entered public life and went over many matters of great interest to politicians, but not a word about the Bill. And when the hon. member for South Leeds (Mr. Taylor) read out a list of members whom he charged with having obstructed the business of the House, he showed that last Saturday there were 117 columns of speeches made. Twelve of which were made by the Minister of the Interior, three by three other supporters of the Government, and the balance by whom ? By all those who were condemned in the one category as being outcasts. Why ? Because they choose to discuss this measure, because they were taking an intelligent interest in it, for the benefit of those gentlemen whom I am delighted to see around me each evening—there is another galaxy each morning—and who do not discuss the thing, who do not criticize the clauses, but simply stamp with their feet and cry out carried. We ask that the House do rise out of consideration for those hon. members whom we see spread over three or four seats in this House. We do not ask or require any quarter for ourselves, because we come here to transact the business of the House, but we ask that the House do rise out of consideration for those hon. gentlemen who spread themselves on several seats and who get refreshments carried in to them. It is not fair that we should rush on the business, especially as this is a very crude and ill-considered Bill at the best, and each clause requires to be thoroughly considered and re-drafted in order to be made workable. We have changed a number of the clauses. We have either changed all the clauses submitted or given incontrovertable reasons why they should be changed. We must have a better reason for the retention of the clause than that it was in the old Act. When both sides of the House have agreed that well-considered and carefully drawn out amendments, we are told by the Minister of the Interior that they cannot be accepted, because the Bill must be passed as it was presented to the House. What is the use of asking the House to consider the Bill at all, if it is to be put through without any changes. However, we know that changes have been made and must be made, and yet in the early part of the night, when we came here to consider the Bill, the leader of the House and the leader of the Opposition have asked us to give our attention to another line of debate, which they have inaugurated for the evening's entertainment. I protest against our attention being diverted from this Bill. The leader of the House yesterday referred to obstruction, and said that "a very small body of men in the House" wished to prevent this Bill from becoming law. Is there anything improper in doing your best to prevent a Bill becoming law if you think it should not become law? I think you would be failing in your duty to yourself and to your constituents if you give your assent to a Bill you did not believe in; or if having voted against the second reading you turned around and assisted in making it become law. It is, I believe, a most improper form of procedure to lead your constituents to suppose you are against a Bill, when you are doing everything in favour of it. I am one of those who have opposed the Bill, and I intend to continue to oppose it in every constitutional and parliamentary way. Speaking for myself, I am not afraid to be called an obstructionist. I shall obstruct in every legal and constitutional way the Bill now before the House. I shall esteem it a pleasure as well as a duty to do that. I shall oppose it as long as my health and vocal organs hold out, as at present they promise to do for a long time to come.

Mr. ROBILLARD. You professed at one time to be anxious to improve the Bill, and at another time you oppose it altogether.

Mr. WALLACE. That is quite consistent with my duty as a member of Parliament. I can justify my course in that way by the example of some of the most brilliant parliamentarians in England. Mr. Chamberlain and other active opponents of the Home Rule Bill opposed to the principle of the Bill from start to finish, and yet every clause of it was subjected by them to the closest scrutiny and criticism and amendment.

Mr. LANDERKIN. What about the hon. member for North Victoria (Mr. Hughes).

Mr. HUGHES. He is capable of speaking for himself.

Mr. WALLACE. He will have to speak for himself, too.

Mr. HUGHES. When the hon. member for North Victoria is not able to speak for himself, it is time for these gentlemen to talk.

Mr. WALLACE. You would think from the remarks of the Secretary of State that every one who dares oppose this Bill should be led to the stake. He told us the other day that this was not a question of whether separate schools should be established in Manitoba or not. If that is so, I would like to know what we have been discussing for the last three months? The ex-Minister of Justice (Sir Charles Hibbert Tupper) disagrees with the Secretary of State in that, and he stated plainly and boldly in this House that the question at issue was, whether we should have separate schools in Manitoba or not. That being the case, it is our duty to consider whether the Government should be allowed to do that, and especially so when they have no mandate from the people. The legislation is irrevocable, and that is another strong reason why we should take the opinion of the country upon it.

Mr. SOMERVILLE. Is it not a fact that the member for North Victoria is acting as whip for the contingent of the party who stays here at night to pass this Bill through.

Some hon. MEMBERS. Oh.

Mr. WALLACE. I will have to ask the member for North Victoria (Mr. Hughes) to speak for himself as regards that. Is there some statement made about personal preferment? Did that refer to me? I can tell the hon. member that I have not been offered any personal preferment of any kind for opposing the Bill. Now, I must again enter my protest against any censure being implied or expressed against any member of this House who chooses, in the exercise of his discretion or of his duty to his constituents, or to himself, to oppose this Bill. I protest against his being called an obstructionist, if that is meant as a term of opprobrium. If it is meant as a term of honour, my objection to it would disappear. I am sure the members of the Government will not ask us to stay here all night unless they stay themselves. Last night there were times when not more than one member of the Government was present. Of the 12 members of the Cabinet, I think we might reasonably ask 10 or 11 of them to stay here with us and give us their advice—I am delighted to have their advice—while we stay here. We will stay with pleasure anyhow. There is the Minister of Finance. If he will tell me that he will stay here——

Mr. FOSTER. If the hon. gentleman will go to West York, I will stay here.

Mr. WALLACE. That is not a fair proposition. My constituents would say to me, "you are neglecting your duties in Parliament." I have this evening just received a letter from my opponent, in which he says: "I challenge you to come to West York to discuss certain questions with me on the 15th of this month." But we have decided that this House shall sit on that day.

Sir CHARLES TUPPER. You ought to go.

Mr. WALLACE. The leader of the Government says I ought to go.

An hon. MEMBER. It is the first day of the horse show.

Mr. WALLACE. Is it? Then, I think it is my duty to go. If the Minister of Finance or the Minister of Justice will stay here till three o'clock, we will stay and discuss the features of this Bill. Then, there are other matters that should be discussed by this Parliament. But by giving such close attention to theological subjects, we have forgotten the material interests of the country. Now, Sir, I would call the attention of the leader of the House to the fact that for two days we have not had our customary prayers in this House—not since Monday afternoon.

Mr. CASEY. Let us adjourn for prayers.

Mr. WALLACE. And I am afraid that we will not display that proper spirit in these discussions that we would if we had had, at three o'clock on Tuesday and Wednesday, the ordinary devotions to which we are accustomed. I can see the demoralizing effect which the omission has had on this House, and I would call the attention of the leader of the Government to the matter.

Mr. LaRIVIERE. The hon. gentleman forgets the lecture we had this morning on scripture.

Mr. WALLACE. I have not forgotten that, and I think I demonstrated—though the hon. member for Guysboro' (Mr. Fraser) did not admit it—that the protective policy was proved and demonstrated by the selections which were read by the hon. member for North Norfolk. That is the reason, I presume, that hon. gentlemen on the Opposition side of the House do not want any further reading of the same selections. Now, Mr. Chairman, I will give an opportunity to other members who wish to express their opinions on this important question.

Mr. CASEY. Mr. Chairman, I am told that another member of this House has passed from amongst us—that he has gone to his reward, and will be seen in his seat in this House no more. I refer to the hon. member for North Grey (Mr. Masson), who, it is currently stated—and, I believe, the statement will be published in the press to-morrow morning—has forsaken politics and will henceforth take his seat on the bench. I understand that the hon. gentleman has thus received his reward. That is the statement, the correctness of which can be substantiated or denied by the Ministers now present. If the statement is correct, the Government have shown their wisdom in beginning to make the necessary appointments during the session, and before the elections have come off. I will pause to ask if that statement is correct.

The CHAIRMAN. Is the House ready for the question ?

Mr. CASEY. As the statement is not denied, I take for granted that it is correct, because I have no doubt that if the Government were able to deny the statement, they would have done so. This is another indication that the Government intend to drop this measure, because in that case a vote or two in the House would not be of much consequence. Now, I wish to refer briefly to the discussion I began this afternoon, wherein, I think, I proved the bad faith of the Government towards the delegates of Manitoba. One of these, the Minister of Justice, was present at the time. The other, the hon. member for Montreal West (Sir Donald A. Smith) is now present, and so is the Secretary of State. I would like to have their statements, or that of the leader of the House on that point.

Mr. McCARTHY. Mr. Mara, I notice that you are occupying the place as Chairman of this committee, and I should like to know by what authority you have taken the Chair, which, as I understand, under the orders of the House, belongs to the Chairman of the Committee on Ways and Means. It seems to me that this committee is now not properly constituted. Under the authority of our orders, on the House going into committee, the Speaker called to the Chair the hon. gentleman who is the permanent chairman of committees. Now, I know of no authority by which you, Mr. Mara, are now occupying that position, and I think we had better pause until the committee is properly constituted, as it cannot go on without a chairman.

Sir CHARLES TUPPER. Mr. Chairman, I am not at all surprised at the hon. member for North Simcoe (Mr. McCarthy) raising this point of order. When people are in extremity they have to resort to very small points of order in order to disturb discussion. Since this Parliament has existed, for nearly 30 years, the invariable practice of this House ought to have convinced that hon. gentleman that he had no ground for raising such a question as this. I believe that from 1867 down to to-night, no gentleman has seriously contended that the gentleman who is occupying the position of Chairman of the House cannot call to his aid any hon. member of this House. You will find in Dr Bourinot's admirable work, which is recognized as a high authority, page 481 :

> In the session of 1885 the House of Commons adopted the English practice of electing a permanent chairman of committees of the whole, who acts also as deputy speaker. At the same time the House passed the following standing orders :
>
> "1. That this House do elect a chairman of committees of this House at the commencement of every Parliament, as soon as an Address has been agreed to in answer to His Excellency's Speech ; and that the member so elected do, if in his place in the House, take the Chair of all committees of the whole, including the committee of Supply and Ways and Means, in accordance with the rules and usages which regulate the duties of a similar officer, generally designated the chairman of the committee of ways and means, in the House of Commons of England.

In the English House the chairman of a committee is frequently addressed by name. If the chairman, through fatigue or for other reasons, finds it necessary to vacate the Chair, temporarily, he may call another member to fill his place; and mention of the fact will be made in the record of the proceedings of the committee. I trust that will satisfy the hon. gentleman that his point of order is raised without any substantial foundation. In a note on page 482 it is stated: "If the Chairman through fatigue or for other reasons finds it necessary to vacate the chair temporarily, he may call another member to fill his place, and mention of the fact will be made in the record of the proceedings of the committee, 132 E. Com., I. 395."

Mr. McCARTHY. The hon. leader of the Government thinks he has disposed of the point of order by reading a note from Dr. Bourinot's book, but, although the book is very valuable, I venture to think that if Dr. Bourinot intended to say that that is the practice which governs this House, he is in error.

Sir CHARLES TUPPER. What I read is from May.

Mr. McCARTHY. It was a foot note from Dr. Bourinot.

Sir CHARLES TUPPER. I read May, page 431, giving the practice of the English House as stated by authority.

Mr. McCARTHY. The hon. gentleman is talking of what he does not understand and cannot even interpret the initials. It is perfectly plain that Mr. Bergeron had no right, under any standing order of ours, to appoint any person to occupy his place. Our standing orders says that the permanent chairman is the chairman of the committee and is called to that position by the Speaker. Will any one pretend that the member so called has the right to place Mr. Mara, or any one else, in the Chair as chairman of the committee? If that be the case, then all that Mr. Bergeron has to do is to sit in the Chair and then beckon for Mr. Mara, or anyone else, to take his place. That is done frequently, but it should not be done; and when we are told that we are to sit here until Saturday night, I maintain that our Chairman is bound to sit along with us.

Mr. WOOD. The Speaker can call somebody else to take his place.

Mr. McCARTHY. Yes, but he does so by virtue of statute. But there is no statute or order authorizing the Chairman to put anyone in his place. The Speaker had no authority, until the order or the statute was passed, to leave the Chair for a moment. A general order was passed which authorized the House to appoint some person to assist the Speaker from time to time, but it was found of such doubtful legality that it became necessary afterwards to pass an Act of Parliament in order to give effect to the proceedings and orders of the gentleman who is authorized to take the place of the Speaker. Under these circumstances, it is absurd that the gentleman who is appointed chairman of this committee should, upon his own motion, have the right to put another member in his place. I submit, therefore, that this committee is not properly constituted. This point was raised in England in 1883, and notice was then given of a standing order, but it was not until 1888 that the standing order was finally made. The order which was passed here, and which was read by the Secretary of State, provides that the permanent chairman shall be the chairman of committees, but that does not give him the power to appoint any other member to replace him in the Chair.

The CHAIRMAN (Mr. Mara). My opinion is that the House, when in committee, is governed by its own rules and orders. The rule, as laid down in Dr. Bourinot's work, is this:

> That this House do elect a Chairman of Committees at the commencement of every Parliament, as soon as an address has been agreed to in answer to His Excellency's Speech; and that the members so elected do, if in his place in the House, take the Chair of all committees of the whole, including the Committee of Supply and Ways and Means, in accordance with the rules and usages which regulate the duties of a similar officer, generally designated the Chairman of the Committee of Ways and Means of the House of Commons of England.

When we refer to the practice in the English House of Commons, we find that the chairman of committees there is frequently addressed by name. If from fatigue or other reasons, he finds it necessary to vacate the Chair temporarily, he may call another member to fill his place, and mention is made of the fact in the reports of the proceedings of the committee. Further, I find that in 1878, Mr. Palgrave, Clerk of the English House of Commons, in a letter to Dr. Bourinot, states, in these words, the English practice:

> When during the Speaker's absence, the Chairman of Ways and Means leaves the Chair of the committee to take the Chair—a committee sitting being over—he asks a member at hand, usually off the Government bench, to make the report from the committee, as any member of a committee can make a committee report to the House, and so the absurdity of the Chairman's report from himself to himself is avoided.

It is clear that the Chairman of the Committee of Ways and Means or the Committee of the Whole House has the right to call upon any other member to take his place, and that the proceedings are not voided by his so doing.

Mr. McCARTHY. I am sorry I cannot accede to your ruling, Mr. Chairman, and propose to appeal to the House. In 1885, it was settled that there was a right of appeal from the committee to the House.

(An appeal having been taken from the ruling of the Acting Chairman of the Committee, Mr. Speaker took the Chair.)

The ACTING CHAIRMAN (Mr. Mara). Mr. Speaker, I was called, by Mr. Bergeron, Chairman of the Committee of Ways and Means, to take his place during his absence. The point of order has been raised by the hon. member for North Simcoe that I had no right to take the Chair. I decided that I had the right to do so, having been called by Mr. Bergeron, and the hon. member for North Simcoe has appealed to the House from my ruling.

Mr. SPEAKER. The question raised is the following :—Mr. Mara, who occupied the Chair, as Chairman of the Committee of the Whole House, having been requested by Mr. Bergeron, Deputy Speaker and permanent Chairman of Committees, to take his place temporarily, his right to occupy the Chair is challenged by the hon. member for North Simcoe, on the ground that Mr. Bergeron had not the right to call any one to the Chair to take his place, even temporarily, during his absence. Mr. Mara, who occupied the place of Mr. Bergeron, has ruled that the Chairman of Committees had the right to vacate the Chair temporarily, and to call another member to occupy his place during his temporary absence. Mr. Mara's decision has been appealed from to the House, and the question now before the House is, shall the decision of the Chairman be sustained.

Mr. McCARTHY. It seems to me open to question——

Mr. SPEAKER. The hon. member cannot address the House at present.

Mr. McCARTHY. I am rising to a point of order.

Mr. SPEAKER. The appeal must be decided without debate. No new point of order can be raised. The point of order had been already decided by the Chairman of committees, and an appeal from the committee of the whole House, to the House, as to the decision of the Chairman of committees must be put in the same mode as an appeal from the decision of the Speaker should be put to the House ; that is, without debate or amendment.

Mr. McCARTHY. I rise to the point of order.

Some hon. MEMBERS. Order ; Chair ; sit down.

Mr. McCARTHY. I am rising——

Some hon. MEMBERS. Order ; Chair.

Mr. SPEAKER. The question has to be put to the House, and of course, there cannot be any further debate.

Mr. McCARTHY. But it is not on that I wish to speak.

Some hon. MEMBERS. Order ; sit down.

Mr. SPEAKER. The question of order is an appeal from the decision of the Chairman, and that appeal must be decided by the House without debate.

Mr. McCARTHY. That is what I want to draw your attention to. Look at page 483.

Mr. SPEAKER. Order. The question is : Shall the decision of the Chairman of committees be sustained.

Mr. DAVIES (P.E.I.) Mr. Speaker——

Some hon. MEMBERS. Order ; sit down.

Mr. DAVIES (P.E.I.) I desire, Sir——

Some hon. MEMBERS. Order ; name ; put him out.

Mr. SPEAKER. The rule is as follows :—

> The questions of order arising in Committee of the Whole House shall be decided by the Chairman subject to the approval of the House.
>
> The appeal must be made without debate.

Mr. DAVIES (P.E.I.) I am not going to debate. I want to put the Speaker a question.

Some hon. MEMBERS. Sit down ; order.

Mr. DAVIES (P.E.I.) I desire to ask Mr. Speaker's attention as to what is the parliamentary practice in England on that point ?

Mr. SPEAKER. The hon. member is mistaken altogether with regard to the practice. I have no right to express any opinion respecting the ruling of the Chairman in committee. If the Chairman of committees is unable to decide the question of order, then the opinion of the Speaker can be asked upon the question that has been raised ; but the Chairman of committees has informed me that he has decided the point of order, and now the appeal lies to the House and to the House only.

Mr. DAVIES (P.E.I.) Can it not be discussed ?

Mr. SPEAKER. No, it cannot be discussed. The question is : Shall the ruling of the Chairman of committee be sustained.

House divided :

YEAS :

Messieurs

Belley,
Bennett,
Bergeron,
Boyd,
Brodeur,
Bruneau,
Calvin,
Cameron (Inverness),
Cargill,
Carling (Sir John),
Caron (Sir Adolphe),
Lachapelle,
Langevin (Sir Hector),
LaRivière,
Leduc,
Legris,
Macdonell (Algoma)
Macdowall,
Maclean (York),
McAlister,
McDonald (Assiniboia),
McDougald (Pictou),

Carscallen,
Chesley,
Choquette,
Cleveland,
Cochrane,
Cockburn,
Corbould,
Costigan,
Craig,
Davin,
Davis,
Delisle,
Desaulniers,
Dickey,
Dugas,
Dupont,
Dyer,
Earle,
Featherston,
Ferguson (Renfrew),
Foster,
Frémont,
Gillies,
Girouard,
Godbout,
Grandbois,
Guay,
Haggart,
Harwood,
Henderson,
Hughes,
Ives,
Jeannotte,
Joncas,
Kaulbach,
Kenny,
McDougall (Cape Breton)
McInerney,
McKay,
McLean (King's),
McLennan,
McLeod,
Marshall,
Metcalfe,
Mignault,
Miller,
Monet,
Northrup,
Ouimet,
Patterson (Colchester),
Pelletier,
Powell,
Prior,
Putnam,
Rinfret,
Robillard,
Robinson,
Ryckman,
Sanborn,
Stairs,
Stevenson,
Taylor,
Temple,
Tupper (Sir Charles),
Turcotte,
Vaillancourt,
Wallace,
White (Shelburne),
Wilmot,
Wilson, and
Wood.—93.

NAYS :

Messieurs

Allan,
Beith,
Borden,
Boston,
Cameron (Huron),
Cartwright (Sir Rich'd),
Casey,
Davies,
Gibson,
Grieve,
Landerkin,
Langelier,
Lowell,
McCarthy,
McMullen,
McNeill,
Mills (Bothwell),
Paterson (Brant),
Rider,
Somerville,
Sproule,
Stubbs,
Tyrwhitt,
Weldon, and
Welsh.—25.

The ruling of the acting Chairman of committees was sustained.

The acting Chairman of committees resumed the Chair, and,

House again resolved itself into committee.

(In the Committee.)

THURSDAY, 9th April, 1896.

Mr. LANDERKIN. I have not taken up much of the time of the House in discussing this question, and I hope hon. gentleman will bear with me patiently to-night. This Bill is being forced through the House with undue rapidity. If it is as important as the leader of the House says, it requires very careful consideration, and if it is fraught with as much injury to the province as is contended, then of course, grave attention should be given to it. It is impossible in the dying hours of the last session of Parliament, to give it mature deliberation. The leader of the House told us that he was much devoted to this Bill, and was prepared to die in order to pass it. I trust that sad and melancholy event will not occur during the passage of this measure. The House heard that announcement with a great deal of trouble and anxiety. I have an idea that the Secretary of State would run considerable risk of his life for the purpose of staying in power, but I do not know of any Bill that would induce him to do so. It was noticed that when he spoke of that dire calamity, there was very little alarm amongst his followers.

Not a groan was heard, not a pitying note
  As down on the floor he hurried ;
Not a member offered to lend him his coat
  Or asked how he liked to be buried.

It is wonderful that his colleagues at least, did not show a sympathetic anxiety, least that dire event should follow their leader's efforts in connection with this Bill. We desire that the Secretary of State should remain in good health, because we do not want to beat a sick man. It is thought, Mr. Chairman, that the more intelligent supporters of the Government who have a regard for their political future have left the ranks of the party. That is my opinion too. If I thought that this Bill would be any benefit to the minority I would have no hesitation in supporting it, but I believe that the Bill is bad for the minority and bad for the majority too. It leads to a dual system which will entail injury on both the majority and minority in Manitoba. I believe the Bill will do a great deal of harm, and will confer no benefit upon any class of the community. I believe, like my leader, that before the province of Manitoba should be coerced, there should be a full investigation. The Government also believed that recently, and they sent a commission to Manitoba. I regret that that commission has been treated with so much discourtesy by the Government that the report which they made has not yet been brought down to the House. If we get these papers it will have a considerable effect upon the passage of this measure. The Government by their conduct persist in every way in obstructing the passage of this Bill. I have watched the skill displayed by the Secretary of State in taking up the time of this House on outside issues, so as to lead us away from the discussion of this remedial Act. It would never do to have this measure passed hastily, and then to have us snubbed because Parliament passed a Bill which was ultra vires.

It would be well to consider all these questions in order to prevent litigation. I am surprised at the action of the Government on this question. After the Manitoba School Law of 1890 was passed, the Government of Canada had power to restore the rights of the minority, but they did not see fit to exercise that power. If those people are so much oppressed, how is it that the Government waited for five years before showing so much zeal and interest in them? This question should not be made a political question. If ever there was a question that should be settled on its merits, this is one. It should have been kept out of the political arena, where it is likely to linger for a long time to come. As soon as the decision of the Privy Council was announced, however, the Government exhibited an unseemly haste to bring this question into politics. They issued their remedial order, with the intention of going at once to the country. But their colleagues from Quebec would not consent to that. The consequence was that they had to meet the issue, so they called Parliament last session. But they did not introduce the Bill then. Three Ministers resigned and stayed out two days, when two of them went back and one has remained out ever since. Then, they called Parliament together this session on the 2nd of January to pass this Bill, and two days after the House met seven of the Ministers bolted. The Premier stated that they had bolted because they were opposed to the Remedial Bill. After about ten days sulking, they came back and accepted the Remedial Bill; but no Bill was introduced until two months had passed away. It was introduced a little more than a month before the date of the expiration of Parliament; and now the Government are trying to force it through the House by compelling the House to sit continuously night and day. In the hope of making some political capital they are determined to force this Bill through, if possible, regardless of the rights of the members of the House or the rights of the people, or the rights of either the majority or the minority of Manitoba. The school law of Manitoba passed in 1890 very much resembles the school law introduced in Nova Scotia some years ago by the Secretary of State. We have been told on all hands that that law gives entire satisfaction to both Protestants and Catholics in the province of Nova Scotia. If the Secretary of State is satisfied with that law, why does he object to a law in Manitoba which is precisely similar, especially when the people of that province are a unit in its favour? I believe this Bill will do no good to the minority of Manitoba, and will do an injury to the majority. If I thought it would be any benefit to the minority in Manitoba, I would be one of the last to raise my voice against it. If there is any grievance complained of by any minority, I would be one of the first to demand its redress; but these grievances are more imaginary than real. It would be very easy for me to show how this Bill has been obstructed by the Government--how they have wasted time, how delay was caused by seven ministers bolting, and how they delayed to introduce the measure for two months. When the professed friends of the measure are striving by every means in their power to get the Bill passed, the Government are evidently determined that it shall not go through this session. I believe that the Secretary of State, while appearing to press the measure, really desires to strangle it. He did not introduce the Bill, but acted as a sort of step-father to it, and I fancy that on that account he does not like it. Now, I oppose this Bill because I believe it will be bad for the minority and worse for the majority; and I for one am not willing to go against the will of the majority of the people of a province who know its local conditions very much better than the members of this House can know them. I am willing at all times to support any government in redressing the grievances of any class of people, but I would not like to commit myself to vote for a measure of that kind until every fact in connection with the alleged grievances had been fully investigated.

Mr. McMULLEN. I must express my surprise at the tirade of abuse, virtually a dose of political Billingsgate, which the Secretary of State gave to the House this afternoon. It proved to me very clearly that if he is anxious to secure the passage of this Bill, he has taken the wrong course to gain that end. There is no evidence to show that the Government are anxious to proceed with the Bill. They appear desirous of consuming the remaining days of the life of this Parliament by permitting and encouraging discussions of an irrelevant character, instead of taking up the clauses of the Bill. I was anxious to have from the hon. member for Montreal West (Sir Donald A. Smith) a statement in regard to the deputation which went from this Government to Manitoba for the purpose of negotiating for a settlement of this important question. I think the leader of the Government should give to the House a full statement of the views interchanged between the representatives of this Government and those of the Manitoba government. I have been very much pleased to gather from the papers that considerable concessions were made on both sides, after two or three days of conference, making it evident that if this Bill had been withdrawn and the Manitoba government had been left to themselves, the question would very soon be settled. I should like to have heard the view of the hon. member for Montreal West (Sir Donald Smith) to-night. I believe he came from Montreal for the purpose of giving his opinion with regard to the course that should have been adopted; and no doubt were he to express frankly his mind on this whole question, he would say that the best way to settle the whole difficulty would be to appoint a commission from this Government to meet the Manitoba government and try to come to some arrangement. The hon. leader of the Opposition, during the afternoon, took the Government to task for the discourtesy to the Opposition and to those who are disposed to criticize the provisions of this Bill in not consenting to an adjournment this morning at two or three o'clock, after we had discussed a number of the provisions of this Bill and pointed out some very objectionable clauses. The hon. Secretary of State appears determined to keep the House in session day and night with the view of showing the country his sincerity in trying to make this measure become law. If the hon. Secretary of State had displayed better tactics and prudence, such as his predecessors were wont to display, he would have made much better progress. I can well remember when we had got into difficulties with the Chairman of the committee on a former occasion and sat all night, the leader of the House, the late Sir John Macdonald, came down in the morning and settled the difficulty in a few words by allowing the committee to rise, and in the afternoon the House got down to practical work and good progress was made. Had such a course as that been followed, the Government would have made much better progress with the Bill. No doubt the Catholics of Manitoba feel that they have been deprived of certain rights and the decision of the Privy Council has clearly shown that they have a grievance, and having a grievance they are entitled to have it removed. But it would be much more desirable that the adjustment should take place in Manitoba and be done by the Manitoba legislature than by this House. One ounce of remedial legislation by Manitoba would be better for the minority than a pound of remedial law by this House. Whatever concessions might be made the minority by the legislature of Manitoba, would command itself to the approval of the majority in that province, and that in itself would be a guarantee that no injustice would be done the minority in any other respect. It would be deplorable if by our legislation in this House we should exasperate the majority in Manitoba to act unjustly towards the minority by imposing upon them taxes for common schools as well as separate schools, and I do not know that we would have the power to prevent that. From my reasoning of the constitution, it appears to me that the province of Manitoba have absolute control of taxation and the appropriation of all moneys that come into their hands for any purpose ; and I do not believe that this House has the right to dictate to Manitoba what she shall do with her own money or in what way she shall impose taxes, or whether she shall impose taxes on the entire community for school purposes or simply impose on the Protestants taxation for common schools and on the Catholics taxation for separate schools. It would be deplorable if the majority of Manitoba should be goaded into a determination to take revenge for the legislation we are imposing upon them, by compelling the minority to pay taxes in some other way and thus set at nought the legislation of this House. If we cannot protect the minority against such legislation as that, would it not be better to try to secure a peaceable settlement of the question rather than increase the friction between the two sections. I do not challenge the decision of the Privy Council, which says the minority have a grievance, and I should like to see that grievance removed and am prepared to do everything in my power, constitutionally and prudently, in the interests of Manitoba and the Dominion, to secure a peaceable and satisfactory settlement of the whole difficulty. If I thought that this Bill would settle the difficulty, I would give it my most earnest consideration, but I do not see how it can. I have every confidence in the views expressed by my esteemed leader (Mr. Laurier), and by my hon. friend from Bothwell (Mr. Mills), and from South Oxford (Sir Richard Cartwright), who are experienced parliamentarians of twenty or thirty years standing, and who have all expressed the opinion that the passage of this Bill could not, by any possibility, secure to the minority the relief they desire, but that on the contrary it will be only prolific of lawsuits from start to finish. We should endeavour to settle this difficulty finally and avoid any grounds of litigation, and we can only do that by the co-operation of Manitoba. After carefully listening to the opinions expressed in this House, I do not believe that many provisions of this Bill will stand in law ; and the clauses we have considered have been so amended that they cease to be, in any shape or form, the clauses of the Bill as originally drafted. Everything considered, it is most desirable that we should obtain the co-operation of Manitoba. I notice that Mr. Greenway is said to be on his way from Manitoba to this city, and I trust he is coming here in the spirit of conciliation and earnest desire to meet the Government and agree to some concessions which will restore harmony. It is not to be expected that the desire of the minority in any province, whether Catholic or Protestant, can be completely acceded to, and no doubt there is considerable difficulty in adjusting this question so as to perfectly satisfy the Roman Catholic minority, but our experience in the past shows that the people themselves will remove any grievance if only their better sentiments are appealed to. Take, for instance, the difficulties that existed in New Brunswick. I have been reading over the lengthy and heated discussions that took place over the school question in that province ; and while neither the Conservatives nor the Reform Government of the Dominion would interfere to the extent of bringing in a measure in order to apply the powers given us by the constitution for the relief of the minority, yet the lapse of time has cured the evil. Year after year concessions were voluntarily made by the majority, and this session we had the gratifying announcement made by those who are in sympathy with the Catholic minority that they were perfectly satisfied with the condition of things existing to-day both in New Brunswick and in Nova Scotia. Time cured all the trouble in these provinces as no doubt it will in Manitoba. I have already said that in my humble opinion, the legislation in Manitoba was harsh, although I must say, on looking through the school books used in the Manitoba schools, that there is nothing in them to which any Roman Catholic could object. Still no man who reads the constitution and then compares the present legislation with that which was abolished can fail to see that the minority has suffered a grievance, as decided by the English Privy Council. Even the hon. member for North Simcoe (Mr. McCarthy) admits that they have a grievance. In fact I have not heard that denied by any one. But if the grievance exists who should remove it ? The proper body to act is the legislature of the province where the grievance exists. I remember when the late Sir John Macdonald was Minister of Justice and a question with regard to education was before this House, he very properly said that the Nova Scotia legislature was the only place where proper relief should be given to the minority in that province. I agree with him in that view. You may give momentary relief by the passage of this remedial law ; but that will not protect the minority against injustices of another kind. If you exasperate the majority by such a Bill as this, you certainly cannot hope to keep them within the lines of prudence and justice. If they are goaded into opposition, they will no doubt do many things that they would never think of doing otherwise. Manitoba must be asked to act if ever you can secure a peaceable, satisfactory solution of the difficulty. The evidence of the desire of Manitoba to remove the difficulties, is apparent to every mind, and I hope that from time to time Manitoba will evince a disposition to meet the conscientious scruples of the minority, and that they will not subject them to any conscientious injustice in the matter of education. The Catholic people of this country are our fellow-citizens, having all the rights and privileges of any other class, and they should be granted all the rights and privileges they are entitled to under our constitution. I am sure that after mature consideration the majority in Manitoba will see matters in a different light, and that Christian charity, and forbearance, and toleration will more and more characterize their legislation from year to year. I listened to the Secretary of State trying to evade the charge that he had made some prophetic utterances with regard to the production of grain in the North-west, and as to the amount of money we would realize to the sale of lands in that country. I think the Secretary of State failed in meeting the charges. But, what has he to say with regard to his prophecies which are reported in "Hansard," and which I heard him make myself, in reference to the great prosperity, and increase of population, that would follow on the iron duties that he proposed. Surely he knows that his prophecies in that direction have been absolutely unfulfilled.

Mr. OUIMET. I rise to a point of order. I submit that the hon. gentleman is getting away from the question before the House, when he talks about coal and iron.

Mr. McMULLEN. I hope the Minister of Public Works will allow me to proceed, because I intended to make these observations earlier in the evening when the Secretary of State was in the House. However, I may say that this is another of the false prophecies that he has made. Now, Mr. Speaker, it is quite time that the committee should rise. Out of fifteen Ministers, we have only three in the House, the remainder having gone off to sleep. From whom are we to get information regarding this Bill ? Is the Minister of Public Works prepared to say that we will go on considering the clauses of the Bill if this motion that the committee rise is disposed of?

Mr. OUIMET. Yes.

Mr. McMULLEN. Well, he knows more than I ever thought he did if he is ready to give all the information necessary. It will require a better head and a brighter intellect than he possesses to engineer the clauses of the Bill through this House, because they appear to have been drafted by a new hand, and they require a great deal of explanation, indeed. I do not believe that this Bill gives the minority of Manitoba any relief. I believe that the Government is deceiving that minority, and I am satisfied that the more the provisions of this Bill are discussed, the more the people will get light upon the whole question, and the more they will see that instead of its being framed with a view of granting relief, it is framed with a view of humbugging the people. After listening to the tirade of the Secretary of State this afternoon, I have come to the conclusion that the Government have no desire whatever to crystallize this Bill into law before this Parliament closes. They want to be able to say to the Catholic minority : We are your friends ; we will give you remedial legislation ; and they will wink the other eye at another party in the Dominion and say : We never intended to do anything of the kind. I believe that the people and the press of this country will look upon it in that light. Can the Minister of Public Works say what particular clause of the Bill he desires us to consider ?

Mr. OUIMET. I am sorry to see that the hon. gentleman does not know on what clause we are.

Mr. McMULLEN. I know well enough.

Mr. TYRWHITT. I regret, Mr. Chairman, that I have not had an opportunity of addressing the permanent Chairman of Committees, but I have no doubt that I will receive every consideration from you, Sir (Mr. Joncas), who have taken his place. There is a class of people in this country known as the Patrons who are beginning to take an interest in politics. I have reason to be aware of that fact, because I am opposed at the present time by a gentleman of that order.

Mr. McCARTHY. So am I.

Mr. TYRWHITT. One of the chief planks in the platform of the Patrons is with regard to the superannuation of Civil Servants. We have a Deputy Speaker here, for whose salary I voted, and I shall be obliged in contesting my riding with my Patron opponent, to defend the Deputy Speaker's course and to say that he has earned his salary. I have defended him in the past, and I had hoped that I would be placed in a position to defend him again. I wish to explain my vote to-night, and I must say that I should prefer to see the Deputy Speaker oftener in the Chair, in order that I would be placed in a better position to defend my course in voting for an appropriation for his salary. The leader of the House, this afternoon, in describing the condition of the Conservative party in Nova Scotia, stated that Conservatism and anti-Catholicism appeared to be synonymous in that province at the time he accepted the leadership of his party there. I believe that politics and religion should not be mixed up at any time, and in opposing separate schools I am not animated by any ill-feeling towards those who are of a different religion from myself. I believe that people of all religions in this country should be on good terms, and I believe, also, that those who talk most about religion have probably least of it. While I am a supporter of the Government, yet I am opposed to this measure. I deprecate the attacks made on private members of this House who do not see fit to take part in the discussion. These attacks are unjustifiable, because the only people these gentlemen have to account to are their constituents. It appears to me that the people of Manitoba, in abolishing separate schools have only followed the example of almost all the civilized countries in the world. I sympathize with the settlers in Manitoba, because I live in a school section in which I think there are only thirteen ratepayers of any prominence, and I know the difficulties of carrying on a school in a sparsely populated district. It seems to me that is one of the most powerful arguments that can be advanced for the existence of national schools. When the Manitoba legislature saw fit in 1890 to abolish separate schools, they took the same course that has been followed by every civilized country in the world. They were simply following the example of countries of greater experience. (The hon. member read extracts from a pamphlet in reference to the educational systems of various European countries.) I am in a position to give some information to the House from my own personal experience during my residence in France. It was the desire of the institution I attended that I should attend the prayers morning and evening; but owing to my want of knowledge of the language in which they were expressed, I am afraid I did not receive the benefit from them that I might have done.

Mr. EDGAR. I think it would be very instructive to the House if the hon. gentleman could recite some of those prayers in the French language.

Mr. TYRWHITT. I should be only too happy to comply with the wishes of my hon. friend, but, as the greater portion of the prayers were in Latin, I am afraid he would not understand them. At the same time I agree with many members of this House that it would not be reverent to do so, and I cannot say that I was edified by the exhibition we had this afternoon. I am very firmly convinced by my own experience that the religious education given at the public schools is not of the character that we should expect to make good Christians, although I would be quite prepared to support any measure for the purpose of devoting a certain portion of time in the schools to religious instruction. I think that religious instruction could be given to children at their homes and in the Sunday schools much more effectively than in the public schools. In our own Canadian provinces of New Brunswick and Nova Scotia separate schools do not exist by law, and gentlemen who are familiar with the state of things in those provinces inform us that it is highly satisfactory to the people, both Protestant and Catholics. Now, I do not think we are adopting an extraordinary course in leaving our party on this question. I disclaim for myself, and I think I can for the hon. gentlemen who are voting with me, any collusion with the Opposition in this matter. We are simply acting for ourselves and in accordance with what we believe to be in the best interests of the people, and the desire of our constitutents; and we believe that what we regard to be in the interests of our own province we should not refuse to the province of Manitoba. I disclaim any intention of changing my political allegiance; but at the same time I disclaim the right of the Government or of any body of men to control my actions in this matter. Instead of threats changing me as to the course I intend to pursue, they are more likely to make me persistent in it, because they imply that a challenge is offered to me to do so. I regret very much the course that has been adopted of abusing and impugning the motives of members of this party, who from conscientious reasons, or from pledges given to their constituents, have seen fit to oppose this measure. I shall be only too happy, if given the opportunity, to vote against it again at the third reading.

Mr. SEMPLE. When the history of this country comes to be written, this will certainly be described as a most remarkable Parliament. It began in its first session with the memorable scenes in the Privileges and Election Committee, where an inquiry was held into the conduct of members of the Cabinet and the use of public funds for the corruption of the electorate, which brought to light a system of organized corruption that the people until then could hardly realize as possible to exist in any constitutionally governed country. And now at the closing hours of the Parliament, we find this same Government taking the Parliament by the throat and compelling us to sit continually, day and night, without recess, in order to exhaust our physical energy and thus compel us to give consent to a measure which cannot fail to be productive of endless litigation, and which cannot fail to provoke sectional feelings and irritation throughout the whole country and especially in the province of Manitoba. The hon. leader of the Government, when he moved the second reading of the Bill, declared that it was the most important measure with which he had anything to do. According to him, it was more important than the forming of confederation, more important than the creation of Manitoba into a province, even more important than the Government measure for the introduction of two-rowed barley. And yet the same hon. gentleman asks us to pass this Bill without giving it proper discussion, and is seeking to endeavour, by these continuous sittings, to reduce us to such an exhausted condition that it will be absolutely impossible for us to give any of the important clauses of this measure the intelligent consideration they deserve. In my opinion, the judgment of the English Privy Council does not call upon us to pass any such Bill as the one before the House. It does not ask the Dominion Parliament to abolish the Manitoba Act of 1890, but all that it requires is to take what measure as may be deemed advisable to remove any real grievance under which the minority suffer, and it seems to me that the offer of the Manitoba government to allow the minority to have religious instruction given in their schools to their children was a very seasonable offer. They have also offered to secularize the school system which seemed to satisfy the member for Leeds (Mr. Taylor) at one time, but no doubt the Government have forced him against his will to change his opinion. At all events he has not recently offered us any proposition to that effect. The recent votes in the Ontario legislature prove beyond dispute that the people of Ontario are in favour of Manitoba being approached in a conciliatory spirit on this question, and that every possible source should have been exhausted before coercion was entered upon. It reflects no credit upon the Government that they should try to force so important a measure through this dying Parliament, and especially is that the case when it is said that this legislation is irrevocable. I believe that a dying Parliament should not pass live legislation, and I further believe that there is no parallel case for such action either in Great Britain or in Canada. We know that in 1891, Sir John Macdonald dissolved a Parliament, only four years old, because, as he said, he wanted the opinion of the people upon the question of reciprocity. Sir John acted wisely in taking the opinion of the people upon that question, although in one sense it cannot be considered as being of such importance as the question we are now considering. This Parliament was elected on lists which are now seven years old, and many changes have taken place in the electorate since then. Not only that, but the fact that our redistribution Act has made many changes in the constituencies of the Dominion, is another reason why this Parliament should not deal with the question. If the Government is sure, as they have repeatedly said, that the general elections will increase their majority, what is the necessity for having an extra session, which the Secretary of State says will cost half a million dollars. Well, that is his fault and not ours. I suppose the Secretary of State would like to have his Estimates, but what right has this Parliament to give money to a Government which may not be called upon to expend it. The hon. gentleman (Sir Charles Tupper) need not talk about spending money for an extra session, when he advocates the Chignecto Ship Canal which will involve a capital expenditure of three and a half million dollars. It appears to me that the cost of an extra session does not trouble him so much as he pretends it does. The leading lawyers in this House have stated that this Bill is worthless to the minority, and so far as I can learn the Government believe that themselves. Principal Grant in a very able letter also advocates this view, and he has come to the conclusion that something should be done to satisfy the wants of the minority. We are glad to know, and as the result of the conference recently held between the representatives of the Dominion and the government of Manitoba, that the differences are not so great as some would expect. It is my opinion that a compromise should be effected, and that we should have no friction between the two governments. I remember well the school system as it existed in Ontario forty-five years ago. Those interested in sending their children to school would put up a log building, sometimes about twenty feet square; and hire a teacher as best they could, and they were not very particular about inquiring what his creed was. I remember that two teachers from whom I received instruction were Roman Catholics. These teachers had to pass no examination, but were simply approved of by the superintendent of schools, and in those days there was not so much costly paraphanalia about the schools as now. Though in the cities and towns the people of Manitoba could support dual schools, in the rural districts they would not be able to support them. This Government have been very inconsistent in the manner in which they have dealt with this question. They do not seem to be satisfied that Manitoba would remedy the grievance of the minority ; both the Minister of Marine and Fisheries (Mr. Costigan), and the Minister of Public Works (Mr. Ouimet) have expressed themselves to this effect ; and yet they sent commissioners up there to try and effect a settlement. Even if the minority got much less than they are asking, and got it with heart and good-will from the province, it would be far more in their interest than any remedy they could get from this Government, because in the latter case they would antagonize the province. The raising of this race and creed cry has a bad effect on the country. I will read an article from a Conservative paper, the Toronto "Telegram," which touches on this question. It says :

> When remedial legislation is once enacted the majority is freed from those higher obligations which would bind them as good neighbours to deal fairly in educational matters with their Roman Catholic fellow-citizens. Honour is a harder task-master than law.
>
> The Roman Catholic minority in Manitoba would be better off under the worst provincial law generally administered than under the best Federal law ignored or administered in a hostile spirit. In a few years there would be no Manitoba. The history of New Brunswick, Nova Scotia and Prince Edward Island, would be repeated in Manitoba if Federal interference did not embitter the strife between the majority and the minority in the province of Ontario. The Liberals have done everything within their power to carry out the separate school law as guaranteed to the Catholics in that province, and the Conservatives tried all in their power to pamper and make legislation unpleasant and to hamper and to curtail the well understood principles of the separate school law in Ontario.

Now, I have no doubt that if the province of Manitoba were approached in a friendly spirit, a satisfactory settlement of this question could be accomplished in a short time. Even if it should take another year to attain that end, it would be for the benefit of the country to help to create a good feeling, that should always exist among the people of this Dominion. Now, the Government in not dissolving the House and appealing to the country on a question of this importance, is deceiving the people. The people have given this House no mandate on this question, and the Government, by a high-handed action are forcing members to sit here day and night debating it. But I would like the leader of the House to understand that though we have been here for 50 or 60 hours what we can do for 60 hours we can do for 120, and what we can do for 120, we can, if necessary, do for 240 hours. He cannot bulldoze this House. Such action may suit the South American Republics, but it is not suited to the free soil of Canada, and the sooner the leader of this House understands that the better. Hon. members who are staying here night after night to defend the rights of the people are doing it as an act of self-denial, but they do it with pleasure because it is their duty, and without expectation of any reward in the future.

Mr. EDGAR. I think there are a great many more tangible reasons now for this committee rising than there ever were before. We have been sitting a great many more hours. As far as I can make out, we have been sitting now a little over 60 hours. We have beaten the record of the whole world. Previous to 12 o'clock last night this Chamber had beaten the record of the world for having sat 57 hours. In 1885, an interesting discussion arose on the Franchise Bill. We began sitting at three o'clock in the afternoon, and the question was very vigorously discussed until twelve o'clock on Saturday night. That was only fifty-seven hours, but it beat the record. The highest record before that, in physical endurance, was in the British Parliament, when the Home Rule question was first under discussion by Mr. Parnell. There they sat some forty-two hours, and that was considered as a tremendous evidence of their energy and the endurance of the British race, because in that Parliament were Irish, English, Scotch and Welsh. But the hardy sons of Canada easily surpassed that in 1885, and I now stand in the proud position of being a member of the Canadian Parliament which has even beaten its own record. We are far ahead of the world, and by Saturday night, if we are still kept here by the leader of the House, we will have created a new record altogether in representative institutions. The one thing to be said in favour of it is that it will be an advertisement to the whole world of the healthy and vigorous race which peoples Canada, and we will have proved beyond peradventure that there is no people so fit for representative institutions, because we will have shown what can be done in a free Parliament by determined representatives of the people. Having made history, as we have been doing, this committee should rise. We should rise if only out of consideration for the officials of the House, for the Hansard reporters, for the press, and for the little page boys. It is adding insult to injury especially to keep those poor little page boys here without paying them their wage, simply because the hon. leader of the House chooses to say that his own free will shall prevail. The hon. leader of the House, from having associated so long with crowned heads and princes, and the mighty of the land, seems to have made up his mind that if he is not something more than human, he is at any rate something more than Canadian, and therefore he comes out here and undertakes to treat us rather as southern slaves than free members of this House. But he should remember that he has not bought us all, and that therefore he should not treat us as slaves. We are not all bought and paid for with collectorships, or inspectorships, or even judgeships.

Mr. McCARTHY. What has become of the hon. member for North Grey (Mr. Masson) ? Would it not be in order to move for the issue of a writ in North Grey ?

Mr. EDGAR. I do not think that the Chairman would issue it, although, according to the last ruling, he has absolute power. Another reason why we should rise is out of respect for the memory of our late colleague, the hon. member for North Grey (Mr. Masson), who was amongst us a few days ago in manly life and vigour, and who—and it shows the uncertainty of life—has gone to his reward. His reward came to him more quickly than even he anticipated. I have seen a telegram this evening which mentions that the late member for North Grey was sworn in before the deputy treasurer in Toronto, one hour before the Lieutenant-Governor assented to an Act which would have reduced his salary, if he had not been sworn in.

Mr. McCARTHY. Worse than that, the Act would have prevented his appointment. The new Act provides that two judges shall not be appointed in a county that has not more than 80,000 inhabitants. There is one judge in the county of Huron now, and if this Bill had become law, there would have been no vacancy.

Mr. EDGAR. I do not suppose that anything of that kind could possibly have influenced the hon. gentleman's course in this House. I would be very sorry to say so, but there are people outside this House who would be mean enough to insinuate that his course was influenced by such a thing. We were told before we were in committee two hours, that the principle of this Bill having been adopted, the Committee of the Whole House was in duty bound to rush the Bill through committee. But what is the committee for, if not to discuss the measure ? I was glad to-night to hear the Secretary of State apologize to the hon. member of Albert in such a handsome way. A few days ago, when the Secretary of State had read first one member of his party out of it, and then another, I could judge from the faces of hon. gentlemen opposite that they had no sympathy with the tactics of their leader, and that they were not in the frame of mind to allow even the great, imperative leader to go on with that kind of thing any longer. I am perfectly certain that he has been disciplined by his party, and the result we have witnessed in his apology to the hon. member for Albert. I do not know that he apologized to the leader of the Opposition. In an outburst of candour yesterday the Secretary of State complimented my leader for desiring to proceed with the consideration of the Bill. But he was disciplined since then by his spporters from Quebec, who told him that if he talked in that way about Laurier, he would ruin them in that province. Hence to-day, in the mild manner for which he is remarkable, the Secretary of State took back all the nice compliments he paid to my leader yesterday. The Secretary of State made a mistake in tactics, when he laid the taffy on too thick on my hon. friend from Ottawa (Mr. Devlin), and referred to that gentleman as having denounced his leader. After having seen so many members of the Conservative party denounce their imported leader on the floor of this House, it was a grand sight to hear the member for Ottawa, with the eloquence for which he is so famous, praise our leader up to the skies, and express the most entire confidence in him, although he differed from him on this question. I do not think we will hear any more from the Secretary of State about the brilliancy and eloquence of the hon. member for Ottawa. The effort of the Government seems to be, not to pass the Remedial Bill, but to throw the blame for its not passing upon the members of the House who are opposed to it. What is all this hurry about now ?

Mr. FRECHETTE. Because we want to make it law.

Mr. EDGAR. And why ?

Mr. FRECHETTE. To relieve the Manitoba minority.

Mr. EDGAR. No, because the hon. gentlemen are going back to their constituents.

Mr. FRECHETTE. You are going back, too.

Mr. EDGAR. It is because they want to use it in the elections.

Mr. FRECHETTE. You want to use it the other way.

Mr. EDGAR. They have a mistaken idea that it is going to help them with their constituents, and that is why they are in a hurry about it now. All the blame for the delay with this Bill rests with the Government. They passed the remedial order, and the majority of the Cabinet wanted to dissolve, but the minority of the Cabinet had so little faith in their brother Ministers that they would not allow them to go to the country without putting this law on the statute-books.

Mr. FRECHETTE. How do you know that ?

Mr. EDGAR. How do I know that the sun is behind the earth to-night ? How do we know ninety-nine out of a hundred things ? The hon. gentleman knows it as well as I do.

Mr. FRECHETTE. No.

Mr. EDGAR. They called the Parliament of 1895, and the trouble commenced again, and there was no remedial legislation. Three of the Ministers went on strike. Senator Angers, who was the most in earnest, had no confidence in the majority of his colleagues, and he did not go back and will not go back, because he has no confidence in the Government yet.

Mr. DUGAS. How do you know he has no confidence in them ?

Mr. EDGAR. You can judge from Senator Angers' language on many occasions. These gentlemen know well that the Government does not expect that this Bill will become law.

Mr. PELLETIER. Yes, they do.

Mr. EDGAR. The Secretary of State let the cat out of the bag yesterday when he said that it made no difference whether the Bill became law or not, and that if they could show the people that the Opposition prevented its becoming law, it would answer the purposes just as well for the elections.

Mr. FRECHETTE. Let us pass the Bill now and you will see.

Mr. EDGAR. The leader of the House this very day obstructed the Bill by making four speeches.

Mr. BELLEY. Nonsense.

Mr. EDGAR. The feeling of the people of the country irrespective of party, or of race, or of religion, is that the Government does not intend to have this Bill passed. The Secretary of State says he is ready to lay down his life for it, but he goes to his bed. He comes here once a day roaring like a lion at every one in the House, and then goes back to his den. I do not accuse the hon. gentleman from Megantic (Mr. Frechette) of having such a weak intellect as to think that he supposes that the Government want this Bill to become law.

Mr. FRECHETTE. You may accuse me, I believe it.

Mr. EDGAR. The hon. gentleman represents a county in which I lived as a boy, and I never thought that county would be represented by a man whose intellect was so weak that he would believe the Government were in earnest.

Some hon. **MEMBERS.** Oh, oh.

Mr. EDGAR. Why did not the Government call Parliament together in November last if they were desirous of passing this Bill.

Mr. FRECHETTE. You would make the same obstruction.

Mr. EDGAR. We do not make any obstruction.

Mr. BELLEY. Explain.

Mr. EDGAR. We moved that the committee rise because it was four o'clock in the morning, and I am prepared to defend that course before any constituency in Canada. Again, on the 2nd of January this year the trouble commenced in the Cabinet, and we were told that it was because they wanted to throw Sir Mackenzie Bowell out. In the Russell House a friend of mine told me that he had been talking to a leading Conservative who was in the confidence of the majority of the Cabinet, and who said : "Bowell has to be got rid of at all hazards." My friend said : "How are you going to get rid of him ? He is the first Minister ?" The gentleman answered, "If he won't go out, we will smoke him out." What does that signify ? You know that a bear, when followed by hunters, will often take refuge in a hollow tree, and they will build a smudge fire and try to smoke him out. There is a story of some hunters who tried to smoke out a bear from a hollow tree, but, instead of the bear coming out, seven rattle snakes came out ; and when these gentlemen lately tried to smoke out the bear, the old bear did not come out, but seven rattle snakes came out. Now, Sir, how long did it take these gentlemen to get in earnest on this Bill ? We know that it was not introduced until the 7th of March. Then, on the second reading, while a larger number of Conservatives spoke than Liberals, and a good deal longer, too, we heard them talking of obstruction. Why, Sir, this talk of obstruction then was the greatest fraud in the world. In order that we might reach a vote on the second reading, hon. gentlemen on this side of the House refrained from addressing the House, although anxious to do so. Then, when the Bill went into committee, it had not been in committee for two hours before the leader of the House got up and began his diurnal shout of obstruction. He thinks that by shouting that often enough, the people of this country will think he is in earnest. I do not know how many hours have been spent in the discussion on the clauses of this Bill, but what has been the result ? The third section was passed so hurriedly at the urgent request of the Government that it has been discovered since that it is probably ultra vires, and the Minister of the Interior himself has told us that he has the greatest doubts on that subject, and that we ought to go back and reconsider it. It was the discussion on section 4 that opened the eyes of the Minister of the Interior about the doubtfulness of section 3. Then, the result of the discussion on section 4 was that the Minister of Justice asked us to let the most important clause of that section stand. Section 5 has been passed, but it has been so changed as to be almost entirely different from the section as originally drafted. In the face of these facts, it is idle for them to talk of obstruction. Do these facts not show that these clauses of the Bill required discussion, and that they have not had enough discussion yet ? We have been willing to discuss the Bill up to three o'clock in the morning, but nothing would satisfy the Government but to go on continuously night and day. There is no constituency in Canada that will ask its representative to work 24 hours a day for three or four days running. We would not be doing our duty to our constituents if we undertook to discuss any important legislation at four o'clock in the morning. But even if we went on with the discussion of the Bill, who would be prepared on the Government benches to deal with it ? Look at those empty benches ? There is the Minister of Trade and Commerce—how much assistance will he give us? He took a hand once or twice, but he did not throw much light on the subject. The Minister of the Interior knows a good deal more about it than he likes to tell us, I think, he is engaged largely in trying to conceal what he knows about it. There is no French Minister here to discuss the question. The strikers who took so much interest in the Bill that they resigned, and so little interest in it that they came back, are not here at all ; they do not want any discussion. And the hon. leader of the House, who I honestly believe, has not read three lines of the Bill, has not given us a single idea on the subject of any of the clauses if he has any idea. He does not know or care what it means, so long as he can hold it up as a rag to catch votes by. I say that this whole affair is a flagrant attempt to bid for the Roman Catholic vote of the Dominion.

Mr. FRECHETTE. That is what you have done yourself for five years.

Mr. EDGAR. Our leader is bidding for the vote of Catholic and Protestant, French and English alike. He is not seeking to array creed against creed and class against class. After the reasons I have given for this committee rising, the committee may be prevailed to do so. This should be a private member's day, and there are many important pieces of legislation down on the Order Paper in the hands of different members. There is the North-west Territories Act. When is the hon. Minister of the Interior going on with that ?

Mr. DALY. In proper time.

Mr. EDGAR. Then there is the bill of the hon. member for L'Assomption (Mr. Jeannotte) relating to tobacco. Is not that a bill of importance.

Mr. JEANNOTTE. It is, but the liberty of the citizens of Manitoba is of more importance than that.

Mr. EDGAR. Of what use is the liberty of any of the citizens if you destroy your own life.

Mr. JEANNOTTE. If I could have the pleasure of always hearing you, I would sit here for two weeks.

Mr. EDGAR. I always try to discuss matters in a pleasant way, and sympathize with hon. members on that side. My sympathies are not restricted to any class or section, but I am always in favour of the under dog in the fight, and I sympathize with the minority on this occasion.

Mr. JEANNOTTE. Do you sympathize with the Roman Catholic minority in Manitoba ?

Mr. EDGAR. Of course I do.

Mr. JEANNOTTE. Then vote for the Bill.

Mr. EDGAR. Do you think I would insult them by voting for a Bill like that, which gives them a stone when they ask for bread.

Mr. FRECHETTE. The hon. member for Simcoe finds it gives them too much.

Mr. EDGAR. Why, he has an amendment in the hands of the Chairman to provide for the use of the French language in the schools of Manitoba which the Government forgot to provide for. You will find that when section " c " is proceeded with, all the French speaking members on both sides will be supporting the hon. member for North Simcoe.

Mr. FRECHETTE. When the Bishop of Manitoba finds the Bill satisfactory, you should be satisfied.

Mr. EDGAR. No doubt the Bishop is an excellent man, and I never heard anything against him, only I think he is too simple and too confiding. He trusts these gentlemen too much. If he knew them as well as I do, he would not trust them.

Mr. TURCOTTE. Follow him ; he would be a good leader for you.

Mr. EDGAR. I follow as good a leader as I want, and as long as he is willing to lead I am willing to follow. Then there is a measure introduced by the hon. member for Glengarry (Mr. McLennan), who calls himself the war horse of Glengarry. I never heard anybody else call him the war horse, but in a speech he admits that he was often known as the war horse of Glengarry. But whether he is a war horse or a saw horse, this measure is important. In view of all those very important matters for legislation which are on the Order paper, and which should be disposed of, I think the most sensible thing the House could do would be to permit the committee to rise, so that some of those important matters could be considered.

Mr. STUBBS. I merely rise to protest against the sitting of this committee, and also against the language of the Secretary of State this afternoon, when he classed me as one of the co-conspirators in obstruction. I came here from my constituents with a clear record, and I hope I will be able to return home with the same character. We are considering a Bill which is, I believe, of great importance. There are some clauses in this Bill which it is difficult to understand, and yet we have no Ministers in this House able to give an explanation of them. It is my belief that the Ministers themselves do not understand this Bill, and that it was drawn up for them by Mr. Ewart, the counsel for the minority. If it is against the rules of this Parliament to allow Mr. Ewart on the floor of the House to discuss the Bill, then why do not the Government hire the Grand Opera house, and invite members there so that we can have a fair understanding about this measure. Whether before this committee, or before our constituents, or before the courts of the country, this Bill must be explained. In the shape it is in at present, it is an utter impossibility for it to be of use to any class of people. This Parliament has no mandate from the people to deal with this question, and I dispute the assertion of the Secretary of State that it has ever been properly before the electors. I know that in Conservative constituencies in Ontario, it has been said, some times in public, and whispered some times in private, that the Conservative party would never allow the Bill to become law. Even in Cardwell, the Government candidate admitted on the hustings that he would support the Government in putting this Bill through, but in his private canvass he winked at it, and said it would never become law. If the Government is honest in trying to force the Bill, I hope they will be equally honest in the general election, and not try to work both ways. It is not human nature that any man can sit here day and night for weeks, and consider this measure properly. I have counted the House for the last three nights and on one occasion there were only twenty-three members present, while this morning at half-past one o'clock there were only thirty-two members present out of 215. Is that the way that the business of the country should be conducted? It appears as if the Government thought that physical endurance was preferable to mental intelligence in this matter. The Government have refused to take advice from my leader, the hon. member for North Simcoe (Mr. McCarthy), because he has been the counsel for the Government of Manitoba, but I find they are quite ready to take advice from Mr. Ewart, the counsel for the minority, because the Minister of Justice told us the other day that he was advised by Mr. Ewart to leave in a certain clause of the Bill. How is it possible, any way, that this Bill can be carried into practice, when you have to depend on the Manitoba government to furnish the funds, while, at the same time, you create a new Education Board at great expense, and refuse to leave the working of the measure to the present advisory board, who could do it cheaper and better.

Now, Manitoba offers very fairly to allow religious instruction during school hours in every school attended by Catholics. They also offer to give Catholic representation on the advisory board and Board of Examiners, to allow Catholic ratepayers to appropriate their own taxes to their own schools, to share in the Government grant, and to have the aid of the provincial authority in the administration of the Catholic schools. The hon. Secretary of State told us that the defeat of this Bill would mean the defeat of the Government. Well, I do not think we should pass this Bill even if the party in Opposition should succeed thereby in gaining power. Therefore, I do not agree with the Secretary of State. We had a commision to negotiate with the Manitoba government on this question, and I think it was the duty of that commission to report to this House. I think the Government are guilty of a breach of faith towards this Parliament in not having their report brought down.

Mr. SOMERVILLE. Before the question is put, I wish to make a few remarks. I think the motion that this committee should rise and report progress is perhaps the most important that we have had before us for some time. I do not think the Chairman will have much trouble in reporting progress, because there has not been much progress made. I have formed the conclusion, from the way in which business has been conducted this week, that the Government have no desire to pass the measure now before the House. If they had any such desire, they would refrain from imposing this continuous session on the members of the House, because they must know now that they are gaining nothing by it. I cannot come to any other conclusion than that the Government have a double policy in this matter. They are trying to make one portion of the country believe that they desire to have the Bill passed, while inwardly they rejoice in the prospect that the Bill will not be passed. The fact that no member of the Government has been able to explain satisfactorily to the committee any of the clauses that have been under consideration shows that they have not seized the meaning of the Bill itself, and are incapable of explaining it. If they desire to pass the Bill, they should be ready to explain its clauses to the committee. But what members of the Government have we here to-night? The Controller of Customs, sound asleep and snoring, and other members of the Government who are sound asleep. Yet they say they are desirous of passing this Bill. The members of this House must see that that is only a pretense. What do we see? No member gets up with the desire to discuss the matter or throw any light upon it. We are simply talking against time, and there is no use of denying the fact. If we were not talking against time, we would be discussing the provisions of the Bill; but the Government have refused to allow the committee to rise and report progress, and then go into committee again to discuss the provisions of the Bill. The Government are responsible for this state of things, and the people will hold them responsible. I will try from my standpoint to explain the views I entertain on this question. I have always been consistently opposed to the establishment of separate schools in this or any other country. I can date my recollection back to 1854, when the discussion with regard to separate schools was taking place in the province of Ontario, then Upper Canada, and I have the satisfaction of knowing that at that time, being a newspaper publisher, I consistently and persistently opposed the establishment of separate schools. I do not think they are for the benefit of the community at large. I believe in a thorough system of secular education, and this has been offered by the government of Manitoba. The religion taught in the schools has very little effect on the children. The places to teach religion are the family circles, the Sunday schools and the churches, and not in the schools. Now, Sir, the first decision of the Privy Council on this question established the fact that the legislature of Manitoba was within its right in abolishing separate schools in that province. That being the case, a second appeal was carried to the Privy Council, and it was decided that the minority had a grievance, and that this Parliament had power to grant a remedy. But the assumption which was made that that decision amounted to a mandate, and that this Parliament was bound to grant the remedy, is not sustained by anything in the decision of the Judicial Committee, and it is now admitted on all hands that the decision bears no such construction,—but that it was optional with the Dominion Government to pass the remedial order, and that after the remedial order was issued, it was optional with this Parliament to legislate in reference to the grievance. When the remedial order was issued, the government of Manitoba tried by every means in their power to induce the Dominion Government to have an investigation by a commission; but the Dominion Government shut their ears and would not listen to that offer. A second attempt was made to induce the province of Manitoba to comply with the mandate of the Dominion Government, and the same reply was given. The government of Manitoba were willing to do what was just and fair for the minority; but they wanted the Dominion Government to establish a case by an investigation to show that the minority were labouring under a grievance. Instead of the Dominion Government listening to this reasonable suggestion, they insisted that the government of Manitoba must comply with the remedial order, and undertook to drive them with a club. This long-continued debate is another consequence of the tyrannical conduct of the Government. If this committee had been allowed to rise and report progress, and go into committee again, we might have been at the 20th or 25th clause of the Bill by this time. It is pure stubborness on the part of the aged man who was brought out here to give new life to the Conservative party, it is by his downright stupidity that this legislation is being blocked at the present time. The drastic remedial order was first issued, no doubt, with the view of securing the vote of a certain class of people at the general election which was then contemplated. Then we find that after the Government passed this remedial order and made a demand upon Manitoba for concessions to the minority, they announced during last session, with a flourish of trumpets, that a special session would be called, not later than 2nd January, 1896, for the consideration of a remedial measure. And I may tell the House that notwithstanding the fact that this Bill was not introduced until some weeks after the opening of this session, it is generally understood that it was actually in print last session, and ready to be presented to this House, if the Government had had the courage to present it. Therefore, they were without any excuse for delaying the measure any longer than a day or two after we met on the 2nd of January last, and had it not been for the internal complaint from which the Government was suffering at that time—

An hon. MEMBER. A Bowell complaint.

Mr. SOMERVILLE. I suppose it will not be uninteresting to members if I refer briefly to some of the little troubles that occurred in the Government. We all know that last session there was a kick in the Government. We know that three Cabinet Ministers, one of whom had a seat in the Senate, and two of whom have seats in this House, went out because the Government could not be induced to present a measure last session and press it forward to completion. The hon. Minister of Public Works (Mr. Ouimet), and the hon. Postmaster General (Sir Adolphe Caron) went out together, but it was said at the time that the Postmaster General only went out in order to coax the Minister of Public Works back, and he succeeded. These two Ministers came back, but Senator Angers refused, and in that respect has shown his consistency all through this matter. We also were the eye witnesses of difficulties during this session. We were treated to the lamentable spectacle of half the Government on strike. Seven members of the Cabinet declared that they had no confidence in their First Minister, and we had the Finance Minister (Mr. Foster) getting up here and reading to us a type-written statement, in which he declared that the seven bolters had been compelled to leave the Government because they had no confidence in the ability of the First Minister. He told us, in so many words, that they considered him rather an imbecile, not fit to preside over the deliberations of such an intelligent body of men as they were. Then, on the other hand, we had the First Minister, in the Senate, denouncing these men as traitors and conspirators; and I well remember that immediately after the Finance Minister had got through his type-written statement, the House rose, and the First Minister, who had been listening attentively behind the Speaker's Chair, instead of rushing into the ranks of his own party for sympathy, came over to this side in order to vent his feelings and obtain our sympathy in consequence of the treachery to which he had been subjected. I have known Sir Mackenzie Bowell for forty years and have always looked upon him as a gentleman, and a man possessed of more than ordinary ability, and I cannot see why these men should presume to say that he was unfit to preside over their deliberations. They sent across the Atlantic to get a man to lead the Conservative party, and I wish them joy of their experiment, for a more conspicuous failure we have never had in this House than the hon. Secretary of State has proved himself to be since the day he took his seat among us this session. I do not envy the Conservative party the prize they secured in the person of the High Commissioner. To use a colloquial but expressive phrase, he never opens his mouth but he puts his foot into it right up to the thigh. I have heard members of his own party in this House express themselves as thoroughly disgusted with the way in which the High Commissioner leads the party, and no doubt, he will lead them to destruction at the next general election. And I fancy that they have rather repented of their course and would much rather remain under the leadership of Sir Mackenzie Bowell. In spite of all their professions, this Government has not displayed any desire to put through this Bill this session. We were called together on the 2nd January for that special purpose. The Bill was to have been immediately introduced and rushed through with all possible speed, and yet the second reading did not take place until the third month of our sitting. Every day we are told the same old story by the leader of the Government, that the Opposition are obstructing. How can we obstruct when the Government refuse to allow us the opportunity of discussing the measure? We are anxious that this committee should rise and report progress and ask leave to sit again, so that we may come back refreshed and in proper condition to discuss this measure with the care which should be given to it. Consider for a moment the offer which has been made by the government of Manitoba and the reply which was given to this commission sent up from here by the Dominion Government. The Manitoba government replied that they were willing to make the schools entirely secular or to repeal the present provisions of the School Act relating to religious exercises, and to enact instead a clause allowing Catholics to teach religion in the schools between 3.30 and 4 p.m. What greater concession to the minority do you require, especially when we consider the fact that members of this House who are Catholics have declared that such a system as that established in Nova Scotia is perfectly satisfactory. It has furthermore been announced that the late Archbishop O'Brien declared that the Nova Scotia schools were perfectly satisfactory to the Roman Catholic minority. Yesterday the hon. member for Assiniboia (Mr. Davin) stated that the school system in the North-west Territories was similar to the Nova Scotia system, and that the Roman Catholic minority were satisfied with it there. When we have such a consensus of opinion with regard to the fairness of the offer that was made by the Manitoba government, surely we ought to come to the conclusion that this offer embraced everything that the minority in Manitoba could ask for. But the Government of the Dominion, for the purpose of trying to save their scalps at the next election, do not want the question settled, and so they try to create an agitation throughout the Dominion. The offer made by Manitoba is a fair offer. I am satisfied from the manner in which the Government is proceeding, that they have no intention of placing this Bill upon the statute-book. I believe that if the government of Manitoba had been approached in a proper spirit, this question would have been settled long ago, but no people wish to be dragooned into performing something they are not inclined to do. A good many remarks have been made with reference to the manner in which the Government obtained its majority on the second reading of this Bill. I do not wish to say anything harsh about gentlemen on the other side of the House, but we cannot shut our eyes to the fact that within the last twenty-four hours the hon. member for North Grey (Mr. Masson) has been appointed to a judgeship, and he made a speech in favour of the passage of this Bill. He has gone to his reward already. I understand that the hon. member for Victoria (Mr. Hughes) has declared in his newspaper that he was offered certain inducements.

Mr. HUGHES. How do you know?

Mr. SOMERVILLE. Because I have read it.

Mr. HUGHES. I would not join an ultra remedial legislation wing of a cabinet that had the very men who are now helping you to obstruct this Bill scrambling for seats in it.

Mr. SOMERVILLE. Do you say that you scrambled for a seat in the Cabinet.

Mr. HUGHES. I refused to be a scrambler.

Mr. SOMERVILLE. But they offered to allow you to be a scrambler.

Mr. HUGHES. Who are "they"?

Mr. SOMERVILLE. The Cabinet who wished to pass this legislation.

Mr. HUGHES. Some of the ultra remedial legislationists—yes, sir.

Mr. SOMERVILLE. And what did they want you to scramble for ?

Mr. HUGHES. That is another matter. Certain gentlemen are here now helping you in your obstruction in this House, and these men during the crisis were anxious to take seats in that very ultra remedial legislation Cabinet.

Some hon. MEMBERS. Name.

Mr. HUGHES. They were scrambling for seats in it, and these men are now in the House obstructing this Bill.

Mr. SOMERVILLE. The hon. member for Victoria (Mr. Hughes) ought to inform the House who they are. I am glad to know that he had honesty enough to say that he scrambled for something, and was to get it.

Mr. HUGHES. He refused to accept any of their offers.

Mr. SOMERVILLE. They did offer.

Mr. HUGHES. Yes.

Mr. SOMERVILLE. What did they offer you ?

Mr. HUGHES. Not a civil service position like what you are after, but a Cabinet position.

Mr. SOMERVILLE. Well, well, a Cabinet position !

Mr. HUGHES. I suppose you were going for a Senatorship, and your party were offering civil service positions and judgeships all over the country, to induce the Grits to favour their policy on this Bill. The ultra remedial legislationists were offering positions just as freely as your side have been offering positions all through the country.

Mr. SOMERVILLE. What were you to get ?

Mr. HUGHES. What did your party promise to give you ?

Mr. SOMERVILLE. I never asked the Government for anything in my life.

Mr. HUGHES. They knew the hon. member for Brant (Mr. Somerville) was opposed to separate schools, and he is about the only consistent member on that side of the House on that question ; and in order to get him into line they had to offer him something. Was it a Senatorship they offered you on the other side with the old men ?

Mr. GUILLET. Mr. Greenway is to be the Minister of the Interior in their new Cabinet.

Mr. SOMERVILLE. What Cabinet position was the hon. member for North Victoria (Mr. Hughes) offered ?

Mr. HUGHES. Never mind.

Mr. SOMERVILLE. I think we ought to know.

Mr. JEANNOTTE. Why do you not talk about section 6 ?

Mr. SOMERVILLE. I was talking about that last night.

Mr. BELLEY. Then sit down, and let us go on with the Bill.

Mr. SOMERVILLE. We cannot until the Government allows the committee to rise so that we can take some rest and consider the Bill properly.

Mr. HUGHES. Perhaps the hon. gentleman would vary the proceeding by giving us a list of the offices the members of the Reform party were promised in case they would upset the Government.

Mr. SOMERVILLE. I was not aware that the Liberal party had any offices in their gift.

Mr. HUGHES. Yes ; 400, in case you got into power.

Mr. SOMERVILLE. I never asked for an office in my life, nor anything else from a government ; not even a newspaper advertisement. We will have lots of offices to dispose of after a while, because the Liberal government will be in power soon. In the meantime, the hon. member for South Victoria is happy because he says he was offered a place.

Mr. HUGHES. That is a falsehool, sir.

Some hon. MEMBERS. Order.

Mr. SOMERVILLE. I appeal to the Chairman, if the member for South Victoria did not say a few minutes ago that he was offered a Cabinet position.

Mr. FAIRBAIRN. I object to the hon. member referring to me. He has alluded to the member for South Victoria several times. I am the member for South Victoria. Let him allude to the member for North Victoria (Mr. Hughes).

Mr. SOMERVILLE. I am glad to make the correction, because I do not class you with the other man.

Mr. HUGHES. He is a thoroughbred.

Mr. SOMERVILLE. In discussing this question of separate schools——

Mr. HUGHES. Give us a list of the Grits that were offered jobs in case your party came into power.

Mr. SOMERVILLE. You do not know what you are talking about. We ought to take into consideration the fact that we were asked to pronounce upon a matter similar to this before, and we declared by a vote of 188 to 13 that this House and Parliament were determined to maintain provincial rights. I voted with the 188, because I thought that the province of Quebec should have her provincial rights maintained, and in this case when the Government is seeking to interfere with Manitoba, I still maintain that Manitoba should have her rights maintained. The gentlemen in this House who stood up for provincial rights on the Jesuits' Estates question should now stand up for the rights of Manitoba. The leader of the House declared to us that this was the most important measure ever submitted for our consideration, but while we have it under discussion, instead of remaining here to give us explanations, he goes off to his bed every night about 11 o'clock, and we see no more of him for 12 hours. He should take his share of the labour as well as any private member of this House.

Mr. FRECHETTE. Where is your own leader ?

Mr. BELLEY. Do you mean Laurier or McCarthy ?

Mr. FRECHETTE. I mean Mr. Laurier.

Mr. DESAULNIERS. He is asleep.

Mr. SOMERVILLE. We have lots of good men in the Liberal party to lead us. You have been so badly in need of a leader that you had to send to England for a man. You declared to the great people of Canada that the only man on the face of the globe that was fit to lead the Conservative party was Sir Charles Tupper, High Commissioner, who had been living on the fat of the land in England, and at the expense of the people, for twelve years. You had to import a leader from across the ocean.

Mr. DESAULNIERS. And a good importation he is.

Mr. SOMERVILLE. You had to import him to try and save the Conservative party from utter destruction.

Mr. HUGHES. And he always succeeds.

Mr. SOMERVILLE. There is nothing like success they say, and he has always succeeded in securing a pretty good job for himself, and for all his connections.

Mr. HUGHES. And he is going to have the best job ever he had soon.

Mr. SOMERVILLE. I do not know about that. I have some other remarks to make on this question, but I know there are gentlemen who are more capable of addressing the House than I am, and I will make way for them.

Mr. HUGHES. Go on. It is the best speech you ever delivered.

Mr. SOMERVILLE. I do not think a certificate from the hon. gentleman (Mr. Hughes) would carry much weight even amongst members on his own side of the House.

Mr. HUGHES. You are lucky to get a certificate like that.

Mr. SOMERVILLE. I would be afraid to tell any one about it. I wish now to refer to the attack made by the leader of the House on the leader of the Opposition. The other night, by a slip of the tongue, the Secretary of State referred to the Hon. Mr. Laurier as the "leader" of the House. Well, he is a prophet, no doubt, and in a very short time the leader of the Liberal party will be the leader of the House. But he complimented the Hon. Mr. Laurier on the manner in which he endeavoured to discuss the Bill. However, some of the French Conservatives declared to the Secretary of State that it would never do for the leader of the Conservative party to give the leader of the Opposition such a certificate of character as that, and so he decided to take it all back, and he attacked the Hon. Mr. Laurier in the House this afternoon. Well, from the time the good character was given by the Secretary of State until it was withdrawn, the leader of the Opposition had done nothing to merit that attack. He had sat in the House assisting to pass the Bill and discuss its clauses.

Mr. HUGHES. Did not the leader of the Opposition protest against the clause in the Bill which permitted Protestant teachers to teach in Catholic schools in Manitoba ?

Mr. SOMERVILLE. Oh, sit down ; your head is crazy on Protestantism and Catholicism. I did not hear anything of the kind.

Mr. HUGHES. The Hon. Mr. Laurier certainly opposed the principle of allowing Protestant teachers to teach in the Catholic schools of Manitoba.

Mr. SOMERVILLE. You had better ask somebody who was here.

Mr. HUGHES. Then why do you blame others for not being here ?

An hon. MEMBER. He is always here. He is one of the leaders of the party.

Mr. SOMERVILLE. Yes, he has told us that he was invited to take a seat in the Government.

Mr. HUGHES. Not in this Government ; it was in the rump government.

Mr. SOMERVILLE. As I had been stating, the leader of the House was sorry for the certificate of character which he gave to the leader of the Opposition, and the supporters of the Secretary of State from Quebec got around him and forced him to withdraw that certificate. The leader of the Opposition requires no certificate as to his character or standing in this country from an old worn-out political hack like the gentleman who leads this House. The name of Wilfrid Laurier will live in the minds of the people of this country, not only in Quebec, but throughout the length and breadth of this Dominion, when the name of the High Commissioner, who has cost this country so much, has been forgotten ; and it will be remembered as that of a patriot of the purest type, whose name has never been stained by an act of corruption.

Mr. BELLEY. He had $250,000 of Mercier's money in the last election. That is proved.

Mr. SOMERVILLE. The country is proud of the position taken by the leader of the Opposition since he has had a seat in this House. Not only the French Liberals, but the French supporters of the Government, recognize that he is destined before long to occupy the leading place in the Government of this country. Artemus Ward said that a man must be a mighty limited cuss who could not build himself up without pulling his neighbour down. That is the position that was assumed to-day by the leader of the House. If he cannot build himself up in the estimation of this House and this country without trying to pull down and defame the leader of the Opposition, I will not say that he is a limited cuss, but he is not worth very much. Now, I will not take up the time of the committee any longer. My hon. friend from North Waterloo (Mr. Bowman) is loaded up with a magnificent speech.

Mr. BOWMAN. I do not address this House very often, but on this occasion I feel it to be my duty to say a few words. I look at this question as a very important one, and it has given rise to a great deal of agitation and excitement throughout the country—perhaps more so than any other question since confederation. There are no questions on which people get so excited as questions of race and religion, especially religion. I fully agree with the last speaker that it would be much better to have one set of schools in each province of the Dominion, than two. I believe the schools would be much more efficient. I believe it would be especially unfortunate to have the two sets of schools in Manitoba, because the population there is so sparse. I do not go so far as to say that I would force the minority in all cases to accept one set of schools: but I believe the Roman Catholic minority would be willing to join with the Protestants in carrying on one system of schools, provided the subject were approached in the proper spirit. To see how this question should be settled, it might be as well for us to consider the systems we have in the older provinces. In the province of Ontario, for instance, we have common schools and separate schools. Separate schools were established many years ago in order to meet the views of the Catholics of that province; but I venture to say that a larger proportion of the Roman Catholics of the province of Ontario do not really desire separate schools, if the question were kept out of politics and they were left to decide the matter themselves according to their own judgment. For instance, I have a letter in my possession, which I received during the earlier part of the session, written by a prominent German Roman Catholic in my county, a gentleman who occupies a high position among his co-religionists, and is highly respected in the community where he lives. Among other things he says:

> The teacher should teach the ordinary course in all schools, and the priest should teach religion. Separate schools should be abolished, and Protestants and Catholics should go to the same school. An arrangement should be made, either by having a separate room for the purpose, or certain hours set apart to be devoted to religious instruction, and this religious instruction should be given by the priest to the Roman Catholic children, and by the Protestant minister to the children of his church.

In this way, he maintains, our public school system should be worked out, and this is just what Mr. Greenway is offering the Catholic minority in the province of Manitoba. We have other instances to show that the Catholic minority in the province of Ontario prefer the common school to the separate school. For instance, I was told the other day by a gentleman who understands the working of the common school in the city of Windsor, that although there are a large number of Catholics in that city, there is no separate school, and the Catholics and Protestants join together in a common school, and work it out with greater success and satisfaction to themselves than they could the dual system. He told me that the Protestants are sometimes in the majority on the school board, and sometimes the Catholics; during one term the school board had a Catholic chairman. In one part of my county there is a German Catholic settlement where they formerly carried on a common school, and for three years in succession they engaged a Protestant teacher; but when the anti-Catholic cry was raised in the province of Ontario by the Conservatives, the people in that school section established a separate school. Another example of Protestants and Catholics working together harmoniously in carrying on a common school system is furnished by the working of our high schools. Roman Catholics have no high schools in the province of Ontario, but they join the Protestants in carrying on high schools which are common to both religions, they have representation on the High School Board, and they are satisfied. In the provnce of Quebec we have also a dual system of education, which is perhaps unavoidable under the circumstances. In the provinces of Nova Scotia and New Brunswick a different system exists, and it seems to me that system should commend itself to every one who desires to see our schools kept in as efficient a state as possible. We are told by representatives from these provinces that that system works satisfactorily to both Catholics and Protestants. The Catholic minority are perfectly satisfied with the teaching they are receiving here. By common consent, by mutual forbearance between the two sections, they receive fair treatment in connection with their schools, and it seems to me that such an arrangement could be established in Manitoba, which would be equally satisfactory to all concerned. Previous to 1890, it seems that there was a dual system in Manitoba, under which the Protestant schools and the Catholic schools were managed by two different boards, each of which prescribed the books, examinations of teachers and regulations generally for its own particular school. Owing, no doubt, to the scarcity of the population and the inefficiency of some of the schools, the government of that province decided to make a change, and in 1890 an Act was passed repealing the old school law, enacting in its place a system of common schools. It is charged by the minority that the Manitoba government simply abolished the Catholic section and continued the Protestant section. If it can be shown that the old Protestant schools, which existed previous to 1890, were simply continued and the Roman Catholic schools abolished, I would admit that the minority have a just grievance. But from what information I can get, I am persuaded that the charge is unfounded, and that a proper investigation would show that the Protestant schools which existed before 1890 do not exist there now, but are replaced by a system which all classes might attend. A short time after this Bill was passed in Manitoba, the minority appealed to the Government of this Dominion asking that the school law of 1890 should be either disallowed or that some remedial measure should be adopted by Parliament to restore the separate schools. The Dominion Government might have disallowed the Acts, for they had the authority to do so, but referred the question to the Supreme Court to determine whether they had the right to interfere. The Supreme Court decided that they had not, and an appeal was made to the Privy Council of England, and that high judicial authority decided the minority of Manitoba have a grievance, and were entitled to be heard before the Privy Council of Canada. The Government have tried to show that they have received a mandate from the Privy Council compelling them to adopt this legislation. That contention is not well founded. All they were bound to do, was to give the minority a hearing, and then decide according to their judgment. Taking into consideration the intense feeling which has been excited all over this country, it would have been much better if the Dominion had gone about this matter in a different way. If, instead of making a peremptory order upon Manitoba to restore separate schools, they had gone to the Manitoba government in a friendly manner and endeavoured to secure a friendly settlement, I have no doubt that we would not now be confronted with this serious difficulty. If that had been done, I feel confident that the Manitoba government would have consented to concessions that would meet the grievance of which the minority complained, and prevented all the heart burning and ill feeling which is now being excited. This Bill, in the opinion of the men most competent to judge in this House, has so many faults and deficiencies that it is practically worthless, and a number of the leading lawyers in this House have expressed their strong conviction that it is unconstitutional, and considering the doubts which exist, both with regard to the constitutionality of this measure, and to its fitness to meet the claims of the minority, it would be much better if the Government would withdraw the Bill altogether, and hold the general elections, so that the people may have an opportunity of pronouncing on the question. If this Bill be forced through the House, it will excite such a feeling of indignation, it will kindle such sectarian feeling throughout Canada, as it will take years to allay. I think that we should avoid in every possible way arousing sectarian feeling, and exciting one section of the community against another, but that instead we should approach the subject in a conciliatory spirit, and if we do, I feel confident that the Manitoba government will consent to an arrangement which will restore harmony and good feeling.

Mr. YEO. I must protest against the course of the Government in attempting to force this important measure through the House at such unreasonable hours. In my opinion the remedial order was passed in a hasty and unjustifiable way, which only had the effect of creating irritation and exciting hostility, in Manitoba, whereas if a different course had been taken, there would have been no necessity for the question coming before this House at all. There is no doubt when this remedial order was passed in March, 1895, the Government intended dissolving Parliament and appealing to the country, but they became divided in their counsels. Some members of the Government wanted to appeal to the country and others did not. Those who were opposed prevailed, and consequently we had the session of 1895. It is almost needless to refer to what took place that session. It does not appear that any very strong efforts were made to effect an arrangement with Manitoba, and as a consequence this Parliament met on the 2nd of January. Instead of the Government being prepared to proceed with this Bill immediately, we were astounded to find that half the Government had resigned the second day after Parliament met. Various reasons have been assigned, but I think it is evident to all that the school question was at the bottom of the trouble. After the Cabinet had been reconstructed, it was supposed remedial legislation would be at once introduced, but it was not until the month of March that the Bill was brought up for second reading. This is conclusive proof to my mind that the Government had no desire to pass this Bill. They were using this simply as a means of obtaining support from a certain class of the electors. That is the way it appears to me, and I hope I am not judging them harshly in saying this. Every one who has studied the question closely must know the Government had no real intention of putting this Bill through. I do not think there is any right thinking man in Canada, no matter what his religion or nationality, who would not say, that it is certainly in the best interests of the country that the Government should have tried to settle this question amicably. We have been accused of being obstructionists on this side of the House. This charge comes with very bad grace from the Secretary of State, because if there is one man more than another who has been the means of obstructing the business of the House, it is that gentleman. On several occasions when the business was being proceeded with, he has risen in his place to read members out of his own party, or to make speeches which were not calculated to smooth matters. I have very great faith in the decision of the electors of this Dominion, and I am quite ready to appear before my electors at any time on this question. One objection which I have to this House proceeding with this legislation at the present session is, that the members cannot represent anything like the present electorate of the Dominion. Neither has the question ever been submitted to the people. I must say that so far as I am concerned, I have never had an opportunity of discussing the matter with my constituents. Nearly twenty years ago our present school system in Prince Edward Island became law. When the change was proposed there was strong opposition to it from the Roman Catholics, who contended they should have separate schools. The law was very objectionable at first, but although very few amendments have been made since, the law in Prince Edward Island has been so administered that it gives entire satisfaction to the whole people. I have been a trustee for many years, and I am correct in saying that neither Roman Catholic or Protestant finds fault with the school law of Prince Edward Island. I understand that the same thing may be said with regard to the school law in Nova Scotia and New Brunswick, and I have no doubt at all if the people of Manitoba were left to themselves, the same state of things would soon exist there. The people of that province are, no doubt, reasonable, and they know that in the interests of the province it is necessary that all creeds should be satisfied. In my judgment, this Bill, if it became law, would give very little satisfaction to the Manitoba minority. There is no provision made for funds to carry it out, and without that it must be a failure. Within the last few weeks the Government have seen fit to adopt in part the suggestion thrown out by the leader of the Opposition, and they have held a conference with the Manitoba government. From what we can gather from the newspaper reports, the Manitoba government went a very great length to arrange this question in a satisfactory way. I believe if the propositions they made were accepted, it would have been more satisfactory to the minority than this Bill, if passed. I quite agree with what was stated in the second reply of the Manitoba government to the Federal Government. I believe the latter Government were remiss in their duty in not thoroughly investigating this whole question. I can come to no other conclusion than that this Government had only one object in view, and that was the object of attempting to create the impression they were the only friends of the Roman Catholics, and that the Liberal party were opposing them. There is no foundation in fact for such an impression as this. In any case, the policy of coercion is a bad one, whether it relates to education or anything else. It would have been far better to have tried conciliation——

Mr. PRIOR. Has conciliation never been tried ?

Mr. YEO. It has been tried very feebly within the last few weeks.

Mr. PRIOR. It was tried months and months ago.

Mr. YEO. And even while that was being tried, the Government were forcing this Bill through Parliament. It was like holding a gun at the heads of the Manitoba government and threatening to destroy them. This is not the way to deal with a great province. If the Manitoba government had given a blank refusal there might be some justification for a remedial Act, but coercion is the last resort, and wherever it has been tried it has always resulted in ignominious failure. The hon. Secretary of State has professed to be a strong advocate of this measure, and to be ready to go almost any length in support of it. In fact, I think he has gone so far as to say he would die for the minority in Manitoba ; but this is only mere talk. I do not think any one who listened to him could place much importance on that statement. I think the hon. gentleman, like the rest of us, would like to live as long as he can ; and if, instead of making statements of that kind, he would try to point out the merits of the measure, it might have a better effect. I have been astonished to hear members on the Government side of the House say that they are opposed to separate schools and opposed to this Bill, and, when the vote came, to find them supporting it. It seems to me they are more anxious to support the Government than to be governed by principle. Whilst we have a party system of government, it is true, members may consider it right to support the Government ; but when it comes to a matter of principle it should not hold good. Even if the defeat of this Bill resulted in a change of Government, I do not think it would be a very serious thing for this Dominion. We could not have a worse Government than we have to-day, and a change would certainly be an improvement. It would be better to break up a dozen Governments than to create discord in the province of Manitoba. In contrast with the policy of coercion pursued by the Government is the policy of the hon. gentleman whom I am honoured to call my leader, which has been from the beginning a policy of conciliation. If that policy had been adopted, I do not think the House would be here now attempting to pass a Bill of this kind. Speaking for myself, I am as anxious to do justice to the minority in Manitoba as any other member of this House ; but I want to see it done in a way calculated to do the least injury. I am quite satisfied, from the experience of the other provinces, especially the Maritime Provinces, that if left to the people of Manitoba themselves, the education laws would soon be to the satisfaction of all parties. If the Government had been really in earnest about this measure, they would not have waited till the second of January before calling this House together to pass it. This Parliament will die a natural or an unnatural death by effluction of time on the 24th of April, and the Bill now before it will be in about the same state then that it is at present, unless the Secretary of State adopts a different course from what he is now pursuing. I have not heard any gentleman supporting this Bill say that it will afford the minority in Manitoba the relief they think they are entitled to. Gentlemen have said that it is better than nothing ; I think that is about as far as they have gone. Looking at it in every way, I come to the conclusion that it can possibly do no good, and that if left to the people themselves, any grievances that exist there would soon be remedied. The members of this House will soon have to give an account of their doings to their constituents, and I for one am ready to bow to the decision of the people ; but I must protest again against this House going on in this way, to the great waste of time, to the great discomfort of members, and to great loss of dignity to this legislature. I think we should take the rest necessary to put us in a fit frame of mind to properly discharge our duties in this House.

Mr. COLTER. There are many reasons why this committee should rise, report progress, and ask leave to sit again. One reason for that is the character of the Bill itself. Another is that the tactics pursued by the Government are not such as to put the Bill through. The farce being played at the present time is not one calculated to impress the country with the wisdom of this Government. Another reason might be given, and that is the health of members of this House. You know, as well as I, that one hon. member who a few days ago was discussing this Bill is no more, and the papers are unanimous in ascribing his early death to the continuous sitting of this House on the second reading of the Bill. A great many events have occurred since the Bill was introduced and read the second time which, in my judgment, entitle us to demand that the committee should rise and report progress, and ask leave to sit again. Among those events is the conference which lately took place in Winnipeg—a conference that should have been held long ago, and which, if it had been held long ago, would have settled the whole qeustion. The Government sent three of the members of this House to Winnipeg to meet the government of that province and see if some arrangement could not be made to settle this question. What is the result of that conference ? Our delegates made certain proposals which were not accepted, and the representatives of the Manitoba government also made proposals which, I think, ought to be accepted by this Government. I think it would be well to read these proposals to this House. (The hon. gentleman read the proposals.) I shall not take up time by reading the reply of the representatives of Manitoba, but shall consider the proposals made by that province. They were two in number : First—Completely to secularize the schools, a proposal to which many would object ; the second—That from 3.30 to 4 o'clock religious instruction should be allowed. This would give the minority : First, Catholic religious instruction during school hours in every school attended by Catholics ; secondly, Catholic representation on the advisory board and the examining board, also text-books satisfactory to the Catholics. Many who have the cause of the minority at heart thought that this latter proposal was all that was necessary to redress the grievances. This appeal arises through the passing of what is known as the Common School Act of Manitoba, which abolished both Protestant and Catholic schools which previously existed. I believe that the law is very similar to that which prevails in New Brunswick, Nova Scotia and Prince Edward Island. I wish to assure the House that as far as New Brunswick is concerned, the common, non-sectarian School Act is acceptable to all classes. I do not think you can find a public man who would dare to stand up for the repeal of that school Act, or even of a modification of it. In the county I have the honour to represent there are not, I believe, ten men who would vote for any other system of schools than that we have. We have a very large Catholic population in my county, and there are no stronger supporters of the School Act than they are. I have been surprised to hear the talk about

Protestant teachers and Catholic teachers. With us it is no uncommon thing to find in a purely Protestant district a Roman Catholic teacher, and vice versa. In fact, the creed of the teacher is never asked. And if the offer made by Manitoba were accepted, the minority there would be in a better position than the minority of New Brunswick. While in two or three of our large cities there are schools largely attended by Catholics, in which, after school hours, religious instruction is given, that is done by common consent and not by law. But if the Manitoba government's offer had been accepted, the minority of Manitoba would have had a similar system by statute and not by grace. When the Act of 1890 was passed, test cases were made to ascertain its constitutionality, and the Privy Council of England held that the law was constitutional. The minority then appealed to this Government and the Parliament for redress of grievances. This appeal was based on subsection 2 of section 22 of the Manitoba Act, which says :

> An appeal shall lie to the Governor General in Council from any Act or decision of the legislature of the province or of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

Also subsection 3 of section 93 of the British North America Act :

> Where in any province a system of separate or dissentient schools exist by law at the union, or is thereafter established by the legislature of the province, an appeal shall lie to the Governor General in Council from any act or decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

The question of the Government's right to consider this appeal was referred to the Supreme Court under the provisions of an Act of this Parliament passed, I believe, in 1890. The Supreme Court decided in the negative, but the Privy Council reversed the decision. Before the judgment was received in proper form by this Government, as I understand, a remedial order was made, calling upon the government of Manitoba to restore the rights claimed by the minority. The Manitoba government refused to carry out the order and asked for an investigation. Now, I claim that this Government did wrong in not accepting this offer, and investigating the case. Before the following session of this Parliament, the session of 1895, one member of the Government went on strike. But he was pacified in some way, and after being out of the Government a few days, he returned. When we were about half through the session three other Ministers resigned for the avowed reason that the Government was not doing all it should do to remedy the grievances of the minority. On a promise being given that a sixth session of this Parliament would be called to pass remedial legislation, two returned to their places. No sooner had this session taken place than seven other members of the Government went out on strike, but afterwards this difficulty was also arranged. The committee are aware of what has taken place since the House finally got to work. The Bill was introduced on the 3rd day of March, and came to a vote on the 20th March. From the time this Remedial Bill has been taken up by the House, as much time in its discussion has been consumed by the friends of the Government as those opposed to the Government. In fact they have taken up more time. An hon. gentleman has stated to this House that on the second reading of that Bill, forty-seven Conservatives addressed this House, and twenty-eight Liberals ; and the speeches of those forty-seven Conservatives occupied 761 columns of the "Hansard," and the speeches of the twenty-eight Liberals only occupied 506 columns.

Mr. NORTHRUP. What is the proportion in the House ?

Mr. COLTER. Well, there were 47 Conservatives and 28 Liberals who spoke on the second reading.

Mr. GUILLET. Do you count the hon. member for Muskoka (Mr. O'Brien) as a Conservative ?

Mr. COLTER. Certainly, he is a Conservative, and one of the best of hon. gentlemen opposite. Now, I think it is apparent to every member of this House that the course pursued by the Government has not been such as would lead me, at least, to believe that they have any intention of pressing this Bill along.

Mr. PRIOR. That is a little too thin.

Mr. COLTER. No, the Government's action is altogether too thin.

Mr. NORTHRUP. Are you helping it along ?

Mr. COLTER. The Secretary of State took up two hours at least in one of his characteristic speeches, which made it impossible for any hon. member, with the instincts of a gentleman, to put up with the language used by that hon. gentleman, and he has ever since pursued a course in this House which can leave no doubt that the hon. gentleman is not in earnest in putting this Bill through. His whole course in this House compels me to come to the conclusion that his sole aim and object is simply to catch a certain vote.

Mr. FLINT. This is an hour at which a majority of the labouring men of the country have begun the labours of the day. They have rested in their beds at home, and recuperated their physical systems by sleep ; they have partaken of their frugal meals, and have wended their way to the various workshops, and factories, and scenes of the days' operations. It is a wise provision of nature and of law that those who are carrying on the great industries of the country, should have those hours devoted to rest and refreshment previous to undertaking the labours of the day. Contrast the position of the humble labouring man with the position which the Government has compelled the representatives of the people to assume in this House during the past few days. I ask the committee if they think the Government has been fair in its treatment of the representatives of the people, in insisting that they violate all the rules of physical health, all the ordinary rules pertaining to the discharge of labour, and that they remain here day and night to discuss the details of this measure. I think under these circumstances that the committee is acting wisely and prudently in resisting so great a violation of ordinary proceedings, and a greater violation of all legislative propriety. The question has now become one, not as to whether this particular measure shall be passed by the House, not as to whether some details of the Bill are wise or unwise, but whether the representatives of the people in this House should vigorously stand up for their rights as representatives of a free people, and should on this occasion say once for all to the Government of this country, and to all future governments, that no matter what may be the character of the Bill, no matter what may be the importance of the measure, no combination of men in this country shall bulldoze the representatives of the people here, and shall violate all rules of health and all rules of decency. In the province of Nova Scotia we have settled this school problem, and in that connection I must give considerable credit to the Secretary of State, not, however, the whole credit of being the originator of the public school system, or as a man who risked his political existence in carrying that law into effect. History will not bear out the claim the hon. gentleman makes on his own behalf, but he happened to lead the provincial government at the time when, with the aid of the Liberal Opposition, they carried the Free School Measure. Hon. Joseph Howe had risked his popularity many times by advocating that system. The bulk of the Conservative party up to the eve of the election of 1863-64 had opposed the Liberal efforts to secure free public schools. At those elections the Conservatives came back to power, and with the aid of the Liberals solved the problem. The result has been that this law, with a few administrative amendments, has remained in force for over thirty years. It has given satisfaction to all parties, and the citizens are a unit in supporting that measure ; Roman Catholics and Protestants are equally loyal in praising it. That system is in principle and details the law of Manitoba, which this Government is seeking to change against the wishes of the vast majority of that province.

Mr. McCARTHY. How does it differ from the school law of Manitoba.

Mr. FLINT. It does not differ in any material respect. A separate school system is not recognized in Nova Scotia, while the system in its practical operation is perfectly satisfactory to the Roman Catholics.

Mr. HUGHES. Is not the law of Ontario more under the direct control of the local authorities than the law of Nova Scotia ?

Mr. FLINT. I do not think so.

Mr. McGILLIVRAY. Is it not a fact that the system is a separate school system in practice ?

Mr. FLINT. The law does not recognize a separate school system, but where the circumstances permit the good sense of the people, the harmony between the Roman Catholics and Protestants, and their desire to meet each other's views have permitted the growth of the system in such directions as to meet the views of the Roman Catholics.

Mr. O'BRIEN. And without injury to the public schools.

Mr. FLINT. Yes ; and under a system which, I think, would grow up in Manitoba.

Mr. McCARTHY. Would the hon. gentleman say what he means by separate schools?

Mr. FLINT. I speak in the popular sense. You visit a district which is mainly Roman Catholic and you find that the school, in respect of its financial arrangements, is the same as others—the ratepayers elect the trustees, and these take charge of the affairs of the school——

Mr. McCARTHY. And how about textbooks ?

Mr. FLINT. These are prescribed by the Council of Public Instruction.

Mr. McCARTHY. Then they are the same in all schools ?

Mr. FLINT. Yes ; and the teachers receive the same diploma and the schools are subject to the same inspector. Provided the teacher proves himself capable and the pupils pass the requisite examinations to show their proficiency in the studies prescribed by the Council of Public Instruction, the law asks no more.

Mr. EDGAR. Are there two superintendents ?

Mr. FLINT. No ; nor two inspectors.

Mr. McCARTHY. What does the hon. gentleman mean by "separate schools ?"

Mr. FLINT. I am not using the word in the legal sense, but whatever moral or religious instruction is given by the teacher, it forms no part of the inspector's duty to inquire into that. That is ignored. If, after school hours, or any other part of the day, as far as I know, the teacher desires to convey religious or moral instruction, that is a matter at the will of the teacher.

Mr. HUGHES. I would like to ask if in the city of Halifax and other large centres there are not separate buildings or separate rooms set apart for the Roman Catholic children ?

Mr. WHITE (Shelburne). And owned by the Roman Catholic body ?

Mr. HUGHES. And a part of the convent building, I believe ; those schools being controlled by teachers who have not passed the regular examination.

Mr. WHITE (Shelburne). And have not gone to the normal school ?

Mr. FLINT. The phrase used by the hon. member for Shelburne (Mr. White) while true as a matter of fact, would convey a false impression. It is true that public schools are conducted in certain buildings that may be owned by the Roman Catholic corporation : but they are leased——

Mr. HUGHES. Does not the school board of the city of Halifax pay the Roman Catholic Church rental for certain buildings ?

Mr. FLINT. They pay the Roman Catholic Church rental just the same as they would pay rental to Mr. Smith or Mr. Jones or anybody else. It does not alter the position ; it does not alter the relations of the pupils to the teacher.

Mr. HUGHES. If it is not considered too much of an interruption——

Mr. FLINT. Certainly not ; I desire to explain matters as I understand them.

Mr. HUGHES—are not the Sisters of Charity allowed to teach in these schools without being required to pass the ordinary provincial examination ?

Mr. FLINT. I think not. I am certain they are not. Every school teacher in the province must have the same certificate. There is no distinction recognized by law or by practice.

Mr. HUGHES. I know there is.

Mr. FLINT. Then the hon. gentleman knows something that I do not know. The school commissioners of Halifax recognize as all our citizens do, that there are differences of opinion on religious matters and with regard to systems of education, and like reasonable people they try to accommodate their institutions to the feelings of all. Our public men seek to show the people that the points upon which they agree are more numerous and more important than those upon which they differ instead of trying as some agitators in other provinces do to stir up strife. The only teaching in religion or morality is such as would not be offensive to Christians of any denomination.

Mr. McCARTHY. Is that prescribed by the Council of Public Instruction, or how ?

Mr. FLINT. The law of Nova Scotia does not prescribe any religious teaching. I have here the Schools Act of Nova Scotia. Section 75 says :

> No person shall be deemed qualified to receive public money under this chapter unless he shall hold a diploma from the Council of Public Instruction.

That applies to all teachers, whether they are Sisters of Charity, members of Christian brotherhoods or others. The provision regarding moral instruction, is that the teacher is to inculcate by precept and precept the Christian virtues. It might be said that the schools of Nova Scotia were purely secular schools. So far as the law is concerned there is no recognition of Christianity as a series of doctrinal propositions, but the duty is thrown upon the teacher of inculcating Christian morality, and this is acceptable to Roman Catholics as to others. I have always admitted that the Roman Catholic minority in Manitoba had a claim that was by no means baseless. Under the constitution, even apart from the various decisions that have been given, it seems clear that two series of schools were recognized in respect of religious doctrine. I do not think it is necessary to go back to the adoption of the Manitoba Act for the purpose of discussing this question. I think we all agree it would have been better if the provisions of the Manitoba Act had not been adopted, as then the troubles which have succeeded would have been avoided. And it has always seemed to me, and I have found many to agree with me—that the provisions of that Act in this respect were made vague by this Parliament in its desire to avoid stirring up public feeling upon this school question at that time. It is to be remarked that in the decision of the Judicial Committee of the Privy Council there is no order to this Parliament to legislate at all. There is simply a statement that we have the jurisdiction to legislate, and that this Parliament in its wisdom might or might not exercise this power, and that if the legislature of Manitoba exercised a power satisfactory to the views of this Parliament, then this Parliament might hold that power in abeyance. But there is no direction here to legislate, there is no statement that it is essential that the Act of 1890 should again be made law. The consequence of all this is that much of the argument made by the Minister of Justice and the Minister of the Interior falls to the ground. When any clause is criticised, the contention is put forward that that was the old law, and that we are bound to restore the old law, which certainly is a proposition that we cannot accede to. If we are to legislate at all, we must simply remove the grievance so far as we can. After this decision was rendered, the Government adopted the policy of summoning Manitoba before the Privy Council, of having the case argued there, and then issuing an order upon which legislation should be founded. The alternative policy which has been advocated in this House by the leader of the Opposition, and by a majority of this House supporting him, was this: Having now settled all the legal and constitutional questions outstanding, the whole case is clear for a decision upon matters of policy. We are aware from the highest authority that the Act of 1890 was thoroughly constitutional; that that Act was unimpeachable and unchangeable by any other power than the legislature of Manitoba. Another point settled definitely is that if there was a grievance, then there was an appeal to this Government to issue a remedial order, and if the remedial order was disobeyed, then this Parliament could act. Then arose the duty on the part of wise statesmen to take this situation into consideration. It has been said that reasonable conciliation has been used towards Manitoba, and that Manitoba has refused the approaches of the Government. A great stress has been laid upon the celebrated Order in Council of July 26th, 1894. Now, the circumstances under which that Order in Council was issued were altogether different from the circumstances as they existed after the decision of the Privy Council was rendered. When the Act of 1890 was passed, there had been petitions to the Government, signed by the most distinguished clergy of the Roman Catholic Church in Quebec and Manitoba, asking the Government to disallow certain Acts passed in the North-west Territories, a thing which the Government could have done with the greatest propriety, and without violating any of the principles upon which the Government has been conducted from the time of confederation. I think also there was sound reason for asking the Government to disallow the Manitoba Act of 1890. They were aware that this Act affected the rights and privileges of the Roman Catholic minority, because they saw that it struck down the system of separate schools, which was dear to the Roman Catholic citizens. Had they disallowed that Act, accompanied by an Order in Council stating the full reasons therefor, there was a magnificent opening for correspondence between the Government of Canada and the government of Manitoba, which might have led to such an amended measure being passed at the ensuing session of the legislature, as would have removed all these difficulties. They might have pressed upon the government of Manitoba the reasons which have been put forward in this House by themselves and their supporters, in favour of restoring the separate school system which the Act of 1890 had abolished. I contend that the Government has never faily recognized the position of the Manitoba government. No power can deliver an order to a constitutional government, supported by a legislature, as an order of a court can be handed to a financial corporation. Both political parties in the legislature had decided on this educational policy, and if they were willing to concede points to the minority, in order to meet the views of the Dominion Government, time should have been allowed for internal negotiations between the leaders of the Government and the Opposition, in order that they might combine to carry out the decision of the Judicial Committee of the Privy Council and the wishes of the Privy Council of Canada and those who sympathize with the Manitoba minority. The Dominion Government summoned the Manitoba government as a court, heard arguments, and issued an order of a very stringent character. This order was so unwise that the Government was impelled by public opinion to recognize the impossibility of the province obeying it, and it was subsequently declared to be a purely formal and perfunctory document. That document should have been withheld. After the public mind had been prepared, commissioners should have been appointed to interview the Manitoba government and discuss the question. If, even when the Bill came before the House, a policy of conciliation had been pursued, and commissioners had visited Winnipeg, the situation would have been better than it is to-day. In regard to this remedial measure, the Government have undertaken to legislate too much, for they have laid down not only legislative principles, but principles of administration which this Parliament has no power to carry out.

Mr. O'BRIEN. It is desirable to call the attention of the committee to the events which preceded and led up to the present position of affairs. If we go back to the early history of this question, we find that if the Dominion Government had disallowed the Manitoba Act of 1890, which they had the power to do, their action would have been justified, in view of the strong reasons given, and complaints made as to the extreme injustice done to the minority. No doubt the Government of that day hoped to escape the responsibility of action through the courts deciding against the validity of the Act. But the Act was sustained and Sir John Thompson was called upon to take action in the interests of the minority. The minority's appeal was then made, and the Government, not satisfied with their own legal knowledge, submitted to the Supreme Court the question whether they had the right to appeal. The Supreme Court decided in the negative, but that was reversed by the Privy Council on appeal and the matter came back here to be dealt with. Pursuing its policy of seeking to avoid responsibility, the Government have taken a position in this matter that it was a judicial rather than a political question and that they were carrying out the judgment of the court. The course of the Government on this question has been tortuous throughout. No doubt they intended to hold a general election before last session—everything pointed to that course having been decided upon. But for some reason they changed their minds and another session was held. During that session three members of the Cabinet resigned. It would be interesting to know the inner history of that transaction. All of these Ministers evidently felt that the Government would not redress the grievances of the minority. But a compromise was effected and two of the members returned, but the third, evidently feeling that his colleagues were not sincere remained out, as he has done up to the present time. A distinct pledge was given by the Government that a special session would be held to pass remedial legislation. But it became evident that not only were they not agreed about the nature of the measure but they were not agreed that any remedial measure should be introduced. Parliament met on 2nd January as promised, and immediately adjourned until the 9th. But it was evident that this adjournment was for the purpose of patching up Government differences rather than for the convenience of members. For no sooner had the House met than we had the unseemly spectacle of a Cabinet quarrel, one-half pronouncing the other as imbecile and the imbecile half denouncing the other as treacherous. I remember a good many ministerial crises and differences in this country, but anything so disgraceful as this has never been known. But when those Ministers who had gone out became convinced that the Premier was both able and willing to replace them they agreed to go back. A more humiliating surrender could not be conceived. They agreed to serve under the man whom they declared they could not serve under because he was imbecile, and he agreed to take back the men whom he had denounced as traitors. But it was evident that some compromise was made. These gentlemen brought back one of their own servants to lead them in this House. So weak were they in ability, I might almost say in integrity, that the great Conservative party, which was once the pride of this country and which claimed to have done so much for the country was reduced to the humiliating alternative of sending to London for a public servant to lead them, a gentleman who has distinguished himself by incapacity for leadership which was wholly unexpected in a man of his high reputation. The debate on the Address proceeded. It was not unduly protracted and gentlemen supporting the Government took their share in it. But still the Bill was not ready as it would have been had the Government been united and earnest in their determination to redress the grievances of the minority. Instead of discussing the Bill we entered upon the discussion of the Budget. This occupied a long time, as might have been expected, for we are on the eve of a general election and gentlemen on both sides naturally desired to lay their views before the country. Gentlemen on both sides took part in that debate. Six weeks of the session had elapsed before the Bill was introduced and it was some time after that that the Bill was printed. We have a most vicious practice in this Parliament, to which I have called attention before. The proper practice, the British practice, is that important measures to be introduced are mentioned in the Speech from the Throne, so that members may know what subjects are to be discussed and so prepare themselves to discuss them intelligently.

Now, Mr. Chairman, the charge has been made that several hon. members in this House are supporting the Government in their policy on this question, who are no longer responsible to their constituents, and who have no intention of seeking re-election. It has been said that members are supporting the Government who have received promises of reward for so doing. Within the last twenty-four hours, we have had the most convincing evidence of the charge that gentlemen are supporting this measure who cannot be held entirely free from the imputation of being influenced by hope of reward. The fact has been disclosed within the last twenty-four hours, that a gentleman, who has been supporting this Government for more than one Parliament, has been sworn in as a judge under circumstances of the most remarkable character. Those circumstances will, no doubt, be made subjects of discussion at a later period, and I will not enter upon them now, because, when the discussion is brought up, there will be an abundant opportunity of pointing out the very extraordinary and very disgraceful nature of the transaction. It is sufficient for the present purpose to point to that as an instance of the manner in which, we may assume, that some hon. gentlemen in this House at any rate have been influenced in their support of this measure. This Bill is objectionable on a great many grounds, one of which is that it is fraught with constitutional difficulties of the gravest character. In the first place, it is scarcely possible that Manitoba can be expected to put it in force, even if they were inclined to do so, without resorting to the courts to ascertain whether the measure is valid. But, even if the province does not undertake that business, it would be in the power of any individual who wishes this law to fail, to take action upon almost any one of the clauses which we have hitherto been discussing. So that we are forcing upon Manitoba a measure which settles nothing, but which, besides opening up an endless era of litigation, will leave to that province a legacy of racial and controversial difficulties which there is no possibility of allaying.

Mr. CASEY. The discussion which has already taken place on the early clauses of the Bill, has shown that the Government are practically ignorant of the meaning and scope of those clauses, and we may reasonably assume, also, of the entire Bill. The other evening, when we were discussing section 4, the hon. member for Westmoreland (Mr. Powell) offered an amendment, which was immediately accepted by the leader of the House. Thereupon the hon. member for Provencher (Mr. LaRivière), who, as one of the representatives of the persecuted minority, should be consulted as to the feelings of that minority, repudiated the position taken by the leader of the Government, and told the House that it would never do, because it would tie up the Catholic school board in Manitoba in the choice of books, except on religious matters and history, to such as were authorized for the public schools of Manitoba. The objection of the member for Provencher was that this would cut out the French books, which, above all things, some of his constituents wished to have used in their schools. Strange to say, a little later in the debate, the much-dreaded member for North Simcoe, the bogey who is used by the leader of the House to scare everybody who is interested in our French Canadian friends, this gentleman came forward and pointed out the injustice of this amendment, and urged that the Catholics of Manitoba who speak the French language, should have the right to use French books in their schools. Here we find the Government and its supporters tangled up in a few minutes on this clause, and so badly tangled up that they had to allow the clause to stand over. It reminded me very much of a man trying to disentangle a fishing-line.

No doubt, this whole Bill was constructed for fishing purposes, and every clause may be regarded as a little fish-line, in its purpose. But this fish-line got so thoroughly entangled that no way to unloose it was evident at first glance. The Government and their supporters began pulling at any end they saw sticking out; they pulled at that end as far as it would come, and, when they found it would not come any further, they would let it drop and pull on another. When they had pulled all the ends that were sticking out, and brought the whole thing into a hard knot, they had to ask the indulgence of this committee to give them some time to unloose it. This is only one instance of many to show what a crude measure this is, and how little care and intelligence have been used in its preparation. This Bill is a complete paradox. It reminds me of a beast in the animal kingdom known as Ornithorhynchus paradoxus. It has four feet with claws, and a bill like a duck; lays eggs and hatches them, and suckles its young when they are hatched. This animal is found in Australia. It combines all the characteristics of all the genera. This Remedial Bill contains the nature of the Public School Act, of an Act to establish separate schools, of a municipal Act, of an Act to amend the constitution. The effect is to represent not a complex unit, but a measure thrown together as if by children at play.

Mr. DALY. That is hard on the local legislature of Manitoba.

Mr. CASEY. Mr. Ewart, the late Minister of Justice, the present Minister of Justice, and the Secretary of State have all assisted in throwing this Bill together.

Mr. DALY. It can all be found in Manitoba statutes from 1881 to the present time.

Mr. CASEY. How can that be when there is reference in it to the Governor General in Council ?

Mr. DALY. There are five new clauses in the whole Bill ; the rest were taken from the Manitoba Act.

Mr. SOMERVILLE. And yet it took the Government a year to put it together.

Mr. CASEY. A leading lawyer in expressing to me his opinion of this Bill said it was purely amateurish. The measure, indeed, seems to be an attempt to frame a complete school system. That was wholly unnecessary, for a Bill containing a few clauses could have been framed so as to confer the desired privileges on the Catholics. The Government have placed in this Bill over 250 clauses and subsections, and these afford an equal number of opportunities to thwart its progress. This is further proof that the Government never expected or intended to pass it through the House. The present policy of the Government was well described by the Toronto "Globe" correspondent in a recent article, in the course of which it is said that the Secretary of State was the most scientific obstructionist in the House ; that he entered the chamber at a certain hour in the day and aroused a sufficient amount of ill-feeling to call for sufficient replies from hon. members to continue the debate during the night. The speech delivered by that hon. gentleman last night was additional evidence of his obstructive tactics. He insulted not only the leader of the Opposition, but the French Canadian race. That race will resent his insult and show their appreciation of the leader of the Opposition during the forthcoming election. Mr. Laurier is the first French Canadian, since the days of Lafontaine and Cartier who has attained the highest position in the politics of this country, and he will be the first French Canadian Premier. It is extraordinary that such an attack should have been made by the Secretary of State, who has never been a friend of the French Canadians as regards their race or religion. He (Mr. Laurier) has given to English-speaking Canada a loftier idea of what the best type of French Canadians can be. Though he is the best specimen, he is by no means alone of his kind, but is supported by men of his own race who deserve and enjoy the highest respect of their English-speaking friends.

One more point with regard to the remarks of the Secretary of State. I had the temerity to state the other day that the hon. gentleman was afflicted with that form of big-headedness known in the medical profession as megalomania. I refer to his late remark for justification of that statement. He said that Sir John Thompson had been a devoted follower of his to the day of his death. Could anything be more gross ? Imagine such a man as Sir John Thompson, and the Premier of this country, the devoted follower of the High Commissioner—and such a High Commissioner ! The hon. gentleman said that he had saved the Conservative party before—the Conservative party was successful in 1887, why ? Because I—capital I—came out to help them. The party was victorious in 1891, why ? Because—I—capital I—came out to help them. The Conservative party will be successful in the next election, why? Because I—capital I—have come out again. But though he says that he has been importuned to come out, we find from the telegrams laid before the House at my request, that the despatch suggesting that the hon. gentleman should come out here is signed "Tupper," and addressed to "Bowell," and not from "Bowell" to "Tupper."

He says he took no part in the Cabinet intrigues. We are accustomed to taking his statements in such matters with a little pickle, and must do so in this case. But as the result of his own suggestion, he had come out, and he is now in the Cabinet and he treats himself now as the first man in the Cabinet. The new Controller of Customs (Mr. Prior), the rather fresh Controller of Customs, says that we are afraid of the leader of the House. It may please him to think so. But long before the hon. Controller thought of coming to Ottawa, we, the older members of the House, had learned that this scarecrow of which we are supposed to be afraid is stuffed with straw. We are as familiar with these speeches of his—barring the change of a few proper names—as, when children, we were with the phrases we conned in our spelling books. There is the same noise, the same pretentious manner, the same abuse of members who differ from him. We enjoy the noise as much as his own supporters, in fact, I think we enjoy it better. The leader of the Opposition last night received cheers such as I have seldom heard any leader receive in this House, while the leader of the House was supported only by a beggarly array of empty benches, and the cheer that greeted his utterances was a very thin and shaky affair. We enjoy the noise as well as hon. gentlemen opposite, because we know that every boast and every word of abuse from him was only another nail in his coffin, as a played-out leader of a played-out party.

It is not from lack of material that I draw my remarks to a close. Nor is it from physical exhaustion. We who have been here all night are as lively as we were forty-eight hours ago, and shall probably get fresher as the time goes on, even if this unreasonable sitting continues, because we shall get used to it. But I would suggest that this experiment has gone far enough to show the hon. gentleman that this Bill cannot be forced through without discussion, but that he will make more progress by sitting in reasonable hours, and allowing the members to get their needed rest.

Mr. MARTIN. I think there are some things that should be said before this question is voted on. I think that we should consider what we are doing. The leader of the Opposition, with the capacity for stretching for which he has attained renown——

Mr. MULOCK. The leader of the Government.

Mr. MARTIN. I was only anticipating for a few weeks. However, I do not know. I do not think the Conservative party will do the "Great Stretcher" the honour of having him for a leader in Opposition. I think that a few weeks of leadership while in power will convince them that this exploded humbug——

Mr. OUIMET. I rise to order. I do not think that such an expression should be applied to any hon. member of this House.

Mr. MARTIN. I think he is a humbug.

The CHAIRMAN (Mr. Mara). I think it is not such an expression as should be used. It is not in accordance with the rules of debate.

Mr. MARTIN. I thought it was, but if the Chairman thinks otherwise, I will withdraw it. I thought that was about the mildest thing I could say about him.

Mr. CASEY. Say some of the strong things.

Mr. MARTIN. He is not worth it. In his process of stretching, he stretched two into twenty-three. That is pretty good. He informed this House that in New Zealand, where the members had obstructed——

Mr. WALLACE. Will the hon. gentleman inform the House where New Zealand is ?

Mr. MARTIN. The hon. gentleman told us that in the New Zealand House obstructionists had moved twenty-three motions from the time the obstruction commenced, and that more than that had been moved during this sitting. Well, my own motion that the committee rise, report progress, and ask leave to sit again was moved at half-past four on Tuesday morning. Shortly after three o'clock on Monday afternoon, the Government moved that the House go into committee on the Remedial Bill. No opposition was made to that, there was not the slightest attempt at obstruction. In committee, the sections of the Bill were taken up. And I would ask any Minister, or any hon. member if the debate on Monday afternoon was not a legitimate debate ? It was joined in by members of the Government, and resulted in some material alterations of the Bill, we will presume for the better. Subsection "b" of section 4 was carried after no more than proper discussion at two o'clock on Tuesday. At 4.30 I moved the first motion that was moved on this side, that the Speaker should leave the Chair. I did not move that as a matter of obstruction, but gave what I considered an excellent reason for its being carried. I said that subsection "c" was one that required discussion. That subsection provides that the Board of Education should have power within certain limits to select the books, &c., to be used in these separate schools. The hon. member for Quebec (Mr. Frémont), seconded by the hon. member for Bagot (Mr. Dupont) moved an amendment that the old law should be restored and the selection of books relating to religion and morals made subject to the approval of competent religious authority. This opened up a wide question. The hon. member for West York (Mr. Wallace) dealt with it exhaustively, but without wasting a word, and giving conclusive reasons why the proposal of the Government was absurd and ridiculous. At half-past four I moved the motion I have referred to on the ground that my remarks were of a character which were not to be made to a House consisting of ten or twenty members, many of them asleep, and I refused to go on. Now, Mr. Chairman, what are we going to do ? The leader of the House says that we have made twenty-three motions for the purpose of obstructing the consideration of this Bill, when, in point of fact, only two motions have been made since the House went into committee on the Bill at three o'clock on Monday afternoon, and both motions were that the committee rise and report progress.

Mr. FREMONT. But the two motions to adjourn have been discussed longer than twenty-three motions would have taken.

Mr. MARTIN. I ask the hon. gentleman if he really thinks that four o'clock in the morning is a reasonable time to discuss the important matters in this Bill. We are registering our disapproval of the attempt to force us to sit here night and day. In order that we may discuss this Bill intelligently, we have got to be serious about it.

Mr. FREMONT. You are not serious, then?

Mr. MARTIN. No, I am not serious now: I am filling in time to register my disapproval of the attempt of the Government to force us to sit night and day. It is not possible for any member to do that. But very few members are present in the House at this moment, and what folly to attempt to discuss a Bill of this revolutionary character under such circumstances. Therefore, I ask the committee now to rise, and I promise that if we are allowed to go home and get a rest, and come back here at three o'clock in the afternoon, we will go into committee again on that Bill, and give it a fair and reasonable discussion. We have already made that offer, and we continue to make it, but we will not be bulldozed by the Secretary of State or any other member of the House to sit here night and day. Now, let us see what took place yesterday morning, when the 6th clause of the Bill was under discussion. In the Ottawa "Citizen" I find the following report of what took place :—

> Dr. Macdonald (Huron) arose at 5.30 with the excuse that he just wanted to warm himself up a bit. By half-past six, however, he warmed himself up to the pitch of remarking that it was said Mr. Coatsworth was to receive a reward for his vote on the Remedial Bill.

Now, there is something here that, perhaps, we should consider for a moment. The hon. member for Toronto (Mr. Coatsworth) denies that he is going to get any reward for his vote. The hon. member for South Leeds (Mr. Taylor) has been charged with being bought up to vote for this Bill, and he denies it also.

Mr. DAVIES (P.E.I.) Well, he denies it with qualifications.

Mr. MARTIN. We don't know whether he has been or not, but here we have the clear fact that the hon. member for North Grey (Mr. Masson) was bought up, and he has got his reward by being appointed to a judgeship ; the goods have been delivered.

An hon. MEMBER. Order.

Mr. MARTIN. He is no longer a member of this House, and I can call him all the names I like, and I am quite in order. It is with me entirely a matter of taste, and not of order. Now that he is a judge on the bench, is he to be protected against what hon. members of this House may be pleased to say about him ? Because he is a judge, is he not to have the truth told to him ? The fact is that that man is a judge to-day because he was bought up by that judgeship to vote this Bill through the House. Can't that be said in this House ? Is not that parliamentary ? I say it is, and I am going to say what I think of the late member for North Grey, because I am satisfied that his position is that of some other members of this House.

The CHAIRMAN (Mr. Mara). The hon. member for Winnipeg (Mr. Martin) is out of order. The hon. member has stated that a late member of this House was bought up by a judgeship into voting for this Bill, and that other members in the House are in the same position.

Mr. MARTIN. I say they are charged with being in the same position.

The CHAIRMAN (Mr. Mara). The hon. gentleman should not even make an insinuation of that kind.

Mr. MARTIN. I do not know whether it is true or not, but it is in the newspapers. I am not charging him with it. I say it is in the newspapers. It is stated over and over again in the newspapers that the hon. member for South Leeds has been promised a position on the Rideau Canal, and that the hon. member for East Toronto (Mr. Coatsworth) has been promised a county court judgeship.

The CHAIRMAN (Mr. Mara). I must call the hon. gentleman to order. To read statements in the papers that the hon. member would have no right to make himself in the first instance in the House, is certainly not in order. It is not only in bad taste, but it is contrary to the rules of the House.

Mr. MARTIN. I do not think so. The late hon. member for North Grey was charged with giving his vote for the second reading of the Remedial Bill having at the time a promise of a judgeship in his pocket; that he voted for the second reading because he was promised a judgeship, and the goods have been delivered. Otherwise, if he had been going to stand for re-election, he would have been bound to vote against the Bill, for no man could stand in his constituency as a candidate of the Conservative party having voted for the Remedial Bill.

Mr. HAGGART. I shall have to ask that the words be taken down.

Mr. MARTIN. I make that statement.

Mr. HENDERSON. I do not think it is fair to the hon. gentleman who represented North Grey, for it is within my recollection that the hon. gentleman last session was just as strongly in favour of remedial legislation.

Mr. MARTIN. I do not think that improves the position one iota. The promise was as good then as later, I suppose.

Mr. HAGGART. To whom is the hon. gentleman referring? I understood he was referring to the hon. member for East Toronto (Mr. Coatsworth).

Mr. MARTIN. I am referring to the late member for North Grey.

Mr. TAYLOR. But the hon. gentleman has referred to the hon. member for East Toronto (Mr. Coatsworth).

Mr. MARTIN. I said the newspapers did.

Mr. TAYLOR. And the hon. gentleman made a reference to the hon. member for South Leeds.

Mr. MARTIN. Yes.

Mr. TAYLOR. That the hon. member for North Leeds had made certain statements in this House, and he repeated newspaper assertions. I claim the protection of this House against vile newspaper slanders repeated by hon. members from their places in this House. I ask my statement to be accepted.

Mr. MARTIN. I heard the hon. gentleman's denial last night, and I think there were very large loopholes in it.

Mr. TAYLOR. I made the statement last night, and the hon. gentleman is bound to accept it.

Mr. MARTIN. I accept the hon. gentleman's statement, but as a denial of the charges the statement left very large loopholes. I do not dispute the truth of the hon. gentleman's statement so far as it went, but as an attempt to answer the charge in the newspaper it left loopholes—the hon. gentleman might be quite correct, and the charge might be true.

Mr. TAYLOR. Where was the loophole? I declared that the position had not been promised me, that I would not accept it, and that I would go before my constituents for re-election.

Mr. MARTIN. The last question asked by the hon. member for West York (Mr. Wallace) was whether in case the hon. gentleman went to his constituents and was elected, or in case he was defeated, would he not accept the position afterwards if the Government were in power? That is the question which the hon. gentleman for West York put to him, but it has not yet been answered. He can answer it now if he likes.

Mr. TAYLOR. The answer I gave the hon. member for West York last night was that I expected to be elected by a large majority, and that I would meet him or any other hon. gentleman in the riding and contest it, that my election was assured.

Mr. MARTIN. That is no answer. That leaves a loophole through which fourteen elephants could pass. I am very sorry that as regards the hon. member for North Grey, who was a very popular member of the House and against whom there was nothing personally, that the statement in the newspaper is true. I am very sorry that any hon. member should vote against the wishes of his constituents for the sake of a bribe. It is very unfortunate that a Bill of this nature, which is a coercive Bill, for the purpose of attempting to impose a system of education on the province of Manitoba, should be pushed through this House; and so far as that hon. gentleman's vote was concerned by a direct bribe. It is a sorrowful incident for the Bench of Canada which has been supposed to be pure.

Mr. MILLS (Annapolis). It is disgraceful for an hon. member to rise and declare that a judge should have been appointed to the Bench as a bribe. As a lawyer the hon. gentleman should have more esprit de corps than make such a charge.

Mr. MARTIN. It is because I have esprit de corps I declare it is most important to Canada that the Bench should be kept pure. I say here is an unfortunate example of an hon. member going on the Bench, getting his appointment to the Bench because he voted against the wishes of his constituents in order to put through a coercive Bill against the province I represent. It is an incident to be regretted for all time to come, and one that will be so regarded throughout the length and breadth of Canada.

Mr. MILLS (Annapolis). This is a melancholy spectacle.

Mr. MARTIN. It is my duty to point out an unfortunate incident of this kind. Can it be denied ? I ask hon. members acquainted with public feeling in North Grey whether public sentiment is not emphatically in opposition to this Bill. I believe that the reason which induced the hon. member for East Grey (Mr. Sproule) who is as strong a Conservative as is the hon. member for North Grey, to vote and speak against this Bill, is public feeling in that part of the country. Yet the hon. member for North Grey voted against the wishes of his constituents, against public opinion in his riding ; and without regard to decency, for the Government must have postponed the appointment a few weeks until he ceased to be a member of that constituency, the hon. gentleman left his constituency unrepresented and accepted this bribe of a judgeship for giving that vote. It is a most unfortunate and disgraceful thing.

Mr. CAMPBELL. He would have lost his surrogate fees.

Mr. MARTIN. I thought it was very indecent. But I am now told that he could not have got his full pay if his appointment had not been made yesterday, and it had been delayed until 24th of April, because the Ontario government has passed a law by which certain surrogate fees which were paid to the county court judges will be taken away from those judges and pass into the provincial treasury. It appears therefore that this hon. gentleman wanted to get everything he had bargained for, and he was not prepared to wait until part of his emoluments as judge were taken away.

An hon. MEMBER. It amounts to $1,200 a year.

Mr. MARTIN. He makes $1,200 additional, a bigger bribe. It is a sorrowful incident for this House that we should lose an hon. member under such circumstances. That hon. gentleman goes on the Bench, supposed to administer justice between man and man. This opens up the worst possibilities as to the occurrences similar to what we have read of as occurring in some of the newer portion of the United States. If judges are to accept positions under such circumstances, how can we continue to feel respect for our Bench, in which respect Canadians feel themselves superior to our friends to the south. It is something we have prided ourselves on—the purity of the Bench in Canada. Yet here is a most deliberate attempt made on the part of the Government of the day for the purpose of saving themselves, to take away from Canadians one of the dearest privileges they think they possess, of having a pure and unsullied judiciary.

(The hon. gentleman read the report of the proceedings of the House from the Ottawa " Citizen.")

Mr. MARTIN. I observe that the hon. member for Muskoka (Mr. O'Brien) wished to rise that the chamber might be swept and garnished. I think that is quite proper. But it may be that the reason that this is not done is that the charwomen, not having been paid, have refused to work. The Government would regret very much to have the House rise, and, when members re-assembled at three o'clock, find that the chamber had not been swept out. It may be in order to hide the fact that the Minister of Public Works has no money to have this chamber swept and garnished that we are kept sitting here day and night.

Mr. OUIMET. The hon. member may be glad to be informed that I have nothing to do with the matter.

Mr. MARTIN. Then, who has ?

Mr. OUIMET. The hon. gentleman should apply to the authorities of the House.

Mr. MARTIN. Who are they ?

Mr. OUIMET. The hon. gentleman should ask the Clerk.

Mr. MARTIN. I do not know whether it would be parliamentary to get a speech from the clerk. If we could introduce a rule of that kind, obstruction would be easy, for when we get tired of speaking we could call upon the Clerk to speak. I see here also that the leader of the House says that Dr. Bourinot's opinion is that persistent obstruction is contempt of the House, and tells us about the case of New Zealand and the case of Great Britain. But in New Zealand and Great Britain an insignificant number of members undertook to say that Parliament should do no business. Has that, or anything like it, been attempted here ? The Opposition have shown that they are willing to do business, that they wish to help the Government to make this Bill perfect, even though they do not approve of it. Suppose that the Irish members in the British Parliament had taken that course—had declared that they were perfectly willing to behave themselves in a parliamentary way and to discuss fairly the business that came before them, but when three o'clock in the morning came, after a long day's work, they demanded as a matter of fair-play, that the House should not continue sitting, that it should not sit for twenty-four hours a day, but that the members should be allowed to go home and get their meals and their rest. If that had been done, would cloture have been introduced ? Would Mr. Gladstone—I believe it it was under the Liberals that cloture was introduced—have been justified by the House in proposing such a rule ? No ; all fair-minded men would have said that the Irish members were perfectly right. We are anxious that Parliament should make progress with its work, but we say that after three o'clock in the morning the sitting should not proceed. I believe members on the other side do not believe in the policy of the Government, but that it is forced upon them. The leader of the House in his old spirit of bulldozing, says : I will make these Grits swallow this Bill without due investigation, and you must support me or I will leave you. I believe that he is not supported by the rank and file of his party.

Mr. DAVIES (P.E.I.) Nor the better element.

Mr. MARTIN. No. They believe our course is perfectly justifiable. For my part, I go further and say when the House has sat for twenty-four hours, members are not in a condition to do business, whether it is morning, afternoon or evening. We cease to be the House of Commons and are only a small section of the House, the other members being away to get their necessary rest. I agree that persistent obstruction is contempt of the House. But for the Government to say to the House : You must sit here from three o'clock on Monday afternoon until twelve o'clock on Saturday night, I say that that is contempt of the House, and that we are only doing our duty when we protest and prevent the Government, as we are preventing them, effectually carrying out a threat of that kind. The leader of the House says, according to this report :

> He believed that in the circumstances the only course open to the Government was to resist this motion to rise and press this measure in the House.

In spite of everything we had told him. The leader of the House learns nothing. But one unfortunate thing is that he will not stay here to be taught. He proposed to die for this Bill. But we have seen no signs of dying. We cannot keep him here. He believes that while the rest of us should lose our rest and meals, he should have his meals three times a day, and rest at night.

Mr. GUILLET. You would like to kill him.

Mr. MARTIN. Not at all ; I think he is rather a valuable commodity for the Liberal party. He brought out of the leader of the Opposition last night one of the finest speeches I ever listened to. I think the Liberal party would subscribe, if necessary, for the purpose of prolonging the life of the Secretary of State. What is he doing ? He is destroying his own party.

Mr. MACDONALD (P.E.I.) You ought to be glad of that.

Mr. MARTIN. That is the reason we don't want him killed.

Mr. MACDONALD (P.E.I.) You ought to be praising him, instead of running him down.

Mr. MARTIN. I am not running him down ; I am praising him up for the great services he is rendering the Liberal party. We remember that the other night the Secretary of State took great praise to himself for passing the Nova Scotia Act in 1864, dealing with education. Now, it seems to me that is absurd. The hon. member for Inverness (Mr. Cameron) tells us that the Roman Catholics of Nova Scotia are entirely dissatisfied with the present law.

Mr. CAMERON (Inverness). No.

Mr. MARTIN. Does the hon. gentleman say they are perfectly satisfied with it ?

Mr. CAMERON (Inverness). No, I say that a large portion of the Catholics of Nova Scotia are satisfied with the law in Nova Scotia in practice ; but I say, also, that in many sections, including Halifax, the schools are in violation of law. The Catholics are more satisfied with the violation of the law than with the law itself.

Mr. MARTIN. Exactly. Now, where did that law come from ? That law came from the Secretary of State.

Mr. CAMERON (Inverness). I beg your pardon, it did not come from the hon. Secretary of State. The law, as passed by the Secretary of State, did not permit religious education in the schools. It was the violation of that law which gave offence to the minority in Nova Scotia, and, by an arrangement afterwards between the Archibshop of Halifax, as I was informed, and Principal Grant, the law was permitted to be violated —not in his time ; we had no difficulties then ; it was since his time that a new arrangement was made by which separate schools were permitted in the city of Halifax, and that arrangement has been extended to the eastern part of Nova Scotia. It is, therefore, in the violation of the law that the minority got justice, not in the law itself, nor in the law which was passed during the time of the Secretary of State, in 1864.

Mr. MARTIN. I understand the hon. gentleman contends that the law itself is bad, from a Catholic standpoint, and that one reason Catholics are satisfied is because the law is allowed to be violated in their interest.

Mr. CAMERON (Inverness). No, it has been violated against their interest in several sections of the province, and because it was violated by the majority, it was therefore necessary that it should be violated in the interest of the minority, as well. Religious instruction was given by the majority, in violation of the law, which was not very palatable to the minority ; therefore, as the law was permitted to be violated in the interest of the majority, by an agreement between the majority and the minority the law was permitted to be violated in the interest of the minority as well.

Mr. MARTIN. I understand the hon. gentleman to say that the law itself, apart from practice, would not be acceptable to Roman Catholics.

Mr. CAMERON (Inverness). If strictly carried out, it would not be very offensive to them.

Mr. MARTIN. It does not provide for separate schools ; if it was strictly carried out, they could not carry on religious instruction in their schools. Therefore, the law, from a Catholic standpoint, is bad, but by practice they are allowed to enjoy certain privileges, which reconciles them to the law. Now, who is responsible for that law? The Secretary of State boasts that he passed the Public School Act in Nova Scotia which exists to-day, and which the hon. member for Inverness says is bad in itself, but that in practice it is satisfactory. I may point out to the hon. member that during the past twenty-one years, out of the twenty-five years since that law was passed, the province of Nova Scotia has been under Liberal rule, and the Roman Catholics in that province have got their privileges from the Liberal modification of a hard law. The Secretary of State glorified himself for passing the School Act of Nova Scotia, and he tells us that the poor unfortunate Roman Catholics of Manitoba have been suffering for six long years from that unfair Act that was passed by the government of Manitoba of which I was a member, which, in its terms, is almost like the Nova Scotia Act. I cannot understand how the Secretary of State is to be allowed to praise himself to the skies for passing the Nova Scotia Act, and that I am to be reprobated for passing the same Act in Manitoba.

Mr. CAMERON (Inverness). It was not the same Act. The Manitoba School Act prescribes religious instruction, such as was described yesterday by the hon. member for Norfolk (Mr. Charlton). I told him that would be objectionable to the minority in Nova Scotia. There was no such provision in the Nova Scotia law ; on the contrary, religious instructions were permissible, if the trustees of a section would only permit it, but in Manitoba religious instruction is prescribed by law, and that religious instruction is chosen by the majority.

Mr. MARTIN. The only difference in that respect is that in Nova Scotia religious exercises were left entirely under the control of the teacher.

Mr. CAMERON (Inverness). No.

Mr. MARTIN. I am quite sure that the teaching of religion was left to the teachers. Section 32 of the Nova Scotia School Act provides as follows :—

> No person shall be deemed a qualified teacher under this chapter, or receive any portion of the school grant, unless he holds a license from the commissioner of the county or district in which he is employed.

Then, further on it says that one of the duties of the teacher shall be "to inculcate, by precept and example, a respect for religion and the principles of Christian morality." From the religious standpoint, it would be a far more dangerous power than that exercised in Manitoba. In the latter province the public school system is unsectarian, and teachers are expressly prohibited from giving religious instruction.

Mr. GILLIES. Section 6 of the Manitoba Act of 1890 prescribes the way in which religious exercises shall be carried on in the schools, and it is according to the regulations of the advisory board. The advisory board has exclusive power to prescribe religious exercises, and it may prescribe such as it thinks proper without any restriction, and may impose that duty on the teachers ; whereas, in Nova Scotia, there is no religion whatever taught in the schools. The teacher, of course, is enjoined by the statute to inculcate subjects of morality by precept and example. Every law compels a teacher to do that ; he is bound to show an example as regards inculcating morality and good conduct to pupils.

Mr. MARTIN. I do not agree with the hon. gentleman. If the matter of the regulations is to be left to the advisory board, and they have to be published, then the public can see whether they are fair or not. That is a better system than leaving the matter of religious instruction to the teacher. What religion is the teacher to respect ?

Mr. GILLIES. All religions.

Mr. MARTIN. I do not think Protestant teachers would be likely to respect the Roman Catholic religion.

Mr. GILLIES. Why not ?

Mr. MARTIN. He is not going to inculcate, by precept and example, respect for the Roman Catholic religion if he is a Protestant. It is absurd to suppose that he will do it. So this matter of religious instruction is left in Nova Scotia to the teacher, while in Manitoba it is left to the advisory board.

Mr. GILLIES. The advisory board may be either exclusively Roman Catholic or Protestant, as chance may have it. If, in the turn of events, all the members of the advisory board should belong to one or other of these persuasions, what is to prevent the members of the board making regulations under which their own religious faith exclusively will be taught in the schools.

Mr. MARTIN. There is nothing at all.

Mr. GILLIES. Then there is a marked difference and marked contrast between the two systems as prescribed in Manitoba and Nova Scotia.

Mr. MARTIN. No. While it is possible for the advisory board to be unfair to Roman Catholics in Manitoba, such is not the case in practice. With regard to the appointment of the advisory board, the first person selected was the Archbishop of St. Boniface. The Premier of the local government wrote and told him that the government would be glad to appoint him to the board, but he refused to accept.

Mr. GILLIES. And there is no member of that religious body on the board ?

Mr. MARTIN. We would have appointed another one, if the Archbishop had accepted, but it was useless to do so when the head of the church refused to accept a position on the board because he considered the Act unconstitutional. We would have been prepared to appoint two members of the Catholic persuasion on the board. As a matter of practice, the Roman Catholics have no cause for complaint ; they do not object to the religious exercises as such, and they could obtain representation on the advisory board if they wished. Roman Catholics form about one-tenth of the population of the province, and there are seven members of the advisory board, four of whom are appointed by the government, two by the teachers, and one by the University of Manitoba. There is nothing to prevent any of those three members of the board being Roman Catholics ; and the vice-chancellor of the university is always a Roman Catholic. So I claim that in Manitoba we would have been just as reasonable and fair as the government in Nova Scotia. One of the serious charges brought against the Greenway government last election was that they allowed schools in exclusively Roman Catholic districts to obtain government grants without complying with the law respecting religious exercises. I believe, in such districts, the government winked at the evasion of the law as regards religious instruction, so long as the schools were maintained at a high standard. The Conservative Opposition and the Conservative press in the province charged against the Manitoba government that they were disposed to do what had been done in Nova Scotia and New Brunswick, and allow a certain laxity with respect to this matter, so long as no one was injured. If this Bill was passed, it would hang as a cloud over the Dominion for years, and the Catholic minority would be acting far more in their own interest if they would accept the action of the Manitoba government and some arrangement in the way of compromise that might be agreed to.

Mr. HENDERSON. Having listened to the remarks of the hon. member for Winnipeg (Mr. Martin) with respect to Mr. Masson, lately a member of this House, and who has been appointed a county court judge, I feel that he has been unfair to one of his late colleagues. I can remember very well that Mr. Masson, in 1895, delivered a very strong speech in favour of giving relief to the Catholics of Manitoba. After visiting his constituents, he formed the opinion that he would be representing their wishes if he supported the Remedial Bill.

Mr. TYRWHITT. If our late colleague was so well satisfied with his vote and position on this question, how is it that the candidate of the party now in the field is discussing this very question and is pledging himself, if elected, to oppose the legislation?

Mr. HENDERSON. The hon. gentleman's remark may be quite true, but I know nothing of it. I am only making a statement with regard to the position of the hon. gentleman and his constituents.

Mr. MARTIN. Does the hon. gentleman not know that the vacancy has been open about a year, and that the position was really open when Mr. Masson made the speech to which the hon. gentleman has referred.

Mr. HENDERSON. I was under the impression that the vacancy had occurred since. It is possible I may be wrong. I ask the hon. member for Winnipeg (Mr. Martin) to modify the strong language he has used with regard to our late colleague. I think Mr. Masson is the best judge of what his views were, and whether the views he expressed were conscientiously held or not. I think he conscientiously acted as he thought best and as he thought in the interests of his constituents. It is well known that he was a strong opponent of secularizing the public schools and in favour of religious teaching in the public schools. I think that the hon. member for Winnipeg should modify his expression with regard to Mr. Masson, who was a highly respected member of this House.

Mr. MARTIN. I regret that I cannot modify my statement. The circumstances prove to me, and I think it my duty as a member of Parliament, to say that Mr. Masson gave his vote for the second reading not because he believed in the measure or because his constituents so desired him to vote, but because he was promised and expected an office, which he has since been appointed to.

Mr. DALY. I can only characterize the hon. gentleman's language as unheard of in this House. I am satisfied there is no other hon. member who would make such a charge against Mr. Masson in the language he has used. On behalf of the Government and of Mr. Masson, I repudiate such a charge, that Mr. Masson was to get a judgeship——

An hon. MEMBER. He has got his reward.

Mr. DALY. He deserved the appointment, and will fill the position most acceptably to the people. So far as his position on the school question is concerned, it is well known to hon. members who have been here during the years this matter has been discussed, that Mr. Masson gave just as pronounced views in favour of the Government's position before as he has given this year.

Mr. FRASER. They say the position was vacant then.

Mr. DALY. That makes no difference. I say on behalf of Mr. Masson that he was not influenced in the slightest degree in the vote he gave by any promise of an appointment by the Government.

Mr. FRASER. Now that the matter has come up—and I do not object to its coming up—I may say that I regard it as a most important one, for a man going upon the bench should have no smirch upon his character. It seems to me that the hon. member for Halton proved too much. He said that the present Judge Masson had spoken in favour of remedial legislation when there was no vacancy. Now, I find here that F. Thoms died on the 14th April, 1895. That was just before we met last year.

Mr. HENDERSON. I gave it as my impression.

Mr. FRASER. I am not blaming the hon. gentleman, but I am pointing out that the fact upon which his argument is based is not a fact at all. I agree with the hon. member for Halton (Mr. Henderson), that from a scriptural point of view nothing should be said against Mr. Masson. For the scripture says that, When thou does well unto thyself, all men will speak well of thee. The hon. gentleman seems to have done well for himself, and from a scriptural point of view the language of the hon. member for Winnipeg is unseemly. I understand that not only has the late member for North Grey been appointed to a position for himself, but that his brother was appointed to a junior county judgeship and his brother-in-law to a post office.

Mr. MILLS (Annapolis). He must have held his vote high.

Mr. FRASER. Higher than some hon. gentlemen. The fact that he looked after his relatives so well indicates that he would look after himself twice as well. It is said Mr. Masson was in favour of religious instruction in the schools. Did he support Sir Oliver Mowat, who was so strongly attacked because of his support of religion in the schools ? I understand he not only voted against him but used all his influence to elect the Opposition candidate in his county. My hon. friend from Montmagny (Mr. Choquette) tells me that he actually met this champion of religious instruction in the schools on the public platform where he was speaking against Sir Oliver Mowat's candidate. A good deal is being said against Sir Oliver Mowat because he has appointed members of Parliament to offices under the government. I do not take that position, I think that members of Parliament should be eligible, as other men are, and, if they serve faithfully in Parliament and do their duty, even more eligible. But if men are to be rewarded for their votes in Parliament by appointment to public office—if they are to vote against previously expressed convictions and then take offices—that is a thing to be condemned. In this country we have not an elective judiciary, the scourge and disgrace of any country, but if judges are to be appointed because of their support of the Government that has the power of appointment, we may have something that is infinitely worse for the country. There was another question raised by the hon. member for Winnipeg concerning which I desire to say a word. He represents that in Nova Scotia the teacher may give religious instruction at his own option. But he cannot do it without the consent of the trustees.

Mr. McALISTER. The trustees have no authority to prescribe religious instruction.

Mr. FRASER. There is no legal authority, but it is sometimes done and winked at. Religious exercises are held, but such a thing as teaching religion is not known, except in some special cases. I agree with the exposition given of it by the hon. member for Richmond (Mr. Gillies) as to the duties of the teacher. He is to teach by example. He shall not be an atheist, he shall not lie, he shall not get drunk, he shall not be unclean, he shall not be guilty of conduct that would cause the children to imbibe disrespect for religion or that would be offensive to good men, Catholic or Protestant. So far as the Manitoba Act is concerned—I speak for myself alone—I would say that, much as I respect all that is good, I would not favour handing over to anybody the preparation of instruction for religious teaching in the schools. That would interfere with the rights of some in a country where we have Catholics and Protestants, and those of all religious professions.

Mr. MARTIN. The law in Manitoba provides that the religious exercises shall be such as are provided by the advisory board, and no teacher has power to vary those exercises or to introduce religious teaching.

Mr. FRASER. But the hon. gentleman knows that, if you have religious exercises, it is more than you should expect of human nature, if there is a strong Protestant or a strong Catholic as a teacher, that he will not say a word in explanation.

Mr. GILLIES. It is not against the law to have religious teaching in the schools in Manitoba. It is provided that there shall be religious exercises "conducted according to the regulations made by the advisory board."

Mr. MARTIN. They are religious exercises, not religious teaching ?

Mr. GILLIES. What are religious exercises but religious teaching ? These are prescribed by the advisory board and the teacher must teach them.

Mr. FRASER. I disagree with the hon. gentlemen for Richmond (Mr. Gillies) on that. I admit that religious exercises may be of such a character as to give them a certain colour, from a denominational point of view, and therefore I am opposed to them.

Mr. MARTIN. Another section of the Act provides that the schools shall be strictly non-sectarian.

Mr. FRASER. "Non-sectarian" is a phrase that may be very easily got over. I notice that when various bodies of Protestants are together, they are very non-sectarian, but the moment each one gets to his own little place, he becomes very sectarian. I can understand that the various bodies of Protestants might come to a consensus of opinion on religious exercises, and that they might agree very well, but still those exercises might be offensive to the Catholics.

Mr. LaRIVIERE. The Roman Catholics claim that they are not a sect.

Mr. FRASER. The Roman Catholic Church is not a sect, therefore everything in the Act relating to the teaching of a sectarian character, does not refer to them. I am afraid the hon. member for Provencher is not the best theologian in his church, because, evidently, this does seem to strike at the Roman Catholic religion, just as well as at the others. But my objection is not to religious exercises, per se, being held in schools, but on account of this difficulty of making them unobjectionable to all sects, therefore, I would exclude them altogether. I would make the schools of such a character that both Roman Catholic and Protestant children could attend them together. There is nothing going to rub away the little animosities that prevail amongst us, better than for the children of Catholics and Protestants to associate together and be educated together. I claim that the very fact of Protestant members and Catholic members meeting together here and learning to understand each other, has done more to broaden our views in regard to our religion, than if we had a Protestant Parliament and a Catholic Parliament.

Mr. MARTIN. Allow me to point out that the Manitoba government have offered to make the schools entirely secular, by removing the religious exercises which the Catholics have claimed to be a grievance, and which I myself have always considered to be a grievance.

Mr. FRASER. That is a step in the right direction.

Mr. CHARLTON. The hon. member for Winnipeg (Mr. Martin) has alluded to the fact, which is of considerable significance in connection with a discussion of this question, that a recent member of this House had been appointed to a judgeship. I think the circumstances in connection with that appointment are somewhat suspicious, and must warrant the inference that the hon. member who represented a riding where his colleague in the local legislature represents a P.P.A. organization, and where the state of public sentiment is overwhelmingly opposed to the legislation before the House—I say the inference is a fair one that that hon. member has received the appointment as a reward for supporting a measure which he would not have dared to support if he had intended to face his constituents again, or to explain his vote before them. Now, there are rumours in circulation in the country, we find them in almost every paper we pick up, as to the possibilities of future appointments. If there is any reliance to be placed on one-third of these rumours, it is quite evident that but for the influences the Government may be able to exert in this manner, their majority would speedily melt away. Of course I do not vouch for these rumours, I only refer to them as matters of public interest. We have it stated in the press than the hon. member for Saskatchewan (Mr. Macdowall) is to be elevated to the Senate ; we have a report in the newspapers that the hon. member for Hamilton (Mr. McKay) is to take the place of the late collector in that city ; we have the statement made that the hon. member for East Toronto (Mr. Coatsworth) has a promise of a judgeship ; we have a statement that the hon. member for Alberta (Mr. Davis) is to be made collector of the Yukon district. Now, what foundation there is for these statements, I do not know, but in the light of future events, we will be able to judge whether there is any foundation for them. We have the statement that the hon. member for East Middlesex (Mr. Marshall) is to be made postmaster. That gentleman would not show a very great discretion if he faced his constituents after supporting the Government upon the Remedial Bill. We have it stated that the hon. member for Monck (Mr. Boyle) is to be collector at Niagara Falls, that he has the promise in his pocket.

Mr. BOYLE. Have you any authority for that statement other than a mere rumour ?

Mr. CHARLTON. I would ask the hon. gentleman if there is any foundation for the rumour ?

Mr. BOYLE. That is not a fair way to put it. Either make the charge direct and follow it up in a proper manner, or else not make it at all.

Mr. COCKBURN. I must protest against these unworthy insinuations of the hon. gentleman, these indirect calumnies against hon. members of this House—making insinuations and then asking them to deny that they are true. The hon. gentleman might as well ask : Did you steal anything, and if not, say so. I wish to be treated as a gentleman here, and I demand that the other members of this House on both sides shall be treated as gentlemen.

Mr. CHARLTON. The same degree of indignation would have been expressed a day or two ago if reference had been made to the fact that the hon. member for North Grey was about to be appointed a judge. Sir, the people of this country believe that this is a corrupt Government. We know its methods for the last dozen years or more. We know it is not beneath this Government to use its powers of patronage for the purpose of securing support in this House for a measure which is obnoxious to the great majority of the people of the premier province of this Dominion. I say the country is suspicious in regard to the character of the methods of this Government in prosecuting this Remedial Bill. It is stated that a judgeship is to be conferred on the hon. member for East Lambton (Mr. Moncrieff), who well knows that it would be sheer insanity to attempt to run another election in that constituency. We have the statement made that the hon. member for St. John is to be made a judge. I do not know whether there is anything in the statement or not.

Mr. McLEOD. Did the hon. gentleman ever see it stated in the papers that he made a false affidavit once ?

Mr. CHARLTON. I take that as an admission by the hon. member for St. John as to the promise—that he dare not deny it, and he is supporting the Bill on account of that promise.

Mr. McLEOD. I take it that you admit the truth of what I say.

Mr. CHARLTON. We have the hon. member for North Victoria (Mr. Hughes), who recently had a brother appointed to the penitentiary at Kingston ; and the hon. gentleman himself may have some promise.

Mr. BENNETT. He has been there two or three years.

Mr. CHARLTON. I think he has been promoted. It is reported that the hon. member for Carleton (Mr. Hodgins) is to be made a senator. It is stated that the hon. member for Shelburne (Mr. White) is expecting a judgeship or a senatorship. The hon. member for Colchester (Mr. Patterson) is expecting to be appointed post office inspector—that, in fact, is semi-officially stated. It is said that the hon. member for Richmond (Mr. Gillies) is to be made a judge. He can deny it if he wishes. The hon. member for Kingston (Mr. Metcalfe), it is rumoured, is to be made warden of the Kingston penitentiary. The hon. member for Leeds (Mr. Taylor), it is reported, is to be made superintendent of the Rideau Canal. He may run an election, and be appointed afterwards. I call attention to these rumours as indicating that the Government are not properly managing public affairs. The people believe that the Government are seeking to procure the passage of this measure by promises of office. The people expect to see these promises implemented, and the appointments made in due time. If it is proved that hon. members are supporting the Bill when they know their action is contrary to the wishes of their constituents, and when they know they intend to retire from political life, and accept offices with large emoluments, these facts amount to a confession on the part of the Government that they are using improper influences to secure votes. But such action is not inconsistent with the Government's record. In 1882 they put through Colonization Bill No. 1, under which 2,300 townships were granted in the North-west within eleven months, and every one interested became a supporter of the Government. During 1885-86-87, the Government granted 25,000 square miles of timber land without competition and without obtaining any bonus, simply for the purpose of increasing their political influence. The Government have made grants to the construction of railways simply for political purposes. I do not wish to be understood as endorsing all these newspaper rumours. We will know in time whether these rumours had any foundation in fact or not, and whether the hon. gentlemen duly received the offices. We know that hon. gentlemen are supporters of the Government, and are supporting this Remedial Bill, but we do not know if they are influenced by promises, but if they receive offices, we shall have reason to believe that the Government made use of that patronage to obtain the necessary votes to carry this Bill.

Mr. MULOCK. A very important point has been raised in this debate owing to the circumstance that since we last met we have lost one of our members, he having met with favour at the hands of the Government and retired into a position of emolument within the gift of the Crown. History is repeating itself in respect to this measure. Hon. members are familiar with what occurred at the time of the abolition of the Irish Parliament. Legislation in that case was accomplished by means so corrupt that never, from that day to this, has public opinion sanctioned the legislation of 1800, which abolished the Irish Parliament. Altogether apart from the question as to whether the union was in itself wise or unwise, the corrupt means adopted to pass that statute has so shaken public opinion that the Irish people, feeling that by unconstitutional methods, by the vilest means known in Parliament, they were robbed of their Parliament, have refused to acquiesce in that iniquitous legislation. We are told that we are passing a very important piece of legislation, legislation that is invoked for conscience's sake. It is stated, and I believe it is the firm conviction of the people, that the vote obtained on the second reading of this Bill was not a vote given by all hon. members solely on the merits of the question, but that many of the hon. members who recorded their votes did so knowing they would never come back from their constituencies, and many of them had hopes of office, and some of them had promises of office at that time in their pockets. If the public believe that these charges are true, that this measure has got thus far, has received its second reading, not because the majority believe in the Bill, but through some other influences, that circumstance alone is enough to cause us to pause and cease to press on a measure that will never be accepted by the people. The hon. member for North Norfolk (Mr. Charlton) has mentioned several hon. gentlemen who are sitting here and voting practically with promises of office in hand, and none of them, in fact, have denied it. The hon. gentleman has alluded to the senior member for Hamilton. It is notorious that the hon. gentleman is to receive an office.

Mr. DEPUTY SPEAKER. Order. I have listened to such statements for a long time. Yesterday I called the hon. member for North Norfolk (Mr. Charlton) to order for making the very same imputation. Last night the member for West York (Mr. Wallace) made the same imputations, and I called him to order. I now call the hon. member for North York (Mr. Mulock) to order. The hon. gentleman can make insinuations, which, I understand, are in order, but he cannot impute bad motives to his colleagues. I leave it to the hon. gentleman himself whether he is not entirely violating the rules of the House in imputing bad motives to a colleague for giving a vote. The statement that everybody knows that the hon. member for Hamilton has in his pockets a promise of a position is entirely out of order, and I ask the hon. member to take back that statement, and make no more accusations of that kind against hon. members of the House. I call on the committee to assist me in enforcing this rule, because it is impossible to carry out the rules unless the committee sustain the Chairman.

Mr. MULOCK. I will deal with this question in a proper way.

Mr. DEPUTY SPEAKER. Order.

Mr. DALY. The Chairman has called upon the hon. member to withdraw that statement.

Mr. MULOCK. I will not withdraw it until I give my explanation. I know what the Chairman has said, and I propose to exercise my rights here. I did not say that the hon. member was influenced in giving his vote. I was raising the constitutional point whether members of Parliament could continue to sit in this House and exercise their privileges, if, at that time, they had promises of office, which offices, if accepted, would disqualify them from sitting in this House. I maintain that I am strictly in order in making that statement. If the hon. member for Hamilton will rise and admit that he has the promise of office in his pocket, I will at once raise the question of constitutionality as to whether the hon. gentleman is qualified, under the Independence of Parliament Act, to remain a member of this House and speak and vote.

Mr. DEPUTY SPEAKER. That is not the question.

Mr. MULOCK. That is my point.

Mr. DEPUTY SPEAKER. The hon. gentleman has said that everybody knew that the hon. member for Hamilton had the nomination for an office in his pocket when he gave his vote. The hon. gentleman should not have said that. The hon. gentleman has now referred to a different matter entirely.

Mr. MULOCK. I am not in a position to say, I do not say, that the promise of office has caused an hon. member to vote one way or the other. Do not misunderstand me. I do not pretend to be able to look into men's hearts and ascertain the influences that cause them to vote, but the law has provided for such cases.

Some hon. MEMBERS. Order.

Mr. MULOCK. I have explained what I said to the satisfaction of the Chair.

Mr. DEPUTY SPEAKER. Yes; but I ask the hon. gentleman to take back his statement, that it was notorious that the hon. member for Hamilton had a promise of office in his pocket.

Mr. MULOCK. I will not take it back; I say it is true.

Sir RICHARD CARTWRIGHT. No hon. member is entitled to impute motives——

Mr. DEPUTY SPEAKER. Bad motives.

Sir RICHARD CARTWRIGHT. My hon. friend is not imputing motives, but it is a matter of common notoriety ; it is published in the newspapers, and is made public in other ways. He has simply called attention to the fact that it is publicly stated that that hon. gentleman has such a promise. He is not imputing to the hon. gentleman that he was influenced by that promise to vote as he did, for I think that would be unparliamentary, but I hardly think that you would rule that it is unparliamentary on the part of my hon. friend to call attention to the fact that the public newspapers have stated that such was the position occupied by the hon. gentleman referred to.

Mr. DEPUTY SPEAKER. The hon. gentleman (Sir Richard Cartwright) was not here when the hon. member for North Norfolk (Mr. Charlton) expounded a theory in the House as to how easy it was for hon. members to give votes when they knew they would not return to this House. My attention was called to this matter by the hon. member for Toronto (Mr. Coatsworth), but I did not say anything because the hon. member for North Norfolk made no direct accusations, but advanced a theory. I call on hon. gentlemen to support the Chair. The hon. member for North York has accused the hon. member for Hamilton of all the things that the hon. member for North Norfolk has stated.

Mr. MULOCK. I refuse to allow the Chairman to attach a meaning to my words.

Some hon. MEMBERS. Order.

Mr. MULOCK. I am in order. I have repudiated any desire whatever to assign motives. I am not adopting any line of argument in that direction. If the hon. gentleman will rise in this House——

Some hon. MEMBERS. Order.

Mr. MULOCK. I am in order.

Mr. DEPUTY SPEAKER. I do not think so.

Mr. MULOCK. How many times do you want me to say that I do not impute motives.

Mr. DEPUTY SPEAKER. The hon. gentleman does not understand me. I am aware that he knows what he has said. He said that it was common rumour, that it was notoriously known, that it was in the papers, and everybody knew it, that the hon. member for Hamilton had a nomination in his pocket.

Mr. MULOCK. And it is notorious——

Mr. DEPUTY SPEAKER. I ask the hon. gentleman to take back that statement.

Mr. MULOCK. Yes, it is true ; and you, Mr. Chairman, know it.

Mr. DEPUTY SPEAKER. The hon. gentleman is making things worse.

Mr. MULOCK. The rumour is true.

Mr. DEPUTY SPEAKER. When an hon. gentleman speaks about rumours, I cannot call him to order, only when names are mentioned. The hon. gentleman, when he thinks over the matter seriously, will see he is in error, because his accusation is a special accusation brought against an hon. member mentioned by name, the hon. member for Hamilton. It is my duty to ask the hon. gentleman to withdraw those words.

Mr. MULOCK. I will try to get within the rules of the Chair. I am arguing this point as regards the Independence of Parliament Act. I have said before, and I repeat, that I do not wish to attribute improper motives, and I am not assigning motives. I wish to uphold the dignity of the Chair, and to abide by your ruling. I do not wish it to be understood that I say that the hon. member for Hamilton (Mr. McKay) is influenced by the hope of office. Is that plain enough ?

Mr. DEPUTY SPEAKER. I will follow the hon. gentleman.

Mr. MULOCK. Now, I state a fact, and I wish to state it in parliamentary language. It is currently rumoured, and I have seen it in the public papers, and I believe it is commonly accepted by the public, that when this Parliament is over, the hon. member for Hamilton is to receive an office of emolument under the Crown. Is that unparliamentary ?

Mr. DEPUTY SPEAKER. No, if the hon. gentleman goes no further. But he says that everybody knows that the hon. gentleman is to be appointed.

Mr. MULOCK. Yes ; I say that again.

Mr. DEPUTY SPEAKER. Then, the hon. gentleman is out of order. It is impossible to keep order unless gentlemen will support the Chair. I do not wish the hon. gentleman to do anything against his dignity, but I leave it to his own sense of justice. He brings an accusation against the hon. member, when he says that everybody knows that that hon. gentleman has a nomination to office in his pocket.

Mr. MULOCK. Then, the whole question is whether they know it or whether it is said.

Mr. DEPUTY SPEAKER. There is a great deal of difference ; it might be said, and not be true.

Mr. MULOCK. Well, then, am I now in order ?

Mr. DEPUTY SPEAKER. Not altogether, if the hon. gentleman asks me. But there is the point I have already repeated several times, when he says that everybody knows—

Mr. MULOCK. That part of it I have taken back.

Mr. DEPUTY SPEAKER. Since I am on my feet—and I hope this will be taken in good part—I may say it is not in order to say that a certain thing is rumoured concerning an hon. gentleman, and ask him to deny it, if he can. Members of Parliament ought not to be treated in that way.

Mr. MULOCK. Then, I will be in order, if I say that it is not known.

Mr. DEPUTY SPEAKER. That would be another imputation. The hon. gentleman knows the English language better than I do, and I think he could put this matter right without making any imputation.

Mr. MULOCK. I have not made any imputation. You, Mr. Chairman, attached that meaning to my words, as I understand, because I followed my hon. friend from North Norfolk (Mr. Charlton). But I decline to have the words of other gentlemen imported into my speech.

Mr. DEPUTY SPEAKER. I understand the hon. gentleman to say that the hon. member for Hamilton did not vote with the nomination in his pocket.

Mr. MULOCK. I did not say that the hon. member for Hamilton was influenced by any promise.

Mr. DEPUTY SPEAKER. I am satisfied with the explanation.

Mr. McKAY. As the hon. gentleman has apologized sufficiently, perhaps, Mr. Chairman, you will allow the business of the House to go on.

Mr. MULOCK. Under the Independence of Parliament Act, if any hon. gentleman got a promise in the form of a document that entitled him to emoluments, he would forfeit his seat, the reason being that he would cease to be independent. Now, follow me, Mr. Chairman, for fear I get out of order. If the actual possession of a patent is a disqualification for the position of a representative of the people in this House, then, if an hon. gentleman only had an understanding with the executive that when he ceased to be a member, he would receive an office, the principle of the Act would still be violated. Such a position would make him even less independent than actual appointment, because he would have a slighter hold upon the office, and would be more dependent upon the Administration. Now, let me illustrate the effect of this. Suppose that twenty or thirty members, supporting the Government, are suppliants for office, having more or less reason to believe that they will succeed. Those members move about among their fellow-members. And with what effect ? Is there a plainer proposition than that "a gift blindeth the eye." You do not need to find that a man votes as he was bribed to vote, in order to find guilty the man who gave the money. These members I refer to would know that their reward would depend upon the success of the Government, and, according to the commonsense principle of this law I have quoted, it would be assumed that they would be all the more likely to do all that they could do to assure that success. There is a well-grounded belief in the public mind that among the Government supporters are men who expect rewards in the near future, and the majority of the Government on the second reading of this Bill is so accounted for. Whether that belief is well-founded or not, in what respect are the people going to hold legislation passed under such discrediting circumstances, by members, one-fifth of whom will not face their constituents again, particularly when this is a Parliament that has not received a mandate from the people to pass this law ? What good can result from such legislation? We found to-day a vacant seat. A member who voted in a certain way, and, as was stated by an hon. member, contrary to the sentiments of his riding and to his successor as the candidate of the Conservative party in the coming election. When we consider this, and consider that this vacancy, which is now filled by his appointment, has existed ever since this question came into Parliament, there is an irresistible impression made upon the public mind which is injurious to the standing of this House. If yesterday I had made the same remarks in reference to the late member for North Grey that I have made with respect to the hon. member for Hamilton, I can understand that he would have risen and with great indignation invoked the rules of Parliament to prevent me unjustly decrying the honour of a member of this House.

Mr. McKAY. I did not call the hon. gentleman to order. I wanted him to go on.

Mr. MULOCK. I admit that. And I have not suggested that the hon. member for Hamilton has been unduly influenced by the alleged promise of office. I leave that to his own conscience. The hon. member himself will feel the force of what I have said, and I should think he has had many an unhappy moment, if it be true, since he got himself into this inconsistent position. I have under my hand the "Historical Reminiscences of Ireland," by Sir Jonah Barrington. I shall not read from it, but when this subject came up, I was reminded of this account of the extinction of the Irish Parliament. The purchased vote which led to the extinction of that parliament brought to those who gave it nothing but misfortune, and to their names nothing but dishonour. I object to legislation being placed upon the statute-book that the public may deem to have been passed by means of similar influences. If we have any regard for the reputation of Parliament, which reputation has been smirched, let us not, for the sake of passing legislation which is said to be to relieve the consciences of others, leave ourselves open to the imputation that wrong influences have been brought to bear to bring about that end. If this Parliament met in a centre of public opinion, where what is done here could be known, not by finding its way through the public journals, but more directly, there would be such an expression of feeling, I venture to say, as would cause Parliament to abandon this measure and appeal to the country at the earliest possible moment. We are told that we were assembled here for the purpose of passing this Remedial Bill, but everybody knows that the Government convened this Parliament merely for the purpose of trying to catch votes. We find the Secretary of State coming here every day, and giving us our daily ration of abuse and making his demagogic speeches. A few days ago he said he was going to die for his country. Where is he dying? He comes here regularly each afternoon to make his denunciations, and then he retires and loads up for another day. He is trying to impress upon one section of the people what sacrifices he is making for them, and he expects they will be duly grateful for it at the proper time. Here is what the "United Canada" says about the effort of the Secretary of State to free the Catholic minority of Manitoba from oppression. (The hon. gentleman reads an extract from "United Canada.") Yesterday the hon. gentleman came in here and did not only do all that is said of him in this paper, but he diversified the exhibition by absolutely foaming at the mouth. I suppose he must ascend the climax, and probably by Saturday night he will throw himself prone on the floor of Parliament, and die as they die on the stage, and then he will be removed to recover gradually as public opinion is being formed. No, Mr. Chairman, the Secretary of State can hardly humbug the people of Canada in that way. Why, yesterday we saw the Secretary of State coming into the House and assailing all the members along the front row of his own party, and he calls that leading his party to victory.

Mr. McGILLIVRAY. Hear, hear.

Mr. MULOCK:

'Tis the voice of McGillivray, I rise to explain.
I have wabbled before and I will wabble again.

The forces led by Sir John A. Macdonald in 1891 are still here, but they were not led by your present leader.

Mr. McGILLIVRAY. We are satisfied with our leader.

Mr. MULOCK. Who is the hon. gentleman's leader ?

Mr. McGILLIVRAY. The Premier and the leader of the House—a double header.

Mr. MULOCK. You can point both ways, according to circumstances. It is handy to have two leaders.

Mr. McGILLIVRAY. Who is the hon. gentleman's leader. The leader of the Opposition, or the hon. member for North Simcoe ?

Mr. MULOCK. I have a leader, Sir, of whom I am proud. I have a leader who is of French extraction, and who is a Roman Catholic in religion ; and if there is one thing for which I envy the French Canadian people to-day, it is the fact that they have been able to give to Canada a man like that.

Mr. McGILLIVRAY. You do not always hear us abusing him as you abuse the leader of this House.

Mr. MULOCK. Render tribute unto Cæsar on all occasions. If you had a leader like Wilfrid Laurier, I might be prepared to follow him.

Mr. McDOUGALD (Pictou). Your leader says he cannot keep you from obstructing.

Mr. MULOCK. I have not heard any such statement by the leader of the Opposition, and I think you will have some difficulty in placing your hands upon any such statement.

Mr. WALLACE. Public opinion is opposed to this Bill becoming law. Advocates of the measure themselves are now in fear and trembling as to the difficulties standing in the way, and the evils that might follow its enactment. I am obliged to repeat the arguments I advanced at different hours during the day because members supporting the Government come here in battalions, and I am satisfied that if they would remain here in a body they would be convinced by the arguments advanced in opposition to the Bill. Addressing the House in this manner is very much like entering on a political campaign, where a candidate repeats his speech at different points in the constituency. For instance, I would show the advantage of the National Policy in one town——

Mr. DEPUTY SPEAKER. The hon. gentleman cannot enter into a debate on the National Policy.

Mr. MARTIN. I pointed out yesterday that hon. members supporting the Government were travelling wide of the subject.

Mr. McNEILL. I remember that within the last twenty-four hours we have had a discussion as to the capabilities of the North-west as a wheat-growing country. That is far of the mark, although, of course, the North-west is within measurable distance of Manitoba. But the National Policy affects Manitoba and the North-west, and I do not see that it is as much out of order as other questions that have been introduced into the discussion.

Mr. DEPUTY SPEAKER. The hon. gentleman is perfectly right. No doubt, part of the discussion yesterday was out of order. The leaders of the House passed compliments to each other, and kept the committee out of order the whole evening. I am now endeavouring to keep the committee in order.

Mr. MARTIN. I understand the hon. gentleman from West York was pointing out that as this Parliament was sitting throughout the day and night, an hon. member, in order to make known his views to Parliament as a whole, was obliged to repeat them to the different collections of members who sat here throughout the day. And he illustrated by saying that it reminded him of the time when he used to go through the country and explain the National Policy to different audiences. While I agreed that the leader of the House was grossly out of order, I think that cannot apply to the illustration the hon. member for West York is giving.

Mr. DEPUTY SPEAKER. I ruled that the hon. gentleman could not discuss the National Policy on the motion now before the Chair.

Mr. McNEILL. We cannot carry on any consecutive policy——

Mr. DEPUTY SPEAKER. I am afraid the hon. gentleman is discussing my ruling.

Mr. McNEILL. Not at all, Mr. Chairman. I was rather making an apology, as it seemed I had not quite understood the argument, not having been able to attend and follow it. And, of course, this is inevitable while we sit so long as we do. And I wish to point out that this is not the way to make progress.

Mr. DEPUTY SPEAKER. The hon. gentleman is making another speech.

Mr. McNEILL. I do not wish to do that, but only to point out the necessity that exists for repeating arguments if we are to have the views of an hon. member known to the House generally.

Mr. WALLACE. I am glad you have decided the point in my favour, Mr. Chairman, as I was sure you would. I was pointing out that it is necessary to repeat one's arguments to those hon. gentlemen who come in to take the places of others who leave the chamber, I trust not for ever——

Mr. CAMPBELL. One gone yesterday.

Mr. WALLACE. Is it possible ?

Mr. CAMPBELL. The hon. member for North Grey.

Mr. DEPUTY SPEAKER. Order. The hon. member (Mr. Campbell) may not speak except from his place.

Mr. WALLACE. I am glad you have ruled on that point, Mr. Chairman, there is too great a tendency to interrupt hon. members who have the floor. Interruptions tend to raise points wholly irrelevant to that one he is discussing, making it difficult for him at the moment to resume the thread of his argument. But I was speaking, I believe, of the different audiences we have to address. I have addressed the House briefly on former occasions during this sitting, but this is the first opportunity I have had to speak at two o'clock in the afternoon. Therefore, while I see around me some familiar faces, there are some who are almost entire strangers, some whom I have not seen during the course of this long and interesting debate. I have not before had the pleasure of seeing my hon. friend from East Bruce (Mr. Cargill). I know that he is a gentleman who is open to conviction, and I desire to call his attention to some important matters with regard to this Bill. Now, this is a moribund Parliament. I will not attempt to explain that, but everybody says this Parliament is moribund, and that such a Parliament has no right to undertake important legislation of this kind. The people should be consulted. Legally speaking, we can go on until the 24th April. But it is contrary to British practice to go on until the last hour of Parliament. Would it not be better for the leader of the Government to go to the Governor General and say ; Mr. Governor Gen——

Mr. DEPUTY SPEAKER. Order.

Mr. WALLACE. Is that not a proper term ?

Mr. DEPUTY SPEAKER. No.

Mr. WALLACE. I wish to put it in unobjectionable form. Would it not be better to go to the Governor General, as Sir John Macdonald did on several occasions, and ask for a dissolution ? Is it not always a compliment to go back to the people and ask them for a renewal of their confidence before we are actually compelled to do so ? What a humiliating position it will be for us if we are still here when Parliament closes. And the Governor General is compelled to tell us, in however polite terms, that he refuses to take any advice from us on any subject. But the wound to our own feelings is comparatively unimportant. If Parliament dies in this way, we shall be left without any Parliament to be summoned in case of any extraordinary emergency arising.

A circumstance has just occurred which, in my opinion, renders it very important that this committee should rise, in order that the House may consider that circumstance with the Speaker in the Chair. I notice in the papers that Mr. James Masson, Q.C., M.P., was sworn in by the Lieutenant-Governor of Ontario, in the city of Toronto, on Monday last, as judge for the county of Huron. It has sometimes been said that a man who has taken an active part in politics, is thereby disqualified from holding the position of judge, but I do not think so. I do think, however, that when a man is appointed to a judgeship, there should be no stigma of any kind attached to his appointment. I have heard it stated that members of the House of Commons were willing to barter their principles and their views on this question for the sake of appointments to high offices. Now, discussing the general principle on which that appointment should be made, I say that if an appointment were made under such conditions, it would be a disgrace to the judiciary of Canada. I say, if such an appointment were made, that man, instead of being on the bench, should be placed in the dock, and be put upon his trial for high crimes and misdemeanours. Now, let us see whether the conditions surrounding the present appointment warrant any suspicion of that kind. It is well known that Mr. Masson's constituents hold very strong views against this remedial legislation, and, if that gentleman had sought re-election, after voting for that Bill in the House, he would undoubtedly have been defeated by a thousand majority. I think that when a member knows that he does not represent the views of his constituency on any important question, it is his duty to resign. It is no secret that Mr. Masson has been long seeking the retirement of a judgeship; it is further known that after the death of the late judge of the county of Huron, he was an applicant for that position, as well as for another judgeship where a vacancy occurred previously. After he made his speech in the House of Commons in favour of the Separate School Bill, he knew very well that he could no longer represent North Grey. Another gentleman was nominated for that constituency whose views are in accord with those of the hon. member for East Grey (Mr. Sproule), who is prominent in opposition to this Remedial Bill. Mr. Masson was, therefore, out of the race, and he accepted a judgeship. Was there anything improper on his part in accepting that judgeship? Now, so far as the reward for political services is concerned, it is a well-known fact that his brother was appointed to a very lucrative position in the county by this Government; therefore, it was conceded that an ample reward had been made to the family of the member for North Grey for any political services that he had rendered the party. Therefore, when we consider that, after thus misrepresenting the views of his constituents, he immediately afterwards received the position of judge in the county of Huron, it raises the question whether that was an act that should be condemned. Perhaps we have not all the information on that point that we require, and that is one reason why the committee should rise, in order that there may be fuller inquiry into this matter, with the Speaker in the Chair. This is an additional reason why this Bill should not be proceeded with at the present time.

Mr. CARGILL. Reference having been made to me by the hon. member for West York (Mr. Wallace), I desire to say a few words in reply to him, and on the school question. The hon. gentleman says that when a member of this House finds that he does not represent the views of his constituents on any important question of legislation that comes before this House, it is his duty to resign his position as a member of the House. I take issue with the hon. gentleman. When an hon. gentleman goes before his constituents for election, and he is returned by his constituents, he comes here to Parliament to represent them for four or five years. Until that time has expired I do not think that it is his duty to consult his constituents on every occasion when a question may come up. As a humble follower of the present Administration I have confidence in their ability to administer public affairs. They are paid certain salaries and are expected to devote their whole time and attention and ability to settling those questions which come before them, and which perplex the minds of ordinary men. Among the representatives in this House are many constitutional lawyers. As a layman I have had so much constitutional law pumped into me that I can easily understand how the masses of the people fail to understand this important question now under discussion. Two sessions ago this subject was before Parliament and was discussed by some of the most able legal minds in this country. After listening last session to the hon. member for North Simcoe (Mr. McCarthy) for several hours, and to the reply of the ex-Minister of Justice, who was followed by a professor of a legal institution in New Brunswick, I came to the conclusion that we, as laymen, should take a common-sense view of the whole matter ourselves, and in that way we would be less troubled than by the many intricacies involved. I regret very much that reference has been made here to a very worthy representative who has represented for a number of years the constituency of North Grey. Is it sufficient that an hon. member should be appointed to a particular position in the gift of the Government to cause him to lose the privileges which he should enjoy as a British subject? I think it is a stain on an intellectual assembly to impute such motives as have been charged against one of our late colleagues, who was one of the most prominent and honourable men in his constituency. He was entrusted with the duty of representing his constituents, and he came here and sought to promote their interests, and for such an hon. member to have improper motives attributed to him is beneath the dignity of this House. I have known that hon. gentleman ever since he came to Parliament, and on all occasions he has had the courage of his convictions and has acted sincerely, and no doubt he acted conscientiously in giving his vote in favour of remedial legislation. So far as I am individually concerned, motives may be attributed to me, for it is said and rumoured that I have been promised a senatorship. If so, it is unknown to me. I have no axe to grind ; I am not particularly fond of political life. I care not whether I ever come back here again, and I have so told my constituents, and whenever they wish to bring forward another man I shall be glad to assist in electing him to support the Conservative party. I consider it is my duty to support this Government, because I believe they have been actuated by a desire to promote the interests of the people. The claim made that the Roman Catholics in Manitoba should not have the right to educate their children as they please, while at the same time they are prepared to pay the expense, is a monstrous proposition. I have often thought that the British North America Act could advantageously be amended so that if people living in a province of the Dominion found it necessary to emigrate to another province they should take with them the rights and privileges they enjoy in the particular province they left. This is claimed to be a British and free country, and I am very much surprised to hear hon. members who profess to be full of liberality and generosity attempt by their votes to withhold from the Manitoba minority privileges to which they are entitled. Much has been said about the constitution. I, as an ordinary layman, sincerely believe that the Roman Catholics of Manitoba distinctly understood when they came into the union that the rights and privileges which they enjoyed at that time were to be perpetuated. I sincerely and firmly believe that the parties to the contract were of that opinion, that the rights and privileges were to be extended and perpetuated to the minority. Supposing one-third of the population of Manitoba were Roman Catholics, does any one believe we would have this question here to-day ? It would never have come before this House. The provincial government know that their action was popular, and I repeat that if there was a large percentage of Roman Catholics in Manitoba this question would never have been brought up. Last night I was very much surprised when the hon. member for South Oxford (Sir Richard Cartwright), an old parliamentarian and an able man in debate and able to hold his own against an opponent, read a letter which appeared in the " Mail " in 1891.

Sir RICHARD CARTWRIGHT. Not a letter, an editorial.

Mr. CARGILL. Thank you. We all know what the political views of the " Mail " were at that time. We all know how anti-Catholic it was, what a very high opinion it held of the Secretary of State, and when the hon. gentleman read from that editorial in order to present fairly the character of the Secretary of State, he asked from this House more indulgence than he is entitled to. Not only so, but he read the Secretary of State a lesson upon his policy in regard to the North-west and a statement imputed to him with respect to the production of wheat, the calculation being that if there were 100,000 farmers there, each occupying 320 acres of land and producing 20 bushels to the acre, there would be 640,000,000 bushels. The Secretary of State said he never made such a prophecy. It turned out that the hon. member for South Oxford had made the calculation, and so fully was he satisfied with it that he took the trouble to prepare it and put it away for future reference. I have observed that the hon. member for West York (Mr. Wallace) becomes very serious when discussing the merits of the National Policy, which he considers to be a matter of more importance than this school question. The hon. gentleman has entered into this debate with a great deal of frivolity and has occupied the time of the House in making excuses and attempting witty sayings. Many remarks have been made as to the probable result of the elections in Ontario. I have implicit confidence in the liberality and generosity of the people of that province and I am satisfied that when this discussion becomes known throughout the province they will not insist on withholding from the minority of Manitoba rights to which they are justly entitled. I have had a few letters from my constituents referring to this question, but none in any way endeavour to compel me to vote against remedial legislation, my constituents being willing to leave that matter to myself. Sometime ago we had a similar contest in Ontario between Mr. Meredith and Sir Oliver Mowat and that was a test of appealing to the Protestants of Ontario, and the verdict was that you cannot deprive people of rights to which they are entitled. A great deal has been said about equal rights. It is difficult to define what is meant by equal rights. There is one class who arrogate to themselves the right to say what their own rights are, while at the same time they ask the privilege of defining the rights of the other class. That other class want to define their own rights also. I cannot understand the objections to this Bill by representatives from Ontario. We have a separate school system in Ontario, and it works admirably. We had constant agitation before that law was passed, but since then we have got on peacefully. A great deal has been said of the inefficiency of the separate schools. Concerning that I cannot speak authoritatively, but I am inclined to think these reports are exaggerated. But I cannot see where it would be an injustice to the people of Manitoba to give the Roman Catholics the schools they want. I am quite willing to stand by my vote on this Bill, and, if I wish to come back here, I see nothing in the way, as I believe my constituents have confidence in me, and no exception has been taken to my vote on remedial legislation. The hon. member for West York speaks of the necessity of repeating arguments to hon. gentlemen coming into the chamber. I do not think any arguments could be adduced to convince the hon. gentleman that he is not sincere in the course he has taken. I believe he is sincere. But I think it unbecoming in him to accuse other hon. members of being actuated by mercenary or other unworthy motives. I have more respect for hon. members of this House than to say that of any of them. I claim the right to judge questions that come up, and when it comes to sacrificing my individual opinion in order to retain the position of representative of others. I am ready to step out, whatever honour may be attached to such a position as that. I have always held and expressed my own opinions, and I intend to do so in the future. I do not see what other course the Government could have taken, under the constitution, as decided by the Privy Council in Great Britain. It was held that there was a grievance, and it is admitted that there is a clause in the constitution giving an appeal to this Government and Parliament for the redress of grievances. What was the use of that provision in the British North America Act and the Manitoba Act but to protect the minority, whether Protestant or Catholic. If the minority had been Protestant, and they had appealed to this House for the redress of grievances, I believe that that appeal would have been answered unanimously, and that the rights taken away would have been restored. It is very well for lawyers to talk technicalities on this question, but it is impossible for ordinary men to comprehend what they are driving at.

Mr. FAIRBAIRN. Or for themselves.

Mr. CARGILL. At any rate, they differ among themselves—no reflection upon the profession ; it is a peculiarity of theirs. It was the duty of the Government to act, the government of Manitoba having refused to do so. We should all have been glad if the Manitoba government had settled this question. The Government have my support. I believe, and have always said, that party government cannot exist unless the supporters of the government are loyal and stand by them in cases of necessity. I give every man the right to his own opinion ; at the same time I think cases arise in which it becomes necessary for men to make sacrifices in order to keep in power the party in which they have confidence. The party now in power has built up the country and made it prosperous, and a man takes great chances in opposing such a party. Gentlemen opposite have a right to their own opinions ; but we, on this side, differ from them on their fiscal policy ; and it is a very serious matter for members to consider before they vote against their party and strengthen the hands of their opponents, a course which must lead to the introduction of legislation which we regard as inimical to the interests of the country.

Mr. McNEILL. Every member of the committee must have been gratified to hear the courteous remarks of the hon. member for East Bruce (Mr. Cargill). All those who have the privilege of his acquaintance, know how sincere those remarks were when he spoke in favour of the measure before the House. No one regrets more than I do, and I am sure I can say the same for other hon. members who have felt obliged to take the same course in reference to this measure, the unhappy element of personality that has been introduced into this discussion. When my hon. friend (Mr. Cargill) referred to charges mala fides, that had been urged against certain members that take the same view as he does, perhaps he did not recollect that these charges were first indulged in by gentlemen on the Treasury benches. During the debate on the second reading, the Minister of Railways and Canals levelled a general charge of that kind against those members on this side of the House who had been pursuing a course that seemed to us, with the greatest possible regret, the course dictated by conscientious conviction. I referred to that in my remarks on the second reading. I was surprised to find that reference I made to members of the Conservative party who, along with myself, had acted in this way, was represented as though I had referred exclusively to the hon. member for North Simcoe (Mr. McCarthy). I did not refer to that hon. gentleman at all, and he was not even present to my mind when I spoke. But I saw the object of that imputation, when later I found that it was made the basis of a charge that I was acting with the hon. member for North Simcoe (Mr. McCarthy) in endeavouring to defeat the Conservative party. So far as I am concerned, I have attributed to no one an improper motive in the course he has pursued. I think every hon. member must reconcile his course with his own conscientious convictions.

Now, with regard to some of the remarks made by my hon. friend the Minister of Finance, who recently addressed the House, I wish to say a word. My hon. friend reduced into exceedingly short bounds the fallacy which lies at the root of the arguments that have been adduced in favour of this measure. He said that certain rights which had existed prior to the union were to be "extended and perpetuated," and that that was the understanding. Now, the very opposite of this contention is the fact. There is no foundation for such a statement. The statement that the rights that had existed prior to the union were to be extended and perpetuated, is a statement which is directly in contravention of the act of union itself. The fallacy into which my hon. friend fell is a reproduction of that which lay at the root of the speech of the hon. Finance Minister. When we were children we used to be told that Archimedes said once that if you only gave him a lever long enough, and a fulcrum to rest it upon, he could move the world. If you only give a fallacy sufficiently potent to a gentleman of my hon. friend's ability and oratorical powers, he can raise thereon a very magnificent superstructure. Now, that is exactly the fallacy that lay at the root of my hon. friend's argument, namely, that the rights that had existed before the union were to be extended and perpetuated. Sir, the very opposite is what was decided, the opposite of that is what the constitution says. There are a great many drafts made upon our credulity in regard to this matter, and I think one of the greatest is the supposition that the hon. member for Three Rivers (Sir Hector Langevin) and the late Sir George E. Cartier were very simple-minded folk who did not understand what was going on in the House when this constitution was being framed. We are told that the half-breeds in the North-west Territories have certain rights and privileges, and that at the time of the union, certain promises were made to them, and that these poor, simple people were beguiled, and that the promise was not properly carried into effect by the terms of the constitution. I want to know if my hon. friend from Three Rivers (Sir Hector Langevin) and others, who were looking after the interests of their co-religionists at that time, were such simple folk as that ? I do not think so. The words of the constitution are so simple in this regard that it requires no lawyer to understand them. The words simply mean that the rights that existed at the union shall be continued in perpetuity—and the continuation of the rights in perpetuity is strictly limited in the plainest English to the rights that existed at the union. When we come to the rights that were granted after the union, we find a perfectly different arrangement made. But the fallacy of the hon. Minister of Finance was just the fallacy of my hon. friend from East Bruce (Mr. Cargill), namely, that these rights which did not exist prior to the union, were to be extended and perpetuated. If there was an understanding at the time of the union, as it is said there was, that the half-breeds in Manitoba were to have their separate schools after the union, that understanding was carried out. They had their schools granted to them ; but the understanding was most explicit that these schools, granted after the union, were not to be granted in perpetuity.

Mr. CAMERON (Inverness). No.

Mr. McNEILL. My hon. friend cannot controvert that position for a moment. No lawyer in this House, on either side, will get up and say that he will controvert that proposition, there is no lawyer on either side who would, for a moment, say that there was any intention, under the constitution, that those rights were to be continued in perpetuity.

Mr. CAMERON (Inverness). The Judicial Committee of the Privy Council said so.

Mr. McNEILL. My hon. friend has heard a good deal of the discussion here, and I thought he had sufficient intelligence to understand the question by this time. The Judicial Committee of the Privy Council said nothing of the kind, directly or indirectly. The Judicial Commitee of the Privy Council said what the constitution says, and the constitution says that those rights enjoyed at the union were to be continued in perpetuity, but the rights that were to be continued in perpetuity were specially limited to the rights before the union.

Mr. CAMERON (Inverness). And those acquired afterwards.

Mr. McNEILL. Nothing of the kind. The hon. gentleman is making a statement that no lawyer on either side of the House will, for a moment, attempt to substantiate. It just shows that this Bill is being forced through the House with little intelligence on the part of those who are supporting it.

Mr. CAMERON (Inverness). My hon. friend seems to claim all the intelligence.

Mr. McNEILL. No, I do not. I only say what every lawyer in the House will say.

Mr. CAMERON (Inverness). Lawyers have not too much common sense.

Mr. McNEILL. I wish the hon. gentleman would speak more respectfully about the Minister of Justice. He is very hard upon the Minister of Justice, a gentleman for whom I have great respect. On a question of law it is to be presumed that the lawyers do know something. I am astonished to find that hon. gentlemen are proceeding on the assumption that the Judicial Committee decided that all post-union rights were in perpetuity. There could be no more ridiculous statement, and it only shows that hon. members are voting in support of the measure without knowledge. The arrangement made at the time of the union, and embodied in the constitution, was that the rights at the time of the union were to be guaranteed in perpetuity, but not the rights guaranteed after the union had been accomplished. If, therefore, there was any understanding that the schools were to be guaranteed to the half-breeds of Manitoba when the union was perfected, and if there was legislation, as there was, in regard to granting separate schools, the understanding was that those separate schools were not necessarily to be in perpetuity. What occurred ? In good faith, that arrangement was carried out. Separate schools were granted and went into a fair trial in the province. But the distinct understanding was that they were not to be guaranteed in perpetuity. The assumption that they were so guaranteed is the fallacy which lies at the root of the whole argument addressed by some hon. members to this House, especially by the Finance Minister when he made that brilliant speech which has been circulated broadcast throughout the country. The understanding was, I repeat, that the schools which were guaranteed after the union were not to be guaranteed in perpetuity. So we are at this point: the schools were guaranteed in good faith to the minority on the terms agreed upon, and after nineteen years these schools were proved to be a failure in the view of the government of the province, and in the interests of the province, as well as of the minority of Manitoba, the government determined that those separate schools had better be abolished. We hear the argument advanced that because other schools, different from those schools altogether, had been guaranteed in perpetuity, therefore the right to those schools, which the framers of the constitution refused to guarantee in perpetuity, should now be guaranteed in perpetuity. That is the exact position of the controversy, and I want the people to understand it. In view of the fact that the schools established after the union were by the constitution not to be guaranteed in perpetuity, that they had a fair trial for nineteen years and were found wretchedly inefficient, the government of Manitoba came to the conclusion that in the interest of the province a national system of schools should be established. I do not wish it to be understood that I desire to do violence to the conscientious convictions of any class, no matter how small, in Her Majesty's dominion, but I understand the government of Manitoba did not desire to do violence to the conscientious convictions of the minority there, and that they have made an offer, which should have been accepted as satisfactory, that there shall be permission given to the minority, whether Protestant or Catholic, to give religious instruction in the schools. How can there be any violence done to conscientious convictions if such a proposal be accepted? If time is to be given for the religious instruction of children by a pastor or a priest, or any one appointed by the priest, how can there be any violence done to conscientious scruples? When we appear to be within reach of such a reasonable compromise, we should not be asked to go on and attempt to coerce a province, and to carry out a policy which the province has refused to adopt. Why should the Dominion Government undertake to interfere in a case of this kind and to take a province by the throat. It would mean an era of discord, during which race would be marshalled against race and creed against creed; and yet those who have been endeavouring to prevent these unhappy conditions arising are charged with raising religious cries. So far as I am concerned, and my hon. friends with whom I am acting, it is our earnest wish to take this unhappy question out of Dominion politics, and to prevent religious and racial animosities and lack of harmony. In view of the reasonable terms offered by the Manitoba government, this Government should at once withdraw this coercive Bill, especially as we have not any proof that the minority have conscientious scruples against attending national schools. In Walkerton there are a considerable number of Roman Catholic families, and it was desired to establish a separate school there some years ago, but very strong resistance was met with. The leading men of the Roman Catholic body were earnestly opposed to the establishment of a separate school, but notwithstanding that opposition, a separate school was established and parents were compelled to send their children there. In view of those facts, would it be reasonable to ask me to help to pass a measure like this Remedial Bill in order to meet the conscientious scruples of the minority in Walkerton and to erect a separate school, if such school were abolished? I know, from information I have, that the minority there do not want separate schools, and I should be doing no violence to their conscientious convictions if I took part in abolishing those schools. How do we know that the minority in Manitoba desire this system of separate schools any more than the minority in Walkerton? The best evidence we have is the evidence of the provincial government. Now we have an interview with the Minister of Justice in which he speaks of the bona fides of that government. This is an extract from that interview:

> "There is, however, one thing of which I cannot speak too strongly, and that is the courtesy and frankness with which we were met by the Manitoba delegates. They were exceedingly kind, and did everything in their power to show us good-will."
>
> "Was it not expected that Mr. Greenway would take part in the conference?"
>
> "I think he would probably have done so but his health was uncertain, and it was felt that it would be unfortunate if he were to enter upon the conference and then find his health give way while it was in progress. That is, I believe, the reason he did not act."
>
> "What do you think will result from the conference?"
>
> "I think good cannot fail to come out of it. Having met these gentlemen in such a friendly way, we now know one another much better than before. For my own part, I feel that I can now deal with them on a very different basis. I found a very kindly spirit existing, and am confident that the conference has been productive of a better understanding between the two governments. I have no reason to doubt the sincerity of the Manitoba government in its attitude in this matter. Our relations throughout the conference were cordial, and even confidential."

Mr. DAVIN. My hon. friend knows my feelings towards him and knows that I would not interrupt him in an unfriendly way. I would like the hon. gentleman to tell me why it is that he urged a conference? Why is it that Mr. Greenway and his Ministers were in favour of a conference? What in the constitution gives a proposition of a conference a locus standi? Because, as I understand, most of his argument on the real proposition is that there is no locus standi.

Mr. McNEILL. The hon. gentleman rose to ask me a question, and he has asked I don't know how many. I am astonished at my hon. friend, who has become so ardent a supporter of the Government's policy, and whom, above all others, I expected to favour the Government's policy with regard to a conference. I did not know but that perhaps the fact of their going into the conference had something to do with the startling and brilliant conversion of the hon. gentleman.

Mr. DAVIN. I expected something different from that.

Some hon. MEMBERS. Order, order.

Mr. McNEILL. I wish to answer my hon. friend.

Mr. DAVIN. How is it we find such difficulty in answering?

Mr. McNEILL. I have stated so often that I do not understand why he interrupted me to ask. It is too late in the day; the conference has been held. I am sure he did not interrupt me for the sake of interrupting, for he has always been most courteous. But I do think his question is entirely irrelevant. So far as I am concerned, the reason is that I disapproved of coercion, and believed a friendly arrangement might be arrived at, that I disapproved of coercion, and believed rather in the British policy of conciliation and compromise. I have been led away from the point to which I was referring: I was quoting from an interview with the Minister of Justice, who, I may say, all the more readily in his absence, I regard as an ornament to the Cabinet and to this House, as one of the ablest men we have, and as one who addresses himself to every question, with an open, candid, and logical mind. He stated that the Manitoba commissioners had dealt with them in good faith. Now, here is the statement of the government of Manitoba with regard to the position of the minority on this question of the separate schools, as stated by these commissioners, of whom the Minister of Justice speaks in the terms I have quoted:

> At present in every city, town, and village in the province, outside of Winnipeg and St. Boniface, the Roman Catholic children attend the public schools. Not a word of complaint is heard. Absolute contentment and satisfaction prevail. The children have the advantage of efficient instruction, and numbers of them are qualifying themselves to become teachers in the public schools. We do not hesitate to say that not only is there no desire to separate, but if left to themselves the Roman Catholic people in the cities, towns and villages outside of Winnipeg and St. Boniface would not consent to a change in the direction indicated.

There is a statement which goes to show that the minority do not wish this action of this Parliament, that is said to be taken in their behalf.

Mr. CARGILL. Will the hon. gentleman allow me to ask, why do the minority outside of Winnipeg and St. Boniface not favour separate schools?

Mr. McNEILL. I should be sorry to attempt to answer that question. I do not pretend to give reasons for the views of the minority. I think it is because we assume that they hold views that they do not hold, that we have got into this trouble. I do not think it matters what the reason is, but I give the fact according to the statement of the commissioners who, the Minister of Justice said, acted in good faith.

Mr. CARGILL. I might answer my own question by saying that I believe that very few of the minority live outside of Winnipeg and St. Boniface. It is only in sections where they can support separate schools that they complain.

Mr. McNEILL. This Bill is not limited to Winnipeg and St. Boniface. Therefore, I do not think it would make any difference.

Mr. DAVIN. A short time ago I asked my hon. friend (Mr. McNeill) a question about the conference. The hon. gentleman knows that I was in favour of a conference, and but for that conference being on the tapis, I would not have voted as I did. But let me ask the hon. member why is it that any one opposed à outrance to this legislation, should consider a conference at all? What locus standi has a conference?

Mr. DAVIES (P.E.I.) It is because they are opposed to it that they seek a settlement by conference.

Mr. DAVIN. Will my hon. friend tell me the locus standi for a conference?

Mr. DAVIES (P.E.I.) I will tell you, but it will take me more than a minute to do it.

Mr. DAVIN. My hon. friend is very chirpy in interruptions, but when he is challenged, although he can pour forth volumes of inconsequential and pretended ratiocination in this House, and howl out by the hour and by the fathom all sorts of obstructive tirades, he cannot give a reason for the faith that is in them. It could be given in a single sentence, but he does not attempt to do it. The hon. member dare not attempt it for his life. There is not a man in this House that will attempt it. The hon. member for Simcoe dares not attempt it, and he is one of the boldest men in the House, and he is a capable man. I asked the question, What is the locus standi for a conference? Why is it that Mr. Greenway and his friends should have entertained the proposition for a conference? The moment my hon. friend argues for a conference, he admits that the principle of remedial legislation is in the constitution, and that there is a grievance. If the principle of remedial legislation is in the constitution, why did not Mr. Greenway and his friends say to the Dominion delegates: Gentlemen, go about your business? Take my hon. friend from Grey (Mr. Sproule) who is a bold man; he won't attempt to deal with that question, and it goes, as I say, to the root of the matter. Hon. members get up in this House and say that they are against any legislation on the part of this House altogether. That is the position of the hon. member for Albert.

Mr. WELDON. That is distinctly not my position. The hon. member has evidently been asleep on the two or three occasions when I have spoken. I say that if the conscience rights of the Catholics of Manitoba are not safeguarded by an amendment in the local legislature, I will take the responsibility here of giving that protection which the constitution enables us to give, although it does not compel us to give.

Mr. DAVIN. So I have not risen in vain, because I have got from my hon. friend from Albert, for whose standing as a politician I have the greatest possible respect, a plain statement that the principle of remedial legislation is in the constitution.

Mr. McNEILL. We all admit it.

Mr. LAURIER. Nobody denies it.

Mr. EDGAR. It is, "nobody can deny."

Mr. DAVIN. I am very glad that I rose. I knew that the party led by my hon. friend from Quebec East were fully convinced that remedial legislation is in the constitution.

Mr. MACDONALD (Huron). Read the third clause of the constitution, and you will see it.

Mr. DAVIN. I am glad to hear all these interruptions by these gentlemen who say that the principle of remedial legislation is in the constitution. The hon. member for Quebec East says that nobody ever denied that remedial legislation was in the constitution. Well, we remember that last night the hon. member for Ottawa County (Mr. Devlin), in stentorian tones, declared that one reason why he was proud of following the leader of the Liberal party was because, if he got into power, he would give us a more advanced measure of remedial legislation than the present Bill. Why, in the name of anything but the most blatant faction, is it that the hon. member who leads the Liberal party did not under the circumstances, vote for the principle of remedial legislation when the second reading was on? Then, the moment we got into committee, he would be able to say to the Secretary of State: "I am in favour of remedial legislation, but your Bill is not strong enough, it does not go far enough; I want a stronger clause here, and a stonger clause there?" Then, Mr. Chairman, we would have found a certain consistency in his political course. I have noticed that a great many arguments take the form, not of antagonism to this Bill, but of antagonism to any Bill whatever, or to any action on the part of the Government whatever. But I am not prepared to say that that would not be a course that might not be strongly taken. I am not prepared to say if this 22nd clause, providing for a certain course of action and furnishing no machinery whatever to enforce it, that if I felt that the results of taking action might be of such magnitude that they would be out of proportion to the evil to be redressed, I am not prepared to say that I might not take that course under the circumstances, and I might think that it was better not to act at all on that clause. Now, the only locus standi for a conference is that the principle of remedial legislation is in the constitution, as was admitted by Mr. Sifton, and as is admitted by the proposal made by the Manitoba government. When there is introduced in this House a Bill embodying the principle of remedial legislation within the constitution, I cannot understand how hon. gentlemen who declare the principle is there, can yet deliberately vote against the principle. I can understand those hon. gentlemen voting for the principle, and stating that they meant to vote for the principle, but they differ from the measure; but when they say that the principle of remedial legislation is there, I fail to understand the course taken by some hon. members of the Opposition. Take the leader of the Opposition. He declared there is a grievance, that the House is seized of it, that the principle of remedial legislation is in the constitution, that redress must be given, and yet, when the Bill is brought forward, he moves the six months' hoist. One of his supporters announced that the reason he opposed the Bill was that he knew that if the hon. member for Quebec East (Mr. Laurier) became Prime Minister, he would give a stronger Remedial Bill than the present measure. I have not endeavoured to contribute to this discussion of the Bill in committee, because the tactics adopted put out of all question any bona fide criticism of clauses. I simply ask the hon. gentleman who was addressing the committee, what gave those things 'locus standi'? My sole object was to bring the hon. gentleman to this position where he now seems to be, to admit that there is this power in the constitution, and that the Government was pursuing either a wise or an unwise policy, that it was trying to carry out the constitution, and has a 'locus standi' in sending commissioners to Manitoba, and that the Greenway government and the provincial commissioners, by meeting them, admitted the 'locus standi' to which I have referred.

Mr. McNEILL. I am surprised at some of the remarks made by the hon. member for Assiniboia. The hon. gentleman said he was going to ask a question ; he has asked several questions, and it is difficult for me to answer all of them, and it is also difficult for me to understand what point he desires to make, and what bearing his questions had on the subject under discussion. It turns out that when he asked me the question, he wanted me to admit that the principle of remedial legislation was in the constitution. Every one admits that the principle of remedial legislation is involved in the constitution ; but it depends on the sense in which the expression is used. It is admitted that we have power to intervene, if we see fit, but there is no legal obligation on our part to interfere. That is distinctly laid down by the Judicial Committee of the Privy Council. There was a very clear statement to that effect made by Lord Watson. I now ask the hon. member for West Assiniboia, if Parliament is under legal compulsion to interfere.

Mr. DAVIN. Certainly not. You cannot place a Parliament under compulsion.

Mr. McNEILL. Are we under any legal obligation to interfere under the constitution in this matter ? Does the constitution impose a legal duty on this Parliament to interfere, or is it not open to us, under the constitution, to interfere or not, as we please ?

Mr. DAVIN. I think that question is very easily answered. A parliament is a body of individuals, and has an intelligence and conscience of its own, and when it has duties to discharge, it has to consider whether or not a power and duty at any given time should or should not be exercised.

Mr. McNEILL. I am not talking about the duty. The question is whether the constitution imposes or not a legal obligation to interfere.

Mr. DAVIN. I am afraid the hon. gentleman has forgotten his legal studies at the Middle Temple, and the language a lawyer should use. How can the constitution impose on a sovereign body a legal obligation ?

Mr. McNEILL. Then, the hon. gentleman admits we are under no obligation to legislate. I admit that the principle of remedial legislation is in the constitution—that is to say, the constitution gives us the right, if we please to interfere. That is all. I do not understand that, because we have a right to interfere, if we please, it is any reason why I should not approve of a conference. I cannot follow the hon. gentleman's argument. I approve of a conference. I admit that this Parliament has power under the constitution to interfere in this matter and endeavour to set up a system of separate schools in Manitoba, if it thinks fit. I hold that Parliament should not interfere, except under very special circumstances, and that the proper course to have pursued would have been to have held the conference long ago, and endeavoured to arrive at a friendly conclusion with Manitoba. It is, however, better late than never, and it is well that a conference has been held. The position of the hon. member for West Assiniboia is unintelligible, and I am unable to understand the position taken by him on this question.

Mr. CHOQUETTE. (Translation.) It is a matter of regret to me, Mr. Chairman, that the Conservatives in this House, should resort to obstruction, not only to the point of preventing the important measures now before us making any progress, but also of preventing us from speaking a few words in the French language. I do not rise to reply to the argument of the hon. member for West Assiniboia (Mr. Davin) who has already made four or five speeches on the question at issue, probably at the request of the Government and to keep up the blockade of business. At all events, it would be impossible to reply to his speeches, because he has contradicted himself in every one of them, and in thus changing his mind, he is only keeping up his previous record. I do not rise either to discuss the question before the House, for, prior to the second reading of this Bill, the reasons pro and con have been given and the second reading was voted by a narrow majority. And now that we are in committee, I am of opinion that we should proceed with our work with all possible despatch. Unfortunately, a motion that the committee rise and report progress has been before you, Mr. Chairman, for a long time, and I am sorry to find that the Government, from the ridiculous way in which they conduct the business of the House, while refusing to accept this legitimate demand, evince the fact that they are not anxious to see this Bill making any progress and to have us discuss, as long as possible, the motion before you. At any rate, the country and the electors will judge their course, and I have no intention to say anything further on the matter. If I rose, under the circumstances, it was with a view to record my protest against the course pursued by certain Conservative newspapers of the province of Quebec, and mainly against certain editors or correspondents who occupy seats in this House, or who are in the press gallery, and whose statements I wish to formally contradict. We find in "L'Evenement," of Quebec, and in "La Minerve" of Montreal, and other newspapers subsidized by the Government, correspondences penned by men who, being unable to palliate their own conduct, and to explain plausibly why the Bill now before us is still lingering in committee instead of being now passed into law, do not hesitate to lie unblushingly in charging the Liberal party, and especially the hon. leader of the Opposition, with being the cause of the present obstruction, and they even go to the length of taxing the hon. leader of the Opposition with religious and national apostasy. Thus they hope to deceive public opinion.

Mr. DEPUTY SPEAKER. (Translation.) I do not think the hon. gentleman has the right to bring up this question before the House; it has no relevancy to the question before the House.

Mr. CHOQUETTE. (Translation.) I believe that I have the right, while discussing the question now before the House, to show that the Conservative organs and members of this House who are the correspondents of those papers, wilfully lie when they state that the hon. leader of the Opposition and the Liberals are obstructionists.

Mr. DEPUTY SPEAKER. Translation.) The hon. member may say that those papers lie when making such statements; but we are not here to control the statements of the press. At any rate, the hon. member has no right to say of any member of this House that he is a liar. The hon. member must withdraw that expression.

Mr. CHOQUETTE. (Translation.) I have nothing to withdraw of what I have said and I still strongly adhere to my statement; but as I wish to bow to your ruling, Mr. Chairman, I shall abstain from discussing any longer this matter. I shall content myself with registering my protest against the course adopted by the Government, and their policy of obstruction which they have pursued for over a year. It is a notorious fact that, in the month of April of last year, the hon. Minister of Public Works, calling God to witness, in Verchères, declared that a Remedial Bill, based on the lines of the remedial order, would be introduced and passed. A session was then called together, and when the question of the Remedial Bill being introduced in the House came up in the Cabinet, and the Government were forced to introduce it, they carried out their policy of obstruction to the point of bringing about the resignation of three Ministers. To tell the truth, two of the bolters came back to the fold, but obstruction was carried to such a point, that the hon. Minister of Agriculture (Mr. Angers) declined taking back his portfolio. In July last, the Government made the announcement that a session of Parliament would be called together not later than the second day of January next, and that they would introduce their Bill, which was actually introduced only two months after the opening of Parliament. During those two months they kept up their policy of obstruction, and prevented the Bill being introduced. Therefore, I throw back at the Government and their supporters the charge of obstruction which they have levelled at the Liberal party. And grounding myself on the attitude of the ex-Minister of Agriculture and the " Moniteur de Lévis," a Conservative organ, I tell the Government and their friends that they are the men who, for over a year, have been carrying on a policy of obstruction. It is a matter of regret to me that the rules of the House should preclude me from branding, as I intended to do, the course followed by those Conservative editors and members who, knowing that they cannot justify their conduct, level those charges of obstruction at the hon. leader of the Opposition and his friends. I would like to stigmatize the conduct of those men who taking the words of peace and conciliation uttered every day in this House by the leader of the Opposition, turn them into charges, after the example of certain editors who know how to transform sardine into herring when it serves their purpose, and it is a paying business.

Mr. JONCAS. (Translation.) As the remarks of the hon. member for Montmagny (Mr. Choquette) were levelled at me, I may be allowed, Mr. Chairman, to say a few words in reply. I do not by any means intend to participate in the already too lengthy debate which is going on upon the Bill before the House, but the challenge of the hon. member for Montmagny is altogether foreign to this issue. Let me first reply to one of the innuendoes and remarks fallen from one hon. member. He spoke about sardine and herring. This is not the first time that the hon. member indulges in that kind of talk. I remember that, when I was addressing this House, a few days ago, upon the second reading of this Bill, the hon. member, not unlike certain creatures, as the skunk, the distinctive feature of which is to cast, while slipping away, their venom to the face of those they attack, the hon. member, I say, unchallenged, ventured to cast that innuendo in the debate. For over two years, the Liberals have been ventilating that matter in the press of the province. I challenged the hon. member for Montmagny and his friends at that time, to bring up the matter before the House. They chose to resort to insidious charges, which is the favourite weapon used by poltroons and cowards. They dared not come before the House and ask for an inquiry in order to substantiate the charges which the Liberal newspapers, for motives best known to themselves, kept circulating throughout the province of Quebec. Now, the House will forgive me for resenting and reflecting rather sharply on the remark passed by the hon. member, which was certainly out of place in this debate. The hon. member rose, as he said, to record his protest against two things. He first stated that the Conservatives are those who obstruct the business of the House, during the present debate. It is only fair that the country should know that the hon. members among the Conservatives who obstruct the Bill and keep up the blockade of business, attempting by all the means within their power to prevent the Bill from passing into law, have left the ranks of the Conservative party and serve under the leader of the

Opposition along with the hon. member for Montmagny. These are the men who with the gentlemen of the Opposition have made an alliance to prevent justice being done to the Manitoba minority. Since the beginning of this debate, on Thursday of last week, who are they who have participated in the discussion? It is those Conservative dissentients who have bolted and joined the other side. They are also found among the Liberals. I shall not say that the hon. leader of the Opposition has largely participated in the debate, but his lieutenants have all along been helping those dissentients to defeat the Bill. Such are the actual facts, and it is only fair that the country should be aware of that. In the issue of "La Patrie" of the 8th and that of "L'Electeur of to-day, I find a list of those who are making obstruction in this House. Do you know, Mr. Chairman, who were the Conservatives set down on the list? The hon. members for Muskoka (Mr. O'Brien), from West York (Mr. Clarke Wallace), from Albert (Mr. Weldon), from Bruce (Mr. McNeill), from East Grey (Mr. Sproule). Are these gentlemen Conservatives?

Some hon. MEMBERS. (Translation.) Yes, certainly.

Mr. JONCAS. (Translation.) They were Conservatives, but they are no longer so.

Mr. LAVERGNE. (Translation.) Have all these gentlemen been read out of the party?

Mr. JONCAS. (Translation.) I may reply to the hon. gentleman that they have not been read out of the party, but that they have read themselves out of it. The best proof that these hon. gentlemen have crossed over to the other side of the House is found in the fact that they are hand and glove with Mr. Laurier and his friends. What have we seen since Thursday last? For over sixty hours this House has been continuously sitting, we have seen the hon. leader of the Opposition and the Conservative bolters coalescing in order to obstruct the Bill. I avail myself of this opportunity to make that statement before the House and before the country. And this coalition is evinced by the fact that when the obstructionists, the ultra Protestants went away to get the necessary rest, they were relieved by the lieutenants of the leader of the Opposition. And when the hon. member for Montmagny stands up and charges the Conservative members with carrying out a policy of obstruction, I have a right to tell him that his charges is at variance with the facts. Let us see what has been going on, within an hour, this morning, at this time of speaking. Who are they who have been keeping up the blockade of business and carrying out a policy of obstruction of the most flagrant character? These hon. gentlemen have resorted to all expedients for killing time, spinning irrelevant yarns, making speeches hours in length on all kinds of subjects, and never addressing themselves to the question at issue. Here is a list of the speeches irrelevant to the question under debate, made this morning. Mr. Semple spoke from 2.10 to 3.05, and he is no Conservative, while Mr. Edgar spoke from 3.05 to 4.45. The latter gentleman is one of the chief lieutenants of the leader of the Opposition, and he must take his orders from him, otherwise, the hon. leader of the Opposition is no longer the leader.

Mr. BELLEY. (Translation.) It is the leader of the Opposition who takes the hon. member's orders.

Mr. JONCAS. (Translation.) Either the leader of the Opposition countenances the obstruction which is now going on, and as stated by the hon. leader of the House (Sir Charles Tupper) has been conspiring with the Conservative bolters to prevent this Bill from becoming law; or he can no longer exercise over his followers the control which a party leader should command.

Mr. BELLEY. (Translation.) He never had any.

Mr. JONCAS. (Translation.) Next to Mr. Edgar comes Mr. Stubbs who spoke about ten minutes. He is no Conservative. Then Mr. Somerville spoke from 4.55 to 6.55. He is one of the lieutenants of the leader of the Opposition. Then Mr. Bowman spoke from 5.55 to 6.20. Another Liberal.

Mr. BELLEY. (Translation.) I tell you it was worth hearing.

Mr. JONCAS. (Translation.) Mr. Yeo, from 6.20 to 7; Mr. Colter spoke from 7 to 7.30; Mr. Flint, from 7.30 to 9; Mr. O'Brien, from 9 to 9.35; Mr. Casey, from 9.35 to 10.15; Mr. Martin, from 10.15 to 11; Mr. Henderson, from 11 to 11.05; Mr. Martin, from 11.05 to 11.06; Mr. Daly, from 11.06 to 11.07; Mr. Fraser, the right-hand man of the leader of the Opposition, one of the stump speakers of the party who preaches the gospel of Liberalism to the faithful throughout the Dominion, spoke from 11.07 to 11.40. Mr. Charlton, who did not read from his Bible to-night, spoke from 11.40 to 12.50. Then Mr. Mulock spoke from 12.50 to 1.45; Mr. Wallace, from 1.45 to 2.45, and Mr. McNeill, from 2.45 to 3.25. Now, Mr. Chairman, through that list I have just read, you will not find a single Conservative name; and I ask, is not "L'Evenement" warranted in stating, along with the other papers, that all the obstruction is carried on by the Liberals and the Conservative bolters? I go still further and I say that had the leader of the Opposition declined co-operating with the hon. members for North Simcoe (Mr. McCarthy) and for West York (Mr. Wallace), the obstruction complained would never have taken place. The seven or eight Conservative bolters, who are now serving under the Liberal banner would have found it impossible to carry on their policy of obstruction. It is but right that the country should be made acquainted with these facts. I do not challenge the right of the hon. member for Montmagny to protest against erroneous facts. I do not know what number of "L'Evenement," whose editor I am, he refers to. All that is published in "L'Evenement" does not come from my pen; but I do not hesitate to assume the whole responsibility for it. "L'Evenement" has merely published what I just stated before the House; all the hon. members who have sat here since Monday, are fully aware of it. I do not believe that the hon. member for Montmagny had any right to make, in connection with "L'Evenement"—for I presume it was the editor of the paper, the member for Gaspé, who was a target for his shafts—the remarks he has just passed. Now, it strikes me that the hon. member for Montmagny was never seen to rise in this House in favour of the Manitoba minority. He never rose upon the second reading of the Bill, and, for several days past, he is conspicuous by his absence from this House. "L'Evenement" makes a statement to-day, which I think, commends itself to every man endowed with common sense, namely, that the French Canadian members, instead of keeping away from the House, would do better to be at their seats and to protest as they are bound to do, against the obstruction carried on by their friends. They should say: We protest against your conduct; the Bill now before the House is not perhaps as perfect as we would like it to be, but allow us to perfect it in committee, so as to make it satisfactory. I was here during all the sittings of the House, and with the exception of the hon. members for Ottawa, for Dorchester, and for the county of Quebec who have voted for the Bill, I have seen very few French Canadian Liberals here.

Mr. BELLEY. (Translation.) As a rule, they run away.

Mr. JONCAS. (Translation.) There may have been some other gentlemen present, among others, the hon. member for Richelieu (Mr. Bruneau); but I say that the duty of the hon. gentlemen was to stay here and to protest against the conduct of their friends.

Mr. RINFRET. (Translation.) Will the hon. member allow me to ask him whether he has continuously been present here from Monday to this very hour, and whether he did not absent himself to go home and get his meals and his rest? How can he state that while he was away from the House, there were not some Liberal members present here?

Mr. JONCAS. (Translation.) My reply to the hon. gentleman is ready. I was here at three o'clock in the afternoon, on Monday, and I went back to my boarding-house at three o'clock in the morning, on Tuesday. I came back here at three o'clock in the afternoon on Tuesday, and I remained here till three o'clock in the morning, on Wednesday. Yesterday afternoon I came back at three o'clock and returned to my boarding-house only at eight o'clock this morning.

Mr. RINFRET. (Translation.) At all events, the charge levelled by the hon. gentleman is utterly groundless. The Liberal members from the province of Quebec have been as assiduous as the members of your own party.

Mr. JONCAS. (Translation.) The facts are there, and "L'Evenement" stated nothing that was not grounded on facts. How many French Canadian Liberals were here, when the vote was taken on the amendment moved by Mr. O'Brien on Thursday last? You need only refer to "Hansard" to ascertain it.

Mr. CHOQUETTE. (Translation.) Mr. Chairman, I wish to say a few words in reply to the hon. member for Gaspé, who, to the great surprise of everybody on this side of the House, fancied that my remarks were directed against him, when I spoke of extraordinary and magical ichthyologic transformations being brought about by some people who could even change herring into sardine. The hon. member for Gaspé (Mr. Joncas) all of a sudden assumed the dreamy look of a halibut emerging out of the waves, and why? Because, the other day, when the hon. member, while addressing the House, having asked in an emphatic tone: "How hath the pure gold been changed into a baser metal?" I happened to reply as a matter of course without in the least reflecting on the hon. gentleman: "Just as sardine is sometimes changed into herring." At all events, this sardine matter has been threshed out in the Quebec press, and if the old proverb applies here, that "he who excuses himself, accuses himself," one may be led to believe in the end that the hon. member is endowed with a kind of magical power in such matters. The hon. member has taken the trouble to give us a list of the hon. members who addressed the House, last night; the only trouble is that he did not go any further, for he might have found out that the hon. members for North Bruce (Mr. McNeill), for Muskoka (Mr. O'Brien), the hon. member for Albert (Mr. Weldon) and even the hon. member for Gaspé (Mr. Joncas) have also addressed the House, within the three or four last days, and they are all supporters of the Government. I may be told that the hon. members for North Bruce (Mr. McNeill) and for Muskoka (Mr. O'Brien) are no longer friends of the Government. The same remark may apply to the hon. member for Albert (Mr. Weldon), and some fifteen or twenty Conservative members who are opposing the Government on this question. It serves their purpose to class those hon. members in the ranks of the Opposition, reserving it to themselves later on, when the general elections take place, to provide them out of the public treasury with means wherewith to be returned to Parliament. The hon. member for Gaspé has acknowledged, a moment ago, that the hon. leader of the Opposition had not taken a prominent part in this debate. In fact, as I have already stated, the hon. leader of the Opposition has uttered nothing but words of peace and conciliation with a view to prevail upon the Government to follow a wise course, calculated to bring about an understanding as to the discussion of this measure. The hon. member for Gaspé in his paper, charges the Liberals with making obstruction. He is bound to admit that the leader of the Opposition does not participate in the debate, and he must also admit that upon the second reading of the Bill, a good many Liberal members and among others, the hon. member for L'Islet and myself, abstained from speaking in order to make better progress, at the very time when the hon. member for Gaspé made a great speech. The hon. leader of the House (Sir Charles Tupper) even congratulated the leader of the Opposition about his attitude. Notwithstanding all that, the Conservative papers go on stating that the leader of the Opposition has constituted himself the leader of the obstructionists. And yet, in the same paper, the leader of the Opposition was looked upon, hardly a month ago, as the leader of the Catholic party, and the champion of national honour. The hon. member for Gaspé wrote, about two months ago that before long, sixty-four members from the province of Quebec would follow the hon. leader of the Opposition. But, if we are to believe the "Moniteur de Lévis" and his correspondent, "Lefranc," the hon. member for Gaspé, since he wrote those words, has been seized with a cerebral disease, and that explains why he no longer sees things in the same light as he used to. Evidently to my mind, those contradictions show that there is something wrong with the hon. member. When I rose to enter my protest against certain newspapers, the hon. member for Gaspé himself supplied me with the best proof that such editorials were baseless, when he wrote in his own paper that the leader of the Opposition did not take part in the debate and that the Liberal members from the province of Quebec refrained from taking the time of the House discussing this measure. Still, the Government protests against amendments moved even by their own friends, as it happened the other night, when the hon. member for the county of Quebec moved an amendment, seconded by the hon. member for Bagot (Mr. Dupont). Had the Government been anxious to pass a measure calculated to redress the wrongs of the minority, they would not have delayed so long introducing it. They first delayed five years meting out justice to the minority. The hon. Secretary of State, who happened the other day to be in a communicative mood, cried out that the minority had suffered enough, during six years. How is it that the Government and the Conservative party during those six dreary years of suffering, did not think of somewhat alleviating the tortures of the minority ? How is it that the Government, last session, did not fly to the relief of the minority, when the Minister of Agriculture told them that if they delayed any longer, it would be too late ? Now, the hon. gentlemen charge the leader of the Opposition with being an apostate ; they couple his name with that of Chiniquy, one of the best friends of the Conservatives, thus hoping to fool public opinion ; and yet, the hon. gentlemen decline accepting the assistance offered by the Opposition.

Mr. JONCAS. (Translation.) I wish to say a few words in reply to the hon. member who has just taken his seat. I wish to set myself right with the House as to certain statements made by the hon. member. When the hon. member says that I stated that the hon. leader of the Opposition would come back to Parliament supported by sixty-five members from the province of Quebec, he makes a statement at variance with the facts. I never made such a statement. The hon. gentleman is free to take stock in any statement made by reporters, and throw it in the face of his opponents, if he feels so inclined ; but let me tell him that I shall never stoop down to such tactics. I may say that I have always professed the utmost respect for the leader of the Opposition, for his talents and his character. Ever since I have been connected with the press, I never yet failed in the respect due to a man in the exalted position occupied by the leader of the Opposition. However, if a month ago or so, I spoke with respect of him, I am free to state that the course pursued by him in this House, when he moved the six months' hoist, was calculated to alter the good opinion I entertained of him.

Mr. LANGELIER. (Translation.) I do not rise to repel any charge levelled at me by "L'Evenement," as before long there will likely be a change of Government, and then "L'Evenement" will take charge of my defence.

Mr. JONCAS. (Translation.) Never, while I am editor of that paper.

Mr. LANGELIER. (Translation.) It is mainly on that ground, and because you will be the editor of that paper.

Mr. JONCAS. (Translation.) Will the hon. member allow me to ask him whether, since I occupied the position of editor of "L'Evenement," that paper has varied in its course ?

Mr. LANGELIER. (Translation.) I do not know whether it has done since you are there ; but, three or four years ago there existed no stronger supporter of the

Liberal government of the province of Quebec than "L'Evenement"; but let us not anticipate events, for I am positive that we will then be as strongly supported by that paper as we are now attacked by the same. Now, I wish to reply to certain statements made by the hon. member for Gaspé. He stated that he had been here from three in the morning every day this week. Now if the hon. member was present all the time, either he must have been asleep or else have paid no attention to the debate if he did not find out that the members of the Opposition were lending their exertions to advance the Bill now before us. We have tried to perfect the Bill, which has neither head nor tail, and is so poorly framed that it is open to doubt whether it was framed by legal men. We have discussed a section of paramount importance, which deserved to be obstructed sooner than throwing it such as framed to the face of the minority. We have succeeded in eliminating that section from the Bill. The Government accepted two or three amendments, and stated first that they were perfect, while a few moments later, they would no longer accept them; finally, after having accepted an amendment moved by the hon. member for Westmoreland (Mr. Powell), it suddenly dawned upon their minds that it was an insult offered to the Manitoba minority, and then, they asked that subsection (c) of section 4 should stand over. Was the hon. member asleep at that moment? The only blame I have incurred during the discussion of this Bill is that I have endeavoured to render it, not as perfect as possible, but the least defective possible; for, to tell the truth, I never yet met with a Bill of that importance so miserably framed. Evidently the framers of the Bill never intended to put it in operation. Such is the part I have played. I have exerted myself to perfect this Bill, and I shall continue doing so, as long as it will be before the House; and the hon. member for Gaspé will, I hope, be wide awake this time to what is going on around him. As to obstructing the Bill, I may say, for my part, that I did not say a single word during the general debate which took place in this House. I voted against the second reading of the Bill, and I shall still vote twice against such a defective Bill.

Mr. McGILLIVRAY. I desire to say a few words on the charge made against me that I have been wabbling on this question. The hon. member for North York stated this afternoon that I had managed to vote on both sides of this question, and his remarks evidently find an echo in the minds and mouths of a number of the hon. gentleman's political friends opposite. I must brush up the recollection of that hon. gentleman, because, if he will cast his mind back to the election in North Ontario, he will find that it was the hon. member for West York who was charged with wabbling. This charge was made in the "Globe" of 29th and 30th November. The hon. member for North Simcoe also charged the member for West York with wabbling, up to a short time ago. Yet we see both those hon. gentlemen to-day sitting almost in the same seat. Only last session the member for West York gave this House and the country his opinion of the hon. member for North Simcoe. He minced no words on that occasion. He charged the member for North Simcoe with corruptly voting and acting in this House on this very question. If I had the time, I could quote his words from "Hansard."

Mr. SOMERVILLE. That will not clear you.

Mr. McGILLIVRAY. I will reply to the hon. gentleman later on. If the argument adduced by the hon. member for West York in regard to the hon. member for North Simcoe was pertinent to the issue six months ago, it is pertinent to-day, namely, that, having taken a fee and acted as counsel for the Manitoba government, he had no right to speak or vote on this question in the House of Commons. I ask the hon. member for West York, is that still his opinion of the hon. member for North Simcoe? If it were a fair argument then, it is a fair argument to-day; yet we see them in happy agreement sitting together and talking over this great question which is disturbing the House and the country. An hon. member suggests that they sit cheek by jowl, but, in my opinion, they sit together as pleasantly as two cooing doves. What was my position in the contest in North Ontario? I had the endorsement of the hon. member for West York throughout. I can read his language from the "Mail." I read this in the "Mail":—"Some people asked the question, why should we come here to advocate the election of the Conservative candidate, Mr. McGillivray?"

An hon. MEMBER. Where was that?

Mr. McGILLIVRAY. At Severn Bridge. The conversation referred to the other night by the hon. member for West York was a private conversation that took place between four gentlemen in this House. Two hon. members are here who heard the entire conversation, and I leave it to them whether I used the word wabbling. It was only used throughout that county when the member for West York was speaking of the leader of the Opposition. He charged the leader of the Opposition with wabbling on this question, and I believe his charge is true. The hon. member for Assiniboia (Mr. Davin) has told us that the hon. leader of the Opposition, believing in the principle of this great measure before the House, yet moved the six months' hoist, thus declaring against the principle. The hon. member for West York charged me with wabbling and inconsistency. But I, not believing in the principle of the Bill, voted against it. Why did I vote against it? For the very reason expressed here in the "Globe" and "Mail" by the hon. member for West York. He could not during the North Ontario contest find language strong enough to speak of the wabbling course of the hon. leader of the Opposition. He spoke of that hon. gentleman as having said that he thanked God that there was not an Orangeman in the Reform ranks.

Mr. FOSTER. Hear, hear.

Mr. McMULLEN. That is not true, and the Minister of Finance (Mr. Foster) knows it is not true.

Mr. McGILLIVRAY. The gentleman who was the then leader of the party, which is perhaps still led by him, perhaps by the hon. member for West York, perhaps by the hon. member for North Simcoe, is alleged to have made this statement. And though the hon. member for North Wellington (Mr. McMullen) believes that his leader denied it, the hon. member for West York refused to believe that denial. Here it is reported in the columns of the "Globe" and "Mail and Empire." The hon. member for West York goes on to say:

> Some have questioned why we should come here to advocate the election of the Conservative candidate, Mr. McGillivray. For my part, I do so with a very great deal of pleasure, because I have known that gentleman for many, many years, and deem him from experience to be a capable, intelligent man who would do honour to any constituency——

Mr. MULOCK. You did not wabble then.

Mr. McGILLIVRAY. He was the wabbler then, if we may believe the "Globe."

> —and know him likewise to be a gentleman who will worthily represent you, I believe, in every respect, and represent the feelings of the people of the North Riding of Ontario.

The hon. gentleman formed that opinion of me after he had seen the work I had done for the party in the riding I now represent and in the county in which I was born. The people there had known me for forty years, and had known my record on this question. The hon. member for West York knew what my record was. Therefore, he gave me this certificate of character, which he would now possibly fain take away from me. He goes on:

> It is said that on the question of separate schools Mr. McGillivray desired to come before you unpledged and asked to be judged by his record. Well, I know his record, because I have been side by side with him in many fights.

And so he goes on. I have not heard the leader of the Opposition deny the charge hurled against him by the hon. member for West York in the North Ontario campaign. The hon. member for North Wellington (Mr. McMullen) may have been told by his leader in confidence that he had never made the statement. Perhaps the leader of the Opposition will deny it yet before the debate is over. I hope he may, to the satisfaction of his supporter of the six months' hoist, the hon. member for West York. I was saying that as the hon. member for West York and I had always been friends, before he charged me with wabbling, he might have been expected to inform me that he would make such a charge against me in the House. Instead of charging me with wabbling then, he took my Severn Bridge meeting afterwards, and then went to Bracebridge on my behalf and arranged to hold two meetings in the township of Brock later on. And from that day, until he charged me with wabbling here in the House, he never told me why he had not taken those meetings. He might at least have done me the courtesy to let me know. But there were other reasons, and no one knows that better than he. I have here his letter of congratulation on my election, which I will read if he consents.

Some hon. MEMBERS. Go on. Read.

Mr. WALLACE. I have just heard a remark across the floor to the effect: Let her go, Gallagher. I endorse that.

Mr. McGILLIVRAY. Perhaps that language is parliamentary; it is certainly not elegant. However, this is the letter written to the man he said was wabbling, and written the day after the election.

Mr. SOMERVILLE. He said he had not found you out.

Mr. McGILLIVRAY. But he found me out enough to take two meetings for me after the conversation to which he refers. He says in this letter:

> My dear McGillivray,—I have great pleasure in congratulating you on your splendid victory in North Ontario, and on the fact that you have realized your early expectations. The Grit-Patron combination did not work very well. Wishing you continued prosperity.
>
> N. CLARK WALLACE.

If you can say that that letter and the answer made by the hon. member for West York in the House the other night are both honest, so much the better for the hon. member. The day before I was elected, he thought well to resign. The hon. member for North Simcoe had been urging him and charging him with impropriety, in remaining as a member of the Government as "Hansard" shows. He charged the hon. gentleman with taking his wages and sitting in a government in which he had no confidence. Am I only to be held to be a wabbler, when charges and counter-charges of wabbling passed between the hon. member for West York and the hon. member for North Simcoe, and when the leader of the Opposition was subjected to a similar charge by the hon. member for West York.

Mr. MULOCK. This is starting a new breed of politicians.

Mr. McGILLIVRAY. I cannot catch the hon. gentleman's remark.

An hon. MEMBER. He is a light weight.

Mr. McGILLIVRAY. No, he has no light weight. He has been my friend for twenty years, and nothing he can say in banter across the floor will offend me.

An hon. MEMBER. You are both farmers.

Mr. McGILLIVRAY. Yes; the hon. gentleman spoke of me as a sheep farmer; he is a cattle expert. I have done what the hon. gentleman for West York told my constituents I would do. He said my vote would be such as to satisfy the people of North Ontario. It has been such as to satisfy them. I have letters in my pocket——

Mr. LANDERKIN. Read.

Mr. McGILLIVRAY. The hon. gentleman (Mr. Landerkin) stands at the bar of the House. I do not think he has a right to speak from there.

An hon. MEMBER. Question.

Mr. McGILLIVRAY. I am speaking to the question.

Mr. CHOQUETTE. Do not obstruct business.

Mr. McGILLIVRAY. It would not be much wonder if a fellow did get a little confused with so many after him. The hon. member for West York is a genial fellow, a man we all like, a man whom I expected to see in the Government and to support as his follower. But he cannot expect that any man is greater than the party of which he is a member. And then the organization of which he is the head—he cannot be greater than that whole body. I am an Orangeman and a Conservative. There is no man in this House or out of it who could induce me to follow him, when he says it is necessary to adopt tactics that would bring the blush of shame to the cheeks of members of a village council in the North-west Territories or the United States, nor has he the right to chastise me when I refuse so to follow him. If I voted against the amendment of the leader of the Opposition, I did it conscientiously. I care little whether I appeal to my constituency again or not. I do not doubt that if I do so appeal, I shall receive the strong endorsation of my constituents. It is said I did not read the Bill through. I read the preamble, and I went far enough to know that it was a Bill I could not favour, on principle, no matter how it was amended in committee. I voted against the second reading, and when the third heading comes, as it may come, I shall have pleasure in voting against it with the hon. member for West York. I suppose the hon. member for West York is in the position of an independent Conservative. I hope so; I hope he has not gone from us altogether. The hon. member for South Oxford was once in the same position. I can remember the time when that hon. gentleman was classified in the "Parliamentary Companion" as a Conservative.

Sir RICHARD CARTWRIGHT. But the hon. gentleman never found me classified as a Liberal-Conservative. That is the distinction. I take no stock in political mulattos.

Mr. McGILLIVRAY. Although he was not termed a Liberal-Conservative, he was termed by his then friends, as an old-time Tory, a blue-blood of the bluest kind. Now, the hon. member for South Oxford was then in the wabbling stage. He wabbled away from the Conservative party until he got into the Reform Government; and, according to the "Parliamentary Companion" I have in my hand, every year he was in that Government, he allowed that book to be printed calling him an Independent Conservative. That is a kind of Conservative that the Liberal-Conservatives do not care very much about. It was not until after he left the Mackenzie Government that at last he is put down in this book as a Liberal. So it took him twenty years to get there, but he got there all the same. Now, the hon. member for North Simcoe commenced wabbling a little at first, and finally he got clean away on the trade policy and on every other. I do not wish to speak of the hon. member for Muskoka (Mr. O'Brien), as I have a little account to settle with him later on. I am holding up these men as examples to the hon. member for West York (Mr. Wallace), for I want to keep him in the party. We see the hon. member for South Oxford was once just as good a Tory as he is, and the hon. member for North Simcoe was just as good, and yet the member for North Simcoe deserted us in the Ontario campaign. All he seemed to want was to destroy the powers that be at Ottawa; he did not care a fig for Mowat.

Committee rose and reported, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into committee.

(In the Committee.)

The CHAIRMAN (Mr. Joncas). The question is on the amendment of the hon. member for Ontario (Mr. Edgar), and the clause as so amended will read as follows:—

> Any member of the board absenting himself, without permission of the board, from the meetings of the board for three successive meetings thereof, unless from sickness, shall be considered ipso facto to have resigned his position, and the superintendent of the board shall notify the Provincial Secretary of the vacancy so caused, and the member appointed to replace him shall hold office only for the unexpired term of the member whom he replaces.

Sir CHARLES TUPPER. I see no objection to that.

Mr. MILLS (Bothwell). The amendment is right as far as it goes, but in case there should be no appointment by the Provincial Secretary there ought to be a provision for a notice to the Government here, or otherwise the vacancy might continue for a long time without being known.

Sir CHARLES TUPPER. Then we will add the words "or Secretary of State, as the case may be," after the words "Provincial Secretary."

Section 6, as amended, agreed to.

On section 7.

7. The Lieutenant-Governor in Council shall appoint one of the members of the board to be the superintendent of the separate schools, and the superintendent shall be the secretary of the board. If no appointment shall be so made the board shall appoint one of its members to be the superintendent.

Mr. LANGELIER. I do not see any provision for paying the superintendent. If you want a man of ability you must give him a good salary.

Sir CHARLES TUPPER. I will have to ask the hon. gentleman not to interpose an objection of that kind at this stage. The question of payment will rise later.

Mr. LANGELIER. This is the proper place to provide for it, otherwise the clause will be useless. We have the right now to know what the Government proposes to do.

Sir CHARLES TUPPER. If the hon. gentleman wants to interpose difficulty in the way of getting the Bill through I cannot prevent him; but if he is disposed to assist in carrying the Bill through it is not desirable to raise this question now.

Mr. LANGELIER. I do not see in any other part of the Bill a provision for the pay of the superintendent, and I do not see when the question can be raised if not now.

Mr. MARTIN. I beg to move that after the word "made" in the fourth line, be added the words "within thirty days." Notice of that amendment was given by the hon. member for Bagot (Mr. Dupont), but as he is unfortunately absent, I beg to move that these words be inserted.

Sir CHARLES TUPPER. I see no objection to that.

Mr. POWELL. This clause is general, drawn so as to cover all time, but the amendment would only refer to the first appointment.

Mr. MARTIN. What is your suggestion?

Mr. LaRIVIERE. Make it within thirty days after being notified by the board.

Mr. MARTIN. If at any time thirty days elapse without a superintendent being appointed by the Lieutenant-Governor in Council, the board shall appoint one of its members to be superintendent.

Mr. MILLS (Bothwell). The difficulty is this. If it means thirty days from the vacancy, the whole thirty days might expire before it was known a vacancy occurred, and then the appointment would go to the board.

Mr. SOMERVILLE. Why does this clause confine the appointment of the superintendent to a member of the board? In Ontario there is no such restriction. The board is composed of a small number of members, and there might be rivalry among them for this appointment. If they can get a better man for superintendent outside of the board than in it, let them have the option of appointing him.

Mr. McCARTHY. I quite agree with the suggestion of the hon. member for North Brant, but before we come to that I would ask why it is proposed to put the duty on the Lieutenant-Governor in Council. The Department of Education is practically the same thing, and we have recognized it in the third clause. Why not authorize it to appoint the superintendent; and if it does not act, we can compel it to do so.

Sir CHARLES TUPPER. We will have to leave that as it is. The matter has been carefully considered, and I do not see any possible difficulty in asking the Lieutenant-Governor to make the appointment; and if he fails to discharge that duty, then the board shall make the appointment.

Mr. MARTIN. It is a very unsatisfactory answer that the Government have duly considered it. We may suppose that they have duly considered all these other portions which we have torn to pieces.

Sir CHARLES TUPPER. I am afraid that is the particular desire.

Mr. MARTIN. To tear them to pieces and put them into shape. We had to do that in order to make the clauses workable or even understandable.

Mr. LaRIVIERE. These are exactly the same clauses as existed in the provincial law, and the hon. gentleman, who was a member of the Manitoba legislature when these clauses were agreed to, knows that he agreed to them as well as I. That they may not be improved I do not deny, and any suggestions we have accepted have not changed the value or meaning of the clauses and to avoid friction and try to pass the Bill through, we have accepted such suggestions.

Mr. MARTIN. The hon. gentleman says I was in the legislature and agreed to these clauses, as they were made from time to time. I did no such thing. When the hon. gentleman was in power in Manitoba he adopted the system in vogue in this House, of putting things through regardless of the protests of the Opposition. Any suggestions of the Opposition were not regarded when we were discussing educational matters, while the hon. gentleman was in power, because he practically was the Government at that time.

Mr. LaRIVIERE. My hon. friend (Mr. Martin) had the same means he has to-day to obstruct, but he never did it.

Mr. MARTIN. Yes, we did several times, and I remember that on one occasion seven of us had to hold the House for several days. I must say, however, that the government of which he (Mr. LaRiviere) was a Minister, bad as it was, never asked us to sit for twenty-four hours when we had made reasonable progress.

Sir CHARLES TUPPER. After the long period we have been engaged in discussing everything but the Bill, I must ask the hon. gentleman (Mr. Martin) to confine himself to the Bill.

Mr. MARTIN. I do not care what the hon. gentleman (Sir Charles Tupper) asks me to do, it won't have the slightest effect upon me. I shall do just as I please. The hon. gentleman may dictate to his own supporters. We had an instance of that a moment ago when the hon. member for North Ontario (Mr. McGillivray) begged for a few minutes to make an explanation. and he was told by his leader to sit down. If the leader of the House undertakes to order me around it won't have any effect upon me. I utterly repudiate that I ever agreed to any statutes passed while the hon. member for Provencher (Mr. LaRiviere) was in the government of Manitoba. The government there tried to ride rough shod over us, until we appealed to the people and the people put them out. I have no doubt the people of Canada will do the same thing with the Government opposite.

Mr. FOSTER. The people will put you out.

Mr. MARTIN. They cannot put us out because we are not in. I utterly repudiate the suggestion that we must necessarily pass this clause because it was in the old Act. On the contrary so imperfect was the old Act, that that is a very good reason why we should not pass it. The proposition of the hon. member for North Simcoe (Mr. McCarthy) is reasonable, and it should be accepted. The matter should be left to the Department of Education which is properly equipped to do it.

Sir CHARLES TUPPER. The best answer I can give to my hon. friend from Winnipeg is, that when he proposed an amendment I with all the courtesy possible. accepted it. I believe his amendment was accepted by common consent.

Mr. McCARTHY. No.

Sir CHARLES TUPPER. Before the hon. member (Mr. McCarthy) came in to the chamber this amendment suggested by the hon. member for Winnipeg (Mr. Martin) was accepted.

Mr. McCARTHY. There is a Department of Education in Manitoba which this Bill recognizes. One of their duties is to appoint inspectors of high and public schools. Surely that is the proper body to do this.

Sir CHARLES TUPPER. For the purpose of facilitating business, I would say, that if the hon. gentleman thinks that this "Board of Education" should be inserted in the clause instead of the "Lieutenant-Governor in Council," I would rather accept that suggestion than detain the Bill.

Mr. LaRIVIERE. I object to that.

Some hon. MEMBERS. Read him out.

Mr. LaRIVIERE. I will give my reasons why I object. This Board of Education that we are creating is equally high in position with the Department of Education. That Department of Education in existence in Manitoba has taken the place of the Protestant section of the Board of Education. We are now re-establishing the Roman Catholic section of the Board of Education, and we are asked to allow a sister institution to the same standing to appoint the other wing of the institution. I must protest against that.

Mr. McCARTHY. You have already recognized the Department of Education in clause 3 of the Bill.

Mr. LaRIVIERE. I consider that the Department of Education on one side is of equal standing to this Board of Education on the other. Why should the appointment of one depend on the other ? You might as well provide that the Department of Education should be appointed by this Board of Education.

Mr. MARTIN. The Department of Education is composed of the government.

Mr. LaRIVIERE. They are not members of the Board of Education. The Act provides that four of the Ministers shall form the board, but there are not more than four members in the government. The Department of Education has taken the place of the Protestant section of the Board of Education and that is only a change in the name.

Mr. MARTIN. Not at all. The hon. gentleman from Provencher is thinking of the advisory board.

Sir CHARLES TUPPER. I do not see that it matters whether they are called the "Governor in Council or the "Department of Education."

Mr. LaRIVIERE. In that case why make the change ?

Sir CHARLES TUPPER. I would prefer to leave the matter as it stands in the clause.

Mr. LaRIVIERE. I know you do, but the others don't.

Mr. WALLACE. The hon. member for Provencher is wrong when he says that this Board of Education is of equally high standing with the Department of Education. The Department of Education is really the government of Manitoba. I must protest against the member for Provencher dictating to the Government the course they should pursue in this matter. He is no more than any other member of the House. There are many objections against the Bill.

Sir CHARLES TUPPER. I hope the hon. gentleman will deal with the clause. He must not deal with the Bill generally.

Mr. WALLACE. It was a slip of the tongue. I meant the clause. This superintendent of the board must give his whole time to the work and the House must be told where his salary is to come from. You should leave the board perfectly untrammelled and free to select the best man. But you are confining the selection to nine men, not one of whom may be fit for the position. The statement made by the hon. member for Provencher (Mr. LaRivière), that this provision is the same as that in the old Act is the old exploded reason that has been given for every clause of this Bill. There must be a better reason given. The very fact that this is part of an old Act that has been repealed is sufficient to condemn it.

Mr. MARTIN. I do not think the hon. member for Provencher heard the reason I gave for the hon. gentleman's proposition ; that is, that while the Lieutenant-Governor in Council and the Department of Education are nearly the same, the acts of the Lieutenant-Governor in Council are Orders in Council, which are recorded in the books of the Executive Council office, and are in no way connected with educational matters, whereas the Department of Education have an entirely different set of books, dealing exclusively with the ordinary educational work of the province.

Amendment (Mr. McCarthy) agreed to.

Mr. DAVIES (P.E.I.) I notice that the section does not say anything with reference to the tenure of office of the superintendent. Is he to hold office during life or during pleasure ?

Mr. POWELL. The power to appoint implies the power to dismiss.

Mr. DAVIES (P.E.I.) I do not think that follows at all. It should be specified.

Sir CHARLES TUPPER. Unless otherwise expressed, I take it for granted that the term of office will be during pleasure, as all appointments are.

Mr. McMULLEN. Why confine the appointment to the members of the board ? I would move that the limiting words be struck out, and the clause made to read :

The Lieutenant-Governor in Council shall appoint the superintendent.

Sir CHARLES TUPPER. The board itself is appointed by the Lieutenant-Governor in Council, and this clause providing that one of the board shall be superintendent imposes a duty upon the Lieutenant-Governor in Council, which I am quite sure they will observe, of appointing a board of competent persons. The very fact that the board is appointed by the Lieutenant-Governor in Council, and that one member of the board is to be superintendent, is a sufficient guarantee that they will not appoint a board of persons all incapable of being superintendent. Therefore I think the clause might be left as it is.

Mr. McMULLEN. It is not to be supposed that the Lieutenant-Governor in Council will appoint a board all of whom are capable of being superintendent.

Mr. POWELL. They will only appoint one.

Mr. McMULLEN. Something might occur to prevent or disqualify the one appointed from discharging the duties, and he might still be a member of the board. In that case, they could not go outside of the board for another superintendent.

Mr. FREMONT. There is another objection. By the first clause of the Bill members of the Board cease to be members after a lapse of time. The members of the board are appointed by rotation. Nine will be appointed when the Act goes into force, but three of them will go out of office after one year, three others after the second year, and so forth, three retiring every year ; so the superintendent would be sure to cease to be a member of the board, and it would be useful, if he is a good officer, that he should continue in office.

Mr. SOMERVILLE. I suggested some time ago that this clause should be amended so that the superintendent might be either a member of the board or some outside person, because among the nine members there might be rivalry for the position, or the board might be composed of men none of whom might be competent for the position. In the province of Ontario the superintendent of schools is never a member of the board, but a special officer appointed for the purpose of looking after the general management of the schools. He is an employee of the board, and is paid a salary. Therefore, I move to strike out all the words after "appoint" in the last line, and substitute the words " a superintendent may be a member of the board." That leaves it optional with the board to appoint either a member of the board or an outside person. That, I think, is a reasonable and proper amendment.

Mr. McNEILL. I think there is a great deal of force in what has been said by the hon. member for Quebec (Mr. Frémont). that the superintendent, who will be a man of experience, and we may assume, a thoroughly competent man, would be required to fall out of the board by this system of rotation. It would be very undesirable if he were to be made ineligible for re-nomination.

Sir CHARLES TUPPER. He is not ineligible. He could be re-appointed a member of the board.

Mr. McNEILL. But he would have fallen out in the meantime. If the choice is to be confined to the members of the board. it might be a very restricted choice indeed, because, so far as I can see, by this Act the members of the board may not be more than two in number. The first section says that the number of persons is not to exceed nine. The second section says that if the Lieutenant-Governor in Council does not within three months after the coming into force of this Act make appointments to the separate school board, then the Governor General shall make appointments not made. It does not say "the" appointments. It does not say how many; it only says not more than nine. If the Lieutenant-Governor makes two appointments, he will have performed his duty under this Act.

Mr. POWELL. If he only appoints two, it would be difficult for three to retire.

Mr. McNEILL. No doubt it would be difficult. That is just an evidence of the contradictory nature of this Act.

Mr. MARTIN. We will take our time and get it all right.

Mr. McNEILL. This clause 2 was passed very rapidly through the committee. If it had been more carefully considered, I have no doubt this defect would have been observed and the correction made.

Mr. MILLS (Bothwell). I think that the superintendent should be made an ex-officio member of the board, and that he should not require to be a member of the board before his appointment. The rule of rotation is a very good one with reference to the board itself, because it prevents it getting into a groove, and enables the Department of Education to get rid of men who are found to be crotchety and not disposed to keep up with the requirements of the time; but under such an arrangement an efficient superintendent would be required to go out when his time expired as a member of the board. It seems to me highly desirable that the superintendent should be a permanent officer of the board, and be a member of the board by virtue of his office as superintendent. I would not give the board power to make the appointment, even temporarily. If appointed by the board, he is absolutely controllable by them, which would not be desirable. The superintendent is naturally expected to be a man who would keep up to the times, whereas you will probably find members of the board whose education belongs to a past period, and is rather old-fashioned. If the Department of Education do not make the appointment, it ought to be made by the Government here.

Sir CHARLES TUPPER. Might not a serious difficulty arise in that way? Suppose the appointment is not made by the Department of Education, then it is made here. The superintendent is appointed by a different body from that which has appointed the board. That might interpose a serious difficulty in the way of the smooth working of this measure.

Mr. WELDON. For the effective working of the schools the responsibility devolves on the superintendent, who is supposed to be a man experienced in educational work, and the work will be better done if he be clothed with strong legal power. If he is appointed by the board, they are likely to have too much power over him. He will be able to do more effective work. In a very few months a slight change could be drafted that would strengthen his position and make him keep his school up to the highest standpoint. In Nova Scotia and New Brunswick, our experience is that where the superintendent has a strong legal position, he is able to do more for the province.

Mr. DICKEY. There seems to be a general agreement that the superintendent should be a member of the board. That is necessary because he is to be the secretary of the board, and a greater portion of his duties are those of secretary. His appointment is an independent one, because he is appointed by the Department of Education; and, although the choice is limited to the nine members of the board, they are appointed by the Lieutenant-Governor in Council, and, in making appointments on the board, the Lieutenant-Governor will keep this point in view, that one of the members is to be superintendent and secretary. To make the secretary an additional man would only be removing the difficulty one more. and, if we undertook to appoint nine members of the board and the secretary outside of that, we would be increasing the number of the members of the board, and there might be some question as to our powers. That opinion has been expressed by legal gentlemen who have strong views on the matter.

Mr. MARTIN. Better put it that way, if Mr. Ewart says so.

Mr. DICKEY. If it were Mr. Ewart's opinion, the hon. gentleman knows that it is entitled to a great deal of consideration.

Mr. MARTIN. Certainly, because he has furnished the law to the Government.

Mr. DICKEY. Because he has special knowledge, his opinion is entitled to weight, just as is that of the hon. gentleman. This is the old system, and I have not heard anything to show any necessity for changing it.

Mr. MILLS (Bothwell). I was for many years superintendent of schools for the county of Kent, and we had a Board of Public Instruction, composed of three members of the county council. My greatest difficulty in the discharge of my duties arose from the fact that these members of the board were members of the council, and had the appointments to office, and they seemed to think that I ought to defer to their judgment in a way I would not do to any other members of the council. If you require your superintendent to be a member of the board, before he is eligible, you seriously hamper him in the discharge of his duties. If he is fitted for the office, he is likely to be much better qualified to discharge those duties than the board with which he is associated.

Mr. COCKBURN. My experience leads me strongly to the view of the hon. member for Bothwell. It is very important that the superintendent should be entirely independent of the board. In many districts gentlemen are elected members of the Board of Education, who, owing to early circumstances, have not been able to receive the education to fit them for the position, but who, on account of their wealth or other circumstances, are chosen, and it would be an evil day for the future of education in Manitoba, if the man who desires to be superintendent, must first canvass in order to be elected on the board, and then canvass the members of the board to secure the position. I should desire to see the superintendent a permanent officer and his appointment made by totally different parties than the members of the board.

Mr. LaRIVIERE. I do not see that in our great wisdom we can very much improve a law that was in existence for over nineteen years in Manitoba, and the carrying out of which never gave any difficulty. When appointments on the board were to be made by the Lieutenant-Governor in Council, the necessity of having among the members a man qualified to be superintendent of education was always kept in view. Every member of the board of both the Catholic and the Protestant sections was qualified to be superintendent. The superintendent of education, under this Bill, does not exercise such extensive powers as similar officers exercise in other provinces. He is chiefly the secretary of the board, and his duties are confined to exercising the powers vested in him by the board.

Mr. SOMERVILLE. The necessity for this amendment I have placed before you is important, if the Act is to be of benefit to the minority in Manitoba. It will be admitted that the Ontario Education Act is a good Act, that it accomplishes the purpose for which it was created, and that Act provides for the appointment of superintendents and secretary-treasurers of boards. The superintendent in a county has supervision over all the schools in that county, and is appointed by the county council, subject to the approval of the Lieutenant-Governor in Council or the Minister of Education, and the secretary-treasurer of the board is scarcely ever a member of it.

Mr. LaRIVIERE. Who appoints the county board ?

Mr. SOMERVILLE. The county council is elected by the people. In this case it is different, but the same rule will apply. I think it is important that the secretary and superintendent should not be a member of the board, because he will then be able to act more independently.

Mr. FRASER. Does the superintendent cease to be a member of the board after he is appointed ?

Mr. MULOCK. He may cease to be a member of the board, but he would not cease to be superintendent. His tenure of office would not be affected. It is only required that he shall be a member of the board at the time he is appointed.

Mr. FRASER. He ought to hold office during good behaviour. He should be appointed by the Lieutenant-Governor in Council, and hold office right along.

Mr. WELDON. I would move that the clause be so amended as to require the Governor General in Council to make the appointment, in case the Lieutenant-Governor in Council does not do so.

Mr. FRASER. Would you not also amend the clause so as to make the term of office continuous ?

Mr. MILLS (Bothwell). I do not see how you are going to have the office continuous or during pleasure, if it is necessary that the superintendent should be a member of the board before he can be appointed. The legal implication clearly is that, when his time expires as a member of the board, it also must expire as superintendent.

Mr. COCKBURN. I suppose that the desire is not that the superintendent should retire at the end of three years, even if he should be a member of the board. The duties assigned to him are very important.

Mr. MULOCK. Perhaps the hon. gentleman would wait awhile before he deals with that. We are very anxious to get on with this work and we have not yet assigned any duties to this officer.

Mr. COCKBURN. I am perfectly in order. The office is very important and it should be of a permanent character.

Mr. MULOCK. I agree that the office should be permanent, but as I understand it, the superintendent would not lose his office if he cease to be a member of the board.

Mr. RIDER. I move as an amendment to the amendment:

That the said superintendent shall be a person speaking the French and the English language.

It seems to me that the efficiency of the whole system depends largely upon the qualification of the superintendent, and he certainly should speak the two languages.

Mr. LANGELIER. We are all agreed, that the superintendent should be a member of the board, and it is of the greatest importance that he should be independent of the board. I would move as an amendment:

The Department of Education shall within thirty days from the passing of this Act, appoint a competent person to be superintendent of schools. The said superintendent shall be a person belonging to the Catholic faith and shall speak both the French and the English languages, and he shall be ex-officio a member of the Board of Education for separate schools, and the secretary of the said board. He shall hold office during pleasure. If the said appointment is not made within thirty days then the Governor General in Council shall make said appointment.

I think that would make the section complete, and would meet most of the objections taken.

Mr. SOMERVILLE. I would be quite willing to withdraw my amendment in favour of the amendment of my hon. friend (Mr. Langelier).

Amendment (Mr. Somerville) withdrawn.

Mr. MARTIN. Perhaps the hon. member for Albert (Mr. Weldon) would withdraw his amendment.

Mr. McCARTHY. I object to that.

Mr. DICKEY. I must ask the committee not to make the superintendent a member ex-officio of the board, because I can see a good deal of difficulty in that. I would suggest this as an amendment:

The Department of Education shall appoint a superintendent of the separate schools who shall be a Roman Catholic, and who shall be the secretary of the board.

Mr. RIDER. Speaking both languages.

Mr. DICKEY. That is unnecessary.

Mr. CHOQUETTE. Yes, it is necessary.

Mr. DICKEY. It is unnecessary to put it in the clause because no man would be appointed unless he had that qualification. It is necessary to put in the words "Roman Catholic" because that has connection with the rights of the minority, but the other is a mere matter of qualification.

Mr. CHOQUETTE. Why not put it in, then?

Mr. DICKEY. I think it would be entirely out of place. We are dealing with the rights of the Catholic minority, and we should recognize them, but I do not think we should go any further to designate his age and qualifications generally.

Mr. MARTIN. It seems to me we should consider whether the Department of Education in Manitoba will consider all these matters. You must remember that you are forcing something on them, and you are taking for granted that they will fall into line, and do everything that is acceptable and in the very best way; whereas, it is quite evident that they could frustrate the whole Act.

Mr. DICKEY. They could appoint an illiterate man, but you would not put into your Bill that a man must be able to read and write.

Mr. MARTIN. I would not do that, but I think the other should be provided.

Mr. McCARTHY. You would have to provide also for the Germans and Mennonites.

Mr. MARTIN. They are all Protestants.

Mr. McCARTHY. But they might have separate schools.

Mr. DICKEY. There is just one view which I would like to put to the committee. This legislation, we know, is not very agreeable to any of us, and I do not think it is desirable that the Governor in Council should meddle much with it after the thing is running. For that reason I think it undesirable that the Governor in Council should have any patronage in connection with these schools. The Governor in Council is not able to administer the schools; they have no means of knowledge in regard to them. Therefore, I think it is desirable that the appointive power should rest with Manitoba, and the Department of Education is the responsible body. The Lieutenant-Governor in Council may appoint a very good man; but if they do not, I think it would be undesirable to make the appointment here.

Mr. McCARTHY. I think so. It would be a great mistake.

Mr. DICKEY. I think we cannot be making much mistake if we trust the appointment of their own secretary to the board as an alternative.

Mr. DAVIES (P.E.I.) Have you an interpreting clause defining what "board" means?

Mr. McCARTHY. There is not yet.

Mr. DICKEY. I think it can easily be arranged.

Mr. CAMPBELL. It will be very inconvenient if the superintendent is not required to understand both languages.

Mr. McNEILL. With regard to the appointment by the Governor in Council, in case the provincial authority does not act, I think there is not much practical use of our dealing with that matter, because if it is to be an appointment with a considerable salary attached to it, I think there is not much doubt that the authorities in the province will take care of it.

Mr. FRASER. I think we can safely leave the matter exactly as the Minister of Justice has it. Why should we suppose that the person appointed will not have the necessary qualifications ? Does any one suppose that the authorities will appoint a superintendent for French schools who will not understand French ? We must assume that they will know their business. I do not think it is necessary to make a special provision for that. If we are going to provide here for everything that they must do, we shall have a Bill of 5,000 pages. Let us accept the amendment of the Minister of Justice and get on. It is all right.

Mr. LANGELIER. The Department of Education might appoint a person who would be a first-class educationalist, but might not understand French. The objection that the original law did not contain that provision is of no value, because under the original law there was a board of separate schools, composed almost exclusively of French-speaking people, and it was a matter of course that the Superintendent of Education should know French. But if we pass this law without that provision, the government of Manitoba may appoint a man who might not know one word of French. I think it would be very unjust to the population there for whom the law is intended, if it were not made part of the law.

Mr. LAVERGNE. We know that the large majority of the Roman Catholics of Manitoba are French-speaking people, and I do not see that it would prejudice any one to insert the provision that the superintendent must speak French. I would like to hear some serious reason against it. We are bound to make the matter safe, and this Bill will not prevent an Englishman or an Irishman getting the appointment, so long as he can speak French tolerably. I think the amendment ought to be insisted on.

Mr. CAMPBELL. I quite agree with the hon. gentleman. We go to the trouble of providing that the superintendent shall be a Catholic. It is just as necessary that he shall speak both languages. We provide in this House that the Deputy Speaker shall speak both languages, and as we are making a law that we cannot amend or alter, it is our bounden duty to see that all these matters are provided for.

Mr. DALY. I would like to ask the hon. gentleman whether there is any provision in the law of Ontario that the inspectors of separate schools shall teach both languages. In the eastern part of Ontario there are large French-speaking communities having French schools, and the inspector of those schools must necessarily speak both languages ; but there is nothing in the law providing that he must. I think it is ridiculous to suggest that the body that makes the appointment shall not see that the person appointed has that qualification. The hon gentleman is only quibbling.

Mr. CHOQUETTE. I should like to hear one single reason for not putting it in the Bill. We are not providing for Ontario, but for Manitoba. That provision could be put in one line.

Mr. DICKEY. The only objection I have to it is that it is unnecessary. If you do that, you are logically obliged to provide for every other qualification. The question of the religious faith is another question altogether. It is a question of minority rights, which we have to provide for ; but the other is merely a question of qualification.

Mr. MARTIN. It is not absolutely essential that the superintendent shall speak both languages in the sense that he shall be educationally a qualified man. But if he did not speak French, he would not have the spirit that is essential ; he would not be in friendly touch with the schools in which the French language is taught. It seems to me, therefore, that there is a substantial reason for the amendment. If the Minister of Justice sees no objection to it, while a number of members, both English and French, think it is important, why not put it in ?

Mr. DICKEY. If the hon. gentlemen who made the other amendments would withdraw them, and mine were put, then the question of adding that he shall speak both English and French could be dealt with. I have no objection to it in the world, except, as I said before, that it is unnecessary.

Mr. RIDER. My amendment might be simply added to that of the Minister of Justice.

Mr. LANGELIER I am willing to withdraw my amendment, if that of the Minister of Justice is substantially the same.

The amendments of the hon. member for Quebec (Mr. Langelier) and the hon. member for Albert (Mr. Weldon) withdrawn.

The CHAIRMAN (Mr. Joncas). The question now is on the amendment of the hon. member for Stanstead to the amendment of the hon. Minister of Justice.

The clause as proposed to be amended by the hon. Minister of Justice, shall read as follows :—

The Department of Education shall appoint a superintendent of separate schools who is a

Roman Catholic and who shall be the secretary of the board. If no appointment shall, within thirty days after notification by the board, be so made, the board shall appoint a superintendent, and such superintendent shall hold office during pleasure.

To this the hon. member for Stanstead moves in amendment:

That the words "speaking the French and English language" be added after the words "Roman Catholic."

Mr. McCARTHY. I see no necessity for this amendment. That is a matter that may be safely left to the board. They will surely appoint a superintendent who will speak such language and have such qualifications as may be necessary.

Mr. CAMPBELL. I think that amendment should be added. It is well known that the hon. member for Simcoe does not believe in the dual language and that the government of Manitoba have abolished it. Therefore I think we should provide that the superintendent should be conversant with both languages, as he would then be better fitted for his work.

Mr. SPROULE. It seems to me that this is carrying amendments to an absurdity. We might as well provide that he shall be able to read and write. Whatever qualifications may be necessary to a superintendent, the board will see that the man they appoint possesses them.

Mr. RIDER. What objection has the hon. gentleman to the superintendent being required to speak both languages?

Mr. SPROULE. I simply think it is entirely unnecessary.

Mr. RIDER. It does not harm them.

Mr. CHOQUETTE. The very fact that the hon. member for North Simcoe (Mr. McCarthy) and the hon. member for Grey (Mr. Sproule) insist on this qualification not being inserted is sufficient for me to insist on its being put in.

Mr. McNEILL. I think my hon. friend opposite might have spared us that observation. I wish to say that, in my opinion, it is reasonable and right that this amendment should be introduced. We are providing that the Department of Education do not make the appointment, it shall be made by the board, and the assumption is that the body whose duty it is to make the appointment may not perform that duty. In other words, the Board of Education may not be working in harmony with this Act; and if that be so, it might purposely appoint some one who was not qualified. There can be possibly no objection to the superintendent speaking both languages, and it seems to me very material that this amendment should be introduced.

Mr. McCARTHY. This is the first serious attempt to interfere with the rights of the minority in limiting the power of the board. In the old law there was no such limitation. I am here defending the rights of the minority by insisting that it shall be left to their discretion to appoint the kind of man they want.

The amendment of the Minister of Justice as amended by that of Mr. Rider, agreed to.

Section, as amended, agreed to.

On section 8,

8. In addition to the duties specified in other clauses of this Act, it shall be the duty of the superintendent, and he is hereby empowered,—

(a.) To call all meetings of the board, and also to call any school meeting required to be held under this Act when the parties who are otherwise invested with the power to do so, either neglect or refuse to exercise it.

Mr. MARTIN. We have passed clause 7, which we have put into very good shape, after taking a great deal of pains, and I draw this reflection to the fact that we have been sitting continuously from three o'clock on Monday afternoon. I would like to know if we are to be compelled to sit here all tonight and all day to-morrow, or whether we shall be allowed to go home at a reasonable time. I do not feel inclined to go on working hard as we have been doing, and I think that the Government ought to inform us what course they intend taking.

Mr. SUTHERLAND. I objected as strongly as any one at first to being compelled to sit from Monday morning until Saturday night, but now that we have got the work, as far as I am personally concerned. I desire that we should go on and see how far we can proceed.

Mr. MARTIN. I cannot accept the suggestion of the hon. member.

Mr. CHOQUETTE. You ought to.

Mr. MARTIN. It may be that I ought to, but I am the best judge of that myself. If there is an hon. member of this House who says that my request is not reasonable, I am willing to withdraw it.

Sir CHARLES TUPPER. I think there is no member on either side of the House, with the exception of the hon. gentleman (Mr. Martin), who considers that the committee has made reasonable progress with the Bill. I am certain that the fair and wise suggestion of the hon. member (Mr. Sutherland) will meet with universal concurrence on both sides of the House. It is not correct to say, as the hon. gentleman (Mr. Martin) does, that there has been any reasonable progress made with this Bill.

Mr. SOMERVILLE. I am another member of this committee who entirely agrees with the hon. member for Winnipeg (Mr. Martin). Had it not been for the manner in which the leader of the House has been trying to bulldoze the members by compelling them to stay here day and night, more progress would have been made. I charge the leader of the House with trying to defeat the object which he appears to have in view. If an answer is not given, I will join with the member for Winnipeg (Mr. Martin), in moving that the committee rise.

Sir CHARLES TUPPER. Hear, hear.

Mr. SOMERVILLE. We are not all such big patriots as the leader of the House, who says he is prepared to die in order to carry this Bill. If he is prepared to die himself, all right, but he has no right to require that every other member of the House should die to gratify his obstinacy.

Mr. CHOQUETTE. Just one word. I hope it is not useless to recommend it now, but I would ask my hon. friends (Mr. Martin and Mr. Somerville), who perhaps had reason to speak as they have done, to help us to go on with the Bill for a few hours more, and about two or three o'clock in the morning, we will see what we will do. I hope then that the leader of the House will accept the proposition that the committee should rise then.

Mr. SOMERVILLE. Let him give the promise now.

Mr. CHOQUETTE. We will see about that afterwards. We should proceed a little faster than we have done up to the present. It is not our fault on this side of the House, but it is useless to recriminate, and I ask my hon. friends to lend us their talents to give help for the minority.

Mr. BELLEY. Oh, oh.

Mr. CHOQUETTE. Let us proceed with the consideration of the Bill for a few hours more.

Mr. McCARTHY. I really think that the request of the hon. member for Winnipeg (Mr. Martin) is not unreasonable.

Sir CHARLES TUPPER. Hear, hear.

Mr. McCARTHY. I am glad to see that meets with the approval of the leader of the House, and perhaps he will agree to it. The request would not be made, if it were an ordinary sitting, but we have been in session since Monday last, and, although it is quite true we have not made any progress——

Sir CHARLES TUPPER. Hear, hear.

Mr. MARTIN. Yes we have.

Mr. McCARTHY. Not very substantial progress. Nothing like the progress that would have been made, if we had sat during regular hours. For my part, I believe that this proceeding is bringing parliamentary institutions into contempt.

Sir CHARLES TUPPER. I quite agree with you.

Mr. McCARTHY. It is ridiculous to think that this measure should be proceeded with properly, when only one-third of the members are present at a time. I am willing to assist, so far as I can, in trying to make this very imperfect measure as good as it can be made. It is not too much to ask that an answer be given to the request of the hon. member for Winnipeg.

Mr. DAVIES (P.E.I.) I would like to add my voice to the voice of my hon. friend from Montmagny (Mr. Choquette), and ask that the committee should go on with this Bill for a few hours longer. I entertained the opinion that when the House met at the regular hour this afternoon, we should proceed with the Bill at once. But the debate at that time became intensely interesting, and it went on until six o'clock. I think we can very well go on with the Bill for a while longer, and I am quite sure that the Secretary of State will then allow the committee to rise.

Mr. MARTIN. We endeavoured to make what progress we could this afternoon. The Secretary of State refused to answer my question, and if he had stopped at that, there might be some reason in it. It was not in his nature to do so, and he had to make the gratuitous statement that I was the only member in this House that would ask the question I did. I think in the heart of every member in this House, with the exception of the leader, there was sympathy with my desire that we should adjourn at two o'clock.

Some hon. MEMBERS. No, no.

Mr. MARTIN. It is the fault of the Government, and of the Secretary of State particularly, that we have not made more progress than we have done since Monday last. He started out on Monday with the threat that the House should sit until Saturday next.

Sir CHARLES TUPPER. No.

Mr. MARTIN. Yes, we all understood it so, and he divided his forces into two gangs. I moved that the committee rise at half-past four on Tuesday morning, because I was not then prepared to discuss an important clause, and that request was most reasonable. But the Minister of the Interior and the Minister of Public Works told us that they were under instructions from the bulldozer of this House, the Secretary of State, not to allow the committee to rise until he got out of his bed, in which he was dying for the passage of this Bill.

Sir CHARLES TUPPER. I would like to ask the hon. member what he means by "bulldozing." Does he mean one who endeavours to restrain a man who acts like a bull in a china shop ?

Mr. MARTIN. No. But a man who thinks he has power to make men go in a direction they do not want to. That is a bulldozer, and that is what the hon. gentleman thinks he is. We tried to force the Government not to ask the House to sit at unreasonable hours.

Mr. NORTHRUP. And you have not succeeded very well.

Mr. MARTIN. We have succeeded in not allowing the House to do any work after two or three o'clock in the morning. I do not propose to ask the House to rise now, but I have a right to an answer from the Secretary of State.

Mr. CHAIRMAN. Shall clause 8 be adopted.

Mr. MARTIN. No, I am not going to do it that way.

Mr. McNEILL. I wish to endorse what has fallen from the hon. member for Oxford (Mr. Sutherland) and from the hon. member for Queen's (Mr. Davies). The hon. gentleman (Mr. Davies) suggested that, if we went on with the consideration of this Bill until two o'clock, there would be an adjournment. As the leader of the House did not controvert that statement, we may assume that it is his intention to comply with it.

Mr. SOMERVILLE. Why cannot he say so ?

Mr. McNEILL. We have good reason to assume that it is his intention, when he did not contradict the statement of the hon. member for Queen's (Mr. Davies).

Mr. CAMPBELL. While I think there is a good deal in what the hon. member for Winnipeg said, I think it is too early to adjourn now, and we should go on with the Bill until two o'clock. I, for one, will object to proceeding after that.

Mr. DICKEY. The change made in the previous section renders some alteration necessary in paragraph (a) of section 8. After the word "board" I propose to add the words "and he shall call a meeting when thereunto required by any two members of the board," and after the last words in the subsection to add the words "or when no other provision therefor is made by the Act." There are some meetings provided for, and there is no method provided for calling them. Therefore I propose to add "or where no other provision is made by this Act." Then, there is no provision for calling meetings in the absence of the superintendent ; therefore, while it may not be necessary, it seems prudent to make some provision for that, and I propose to add at the end of the section, "in case there is no superintendent appointed, or in case of his absence or illness, meetings of the board may be called by two members of the board."

Mr. McCARTHY. I would suggest to my hon. friend if this is not very foolish legislation. Why should you attempt to lay down a code for every possible thing you can think of ? This is something that cannot be found in any other legislation. The difficulty will be that, with regard to anything you may omit, it will be said there is no provision, and there is no power to do it. If you leave it at large, the law, which is supposed to be reasonable, must be read in such a sense as to enable the clause to be made effective ; but when you provide for all these little contingencies, and some other contingency which has not been foreseen arises, the board will be paralysed. These provisions were not in the old law, and I do not see why you should put them in here. Surely, it is sufficient to say that he shall call meetings of the board if directed by the chairman. Why do you give power to two members to call meetings ? Do you suppose the chairman will not call a meeting when necessary ?

Mr. FRASER. I think the Minister of Justice is right. I can see that a difficulty might arise unless the clauses he proposes are added. They certainly would not affect the Act or prevent the board doing by law what they are empowered to do, although not specifically mentioned in the Act.

Mr. McCARTHY. I think it will increase the chances of litigation.

Mr. FRASER. I should think the hon. gentleman would be glad of that. But I do not think the addition will add a law suit.

Mr. RIDER. I would like to inquire of the Minister of Justice if he has considered the desirability of having a fixed date for the meetings of the board.

Mr. DICKEY. I do not think it is desirable.

Amendment of Mr. Dickey agreed to, and subsection "a" of section 8, as amended, agreed to.

On subsection "b," of section 8,

To have, as the executive officer of the board, the general supervision and direction of the schools, and of the inspectors that may from time to time be appointed ; and to have authority to take measures to enforce and carry into effect all the provisions of this Act, and the regulations issued under its authority that relate to the schools within their respective jurisdictions.

Mr. DICKEY. I propose to strike out the words "within their respective jurisdictions." That is from the old Act.

Mr. MARTIN. I object most strenuously to the latter part of this clause. The first part is all right ; but the latter part gives a power to the superintendent which is a power for the board, and was not given to the superintendent in Manitoba until 1884. That was given to the superintendent at that time, as a result of a tendency in Manitoba to accumulate power in the hands of the superintendent and to make him a kind of autocrat. I do not see why the superintendent should have that power. It is the business of the board to carry out the law.

This gives the superintendent authority apart from the board.

Mr. **FRASER.** Would this mean that he could enforce by litigation the provisions of this Act? If so, I think that would be a dangerous power to give him.

Mr. **DICKEY.** I think it simply means that the superintendent would be the motive force behind the board to keep everybody up to his duty—the executive officer of the board. But I think there is something in what the hon. member for Winnipeg (Mr. Martin) says in reference to making him an autocrat. Would this meet the view of the committee—to insert after the word "measures" the words "under the direction of the board?"

Mr. **MILLS** (Bothwell). It seems to me this is another instance of the difficulties created by not distinguishing between procedure and right. Suppose the local government were to undertake to provide for the administration of the law; you are not providing here alternative provisions, such as fall within the jurisdiction of this Parliament, but absolute provisions. Under subsection 2 of section 3, the Department of Education may make, from time to time, such regulations as they may think fit for the general organization of the separate schools. Under these regulations, they may impose certain duties on the superintendent, outside of any jurisdiction which the board may exercise. But by this amendment of the Minister of Justice, you propose to subject the superintendent to the authority of the board in everything he does, and may thus bring about a conflict between his duty to obey the directions of the board and his duty to carry out the regulations of the Department of Education. The very object of appointing a superintendent, independent of his being previously a member of the board, was to give him independent executive action otherwise there would be no object in giving him independent tenure of office. What do you accomplish by that, if you are going to authorize the board to overrule him with regard to matters of which he has a special knowledge. Take the case I have mentioned under subsection 2 of section 3. Suppose the Department of Education makes regulations imposing certain duties on the superintendent, are you going to make him, with respect to those regulations which are outside the functions of the board, a simple executive officer of the board to do as the board directs?

Mr. **DALY.** Under the law, as it stood in 1881, the superintendent had the general supervision and direction, but a trouble might arise that would necessitate immediate action by him. Under the law, he had not authority, of himself, to take that action without calling a meeting of the board, although by the time he would get the board together, it would be too late to take any action. The law was therefore amended by the provisions of the Act of 1884, which gave him authority to act immediately.

Mr. **DAVIES** (P.E.I.) If the hon. gentleman is correct, the amendment of the Minister of Justice should not be pressed, because that only allows the superintendent to act under the direction of the board.

Mr. **LANGELIER.** The carrying out of the law will depend much more on the superintendent than on the board. It is not contemplated that all the members of the board shall be appointed from Winnipeg, where the board meets, and as there is no provision for their travelling expenses, it is not at all likely that the board will meet more than twice a year. If you do not give power to the superintendent to take independent action, and the board only meets twice a year, you will practically stop the working of the law. Of course, he should be subject to the control of the Department of Education. He should have independent action subject to that control.

Mr. **DICKEY.** How would it do to compromise the matter by adding the words "under the general direction of the board"? I move that those words be added, and I withdraw my previous amendment.

Amendment agreed to, and subsection "b," as amended, agreed to.

(c.) To give such explanations of the provisions of this or any other School Act, and of the regulations and decisions of the board, as may be required and to enforce the same.

Mr. **LANGELIER.** To whom is he to give these explanations? The section is meaningless.

Mr. **MILLS** (Bothwell). This subsection is a fragment of the old School Act of Upper Canada.

Mr. **FOSTER.** A survival of the fittest.

Mr. **MILLS** (Bothwell). Yes, but without the necessary associations to make it intelligible. It was provided in that Act that the superintendent should give explanations and instructions to trustees, school teachers, and other subordinate authorities. In this matter the hon. gentleman should provide that he has to give such explanations to school trustees, teachers, and inspectors.

Mr. **FRASER.** This section provides that not only shall he give explanations, but he shall enforce the same. Is he to enforce his own explanations? If that means anything, it means that his explanations of the law are to have the authority of the law.

Mr. **DICKEY.** Strike out the words "and to enforce the same."

Mr. **MARTIN.** Why should he be empowered to give such explanations of the provisions of the Act as may be required. He would do that naturally.

Mr. DALY. This makes it compulsory.

Mr. MARTIN. Then the school trustee or teacher who obtained his explanation of a provision of the Act would be bound by that. We do not want to give any such power or place any such authority in his hands. It would be his duty to answer all letters and give explanations, but when you put in the statute a provision of this kind, it looks as if you were delegating to him the power of putting a construction on the different clauses.

Mr. MILLS (Bothwell). No.

Mr. MARTIN. Do you wish the superintendent to make uniformity by giving him the right to decide what is the law ?

Mr. MILLS (Bothwell). This is a particular provision of the old law of Upper Canada, which bound the superintendent to give explanations to school trustees and others, but in this Bill the clause is meaningless, because it does not say to whom he is to give these explanations.

Amendment (Mr. Dickey) agreed to.

On section 8, subsection (d),

> To prepare during the first term of the school year a report to the Lieutenant-Governor in Council upon all the schools under his supervision for the previous school year, accompanied with full statistical tables, showing among other things, the number of children of school age in each district, as shown by the census returns for that year, the number who have attended school and the average attendance as shown by the semi-annual returns of the different teachers, and such report shall also contain a statement of the receipts and expenditure of all government money furnished to the board for school purposes, a copy of such tables, statements and returns to be presented to the board and to be retained of record by the board.

Mr. MILLS (Bothwell). I move that on the 41st line, before the word "separate school," shall be inserted before the word "district."

Amendment agreed to.

Mr. DICKEY. I move that the words "Roman Catholic" be inserted before the word "children" on the 41st line.

Amendment agreed to.

Mr. McLEOD moved that the words "during the first term of the school year" on the first line be struck out and replaced by the words "annually."

Amendment agreed to.

Mr. MULOCK. I would suggest that in line 45, before the word "statement," the word "detailed" be inserted.

Amendment agreed to.

Mr. McCARTHY. I think that in line 44, after the word "teachers," should be inserted the words "the number of days during which the school has been kept open."

Amendment agreed to ; section, as amended, agreed to.

FRIDAY, 10th April, 1896.

On subsection (c) of section 5,

Mr. DICKEY. Perhaps the committee will now allow me to go back to subsection (c) of section 5, the troublesome section about school books.

Mr. McCARTHY. I think we ought to have that printed, because it is an important clause.

Sir CHARLES TUPPER. It was all settled except a single line.

Mr. McCARTHY. I do not think so. When I was last in the committee, that is, before I was driven out by fatigue, I moved an amendment, which stood over, and I understood that the Minister of Justice was going to frame a comprehensive amendment embracing that.

Mr. DICKEY. I have done so. This from the first has been a clause of very great difficulty, and some observations have been made in reference to the number of changes which the Government had agreed to in it. I do not think that was altogether justifiable, because the desire of the Government in a very difficult matter like this is to meet the wishes of the committee as far as they consistently can. Since the committee sat before, I have considered this matter very carefully. It was decided that the clause should read something like this :

> To select all the books, maps and globes to be used in the schools under its control ; provided, however, that no book, map or globe shall be selected, other than books relating to religion and morals, unless such book, map or globe has been authorized for use in the high or public schools of the province of Manitoba.

And it stopped there. It was pointed out that that made no provision for books in the French language, and the hon. member for North Simcoe (Mr. McCarthy) moved an amendment that was intended to deal with that question. There is also before the Chair a suggestion of the hon. member for Quebec County (Mr. Frémont), which leaves the clause as it was before, that is, gives the Board of Education absolute authority to choose any books they like without any restriction, and gives the clergy the right to settle the books on morals and religion. Now, I have looked the whole subject over, and I want to make a suggestion to the committee. Seeing that this board is a Catholic board, I do not think it is necessary to appeal to the ecclesiastical authorities to settle the books on religion and morals. If you add to the clause the power to select French books, you will practically give the board almost indefinite range. I think it would be better to go back to the old clause and simply authorize them to select the books to be used in the schools, adding to that the proviso that the books they choose shall be equal to the standard of the books used in the public schools in Manitoba.

Mr. MARTIN. That is a matter of opinion.

Mr. DICKEY. That, of course, is the great difficulty—who is to say that they are of the same standard ? That is technically a difficulty ; but I think it would be of great service to set up a standard for the board, which any single member of the board could insist on being observed.

Mr. MULOCK. How ?

Mr. DICKEY. Morally, I mean. Any member of the board could morally insist on the board observing that standard.

Mr. MULOCK. Suppose the majority did not agree with him in his judgment as to the standard ?

Mr. DICKEY. I do not mean to say that you should decide fine shades of judgment ; but it would prevent any serious weakness in the system by an efficient selection of books. The amendment I propose has these two features : striking out the ecclesiastical control with regard to books on morals and religion, and giving the board absolute control of the books ; but, on the other hand, fixing a standard up to which the board will be required to work. Now, the board is appointed by the provincial government. It is a board that I presume will want these schools to work properly ; and when we fix a statutory standard, I think we are going a long way to secure an efficient system of books for the separate schools. Of course, I would be very glad to hear discussion on the question ; but this seems to be about as practical a way out of the difficulties that surround it as any.

Mr. LANGELIER. I do not for myself accept the whole of the amendment. I am not prepared to differ in opinion with the Minister of Justice as to it being unnecessary to leave the selection of books on religion and morals to the clergy. As he says, the board will be composed of Roman Catholics, and I suppose it is expected that some important ecclesiastics will be on that board. Another strong objection to this proposed amendment is that it will be very humiliating to the Roman Catholic minority. Why should they be put in an inferior position to the Protestant majority ? They will be subject to the ruling of the Protestant majority as to the books to be used.

Sir CHARLES TUPPER. No, only as to the standard.

Mr. LANGELIER. Suppose we had to make a law for the Protestant majority, would we not think it a humiliation to them to say that the standard of books for that majority shall be determined by the representatives of the Roman Catholic minority ? I do not admit that the standard of the books to be used in the schools should be determined by one section of the community for the other section. Each section must be supposed to understand its own requirements better than the other section. Then, who is going to be the judge whether the books selected are up to the standard or not ? It is quite possible that the representatives of the Roman Catholic minority might claim that the books they had selected were superior to the books selected by the Protestant majority ; why should the Protestant majority overrule their judgment ? This amendment is against every principle involved in this Bill, which recognizes that the Catholic minority have an independent existence. This would leave them dependent on a Protestant majority in regard to the most important question of all—the selection of books. If we adopt the amendment suggested by the Minister of Justice, we might as well not give the Catholic minority separate schools at all.

Mr. McCARTHY. What the Minister of Justice proposes to do we are unable to do. We have already adopted the amendment of the hon. member for Westmoreland (Mr. Powell), and all we have to do is to add to that or leave it alone ; we cannot amend or repeal it. Is that not so, Mr. Chairman ?

Mr. DEPUTY SPEAKER. That is so.

Mr. McCARTHY. I propose to meet the difficulty suggested by the hon. member for Provencher by proposing the adoption of a bilingual series. I did so because I found that in this province the teaching of English in the French schools was most inefficient.

Mr. LANGELIER. I was present when we discussed that question. The amendment of the hon. member for Westmoreland was accepted by the Government and voted upon rather hastily, and just after it had been accepted by the committee, I objected to it on the ground that there were no French books at all used in the Manitoba schools, and a number of other members rose to endorse my objection. I understood then that the hon. Minister of Justice obtained the consent of the committee to allow the clause and the amendment of the hon. member for Westmoreland to stand over in order that he might consider the question and prepare a new clause.

Mr. DEPUTY SPEAKER. The question before the committee is the amendment of the hon. member for North Simcoe, namely :

That in districts where any large number of the pupils attending separate schools do not understand English, but speak French or a foreign tongue, the books and maps, shall, as far as practicable, be bi-lingual in the English or French or foreign language spoken by the pupils, with the object of teaching the English language in the most effective way.

Mr. LANGELIER. I understood that the amendment of the hon. member for Westmoreland, although accepted, would be reconsidered, and we would be at liberty to proceed as if that amendment had not been carried.

Mr. DICKEY. As far as the question of order is concerned, I thought that the committee had given me authority to look into the whole question and submit a new clause, but in view of the legal position which the hon. member for Simcoe has assumed, I have a suggestion to make, if he persists in that position. But it seems to me that it would be better for the committee to reconsider the whole clause.

Mr. McCARTHY. I cannot consent to that. It would not be fair to those gentlemen who were present the other night and took part in the discussion and who are not here now.

Mr. DUPONT. (Translation.) I object to the amendment moved by the hon. member for North Simcoe (Mr. McCarthy). I do not wish to abridge the rights of the Catholic minority. The Manitoba Catholics prior to the law of 1890, enjoyed the right and privilege of selecting their own books. A little while ago there came up a matter of much greater importance, as it involved the qualifications of the superintendent of the separate schools, as to whether that officer should be conversant with both languages, and the hon. member for North Simcoe (Mr. McCarthy) objected to it on the ground that it was a matter that might be safely left to the board, as that body would have sense enough to appoint a man having the proper qualifications to discharge the duties of that office. If the hon. member still holds the same view, he must grant that the members of the separate school board in the province of Manitoba will be intelligent enough to provide those schools with such books as may be required to teach the children their vernacular language. It is to be presumed that when a scholar speaks neither the French nor the English language, or when speaking German, he knows neither French nor English, the trustees or the members of the Board of Education will oblige the teachers to teach those children in their mother tongue. In my opinion, the amendment of the hon. member for North Simcoe (Mr. McCarthy) would greatly impair the privileges enjoyed by the minority prior to 1890. I think we ought to leave it with the Board of Education that shall be appointed to make the selection of such books as may be required, unless we take it as granted that that board will be composed of men unable to select such books, or that they upon whom that appointment rests will appoint incompetent men. I presume that those who shall appoint the members of the educational board will be intelligent enough to appoint men competent to make the selection of suitable books, otherwise they should not be appointed nor entrusted with the educational interests of the children of the minority. Otherwise the appointment of the members of the Board of Education should be made by the Governor General in Council. But I presume that those appointments will be made judiciously, either by the Lieutenant-Governor in Council or by the Governor General in Council, and that the members of that board may be safely entrusted with the exclusive right of selecting school books for the children of the minority. As to the choice of books on history and relating to morals and religion, as the board will exclusively be composed of Roman Catholics, and they will have the right to select text-books, they will not presumably select books containing anything hostile to the tenets of the Roman Catholic Church. As stated by the hon. member for Quebec Centre (Mr. Langelier), it would be an insult offered to the Catholic minority, and putting a stigma on the intelligence of the board, were we to limit it in the choice of books. I hope that the hon. leader of the House will not allow the amendment of the hon. member for North Simcoe to be adopted, and I beg the committee, Mr. Chairman, not to place the Catholic minority of Manitoba in an inferior position to the Protestant majority of that province. We ought, therefore, to enact that the Board of Education shall administer the schools of the minority, and have exclusively the choice of books. Why should the minority be bound to the choice made by the representatives of the majority ? Why not leave the separate school board free if they choose to go and buy their books in England, where are to be found the best French and English translations ; for it is a well known fact that in England, they study French much better than in Manitoba.

Sir CHARLES TUPPER. If the hon. gentleman would let the Minister of Justice state his amendment, he would find that perhaps it would meet his views.

Mr. DICKEY. From what the Deputy Speaker has stated I am afraid that we are prevented from going back to the clause as it originally stood, and must accept the amendment of the hon. member for Westmoreland. The only thing we can do is to build up on the clause as it now stands. The hon. member for Simcoe has proposed an amendment which does not meet the case at all. I stated my objections to it the other night. The only thing I can propose is this. Under the amendment of the hon. member for Westmoreland, which was carried, the books are to be chosen from those in use in the public schools in Manitoba, with the exception of books on history, religion and morals. We are bound up to that point. The only thing I can suggest is to add to the clause as amended :

Or is now or shall hereafter be in use in any of the public or separate schools of any province of the Dominion.

That gives the board a range over the Dominion to choose its books.

Mr. LANGELIER. I understood the other day that with the unanimous consent of the committee, the whole of subsection C was to stand over for reconsideration and that the amendment of the hon. member for Westmoreland which had been adopted too hastily, had been set aside. Having that in view, I had prepared a motion to substitute a clause for subsection C as follows :—

To select all the books, maps and globes which may be exclusively used in the schools, with the exception of books on morals and religion, which books shall be exclusively selected by the competent religious authority.

This restores the law as it was before 1890.

Mr. DEPUTY SPEAKER. The only thing left over the other day was the question of language.

Mr. LANGELIER. Twelve members at least, on the other side, got up when I pointed out the effect of the amendment of the hon. member for Westmoreland, to protest against it. The amendment of the hon. Minister of Justice does not take away the objection, because it still puts a stigma on the intelligence of the board that is to be appointed. By this amendment, we declare that we do not consider the board will be intelligent enough to make a good selection.

Mr. MARTIN. Are you satisfied with the amendment of the hon. member for Westmoreland ?

Mr. DUPONT. No, I wish to give them the choice of their books. Let them go to England if they like, because there they would have a better choice of good books in different languages than we have in Manitoba or Ontario or perhaps even than in Quebec.

Mr. DEPUTY CHAIRMAN. The amendment of the hon. member for Westmoreland was carried the other day, and we cannot undo it without the consent of the whole committee. The only amendment for the committee now is the amendment of the hon. member for Simcoe.

Mr. DUPONT. (Translation.) I understood that the amendment of the hon. member for Westmoreland (Mr. Powell) had not been adopted the other day. If, on the contrary, it was adopted, I think we should, with the unanimous consent of the committee, frame a new clause, and make up for the error committed the other day when voting rather hastily upon the amendment of the hon. member for Westmoreland. As it has been evinced that there exists a better mode for the minority to select their books, we should not hesitate to take the course suggested. I hope the committee will not ground itself on the fact that the amendment of the hon. member for Westmoreland has been adopted, to decline accepting a better mode of settling that troublesome point, and granting the minority the exclusive right to the choice of their books.

Mr. LANGELIER. Suppose a man in Manitoba writes a good book on the subject of education, the public school board would not be at liberty to accept it.

Sir ADOLPHE CARON. Yes they will.

Mr. LANGELIER. No, their selection is limited to books already selected in other provinces. I object to that. I say it is putting a stigma on the intelligence of the separate board.

Mr. CHOQUETTE. Let us hear you read the amendment of the Minister of Justice, together with the amendment of the hon. member for Westmoreland (Mr. Powell).

Mr. CHAIRMAN. It reads as follows :—

To select all the books, maps and globes to be used in the schools under its control ; provided, however, that no book, map or globe other than books in history, morals or religion shall be selected, unless such book, map or globe has been authorized for use either in the high schools or public schools of the province of Manitoba, or is now or shall hereafter be in use in any of the public or separate schools of any province of the Dominion.

Mr. CHOQUETTE. I think that is fair.

Mr. LANGELIER. It is not fair at all. Why should the board in Manitoba have less authority than they have in Quebec, or less authority than the Protestants in Manitoba. That is putting the Roman Catholic minority in the position of inferiority.

Some hon. MEMBERS. No, no.

Mr. LANGELIER. If those who represent the Manitoba minority in this House agree to that, let them take the responsibility ; I will not agree to it.

Mr. LaRIVIERE. We ought not to stop on any mere question of sentiment. I would rather that the contention of the hon. member for Quebec (Mr. Langelier) should be carried out, but, at the same time, on a mere question of sentiment, I do not think it would be wise on our part to insist that this suggestion of the Minister of Justice, which is a fair one, should be refused. We have all to give and take in this matter, and when there is no question of principle involved, I do not think we should retard the progress of the Bill.

Mr. FOSTER. Is not the suggestion of the hon. member (Mr. Langelier) impracticable ? Suppose some person in Manitoba should write an excellent set of books for the Manitoba schools, you must remember that you have a small number of Catholic children attending the separate schools in that province, and it would be economically impossible to write and print a suitable series of school books for the limited use there. When you have a large range of books to select from in the great educattional provinces in the Dominion, you will get them at a very much cheaper price. It is a sentimental idea but it is not practicable. It does not relieve the Manitoba minority, because, make them as intelligent as you like, they are not more intelligent than the Catholic majority in Quebec, or the Catholic minority in New Brunswick or Nova Scotia. They would not be able to get any higher standards than these.

Mr. LANGELIER. I admit the Manitoba minority are intelligent, and that is the reason I would put them on the same par with the other provinces. We would look upon it as an insult in Quebec if our selection of books were confined by law to the selection made by other provinces. If the minority of Manitoba does not take it as an insult, I would take it as an insult if it were applied to the province of Quebec. The hon. gentleman (Mr. LaRivière) may say this is a question of feeling. Well, this law is more a question of feeling than anything else.

Mr. McCARTHY. Hear, hear.

Mr. LANGELIER. Nine-tenths of this law may be very well left out, if we are not going on a question of feeling; but these are feelings that deserve to be respected. If the Manitoba minority have any self-respect they should not accept such a humiliating law as this.

Mr. CAMERON (Inverness). Nonsense.

Mr. LANGELIER. The Minister of Finance says that the Catholic population in Manitoba is very small. He must remember that we are making this law for ever, and does he expect that the Roman Catholic population of Manitoba will not increase. One hundred years ago the French population of Quebec was only 65,000, but it is now 1,500,000. Even at the present time, why should not the Manitoba minority be at liberty to select books published in France or in England, where splendid educational works are published. It would be just as well for them to have no separate schools at all, if you deprive them of their most important privilege, namely, the selection of their school books.

Mr. DUPONT. (Translation.) Although I would rather that the amendment of my hon. friend from Quebec County (Mr. Frémont) were carried out, I shall, however, accept that moved by the Minister of Justice, as it is impossible to undo what was done the other day by the committee, or to correct the amendment and make it clearer. I accept the amendment of the hon. Minister of Justice as a compromise. I consider that in adopting the amendment of the hon. Minister, I give up none of the rights of the minority. I am sorry that we can no longer undo the amendment carried through the other day and which limits our rights to change the clause; otherwise, I would strongly insist, with the hon. member for Quebec Centre (Mr. Langelier) that the separate school board be left untrammelled in the choice of their school books as also in that of books concerning religion, history and morals. As I already stated, if we cannot undo what has been too hastily done by the committee, I accept the proposition of the hon. Minister of Justice as a compromise, as I believe that under the circumstances, that is the best course to pursue.

Mr. MARTIN. As a Manitoban, I say that the limitation of the selection of books to those published in other provinces would not be agreeable to the Roman Catholic people of Manitoba, or to any one else. That principle was decided by the committee the other night by a large majority, but the Minister of Justice now proposes to reinstate it in the Bill. I would suggest that since we are bound by the amendment of the hon. member for Westmoreland (Mr. Powell) that these words be added:

> But the said board may select such French books as may be required.

There is no objection to their selecting Ontario or Quebec books, but why confine them to these books.

Mr. McCARTHY. My objection goes much deeper than that of my hon. friend (Mr. Martin). It must be remembered that the separate schools, prior to 1890, were very inefficient in every respect. That is admitted.

Mr. LaRIVIERE. That never was admitted.

Mr. McCARTHY. If it is disputed by the hon. member (Mr. LaRivière) I will assert it to be an indisputable fact. The text-books that were used in the separate schools then were those in use in the province of Quebec.

Sir ADOLPHE CARON. Not all.

Mr. McCARTHY. Practically all. My hon. friend (Mr. Martin) will correct me if I am wrong.

Mr. MARTIN. I would not like to corroborate the hon. gentleman.

Mr. McCARTHY. So I have been informed.

Mr. CHOQUETTE. Even if they were the Quebec books, they would be good.

Mr. McCARTHY. I do not think so.

Mr. CHOQUETTE. You do not know much about them. I have studied these books and I am just as good as you are.

Mr. McCARTHY. You can have your own opinion about that, and I will have mine.

Mr. CHOQUETTE. Yes, and I suppose I am entitled to my own opinion.

Mr. McCARTHY. The Government in the by-elections have pledged themselves to make the teaching efficient in these separate schools, and amongst other things they promised that the books used should be efficient. The hon. member for Winnipeg says this amendment would be humiliating to the province of Manitoba. I agree with him in that, if they are forced to go to other provinces to get their books. This is an extraordinary proposition when we come to understand that there is no standerd of text books in the separate schools of Ontario, and that evey separate school can use its own set of books. The Department of Education is trying to get the separate schools to use the same books, but as Sir Oliver Mowat explained, there is no power to compel that.

Mr. GILLIES. There is a series of books recognized by the educational authorities of Ontario called the La Salle series. The hon. gentleman is quite right, when he says there is no legal authority to compel their use.

Mr. McCARTHY. You cannot go to Ontario to find out what are the books in use in separate schools because there is no uniformity. What we objected to the other night by a very large vote is now proposed to be attained in a more offensive way. Instead of saying that the books shall be equal to the books used in the separate schools of Ontario, the amendment says that they shall be equal to those used in any province. Instead of making a pretense of securing efficiency, we had better leave the matter absolutely to the board. The policy of the Government when they came down with their Bill was to make these schools efficient. They had abandoned that, and we are now asked to undo what we did the other night. There are no separate schools in any province of the Dominion except Ontario: but we struck those words out, and now it is proposed to put in the same words in a different way.

Mr. DUPONT. We have separate schools in Quebec.

Mr. McCARTHY. No, you have dissentient schools. This provision is practically to nullify the whole section. What I submit is the proper way to deal with this subject is to say that the books in secular subjects in use in Manitoba should be the books for the separate schools; and the books on religion and morals and history, you may if you like leave to the discretion of the Board of Education.

Mr. MARTIN. The hon. member for Quebec Centre has an amendment which I prefer to my own.

Mr. LANGELIER. I propose to add that at the end "or books published in any country." The object of this, I may say frankly, is to give full power to the board to select any books they think proper.

Amendment of Mr. Dickey agreed to; amendment of Mr. Langelier agreed to; subsection "c" of section 4, agreed to; and section 4 agreed to.

On section 9,

In case of temporary absence of the superintendent, he may, with the sanction of the Lieutenant-Governor in Council, or of the board, appoint a member of the board to act for him.

Mr. LaRIVIERE. I propose that the words "or illness," be added after the word "absence."

Mr. DALY. There is a more important amendment than that. The words "Lieutenant-Governor in council" must be struck out and the words "Department of Education" inserted instead, to meet the change made in section 7.

Mr. MARTIN. I think, anyway, the superintendent should not have the power to appoint a man to act in his place.

Mr. DALY. I am quite satisfied to strike it out.

Section 9 struck out.

Mr. McCARTHY. I would ask the hon. Secretary of State whether he does not think it is about time the committee should rise. It is now half-past one, and we have been sitting here since half-past eight. No person can pretend that we have not made satisfactory progress, but it is utterly impossible to go on working night and day.

Sir CHARLES TUPPER. I fully appreciate the concessions of the committee tonight and the great assistance we have received in making progress with the Bill, and I only wish it were possible to meet the views expressed by the hon. gentleman; but if any one will take the trouble to look at the portion of the Bill which has been passed, and compare that with the time spent in passing it, and with the balance remaining to be passed, he will see that it is absolutely impossible to hope to carry the Bill through unless by continuous sittings. That is the condition of public business which makes it impossible to adjourn the committee.

Mr. SUTHERLAND. I would like to say, with all deference to the hon. leader of the House, that many of us expressed our opinion in the early stages of this Bill that it was hardly right and proper to ask us to sit from Monday afternoon until midnight on Saturday without rising, and we advanced then the suggestion that perhaps that was not the best way to make progress. I think the House will bear me out that, so far as I am personally concerned, I have endeavoured to have the Bill advanced and properly discussed, but I am sure it is unreasonable to expect that hon. gentlemen can sit in the House continuously and be in a position to properly consider the clauses.

It is hardly reasonable to expect that those who are determinedly opposed to the Bill, and think it their duty to be present while it is under consideration should remain here continuously, and I am satisfied that had the suggestion from this side been accepted, and had we sat not later than two or three hours after the usual hour for adjourning, instead of nine or ten clauses of the Bill being passed, we would probably have passed some sixty or seventy. In justice to the members of the House and the dignity of Parliament, it is unfair to ask us to remain in continuous session, and the hon. leader of the House can hardly expect that those who are opposed to the Bill will go on discussing it after the proper hour to adjourn has been reached.

Sir CHARLES TUPPER. No hon. member ought to be determinedly opposed to the Bill. The hon. member for Simcoe expressed his earnest desire to go on and perfect it. So far from obstructing it, he expressed his desire to perfect it. Under those circumstances, no hon. gentleman should be determined to obstruct it. It is perfectly obvious that if the attention the Government has given to the measure had been responded to by the committee other nights, as it has been to-night, the Bill would have been through by this and sent to the Senate. It is because the only chance, in the present position of the Bill, of getting it through is to continually proceed with it, until some substantial progress is made, that I cannot accede to the suggestion of the hon. gentleman.

Mr. SUTHERLAND. I may have been wrong in the language I used as to determined opposition. I did not mean to say that any one desired to improperly obstruct the Bill, but that there were members in this House who were strongly opposed to it, and would offer opposition to it at every stage. The hon. leader of the House must remember that we differ in our opinions. He has expressed his opinion from the first that the discussion was fractious and for obstructive purposes, but there are a number of hon. gentlemen in the House who do not agree with him, and they are entitled to their opinions. There are hon. gentlemen who take a part in the discussion of the Bill on both sides who are in favour of its passing, and it is not fair to charge them with obstruction.

Sir CHARLES TUPPER. I am not speaking of the Opposition proper.

Mr. SUTHERLAND. In my opinion, if the hon. gentleman had listened to the suggestion of those at least who are inclined to be friendly and to carry on business in a parliamentary way, the result would have been different. If he persists in his course, I have not the slightest doubt but that he will meet with the same opposition that he did when his proposition was first made.

Mr. CHOQUETTE. It is not very late yet, and, for my part, I am willing to wait a little longer. But surely the hon. leader of the House must be in a position to say how long he intends us to sit. If he will allow the committee to rise at half-past two or three, he will gain much more than by persisting in going on. We are willing to help the Government to pass this Bill, but are not willing to go so far as to consent to be kept here all day and night.

Mr. O'BRIEN. I would like to call attention to the fact that when the hon. member for Queen's suggested that the committee should rise at two o'clock, and the hon. leader of the House did not object, the inference, as the hon. member for North Bruce (Mr. McNeill) has said to be drawn from the fact that the suggestion of the hon. member for Queen's was not objected to by the hon. leader of the House, is that the hon. gentleman gave a distinct pledge that this House shall rise at the hour named. In departing from that, the hon. Secretary of State was guilty of a most gross breach of faith.

Some hon. MEMBERS. No.

Mr. O'BRIEN. If the hon. leader of the House was not willing to accept the proposition of the hon. member for Queen's, he ought to have said so at the time; and when he did not, he practically accepted the suggestion. If he now repudiates it, it is a gross breach of faith worthy of the hon. gentleman, and which no other hon. member of the House would be guilty of.

Mr. BELLEY. (Translation.) It strikes me that the hon. gentlemen who are asking the committee to rise are the very men who have systematically obstructed the business of the House this week. They have wasted two nights, spinning irrelevent yarns, talking incoherent nonsense, and they feel too exhausted to go on discussing the Bill. When they are here, they prevent us from making progress, and when they are absent, we see our way to proceed with the work and to make satisfactory progress. For my part, Mr. Chairman, I am ready to work. I am one of the few who have been found here through the night, all this week. I have been in this House from three in the afternoon till three in the morning, and I know who those are who have been present. It is the first time that I see so many French Liberals in the House at this late hour of the night. I think they should stay here till seven or eight o'clock and lend their exertions in support of this Bill. We might thus be enabled to extricate ourselves from the difficulties which confront us. As the French Liberals, by their absence, have encouraged the opponents of the Bill in their policy of obstruction, they should now at least lend us their assistance in making progress with the Bill. Let the Government beware being caught in the trap set for them.

It is notorious that the French Liberals are bent upon preventing this Bill passing ; that is a well known fact, both in this House and out of it ; and should we now refuse going on with this Bill, the Liberal papers would cry out : See how the Government are gulling the Catholics ! They had given a distinct pledge that they would proceed with the business till the end of the week was reached, and instead of going on with the business, they have adjourned the committee. Should the committee now rise, do you fancy that at three o'clock this afternoon, the House will go into committee ? We are not innocent to the point of believing that. No, a lot of questions will be put, objections will be raised, and I venture now to tell the committee that no progress is likely to be made at the sitting of the House this afternoon, nor at the sitting on Saturday, Monday, or on Tuesday next. Such is the position in which we find ourselves. We, on this side of the House, have been sitting here day and night, but we want no rest. The hon. gentlemen opposite have been away all week ; let them now sit through the night, in their turn.

Some hon. MEMBERS. No, no.

Mr. BELLEY. (Translation.) Some hon. gentlemen say no, no. I am not to be imposed upon by their denials. Was the hon. member for Lotbinière here last night ? I was here all through the night and I know whereof I speak. Did the hon. member for Montmagny sit all through the night with us ? No.

Mr. CHOQUETTE. (Translation.) I stayed here, and I even voted at one o'clock.

Mr. BELLEY. (Translation.) And after the vote was taken ?

Mr. RINFRET. (Translation.) I was here.

Mr. BELLEY. (Translation.) You were not in the House ; you were probably in the smoking room or somewhere else. Of all the French Liberals only three, the hon, members for Dorchester (Mr. Vaillancourt), for Quebec (Mr. Frémont), and for Ottawa (Mr. Devlin) have been here since the beginning of the week.

Mr. CHOQUETTE. (Translation.) Where were the hon. Postmaster General (Sir A. P. Caron), and the hon. Minister of Public Works (Mr. Ouimet) ? Did they remain here continuously ?

Mr. BELLEY. (Translation.) Those hon. Ministers have remained with us through the night sittings. They have done all in their power to defeat the obstructive methods resorted to by the Opposition. These hon. gentlemen opposite who have slept well this week can afford to be here and sit all night with us. What is now going on here I look upon as a game of " bluff." The hon. gentlemen opposite begin to realize that public feeling in the province of Quebec is running high, since by voting against the second reading of the Bill, they have so shamefully betrayed the interests of their co-religionists in Manitoba. And public feeling is running still higher, and public indignation knows no bounds, now that the people understand that, not satisfied with trying to kill the Bill upon its second reading, the hon. gentlemen opposite are now bent upon killing it in committee, by their dishonest, shameful and unconstitutional obstruction ; and fully realizing that, the hon. gentlemen now ask us to adjourn the committee. All they wish is to gain time. Well, Sir, let them work now, and do like us ; we are not here to sleep but to go on and do business. The hon. member for Montmagny (Mr. Choquette) last Saturday voted for the motion that the House rise, because he wanted to take an airing and go home. The country expects us to work, and we are not sent here to lose our time. We have an important problem to solve. The Bill under consideration will give us plenty work for several days yet, even supposing that business should not be obstructed. I think it is our duty to go on and make progress. The province of Quebec expects us to continually proceed with the work, until some substantial propress is made.

Sir HECTOR LANGEVIN. Mr. Chairman, while I was out, a few moments ago, I heard that the leader of the House declared that he was of opinion that we should proceed with the work until we reached the end of this week. I met the hon. gentleman on my way back to the chamber.

Mr. MARTIN. On his way to bed.

Sir HECTOR LANGEVIN. I did not inquire about that from the hon. the Secretary of State. I mentioned to the hon. gentleman, that, instead of going on discussing, as we have done, for two or three nights, we might perhaps for this night take up such portions of the Bill as could be passed without any great objection, and reserve the sections on which there would be great differences of opinion for consideration during the day, to-morrow. The leader of the House authorized me to say that he certainly would be of that opinion, as he thought we would make a great deal of progress and attain the object we all have in view—at all events, those of us who are in favour of the Bill—to finish the work we have undertaken, and not lose more time. Under those circumstances, I offer the suggestion to the committee. I think we will better meet the views of the country and of the House, as a whole, by proceeding with the measure.

Some hon. MEMBERS. Hear, hear.

Sir HECTOR LANGEVIN. We have a great number of clauses that we could go through during the night, and then take up the clauses that are subject to discussion to-morrow.

Mr. WELSH. Thank you for nothing.

Mr. MARTIN. I have no doubt the hon. gentleman (Sir Hector Langevin) offers this suggestion in the proper spirit, but, coming from the leader of the House, it is the most ridiculous proposition that could be made. Our grievance is that our endurance won't last for ever, and, as we have worked hard with the Bill to-night, we have asked the committee to rise. Who is going to say what clauses are important and what clauses are not ?

Mr. FRASER. That is a fine proposition ; take the easy sections at night and the hard ones in the morning.

Mr. MARTIN. If, by working day and night, we would advance the Bill, there might be something in the proposition, but every one knows that is the very worst way to make progress. It was understood that the Secretary of State tacitly gave a promise to rise at two o'clock, and it is my view that no more business should be done between this and the regular hour for the meeting of the House.

Some hon. MEMBERS. Oh.

Mr. MARTIN. We have shown our willingness to do business.

Some hon. MEMBERS. When ?

Mr. MARTIN. From three o'clock this afternoon until two this morning.

Mr. JEANNOTTE. You have showed your willingness to make obstruction since three o'clock last Monday. You have spoken a hundred times.

Mr. MARTIN. I deny that there was obstruction.

Some hon. MEMBERS. Nonsense.

Mr. MARTIN. We discussed the Bill from three on Monday until half-past four on Tuesday morning. We are not obstructing the Bill.

Some hon. MEMBERS. Oh.

Mr. MARTIN. We are obstructing the determination of the Government to make us sit here unreasonable hours.

Sir RICHARD CARTWRIGHT. Hear, hear.

Mr. MARTIN. It is utterly impossible for us to properly discuss the Bill at this hour. This unseemly sitting up all night is a concession made to the Conservative supporters in the province of Quebec and in order to make political capital out of it. I defy any reasonable man in the province of Quebec or elsewhere to say that we are obstructing the Bill, when we have given it every consideration up to this hour in the morning.

Mr. McNEILL. I should apologize to the hon. gentleman (Mr. Martin), because at an earlier stage of the proceedings I suggested that we should go on discussing the Bill at that time. I was beguiled into the belief that the intention of the Government was that the committe should rise about two o'clock.

Mr. SUTHERLAND. You are very innocent.

Mr. McNEILL. I certainly understood that, when the Secretary of State did not contradict the statement made by the hon. member for Queen's (Mr. Davies). That is not a question of obstructing this Bill.

Some hon. MEMBERS. Oh, not at all.

Mr. McNEILL. Any one who desires to be fair, must say that there was a proper discussion on the Bill to-night.

Mr. GIROUARD. Indeed.

Mr. FRASER. I have brought to-night to the discussion of this Bill the best power that I am possessed of.

Mr. GIROUARD. Oh, oh.

Mr. FRASER. The hon. gentleman may say "oh, oh," who has never given a suggestion with regard to the Bill, and who does nothing else but obstruct.

Mr. GIROUARD. I did not waste time talking for two hours, like you did yesterday.

Mr. FRASER. Some hon. gentlemen come here and do nothing but shout and some of them have never read the Bill. Some of them cannot read it.

Some hon. MEMBERS. Oh.

Mr. FRASER. These are the men who are obstructing the Bill. Every suggestion that I have made has been in the direction of perfecting that Bill. It was presented to the House like a scrap-book, and, if it were sent before a court of judges in that shape, I would be ashamed of the Parliament of Canada. Did any one ever hear anything like the childlike suggestion that was made by the ex-Minister of Public Works (Sir Hector Langevin) ? To take up the easy sections when we are sleepy at night, and tomorrow to go on with the hard sections. Who is going to tell us which are the easy sections and which are the hard ones.

Mr. FOSTER. They are all easy.

Mr. FRASER. The hon. gentleman would swallow anything that looks easy, if he thinks it would have a political effect. I suppose there would have to be a committee appointed to find out the easy sections, and then we could say : Oh, Jack, go to bed, this is an easy section, but we will have a hard one for you when you get up in the morning.

Mr. FOSTER. I think I must rise to a point of order. We are supposed to be very respectful to each other in this House, but my hon. friend (Mr. Fraser) pointed his right hand to my hon. friend from South Oxford (Sir Richard Cartwright), and said : Oh, Jack, you go to bed.

Mr. FRASER. There would be some point in that, if I had said : See here, Dick, you go to bed.

Mr. IVES. The same thing applies to the whole lot of you.

Mr. FRASER. Or if I called him Buffalo Bill, or Texas Jack.

Mr. IVES. You were not referring to Jumbo, I suppose.

Mr. FRASER. No, I was referring to a Bullock, and not to a Jumbo. I say that the suggestion made by the leader of the House, through the hon. gentleman (Sir Hector Langevin), is most ridiculous.

We are asked by the ex-Minister, in his gentle, child-like, bland way to take the easy sections and leave the difficult ones. I suppose we are to take the sections with the easiest words, as children do in school. What is an easy section ? I suppose no section with any word of more than two syllables could be struggled with to-night. Another way to get at the easy sections would be to count the lines. What criterion are you going to apply ? N.B.—Sections 8, 15, and 28 are night-shift sections ; sections 80 and 95 are day sections ; prepare for the night sections and the day sections ; night sections to be taken up after two o'clock ; and the section will be graded, so that as the House grows drowsy, they will grow easier until when the gray dawn comes, the section we are dealing with will get so easy that we will not know it is a section at all. This is a proposition to be made by a government, isn't it ? Fancy a number of statesmen sitting down in a drowsy attitude to find out which are the easy and which the difficult sections. Did any one ever hear such a thing in a Parliament of free men ? I did think that after eight hours of close attention to this Bill, we might have been allowed one square night's rest. Have we not had an example to-night of the progress that would be made with this Bill under fair treatment of the House ? If the good sense exhibited by the Government to-night had been exhibited from the time this Bill was introduced, it would have been through now. Was there a disposition to-night to obstruct the Bill ?

Mr. IVES. Yes.

Mr. FRASER. The hon. gentleman who was not here says there was.

Mr. IVES. I judge that the passing of two clauses from eight to two is obstruction.

Mr. FRASER. Indeed ? Passing the clauses from 6 to 8, and going back and passing one of the most important sections of the Bill, is obstruction. We are not to say anything, because anything we say is obstruction. Under the circumstances, I submit that the Government are not helping the end they profess to have in view by this conduct. Not very long ago the aged and astute politician who leads this House said he was ready to die for this measure. Did he show that he was ready to die by staying here ? No, but every night he goes off to his comfortable couch.

Mr. FERGUSON. That is very small potatoes for so big a man as you.

Mr. FRASER. A hale and healthy man going to bed does not indicate his desire to die.

Mr. FERGUSON. You will not die in your bed.

Mr. FRASER. No, I will not die in bed, because I will never have you to attend me.

Mr. DALY. I do not wish to interrupt the speaker, but I would point out that clause 10 of this Bill is before the Chair.

Mr. FRASER. I was speaking of the necessity of adjourning.

Mr. DALY. You cannot discuss that under clause 10.

Mr. FRASER. Then I move that the committee rise, report progress, and ask leave to sit again.

Mr. CHOQUETTE. I rise to a point of order. The standing orders of this House, adopted on the 10th of February, 1885, provide :

> That the member elected to serve as Deputy Speaker and Chairman of Committees shall be required to possess the full and practical knowledge of the language which is not that of the Speaker for the time being.

Now, we all know that the Speaker who presides over this House does not speak French ; and if the Chairman of this committee does not speak French, this committee is not properly constituted.

Mr. BELLEY. (Translation.) Last night, the hon. member for North Simcoe (Mr. McCarthy) moved an amendment exactly similar to that proposed by the hon. member who has just taken his seat. I say, Mr. Chairman, that all this is done with a view to prevent us making any progress with the consideration of this Bill. The hon. member for Montmagny (Mr. Choquette) is well aware that the English language is used most of the time in committee during this debate, and the motion he moves is with a view to prevent the committee going on with the Bill now under consideration. I say, Mr. Chairman, that the hon. member for Montmagny (Mr. Choquette) is not playing a creditable role. That might do for the hon. member for North Simcoe (Mr. McCarthy) who is pandering to the Protestant prejudices of the province of Ontario, but the hon. member for Montmagny is not in the same position. I venture to tell the hon. gentleman that his attitude will not commend itself to the judgment of his constituents.

Mr. FRASER. I rise to a point of order. Am I to be disturbed in this way without your ruling whether the point of order is well taken ?

The CHAIRMAN (Mr. Mills, Annapolis). The hon. gentleman is discussing the point of order.

Mr. FRASER. You must decide the point of order without discussion.

The CHAIRMAN (Mr. Mills, Annapolis). If you force me to a decision, I decide that I am properly here. I am not the elected Deputy Speaker ; I am the substitute of the Deputy Speaker.

Mr. FRASER. Of course, I acknowledge the justice of your decision, and I bow at once to it, although as a matter of law I always understood that the power of the agent could not exceed that of the principal. Let us see how the matter stands. The hon. leader of the House, at the outset, struck an attitude and courted death. Life hung upon such a slender thread and he was willing to submit the thread to any strain in the interests of his country. There was a time in the history of England when something similar occurred—when the great Chatham, wearied and worn, was carried into Parliament to make his last speech, ready to die in order that he might speak to the nation words of wisdom and show his earnestness. He did not say he was ready to die, but every one saw he was, because he had to be carried in, pillows under and around him, and it was a grand spectacle to see this infirm old man so anxious to serve his country. Well, the hon. Secretary of State thought he would not be undone by the great Chatham, and he told us, in thundering tones, that he was ready to die.

> For he himself has said it,
> And its greatly to his credit.

He did not require even any time to prepare, he had settled with his Maker, because when a man says he is ready to die, the presumption is that he has so prepared himself that the angels are only waiting to receive him. But it comes out that the whole thing is a piece of by-play. As he spoke to us, indignantly and pathetically about obstruction, I watched his countenance, and could see the smile that crept into it as he turned to his colleagues and winked the other eye. The country can be fooled sometimes and many times, but not every time. If the Government had any desire to see the Act passed, they would approach the House in a dignified way and seek to push it through in reasonable hours. I care not whether I am called an obstructionist or not, I will go before any audience in the Dominion of Canada, and I will say that when we have tried to perfect a Bill from three in the afternoon till two in the morning, that the Government is responsible for the defeat of the Bill if they want to keep us here any longer. The evidence is irresistible that the whole object of the Government is to defeat this Bill, and I have no doubt that many of their supporters in their hearts will thank those who have enabled them to do that.

Mr. COATSWORTH. Why do you not come out straight then, and oppose the Bill ? You oppose the Government in everything else.

Mr. FRASER. Simply because I want to be honest, and try to perfect the Bill.

Mr. COATSWORTH. Do you not give other persons credit for acting honestly as well as yourself ?

Mr. FRASER. I am not speaking of the hon. gentleman at all, I have nothing to say to him.

Mr. COATSWORTH. The hon. gentleman has represented the Government supporters as not being really desirous of passing this Bill, why does he make that statement ; what ground has he for making it ?

Mr. FRASER. I say that all the indications prove that.

Mr. COATSWORTH. It seems to me that if that could apply to any hon. member on this side of the House, it would apply to me representing the constituency of East Toronto. I want to assure the hon. gentleman of this : That the greatest misfortune in my view, that could attend me is that I should go back to my constituents without the Bill passing.

Mr. FRASER. That may all be. It might be a great misfortune, because the hon. gentleman won't go back to his constituents.

Mr. FERGUSON (Leeds). That is not fair.

Mr. COATSWORTH. The hon. gentleman (Mr. Fraser) should keep his insinuations to himself

Mr. FRASER. Is it not fair to say that the hon. gentleman may not seek the suffrages of the people ? He may not get the nomination. I am not saying there is any motive for the vote of the hon. gentleman. I will assume that he was honest in voting on this question. Except for the action of the Government, I would assume that they were honest too, but when I see that every step taken by them is a step in the direction of defeating this Bill, then I say there is method in their madness. Suppose I knew that the hon. member (Mr. Coatsworth) had in his pocket a writing that appointed him to a position, then I might accuse him, but otherwise I will not say that the hon. gentleman is not honest in his vote. Does any one pretend to say that the tirades of the Secretary of State would mollify this House, and help to pass the Bill ? In the interests of the House, in the interest of the Bill, and in the interest of those gentlemen who have been cooped up here for sixty hours and who want to get some sleep, I move that the committee now rise, report progress and ask leave to sit again.

The CHAIRMAN (Mr. Mills, Annapolis). Is the House ready for the question ?

Sir RICHARD CARTWRIGHT. No, Sir ; not quite. The hon. gentleman (Mr. Fraser) has under-estimated the time we have been here. We have been eighty-four hours subjected to this unexampled piece of tyranny, and it is about time to review the situation.

Mr. OUIMET. Why do you not review the Bill ?

Sir RICHARD CARTWRIGHT. Because, if the hon. gentleman does not understand it —it has been explained to him often enough —I will tell him. No Government has the smallest right to call upon members of this House to consider so important a measure at hours when it is utterly impossible for the majority of the House to be present. It is gross and rank tyranny of the vilest kind to attempt to rush this Bill through by brute force, and I am sorry to say that the Government of Canada is led, and largely officered by men who are only capable of passing the Bill in such a way. We are making progress at the rate of about one clause in ten hours, and it is quite as much progress as a Government deserves to make which resorts to such methods. This kind of bulldozing, this kind of tyranny, this kind of outrage never yet succeeded in carrying a measure, and, thank Providence, never will. It must have dawned on the mastermind that has come across the ocean to assist our deliberations that a great blunder has been committed. I think, Sir, it has also dawned on the minds of his followers, that they have been very badly led all through. In my parliamentary experience, I have never seen a great party worse led, or worse handled than the party opposite has been this session by the men entrusted with its political guidance. Perhaps not all of them. but it applies more particularly to their chief and leader, and to that inner council who always constitute, under such circumstances, the real guiding power in the Cabinet. They are going to the country after a session of very nearly four months, with absolutely empty hands.

Mr. FERGUSON (Leeds). And clean hands.

Sir RICHARD CARTWRIGHT. Clean hands, because they have not been able to put their hands into anything. On this occasion, they will not have the power of having anything but clean hands, for we will take care that nothing will go through the House without our knowing the reason why.

Mr. FERGUSON (Leeds). We always had clean hands.

Sir RICHARD CARTWRIGHT. The hon. gentleman's representatives appear in the post office, and elsewhere.

Mr. FERGUSON (Leeds). I deny it, and I challenge proof of it.

Sir RICHARD CARTWRIGHT. We have some little proof.

Mr. FERGUSON (Leeds). I deny it ; trot it out now if you have any proof.

Sir RICHARD CARTWRIGHT. I think we have had some little proof in the Post Office Department.

Mr. FERGUSON (Leeds). I never received a dollar outside of my indemnity as a member of this House, and I have been in the House for twenty-three years.

Sir RICHARD CARTWRIGHT. I did not say the hon. gentleman had put money in his own pockets. There are other ways of making things pleasant.

Mr. FERGUSON (Leeds). No, Sir; nor has any relative of mine got any.

Sir RICHARD CARTWRIGHT. I think the hon. gentleman has got some relatives in the post office.

Mr. FERGUSON (Leeds). Then you are quite wrong.

Sir RICHARD CARTWRIGHT. I think we had some evidence laid before the House.

Mr. FERGUSON (Leeds). Then you can produce the evidence, and I am here in the House to explain it to you.

Sir RICHARD CARTWRIGHT. Unless I am greatly mistaken, the hon. gentleman has not only served the country in his own person, but in the person of his relatives.

Mr. GUILLET. Shame.

Mr. FERGUSON (Leeds). A single relative of mine never was in the Civil Service since I have been in the House, for twenty-three years ; and I question if any other member in the House can make that statement.

Sir RICHARD CARTWRIGHT. Perhaps all the better for the public service.

Mr. GUILLET. Shame.

Mr. FERGUSON (Leeds). Not a single dollar to my advantage outside of my parliamentary indemnity, which the hon. gentleman draws too, ever went into my pockets or in the interest of my family.

Mr. GUILLET. The hon. member (Sir Richard Cartwright) cannot say that.

Sir RICHARD CARTWRIGHT. I am glad to hear it in the interest of the public service.

An hon. **MEMBER.** Take it back.

Mr. FERGUSON (Leeds). I am not the sort of duck you think I am.

Sir RICHARD CARTWRIGHT. At another time we will have the opportunity of referring to that again.

Mr. FERGUSON (Leeds). All right, and if I am here I will discuss the question with you.

Sir RICHARD CARTWRIGHT. When the post office estimates come up we will have an opportunity. I hope the hon. gentleman's memory has not quite failed him.

Mr. FERGUSON (Leeds) Not at all, Sir. I am growing old, but I am not growing imbecile.

Sir RICHARD CARTWRIGHT. I am very glad to have the hon. gentleman's authority for that fact.

Mr. FERGUSON (Leeds). I am perfectly willing that the country should compare you with myself in that respect.

Sir RICHARD CARTWRIGHT. I think it has dawned upon the followers of the Government, that they have been pretty badly led this session. We have never had a session in which we have sat so long and done so little, nor has there ever been a session during which the Government deserves to have done so little. There are two hypotheses which may account for the conduct of the Government with respect to this Bill. This is the first hypothesis that the Government of Canada had no sort of real wish or intention of passing this Bill at all, and that all their proceedings with regard to it are simply organized hypocrisy. First of all, this is anything but a new measure on their part. Their pledge was to introduce legislation on the lines of the remedial order. That pledge was made by the Minister of Public Works in Verchères in April, 1895 ; but it was not carried out last session. Then they proposed to call Parliament together not later than the 2nd of January, this year, to pass remedial legislation. In the meantime, they allowed six months to pass without making a serious attempt to negotiate with the province of Manitoba. Had they had any honest desire to bring this matter to a determination, there is no doubt that they would have utilized the recess to hold a conference with the government of Manitoba ; but they wasted that valuable time. But there was another course open to them. After communicating their decision to the government of Manitoba, there was nothing in the world to have prevented them calling a session of Parliament in October or November to pass remedial legislation. If that had been done, it would have been utterly impossible to have prevented the Government passing the measure, if so disposed. I trust the House and the country will bear that in mind, and I defy hon. gentlemen to contradict it or dispute it. But they would not negotiate with Manitoba, or hold a session in October or November, when this measure might have been put through ; but they delayed it till the 2nd of January ; and, instead of introducing it then, this Government, or the major part of them, went on strike. They consumed fifteen days in deciding whether they would oust the present Prime Minister or not. They made an exhibition of themselves ; they disgraced themselves, their party and the country ; and since that time we have had the spectacle, unprecedented in Canada, of the nominal chief of the Government unable to hold any intercourse with half his followers, except in the most strictly official way. If they had had an honest desire to pass this Bill, it would have been prepared before the 2nd of January, it would have been laid on the Table of Parliament the day Parliament met, and we would have been called upon to deal with it the moment the Address was disposed of. But I do not believe the Bill was ready when Parliament met ; I do not believe these hon. gentlemen had any idea of the provisions it would contain. As a matter of fact, the Bill was not put in type until six weeks after this House met, and it was not presented for the second reading until the House had been two months in session. Every member knows that that conduct on the part of the Government is utterly irreconcilable with any honest desire to pass the Bill. They knew that this Parliament was to come to an end by efflux-ion of time on or before the 24th of April ; they knew that it was a Bill of extraordinary difficulty, and one that would require a great deal of discussion ; and their conduct in allowing two months to pass, and allowing the Budget debate to be interpolated, before they proceeded with the Bill, proves conclusively that they had not the slightest real intention to bring this measure to a conclusion. That is one of the hypotheses. There is a second hypothesis, of which I give them the benefit. It may be, that, on the part of some members of the Government, there was a sheer downright stupidity which led them to imagine that they had only to appear before us, and all of us would at once fall down and worship the golden image they had set up. If that was the idea of the great statesman who leads them, he must have been extremely astonished at the reception he received. I do not think he found this House disposed to take him at his own valuation. It is probable that both of these hypotheses are more or less true. But the truth is, I suppose, that the members of the Government have never been at unison with themselves on this question. They have been divided into two camps and hostile camps. It was worth while seeing what was said in the Senate by Sir Mackenzie Bowell on that question.

Mr. OUIMET. Will the hon. gentleman allow me to raise the question of order. I am quoting from Bourinot :

> It is a part of the unwritten law of Parliament that no allusion should be made in one House to the debates of the other Chamber, a rule always enforced by the Speaker with the utmost strictness.

Without saying any more, I will call upon you, Mr. Chairman, to enforce this rule.

Sir RICHARD CARTWRIGHT. Well, I will say it is stated.

Mr. OUIMET. I do not think the hon. gentleman can do that.

The CHAIRMAN (Mr. Mills, Annapolis). I do not think the hon. member can refer to the debates in the other House. The rule is a very broad rule.

Sir RICHARD CARTWRIGHT. It is not a written law.

The CHAIRMAN. I doubt if any allusion whatever can be made to anything that has taken place in the other House under this rule.

Sir RICHARD CARTWRIGHT. I do not understand that that is the rule of our House, but merely a gloss, no doubt by a gentleman whose opinions are entitled to very considerable weight, but I do not think you can point to any absolute rule on the subject.

Mr. OUIMET. The hon. gentleman may very well dispense with quoting again these things, for they have been quoted repeatedly in this House.

Sir RICHARD CARTWRIGHT. I do not know that I shall be disposed to admit that everything you find in a text book on the subject can be regarded as official authority, and I am not sure that it might not be worth while to have His Honour's ruling on the subject. However, the facts are pretty well known, and I do not think it is worth while to take up time and bring the Speaker out of his bed. Hon. gentlemen opposite have justified their course on one particularly absurd pretext. They declare that because they had a small majority for the second reading of the Bill—which by no means proves that the majority acquiesce in all the provisions of it—they are, therefore, entitled to force it through Parliament 'per fas et nefas.' I admit that when a Government come fresh from the people, or within a reasonable time, thereafter, there is a reasonable assumption that they do represent a majority of the electorate ; but when the House is in its sixth year, and more particularly when it was elected on a voters' list about eight years old, it is certain that the majority of the House do not represent the majority of the electorate. It is physically impossible that they should represent it. They do not represent more than a majority of three-fifths of the electorate, and consequently the majority of this House at present represents a bare majority of three-fifths, or something like 36 per cent at the utmost of the existing electorate. Although that is not technically and legally fatal to their claims, it is morally and entirely fatal to any pretense for alleging that the Opposition in this House, are defying the will of the majority of the electorate of Canada in refusing to accept the decision of the majority in this House as final on a question of this kind. If there were anything that would more than another show the utter folly of holding a session at the extreme end of a parliamentary term, it is exactly what has happened. Had the hon. gentlemen any real knowledge of the constitution and any tactical skill, the very last thing they would have done, particularly under existing circumstances, would be to hold a sixth session of Parliament. I do not mean to say that no circumstances could arise under which a sixth session might be justified, but I say that the only cause that I can conceive of would be a great danger to public interests if Parliament were not to meet. But no human being can pretend that the public interests would have suffered had this House been dissolved at the usual time. The reverse is the case. It is perfectly clear, not merely that great loss has been sustained, not merely that a very considerable amount of money has been uselessly expended, but that there is danger of great injury to the public service resulting from the course the Government have seen fit to adopt. There is no one thing better established by the unwritten law, by the usage and practice of the British Parliament, than this, that a Parliament which is summoned at the extreme end of its term should, under no consideration other than great public danger, attempt to transact anything more than the merest ordinary business. The reason is obvious. It is because the existing majority of Parliament do not represent the majority of the electorate, but only at the outside a majority of less than three-fifths of the electorate, or under 40 per cent. Under the circumstances, it is utterly contrary to the genius and spirit of representative institutions that any important measures should be passed by a Parliament the majority of which do not and cannot represent the people at large. Then we come to another question which would deserve more attentive consideration than the little time at my disposal will permit, and that is the nice and curious question under what conditions a minority have a right to compel an appeal to the people. I admit frankly that any minority which attempts to oppose the decision of the majority, does so at its peril. If we decide that it is our bounden duty to oppose the Government, or the majority for the time being, in every constitutional and reasonable way, we do it at our peril, and must be responsible to our constituents. But in all these cases, due regard must be had to the surrounding circumstances, and in particular to the duration of the parliamentary term. There is a very great deal justified at the end of a parliamentary term which would not be justified at its commencement. Had the Government done their duty and submitted this question to the electorate and returned with a clear majority, I would not think it proper or right that any extraordinary objection should be made to their carrying out the mandate they had received from the people. But, under existing circumstances, there is no sort of pretext for saying that hon. gentlemen opposite represent the majority of the electorate. All these considerations are very much increased in force by the circumstance that we are a federal Parliament, and that it is a fundamental part of our constitution that every province should be represented here in proportion to its population at the last census. At present this Parliament is not properly constituted, because three of the maritime provinces are over represented to the extent of 10 per cent of their total population, and the province which is chiefly interested in this question before us is very much under-represented in Parliament. I will not enter into the question that there is the strongest reason to believe that the representatives from Manitoba and the North-west do not, in the slightest degree, represent the feelings of their constituents on this question. We are here debating a question in which federal relations and provincial relations are concerned, and we are doing so with a full knowledge on the part of the Government that the province specially affected is not properly represented. It might very well come to pass on the third reading of the Bill, if it is ever reached, that it might be carried by a very small majority, and that that might be composed of the excessive vote of the maritime provinces, and that it might have been prevented passing had Manitoba been properly represented. As more than two years have elapsed since our Redistribution Act passed, there is no excuse for this House departing from the good old English rule and precedent that, wherever a redistribution act had been passed an appeal to the people should be had without delay. I object to recognize the authority of this Parliament to deal with this question now, under the circumstances I have narrated. Nothing more objectionable can be done, nothing which is more likely to strain our constitution, nothing more likely to establish a bad and mischievous precedent and lower the dignity and tone of Parliament, than holding a session at this time. It is well known that in the last session of the Parliament a good many things are apt to be done which should not be done. When you call a sixth session, under the circumstances and at the time this was called, all I can say is that if it was the intention of the Government to deliberately offer a premium on obstruction, they could not have devised a better scheme. It is not one of the least evils of holding a session under those conditions that it wholly deprives the people of proper control over their representatives. The Government are attempting to secure the support of representatives to a measure, of which they do not approve in their hearts and consciences, by offering these men an asylum and a retreat from the cares of political life. The power of the Government to appoint members of Parliament to office is one of a questionable kind, which always requires to be exercised under the strictest safeguards. We have had in this Parliament, which is now fortunately reaching its termination, some glaring instances of the utter disregard by the Government of the principles which underlie the Independence of Parliament Act. I am sorry to say it, because I like the hon. gentleman himself, but the late hon. member for Cardwell (Mr. White) was notoriously sitting in this House for the last two or three sessions with the pledge and promise of the collectorship of Montreal in his pocket. Now, that hon. gentleman, under the circumstances, had entirely ceased to be a free agent, and he ought not to have sat and voted in this House; and, although, at long and last, he took up courage and released himself from the bondage which, no doubt, he found hateful to him, still he set a bad example by lending himself to the scheme of the Government of keeping the important position of collector of Montreal vacant for three years and using it to procure the support of a memebr of this House. But while that, at any time, is a danger to representative government, it becomes tenfold more dangerous when a session is being held at a time when it is utterly impossible for the constituencies to express their opinion. Within a few days, within a few hours, I may say, the Government have appointed an hon. member of this House to a judicial position on the bench, and they did that under circumstances which show clearly that for a considerable time back that hon. gentleman has been, to all intents and purposes, practically violating the Independence of Parliament Act. The principal check against violation of the Independence of Parliament Act consists in the fact that the Government must at once vacate a seat when they appoint one of the people's representatives to an office. Clearly they have had their reasons of late years for not desiring to open more seats than was absolutely necessary. There is no such check in a session held under these circumstances, and that in itself is a strong argument against holding a session under circumstances which tempt the Government and its supporters to this outrageous violation of all decency, by appointing members of this House to offices on the judicial bench, and that at a time when an important debate was going on in this very Chamber. Perhaps the only good thing that is likely to arise from this sixth session is, that it will warn the Government, even if they possess a large majority, of their utter powerlessness to dragoon the House, and compel members to accept whatever measure they may bring down, even supposing, for the sake of argument, they really wish to pass this measure. What earthly gain do the Government expect to secure from the absurd position in which they have placed Parliament. It has not been to the advantage of parliamentary institutions that we should exhibit the spectacle of keeping this assembly in session for 84 hours, for the nominal purpose of passing an extremely complicated and difficult measure. If the hon. gentlemen are to impress a certain section of the country that they are determined, coute que coute, to force this measure through, they can attain that object with far more decency and propriety, by asking this House for a reasonable number of hours, in dignified and decorous discussion, to consider this measure, and then let the responsibility of opposition lie on those who unduly discuss it. All this fanfaronade, all this dramatic profession, won't satisfy the astute gentlemen with whom the Government have to deal, and who will understand perfectly well what kind of a little game the Government are playing in this matter. Suppose the Bill should get through committee, are they aware that there is such a thing as a third reading, on which discussion must take place with the Speaker in the Chair ? They would find if they get through committee, that the third reading is a harder hedge to get over than even the committee stage. Looking at the matter from every point of view, I may say to the hon. gentleman, that I can understand no real reason to force this through, unless it be downright cussedness, not on the part of the hon. gentlemen upon whom the burden of the fight falls, but downright cussedness on the part of the leader of the House. We are perfectly willing to discuss this Bill in a rational way for a rational time. But the country knows, and the House knows, that far greater progress would be made in that way than possibly can be made under the circumstances I have alluded to. If it were their honest intent and purpose to make it impossible to get through the Bill this session, they are to be congratulated on their course, because the right way to do that was to threaten, as the Secretary of State did at the very beginning, that we would be compelled to sit here day and night until the Bill passed. Such a threat is not one to be addressed to a free Parliament, and it was properly resented. We would be unworthy the name of a Liberal party, unless we set our faces against any such attempt to practically enforce the closure. I am not in the slightest degree obstructing this measure, but I am contending for the plain and simple principle, that it is the right of every free member of every free parliament to see to it that the business of the House is conducted at such hours that every gentleman who wishes shall be physically able to consider what measures are submitted to us.

Mr. IVES. It would seem to be a well-settled fact that the opposition to this Bill comprises not only the members of the Conservative party who are opposed to it, but also practically the whole force of the Liberal party in this House. No remark of mine is needed, after what has taken place already this week, to satisfy the House or the friends of this measure in the country, or the country as a whole, that the Liberal party—I won't say in conjunction with, but working with the McCarthy party in this House—have determined that this Bill shall not become law.

Some hon. MEMBERS. Hear, hear.

Mr. IVES. When the chief lieutenant of the leader of the Opposition (Sir Richard Cartwright) occupies an hour and a half of the time of this committee—which might be profitably spent in discussing the clauses of this Bill—in speaking on matters which have no relevancy to the question whatever, it is certainly manifest that unless some change takes place, and takes place soon, this measure cannot—no matter what the efforts of the Government may be—this measure cannot become law. It is manifest from what has occurred that instead of the Government coercing the Opposition in this House, it is the Government and their supporters who are being ruled and coerced by the minority in this House.

Some hon. MEMBERS. Hear, hear.

Mr. IVES. The Opposition from the first of this session have assumed the role of being the governing and ruling body in this House. When the Estimates were brought down, we were told plainly by the leading members of the Opposition that this session was called for a special purpose, and that the Remedial Bill and nothing but the Bill should receive consideration. We were told that grievances must always be discussed before supplies were granted. It was necessary that the financial statement should be made by the Minister of Finance, and the Remedial Bill was brought down immediately afterwards. Then when we went into Supply, the Opposition, taking the matter into their own hands, said : You shall not have supplies ; we will put the country to the expense of half a million dollars for an extra session ; we have determined upon that policy, and by that policy you must be guided. Then, when we brought the Bill down—and we brought it down in ample time to receive full consideration and discussion, and as soon as the financial statement which had to be made to the country was made—when we asked for the consideration of that Bill, obstruction commenced ; obstruction in every possible way, and obstruction in every possible manner. I will not say that for a measure of the magnitude and importance of this, there might not be considerable discussion on the second reading. I will not say that the discussion was entirely confined to the Opposition side of the House ; but I will say that it occupied more time than the discussion of such a Bill would receive in the Imperial Parliament, or in any other Parliament of the world that I know of. Then we got into committee, and when we were not devoting all the time of the House to this measure, and not sitting day and night, how did we get on ? The hon. gentlemen opposite, while pretending to discuss the clauses, spent three days on a single clause, and so the obstruction went on, till finally the Government came to the conclusion, that if there was any real progress to be made, all the time of the House must be devoted to its discussion. We have passed but a few clauses altogether this week. Why was the whole of the day before yesterday, and the whole of the day yesterday, spent on the motion to adjourn, and what came over the spirit of the dreams of hon. gentlemen opposite this afternoon, that they consented to give a little time to the discussion of the clauses of this Bill. They apparently relaxed their obstruction for a few hours. For six mortal hours we were kept in this House passing three or four minor clauses. That was obstruction just as much as the other. It was a pretense to permit the Bill to be considered in committee, but it was real obstruction to the passage of the measure. Well, this Bill contains only eight clauses which require any special attention from the committee.

Sir RICHARD CARTWRIGHT. Which are they ?

Mr. IVES. We have passed one referring to the organization of the board ; the 74th clause is another, and if the hon. gentleman cares to know, I will hand him a list of the sections, when I resume my seat, that I consider to be important, and which might properly occupy a considerable time. From my knowledge of this Bill, from having gone through it carefully when it was before Council, I know that there are only eight clauses that require time in the discussion thereof, and that the rest are simply the machinery making the law workable.

Mr. FERGUSON (Leeds). And effective.

Mr. IVES. Yes, workable and effective. We have now come to the 10th day of April, and the life of this Parliament expires on the 24th of April. I say there is still time to properly discuss this Bill and to pass it, and also to pass, at least, the Supplementary Estimates before the Parliament prorogues, if hon. gentlemen opposite only consent to the patriotic course of stopping obstruction and going on with the consideration of this Bill. What is the position at the present moment in this House ? The McCarthyites, trusting in the faithfulness of obstruction of their friends the Liberals, have each and every one of them left the Chamber.

Some hon. MEMBERS. Hear, hear.

Mr. IVES. Not a soul of them is left. There is not a hand to prevent the consideration of this measure and good progress being made, if the lieutenant of the Liberal party (Sir Richard Cartwright), and his own friends, do not obstruct. With the ability of the hon. gentleman leading the other side of the House (Sir Richard Cartwright), with his aid, with the aid of many of the best lawyers of the House, who are here or within easy call, we can go into committee and pass more than half of the clauses of the Bill to-night.

Some hon. MEMBERS. Hear, hear.

Mr. DALY. Far better than if the House were full.

Mr. IVES. Far better than if the House were full. I would rather trust the consideration of this Bill to half a dozen, or a dozen, lawyers, selected from each side of the House, than to trust it to the whole committee ; for better work would then be done, more expedition would be had, and we would get better results. I can see, however, only one chance of this Bill becoming law this session. My hon. friend the Minister of Public Works has handed me a list of the important clauses in this Bill, which I will give to the hon. gentleman from South Oxford (Sir Richard Cartwright). They are clause 1, and clause 4, which have already passed ; clause 6, which has also been adopted, and clauses 10, 28 and 74. Only three important clauses remain for discussion. These clauses may be left over for the present, and all the other clauses of this Bill might be put through to-night without any trouble or difficulty. I was about to say, that from my experience in public life, I see only one chance for this Bill becoming law, considering the tactics that are being pursued on the present occasion, and that is this : If the members of the Liberal party from the province of Quebec would use that influence which they might use on their Liberal friends, progress could be made. The whole matter is in their hands, and they could force, if they wished, hon. gentlemen of their party who are obstructing this Bill to desist. The hon. gentlemen of the Liberal party from other provinces, who consider it to be to their political advantage to be identified with this obstruction, could easily be forced to change their course by the Liberal members from the province of Quebec.

Sir, where is the hon. member for Huntingdon (Mr. Scriver)?

Mr. LANDERKIN. He is where every honest man should be at four o'clock in the morning—in bed.

Mr. IVES. Then, I take it, you are not an honest man. Where is the hon. member for Huntingdon, the man who, I believe, is always selected to preside at the party's caucuses. That gentleman cannot be indifferent to this question. He represents a constituency in which more than one-third of the voters are Roman Catholics. They have an enormous interest in this question—where is he? If he and the other thirty-five Liberals who represent constituencies in the province of Quebec were to go to the leader of the Opposition and the hon. gentleman who leads the Opposition to-night, and say to them, "The people of the province of Quebec, the Roman Catholics particularly, insist on justice being done to the Manitoba minority," they could in twenty-five minutes bring about a change and put an end to all this obstruction. Where are the French Liberals to-night? Just where they have been, I suppose, on every occasion since the House went into committee to discuss this measure. Having made the fatal blunder they did in voting against the second reading of the Bill, they consider that they are now performing their duty by absenting themselves from the House. Do these gentlemen fancy that the electors of the province of Quebec are going to forgive them, forsooth, because on some little minor motions they have voted with the Government? Not by any means. The people of the province of Quebec know full well that this matter is in the hands of the French Liberals of that province. They know full well that if these gentlemen exercise the influence they might exercise, they could easily bring about the removal of this obstruction. And if this obstruction were removed, we would have no difficulty, by sitting night and day, as we are now doing, in breaking down the miserable obstruction that we have to meet from a few gentlemen on this side of the House. Those gentlemen are not here to-night. They could go and sleep, and safely trust to the Opposition to hold the fort as they are doing to-night. The hon. member for Charlevoix (Mr. Angers) is here to-night; but where is the hon. member for Iberville (Mr. Béchard)? Where is the hon. member for Verchères (Mr. Geoffrion)? Where is the hon. member for Richelieu (Mr. Bruneau)? Where is the hon. member for Kamouraska (Mr. Carroll)? Where is the hon. member for Jacques Cartier (Mr. Charbonneau)? Where is the hon. member for Montmagny (Mr. Choquette)? Where is the hon. member for Lévis (Mr. Guay)? Where is the hon. member for L'Islet (Mr. Tarte)? The hon. member for Portneuf (Mr. Delisle) is in his seat; he voted for the second reading of the Bill; and the hon. member for Dorchester (Mr. Vaillancourt) is here. But all these other members are prominent by their absence; and if they fancy that they can satisfy their constituents by simply voting with us on two or three minor divisions that have taken place since the main division on the second reading, they will find themselves greatly mistaken.

Mr. LANDERKIN. They will never get back if they vote with you.

Mr. IVES. It is not settled yet that you will get back. There is another doctor named Jamieson who is likely to get there.

Mr. LANDERKIN. Oh, Dr. Jamieson is in jail.

Mr. IVES. Before I resume my seat I wish in the most forcible manner to call on the hon. member for Huntingdon (Mr. Scriver), the senior of the Liberals from the province of Quebec, to bring with him the other thirty-five Liberals from the province, and help us to pass this measure, in the interest of the minority in the province of Manitoba.

Mr. McMULLEN. Hon. gentlemen opposite accuse us of obstructing the Bill; but they are obstructing it themselves to-night.

Mr. DALY. How can we obstruct a Bill on a motion to rise and report progress?

Mr. McMULLEN. Now, they claim that they cannot pass the Bill unless they get the support of the Liberals from the province of Quebec. The Minister of Trade and Commerce says the Liberal party are opposed to the Bill. He has no right to make any such statement. There is no evidence that the Liberal party are opposed to the principle of the Bill. They have endeavoured to criticise it courteously and minutely; but they object to being compelled to sit here and discuss it day and night. The Government never intended and do not want to pass the Bill. All along they have played into the hands of the opponents of the Bill. Why did they not introduce the Bill at the beginning of the session, so that they would have the entire time of the session to devote to it? It is no time, at this hour of the morning, to discuss the provisions of the Bill. There was a very able and intelligent discussion of its clauses from the time the House met yesterday afternoon till two o'clock this moring; then, as on previous evenings, the committee thought they had done a very good day's work, and felt that they were entitled to their regular rest. We have passed nine clauses in about three days; that is, about three clauses a day, at the same rate if the Government had taken up this Bill in time, in forty days the Bill would have passed. But instead of that, they played in to the hands of the opponents of the Bill, and I believe they did it intentionally. The provisions of this Bill are such as to show that it never can be, and never was intended to be, a measure of real relief to the minority. But the Government think that they can persuade one set of people that they are doing their best to pass this Bill, and that they can turn round to the other party and say that it is no good. They knew very well that the hon. member for West York (Mr. Wallace), the hon. member for North Simcoe (Mr. McCarthy), and many other members on their own side, had declared that under no circumstances would they permit a Bill to pass for the re-establishing of separate schools in Manitoba ; and knowing that, if they wanted to pass remedial legislation why did they not bring the Bill down in time ? The fact is that they did not want to pass the Bill, and played into the hands of those gentlemen in order to prevent it passing.

I contend that if there is any obstruction the Government are responsible. Had they treated the Opposition with courtesy, they would have got along much better. But no sooner had the hon. Secretary of State taken a seat in this House than he began to treat it in a very lofty, dictatorial manner. In this respect he differed very much from his predecessor, the late Sir John Macdonald, for if ever there was a man who treated the Opposition with courtesy and fairness, it was that hon. gentleman. But the hon. Secretary of State undertook to strike out a new line. He came in with a flourish of trumpets and the air of a dictator and undertook to check every hon. gentleman who dared to attempt any criticism in his august presence. But he has by this time found that he has made a serious mistake and woke up the wrong passenger. There can be no question but that the measure before us is a very peculiar one. This is the first time since confederation that we have endeavoured to give practical effect to that clause in the British North America Act which gives to this House the power to remedy any grievance, with regard to education, under which the minority may suffer ; and according to the opinion of the best constitutional lawyers in this House, it is almost impossible to bring relief to any minority in any province without the cordial assistance and co-operation of the province. Under these peculiar circumstances, we are asked to rush this Bill through at all hours of the day and night, and when it is impossible, under the severe strain to which we are subjected, that we should be able to give it proper consideration. If the time is rapidly approaching an end when this Bill can be passed, and if the Bill is still far from its final stage, to whose fault is that due ? The House met on the 2nd January and the second reading of the Bill was not proposed until the 3rd of March.

Mr. INGRAM. The Bill was introduced on the 11th February, and the hon. gentleman will remember that the leader of the Opposition asked that a day should be selected for the reading of the Bill, and that day was fixed.

Mr. McMULLEN. The Government, in pursuance of its pledge, and if they were sincere in deserving that this Bill should become law, should have introduced it as soon as the session opened, and moved for a second reading within a few days later. Instead of that they began by introducing the Budget and treated us to protracted discussion on the financial position of the Dominion, on which hon. gentlemen opposite consumed more time than hon. gentlemen on this side. Then when we did get down to work on this Bill, we had a series of violent speeches from the leader of the House, which was calculated more than anything else to delay progress. The other afternoon he burst upon the House in a violent paroxysm of abuse, which resulted in the whole afternoon being lost. There has not been that statesmanship, that astuteness and diplomacy and courtesy exercised by the Government which they should have exercised. The Government knew they only had until the 24th April to pass this Bill, and they should have made it the leading feature of this session and pressed its consideration from day to day and from hour to hour, from the very first day that Parliament met. We know that the great cause of delay was on account of the dissensions in the Cabinet. Some of them in favour of the Bill, and some of them opposed to it, and they are not agreed on it yet. I have no doubt that some of the Cabinet would be glad if the Bill did not become law. The President of the Council pointed out to-night that some of the Liberals from Quebec province are not here to lend their exertions in support of this Bill. Well, we have not the Postmaster General here to-night, nor have we most of the French Conservatives here to-night.

Mr. FRECHETTE. He was here for three days and three nights.

Mr. McMULLEN. He is not here to-night. We have only two Ministers of the Crown in the House, and I do not think either of them is in charge of the Bill. The responsibility for obstruction and delays rests with the Government themselves. If they had proceeded properly the Bill would have passed this House now, and would have been in the Senate, and we would have been considing the estimates. The Government have filtered away the time. I believe that the Opposition are disposed to give every consideration to the Bill, and if the sittings of the House were confined to proper hours we would get on much better. The Opposition is perfectly justified in refusing to discuss this Bill at such an hour in the morning.

Mr. BELLEY. Withdraw your motion and we will discuss the Bill.

Mr. FRECHETTE. You (Mr. McMullen) are obstructing now.

Mr. McMULLEN. What hour is this to go on with the Bill ? The Government themselves or their supporters are not here.

Mr. BELLEY. They are outside the door, and will be here in a minute if you let us discuss the Bill.

Mr. McMULLEN. You got two or three clauses through to-day, and is not that a fair day's work ?

Mr. BELLEY. No.

Mr. McMULLEN. The President of the Council has been trying to associate the Reform party with the McCarthy party, as he calls them. As far as we are concerned we are not responsible for the conduct of that gentleman. He has taken his course and we have taken ours.

Mr. FRECHETTE. It is the same course.

Mr. McMULLEN. I know that the hon. gentlemen opposite would be glad to try and show in the province of Quebec that my hon. leader is hand and glove with the member for North Simcoe (Mr. McCarthy). That kind of humbug won't work. The people of the country are too intelligent to take any stock in that. We are not responsible for what is done by the member for North Simcoe (Mr. McCarthy) or by the ex-Controller of Customs (Mr. Wallace). They are opposed to all separate schools. We are willing and anxious that justice should be done. If the country hands the matter over to us, we will settle it and we will not ask the Conservatives to help us. Mr. Laurier will have no difficulty with his followers, in settling this measure and the country will find that he will arrange a peaceable and satisfactory settlement. Where is the leader of the House and where are the other Ministers at this hour in the morning ?

Mr. BELLEY. Where is your leader ?

Mr. McMULLEN. My leader is not taking an active and prominent part in connection with this Bill.

Mr. FRECHETTE. That is an admission. Withdraw your motion and let us discuss the Bill and our men will be here in five minutes.

Mr. McMULLEN. I suppose they are in beds outside.

Mr. BELLEY. Not at all.

Mr. McMULLEN. I would like to know how many beds have been paid for at the expense of the country to keep these gentlemen comfortable. They are in bed while we are forced to take our lives in our hands staying here all night. The men responsible for this condition of things will find that the country will hurl them from power. They will be sorry that they have sunk so far in the political gutter as to resort to such means.

Mr. BELLEY. (Translation.) Mr. Chairman, a single glance at the clock opposite recalls to my mind the fact that from the hour of midnight till now, five hours have elapsed. At twelve o'clock a motion was made that the committee rise and the House be adjourned. It is now five o'clock. Five weary hours have since elapsed, which might have been turned to much better account, in making progress with the Bill under consideration. Happening to cast a glance at the seats in this House, I notice that the hon. member for North Simcoe (Mr. McCarthy) is not here. He is gone since midnight. I notice also that the hon. member for West York (Mr. Wallace), and the hon. member for North Bruce (Mr. McNeill), and the hon. member for East Grey (Mr. Sproule) are not here. The hon. member for North Simcoe and all the hon. members who have of late, offered such a strenuous opposition to this Bill, and have resorted to obstructive methods in order to delay the progress of this measure, those men, I say, who are still presumed to be Conservatives, all those hon. members are not here. Those hon. gentlemen, worn out, exhausted by their obstructive campaign, have felt it necessary to desert the battle field in order to recuperate. If I cast a glance at the other side of the House, I see Her Majesty's loyal Opposition, now under the leadership of the hon. member for South Oxford (Sir Richard Cartwright). The hon. member for North Wellington (Mr. McMullen) has just resumed his seat. The hon. member for Guysborough (Mr. Fraser), one of the leaders of the Liberal party, is the gentleman who moved the motion to adjourn, so that, Mr. Chairman, if these five weary hours have been lost, the fault is due to the Liberal members who are responsible for keeping up the blockade of business. We might go on and make progress with this Bill, and probably we might have passed, I do not say one-half of the sections, but I venture to say the whole Bill, with the help of the Opposition and the Government supporters, for there are only left a few important sections, which are sections 10, 28 and 74. All the other sections, relating to the administration and government of schools, are such as are to be found in all Bills of a similar character. Now, I ask, Mr. Chairman, had the hon. members of the Liberal Opposition, had the French Liberal members from the province of Quebec remained here, is it not true that we could have reached, this very night, a favourable solution ? I am overwhelmed with sorrow, Mr. Chairman, at the thought of the motion now before us. Had the Liberal Opposition been willing, this very night, the Remedial Bill would have been passed in committee and we might have reached the third reading. I venture to say that this will be marked out as a fatal night for the interests of the Manitoba minority. If another day has been wasted, the fault is due to the Liberal members of this House, to the cowardly attitude of the French Liberal members who are absent from the committee, and who have been away these last five hours. Where is the hon. member for St. Hyacinthe (Mr. Bernier) ? He is quietly lying down at his hotel. Where is the hon. member for Rouville (Mr. Brodeur) ? Where is that great champion of the Catholic minority ? Lying down also. Where is the hon. member for Richelieu (Mr. Bruneau) ? He is gone to rest. Where is the hon. member for Kamouraska (Mr. Carroll) ? Retired also. Where is the hon. member for Montmagny, another great champion of the Catholic minority, the very gentleman who, to-night, volunteered to assume the part played these last four days by the hon. member for North Simcoe (Mr. McCarthy) ? He is lying down. Where is the hon. member for Russell (Mr. Edwards), who represents here a constituency, the majority of which are Catholics ? He has left the battle field. He is lying down. Where is the hon. member for Bonaventure (Mr. Fauvel), a Protestant who represents an essentially Catholic constituency and who has pledged his word that he would protect the rights and privileges of the Manitoba minority ? He is quietly lying down. Where is the hon. member for Verchères (Mr. Geoffrion) who subscribed a pledge to vote in favour of the Remedial Bill ? He is gone to rest. Where is the hon. member for Vaudreuil (Mr. Harwood) ? He has also left the battlefield. Where is the hon. member for Quebec Centre (Mr. Langelier) who poses as the great champion of the Manitoba minority, the leading light of the French Canadian Liberal party, but, to quote Victor Hugo's words, a " dark light."—where is he ? He is lying down at his hotel. Where is the hon. member for Quebec East (Mr. Laurier) who told the electors of Chicoutimi, last year : I give you my word that the Catholic minority will have justice at my hands ? gone to rest. Where are the hon. members for Drummond and Arthabaska (Mr. Lavergne), for Nicolet (Mr. Leduc), for Maskinongé (Mr. Legris), for Montreal Centre (Mr. McShane), for Yamaska (Mr. Migneault), for Napierville (Mr. Monet), for Chambly (Mr. Préfontaine), for Stanstead (Mr. Rider), the latter gentleman who represents a great many Catholic voters ? Where are the hon. members for Lotbinière (Mr. Rinfret), for Shefford (Mr. Sanborn), for Huntingdon (Mr. Scriver), for L'Islet (Mr. Tarte) ?

Some hon. MEMBERS. Oh, oh.

Mr. BELLEY. (Translation.) Yes, Mr. Chairman, where is the hon. member for L'Islet, the advocate of the Catholic minority, and where is the hon. member for Prescott (Mr. Proulx) ? Where are all these hon. gentlemen gone to ? All these hon. members have been sleeping since midnight, at the very time when their brethren in Manitoba are crushed under the weight of injustice, are being persecuted by a Liberal government ; while they are being robbed, and coerced into paying annually a large sum for the support of public schools to which they cannot conscientiously send their children. All those hon. gentlemen had vowed and pledged their word that they would protect that weak, patient and oppressed minority ; all those gentlemen have gone to rest, sleeping a sound sleep, while the French Conservative members are here ready to pass the Bill and to come to the rescue of the minority. But if most French Liberal members from the province of Quebec have left their post, I am bound, in all justice, to make an exception for the hon. member for Dorchester (Mr. Vaillancourt) who has worked several nights with us, without minding the fatigue ; he is still here and ready to work. The same may be said of the hon. member for Berthier (Mr. Beausoleil) who is ready to lend us his help, should the obstruction come to an end. So with the hon. member for Portneuf (Mr. Delisle) whom I now see in his seat. In all fairness, I am bound to say that the hon. gentlemen mentioned show themselves as willing to do their duty as the others are ready to shirk it. I am bound to pay the same encomium to the hon. member for Charlevoix (Mr. Angers), and the hon. member for Quebec County (Mr. Frémont), whom I saw in their seats, a little while ago. At the very time when their Manitoba brothers are being persecuted, the French Liberal members, with the exception of the hon. members mentioned, are shamefully deserting the cause of the oppressed minority. As I said, the sittings of yesterday and to-night will prove fatal to the rights and privileges of the Catholic minority in Manitoba, because, as the hon. member for North Simcoe (Mr. McCarthy) and the hon. member for West York (Mr. Wallace) and their friends, those so-called Conservatives, were all away, we might have been able, with the assistance of the Opposition, had the Liberals been willing to do their duty, to pass this Bill at this sitting of the committee. The responsibility which rests on these gentlemen is very heavy, and they shall have to render a very strict account to their constituents. They shall have to render a very strict account to those before whom they pledged themselves to uphold the rights of the minority, to those electors before whom, on every possible occasion, they so strongly protested their devotedness to that minority, and before whom they had taken the engagement to defend the rights and privileges of the minority. Let us not forget, Mr. Chairman, that the people of the province of Quebec keep their eyes open on the doings of the Conservative party and of those members who are ready to come to the rescue of the minority. Should the members of the Opposition drop their motion to adjourn, we might pass this Bill within a few hours, for the few Conservative members who are not in their seats, but are within call, may be here directly. Let the Opposition under the leadership of the hon. member for South Oxford (Sir Richard Cartwright) withdraw their motion to adjourn. and there will not be found a single member in this House willing to oppose the passing of this Bill. Such is the course pursued by the Opposition. I now understand why. about midnight. the hon. member for Montmagny (Mr. Choquette) rose to a point of order. and raised an objection to the effect that. as the hon. member for Annapolis (Mr. Mills) did not possess a full and practical knowledge of the French language. he should leave the Chair. This gives me an insight into the motives of the hon. member in raising such an objection ; it was to prevent the committee proceeding with the business. and to gain time. probably to enable the hon. member for North Simcoe (Mr. McCarthy) or the hon. member for West York (Mr. Wallace). and all those who oppose the Bill. to come back to their seats. That objection was raised solely with a view to force the committee to rise. so that the whole sitting. from midnight to three o'clock in the afternoon. should be wasted. As the hon. member for Montmagny and his friends found that they could not force the committee to rise. their objection being sheer nonsense. these gentlemen sent out for the hon. member for South Oxford (Sir Richard Cartwright) to assume the leadership of the Opposition during the night. hoping. through their obstructive tactics. to reach the object they had in view. They thus expect. by keeping up obstruction and the blockade of business. to prevent the Bill passing in committee. Such is the shameful part played by those gentlemen. and I was right in saying that this night would prove fatal to the cause of the Manitoba minority. Had not the French Liberal members pursued the course they have adopted. had they not been so base-hearted as to betray the Catholic interests. and. if instead of lying down through the night. they had remained with us. the Conservative members. we might have passed this Bill. The people sent us here to work. and at the next elections. they will not ask them : did you sleep well ? No. but the people will ask the members : Did you work well ? Then. to those who have slept. the people will say : Since you need so much rest. stay at home and we will send to Parliament men who are able to work instead of sleeping.

Mr. GIBSON. I suppose the last two speakers on the Conservative side might be called the brains and the Belley of the party.

Some hon. **MEMBERS.** Order.

Mr. GIBSON. The hon. gentleman who has taken his seat (Mr. Belley) has gone to a great deal of trouble to name the members on this side of the House who are absent. I venture to call the attention of the hon. gentleman to the fact that if he looks around on the Conservative benches he will find that there are not more than thirty members of his party present. and indeed we could count out the House if we wanted to. I was looking for the whip of the party but I see he has just arisen from the couch which he has arranged for himself in the House. Every night we have had a tirade of abuse from the Secretary of State. who has charged the Opposition with obstructing this measure. Now. this farce has gone about far enough. The Opposition have no desire to obstruct this Bill. The Minister of Trade and Commerce appealed to the Liberals to help the Government to pass the Bill. Are the Government so weak that they cannot pass the Bill themselves ? Up to the 2nd of March two months of the time of this session were spent on matters of far less importance than the measure. which the Government are now trying to force through in the dying hours of the session. The Minister of Trade and Commerce has been threating the dire consequences that were going to happen to members of the Opposition who are absent to-night : yet. with one exception. none of the gentlemen on the Government side of the House who voted against the Bill are here to-night. And where are those who voted in favour of the Bill ? If there was any real desire on the part of these men to carry this Bill through. they ought to be here. But it is ridiculous to try to make the country believe that the Government want to put this measure through the House. They do not desire to put it through. They simply want to go to the country and say : " We would have passed the measure but for the obstruction we met with from the Opposition and other members opposed to the Bill." The hon. Minister of Trade and Commerce and nearly every member of the Government. who have spoken on this important matter. have always laid great stress on the desire to go to the country. Well, we are prepared to meet the Government on that question. and I am confident the Government are living in a fool's paradise as far as they are politically concerned. If the hon. Secretary of State would take a trip through the province of Ontario, he would come back with an altogether different idea from that which he expresses, regarding the opinion of the people on the conduct of the Government in forcing this measure through the House at this stage. The opinion in the mind of every fair-minded man is that the Government have no more desire to pass this measure than they had a year ago. when three or four of the Ministers struck over the question of submitting it to the House. Last session they were to have brought down a Remedial Bill. but the Cabinet could not come to a decision. and three of its members resigned. Then. in order to get the strikers back, they agreed to call the present session together for the special purpose of passing this remedial measure. Well, it is just as far away to-day as it was last session. From beginning to end the Government have been simply deluding the people, but they will find out that the people are not so easily deluded as they imagine.

Mr. BORDEN. It is really six o'clock on Friday morning, but according to the proceedings of this House it is still Monday last. This House has been in session continuously since three o'clock last Monday. This morning we had another act in the comedy. We had a remarkable speech from the Minister of Trade and Commerce and another from the hon. member for Chicoutimi and Saguenay (Mr. Belley), both of whom had evidently entered into an arrangement to indulge in their violent diatribes at an hour when they knew that the greater number of the Liberal members from the province of Quebec would not be in the House. They took occasion to call attention to the absence of Liberal members from the province of Quebec at an hour when it is unfair to expect that any of us should be in the House. It was pretty poor business on the part of these hon. gentlemen, to take advantage of the hour to make an attack when they knew the hon. members whom they were attacking were not present to reply. I undertake to say that every one of the members to whom these gentlemen referred has spent as much time following the business of the House this session as either of these gentlemen. When the Quebec Conservatives had played their little game, sprung on the House by the member for Chicoutimi (Mr. Belley), and the Minister of Trade and Commerce, they left the Chamber. If we entered into a discussion of the intricate clauses of the Bill what member of the Government are here now to explain it.

Mr. OUIMET. Try it.

Mr. BORDEN. I have great confidence in the Minister of Railways in matters affecting his department, but surely he would not ask me to take his opinion on any legal point, not to mention a difficult constitutional question like this. I believe that the Minister of Public Works is a lawyer, but I do not think he has given much attention to explaining this Bill in this House.

Mr. OUIMET. You never gave me a chance.

Mr. BORDEN. Lots of chances. I will sit down now and give you an opportunity.

Mr. OUIMET. Withdraw the motion to adjourn and I will explain the Bill.

Mr. WALLACE. The Minister of Public Works has a better opportunity to explain it on this motion. He can go into the whole Bill.

Mr. OUIMET. Does the hon. gentleman know what clause we are on ?

Mr. BORDEN. I do not think the Minister of Public Works does, but I am happy to be able to inform him that it is clause 10.

Mr. OUIMET. Has the hon. gentleman any criticism to offer on clause 10 ?

Sir RICHARD CARTWRIGHT. Yes, that it is not a proper clause to discuss at 6 o'clock in the morning.

Mr. LANDERKIN. The committee should rise now because there are only four Quebec Conservatives here and one of them is asleep.

Mr. OUIMET. They will be all here in a few minutes if you give them an opportunity of hearing something about the clause under discussion.

Mr. PATERSON (Brant). The point should be emphasized, if it is not denied, that there are only four Conservative members from the great province of Quebec in the House at present.

Mr. OUIMET. There is no use taking our friends away from their sleep if it is only to listen to idle talk and not discussion on the Bill.

Mr. LANDERKIN. How can they discuss the Bill if they are asleep ?

Mr. OUIMET. They are outside and will discuss the Bill if you let them.

Mr. BORDEN. The Minister of Trade and Commerce told us that from the beginning of the session, the Opposition had assumed the role of governing the House. Well, half of the Cabinet were on strike, and it was a good thing that there was an Opposition in this country to govern, because without them there would be no government.

Mr. WALLACE. Tell us why they went on strike.

Mr. OUIMET. This is a reflection on the hon. member for South Oxford (Sir Richard Cartwright). He told us everything about it.

Sir RICHARD CARTWRIGHT. I merely touched on the outskirts of it, and I did not enter into details of the small strike, the smaller strike, and the smallest strike.

Mr. BORDEN. I will give the hon. member for West York (Mr. Wallace) the view which I have been able to ascertain with reference to that interesting event. I believe that the strike was strictly due to the differences in the Cabinet on this Remedial Bill. I believe that they never had any intention of carrying this Bill into law. They passed the remedial order for the purpose of getting a certain vote in this country and they intended to go to the country afterwards in order to get that vote, but their game was up. That is the game the member for Chicoutimi is helping them to carry out. They never had any intention of carrying this measure into effect.

I repeat here that this moribund Parliament is not such a Parliament as should pass a measure of so paramount importance. We are expected to pass this measure in a Parliament elected on lists eight years old—a Parliament which does not represent to-day one-half of the electors of this Dominion ; a Parliament within three weeks of its expiration by effluxion of time, and composed of members, many of whom have not the slightest intention of returning to their constituents again, and who, honourable as they may be, are not, and cannot be, much influenced by public opinion or much interested in endeavouring to ascertain and be governed by the wishes of their constituents. Yet we find the Government resolved to force this measure through such a Parliament at such a time by the application of brute force. I say it is an undignified position for Parliament to occupy. It is a position which would justify a resort to obstruction. There has been no obstruction yet. The discussion of this Bill so far has been legitimate, so far as it has been permitted by the Government ; but the resort to such tactics would justify, and if persisted in will not only justify but render necessary, in order to maintain the dignity of Parliament, obstruction of the most determined kind ; and if persisted in, it will receive that. But I would hope that even yet, better counsels may prevail. On several occasions the olive branch has been held out from this side of the House ; the Government have been asked to have the discussion on this measure carried on in a business-like way and within reasonable hours ; but they refused, and they propose to dragoon this Parliament, which up to the present time has been supposed to be a free Parliament, to stay here from three o'clock on Monday afternoon till 12 o'clock on Saturday night. I say this is outrageous, insufferable conduct. It is conduct which should be condemned by a majority of this House. It is conduct which will receive the most severe condemnation and the most condign punishment when the facts are placed before the people, as they will be.

Now, I wish to speak of the effect of these long sittings upon the health of the members of this House. As a medical man it is to me inconceivable that the gentleman leading this House, himself a medical man, should force this House to persist in a line of conduct which may result in the permanent loss of health, perhaps the loss of life, to many members of this House. I say it would be inconceivable to me if I had not watched that hon. gentleman. He comes in here once in a while and sees things running nicely, and then, as the leader of the Opposition has said, like a volcano he vomits all kinds of vituperation—or "vitupperation"—

Some hon. MEMBERS. Oh, oh.

Mr. BORDEN. I suppose that is allowable at this hour of the morning—against members who are opposed to him on this side of the House, and then he goes to seek his downy couch. So the hon. gentleman is not much alarmed at what happens to us. He should be the last man to launch the members of this House into a course that is likely to injure their health ; and he is more responsible than he would be if he were not a member of the medical profession. Now, everybody knows that a supply of fresh air is absolutely necessary for health, but when the same air is breathed for several hours, it is turned into actual poison. I will now proceed to prove that. (The hon. member read at length from "Kirk's Handbook of Physiology," and other medical works.)

Mr. PATERSON (Brant). After reading clause 10, I would like to ask what Minister is in charge of the Bill.

Mr. DALY. I am.

Mr. PATERSON (Brant. I would like to ask him if we are to have power under this Act to compel municipalities to do any thing in reference to it.

Mr. DALY. Yes.

Mr. DEPUTY SPEAKER. We must first settle the motion that the committee rise and report progress.

Mr. DALY. I am prepared to answer any question the hon. gentleman asks in reference to clause 10, just as soon as the motion before the Chair is disposed of.

Mr. WALLACE. When a motion is before the Chair, and an amendment is made to it, we have the privilege of speaking both on the motion and on the amendment. We were told that clause 10 was the clause we had reached, and then an hon. member moved that the committee rise, and on that amendment we can either discuss clause 10 or the motion to rise. But if, when we have an opportunity to discuss clause 10, the hon. Minister refuses to do so, then the hypocrisy of the whole thing crops out.

Mr. DALY. I do not proposed to be accused of hypocrisy by the hon. gentleman. I am astonished that an hon. member who has been in the House as long as he has, would state a proposition such as that. A motion that the committee rise and ask leave to sit again is hardly a motion in amendment to the consideration of clause 10. It is true that the committee can discuss any clause in the Bill they choose, but when a motion to adjourn is before the Chair, members can ask the Government any questions they choose, but the Government are not called upon to discuss any clauses of the Bill under those circumstances. We sat here till nearly three o'clock this morning for the purpose of discussing the Bill, the hon. member for Guysboro' was talking about extraneous matters, and when called to order, he moved that the committee rise and report progress.

Mr. DEPUTY SPEAKER. Clause 10 has not even been put before the committee from the Chair. Clause 10 is no more under discussion than clause 74.

Mr. PATERSON (Brant). What is your ruling ?

Mr. DEPUTY SPEAKER. We shall have to decide the motion to adjourn before we take up clause 10.

Mr. WALLACE. Clause 9 was under discussion by the committee, it was dropped, and we proceeded at once to clause 10. I would remind the Chairman that when the hon. member for Guysboro' was speaking the Chairman himself called him to time, and said he must speak to clause 10. The member for Guysboro' said : Then I will put myself in order by moving that the committee rise and report progress. Now, we want to investigate and examine into these clauses and see what this Bill means, and the moment the hon. member for Brant attempts to do that, the Government and their supporters try to prevent him.

Mr. SMITH (Ontario). Why don't you get to work and discuss the Bill ?

Mr. WALLACE. The member for South Ontario has sat here ever since three o'clock and has not attempted for one minute to discuss this Bill.

Mr. DALY. I am in a position on behalf of the Government to answer any questions about clause 10 as soon as that clause has been put by the Chairman. The Government has been prepared at all times to discuss this Bill when any one of its provisions is properly before the Chair.

Mr. PATERSON (Brant). I see we have now, after an interval again, the Minister of Trade and Commerce in his place. I listened to his speech this morning with a good deal of amusement, mingled with righteous indignation. I thought it was a speech that might have been looked for from some one who was in a better position to make it than he was himself. He seemed to desire to discredit and injure the Liberal members from Quebec by pointing out that they were not in the House.

Mr. MACDOWALL. There is only one here now.

Mr. PATERSON (Brant). The Minister of Trade and Commerce ventured to ask, Where was the member for Huntingdon (Mr. Scriver), mentioning his name. Now, I want to tell the Minister of Trade and Commerce, that it may go upon record where this question has gone, that although I have not by watch kept the time, I have been in this House a good deal by day and by night, and I firmly believe that the member for Huntingdon has been in this House during the discussions on this Bill at least three times as long as the Minister of Trade and Commerce. I would like him to deny it if he can.

Mr. IVES. The hon. gentleman having appealed to me, perhaps I ought to say that I was referring to a peculiar concatenation of circumstances, which I considered as peculiarly favourable to making progress with the Bill, namely, that all the McCarthyites were absent from the House. I regretted the absence of the member for Huntingdon at that particular moment, because I might influence the hon. gentleman who is leading the Opposition to desist from his obstruction, and, in that case, as there were only three or four other Liberals in the House, they could be easily persuaded to withdraw their objections, and we might pass the Bill in the absence of the McCarthyites.

Mr. PATERSON (Brant). The explanation we have from the Minister is this, that provided the McCarthyites were out of the House, and there were only some half dozen Liberals in the House, the 103 remaining clauses of one of the most important Bills, according to the Secretary of State, that has ever been before Parliament, would have been passed before these gentlemen arrived upon the scene. That is the hon. Minister's idea of legislation, that he has solemnly put upon the "Hansard." When the hon. Minister this morning was pointing out the absence of a number of the Liberal members by name, and asking where they were, he was rather checkmated when my hon. friend pointed out the fact that there were only four Conservative members present from the province of Quebec, and then the French whip went out, and soon came back with the member for North Victoria and another, a French member. He simply emphasized the fact that this Bill is being pushed through while the Conservatives from the province of Quebec as well as the Liberals from that province who have the greatest interest in this measure are at home taking their needed rest. He has emphasized the fact that of the forty-five Quebec members on the Conservative side only four of them were found here through the night. I am glad the Minister of Trade and Commerce was followed by the hon. member for Chicoutimi (Mr. Belley). He took the same line. That is all he has contributed to this debate, except unseemly interruptions. He could put it on "Hansard" that the French Liberals were not present. I put it on "Hansard" that he is here, but that he has not been and cannot be here day and night. And although an urgent whip was sent out the only addition that they could make to the Conservative members present, was in the person of the hon. member for L'Assomption (Mr. Jeannotte). It is said the McCarthyites are away. If the member for West York is to be counted in that list they have no more been away than have the French bleu members. The hon. gentleman has only emphasized the fact that barely five French Conservative members are here.

Mr. BELLEY. Withdraw your motion and they will come.

Mr. PATERSON (Brant). That will not bring them here. The whip has been sent out, and they are not within the precincts of the House. Why were they not here giving support and countenance to the Minister of Trade and Commerce during his attack upon the French Liberals, instead of cutting the ground from under his feet and convicting the Government of insincerity by their absence. He asks: Where is Scriver? If I might follow his unparliamentary form of expression, I might say, Where is Caron? He is not in this House.

Mr. BELLEY. Yes.

Mr. PATERSON (Brant). He is not in this chamber. Let that go on "Hansard." Let that go to the French constituencies together with what the hon. gentleman has said.

Mr. BELLEY. (Translation.) The hon. Postmaster General is in his room, within reach. Withdraw your motion and he will be here directly.

Mr. PATERSON (Brant). Where is the Minister of Public Works?

Mr. BELLEY. (Translation.) The Minister of Public Works is here also.

Mr. PATERSON (Brant). (Translation.) Speak English.

Mr. BELLEY. (Translation.) You speak French well.

Mr. PATERSON (Brant). (Translation.) I do not speak French well.

I do not know the members of the constituencies of the different Quebec Conservatives, and cannot enumerate them as these hon. gentlemen did. But I mention this fact that during these long hours of our sitting there have only been five of them, sometimes only three. The names of these can be ascertained, and it will then be known to their constituents who those are who are absent.

Mr. BELLEY. (Translation.) Let the hon. member have the motion to adjourn withdrawn, and forty Conservative members will be here directly, ready to discuss this Bill.

Mr. PATTERSON (Brant). The hon. gentleman is getting somewhat excited about it. He begins to see that it was somewhat of a mistake to call attention to the matter. If I were to follow the hon. gentleman's unparliamentary form of address, I would ask: Where is Tupper? Where is the Secretary of State (Sir Charles Tupper) who has charge of this Bill?

Mr. PRIOR. Do not worry about him.

Mr. PATERSON (Brant). It is amusing to hear the Controller of Revenue bearing testimony on this subject. He has been here, but asleep with his mouth open and actually obstructing business with his snores.

Mr. PRIOR. The hon. gentleman is mistaken, I never snore.

Mr. PATERSON (Brant). Where is the Minister of Justice (Mr. Dickey)? I call attention to his absence, not at four o'clock in in the morning, but at eight o'clock in the morning when it is daylight, when people have had their breakfast. He is not here to answer questions. And when I propose to discuss clause 12 the Minister of the Interior (Mr. Daly) who was supposed to have charge of the Bill in the absence of the others either would not or could not answer a simple question. He said he would not. But, though all these are absent, they ask the House to go on and do business. Why, there are more McCarthyites, as they call them, present than there are Ministers, and almost as many as there are supporters of the Government. The Minister of Trade and Commerce wants 109 clauses passed, before the members who had been away for an hour or two's rest have returned to the chamber. He said there were only eight important sections in the Bill and when I asked what they were, he could not tell me. And the Minister of Public Works had to hand him a list, and it was found there were only six at that. By this discussion we have brought to our notice the abject position—if that is not an unparliamentary phrase—of the followers of the Government. The leader of the House sits here during his convenience until about one or two in the morning, while the Bill is being discussed. And when he wishes to take rest, as he ought to do he leaves his commands to those about him: I am going to bed, but you must deny yourselves rest; do not dare to move out of your places, but keep this thing going until it suits my convenience to come back. And he will come back at twelve or one o'clock the next day. And members receiving their orders obey them. The humble member for Saskatchewan (Mr. Macdowall) must obey his order and carry on this child's-play of pretending to enact this Bill. And the whip (Mr. Taylor) the independent member of the party who proposes to move an amendment which will have the effect of reconstructing this whole Bill. He has not moved it on any of the clauses, though many of them are so objectionable from his point of view. But on the third reading, which may never be reached he is going to move for a special committee to bring in a new Bill to be passed at this session which comes to a close on the 24th April. It is lamentable to see in a Canadian Parliament, men who, at the mandate of one man will sit here depriving themselves of their rest, not to do business but simply to obey the mandate of a man who is in control. I have been interested to notice how that hon. gentleman seems to have made a point of humiliating one by one those about him. He has tried to crush the independence out of all. In such gentlemen as the hon. member from North Bruce (Mr. McNeill), the hon. member for East Grey (Mr. Sproule), the hon. member for West York (Mr. Wallace), and others he found men who would not bend their necks to his dictation, he was only able to denounce them, to threaten them with the wrath of their constituencies, but he has not cowed them. We had thought that the Minister of Railways and Canals was a gentleman who would not submit to indignity at the hands of the leader of the House. He was credited with being the leader of that section of the Cabinet opposed to this measure. But the leader of the House was determined to humble that gentleman, and humble him he did in the sight of all the members of this House. He handed the hon. Minister a document and said: Read that. He made the Minister of Railways and Canals the medium of his own humiliation and the glorification of the Secretary of State. It was a statement which it was alleged Mr. McCarthy had made about Sir Charles Tupper, and it was this:

> No men felt ashamed to acknowledge Sir John Macdonald and Sir Charles Tupper as their leaders.

Mr. DALY. It is only fair that we should have this matter put properly. The hon. Secretary of State has spoken before, and the Speaker ruled that he could not speak again. So, of necessity, he had to hand it to the Minister of Railways and Canals

Mr. PATERSON (Brant). Does the hon. Minister of the Interior tell me that there was a gentleman in the Chair of this committee at the time who ruled that a member having spoken, might not speak again?

Mr. DALY. That question shows how much the hon. gentleman knows about what took place. I said the Speaker was in the Chair, and ruled that the leader of the House could not speak again.

Mr. DEPUTY SPEAKER. Without the consent of the House.

Mr. DALY. Yes; without unanimous consent.

Mr. WALLACE. When a member of the House offered to give the Secretary of State an opportunity of making his own statement by moving an adjournment he would not accept but handed the document back, as the hon. member for Brant (Mr. Paterson) has said, to the Minister of Railways and Canals, to do his bidding.

Mr. DALY. Which he had a perfect right to do.

Mr. McLEOD. Mr. Haggart moved the adjournment, but the Speaker did not take it, and it was not seconded. And it was because it was not effectively moved that the paper was handed back to the hon. Minister.

Mr. PATERSON (Brant). According to the report here it was moved by two gentlemen.

Mr. INGRAM. The hon. member for North Simcoe (Mr. McCarthy) objected to the Secretary of State reading the document. If the hon. member will read the record he will see that.

Mr. BORDEN. I have a distinct recollection of the matter. The hon. member for North Simcoe (Mr. McCarthy) was perfectly willing that the Secretary of State should speak, provided the adjournment was moved which would give the hon. member for North Simcoe an opportunity to answer.

Mr. PATERSON (Brant). I find, according to the record, that the Minister of Railways, in reply to the hon. member for North Simcoe, read that hon. gentleman's language:

> No man felt ashamed to acknowledge Sir John Macdonald and Sir Charles Tupper as their leaders.

Then the Secretary of State determined that he would degrade the Minister of Railways by making him the instrument to read words involving his own condemnation, and so that the hon. Minister was forced to read the continuation:

> But look at these men now in power, and you will hang your head in shame.

The Secretary of State forced two divisions in the committee and then boasted that all the members who voted with the Government, including those members who voted against the second reading of the Bill, are now supporting the Bill and seeking to pass it into law. One reason why the Government refused to allow this committee to rise is to prevent the submission of the report of the commissioners to Manitoba and a discussion thereon. Members of this House are obliged to glean their information regarding the conference from the newspapers. It is true that a statement has been submitted to the Senate. This should have been submitted to the popular House long ago. In the correspondence a telegram is published purporting to have been sent by Mr. Greenway to Sir Donald Smith. The question as to the accuracy of that telegram was brought up in this House, when the Secretary of State was compelled to admit that an important sentence had been omitted. That sentence does not appear in the telegram as published in the correspondence. The correspondence also showed that a distinct agreement was entered into between the Dominion Commissioners and Manitoba Commissioners that the progress of the Remedial Bill should be stopped during the negotiations. Nevertheless it is well known that the Bill was advanced a stage while the negotiations were being proceeded with. That is a most serious charge, and an opportunity should be given by the committee rising and reporting progress, to Ministers to explain this gross breach of faith. Now, we find in this document the Manitoba Commissioners complaining of a grave breach of faith on the part of the Dominion Government, and the representatives of the Dominion Government acknowledging that they so view it. It is of the utmost concern that this matter should be at once brought before the House, and an opportunity afforded of explaining that gross breach of faith. Now, Mr. Chairman, we have also to consider the fact that many members who voted for the second reading of the Bill do not represent the views of their constituents in reference to it. According to the organs of public opinion, this is the case with the hon. member for West Assiniboia (Mr. Davin), the hon. member for East Assiniboia (Mr. McDonald), the hon. member for Saskatchewan (Mr. Macdowall), and the hon. member for Alberta (Mr. Davis), together with the four members from Manitoba—these gentlemen misrepresent their constituencies when they voted for the second reading of this Bill.

Mr. MACDOWALL. The hon. gentleman is utterly mistaken so far as the member for Saskatchewan is concerned, and for this reason, that in 1891, before the general elections, I pledged myself to my constituents to do nothing that would interfere with separate schools in the North-west. I therefore had a direct mandate from my constituents ; and when the hon. gentleman knows that, perhaps he will withdraw the charge of misrepresentation.

Mr. McDONALD (East Assiniboia). I believe in my constituency there are eight newspapers printed, and not one of them has expressed a reverse opinion upon my vote in this House.

Mr. WALLACE. I have received a number of letters from that hon. gentleman's constituency, expressing great dissatisfaction with him.

Mr. PATERSON (Brant). Do I understand the member for Saskatchewan to say that he pledged his constituents he would vote for this Bill ?

Mr. MACDOWALL. If the hon. gentleman had listened to what I said, he would have understood that I pledged myself to my constituents not to do anything that would interfere with separate schools during the life of this Parliament.

Mr. PATERSON (Brant). That has reference to the North-west Territories, and not to the subject of this Bill.

Mr. MACDOWALL. It has to do with the North-west, and with the principle of separate schools.

Mr. PATERSON (Brant). Then you are interfering when you establish them in Manitoba.

Mr. MACDOWALL. No ; I am not interfering. The Greenway government are interfering.

Mr. PATERSON (Brant). The hon. gentleman has no other answer.

Mr. MACDOWALL. I consider that my mandate had reference to this Bill.

Mr. DALY. I am perfectly satisfied as to what was the position of the hon. gentleman upon this question. During last session and the whole of the present session, there was no question as to how he was going to vote.

Mr. PATERSON (Brant). I want to know if this Minister is the father-confessor of the hon. gentleman, and knows all his secrets. The Minister of the Interior thinks it is necessary to answer for him. Let the member for Saskatchewan answer for himself.

Mr. DALY. It is my business to know the hon. gentleman's opinions on that subject, for I am the Minister who represents in the Cabinet the portion of country the hon. gentleman represents in this House.

Mr. PATERSON (Brant). The hon. gentleman surely will not be ashamed to get up and say so himself.

Mr. MACDOWALL. What does the hon. gentleman wish me to say ?

Mr. PATERSON (Brant). That you have been all along in favour of voting for this Bill now before the House.

Mr. MACDOWALL. I told the hon. gentleman that I was pledged to maintain a certain principle.

Mr. PATERSON (Brant). A principle that has nothing to do with this Bill at all.

Mr. MACDOWALL. The hon. gentleman seems to misunderstand me. I said I was pledged to this principle. The Bill supports the principle, the principle does not support the Bill.

Mr. PATERSON (Brant). The hon. gentleman cannot get around it in that way. There is a plain statement made by the Minister of the Interior. Does the hon. gentleman say that is true ?

Mr. MACDOWALL. Certainly.

Mr. PATERSON (Brant). That you have been in favour of this Bill for the past year, and that goes on record ?

Mr. MACDOWALL. I could not be in favour of a Bill which I had never seen. I said that I was in favour of the principle of the Bill. I gave notice that I would introduce a Bill myself which covers the principle, but of a little broader kind.

Mr. PATERSON (Brant). I stated that if we take the organs of public opinion in the North-west——

Mr. MACDOWALL. What organs ?

Mr. PATERSON (Brant). The Regina "Leader."

Mr. MACDOWALL. That is not an organ of public opinion in the North-west.

Mr. PATERSON (Brant). The Regina "Leader" has received more Government subsidy than any other paper in the North-west, many times over.

Mr. DALY. Not from this Government, we have nothing to do with it. It gets its subsidy from the North-west government.

Mr. PATERSON (Brant). The hon. gentleman will not deny that it is favourable to the Administration ?

Mr. DALY. It has not been favourable to the Administration for some time.

Mr. McDONALD (East Assiniboia). The Regina "Leader" is not an organ of public opinion in the constituency I represent.

Mr. PATERSON (Brant). Here is what the Regina "Leader" says on this point :

> Regardless of political lines—Conservatives, Liberals and Patrons alike—the people of the West are practically unanimous against unnecessary interference. If Mr. Davin voted under coercion, we have no words to designate his conduct. If he voted honestly and honourably according to an altered conviction, we say he knowingly cast a vote which he had no warrant from his constituents to cast,—and he occupies a position of an usurper in casting it.

Mr. BERGIN. What are you reading from?

Mr. PATERSON (Brant). I am reading an extract from the Regina "Leader," which is embalmed in the "Hansard" of April the 7th. I may mention that the other day I had occasion to send into the Library to get the Regina "Leader," when I found that this particular article had been cut out of it. Now, Sir, I desire to discuss clause 10, and ask questions about it, and we are told that it cannot be discussed. The Minister of Justice is not here, the Minister of Public Works is not here, the Minister of Trade and Commerce is not here—the gentleman who, at three o'clock this morning, asked, where was the member for Huntingdon ? The member for Huntingdon is now in his seat, and the Minister of Trade and Commerce has disappeared.

Mr. DALY. Will the hon. gentleman withdraw the motion and allow us to discuss the Bill.

Mr. PATERSON (Brant). I did not make the motion, and I cannot withdraw it.

Mr. MACDOWALL. But the hon. gentleman has the power to allow the chairman to vote on this. Then we can discuss the Bill.

Mr. PATERSON (Brant). While I am thinking that point over, will the hon. gentleman think over what the Minister of the Interior said with reference to his position.

Mr. DALY. That is in accordance with the rules of the House. Let the hon. gentleman withdraw the motion or allow it to be voted on, and then we can discuss clause 10, and I will answer any questions he may ask.

Mr. PATERSON (Brant). The hon. gentleman has power to answer my question, but I have no power to withdraw the resolution.

Mr. DALY. I will suggest a way out of the difficulty. The hon. gentleman has talked an hour. Let him sit down and allow others who wish to speak on this motion do so. Then we shall be all the nearer to a vote on the motion before the committee.

Mr. PATERSON (Brant). I will accept that offer, and make way for others who wish to speak.

Mr. WALLACE. The reason why I think the committee should rise and report progress and ask leave to sit again is because we are face to face with clause 10, which is the most iniquitous and inconsistent in the Bill. It purposes in the first place to give municipal councils the power to do several things. Among others it gives them power to establish and alter the school districts. Now, where do the municipal councils get their power from ? All the powers they have are delegated to them by the local legislature ; therefore, this provision is a clear invasion of the rights of the legislature. But that is not all. This power of the local legislature must be exercised subject to the approval of this precious Board of Education ; which may not meet for six months, the machinery of the Act being blocked in the meantime so far as the making of the school districts is concerned, and this may delay the building of school-houses. An appeal is also allowed to the school board from the decision of the municipal council in certain cases, and they may cut and carve school districts to suit themselves, just as the parish priest or the bishop does in Quebec.

Mr. JONCAS. No.

Mr. WALLACE. I say yes.

Mr. JONCAS. It is done by the Lieutenant Governor in Council.

Mr. WALLACE. But the Lieutenant-Governor in Council is only a tool in his hands. And the same system is proposed to be forced upon the province of Manitoba. I do not wonder that the Minister of the Interior does not wish to answer the questions put to him, for this clause is the worst that could be put upon the statute-book.

Mr. DALY. But it was upon the statute-book of Manitoba from 1871 to 1890.

Mr. WALLACE. There was no board of education of this kind in the province of

Manitoba. But even if it is claimed that there was, the system was found so bad, so absurd, that the Manitoba legislature repealed the law. The people of Manitoba do not want it and we are not going to force it upon them, and these hon. gentlemen know it. If they do not know it now, they will probably be better informed on Saturday at midnight. I am sure that the members of the Cabinet are too capable and sensible to have adopted a clause like this after fair consideration. It has been thrust upon them by Mr. Ewart, or Mr. Somebody-else, the agent of Archbishop Langevin. If we ever reach this clause to consider it on its merits, I am sure the House will unanimously vote it down, or modify it so as to make it reasonable and workable. We should rise and give the Government an opportunity to consider and amend this clause.

Mr. DALY. Why did they give the municipalities this power under the present law ? You are exhibiting ignorance of the present law which is lamentable.

Mr. WALLACE. The hon. gentleman has not been listening to my observation. What I was trying to show was, that the municipality was not given any power at all. This law takes it away while professing to give it. Does the hon. gentlemn dispute my assertion ?

Mr. DALY. Yes.

Mr. WALLACE. I will have to repeat to him what I have said. The action of the Government involves an attempt to coerce Manitoba, and to do so by coercing this free Parliament. Never in the history of Canada, nor, so far as my political reading goes, in any country having British institutions, has such a flagrant and barefaced attempt been made as that now made by the Secretary of State to capture the Roman Catholic vote.

Mr. TURCOTTE. He did right.

Mr. WALLACE. I contend that this country should not be governed on religious lines. The leader of this House is making a serious political blunder, and at the same time is not acting as a patriot and statesman. The Roman Catholics cannot be hoodwinked by such a transparent subterfuge. Religious issues will not conduce to the prosperity and unity of the people, and must be followed by retaliation on both sides. The elections should be fought out on the question of protection or free trade.

Mr. TYRWHITT. I must express surprise at the little interest taken in passing this Bill through committee. Later in the day, when it suits hon. members to be present, they come in and declare in loud tones their determination to put this Bill through. I have heard the leader of the House assailed on account of being absent from the Chamber. Considering his years and the state of his health, I am prepared to excuse his absence, but similar allowance must be made for other hon. members who may not be in robust health. I have been a life-long opponent of separate schools. As long ago as 1890, when there was a question of a disallowance of the Manitoba School Act, Mr. Robert White, then representing the adjoining constituency to mine, sent a telegram to Sir John A. Macdonald for instructions, as the convention at which he was a candidate had asked him to pledge himself in writing to oppose the veto of the Manitoba School Act, should the Dominion Government of that day see fit to veto it. Mr. White having consulted with me, I thought I was at liberty to act on the same lines.

Mr. MACLEAN (York). What was Sir John's answer ?

Mr. TYRWHITT. Sir John did give Mr. White permission to pledge himself in writing to his future constituents, that he would oppose the Government if they vetoed that Act, and acting upon that telegram, I pledged myself in the same way : and from that time till now I have repeated my pledge whenever this subject was under discussion, in my constituency or elsewhere. I will not criticise the members of the House who have not pledged themselves in the same way, and who are able to answer to their own conscience for their conduct. I feel that in taking the position I do now, I am acting up to my own convictions. I wish the Minister of Public Works would not leave the Chamber, as I shall have something to say to him shortly. I believe, also, that I am acting in the interests of my own constituents, and furthering a cause which is for the best interests of this Dominion. Now, we who have not been able to follow the Government on this question, have been described as McCarthyites, a term which may not be so great a disgrace. But let me draw the attention of this committee to the conduct of some of those hon. members who reproach us with deserting the party. In days when some of those hon. members might have faltered, in days of danger to the party in my constituency, I stood by the party and supported Sir John Thompson when, for reasons it is not necessary for me to elaborate, but which can be readily imagined, that hon. gentleman was not popular in my constituency. We have now another question before the country which calls upon us to act up to our conscientious convictions. Let me draw attention to the conduct of some of the men who have criticised us severely. I will begin with the Deputy Speaker, a gentleman who ought to be in his chair at the present time, and doing something for the additional salary which he is paid. We remember the time when a motion of want of confidence was moved in the Conservative Government, and when that hon. gentleman voted against the party of which he was a member, and when he rose in his place on the opposite side of the House, and reviled our late leader, Sir John A. Macdonald, for having brought to justice a man who should have been twice convicted of crime instead of once. Now, that hon. gentleman appears to have a tender spot in his heart for criminals of this character, for if we are to believe common report of the day, he has approached the representative of the sovereign in this land and asked that justice should not be meted out upon a criminal equally guilty. I do not make this assertion knowing it to be true, but because I have heard that it is commonly reported in the country. This is one of the gentlemen who taunts me today with deserting my party, and yet when there was actual necessity to stand by the party, he acted in the manner I have described. Then we have the Minister of Public Works, the prince of kickers, a gentleman who kicked himself into the Speaker's chair, a gentleman who kicked himself into the Government, and who kicked himself out of it. It is within the recollection of many members of this House that the Minister of Public Works formed a conspiracy with others in room No. 8, to make a raid on the Treasury of this country, when I and other friends of the party sat in this House expecting that he would march in with his band that he had formed and with which he had conspired against the Government. And this is one of the gentlemen who would read me out of the party : this is one of the gentlemen who alluded to myself and others as renegade Conservatives. Only recently again this gentleman has refused to obey the party discipline which he wishes to enforce upon others. Only a year ago that hon. gentleman, because he could not have his own way in the Cabinet, resisted the authority of the Premier, and temporarily read himself out of the party ; and I regret that on account of the weakness of the head of the party at that time, he was not allowed to remain out of the Cabinet. I need not go further to quote precedents of a member of a party taking action different from that of others. These are two instances of gentlemen who would assume to discipline me now, and teach me the duties of a Conservative. I was born in that faith, and I do not propose either to be read out, or driven out, of the party by gentlemen whose loyalty is like that of the Minister of Public Works. Now, I regret that the hon. gentleman is not present, for the simple reason that I have a little further to say to the hon. gentleman, but as I asked him to remain, I think I am quite justified in proceeding in his absence. Now, Sir, we hear occasionally of men who are willing to die for their country. That gentleman was once willing to die for his country. As the fortunes of war would have it, I happened to be following him on one train, and you can easily imagine my surprise in meeting the Minister of Public Works returning by the same train which had taken him up ; in fact he took the next train back again, he got out of the country as soon as possible.

Mr. ROOME. What has that to do with the question.

Mr. TYRWHITT. I will attend to the hon. gentleman shortly. Now, allusion has been made to the fact that the hon. member for North Grey, who now, by courtesy, we must call His Honour Judge Masson, has been appointed to the bench. He occupied a seat beside me, and he and I have had a few altercations over this subject. I will not criticise His Honour, but I will just make this announcement, which has not been made to the House, that while he represented the riding of North Grey in this House and voted as he saw fit on the second reading, his successor, Mr. McLaughlin, who is now stumping the constituency, has voluntarily pledged himself as being opposed to the legislation which is now attempted to be forced through this House. I think it ill-becomes some hon. gentlemen to taunt us with want of party loyalty, in view of the example they themselves have set. Now, there is the hon. member for West Assiniboia (Mr. Davin), who I regret also not to see in his seat, and who, although a western member, apparently takes little interest in the subject under discussion. I have known him intimately, and up till within a few hours of the vote on the second reading, he led me to suppose that he was opposed to the second reading. I was led to believe that he was in earnest in that intention, for the reason that, like myself, he had been educating public opinion in his part of the country to believe that this Bill was not in the interest of the Dominion, or of his particular section of country. I am further led to believe that he was sincere in that opinion, for the reason that the paper of which he has been the manager, has announced to the public the fact that he and they had parted ways, for while he and the Regina "Leader" were originally on the same platform, the "Leader" since then denounces the member for West Assiniboia. But for some unaccountable reason the hon. gentleman saw fit to change his mind at the eleventh hour, and vote contrary to the views which he had been expressing for a number of years, and contrary to the views of his constituents. He now offers some paltry excuse to this House for his change of views. I noticed yesterday, in his speech in this House, that he made use of the hackneyed phrase "evil communications corrupt good manners." I think the hon. member for West Assiniboia has had some evil communications immediately before giving his vote on the second reading. Now, in mentioning the number of kickers who have at some time or other opposed their party, I must not except the Minister of the Interior, and the Controller of Inland Revenue. I was reminded the other day that the Minister of the Interior voted against the party on the question of the disallowance of an Act of the Manitoba legislature. Disallowance in Manitoba was a live issue which affected the interest of his constituency, and this is a live issue in my constituency, and directly affects me. Now, there was a debate in the House the other night in the course of which the hon. member for Albert (Mr. Weldon) described the character of the structure that this House was attempting to rear by passing this Bill. He said that one class of workmen came in during the day and built it on a Grecian model, and another class of workmen came in during the night, and built it on a Doric model, and the question was, what kind of structure it was going to be. Thereupon the leader of the House announced that his intention was that it should be a Roman structure. Now, my constituents have a very decided objection to that class of building, and would prefer that it should be given some other name. As the hon. member for West Middlesex has seen fit to interrupt me, I must say that I am sorry to see that he is so derelict in his duty as not to appear until half-past nine in the morning, while the rest of us have been here all night trying to throw light on this question and get information from the discussion. While we are here, this hon. gentleman goes away and remains for a week or ten days——

Mr. ROOME. Not at all.

Mr. TYRWHITT. About a week, I think.

Mr. ROOME. I was away from Saturday until Tuesday morning.

Mr. TYRWHITT. I apologize. It was only two days that the hon. gentleman was away. But I would draw his attention, and that of his constituents, to the fact that if he was so anxious to press this Bill to a conclusion, he should have been present and not neglect his duties while compelling the rest of us to remain in the House for 24 hours a day.

Mr. MONCRIEFF. It is evident that the hon. gentleman who last spoke has picked up a cap that will never fit his head. He said he had been classed among the renegades. If he thought he was being classed as a renegade to the Conservative party, I do not blame him for referring to the matter and repudiating such an expression. But I do not believe that that expression was ever intended to embrace the hon. gentleman—as true a Conservative as ever sat in this House. He may differ from his friends on some points, and in that case has a right to express his conscientious convictions. It would be a sorry day for this House if gentlemen who feel compelled to vote against their associates are to be accused of not voting conscientiously. If I were to take a different view, I should stigmatize myself for my own vote. No vote that I ever gave was more conscientiously given than that I gave on this Bill. And I believe that no man voted more conscientiously on the other side than the hon. member for South Simcoe (Mr. Tyrwhitt). It has been said that the Government is not candid in pressing this Bill through, but that their desire is to represent to the Frenchmen that they did all that they could to get the Bill through, while being able to turn to the Protestants and say the Bill was no good and, therefore, they allowed it to fall through. Though not a member of the Cabinet, I repudiate the statement. I believe no Government ever brought a Bill before Parliament with a greater determination to put it through, if possible, than that with which the Government laid this Bill before this House. I believe there has been plenty of time to give due consideration and discussion to the Bill, if hon. gentlemen opposed to it will—not give their assistance—but will avoid obstruction. I have no objection to legitimate discussion. What are we here for but to discuss the Bill ?

Mr. EDGAR. Will the hon. gentleman allow me to ask him a question ?

Mr. MONCRIEFF. Yes.

Mr. EDGAR. I think we have discussed the clauses of the Bill for some thirty or forty hours—at any rate a great many hours. Has the hon. gentleman taken any part, and, if so, what part, in the discussion of this Bill, which he says should be so fully discussed ? He is talking now upon what he calls an obstructive motion.

Mr. MONCRIEFF. I have not used the words "obstructive motion."

Mr. EDGAR. The hon. gentleman said "obstruction."

Mr. MONCRIEFF. I said I objected to obstruction.

Mr. EDGAR. I have asked the hon. gentleman a question. How often did the hon. gentleman occupy the attention of the committee in the discussion of these clauses which we have discussed and amended greatly to the improvement of the Bill ?

Mr. MONCRIEFF. I am proud to say that I am one of the members who have not taken up any time in this discussion in committee. I took up enough time on the second reading. I think it would have been in the interests of the country if a great many others had refrained from speaking on the clauses.

Mr. EDGAR. Oh, I do not say that the country lost anything by the hon. gentleman not speaking.

Mr. MONCRIEFF. I would ask the hon. gentleman to follow what I say. I have never said that there had been obstruction by the Opposition as a party. I approve of fair discussion, but I object to obstruction. The last ten or twelve hours have been taken up with the discussion whether the committee should rise or not, and some peculiar arguments have been used. One hon. gentleman read for an hour from a medical work. I think that was a little aside from the question.

Mr. EDGAR. Was it not on the subject of the ventilation of this Chamber ?

Mr. IVES. The hon. gentleman was not present yet he knows what went on. It would seem that it must have been arranged last night.

Mr. EDGAR. I was told so.

Mr. WALLACE. The hon. member for East Lambton (Mr. Moncrieff) was not here, compelled to breathe the vitiated air of this Chamber, but he can come here now and sneer at those who have been present attending to their duties.

Mr. MONCRIEFF. I was not sneering. And if I was away, I think there are few but will say : We are glad you had a few days off. The reading of the medical work may have been proper in a professional gentleman. But all school books contain similar information in regard to health. One hour was thus occupied by the gentleman, which might otherwise have been devoted to the consideration of clause 10. The hon. gentleman even went so far as to charge the leader of the House, who is a physician, with keeping hon. members in this Chamber sufficiently long to injure the health of members of the Opposition, and that some benefit would follow to the party. Surely that must have been uttered as a jest. Another class of argument used is that the Government are so desirous to pass the Bill that they have bought up some members. It has been deliberately stated that all members were not voting independently. If there is any truth in that charge, it indicates a determined effort by the Government to carry the Bill. My name has been mentioned two or three times during this debate. I do not think any hon. gentleman undertook to say that I had a position in my pocket, but the roundabout way was resorted to of stating that some newspapers contained such a report. That is hardly an honourable way for an hon. gentleman to act. If he is not prepared to make a charge, it is better for him not to make the insinuation in an underhand way. I should not like to charge the hon. gentleman with voting in a certain way because he had the promise of a position in his pocket, and any hon. gentleman who made such an insinuation should on reflection regret it. I will, however, take this opportunity of saying, in answer to the insinuation that has been made, that neither have I a promise of office nor have I looked for one yet at the hands of the Government. I observe that while hon. members of the Opposition are declaring that the Government do not sincerely desire to pass this Bill, the " Globe " in a recent issue declared that the leader of the House was not only determined to pass this coercion Bill, but to do so without discussion. The Conservative party have voted for this measure, and if other hon. members who favour it will unite with them, it may yet be carried, as I understand there are only six or eight more clauses which will involve serious discussion. This could be done in view of the majority already given in favour of the Bill.

Mr. EDGAR. What is the majority in favour of the Government according to the hon. gentleman's calculation ? I desire to obtain that information in view of a calculation made by the Secretary of State.

Mr. MONCRIEFF. There was a majority of 18 in favour of the second reading.

Mr. IVES. It may be placed at 60 or 70, if you include those who voted against the Bill and are now sorry for it.

Mr. EDGAR. The Secretary of State calculated the majority at 90.

Mr. MONCRIEFF. I was speaking of the majority on the second reading. The estimate of the Minister of Trade and Commerce may, however, be more nearly correct. If hon. members are changing their opinion in favour of the Government as rapidly as are the voters in the district where I have been lately, the majority may certainly be placed at about 90.

Mr. EDGAR. Is the hon. gentleman referring to his own county ?

Mr. MONCRIEFF. I have been in my county and can assure the hon. gentleman that voters by the dozens and scores who thirty days ago were opposed to the Government, to-day consider that the Government course is the proper one. In the north part of the county a large executive meeting was held and strong resolutions passed endorsing the action of the Government and my action in supporting them. Having been there three of four days. I have met with people who a month or two ago were opposed to the Government's action, and yet now declare they have the utmost confidence in the course pursued by the Government.

Mr. EDGAR. We should like to hear if the hon. gentleman is going to run again, especially in view of this reported change in public opinion ? One of the matters talked about a good deal in connection with the hon. gentleman's vote was that he voted as he did because he was not going to run again, and that if he had been going to run he would not have so voted. I should be glad to hear whether the hon. gentleman has reconsidered his determination and is going to run again.

Mr. MONCRIEFF. I never told any one I would not run again. I do not know how the hon. gentleman has that information.

Mr. EDGAR. It is the talk of the House.

Mr. IVES. It is the talk on the Opposition side of the House.

Mr. MONCRIEFF. I have never made such statement outside of the House or inside of the Chamber. The hon. member for West Ontario (Mr. Edgar) is the author of a pamphlet addressed to ultra-Protestants, and he must feel glad indeed if the ultra-Protestant views are being moderated. At the same time I may say that I should be very glad to be out of politics, and such action would suit my family. I came here to support the Conservative party, and I have done so. I have also endeavoured to promote the interest of my constituency, although I hold the view that I come to Parliament not only to represent my county, but in a general sense all the constituencies in this Dominion.

Mr. EDGAR. The hon. gentleman has been good enough to allude to a little brochure of which I am the author. In it I protested against any unfair treatment of the Catholic minority of Ontario or the Catholic minority in Manitoba. So much do I resent unfair treatment to the Catholic minority that I would not be a party to insulting them by offering them such a Bill as that now before the House, which is introduced on the eve of a general election to serve political ends.

Mr. SEMPLE. The Government have not yet shown this House the courtesy of placing before us an official copy of the proceedings of the Winnipeg conference, though I see that a copy of the same has been presented to the Senate. Now, there are some things in this document which this committee might well devote some time to considering. (The hon. gentleman read at some length from the report of the Winnipeg conference, including a proposition about normal schools). Here the Dominion commissioners ask that a normal school should be established for the special benefit of the Catholic minority. In the province of Ontario we have two excellent normal schools. One of them is situated in this city of Ottawa, and the Government has appointed as its head. Dr. MacCabe, a distinguished Catholic gentleman. There is no question of religion in the normal schools, and we find that Dr. McCabe has under his care both Protestant and Catholic students, whom he instructs in the best mode and manner of teaching in the public schools of the province. I think it was unreasonable in the Dominion commissioners to ask that a normal school should be established in Manitoba to instruct teachers how to teach in separate schools. The report shows that outside of Winnipeg and St. Boniface the minority are perfectly satisfied with the present system. And it shows also, that the Manitoba government is ready to remedy any well-founded grievance. This is proof of the wisdom of my leader's course, in proposing that a commission should be appointed to learn the facts in this dispute. The commission appointed by this Government made good progress, and if they had had more time, no doubt they could have reached a settlement. The Secretary of State told us that this Bill was carried by a substantial majority. That majority was eighteen, and if ten members who voted for the Bill had changed their votes, the Bill would have been defeated. And it has been reported throughout the country, and I think it is generally believed, that a number of the members were dependent upon the Government, and expecting positions, and that they voted against the well-understood wishes of their constituents. One of these gentlemen has gone to his reward, and is now to be styled judge of Huron.

Mr. BENNETT. Has the hon. gentleman any authority for saying that Mr. Masson voted against the wishes of his constituents?

Mr. SEMPLE. I heard the statement made by an hon. gentleman this morning that Mr. Masson's successor as a Conservative candidate is canvassing the riding, and has stated on the platform that he is opposed to the Bill.

Mr. BENNETT. Is the hon. gentleman aware that Mr. Masson made a speech in favour of remedial legislation last year, and that since then a convention was held in his riding which did not disapprove of the sentiments he expressed? I rise because I do not believe that it is fair that men should be attacked who are not here to defend themselves.

Mr. TYRWHITT. Possibly I may have misled the hon. gentleman who is speaking by saying this morning in good faith that Mr. Masson's successor was now canvassing——

Mr. TAYLOR. Stumping.

Mr. TYRWHITT. Stumping the riding opposed to the Remedial Bill. Since making that statement I have been informed that Mr. McLaughlin is now in town. The member for South Leeds (Mr. Taylor) attempts to quibble on words. When I said "stumping" I did not use it in the sense of excluding a private canvass and the feeling of the pulse of the riding, preparatory to taking the stump and carrying on a general campaign. He may be in the adjoining room, and still be on the stump, in a certain sense of the word. One thing is certain—he is the Conservative candidate, and I believe he has expressed himself as strongly in opposition to the Bill before the House. I am prepared to stand corrected if this is not the case. Of course, I cannot answer for anything that may happen in the meantime between the hon. member for South Leeds (Mr. Taylor) and others, for whatever version may be given. I made the statement in good faith, and after having seen letters on the subject from the constituency.

Mr. EDGAR. I think it is plain that the hon. member for East Simcoe (Mr. Bennett) is thoroughly "stumped."

Mr. SEMPLE. I gave what I believed to be the facts of the case. And I would call attention to the fact that the hon. member for East Simcoe, who voted against the Bill, is actually doing all he can to get the Bill passed.

Mr. BENNETT. I voted against the second reading of the Bill, and I will vote against the third reading. While the hon. gentleman may charge those who are present with having promises of offices, I say it is unfair and unmanly to attack those who are not here to defend themselves. Let him make charges against those who are here, and take the flat contradiction that he will receive in every case. The hon. member for North Norfolk (Mr. Charlton) made the statement that the hon. member for North Victoria (Mr. Hughes) was influenced in his vote by the fact that his brother had received an appointment. As a matter of fact, the man received the appointment four years ago.

Mr. SOMERVILLE. I think it is well to call attention to the fact that this man has got his reward, and, whatever may be said of others, there is proof positive that at least he was influenced in his vote by the fact that he was to get the appointment. The hon. member for East Simcoe has said that the hon. member made a speech in favour of this legislation last session. But, at that time, it was supposed that he had the judgeship of Wentworth in his pocket.

Mr. McGILLIVRAY. How do you know?

Mr. SOMERVILLE. I happen to live there. And I know it was currently reported. Conservatives and all assumed that Mr. Masson was to be appointed judge of Wentworth. The hon. member for Centre Wellington (Mr. Semple) is perfectly right in illustrating the point he was making by referring to Mr. Masson having received his reward. We have no evidence as to the other having been promised an appointment, but we believe that such influences have been used, and here is the proof in one case.

Mr. MACDONALD (King's). Will the hon. gentleman tell me how he knows that Mr. Masson got this appointment as a reward?

Mr. MULOCK. He is endowed with common sense.

Mr. MACDONALD (King's). If it is common sense, at least it is not Christian charity.

Mr. BENNETT. The point I took was that the hon. gentleman insinuated rather than alleged that Mr. Masson had voted against the wishes of his constituents. He should not make that statement without proof. The convention held since Mr. Masson's speech in favour of remedial legislation did not disapprove of his position. Do hon. gentlemen object to members of Parliament receiving appointments? The hon. member for North Brant (Mr. Somerville) lives, I believe, in the riding which was represented by Mr. Awrey in the legislature. And Mr. Awrey dropped out of his place in the legislature into a Government position. He does not mean that Mr. Awrey having accepted a position is proof that he was bought to support the Government. Then, there is Mr. Wood in North Brant and in Simcoe, there are the cases of Sheriff Drury and his predecessor, Sheriff Phelps, and so on through the list.

Mr. SOMERVILLE. They were not induced to support the Government by promises of office.

Mr. SEMPLE. I did not make the statement positively. I said I had heard it stated, and the facts seemed to verify the general impression. The Dominion commissioners, in their report, which has been presented in the Senate, express their opinion that this is a doubtful measure, and surely a Bill in regard to which doubt is cast, should not be forced through this House in the dying hours of Parliament. Hon. members will remember the debate on the Jesuit Estates Bill. On that occasion I voted with the Government, on the ground that the legislature of Quebec had a right to pass the Bill. Although I was called to account for that vote by some of my constituents, I was always able to successfully defend it, because I was distinctly voting for provincial rights: moreover, the Quebec legislature had the right to pass the measure, and it was no interference with any other parts of the Dominion. The decision of the Judicial Committee of the Privy Council was to the effect that there was a grievance, which the Dominion Parliament should relieve, and, in order to do so, allow religious instruction in the schools. This decision was given by four learned judges. But a different decision was given by the Supreme Court of Canada, when Sir Henry Strong, Chief Justice, and Judges Taschereau and Gwynne held that the Manitoba Act of 1890 was constitutional. In view of these difficulties, there should be no interference with the clear right of the province. Much has been said about the rights of minorities. But in this case there was a Roman Catholic minority, and there was another minority of Roman Catholics, represented by Mr. John O'Donohue, who favoured the present system of public schools. As to the negotiations with Manitoba, the opinion expressed by Mr. Holmes, the former Conservative leader of Nova Scotia, was that the offer made to the Dominion commissioners by the Manitoba government was a liberal one, and should be accepted by the Dominion. If such offer were accepted, the minority of Manitoba would have secured to them by law privileges which are only given to the Roman Catholics of Nova Scotia by courtesy. Nevertheless, the people of the maritime provinces of different religious beliefs live together in peace and harmony, and, if religious instruction is desired in the schools, it is given. It must be remembered, in considering this question, that members of the Opposition are not looking for judgeships or collectorships. They are determined to follow an independent course, in spite of the action of the Government, which resembles that of governments which dominate South American republics.

Mr. MACDONALD (Huron). In regard to the position taken by the hon. member for Simcoe (Mr. Bennett), it is important that the committee should know that the hon. gentleman, in moving the Address in answer to the Speech from the Throne last year, took a strong position in favour of remedial legislation. In his speech last year the hon. gentleman said :

> I have recapitulated all the facts, I have recapitulated all the steps that have been taken in the case : and all that has been done has been the handing over of the case by the Dominion Government to the government of the province of Manitoba.

Is that true ? They never handed over the decision of the Privy Council to the province of Manitoba. That was the old argument that was made about a year ago when it was stated upon the public platforms of this country that the Governor in Council simply took the decision of the Privy Council and handed it over in the form of a remedial order. The hon. gentleman goes on :

> And, Sir, it is to be trusted by all those who would wish to see the disappearance from the arena of federal politics of matters of this vexed nature that the province of Manitoba may be pleased to arrange amicably between the parties the rights or privileges of the minority in respect of the matters complained of, and which the Privy Council stated had been affected.

Now, I want to know if the hon. gentleman is of the same opinion this year as last year. This was an admirable speech. I do not know whether there is any office for him in sight or not ; I do not suppose there is. Now, you see the hon. gentleman is supporting the Government's contention that this was really dealing with a question over which the Government had no control whatever, that the Privy Council demanded that the Manitoba government would restore the so-called privileges taken from the minority previous to 1890, and that therefore this Government was justifiable in issuing the remedial order, because the remedial order was identical with the decision of the Privy Council.

Mr. BENNETT. The hon. gentleman is misquoting me if he says that I desired that all these matters which had been interfered with, would be restored as they were originally. Now, that is deliberately an incorrect statement, if it is based on what you have just read. I expressed the wish that the matter might be amicably arranged, and I hope and trust yet that it will be amicably arranged by the people of that province—not that what existed before should be restored.

Mr. MACDONALD (Huron). I read it just as it is there, from page 10.

Mr. BENNETT. But don't misquote me.

Mr. MACDONALD (Huron). I challenge you to say where I have misquoted one single word.

Mr. BENNETT. This is what I said :

> And, Sir, it is to be trusted by all those who wish to see the disappearance from the arena of federal politics of matters of this vexed nature that the province of Manitoba may be pleased to arrange amicably between the parties the rights or privileges of the minority in respect of the matters complained of, and which the Privy Council stated had been affected.

Now, there is not a single word there to bear out your allegation that I had stated a year ago that I was in favour of the perfect restoration of the rights of the minority as they existed prior to 1890.

Mr. MACDONALD (Huron). You only read one sentence in regard to your desire that the question be taken out of the federal arena and be placed in the hands of Manitoba. The only inference that can be drawn from the quotation is that the Government were acting in the interests of Manitoba, and that they were perfectly justified in doing so ; and when they introduced the Remedial Bill this year to carry out their promise, you voted against the Bill that was designed to restore to the people the rights and privileges that were taken from them, and which you told us that time should be restored to them. How in the world is it possible for a man to wiggle out of such a hole as that ?

Mr. BENNETT. Will you please read in the whole speech where I expressed a hope that there would be a restoration of every right the minority had had prior to 1890 ?

Mr. MACDONALD (Huron). I have read it all. I am not bound to make a hole in a man's head and shove in knowledge, when there are no other avenues.

Mr. BENNETT. Charity begins at home, and I know of no more admirable hole where something could be drilled in than that cranium of yours. The hon. gentleman stood up here for four hours, a few weeks ago, reading page after page about matters that he resurrected and exhumed from places where they had lain for years, and we did not hear one original thought or one original idea coming out of that depleted cranium of yours.

Mr. MACDONALD (Huron). There is no use in my talking to the hon. gentleman, because it would require a surgical operation to make him understand anything. If

I were to take and cut a hole in the top of his head and put in these papers, probably he would have more brains afterwards.

Mr. EDGAR. I would ask whether that could not be done by injection.

Mr. BENNETT. If you will look over the top of the head of the hon. member for West Ontario, perhaps you can find a soft spot where you can cram something in.

Mr. MACDONALD (Huron). It would require a saw to cut through the skull of the hon. member for East Simcoe.

Mr. McGILLIVRAY. The hon. member cannot throw stones when he lives in a glass house.

Mr. MACDONALD (Huron). The hon. member for North Ontario is one of the most impudent men, for a first year man, who ever came into this House. He has more gab, and talk, and bluster, probably, than any other half dozen men combined. He wiggled and wabbled in his election to such an extent that really his friends had no hopes that he would be elected.

Mr. McGILLIVRAY. Wherever you went I had a good majority.

Mr. MACDONALD (Huron). It is evident from the way he has been conducting himself, in a kind of a hop-step-and-jump fashion, from the beginning of the session to the present time, that he will never get back to the House again. I do not think he expects to come back. Even his own friends had to go back upon him. The hon. member for West York (Mr. Wallace) who is a strong supporter of the Government, went up there to help him, and became so disgusted with his wabbling that he actually deserted him near the end of the election.

Mr. McGILLIVRAY. And sent me a letter of congratulations afterwards.

Mr. MACDONALD (Huron). The hon. member, upon a public platform, attacked the Mowat government for making a few amendments in the Separate School Bill, that were agreed to by the leader of the Opposition, the Hon. Mr. Meredith, and by every other member in the House, amendments that were intended to make the separate schools of Ontario more efficient. He asks us to attack him upon his record. His record has been that of an opponent of separate schools, and yet he had not the manliness in North Ontario to state to the electors that he was opposed to separate schools when he wanted to come here.

Mr. McGILLIVRAY. If the hon. gentleman says that I did not say in North Ontario that I was unalterably opposed to separate schools, he states what is absolutely incorrect.

Mr. MACDONALD (Huron). How could he say he was unalterably opposed to separate schools, when he refused to say that he was opposed to forcing them upon another province. He had not the manliness to say that he was opposed to imposing separate schools upon Manitoba.

Mr. McGILLIVRAY. I rise to a point of order. It is unparliamentary to say that an hon. member is guilty of unmanly conduct ?

Mr. EDGAR. I wonder if it would be parliamentary to say that a man's conduct was like that of an old woman.

Mr. McGILLIVRAY. I have often heard your electors say that of your conduct.

Mr. MACDONALD (Huron). I am not going to make such a reflection upon the old women. There are thousands of old women in this country who have more manliness than the hon. member. I say it is a reflection upon the old women to call him an old woman. The old women are womanly, but the old man from North Ontario is not manly.

Mr. McGILLIVRAY. The electors do not think much of you, anyway.

The CHAIRMAN (Mr. Joncas). I would ask the hon. gentlemen to not indulge any longer in this style of discussion.

Mr. MACDONALD (Huron). You will excuse me, Mr. Chairman, for using such language in a moment of excitement. But seriously, when we are trying to address ourselves to the question before the House it is annoying when we are met by these interruptions and attempts at obstruction.

Mr. McGILLIVRAY. Are you in favour of separate schools ?

Mr. MACDONALD (Huron). Let me tell this hon. gentleman that before he was born—and the world would not have lost much if he had never been born—I opposed separate schools. The party to which I belonged then and to which I belong now opposed separate schools, but the party that he belongs to imposed separate schools on the province of Ontario. If the hon. gentleman knows the history of his party he knows that it was in [illegible]63 that they passed the Bill establishing separate schools in Ontario.

Mr. McGILLIVRAY. It was by a coalition.

Mr. MACDONALD (Huron). The hon. gentleman is mistaken and let me tell him that the man whom his friends opposed so bitterly for making amendments in the school law that were necessary to make it workable voted in Parliament against that Bill. I refer to Sir Oliver Mowat. The hon. gentleman does not know the history of this country, but he is still mouthing. However, I think he does not intend to come back. That is a good thing.

Mr. McGILLIVRAY. The hon. gentleman says that the world would not have missed much if I had never been born. I may reply, that the world will not miss much when he is dead. That makes us even on that.

Mr. MACDONALD (Huron). I like a man to show originality ; not simply to turn one's own words back upon him. I do not see how the Conservatives can accuse the Liberals of obstructing, I am sure that in what I have attempted to say, hon. gentlemen have thrust in more than I have. I think they must have been put up to it by the leader of the House. The leader of the House told us that he was ready to die for this Bill. There was a man in the English House of Commons named Fergus O'Connor, who on one occasion said that he was ready to sacrifice himself to get a certain Bill passed and he rushed down the aisle as though to make the sacrifice there and then. "Punch" commenting on this a few days later, said :

Not a groan was heard or a pitying note,
  As down on the floor he hurried,
Not a member offered to lend him his coat,
  Or asked how he'd like to be buried.

I think the same may be said of Sir Charles Tupper, for I believe gentlemen opposite have lost much of their appreciation of that hon. gentleman. Who have been the obstructionists? This Bill was obstructed before it came into the House by the revolt in the Cabinet. The Government has not yet explained why the Bill was not introduced until the House had been in session forty-one days, and why the second reading was not moved until the sixty-first day. The Poet Laureate of England seems to have been informed of what has been going on here, and I find the following :—

As we want to get our supper
You must knuckle down to Tupper,
For he holds the loaves and fishes in his care.
He may bully and browbeat you,
Like a galley-convict treat you,
But he holds the loaves and fishes, so beware.

Hon. members must remember that the Secretary of State has control over the loaves and fishes, and that only the other day he gave an hon. member not only a fish but also a loaf. Another poet seems to have come to the rescue of the Secretary of State, and he says :

  I stand upon the gory deck,
    When all but I have fled ;
  I'm Master-Mind aboard this wreck,
    I slew the Official Head.

It does not, however, appear that the official head has been slaughtered. These verses, I consider, describe the exact condition of affairs to-day. In regard to the conference which took place the other day, I contend that Mr. Greenway's government made substantial and satisfactory concessions to the minority. If similar propositions were submitted to the Catholic minority all over the Dominion, they would undoubtedly be accepted. It is admitted by members of Nova Scotia that there is no dissatisfaction among the minority in that province. It is important that the House should understand clearly the concessions offered, and they are these : 1. To make the text-books satisfactory to the Catholics. 2. To give representation to the Catholics on the advisory and examining boards. 3. To give a share of the public grant to all schools irrespective of religious denominations.

The support of separate schools will be a heavy burden upon the Catholic ratepayers if they receive no support from the province. I have in my hand a letter written by a Roman Catholic farmer in Manitoba in which he says—I will not read the letter but give the substance : In the section in which I am living there are about ten Roman Catholic families. In order to establish a school, it would cost $400 or $500, or $50 for each family. It will cost from $250 to $300 a year to pay the teachers and other expenses, which means $30 for each of the farmers in this district. It is utterly impossible that these ten farmers will be able to bear that burden of taxation. But under the Remedial Bill we will be forced to support our own schools at great expense, and it is ten times better for us to place ourselves under the Greenway offer than to accept the Remedial Bill. Mr. Chairman, that is only one of a hundred testimonies of a similar character which may be given from the farmers of Manitoba in the same direction. We have heard the hon. member for Inverness (Mr. Cameron), and the hon. member for Halifax (Mr. Kenny), both warm supporters of this Bill, declare that the present Nova Scotia school system is satisfactory to the Catholic minority of that province. Now, when we see that the Manitoba government offers to give the Catholic minority of that province substantially the same privileges as are enjoyed by the minority in Nova Scotia, I do not see why this Government should not withdraw this Bill, and come to some arrangement with the Manitoba government on the lines offered by the Manitoba delegates.

Mr. BENNETT. The hon. gentleman who has resumed his seat said in the course of his remarks, that last year I had pronounced myself without reservation in favour of the principle of remedial legislation, and in support of his assertion he read an extract from a speech I made last year on this subject. (The hon. gentleman again read the extract in question.) Now, Mr. Chairman, I think that is very plain English, to the ordinary mind. No man can understand from those words that I was in favour of any interference by the Federal Parliament at all, but rather that there should be an arrangement by the people of that province of the matters in dispute. What I meant was that I trusted there would be on the part of the Federal Government no interference, but that the matters in dispute should be arranged amicably by the province of Manitoba itself. Now, to show that such is the fair inference from my words, I will quote from a speech made by the hon. leader of the Opposition. (The hon. member reads an extract from Mr. Laurier's speech.) Now, I do not want to disparage the gigantic intellect of the hon. member for Huron (Mr. Macdonald), but I think most intelligent men would rather prefer to rely upon the intelligence of the hon. leader of the Opposition. He drew this inference from my words, that there should be upon the part of the Dominion Government no interference at all with those rights but that the case having been relegated to Manitoba, they could then arrange the matter amicably among themselves. I have voted against the second reading of the Bill, and if it comes to a third reading I propose to vote against that also.

Mr. SPROULE. I went home last night, and returned at half-past nine this morning, and regret to find that the committee has been kept sitting although no progress has been made.

Mr. McALISTER. Whose fault was it ?

Mr. SPROULE. I can only regard it as the fault of those who compel us to sit here all night and work when we are not in condition to do that work. Among wage-workers, it is a common thing, when a man works at night, to give him double pay. But no such inducement is offered to us by our country, and none should be offered, for the people who sent us here do not expect or desire that we should work at unreasonable hours. But I would remind the Government that, during hours when members might fairly be expected to attend to their parliamentary duties, we have made good progress, but, after that time, we have made no progress at all. Why should this Bill absorb the whole attention of Parliament ? This should teach the Government the lesson that it is better in the interests of this Bill which they are pressing forward, to sit during reasonable hours.

Mr. FREMONT. If the hon. gentleman and his friends would not make such long speeches we could make more progress.

Mr. SPROULE. If the hon. gentleman and his friends would allow the House to sit during reasonable hours, we should make more progress.

Mr. FREMONT. The hon. gentleman has been absent eight or ten hours.

Mr. SPROULE. I have. I did not feel that my duty called upon me to be here all night to attempt business that I was not in condition, through fatigue, to undertake. Nor did I think, from the temper of the House, when I left it, that business would go on, as the Government expected it would when it refused the very reasonable request made at two o'clock that the committee should be allowed to rise, report progress and ask leave to sit again. Are there no other measures, I say, before us, that require consideration except this ? We are at a standstill, as it were, for want of money to pay pages, messengers, and others who are working for us. And we have been expecting Supplementary Estimates. We seem to have fallen into all sorts of irregularities. The Supplementary Estimates were asked for, and promised, time after time. But, so far as I know, these Estimates have never been laid upon the Table of this House, but they have reached us by a roundabout and wholly irregular course. It is usual for a member of the Government to place in the Speaker's hands a Message from the Governor General conveying the Estimates, which Message is received by hon. members standing. But this has not been done, I believe, and yet we find the Supplementary Estimates published in the daily press. They cover a total of $2,504,941. Among other items, I notice that of an additional amount required for sessional messengers, pages, and others. This is the matter I called attention to the other day, making the very moderate request that these people who worked for us should receive their pay. But I was rebuked for that, and told that I should have consulted the Government, and asked permission to bring the matter to the attention of the House.

Mr. MULOCK. Do I understand the hon. gentleman to say that the Finance Minister has not arranged for payment for these services ?

Mr. SPROULE. Except in so far as putting an item in Supplementary Estimates is concerned.

Mr. MULOCK. These wages were due weeks ago, I understand. And since attention was called to the matter, a long time has passed.

Mr. SPROULE. So far as I know, the putting of this item in the Supplementary Estimates is the only step that has been taken.

Mr. FOSTER. That is not the worst of it. If this obstruction goes on much longer, I suspect that members themselves cannot get anything.

Mr. MULOCK. How about the salaries of the Ministers ?

Mr. FOSTER. If we have to work so hard, we will have to have something.

Mr. SPROULE. The hon. gentleman speaks of obstruction. But this forenoon—the hon. gentleman cannot know it, as he was not present—the supporters of the Government occupied a large portion of the time. Will they be called obstructionists ? I was pointing out other matters that should engage our attention. I see that $1,000,000 is proposed for arms and ammunition for the militia. I support that, but we should get the information through the regular channels, and not be obliged to depend upon the press. There is also an amount of $99,000 extra to the Canadian Pacific Railway for the conveyance of mails, and other very important items.

Mr. MULOCK. May I ask the hon. gentleman to explain that item ?

Mr. DEPUTY SPEAKER. I do not see what that has got to do with the motion before the Chair.

Mr. MULOCK. It is a very important matter.

Mr. SPROULE. I am drawing attention to the fact that there are other important matters demanding our attention, besides this Bill.

Mr. DEPUTY SPEAKER. But the hon. gentleman has no right to go into the details of the Supplementary Estimates.

Mr. CHARLTON. Surely the hon. gentleman has a right to illustrate his argument to some extent in detail.

Mr. McNEILL. To bring the matter clearly before the committee and to impress it upon the public mind, it is surely necessary that details should be referred to to some extent.

Mr. DEPUTY SPEAKER. I did not make the rules ; they were made long before I was born. He can give all the reasons he wishes in favour of the committee rising and reporting progress, but he has no right to go into the details of the Supplementary Estimates, for he could talk until next July upon those matters.

Mr. McNEILL. Surely he can give the arguments necessary to impress the point he is making, and he must be largely the judge of that.

Mr. MILLS (Annapolis). Chair, chair.

Mr. McNEILL. Mr. Chairman, this gentleman (Mr. Mills, Annapolis), who is sometimes in the Chair, and who is a very unfair Chairman——

Mr. MILLS (Annapolis). I rise to a point of order. The hon. gentleman has no right to impute unfairness. He transgresses the rules of this House and the proprieties of this House in doing so.

Mr. DEPUTY SPEAKER. I have called the hon. gentleman to order. And I have given the reasons. He has no right to discuss the ruling of the Chair.

Mr. McNEILL. I am not calling in question your ruling, but——

Some hon. MEMBERS. Order.

Mr. FOSTER. The hon. gentleman has no right to speak to a point of order after it has been decided.

Mr. SPROULE.

Mr. McNEILL. I am going to ask for information from the Chair.

Mr. FOSTER. Besides, the hon. gentleman (Mr. McNeill) destroys the very foundation of respect for this House, when he accuses a gentleman of unfairness while in the Chair. If the hon. gentleman wants to speak to some other question, he may do so, but I have already ruled that he cannot discuss the point to which he was then referring.

Mr. CHARLTON. Then the hon. gentleman can proceed in a general way, but without detail.

Mr. McNEILL. What I want to say is this : As I understand your ruling, Mr. Chairman, it is that the hon. gentleman cannot go into details. What I want to ask is to what extent does that rule apply.

Mr. DEPUTY SPEAKER. To the whole extent.

Mr. McNEILL. What does the hon. gentleman consider to be details ?

Mr. DEPUTY SPEAKER. The hon. gentleman will find ten or fifteen books in the Library which will explain to him that point.

Mr. MULOCK. Let the hon. member for North Bruce get them and read them to the committee.

Mr. McNEILL. We have a right to understand your ruling, Mr. Chairman. Is an hon. gentleman not allowed to refer to any item ?

Mr. DEPUTY SPEAKER. To no items.

Mr. COATSWORTH. The hon. member for North Bruce has stated that the hon. member for Annapolis acted unfairly in the Chair. I submit that he must withdraw that statement.

Mr. MULOCK. The hon. gentleman cannot take a point of order in regard to a past debate, when the words were not taken down by the Clerk at the time.

Mr. DEPUTY SPEAKER. This is not an ordinary question of order, but it is a charge of unfairness, affecting both the hon. member for Annapolis (Mr. Mills) and myself. It is very convenient to me to have, now and then, assistance from hon. members of the House, for it could not be expected that I should sit here from three o'clock on Monday until now. When I ask an hon. member, in whom I have confidence, and in whom, I think, members of the House have confidence, to act for me, I am bound to endeavour to protect that hon. gentleman. I believe the remarks of the hon. member for North Bruce (Mr. McNeill) have been unfair to the hon. member for Annapolis (Mr. Mills), and I would ask him, as a matter of fairness, to take back those words, because the hon. member for Annapolis, from what I know, has been a fair Chairman, and has rendered justice to both sides of the House.

Mr. McNEILL. I wish to say this, that so far as you, Mr. Deputy Speaker, are concerned, I find you always act most courteously and most fairly; and so far as the hon. member for Annapolis is concerned, if you, Mr. Chairman, consider that I am out of order in making the remarks I have made, I have nothing to do but to withdraw the expression. But, so far as the impression on my mind is concerned as regards that hon. gentleman, it is just what I have stated. But I will withdraw the remark at once, if you, Mr. Deputy Speaker, say that I am out of order in my remarks with respect to the conduct of an hon. member called to the Chair.

Mr. MILLS (Bothwell). A criticism in regard to the Speaker, I do not think can be made the subject of a point of order. This question does not, however, refer to the permanent Chairman, but to an hon. member who has been temporarily called to the Chair, and whose functions as Chairman are at an end. What he did as Chairman has become a matter of history, and is as open to criticism as if it had happened twenty years ago.

Mr. CRAIG. There might be some force in the contention of the hon. member for Bothwell (Mr. Mills) under certain conditions, but I do not think those conditions exist in this case. It also must be remembered that the hon. member for Annapolis may be again asked to act as Chairman. While some hon. members, no doubt, may have had the impression at the time that the Chairman was unfair, still, it is very unfortunate for an hon. member, because the Chairman does not happen to agree with him, to hold that opinion. We must uphold the dignity of the Chair and the dignity of Parliament. If an hon. member can charge unfairness against an hon. member who acted as Chairman, because he happens to rule in a certain way, the dignity of this House will disappear, and especially under conditions like the present, when the feelings of hon. gentlemen are very much excited, and they are so exhausted as not to be in a proper frame of mind to judge calmly any issue. Sometimes questions are raised that are very difficult for the Chairman to decide, but he must decide them. The hon. member for Annapolis (Mr. Mills) did not ask to occupy that position, and decide those issues; but, having been placed in the Chair, he was called upon to decide them. The hon. member for North Bruce (Mr. McNeill) is not a man who would impute improper motives to an hon. member who happened to be Chairman. On consideration, he will no doubt withdraw those words, because the time might come when he will be called upon to occupy the Chair himself, and while I might think he was not ruling fairly, it would be very unfortunate if I were to say so. I repeat that we should do everything possible to uphold the dignity of the Chair, and if an hon. member occupying the Chair rules in some way that does not happen to agree with our views, we must submit.

Mr. MILLS (Bothwell). I am not expressing an opinion on the fairness of what the hon. gentleman said, but I am expressing an opinion in respect to the conduct of one who occupied the Chair some time ago. We find the conduct of Ministers criticised every day, and while, as a matter of policy it is highly inconvenient to permit the conduct of a Speaker or Chairman to be criticised while he is Speaker or Chairman, yet, when his functions are at an end, as they are in the present case, his actions are as much open to criticism as are those of any other party discharging any other functions. Any one who criticises the action of a judge in the discharge of his duties when a certain case is before him, may be punished for contempt. But it cannot be said that for all time the course of a judge or an ex-judge, whose functions are at an end, and whose actions have passed into history, is not to be subjected to criticism. Precisely so is it in this case. The hon. gentleman is not imputing any unfair conduct to the permanent Chairman: he was speaking of the conduct of an hon. gentleman who had been in the Chair, and whose functions were at an end.

Mr. MULOCK. I submit that the point of order was taken too late. I understand it is said the hon. member for North Bruce (Mr. McNeill) used unparliamentary language towards the hon. member for Annapolis (Mr. Mills). Dealing with this matter, in the abstract, what occurred? After the hon. gentleman had made those remarks, the hon. member for Annapolis arose and made an objection. Thereupon, the hon. member for East Toronto (Mr. Coatsworth), and the hon. member for North Bruce, delivered a joint speech for some time, and the debate was participated in by the Minister of Finance, and since then, other hon. members have spoken; and, up to this moment, no one has taken the first step towards laying the proper foundation for this appeal. The rule is perfectly clear. When exception is taken to language not deemed parliamentary, that exception must be made before any further debate has taken place, and the words must be recorded and made record of. That has not been done. In "May," 9th edition, page 377, I find:

> Whenever any disorderly words have been used by an hon. member in debate, notice shall be immediately taken of the words objected to, or if any hon. member desires them to be taken down, the Speaker or Chairman of Committee shall direct the Clerk to take them down.

What are the particular words complained of in this case? They are not of record, and we cannot trust our memories to prove what has passed. In this case, half a dozen speakers have intervened. We cannot know what the words are, after this lapse of time. In a case cited by "May," the objection was ruled to be out of order, because the hon. gentleman committing the alleged offence had been allowed to proceed with his speech. In the House of Lords the rule is that any word complained of must be taken down instantly.

Mr. DEPUTY SPEAKER. I said before that when the hon. member for Toronto (Mr. Coatsworth) rose to call attention to the point of order, which he afterwards explained, the committee was still listening to the hon. member for North Bruce (Mr. McNeill) speaking to a point of order which I had decided. We had to settle that before we listened to the point of order raised by the hon. member for Toronto. In the meanwhile, I indicated that I would call attention to this matter myself in order to defend hon. gentlemen who sometimes take the Chair to relieve me. The hon. member for North Bruce imputed unfairness on the part of the hon. member for Annapolis when in the Chair. I take the position that when an hon. gentleman is occupying my place I am responsible for anything that may happen. I now ask the hon. member for North Bruce, for the sake of the dignity of the Chair, and the committee, to take back the charge of unfairness brought against the hon. member for Annapolis.

Mr. MULOCK. I would rejoice if the hon. member for North Bruce thought fit to withdraw any statement. Do I understand that you have made a ruling, or you have made a request to the hon. member ?

Mr. DEPUTY SPEAKER. The law, as the hon. gentleman described it a few moments ago, is perfectly clear. The point of order raised was that the hon. member for Bruce (Mr. McNeill) had used insulting and unparliamentary language. I look upon that language as a reflection upon the hon. member (Mr. Mills, Annapolis) who was occupying this Chair temporarily for me, and I hope that the hon. member for North Bruce will take back the expression. I would ask the hon. member to do so, in view of this additional fact. As he must know very well, I am not able to sit in this Chair continuously for twenty-four hours, and I am compelled to invite some other gentleman temporarily to take my place. I feel myself, to some extent responsible for their conduct. I am desirous, also, that they should receive the same courteous treatment from members that I receive myself, in order that I may have no difficulty in finding substitutes, when occasion requires.

Mr. MILLS (Bothwell). I understand, Mr. Chairman, that you rule that you are responsible, and hold yourself to have personally discharged the duties that are discharged by members whom you call to take the Chair.

Mr. DEPUTY SPEAKER. That is my view.

Mr. MILLS (Bothwell). Supposing the member in the Chair does some censurable act, are we to understand that that censure should fall upon you, and not upon the member who has done the act ?

Mr. DEPUTY SPEAKER. I believe so.

Mr. CHOQUETTE. I would point out, Mr. Chairman, that you have selected a member to take your place who does not understand French, which is distinctly contrary to the rules of the House.

Mr. DEPUTY SPEAKER. Whenever I ask a gentleman to take my place, I am entirely responsible for his acts.

Mr. CHOQUETTE. Then, he must be able, as you are, to speak both French and English, and you have violated the rules of the House in putting the member for Annapolis in your place.

Mr. DEPUTY SPEAKER. According to the rules of the House, the Deputy Speaker of the House of Commons, or the Chairman of committee must be of a language different from that of the Speaker, that is to say, when the Speaker is English, the Deputy Speaker must be French, and vice versa.

Mr. McNEILL. In view of the statements you have just made, Mr. Chairman, inasmuch as you feel that you are, to some extent, in honour bound to protect the dignity of the member you have requested to occupy your position, in view of your own personal feelings, and in view of the fact that you have been sitting in the Chair, with very short intervals, since Monday afternoon, and are compelled to find temporary substitutes, for whose conduct you hold yourself responsible, I am willing to say that what appeared to be unfairness on your part, was not really intended to be so.

Mr. MARTIN. I desire to bear my testimony to the admirable manner in which the hon. member for Gaspé (Mr. Joncas) fills the Chair, while you are absent ; and also to the fact that that hon. member is, like yourself, qualified in both languages. We have had no trouble at all during the several occasions when the hon. member for Gaspé has filled the Chair.

Mr. SPROULE. I am glad to acknowledge, Mr. Chairman, that you are always agreeable to this House, and I have no fault to find with the manner in which you have performed your duties. Now, coming to the question before the committee, we are told that we are obstructing the progress of this Bill. Once in twenty-four hours the members of the Government come into the House, after having been enjoying themselves quietly at home, and complain that we are obstructing this Bill. Now, we cannot forget the fact that six months ago the Governor General announced that a session of Parliament would be called for the purpose of passing this Bill. This six months appears to have been employed in the incubation stage of that Bill, and, after we met here on 2nd January and wasted a little over a month, it was brought down. The incubation stage had not succeeded in hatching out that bird, if we may call it such. But one month and a half later the bird was hatched out, and, after the shell was cracked and the chick appeared to the world, it was found to be a political monstrosity such as we have never seen in this Parliament before. We set ourselves to the task of assisting the Government in endeavouring to raise up this very interesting fowl. It is represented by one of the cartoons, that, instead of turning out what it was expected to be, it turned out to be an alligator that was eating up all the chickens belonging to the Government. Another cartoon represents the leader of the House digging worms to feed it, and the other chickens eating the worms ; so that a process of starvation is going on, and the poor unfortunate fowl is dying through inanition. Its sponsors have refused to take care of this political monstrosity or to recognize its paternity. Once in twenty-four hours the Minister of the Interior comes here and endeavours to act as dry-nurse, but it still seems that the process of starvation is going on. If I were asked, as a medical man, my judgment on the prognosis of this unfortunate case, it would be that it is bound to die from inanition.

Mr. FOSTER. What is prognosis ?

Mr. SPROULE. I said, if I were to be asked, as a medical man, what my prognosis was, I should say that inanition was likely to be the end of the case.

Mr. FOSTER. What is your diagnosis ?

Mr. SPROULE. My diagnosis is, that it is a political monstrosity to begin with, and that it requires a different kind of food to nourish it than has hitherto been given to it. The Minister of Finance and the leader of the House come in here from day to day, and endeavour to assist the Minister of the Interior in performing the functions of a wet-nurse ; but all seems to be of no avail. I reiterate that there should be a lesson for the Government in the fact that while we sit in reasonable hours we make progress, and while in unreasonable hours we make no progress.

Mr. CHARLTON. The discussion upon this motion may have touched all the points that are pertinent to it, and I may, in the few remarks I shall make, reiterate what has already been said. But this will only be because it is impossible for any member to be here during the whole discussion to know what is being said. The course that the Government is pursuing is one calculated to defeat fair discussion. After we have sat for a reasonable time discussing this measure, it is only to be expected that a motion to rise should be made, and that members should object to go on with the business without proper rest. If the Government had desired satisfactory progress on this measure they might have taken the assurance of the leader of the Opposition that the Opposition had no intention of impeding the progress of this Bill, and might have allowed the committee to rise at a reasonable hour. The Government are wholly to blame for what has followed. The Opposition would have been destitute of a single spark of manliness if they had not resented this course on the part of the Government. The Government must have known that they could not make progress by any such methods as these, for these methods have been tried before, and always without success. I alluded a day or two ago to the facts that the House had no official information as to the character of the negotiations that had taken place at Winnipeg between the Dominion commissioners and the representatives of the Manitoba government. I referred to the statement of those negotiations which have appeared in the press, which I did not say was reliable. We cannot say with absolute correctness that we have yet had the statement officially laid before the House, but we have the return laid before the Senate, a co-ordinate branch of the legislature, and I suppose we are justified in taking that as an official statement of the proceedings. This document gives four statements, being the several written communications that passed between the commissioners. It does not profess to give a summary of the verbal statements that passed, further than to say that they were of the most cordial and friendly character, and that the Dominion commissioners were met in a spirit of friendliness and treated with the utmost consideration and cordiality and that candour and a desire to arrive at a satisfactory settlement of the difficulty characterized the proceedings on the part of the Manitoba representatives. The first of these documents is marked confidential. They are the suggestions for the settlement of the Manitoba school question from the Dominion commissioners for the Manitoba government.

(The hon. gentleman read the document referred to.)

The last paragraph of this document, it will be seen, provides that not only is a written agreement to be arrived at, but the necessary legislation to be passed before the Remedial Bill now before Parliament is to be withdrawn. I wish to say that these further pretensions strike me as being not only unreasonable, but impossible of fulfilment. If the Dominion commissioners had been actuated by a desire to settle the question, I cannot understand how they could make the proposal that a written agreement having been arrived at, the necessary legislation should be passed before the Remedial Bill now before this House should be withdrawn. It must be borne in mind that this Parliament will cease to exist, by effluxion of time, on the 24th of this month, and that the Manitoba legislature was not to be convened until the 16th of this month. That would allow the Manitoba legislature eight days to introduce, discuss and carry through its various stages the legislation necessary. It was clearly impossible that this condition should be complied with. It strikes me as a suspicious circumstance that our commissioners should have made a condition that they must have known it was impossible to comply with. The reply of the Manitoba government is dated the 30th March. (The hon. gentleman read from the reply of the Manitoba commissioners.) It will be seen that the Manitoba commissioners said that it was agreed that during the conference the Remedial Bill should be held in abeyance, and that in the event of an agreement being reached it should be withdrawn. These are reasonable stipulations that it is difficult to see how the Manitoba government could have avoided making. Besides, it was clearly impolitic to proceed with two measures for the settlement of the difficulty. But we did do that. We proceeded with the Bill and with the negotiations at Winnipeg, and as a natural consequence, the negotiations failed.

(The hon. gentleman continued to read from the reply of the Manitoba commissioners.)

Respecting religious teaching in the schools, the Manitoba representatives at the conference made two propositions, the second, or alternative, proposition providing for religious instruction between 3.30 and four o'clock in the afternoon. They say they believe that that proposal will remove any well-founded grievance. Now, I think it is the duty of the Government to ascertain whether these offers to the Manitoba government are acceptable or not to the Roman Catholic minority. It appears to me that this alternative proposition is deserving of very serious consideration by this Government. It may require modifications, but the principle is one which the Manitoba commissioners themselves say they think will prove acceptable to the minority. But the Dominion commissioners rejected this proposition, they do not even deign to discuss it with the representatives of Manitoba, they do not deign to point out in what respects either of those propositions were objectionable. There was no attempt made by the Dominion Government to secure a settlement, or any agreement upon this matter, but they summarily rejected the offers of the Manitoba government. Now, I ask the leader of the House to explain to me why, having received a proposition from the Manitoba government which they say they believe to be satisfactory to the minority, I want to ask him by virtue of what reason is he warranted in assuming that the minority of Manitoba would not accept that proposition, or any modification of that proposition that might be secured. If a proposition is made acceptable to that minority, their grievance is redressed. Here is a proposition which the representatives of the Manitoba government believe, with some slight modification perhaps, would be acceptable to the minority in Manitoba. In heaven's name, why are we pressing the Remedial Bill here instead of taking steps to ascertain whether the minority will accept the proposition ? We send our commissioners to Winnipeg, they lay before the Manitoba commissioners their terms, and the Manitoba commissioners make counter propositions. These counter propositions the Dominion commissioners summarily rejected, they returned to Ottawa, and the Government, assuming that no proposition was made which can be acceptable to the minority, are proceeding to press the Remedial Bill. Under these circumstances, I assert that it is an outrageous proceeding on the part of the Government to force this measure through without ascertaining whether the parties who are interested would be satisfied with the proposals made, or with the modifications that might be secured.

(The hon. gentleman proceeded to read the reply of the Dominion commissioners to the propositions submitted by the Manitoba delegates.)

I would like to ask the leader of the House whether it is true that the representatives of this Government had agreed that the Remedial Bill should not be pressed until Tuesday, 31st March, and had informed the Government of that stipulation, and, if so, why that agreement was not lived up to, and why the good faith of the Government was not preserved in reference to the negotiations with the commissioners ? I take my seat for the purpose of receiving an answer to that inquiry.

Mr. DEPUTY SPEAKER. Is the committee ready for the question ?

Mr. CHARLTON. No ; but it is ready for the answer. The hon. leader of the House does not answer. I suppose I am to assume that he thinks the Government's conduct is indefensible. And in that I quite agree with him. I again ask the leader of the House whether it is true that, after receiving a communication from the Government's commissioner at Winnipeg such as is indicated, he proceeded with the Bill ?

An hon. MEMBER. He cannot hear you.

Mr. CHARLTON. No ; he is oblivious. I would like to ask the Minister of Justice a question. Does he believe that the commissioners of the Manitoba government were not warranted in the belief, from the conversations that were held with regard to this matter, that the proposals to withdraw the Bill, in case of an agreement being made, was a reasonable understanding, particularly in view of the fact that the Manitoba government would have only eight days in which to pass legislation before this House ended by effluxion of time ?

Mr. DICKEY. I expect at a future stage to make a statement on this question, and I think it would be very unfair to myself and to the Manitoba government to answer questions in detail before I make that statement. Therefore, I would respectfully decline to answer the hon. gentleman's question.

Mr. MULOCK. When do you make the statement ?

Mr. DICKEY. As soon as we get the papers before the House.

Mr. CHARLTON. I thank the Minister of Justice for the courtesy of his reply, a courtesy not extended to me by the hon. leader of the House. I contend that it is casting an imputation upon the bona fides of the Manitoba commissioners and the Manitoba government for the Dominion commissioners to say that an agreement to settle this question would not be enough. It was saying in effect : We cannot believe you, and we will not withdraw our Bill until this agreement is implemented by the legislature. It was not only imposing an impossible condition, but it was offering an insult to the Manitoba commissioners and government.

(The hon. gentleman continued to read from the answer of the Dominion commissioners.)

Referring to the correspondence submitted to the Senate, I should like to ask the Secretary of State why there was reproduced in that return laid on the Table of the Senate from the Governor General a telegram which he was obliged to admit in this House he had garbled ; why he did not insert in that return a copy of the original telegram : how it was that words were added which did not appear in the telegram as read to this House. I do not, however, suppose that the Secretary of State thinks it necessary to defend any turpitude. In my judgment it would have been wise if the Dominion commissioners had remained in Winnipeg a few days longer and discussed propositions on the lines suggested by the Manitoba commissioners, for it would appear manifest that the proposition made with respect to religious teaching would be acceptable to the Catholic minority. The Dominion Government are not, however, actuated by any desire to meet the views of the Manitoba minority, but with a desire to secure political advantage.

Mr. McGILLIVRAY. I had not concluded my remarks when the House adjourned at six o'clock yesterday afternoon, and at the request of the leader of the House, I deferred making any further remarks until a later period. Exception was taken by the hon. member for Winnipeg (Mr. Martin), to the action of my leader in that respect but I took no exception to that request, for I recognize the Secretary of State not only as leader of the House but as my leader, except on the question now before the committee. The hon. member for Muskoka (Mr. O'Brien) attributed unworthy motives to me because of the vote I gave for the second reading, and I will now answer that hon. gentleman. While I do not approve of the manner in which the hon. member for North Norfolk (Mr. Charlton), made use of the scriptures, and while he has been one of the honourable elders of the Presbyterian Church, of which I am an humble member, in my knowledge of Presbyterianism I have never seen an elder of that church do anything of that kind before, yet if the reasons for taking this action had been as stated by the hon. gentleman, he would have read all the selections ; he did not do that, but he read the driest portions in order to delay the proceedings of the House. I refer the hon. member for Muskoka to the sermon on the Mount—the first four verses of the seventh chapter.

Mr. SUTHERLAND. Anything there about wabbling?

Mr. McGILLIVRAY. The hon. member for Muskoka has gone clean out of the Conservative party and into yours. I saw him on the other side last night, and I sincerely hoped he had gone for good.

Mr. MULOCK. I would suggest if the hon. gentleman desires to quote from the book, that he should complete his quotations and not intermingle them with debates on party politics and frivolous remarks generally. I do not think it is respectful, and I protest against it.

Mr. McGILLIVRAY. The hon. gentleman pretends to be sober, but I see a twinkle in his eye all the same. He knows that I have not read a word from this book in any other than a devout spirit. I have another quotation for the hon. gentleman.

(The hon. gentleman reads from Luke, chap. xviii., from the 10th and three succeeding verses.)

Now, I am going to endeavour to teach the hon. member for Muskoka a lesson that he never learned, a lesson that he should have learned at his mother's knee, or somewhere else. He got up in this House and mentioned the member for North Victoria (Mr. Hughes), the member for East Durham (Mr. Craig), the member for North Ontario and others, some of whom voted precisely like myself, and to whom he attributed unworthy motives. I tell him that I voted on that question honestly, and it does not lie in his mouth to call us hypocrites, as he did, and to charge us with double-dealing. Now, men who live in glass houses should not throw stones ; and I will endeavour to show the kind of a house this gentleman has been living in all his political life, for he is my next door neighbour, and I have squandered a lot of shoe leather in running over the rocks to help him in his constituency. Now, the hon. member belongs to the militia, as I do, and a very disturbing element he is in the militia of Canada. He is always complaining on militia matters. He has gone clean out of the Conservative party on the trade question of this country. There is a man in this House whose genius commands the admiration of every one, a member of this House whom, although we disagree with him politically, we admire, I mean the hon. member for North Simcoe. He is a man whose legal talents command the greatest admiration; he is a man whom friend and foe like personally. But what of his supporter? Has he commanded the admiration even of his opponents?

Mr. DAVIES (P.E.I.) Yes, he has.

Mr. McGILLIVRAY. I submit that the hon. member for Queen's, P.E.I., has no data upon which to base his "yes."

Mr. DAVIES (P.E.I.) I have. I have over twelve years' acquaintance with him in the House.

Mr. FOSTER. You are an interested party just now.

Mr. McGILLIVRAY. What does the former leader of the hon. member for Queen's say about the member for Muskoka? The Hon. Edward Blake, who led the Liberal party for years, a man with a transcontinental reputation—what did he say of the member for Muskoka?

Mr. SOMERVILLE. I would like to know what the character of the member for Muskoka has to do with the subject under consideration? This is sheer obstruction. The leader of the House has gone out just for the purpose of giving the member for North Ontario an opportunity to obstruct this legislation.

Mr. DAVIES (P.E.I.) He is put up for that purpose.

Mr. SOMERVILLE. Mr. Chairman, I ask your ruling as to whether this discussion is in order.

Mr. DEPUTY SPEAKER. The discussion which has been going on is, no doubt, out of order, and I have been considering whether it is not time to stop it. I would ask the hon. member for North Ontario to make haste and draw his remarks to a close.

Mr. McGILLIVRAY. I am repelling a slander that has been put upon me by the member for Muskoka. Now, I was going to tell you the opinion of the Hon. Edward Blake of the member for Muskoka. He said he was corruptly elected to Parliament; he said it in this House, as "Hansard" shows.

Mr. CHARLTON. When did he say that?

Mr. HUGHES. With whom did the hon. member for Muskoka saw off last election?

Mr. McGILLIVRAY. I am coming to that. The Hon. Edward Blake challenged him to go on with his case in court, and he would show him up—challenged him in this House.

Mr. CHARLTON. Give us the quotation.

Mr. McGILLIVRAY. It is easy to ask that when I have not the "Hansard" before me. Not only that, but one of the Liberals in Muskoka petitioned against his election, and stated that he was corruptly elected. But did he face the courts? He did not dare to do so, but he sawed off with the hon. member for North York (Mr. Mulock). He arranged a saw-off within the corridors of this Parliament building. He coaxed and begged to be let off, and said that he would be ruined if they did not let him off. I do not wish to deal with any innuendos in this House, but the hon. gentlemen opposite have been doing so when they charge that the judge of the county court of Huron was bought body and bones, that he took the policy of this Government and swallowed it hook and line, bob and sinker, in order to get a judgeship. But they know nothing about it, whereas we do know that it has been charged against the member for Muskoka that he got moneys for improper purposes, and that his election returns do not show the expenditure thereof in the manner required by the election law. That is the man who is charging me with corruptness in the Parliament of Canada. I was told before I became a member of this House that while drawing his pay in this House, drawing his sessional indemnity, he actually wanted to draw the pay of a colonel of militia, in the same manner and to the same extent as if he were doing duty upon the field.

Mr. CHOQUETTE. I rise to a point of order. I object to members of the Tory party washing their dirty linen in this House, as they have been doing for the last twelve hours. I want to proceed with the business of the House.

Mr. DEPUTY SPEAKER. I understood that the member for North Ontario got up to make a personal explanation. I ask him to bring it to a close as speedily as possible.

Mr. McGILLIVRAY. Well, I will draw my remarks upon that point to a close very soon. But I wish to say that the member for Muskoka, with a record such as that, has no right to charge me with corruptness on the floor of Parliament. Now, I could give you a number of other instances here; I could go into the dealings that he had with a barrister in Muskoka, Mr. Reid, but as the Chairman requested that I should not do so, I will forbear for the present.

Mr. O'BRIEN. When the hon. gentleman has made a personal attack upon me with reference to transactions with which the House has nothing to do, I will ask the hon. gentleman to say what those transactions were.

Mr. McGILLIVRAY. You can say a good deal better than I can.

Mr. O'BRIEN. I ask the hon. gentleman to say what my transactions with Mr. Reid were.

Mr. McGILLIVRAY. I stopped at the request of the Chairman. If I have to go on, I will indicate to him and this House what those transactions are, but I will have to go into a good deal of what was charged against him as corrupt and bad, and I do not care to do it. But he knows very well about Mr. Reid, and the letters he wrote him ; he knows more about those letters than any other man living.

Mr. EDGAR. I rise to a point of order. I consider it is highly irregular and improper for an hon. member to make insinuations of a personal character against another hon. member, and then stop there. The hon. member for Muskoka has called upon the hon. member for North Ontario to specify the charge here, so that it can be answered.

Mr. McGILLIVRAY. I do not care what the opinion of the hon. member for West Ontario (Mr. Edgar) of my actions may be.

Mr. EDGAR. I was not giving an opinion, I was raising a point of order—that the hon. gentleman has no right to make an insinuation against the hon. member for Muskoka (Mr. O'Brien) and then refuse to substantiate it.

Mr. CASEY. Speaking on the point of order, I would go further and say that it is not seemly that these personal charges should be ventilated in this House. The hon. member for North Ontario (Mr. McGillivray) is evidently very green, or he would know that. But as he does not seem to know it, I think that the common sense and decency of the rest of the House should put a stop to this disgraceful exhibition. I would call for your ruling.

Mr. DEPUTY SPEAKER. This proves what I have said that for the last twelve hours the House has been entirely out of order. The leniency of our rules allow members great latitude. I understand that this arises in consequence of what was said before and that the hon. gentleman is answering the charges that were brought against him by the hon. member for Muskoka (Mr. O'Brien). I admit that this is not the place for these things. But I do not know that I would be justified in stopping the discussion now. In the name of the whole committee, I would ask every hon. member to assist the Chair in maintaining order. And one thing I would call attention to particularly. Hon. members have used the bible in their speeches in this House. This is spoken of in the press and throughout the country in a very condemnatory way. I think that this is a practice that should not be maintained. I ask the committee to sustain me in this.

Mr. MULOCK. Although the hon. member for Muskoka has challenged the hon. member for North Ontario, and though the latter is quite ready to accept the challenge, no doubt, it is unbecoming that we should listen to charges that we cannot investigate or express any opinion upon. I submit that the continuation of such a line of debate, if it can be dignified with such a name, will only bring Parliament into disrepute. I wish to assist the Chairman in maintaining the dignity of Parliament as far as possible. It is quite evident that Parliament has survived its usefulness, and the sooner it is dissolved the better.

Mr. EDGAR. The point I made was not that the personal charges—which, of course, we regret—must not be made in the House, but that when an insinuation is made and denied, the gentleman who makes it should, like a gentleman and a member of Parliament, either retract or proceed with it.

Mr. O'BRIEN. My reference to the hon. member for North Ontario—with whom as he says, quite truly, I have no personal acquaintance—was of a purely political character. I pointed out what I considered inconsistencies in these gentlemen voting against the second reading of the Bill and then—as I had reason to believe, and have still no reason to disbelieve—assisting the Government in endeavouring to force the Bill through.

Mr. McGILLIVRAY. You said "double-dealing," and "hypocrite."

Mr. O'BRIEN. I said that such conduct was hypocritical. That is far different from a personal charge of hypocrisy. I did not know that there was anything in what I said that would justify a reference to personal matters with which this House has not, and cannot have, anything to do. The hon. gentleman must be absolutely ignorant of the practice and duties of Parliament if he supposes that by references of that kind he can gain any possible advantage. The matter to which he has referred is one on which I profess entire ignorance. There was a person named Reid who lived in the constituency. I have had no personal transactions with him except upon one matter. In regard to that I would advise the hon. gentleman to apply to Mr. Birmingham, the Secretary of the Conservative Association, who will give all the necessary information.

Mr. CASEY. Your ruling is quite right, Mr. Chairman. I would like you to rule on this point also. I do not agree that we should allow the hon. member for North Ontario (Mr. McGillivray) to prove his insinuations. It is his duty to withdraw those insinuations, unless he intends to follow up his charge by a motion affecting the hon. member's seat in this House. You spoke of the hon. gentleman as answering charges made against him. I did not so understand it. He was making charges on his own account and starting recriminations to which there is no end.

Mr. DEPUTY SPEAKER. The language used by the hon. member for Muskoka (Mr. O'Brien), and I remember it well, was unparliamentary. No hon. member has a right to call another a hypocrite or say that he is guilty of hypocritical conduct and double-dealing. To put a stop to the whole thing, I would call upon both these hon. members to withdraw their expressions.

Mr. MULOCK. The hon. member for Muskoka gives an explanation which practically removes all offensiveness.

Mr. DEPUTY SPEAKER. That is the only way to settle the matter. Let both these hon. gentlemen withdraw the expressions.

Mr. SPROULE. I submit that this is a very irregular way to settle a controversy of this kind. An hon. member can hardly be called upon to withdraw language he used last week and to which no exception was taken, because another hon. gentleman has used an unparliamentary expression.

Mr. DEPUTY SPEAKER. I think that is the only way to put a stop to this controversy. Otherwise there will be no end to it.

Mr. CASEY. I would ask your ruling upon the clear point of order that no hon. member has the right to attack the private character of another unless he wishes to move a motion in effect declaring the gentleman attacked is unfit to be a member of this House. I am not asking for advice for these gentlemen, but for a ruling.

Mr. DEPUTY SPEAKER. I have ruled that these two gentlemen should withdraw their expressions.

Mr. MILLS (Bothwell). I submit that you cannot rule on a matter that took place yesterday.

Mr. FOSTER. This is still Monday's sitting.

Sir RICHARD CARTWRIGHT. I desire to point out that there is a precedent for your ruling, Mr. Chairman, though I do not know that it occurred in any parliamentary body. You will find it in Knickerbocker's History. Counter charges were made against each other by two eminent Dutch merchants and the case was brought to trial before a judicial tribunal. The judge weighed the account books of the parties and counted the leaves in those books, and having satisfied himself in this way that the accounts were equal, decided that the parties should give each other a receipt in full.

Mr. McGILLIVRAY. I bow to your ruling, Mr. Chairman, and I will say no more about the matter.

Mr. CASEY. It was ruled that you should withdraw.

Mr. McGILLIVRAY. Not unless the hon. gentleman will withdraw the language he has used toward me. I simply dealt in innuendo. The hon. member for North York has read me a lecture, but did not he make a charge, though not in direct words against the late hon. member for North Grey? I do not pretend to know the facts of the case I have stated. I have followed the example of the hon. member for North York and give what I am told. The hon. member for Muskoka (Mr. O'Brien) says I do not know the rules of this House. I certainly do not, if one member can call another a hypocrite in a parliamentary manner. I wish to deal with a statement made by the hon. member for Albert (Mr. Weldon) that this question of the Manitoba schools was not before the country in 1891. In North Ontario the late Mr. Madill was pledged in convention in 1891, by a straight iron-clad pledge to oppose interference with Manitoba. It was a live issue, at least in East Simcoe, in North Ontario, Victoria and in our part of the province generally. The hon. member for East Huron (Mr. Macdonald) made charges to-day because an hon. member on this side did not deny an allegation that he made and said that silence gave consent. I would ask the hon. leader of the Opposition, does silence give consent. The hon. member for North Norfolk (Mr. Charlton) complained that the leader of the House had refused to answer his question, the leader of the Opposition now refuses to answer mine.

Mr. LAURIER. What is your question?

Mr. McGILLIVRAY. The hon. member for West York (Mr. Wallace) has said that at Chicoutimi the hon. leader of the Opposition declared that he thanked God that there were no Orangemen in the ranks of the Liberal party. Will he deny that charge?

Mr. LAURIER. I have treated that charge with great contempt. If the hon. gentleman wants to have my answer to that charge, I advise him to take the report of my speech—

Mr. McGILLIVRAY. Here it is.

Mr. LAURIER. The report of my speech in the organ of the Conservative party at Chicoutimi. I have told the hon. gentleman more than once, and I have told this House that I will not stand responsible for the report of anything I said, unless that report pretends to be a verbatim report.

Mr. McGILLIVRAY. But he has not denied it. Here is the statement taken from "Le Progrès de Saguenay," dated March 19th, 1896, founded upon a despatch to "L'Electeur" of December 2nd, 1895. The latter paper, I understand, is the special organ of the leader of the Opposition. This refers to Dr. Macdonald, the hon. member for East Huron, and represents that hon. gentleman as stating that there are as many Orangemen in the ranks of the Liberal party as there are in the ranks of the Conservative party. Will the hon. gentleman say that now?

Mr. MACDONALD. There are.

Mr. McGILLIVRAY. I am willing to take that statement as a gauge of the accuracy of all the statements made by the hon. gentleman in his long speech of this morning.

> A good number of our electors firmly believe there is not a single Orangeman in the ranks of the Liberal party, since the Hon. Mr. Laurier has affirmed it at a full meeting during last summer at Chicoutimi.
>
> It appears though that all the Liberals are not of the opinion of Mr. Laurier. Thursday, at Ottawa, Mr. Taylor, a Conservative member, recalled the famous speech of Chicoutimi, in which Mr. Laurier exclaimed : "Thank God, there is not an Orangeman in the ranks of the Liberal party.
>
> Doctor Macdonald, a Liberal member did interrupt him : "Mr. Laurier has not been able," says he, "to say that, because there are as many Orangemen in the ranks of the Liberal party as in the ranks of the Conservative."
>
> Mr. Belley rose up to affirm what every one here knew, that Mr. Laurier had made that declaration at Chicoutimi, in his county.
>
> Mr. Belley could have added it would be easy to obtain fifty affidavits of the most respectable citizens of the county to support his declaration.
>
> What is most interesting to us is to know who of the two says the truth.
>
> Is it Mr. Laurier, saying at Chicoutimi before an assembly exclusively Catholic : "Thank God, there are no Orangemen in the ranks of the Liberal party," or is it Mr. Macdonald, a Liberal member, talking in the House itself when he can be contradicted if he transgresses the truth, affirming that there are as many Orangemen in the ranks of the Liberal party as in the Conservative. The circumstances are evidently against Mr. Laurier.

That is from one of their own newspapers. In order to get the exact language used by the leader of the Opposition, I took one of his own newspapers ; and let me give the hon. gentleman another translation :

> I know that I shall be called upon to carry out this undertaking, for the present Government cannot settle the question. How could you expect men who have taken an oath to stifle Catholic influence, to re-establish Catholic schools, which are the very source of that influence ? Thank God, there are no Orangemen among us Liberals, and whensoever the people entrust to me the control of public affairs, I shall only need to appeal to the Christian sentiments of my supporters to induce them to render justice where justice is due.

Mr. FLINT. Where is the translation from ?

Mr. McGILLIVRAY. It is from "L'Electeur."

Mr. SUTHERLAND. Who translated it?

Mr. McGILLIVRAY. I called into requisition a French member on this side of the House. There is no person better able to correct it than the hon. member for Quebec East (Mr. Laurier).

Mr. SUTHERLAND. The leader of the Opposition referred to a report in a Conservative paper in that constituency. If the hon. gentleman is fair, he will have that report translated and given to the House and the country.

Mr. LAURIER. As the hon. gentleman has appealed to me, I will answer him now. I have stated on the floor of the House more than once that I will not be responsible, and I will not be responsible, either, at the present time, or at any time, for any words attributed to me in a speech unless it pretends to be reported verbatim. If a speech of one hour is delivered, and if it is not reported, but is pretended to be reported in five or ten lines, I submit there is not a fair-minded man in this House who will hold me responsible for the report. I will give evidence to the hon. gentleman. In the paper cited, "L'Electeur," which is a Liberal organ in the province of Quebec, I am reported to have said : Thank God, there is no Orangeman in the Liberal party. I am not sure what I said on that occasion—I do not pretend to remember what I said—but I must be given credit for some common sense, and I could not have stated that there were no Orangemen in the Liberal party, because there are a few. But I heard the hon. member for West York (Mr. Wallace), who is an authority on the subject, declare the other day, more than once, that the bone and sinew of the Conservative party is the Orange body in the province of Ontario. Here is a report from the Liberal paper of a meeting held on September 3, which was published on September 5, by "Le Progrès du Saguenay," published in Chicoutimi, which does not publish a full report, but a report summarized in this way :

> We have taken the declarations made by Mr. Laurier as he gave them to us, and we believe it is unnecessary to comment on them. Every one naturally expected to hear Mr. Laurier say : "If I come to power I will re-establish separate schools at once. I will crush fanaticism and Orangeism, and I will give justice to my co-religionists."
>
> Far from that, Mr. Laurier contented himself with using the following words, the text of which we cite without giving them any colouring :—
>
> "If I were in power, I believe I could settle this question. I do not say that I would settle it, because I do not make promises as the Conservatives do, but I believe I would be able to settle it. I will not follow the tactics of the Conservatives, but I will appeal to the sentiments of equity and justice common to all races. My past is before you. If I had been in power during the last five years the question would be settled to-day. Do not forget that when there will be a Liberal Government at Ottawa the leader will be a Canadian and a Catholic."

Mr. McGILLIVRAY. What is the date?

Mr. LAURIER. September 5. There is another article on the same subject on September 12. The paper says :

> "Le Courier de Charlevoix" refers at some length to the visit of Mr. Laurier to Les Eboulements, and states, that it is evident the hon.

> leader of the Opposition has been better received at Charlevoix than at Chicoutimi. We perceive further, that Mr. Laurier delivered at Les Eboulements absolutely the same speech as he delivered at Chicoutimi, and we do not believe that that speech has produced much result anywhere.

This speech is produced in " Le Courier de Charlevoix," and extends over two columns.

Mr. CHOQUETTE. Two or three columns.

Mr. LAURIER. Two or three columns, perhaps so, I have not read it. I ask the hon. gentleman, in the face of two such contradictory statements as there are here, in Liberal and Conservative papers, neither of which pretends to be verbatim, both of which are condensed in five or six lines, if it is fair to hold me responsible for one or the other report. Whatever conclusion he may come to, I declare that I do not hold myself responsible for any such garbled report.

Mr. McGILLIVRAY. I am quite ready to accept any statement on that question made by the hon. leader of the Opposition. The hon. gentleman asked me if it is reasonable to hold him responsible for two statements made, one in a Conservative and the other in a Liberal paper ? I do not hold him responsible, unless he approves what appeared in either newspaper. But the hon. gentleman has quoted from a paper dated September 5, and I quoted from a paper dated September 2.

Mr. LAURIER. One is a weekly, and the other a daily paper.

Mr. McGILLIVRAY. I accept the statement, so far as it goes, made by the leader of the Opposition. He has shown that he is a bright and shining light to the profession to which he belongs, for he has been able to answer in a non-committal way. He has not stated that he did not say anything of that kind, or the contrary. What he has said is that he could not have said anything of that kind, and the reason is that there are a few Orangemen in the Liberal party. I ask the hon. gentleman to go back to the tablets of his memory, and to say whether he remembers having made a speech of that character in regard to the Orange body. That is as far as I ask him to go.

Mr. CHOQUETTE. I was on the same platform as the leader of the Opposition, both at Charlevoix and Chicoutimi, at his meetings there. I heard every word said by him on those two occasions, and I say here that anyone, I do not care who it is, who says the leader of the Opposition said those words would say a lie.

Mr. BELLEY. (Translation.) Those are the very words he used. I challenge the hon. member for Quebec East to deny that. I affirm that he used those words at Chicoutimi, and he cannot deny it.

Mr. DEPUTY SPEAKER. Order. An hon. member cannot tell an hon. member that he has said a lie. The hon. member for Chicoutimi and Saguenay (Mr. Belley) stated that the hon. member for Quebec East used those words. So the hon. member says that that hon. gentleman said a lie. I rule that is unparliamentary.

Mr. CHOQUETTE. I have nothing to take back, and I will not take back anything. I say that I do not care who it is, if any one says the leader of the Opposition used such an expression, he says a lie.

Mr. DEPUTY SPEAKER. The hon. gentleman will have to take it back. The rule is very clear. An hon. gentleman cannot say to another hon. member that he said a lie.

Some hon. MEMBERS. No, no.

Mr. DEPUTY SPEAKER. The hon. gentleman has confessed doing so, by saying that he heard the hon. member for Chicoutimi and Saguenay repeat it.

Mr. BELLEY. (Translation.) If the hon. leader of the Opposition flatly denies across the floor of this House having used the words attributed to him, I am quite ready to accept his statement, until proof of the contrary, and I am bound to accept it ; but so long as the hon. gentleman denies it, I repeat that those expressions were used by the hon. leader of the Opposition. Should he deny them, I will accept his statement, but I may tell him that fifty men, among the most respectable citizens of the county, are willing to make affidavit that those were the words he used, and, moreover, I will have the shorthand notes taken down by the mayor of Chicoutimi himself

Mr. MILLS (Bothwell). I understand your ruling, Mr. Deputy Speaker, to be that one hon. gentleman cannot give the lie to another. But to characterize a statement made elsewhere as unfair or false or a lie is not an unparliamentary declaration. I understand this statement to be one that appeared in the newspapers, and the whole of the discussion has referred to the accuracy of that statement. The hon. gentleman has asked whether it is true or not. So I understand the hon. gentleman was informed by somebody else. I do not understand your ruling, Mr. Deputy Speaker, to be that this applies to a statement made by parties who are not members of the House, and who have no responsibility to the House.

Mr. DEPUTY SPEAKER. The hon. member for Chicoutimi and Saguenay (Mr. Belley) has stated that the hon. member for Quebec East made that statement. I understand this is the fact, and on it I base my decision, which, of course, I can change if it is shown that I am not correct as regards the facts. I understood the hon. member for Chicoutimi and Saguenay to say that the member for Quebec used the words imputed to him by the hon. member for North

Ontario. The hon. member for Montmagny says anybody who uses such language lies. If he applied that language to the hon. member for Chicoutimi, he must take it back.

Mr. LAURIER. Do I understand the hon. gentleman from Chicoutimi to say that he heard me use those words ?

Mr. BELLEY. (Translation.) That is what I stated.

Some hon. MEMBERS. Speak English.

Mr. GIROUARD. (Translation.) Let the hon. leader of the Opposition speak French. Why cannot the hon. gentleman sometimes use the French language in this House ?

Mr. LAURIER. I asked the hon. gentleman if he was at that meeting, and heard me use those words. If the hon. gentleman states here on the floor of this House that he was present and heard me use those words, we should have to accept the statement, and I would be the first to ask the member for Montmagny to withdraw his words. But if the hon. member merely says that he heard some one else state that I used those words, then that would be another question for you to rule upon.

Mr. BELLEY. (Translation.) I affirm here that is the statement I made a little while ago, and I never stated anything else ; I affirm that the hon. member for Quebec East used the expression attributed to him, and I challenge him to deny it.

Mr. FOSTER. I understood the hon. gentleman to say that he affirmed that the member for Quebec East did make use of those words.

Mr. SOMERVILLE. He was not there.

Mr. FOSTER. That makes no difference. If the hon. member has affirmed that the member for Quebec East used those words, and the member for Montmagny gets up and says that any person who affirms that, lies, it does seem to me that those are words which ought not to be used by any member of this House. I am not obliged to tell the hon. gentleman upon what basis I make my affirmation ; but if I affirm that so and so has been said, and another hon. gentleman gets up and says that I am a liar, I think he goes beyond decency as well as parliamentary rule.

Mr. DEPUTY SPEAKER. The member for Chicoutimi says he was not present, but he says he was informed that the member for Quebec East had used those words. Under those circumstances I call on the member for Montmagny to change his accusation, and to say that the member for Chicoutimi has been badly informed.

Mr. CHOQUETTE. That is just what I said, that any man who says that he heard the leader of the Opposition using those words, lied.

Mr. DEPUTY SPEAKER. I would ask the hon. member to say that the member for Chicoutimi has been misinformed.

Mr. LAURIER. I would suggest to my hon. friend from Montmagny to submit to the ruling of the Chair.

Mr. CHOQUETTE. I am willing to change the words, and to say that if the member for Chicoutimi said that he had been so informed, he has certainly been very badly informed, and the man who told him so, lied.

Mr. CARROLL. I was present at that meeting at Chicoutimi, and was standing near the leader of the Opposition, and the member for Chicoutimi was not at that meeting. I now affirm that the leader of the Opposition did not use the words attributed to him by the member for Chicoutimi.

Mr. FOSTER. Since this question is up, it would be far more satisfactory if the hon. member, who could not have made such a statement as that without it being pretty firmly imprinted on his memory, would say here and now, just what he did say.

Mr. DAVIES (P.E.I.) Do you mean to doubt the hon. gentleman ?

Mr. FOSTER. One hon. gentleman rises and says that such expressions were never used by the leader of the Opposition, and another says they were. The leader of the Opposition is the principal in the matter, he knows exactly what he did say. So far as I have heard, he has never denied it.

Mr. MULOCK. Do you think you could repeat all you stated at a public meeting.

Mr. FOSTER. The statement that he is said to have made was in a report published in "La Patrie," as being a revised and exact report of the hon. gentleman's statement. This is the statement that appeared in "La Patrie" :

> As the Conservative papers have published chimerical reports of the speeches delivered, we give here the correct text of the declaration made by the hon. Mr. Laurier :
>
> "I know," said Mr. Laurier, "that I will be called upon to implement that engagement, for the present Government cannot settle the question. Is it possible for men who have vowed to stifle Catholic influence to restore Catholic schools, which are the very source of such influence ! Thank God ! There are no Orangemen among us, Liberals. And on the day when the people intrust to me the management of public affairs, I will only have to appeal to the Christian feelings of my followers to induce them to mete out justice to whom justice is due."

Now, that is a statement made officially, made by a very respectable paper, "La Patrie," which is looked upon as one of the first papers in the province of Quebec, a paper that has done service to the Liberal party all through the province. I have never seen in a French paper an explicit denial by the hon. gentleman of those sentiments. It is a most important statement for any man to have made, a statement which I should hope my hon. friend has not made, and which I am bound to suppose he has not made, if he denies it. But I am not aware that he has taken the trouble to deny it in the province of Quebec. Let him deny it now, and set the matter at rest.

Mr. LAURIER. If the hon. gentleman thinks that his cleverness will draw me from the position I have taken, he is very much mistaken. I have been in the habit of speaking for many years in this House, and out of it. I think I have been in the habit of governing my tongue, and I think I have been given credit for possessing, at least, some common sense. I am responsible, I repeat again, for the two speeches which purport to be delivered by me, and which are reported. The hon. gentleman calls this an official statement. It is reproduced from "L'Electeur," which was published on the 4th September. The "L'Electeur" received a report from Chicoutimi, which it published, purporting to be a report of my speech, and which contains these ten lines. I ask the hon. gentleman if he thinks it is fair to hold me accountable for such a report of a speech. Would he himself like to be held accountable for such a report of a speech of his? The hon. gentleman says it has done duty in the province of Quebec. This is another matter. I want to ask the hon. gentleman, who is a public man, who is in the habit of speaking, and will speak again, if he speaks for an hour or two and his speech is reported in ten lines, would he accept that as an authentic report of his speech? Would he himself like to be held accountable? I appeal to the hon. gentleman's fairness to say if he would like to be held accountable under such circumstances. Now, Sir, I was travelling at that time, and attention was drawn to it for the first time by Mr. Smith, who is organizer for the Liberal party in the province of Ontario. I wrote to him a letter which was published in the "Globe," and which contains the denial that I gave on that occasion. I ask if there is any gentleman in this House who is acquainted with me, who can believe that I would have made such a statement as that, that there was not an Orangeman in the Liberal party?—knowing well that my hon. friend from Addington (Mr. Dawson) is an Orangeman. Why, I could not make such a statement with truth.

Mr. McGILLIVRAY. Did the hon. gentleman know that then?

Mr. LAURIER. The hon. gentleman must be sure that I know something. I say that under such circumstances, putting myself in the judgment of both sides of the House. I cannot be called upon to say more than this. I am willing on this question to abide by the judgment and the sense of fairness of both political friends and foes.

Mr. McGILLIVRAY. Perhaps I may now be permitted to go on. Let me read an article from the "Globe" of 20th November, 1895, showing what the member for West York thought of this matter.

(The hon. member read the article, also the opinion of the "Globe" on the matter.)

Now, I think every hon. gentleman would like to hear a more explicit denial from the leader of the Opposition.

Mr. MILLS (Bothwell). What does the hon. member make of the denial of the two gentlemen who were there?

Mr. McGILLIVRAY. Supposing these two gentlemen had been out of hearing at that particular moment?

Mr. CHOQUETTE. I was there all the time.

Mr. McGILLIVRAY. He may have been talking to some one else at that time. I do not intend to dwell on that longer. I have not succeeded in getting the denial I had hoped for. But I have been told that the mayor of that town had the words taken down by a shorthand reporter, and that fifty men are willing to make affidavit that these words were used.

Mr. CHOQUETTE. Does the hon. member know who the mayor of Chicoutimi is?

Mr. McGILLIVRAY. No.

Mr. CHOQUETTE. He is the brother-in-law of the hon. member for Chicoutimi (Mr. Belley) and a Tory—he is of the same breed.

Mr. McGILLIVRAY. Because he is of the same breed, to use the hon. gentleman's term, and a Conservative, is that any reason why he should not be believed? Have none of the hon. gentleman's relations been honest?

Mr. LAURIER. The hon. member for Chicoutimi (Mr. Belley) has threatened us with affidavits. Let me say that the mayor of Chicoutimi is proprietor of the "Le Progrès du Saguenay." If he took my speech down verbatim, why did he not publish in his paper the statement he now says I made. Why did he publish a different report?

Mr. BELLEY. (Translation.) There is nothing extraordinary in the fact that the "Progrès du Saguenay" did not report the words attributed to the hon. leader of the Opposition, because he understood that those words had been used by the hon. gentleman in order to allow his friends to make political capital out of them against the Conservatives.

The CHAIRMAN (Mr. Joncas). I wish the hon. gentleman would bring his remarks to a close. They provoke denials on every hand.

Mr. McGILLIVRAY. I am trying to get through, if they will allow me. The hon. member for East Huron (Mr. Macdonald) said that before I was born Sir Oliver Mowat had opposed the establishment of separate schools. If the hon. gentleman cannot diagnose a case of illness better than he can judge my age, I would not give much for his professional skill. I remember very well when Sir Oliver Mowat came into public life and appeared before the electors of South Ontario. We then see the Hon. Oliver Mowat insulting the Orangemen of the province of Ontario. It may be said there are Orangemen on the other side of the House. The hon. member for Addington (Mr. Dawson) is an Orangeman. I believe the hon. member for West Ontario (Mr. Edgar) was once an Orangeman, but that he says now that it was a foolish indiscretion of his youth that he has long since abandoned. But at that time the present Sir Oliver Mowat declared that the Orangemen must be incorporated, and, backed by the "Globe," which now takes a much different stand, he appealed to the ultra-Protestant and Orange vote. Let me say to the leader of the Opposition that the Orangemen of Ontario are a most respectable body of men. Does he, or do those who speak for him, try to cast a slur upon a body of men such as that ? If the hon. leader of the Opposition ever made use of such language as has been imputed to him, he showed himself unworthy of the high place he now occupies.

Mr. SOMERVILLE. I rise to a point of order. The leader of the House has told us that they are anxious to press this measure. He is not present. I think he ought to be sent for to choke off the hon. member for North Ontario. That hon. gentleman willingly obeyed the mandate of his leader to sit down before. If the order were to come from the same source again, he would probably cease. What he is saying is not pertinent to the subject under discussion. It is evident, from the course the supporters of the Government are pursuing, that some of them are being put up to obstruct business.

The CHAIRMAN (Mr. Joncas). I do not see that that is a point of order.

Mr. SOMERVILLE. He is not discussing the question.

The CHAIRMAN. Those who have spoken for the last ten hours have wandered from the question. I hope the hon. gentleman will keep as near to the question as he can.

Mr. McGILLIVRAY. I will close very soon, if they will not interrupt me. This is the first time I have spoken since we got into committee. The hon. member for North Brant (Mr. Somerville) said the leader of the House had called me down. Did not the leader of the Opposition do the same thing just now with the hon. gentleman sitting beside him (Mr. Choquette) ? When my leader asks me to defer speaking, I will obey my leader.

Mr. SOMERVILLE (Brant). We must send for him, and get you shut up.

Mr. McGILLIVRAY. I shall not devote much attention to that hon. gentleman ; his language is neither parliamentary nor gentlemanly. He made a charge that Judge Masson voted with the Government on this measure because he had the promise of an office, and said that the fact of Mr. Masson occupying that office was proof of it.

Mr. SOMERVILLE. Allow me to interrupt——

Some hon. MEMBERS. Order, order.

Mr. SOMERVILLE. I want to make a personal explanation.

The CHAIRMAN. Order. It will be better to let the hon. gentleman go on with his argument.

Mr. CHOQUETTE. I would like to say one word.

Some hon. MEMBERS. Order, order.

Mr. CHOQUETTE. I am surprised, Mr. Chairman, that you do not order the hon. member for North Ontario to come to the question. When I see you denouncing the obstructionists in your paper, I think you ought to do so.

Mr. McGILLIVRAY. The hon. member for North Brant comes from the county where the Hon. Nicholas Awrey lives, a most respectable man, who left his place in the legislature to take an office under the Crown. Is that proof that Nicholas Awrey was purchased ? I do not believe he was. It is a shame to make such charges on the floor of this House as have been made against Judge Masson. The hon. member for North Norfolk (Mr. Charlton) made charges in this House also. Whether my stay in Parliament be long or short—and I do not care how long it is—I will not submit to misrepresentation, if I can reply in parliamentary language. If I appealed to scriptures in my argument, it was only to answer the hon. member for North Norfolk with the same authority he had used. I would have been glad had the hon. member for West York been now in the Chamber, but, as he is not here, I must proceed in his absence. He has accused me of wabbling. But let me say that in the convention in North Ontario I was opposed by Dr. Gillespie and Mr. W. H. Hoyle. Mr. Hoyle believed that we should pledge ourselves against the action of the Government with regard to remedial legislation. The first letter I received from my constituency with regard to my vote was from Mr. Hoyle. He writes me that he is delighted that I voted against the amendment of the leader of the Opposition and the second reading also, and declares that this vote will secure me the unanimous nomination by the convention and put my election beyond peradventure. And I have received many other letters of the same kind. But I got the disapproval of the hon. member for West York because I could not see with him and vote for the amendment of the leader of the Opposition. I have the approval of the Conservative press of the entire county of Ontario in my action. I am endorsed by the Orillia "Packet," which is edited by a stalwart Protestant; by the Muskoka "Herald," which edited by an Orangeman; by the Cannington "Gleaner," which is edited by two Orangemen; by the North Ontario "Times," and every other Liberal-Conservative paper in the district. If I have not the approval of the hon. member for West York, that is a matter of regret to me, which I cannot help. But I have also the approval of the Hamilton "Spectator," which has been quoted as being opposed to the Government on this question.

Mr. MULOCK. Will the hon. gentleman allow me to ask him a question? Will the hon. gentleman point out the difference between supporting the motion for the six months' hoist and a vote against the second reading in a Parliament that will expire on the 24th April?

Mr. McGILLIVRAY. "May" says that the six months' hoist is a means of postponing the question. Perhaps it may postpone it for a few months. Bourinot says that the second reading is that stage when it is proper to enter into a discussion and settle the principle of the Bill. I voted against the second reading of the Bill, when it was affirming the principle. I did not vote against the Government.

Mr. MULOCK. Because you wanted to see that it would not hurt the Government before you voted against them.

Mr. McGILLIVRAY. I have not imputed motives to the hon. member for North York (Mr. Mulock). I have not accused him of acting so as to secure the Orange vote in North York, although at the same time he supports separate schools in Ontario. That hon. gentleman supports one school measure for Ontario and another for Manitoba. I did not vote for the amendment of the leader of the Opposition, first, because the hon. member for Bothwell (Mr. Mills) told me that his leader was wrong: and secondly, because the French members supporting the Opposition said one after the other in this House: "Let the leader of the Opposition form a government, and he will introduce a stronger Bill than that under consideration." I wanted no such amendment, and I did not support such an amendment. Why do I not support remedial legislation?

Mr. MULOCK. Why do you?

Mr. McGILLIVRAY. Because ever since I have spoken on a public platform, I have supported the public school system. I accept the judgment of the Privy Council as a judgment and as an order. I believe those judges went outside the record and went further than the questions submitted to them, and I do not care to obey their order, and therefore I voted not only against the amendment of the leader of the Opposition, but the second reading of the Bill as well. I am sorry we cannot all see alike. It may be said that some members are looking both ways, but I am not looking both ways, I am acting consistently. Having gone through North Ontario, where the people of the riding are opposed to remedial legislation, and where I was elected three months ago and having come here as a delegate to represent the views of my people, who are opposed to remedial legislation, I therefore oppose it.

Mr. CASEY. The hon. gentleman appears to have been elected mainly to secure the passage of a certain Bill, and when this has been accomplished, he will no doubt retire from politics.

Mr. McGILLIVRAY. I never made such a statement; I do not care who says to the contrary.

Mr. CASEY. At all events, the hon. gentleman is going out of politics to stay. I am reminded of a story. There was a jackass on one side of a river and a bale of hay on the other, and the jackass could not swim and there was no boat; and the conundrum was as to how the jackass was to get at the hay. After thinking a long time, I gave the conundrum up, as did the other jackass. I would invite the hon. member for North Ontario to follow the same example, as an explanation of how he came to vote as he did. The hon. gentleman has created as much excitement in this House today as is usually attributed to a dog with a tin-pan attached to its tail. Hon. members have, however, had a good time, and they are grateful to the hon. member for it; but perhaps the object of all this excitement may not have had so good a time. We have been interested and excited in the evolutions of the hon. member for North Ontario, and we probably would not have been so except for the painful adjunct in question. However, the time has arrived when the committee should discuss clauses in the Bill. The hon. Minister in charge of the Bill is not present, and the committee can scarcely be asked to proceed in his absence. He is going to die for the Bill. We want to see him dying right here, where we can pay decent respect to his latter end. In New York "Life" and other comic papers, characters are often designated as "Timmy Toddles," and so on. I am afraid the hon. member for North Ontario should be called "Wiggle Wabbled," because he wabbled into the House, he has wabbled around ever since, and he is going to wabble out at the next elections.

Mr. McGILLIVRAY. I thought the hon. gentleman indicated that I would go out before the elections.

Mr. CASEY. The hon. gentleman may not retire before the elections, but he will wabble out about that time. The hon. gentleman had a minority of 200 in his riding, and he really represents a minority. Referring to the Secretary of State, I think an admirable description of the hon. gentleman is given in the story of an old naval officer who had some strange experiences. It is entitled "The Yarn of the Nancy Bell," and is by Gilbert, who is well known in connection with opera bouffe.

Now, Mr. Chairman, that the leader of the House and the hon. gentleman responsible for this Bill has at last returned to his place, it is perhaps well that we should return to the consideration of the Bill, and perhaps to some detailed consideration of the clauses. But I must protest, as everybody else has done, that it is not obstruction to keep away from the clauses of this Bill in hours which are not business hours, and at times when the promoter of the Bill is not present. He is present a very small part of the time of the day, and it is impossible to discuss the Bill when he is not here, for no one else knows how far the Government would be willing to modify the Bill. For twelve hours we are willing to work, but during the other twelve hours we are not willing to work at this Bill. We know that even if the House were favourable to this Bill, it would take weeks after weeks of detailed discussion in the committee before it would receive its final form. But everybody in the House is not in favour of it. We know the Government were aware of that, we are convinced that they postponed it until a late period of the session in knowledge of this fact, and prepared to take advantage of this fact. I believe that I am expressing the opinion of the great mass of those who have looked into the matter, who have taken an intelligent note of the conduct of the Government, when I say that their pretensions of a desire to pass this Bill through at this stage are hollow, and that the fault and delay rest entirely with them. I believe they will find that to be the case on inspecting journals published in the province of Quebec. The Government should, by accepting reasonable propositions to work at reasonable hours, show their real desire to proceed with this Bill, if they have any such desire.

Mr. FLINT. The rules of Parliament in the mother country, of which Parliament ours is a model, have wisely provided that certain hours should be devoted to the business of legislation, and that the rest of the time should be devoted to rest and refreshment, and to study of the subject under legislation, either in the seclusion of their own homes or in the Library of Parliament. But the Government here has completely ignored those wholesome rules, and made it impossible for us either to take our needed rest and refreshment or to give this Bill the careful study which its importance requires at our hands. I think it requires an enormous amount of assurance on the part of the Government and their supporters to charge us, under these circumstances, with pursuing an obstructive line of conduct. We know that the Government themselves delayed for months the introduction of this measure into the House. Even the lengthy debate on the second reading has been charged upon the opponents of the Bill, as a result of their policy of obstruction.

It was only on the second occasion of the House assembling after being in committee on the Bill that the leader of the House charged obstruction and intimated tactics in terms which would rouse the feelings of men accustomed to free discussion and determine them to show that they could not be threatened, to show, in short, that the House could not be bulldozed into passing a Bill like this at one sitting of the committee. That charge of obstruction has been kept up. But the fair and reasonable offer made that the House should sit until three o'clock, and should then rise that members might get their needed rest, was refused, and consequently on this motion that the committee rise and report progress, the discussion has broadened into the character of that which would have taken place on the third reading of the Bill. But, Sir, the course of the Government in this matter is understood. I have here the file of "La Verité," a Bleu journal published in Quebec, and supposed generally to reflect the sentiments of a very large number of the most learned clergy of the province. This journal has contributed to this discussion a series of very able articles. This is the "La Verité" of March 7th, from which I quote the following:—

ANOTHER WORD YET.

> The parliamentary correspondence of the "Trifluvien" considers that the present time is not well chosen for discussing the merits of the Remedial Bill. We believe it is infinitely better worth our while to examine this Bill now when it is at least theoretically possible to modify it, than to pass it first and then to estimate its shortcomings.
>
> It will be said : "if there are defects they will be removed by subsequent legislation." Let no one create this illusion for himself. As the Act is when passed—so it will remain. Never can Parliament be led to legislate twice on the question.
>
> It is enough to remember what is going on at Ottawa to convince one of this.
>
> If the Bill is not modified so as to make it conform entirely to the remedial order of last March, it can be attacked as unconstitutional. In effect, the Federal Parliament has no right to legislate on the school question, except in so far as the Manitoba legislature has refused to legislate itself.
>
> Now, the remedial order of 21st March, 1895, declared that the minority had a right to three things, viz. : (a.) To construct, maintain, manage Roman Catholic schools. (b.) To receive a proportionate share of every subsidy granted from the public funds for educational purposes. (c.) Finally, exemption for the Catholics from taxes imposed for the maintenance of public schools. It is a, b, c, which the Federal Gov-

> ernment ordered the legislature to do. It is, therefore, a, b, c, which the Manitoba legislature has refused to do. It is, therefore, a, b, and c, which the Federal Parliament has the right to do, in virtue of the constitution.
>
> But by the Bill actually before the public, the Government only invites Parliament to do (a) and (c) ; for no matter what we may say, clause 74 does not do (b), that is to say, it does not give the minority a proportionate part of every grant made for educational purposes out of public funds.
>
> Winnipeg may then say : " I have refused to do a, b and c, but I have not refused to do a and c.
>
> You have therefore the right to legislate on a, b and c, because of my refusal ; but you have not the right to legislate on a and c, because you have not, in the first place given me notice of action—(vous ne m'avez pas mis en demeure) to legislate myself in regard to a and c alone. It is useless to do like the ostrich, to hide one's head in the sand and believe oneself under shelter. If clause 74 is not modified so as to do c, the Act will probably be declared unconstitutional.

As to the charge that the Opposition are responsible for the defeat of the measure, I would like to call the attention of the House and the country to the strong and pointed expressions of opinion of this journal :

> Because it has not suited the Government to submit its Bill to the House in good time journalists are forbidden (according to " La Presse") to examine it and the members of Parliament to work for its improvement. Such is the logic which they cultivate at the " La Presse " office.
>
> We warn the Montreal sheet and the Bleu press in general that that will not take. If the Government had introduced its Bill in July, as the Hon. Mr. Angers desired, or even at the beginning of the session, the members and the press would have had ample time to study the measure from all points of view without putting in peril in the least degree the final passage of the Bill.
>
> To-day the Government and the Bill are at the mercy of the Opposition.
>
> Whose fault is it ?
>
> What is regrettable and mal-inspired is neither the article in " La Verité " nor Mr. Dupont's amendments ; it is in the first place the conduct of the Government which has delayed in a culpable manner the introduction of the Bill, and in the next place the language of " La Presse," which pretends to hold " La Vérité " and Mr. Dupont responsible for the Ministerial check.
>
> Again, that will not take.
>
> If the Remedial Bill is not adopted at this session, it will be the fault solely of the Federal Government, which in spite of the warnings of its true friends has persisted in withholding the Bill from the House until the moment when Parliament is about to pass from existence.
>
> That is what every one will say and that will be the truth.
>
> Many will say also that the Government has acted in this way solely for the purpose of making remedial legislation a failure. And they probably will not be wrong.

It has already been pointed out how much this Bill was delayed by the differences in the Cabinet and the revelations concerning them which shocked the country.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into Committee.

(In the Committee.)

The CHAIRMAN. The question is on the motion of Mr. Fraser that the committee rise, report progress and ask leave to sit again. All in favour of that motion will please say " aye."

Mr. WALLACE. Before that motion is carried, I wish to say a word or two. There are very strong reasons why it should be adopted. We have passed some clauses of the Bill, amended some, and dropped others, and we are now face to face with clause 10, on which clause we should pause. This is the most objectionable clause which we have come to yet. I am sorry that more members of the Cabinet are not here at the present time, because it may necessitate my repeating my arguments when they come in at a later hour in the evening. However, the Minister of Marine and Fisheries and the Postmaster General, the most select of the Ministers are here, and of all the members of the Government I do not think there are two gentlemen more amenable to sound argument. If we convince these two gentlemen it will be a comparatively easy task to convince the others, because I have no doubt they will convince them for us. I am glad to see that the Minister of Justice is coming into the House. He is quite an acquisition to the galaxy of able men who are attentively listening to my remarks to-night. Now, this clause 10 proposes to give to the municipal councils the power to form separate school districts, but what it gives with one hand it takes away with the other. It is very proper to give that power to the municipal council, but when we look a little further down in the clause we find that they are compelled to be guided by the regulations of the Board of Education. Here, contrary to the rule in all self-governing countries, the local legislature is wiped off the slate and the Board of Education is vested with plenary powers. One would think that the municipal council would refuse such a humiliating position. However, there is worse than that, because even when the municipal council does make its regulations, any one who wants to kick can make an appeal to the Board of Education, and the municipal council are hauled up again like a lot of culprits to justify their action. This clause is calculated to harass municipal councils at every step they take, and for that reason we should pause here, wipe it out altogether, or mend it so that the Parliament of Canada may be proud of its handiwork. It appears to me that the Government and most members of the House of Commons are willing to stop right here. The only ones who appear to be restless and uneasy are some of those who have voted for the Bill, and who are not quite sure what kind of a reception they will get from their constituents. When they go back they will be asked: What did you do? and they will say: Well, we sat in committee all last week. And what did you accomplish; and the reply will have to be: Nothing, but we just stamped our feet until the soles were worn off our boots, and yelled "carried." Was it not a glorious job for the Government whip to try and coerce the members to try and force this Bill through. They will have to go back to their constituents and tell them they were trying to hold the fort as they call it, but they will have to admit at the same time that the fort did not hold worth a cent. This Bill is objectionable because it proposes to coerce Manitoba, and not only have the Government tried to do that, but they have had the assurance to try to coerce the free Parliament of Canada. Well, as far as my observations go, they have not been eminently successful in that. It is true that our physical powers have been tested, but we are glad to find how equal to the task we were. I am sure it must be gratifying to the members of the Government to see that we all feel so well after our efforts, and more especially is it so to the leader of the House, because I know that while he is reckless of his own health, he is anxious and solicitous for the health of the members of the House of Commons. Therefore, it must gratify him to find that, notwithstanding our long session and our arduous labours, the members of the House of Commons to-night are in such vigorous health and in such excellent temper. Now, why are we asked to pass this legislation? The history of other countries which have tried for many years the system of denominational schools, is such as to discourage any attempt on our part to go back to a system that has been discarded in almost every country where it has been tried. Some hon. gentlemen have said: See what secularism has done for France; it has made France, they say, a nation of infidels. I protest against that statement. If France is a nation of infidels, it was so before the system of secular schools was established. If it is a nation of infidels, it became so under a system of religious denominational schools.

Mr. LANGELIER. If my hon. friend will allow me to interrupt him, I beg to say that there have been no religious schools in France for over a century.

Mr. WALLACE. I think the hon. gentleman is a little wrong in his historical facts. My information is that both in the time of Louis Philippe and in the time of the Emperor Napoleon, religious schools prevailed, and that it was not until the establishment of the republic, twenty-five or twenty-six years ago, that religious schools were entirely abolished, and the secular system adopted.

Mr. LANGELIER. The hon. gentleman is mistaken. There were only religious schools for a short time during the Restoration. During the time of the Second Empire, from 1851 to 1870, it was strictly prohibited by law to open private schools. There was only a national school system. I know that, because I lived in France at that time. The present republic has not altered the system. The only difference is that it gives more money for public education than was ever given before; but it has not secularized the schools any more than they were for a long time before—I may say, from the French Revolution of 1789.

Mr. WALLACE. I am glad to hear the explanations of the hon. member for Quebec. Of course, his residence in that country has enabled him to speak with knowledge of the subject. I can only repeat that, during the Napoleonic regime, the schools were religious—that even when the secular system was supposed to prevail, as a matter of fact, the schools were largely religious schools. Therefore, I repeat that, if there is any infidelity in France, it is due to other causes than secular schools. Now, I was going to make some reference to the schools in Quebec and to the statements of the hon. Minister of Trade and Commerce (Mr. Ives) and the hon. Postmaster General (Sir Adolphe Caron) in regard to them; but I will reserve what I have to say to a later hour in the evening.

Mr. McCARTHY. Mr. Chairman, on the motion which is now in your hands, namely, that the committee rise and report progress, I desire to say a few words. We have now been here for nearly 100 hours.

Mr. FOSTER. A record.

Mr. McCARTHY. It is not only the longest sitting of this Parliament, but I venture to say that it is the longest sitting of any parliament; and, although some gentlemen may say that it is a record. I think it is a record of which we have no reason to feel proud. This is a deliberative assembly; we are here for the purpose of deliberating and legislating; and we have laid down in our rules that this House is to meet every day at three o'clock on the different days of the week on which it is to assemble, except Saturday; and the result of the present proceedings is practically to suspend or abolish our rules. Whether the Government, in the course they are taking, are designedly shutting off the inquiries which might be put, according to our rules, if the House met in the ordinary way, I cannot say; but, Sir, it is the fact that, although all the days of the week, except Wednesday, have been given up to the Government, those days have not altogether passed out of the hands of private members, because questions, at all events, were permitted to be put—questions sometimes on matters of very grave importance, and on which it is needful and proper that we should have answers before we proceed with other business. Now, it has been stated so often that I need not repeat it, that it is impossible that the members of this House can remain here day in and night in, and day in again, and discharge their duties. The result is that one section of the House of Commons are present at one stage of the proceedings, and another section at another stage; and at no time can the whole House be here to consider the questions submitted to the committee. The result, of course, must necessarily be very disastrous to this Bill. What one section of the House do at one part of the day the next section of the House know nothing of when they come to proceed, if they do proceed with the other portion of the measure. Therefore, it did appear to me on Monday night, after this House had given full consideration to the clauses submitted to it, that the proper thing to do was for the committee to rise. I think the hon. gentleman who then moved that the committee rise, took the proper course; and we would have done better, in my judgment, if, after that, we had never again considered a single clause of the Bill. It has been said that we have been guilty of obstruction. Now, I desire to state very shortly what we have done, in order to show the committee that that charge is not well-founded. This House had been in committee on the preceding Tuesday, and on that day we passed three very important sections of the Bill. It is undoubtedly true that we had not given sufficient consideration to the last of those clauses, because, as the Government themselves have admitted, it may be necessary for them to reconsider that clause, and finally to ask the House, at a later stage, to expunge it. We met again on Saturday, and went into committee at eleven o'clock. Section 4, the most important section in the Bill, was then submitted to us, and we debated that section from eleven o'clock in the forenoon until the committee were compelled to rise at night; and I do not think any hon. gentleman will say that the discussion of the clauses in that section—because there were several—was undue, or anything but fair and reasonable. Unfortunately, on Saturday, the Minister of Justice, who is primarily responsible for the Bill, was not in his place; and, as the Minister of the Interior (Mr. Daly), who had charge for the day, was not able satisfactorily, as he himself admitted, to answer some of the arguments which had been urged, and which undeniably, as he stated, were of considerable importance, it was not unnatural that on Monday, when we again went into committee, with the Minister of Justice in his place, we should have brought to his attention the arguments on the difficult legal questions which had puzzled us on the preceding Saturday. The discussion on Monday was therefore, to a certain extent, a review of what had taken place on Saturday; but it was only proper and necessary under the circumstances. Since that Monday we have finally passed section 4, which, counting its subsections "a," "b," "c," "d," "e" and "f," really consists of six clauses; we have disposed of section 5, section 6, section 7, section 8, which embodies four subsections, and section 9, which has been stricken out. Now, how much time has been occupied in the discussion of these clauses? Go back to last night, for example, when the Secretary of State was good enough to tell the committee that the work that had been done was satisfactory to himself, and he thanked the committee for the aid it had given the Government in perfecting this measure. Last evening we had passed sections 6, 7 and 8, and we went back and considered a part of section 4. How long did it take us to do that? It took us from half-past eight until half-past one. We know now that on the Monday, without any indication and without there being a shadow of ground for charging that the committee were not dealing properly with this measure, it was known before four o'clock that arrangements had been made by the Government for sitting the whole of this week. Before anything had occurred in the committee at all, even before the committee had met, it was known throughout the lobbies of this House that arrangements had been made for a continued sitting, and that the Government had divided their forces into two or three gangs, in order to enable them to endure the physical strain that would be necessary, if this scheme were to be carried out. I want to point out that this Bill contains not merely 112 clauses, but that, if the subsections are taken into account—and, although not numbered, they are clauses just as much as if they were—the Bill contains 260 sections; and, if the rate of progress we made last evening be looked upon as fair and reasonable—and I do not think any man will say it was not—admittedly it was, because we had the admission from the leader of the House that it was—then this Bill could not be properly considered in committee in less than twenty-five days. That would be an average of an hour to each clause, which would be a smaller average for the remainder of the Bill than the time occupied on sections 6, 7 and 8, and a part of section 4, which we dealt with last evening, between half-past eight and half-past one. If we are here to be of any service in aiding to perfect this legislation, it is apparent, from what we have seen and know of this measure, that we could not possibly discharge our duties properly in less time than the hour we have devoted to each one of these clauses. Then, let us see whether the committee's deliberations have been of any service. With the exception of the 1st, 2nd, and 3rd clauses—and it is practically admitted that these last two clauses were passed with too great speed in the small hours of the morning—each and every one has undergone most material changes. Clause 4 would hardly recognize itself, the changes in it have been so numerous.

Clause 6 has been amended; clause 5 completely changed; clause 9 has been wiped out. So that in the time we have taken, we have accomplished some good. I venture to say, under these circumstances, that we are doing no credit to ourselves or parliamentary institutions by continuing the farce of attempting, by physical means, to force this Bill through the committee. I looked with curiosity to see what was the longest period of time occupied by the Imperial Parliament in any sitting, and I suppose I am right in assuming that it was during the obstructive tactics which brought Mr. Parnell into notice that we find the longest sitting. Starting with 1880 down to the present, the longest sitting of the English House of Commons was not more than forty-seven hours, and we have already doubled that in the sitting which is already going on In 1880 the longest sitting beyond midnight, was twelve and three-quarter hours; in 1881, the longest sitting beyond midnight, was fourteen hours and five minutes; in March, 1884, it was five and three-quarter hours; in March, 1885, it was five hours and fifteen minutes; in June, 1886, it was four hours; and in June, 1887, thirteen hours and twenty minutes. The longest sitting of all, in 1881, was thirty-three and a half hours beyond midnight, or about forty-seven hours altogether. It is clear that nothing can justify these proceedings but the appearance of obstruction in the committee itself; and I destroy any ground for any such contention when I say that the plan of this perpetual sitting was determined on before the committee had entered on its duty on Monday, before there had been the slightest indication on the part of the committee that any obstructive tactics would be resorted to. The hon. leader of the Government has told us that in New Zealand, at one time, there had been an insignificant minority, almost as bad as the insignificant minority here, and that it had been guilty of obstruction by moving, alternately, without entering on the Bill submitted to them, that the committee rise, and made twenty-three motions in succession, without anything else being done. But here we sat all Monday until four o'clock in the morning, considering the Bill, and it was not until human nature was unable to continue the exertion that a member of the committee protested against the protracted sitting, and asked that the committee rise. I am not speaking now so much of myself personally nor my fellow-members, but I am making an appeal to the committee, because of the damage and injury we are doing to the Parliament we ought to be proud of, and whose honour is in our keeping. I make this appeal, because it may be said of us, after this, that we are hardly fit for responsible government, and that, if properly dealt with, we would be relegated to the position of a Crown colony. The responsibility of this course rests with the leader of the House and the majority behind him who are taking this unnatural and unreasonable course without any pretense of justification. But there is another ground why this committee should rise, and I allude to it with a great deal of pain. I have had the honour of sitting in this House a number of years, and one of my fellow-members, who has just disappeared was a gentleman who frequently sat on my right. Sir, it has been known to all of us, it was published from time to time in the press, that the gentleman who was then the member for North Grey (Mr. Masson) had the promise from the Government of the county court judgeship of the county of Huron, and it has been plain to all of us that the hon. gentleman was a thick and thin partizan in the last period of his parliamentary life. No one who knows North Grey, as I happen to know it, can doubt that if there is a constituency in Canada which is opposed to this Remedial Bill, it is the one which this hon. gentleman represented until Monday last. We all witnessed with surprise the course that he took in supporting the policy of the Government on this measure, and whispers were not wanting that the arrangement, which we have now seen carried out, had been entered into. Why was the appointment of a judge of the county of Huron allowed to remain open from the 14th May, 1895, until Monday last? Why is it that this and other appointments have not been filled? Is it possible for us to doubt that promises have been made to these hon. gentlemen, whose names are mentioned, from time to time, in the press, and even on the floor of this House, or that, whether promises have been made or not, there is ground to suspect that these gentlemen are anticipating a reward if they support the Government? Can there be a more flagrant case than the one I am alluding to? Why was the appointment to the county judgeship of Huron made on Monday last? Because a Bill was going through the local House, which became law on Tuesday, which enacted that in the county of Huron, because there were not 80,000 people in that county, no second county judge was to be appointed. The Government, therefore, could not wait, the hon. member for Grey could not wait until the 24th of this month. The appointment would not stand, for if not made on Monday there would be no place to give. Now, is it possible to doubt that that hon. gentleman has been sitting in this House pretending to represent the people of North Grey, with the promise of the distinguished position of a judge of the county court in his possession? Why, I do not know that in all Canadian history—and it contains some remarkable events of that kind—there is a more flagrant, a more disgraceful proceeding than the one that has taken place during this week. And if there are other gentlemen sitting here in the position of the hon. member for North Grey, is it not right that this committee should rise and refuse to proceed a single step further with the Bill? Their names are mentioned, and I will take the responsibility of giving these gentlemen an opportunity of contradicting the statements on the floor of Parliament. There is an hon. gentleman in this House for whom I have the very greatest regard, whose constituency was swept away at the last rearrangement. I allude to the hon. member for Monck (Mr. Boyle), and I hope he is now in his place; and I say that it is published in newspaper after newspaper that he is to have the collectorship of customs at Niagara Falls, which has been vacant for the last two years. And if kept vacant, what other reason can there be except that some member of this House is to fill the position?

Mr. EDGAR. Like the Montreal customs.

Mr. McCARTHY. Exactly. For three years was that important position vacant, with the knowledge—just as we can have such knowledge—on the part of every member of this House that it had been promised to the late member for Cardwell (Mr. White). When the Government were questioned, they replied that there was no promise, but it is now perfectly clear that there was, because the late member for Cardwell, tired of the procrastination, ashamed of his position, finally resigned and forced the hand of the Government, and they were obliged to give him the long-promised office. Now, it is not merely the hon. member for Monck that I desire to mention. I refer also to the senior member for the city of Hamilton (Mr. McKay), and I hope he will make a clear and explicit statement, before this discussion closes, as to his position. Sir, Hamilton is a city which has given no uncertain sound on this question. Both the hon. members for Hamilton, more especially the senior member for the city, have repeatedly and openly declared their hostility to any measure of this kind. The great Conservative newspaper of that city has voiced the feeling of the Conservative electorate of that part of the country, including the city of Hamilton, against the measure. And yet this hon. gentleman was found voting for this Bill, and we find it stated that arrangements are being made in order that he may be appointed collector of customs for the city of Hamilton. I take my authority from the Government newspaper of this city. This Government organ did not seem to think there was any shame about it. On the 24th of last month, it published this statement, which has been verified by the proceedings that have since taken place in this House:

> **The Controller of Customs has given notice of a Bill to amend the Act respecting the Departments of Customs and Inland Revenue. It is understood that the purport of the Bill is to increase the salary of the Commissioner of Customs, which is now $2,800 a year, and this in turn points to the retention at Ottawa of the acting commissioner, Mr. Kilvert, who is now collector of customs at Hamilton. He is understood to have all along declined the appointment on the ground chiefly that the salary is less than that which pertains to his office as collector at Hamilton.**

And the organ of the Government, drawing its inspiration, day by day, from the members of the Government, tells us that should Mr. Kilvert accept the commissionership of customs, in all probability Mr. McKay, M.P., will be appointed to the collectorship at Hamilton. I would like that hon. gentleman to remove the stain, which, under these circumstances, attaches to his character as a public man. I hope he will be able to tell us that there is no truth in this, that there is no understanding, expressed or implied, that he is to be the collector of Hamilton, if the Bill, of which the Collector of Customs gave notice, becomes law. I will mention another hon. gentleman—I am not going through this long black list—and he shall have an opportunity also of denying the charge, for I make it upon the authority of the newspapers which have repeatedly referred to it, and that is the hon. member for the city of Kingston (Mr. Metcalfe) It has been common talk and report, and uncontradicted, that that hon. gentleman is to be made warden of the penitentiary, and that the incumbent of that office is to be superannuated. That is a statement made so frequently, and without any attempt at denial or contradiction, that one can hardly say I am not warranted in bringing it to the attention of the House. I will not speak of others, because I do not like to mention the names of gentlemen in this House, although a list has been furnished me, unless I have strong ground, as I think I have in the cases I have already referred to, of believing in my own mind that the charges are well founded. But, Sir, there are one or two things that I may refer to. In the province of New Brunswick the Chief Justiceship has been practically vacant for a long period, and it is impossible to suppose that the vacancy remains unfilled except for some public or private reason. Public reasons there are none. There can be no ground for leaving the collectorship at Niagara vacant for two years. There can be no public ground for leaving the county court judgeship of Huron vacant since May, 1895, if it was so absolutely essential to fill it that a gentleman had to be removed from this chamber, and sworn in within an hour of the time that a law was passed saying that his services were not required in the public interest. There can be no ground, except that these offices are kept to be dangled before the eyes of members of this House. Here we are within a fortnight of dissolution, passing a most important measure, and a measure which is causing strife and bitterness throughout this land from end to end, and we do not know who around us, is sitting, as free and independent representative of the people, or who is sitting here with a Government commission practically in his pocket. Under these circumstances, I think the committee ought to rise. Under these circumstances, I think in decency we ought not any longer to continue the consideration of this measure ; and I hope that the committee will rise without considering another line, or another letter of this Bill, so that the country will understand that the facts which have been brought to the attention of this House, are sufficient to call upon members to pause before they proceed further with a Bill fraught with such consequences as the one now before the committee.

Sir JAMES GRANT. I have listened with a considerable degree of attention to the remarks of the great nisi prius lawyer of Canada (Mr. McCarthy) whose ability is of such undoubted a character. I have come to the conclusion that his action here, is a mere repetition of the first play of the great English dramatist, Shakespeare : " Much Ado about Nothing." I am surprised at that gentleman, who ought to have experience of the affairs of Canada, taking the responsibility of obstructing such a great measure as this Remedial Act. He has told us, that this Bill, if passed, would be the means of creating strife from one end of the Dominion to the other. Does the hon. gentleman know that this question can be put into a nutshell. It is not a question which concerns the great Catholic community of Canada ? We wish to give them equal rights, we wish to give them justice, we wish to treat them as we wish to be treated ourselves, and yet we find hon. gentlemen in this House, who are striving might and main to prevent that justice being done them. We see these gentlemen obstructing in every way the Government of Canada, who are desirous of doing their best in the interests of this country, and who are now endeavouring to bring to a final issue this great legislative enactment. This, Mr. Chairman, is a factious opposition. Any individual of common sense who has observed our proceedings knows, that from the beginning, the Budget debate was obstructed and delayed in order to retard the bringing down of this great measure. Sir, the country will understand thoroughly that everything has been done by the Conservative party to advance this legislation, and that everything has been done by the Opposition to prevent its becoming law. To-night we have had the hon. gentleman (Mr. McCarthy) dealing with extraneous subjects. His object was, first to retard the measure, and secondly, to try to make the people of the country believe that an appointment recently made was not proper. So far as is concerned the hon. member (Mr. Masson) who has recently been elevated to a judgeship, we know that for twenty years, on account of his high and well-known attainments, he has been spoken of as one most likely to secure a position on the bench. If he is now given a judgeship it is because he has earned it by his legal qualifications, and not because he has supported our party. It just happens at this moment that the position was vacant and why should he not receive it ?

Some hon. MEMBERS. Hear, hear.

Sir JAMES GRANT. We know that when gentlemen opposite were in power their friends were always provided for. We know that every great measure which has been brought forward by the Conservative party has been obstructed by the Liberal party in this country. They opposed the Canadian Pacific Railway, and the people of the country defeated them. They oppose this measure now and the people of the country will defeat them again. If the Bill does not become law this session, the great Catholic community of Canada will fully appreciate that the Government of Canada have done their best to make it a legislative enactment, and that their efforts were thwarted and opposed by the Liberals in this House.

Some hon. MEMBERS. No.

Sir JAMES GRANT. It is all very well for gentlemen opposite to say " no," but they know in their hearts that what I say is correct. The hon. gentleman from Simcoe (Mr. McCarthy) says that we are hardly fit for responsible government. Most assuredly that is the case if the Opposition are permitted to act in the way they are doing, and are successful in their efforts to prevent legislation. The responsibility of opposing this measure rests on the shoulders of these men. At one time, the hon. gentleman (Mr. McCarthy) was one of our best supporters, but he left the very man who made him and gave him an opportunity of advancement. Because that right hon. gentleman did not consult him when he was forming an Administration, he saw fit to get on his high horse and left the Conservative party. To-day he has but a small following, because he is endeavouring to place class against class, and religion against religion. He was one of the very first to propose the abolition of the dual language and one of the first to oppose separate schools in conjunction with the hon. member for Winnipeg (Mr. Martin). I say, Sir, that no man in Canada can hope to obtain any position of power who is not willing to give equal rights and privileges to Protestants and to Catholics, to Frenchmen and to Englishmen. I trust that the day is not far distant when the hon. member for Simcoe (Mr. McCarthy) will wake up to see that the measures he is now advocating are not in accordance with the principles of law and justice. He may rely upon it, that if this Bill does not become law now, it soon will, because the people of Canada will understand that the Conservative party are trying to do what is just, in the interests of the people from one end of Canada to the other.

Mr. MONCRIEFF. A few words, Mr. Chairman, in reference to the remarks made by the hon. member for North Simcoe (Mr. McCarthy). He alluded by name to a few gentlemen who occupied seats in this House, and said that there were a few other names, but he would not mention them out of delicacy.

Mr. McCARTHY. I did not say so. I said it was because I had no evidence.

Mr. MONCRIEFF. He also gave as a reason for not mentioning them, that he had no means of satisfying himself that there would be any truth in the statement or rumour that had been circulated. The hon. gentleman might with safety have mentioned my own name as one which recently has been rather flippant on the tongues of a few members of the House. He might have said that I have been mentioned in some of the newspapers of Canada, as being a person who had the promise of a judgeship in his pocket. The hon. member for North Norfolk (Mr. Charlton) yesterday afternoon referred to myself, when I was not present in the House, and in the report of his speech in the "Globe" of this morning, I find the following :—

> The member for East Lambton was to get a judgeship. He dare not show his face in his riding.

Now, Sir, whether this matter had been brought up by the hon. gentleman for North Simcoe, (Mr. McCarthy) or not, I had intended to refer to it at the earliest possible opportunity. I deny, Sir, that there is any foundation whatever for the statement of the hon. member for Norfolk (Mr. Charlton). I have never, directly nor indirectly, applied for, or sought for, any such position from this Government. I have no promise, directly or indirectly, expressedly or impliedly, of any such office or of any office of any other kind under the Government.

Mr. McCARTHY. Hear, hear.

Mr. MONCRIEFF. It is not manly, and not becoming for any member to make such a statement with regard to another member in this House, unless he has some reasonable proof to sustain the charge, or is willing to take the responsibility for it and ask for an investigation. To do as the hon. member for North Norfolk (Mr. Charlton) did—make a charge against me when I was not in the House and had no opportunity to answer it—is unmanly and unfair, to say the least of it. It is a pity, indeed, that any member should so far forget himself as to make an insinuation of that kind against another member of this House, without the slightest foundation whatever upon which to base his charge. The hon. member for North Simcoe (Mr. McCarthy) had delicacy enough to refrain from mentioning names, when he had no proof, and the same reason should have actuated the member for North Norfolk (Mr. Charlton) to keep his mouth closed under similar circumstances. In common decency, he should not have mentioned any name, unless he had proof or reasonable ground for believing his statement. He took up a newspaper, and he reiterated its statement to the House, and that, Sir, in my opinion, is just about as reprehensible as if he himself had made the story out of whole cloth. It is a very poor excuse indeed to give, to say that it was mentioned in a newspaper. How many slanders could be circulated in that way ? All hon. gentlemen in this House should feel, as I feel on this occasion, that perhaps an attack may be made on them in the same flippant manner in time to come. There is a dignity in this House which must be maintained, and, when any member resorts to ungentlemanly conduct, unmanly conduct, unfair conduct towards any other member of this House, it is, I believe, the duty of the balance of the members to protect the honour of their brother member. I do not intend to occupy the time further than to say that I am glad to have an opportunity to speak on what I consider a breach of parliamentary etiquette, and a breach of decency, which has been committed, to the knowledge of every member of this House, within the past few days.

Sir CHARLES TUPPER. I know how difficult it is for hon. gentlemen to remain quiet under the attacks which are made upon them. But I would really take it as a very great favour from hon. gentlemen on this side of the House if they would occupy as little time as possible in reference to these matters, because I am in hopes that this motion may be disposed of, and that we may be able to get a little of the time of this very long sitting for the Bill. I therefore hope, Sir, that the question may now be put.

Sir RICHARD CARTWRIGHT. Before that motion is carried, I think the least the leader of the House could do is to explain the circumstances of the very extraordinary appointment of the late member for North Grey to a county judgeship. The hon. member for North Simcoe made a statement on that subject which deserves the most serious consideration of this House. He called the attention of the House to the fact that that judgeship had been vacant for a whole year ; and he also called attention to the fact that within a few hours of his appointment an Act had been passed by the legislature of Ontario, who are the proper judges as to whether an additional judge is required or not, by which it was declared that it was not necessary to have an additional county judge in the case of counties having a population under 80,000. But the Government of Canada, finding that the legislature of Ontario had come to the conclusion that this officer was not wanted, deliberately appoint a member of this House to that office, thereby entailing a very considerable charge upon the public. I can conceive of no more outrageous job per se, and the thing is doubly reprehensible, made as it was under circumstances which go extremely far to show that the hon. member for North Simcoe was perfectly right in his contention that, for the last year at any rate, the hon. member for North Grey has been practically a salaried servant of the public, and has been violating the Independence of Parliament Act, in the spirit, if not in the letter, during every day he sat in this House this session, and on every vote he gave. I can conceive of no more indefensible job, and I think and it is the bounden duty of the leader of the House, if he has any justification for it, to offer it now.

Sir CHARLES TUPPER. I regret very much that the hon. member for South Oxford has not made this inquiry in the presence of the Minister of Justice.

Sir RICHARD CARTWRIGHT. That is not my fault.

Sir CHARLES TUPPER. I can quite understand the matter being pressed at the moment, because it has just been brought under the attention of the House by the hon. member for North Simcoe. But I think I will have to ask the hon. gentleman to allow the Minister of Justice, in whose department these judicial appointments are made, to make the explanation to the House, especially as the fact stated by the hon. gentleman, as to the long period during which this judgment was vacant, was learned by me for the first time at this moment. I will call the attention of the Minister of Justice to the matter, and I have no doubt he will make the explanation.

Sir RICHARD CARTWRIGHT. Unless my memory deceives me, the hon. Minister of Justice was here when the hon. member for North Simcoe was speaking.

Sir CHARLES TUPPER. I myself was called out of the House while the hon. member for North Simcoe was speaking, and did not hear the statements that were made.

Motion that the committee rise, report progress and ask leave to sit again, negatived.

On section 10,

10. For the purpose of this Act the council of each municipality may establish and alter when necessary, the school districts within its own bounds, and in case any school district or proposed district should be included in more than one municipality, its formation or alteration may be made by the reeves or mayors of such municipalities, and the local inspector or inspectors of schools ; provided that the formation or alteration of school districts by municipal councils or by the reeves and mayors of municipalities and the local inspector or inspectors shall be made under the regulations that may from time to time be issued for that purpose by the Board of Education, and all by-laws and resolutions for forming or altering school districts, shall be submitted to the board and receive its sanction before they can be carried into effect ; provided also that upon the refusal or neglect of any council, or of the reeves and mayors and local inspectors of the municipalities concerned to establish or alter any school district, when petitioned to do so by at least five heads of families resident therein, or upon an appeal against the action of such body forming or altering any school district, the board shall be empowered to confirm or annul the action appealed against, or to form or alter such school district as they may think fit, within three months after their receipt of such appeal or petition ; provided further that no school district shall be organized under this Act unless there shall be at least ten Roman Catholic children of school age living within the same, and situated not over three miles from a point that may in anywise be fixed as the first school site.

Mr. MILLS (Bothwell). What reason is there for giving to the board the power to make regulations in this matter ? If the duty of forming the school districts is to be imposed upon the municipalities, why restrict them ?

Mr. DICKEY. In section 4 the board is empowered to make these regulations.

Mr. MILLS (Bothwell). The province of Manitoba is a large province, and the board, in all probability, will be at Winnipeg. They cannot know the local circumstances as well as the municipalities. If you would make the inspector a party to act with the municipal officers, I think you would have a much more efficient system. It will involve a good deal of unnecessary expense, if you impose jurisdiction on the board.

Mr. DICKEY. I take for granted that this composite authority will meet the difficulty which the hon. gentleman refers to. It was thought better that the board should have the ultimate control of the school districts ; but, as they were a central body, it was thought more convenient that a local authority, like the municipal council, should form the district. The scheme of this section is that the Board of Education shall make general regulations for the efficiency of the schools, and within the lines of these regulations the municipal council will do the local work of fixing the boundaries of school districts, and the Board of Education will ratify the work of the municipal council. If the work of the municipal council is not satisfactory, the Board of Education, I suppose, would have to act through their superintendent, and fix the boundaries.

Mr. MILLS (Bothwell). You do not intend the superintendent to be a peregrinating officer. He is not so in the other provinces. The officers who visit the various schools would be the inspectors. They would have local knowledge, and it would be more suitable for them to have supervision over the work of the local municipalities. I am looking at the matter from two points of view—that of the authority having the necessary knowledge, and that of the system that would avoid unnecessary expense.

Mr. DAVIES (P.E.I.) What possible object can there be in limiting the power of the municipality to establish these school districts ? What possible regulations can the board issue with respect to the formation of a district ?

Mr. DICKEY. As to the size, the number of children to be included, and all that.

Mr. DAVIES (P.E.I.) If you are going to let the board define all these things, there is nothing left for the municipality to do. It struck me that it would be better to leave a simple matter of that kind to either one body or the other exclusively, uncomplicated by regulations.

Mr. MILLS (Bothwell). You have really three parties—the inspector, the board, and the municipality.

Mr. DICKEY. This is the machinery that was used under the old Act.

Mr. DAVIES (P.E.I.) Inasmuch as the trustees of these school districts will have power to levy taxation, and very serious questions are likely to arise in connection with assessments, and it may be necessary to enter suits of assessments against ratepayers, you will have a great deal of difficulty if you require, first, a regulation of the board, and, second, the action of the municipality. If you required to recover an assessment you would have to have double proof.

Mr. DALY. It worked all right under the old law.

Mr. MILLS (Bothwell). You had not this before. You had a denominationl system before, and this is supplementary to that.

Mr. LaRIVIERE. Under the actual law in Manitoba, these school districts are laid out by the municipalities in the same way as we are asking that it should be done in this case.

Mr. DAVIES (P.E.I.) But in this case the municipality does not act untrammelled. It seems to me the work should be left to the municipality simply or to the board simply.

Mr. MILLS (Bothwell). What is the machinery under the present Public School Act ?

Mr. DICKEY. The municipal council.

Mr. MILLS (Bothwell). Why not give the power to the municapl council, to act at the request of the Board of Education, with the aid of the inspector.

Mr. DICKEY. I do not think that would do in this particular case, because there are a good many municipalities and their complexion is very different. You could not be always sure that the council would act at all or that they would act with a single eye to the interests of the minority.

Mr. LANGELIER. According to this cluase whenever five heads of families belonging to the Roman Catholic religion want to have separate schools, their first step will be to present a petition to the municipal council. If the municipal council does not act in three months, the Board of Education shall be at liberty to establish those school districts. The clause does not provide that the five heads of families shall be Roman Catholics, and consequently even Protestants or Jews may present the petition. It would be better to insert the words "Roman Catholic," so as to make it clear. But there is a much more serious objection. Suppose there were fifty heads of Roman Catholic families, and that only five of these were desirous of having separate schools. Those five heads of families would petition for the creation of a school district, and what would be the result ? The forty-five other heads of families would be compelled to adopt separate schools unless they took proceedings to separate themselves from them. I do not think these five heads should be allowed to compel the rest of the minority to form part of this system of separate schools, or take steps to get out of the system. We should fix a certain proportion. The majority of the minority should petition, because otherwise the law would work an injustice.

Mr. LaRIVIERE. I am surprised that the hon. member for Quebec Centre should make such a suggestion. He asks that the majority of the minority should decide. But suppose there were twenty-five Catholic heads of families, and that twelve of these were in favour of separate schools, under the hon. gentleman's contention they would be deprived of their schools. The clause is much more reasonable. Under it those who do not want to form part of the separate school districts have only to notify the municipal clerk, which is a very simple matter, and they will be freed from it.

Mr. ROBILLARD. All that the Roman Catholics have to do who do not want the separate schools is to notify the municipal clerk. There would be no hardship under this clause. All that those who do not want the separate schools have to do would be to notify the clerk of the municipality. That is the way separate schools in Ontario are worked now.

Mr. LANGELIER. I think it would be better to establish a system of separate schools as it exists in the province of Quebec. In that province the formation of separate schools is a very easy matter. No number of heads of families is at all required to petition. No majority of the minority is required, but any number of heads of families may make a declaration to the president of the school commissioners declaring that they have a sufficient number of children of school age to form a school.

The law puts that number at fifteen. There can be no school for a less number than fifteen children. There may be only three heads of families that make the declaration, but if they have a sufficient number of children they get the school, and they do not impose their own views on the rest of the minority.

Mr. LaRIVIERE. Neither will they in this Act.

Mr. LANGELIER. They will, because in subsequent clauses we find that the whole of the Roman Catholic minority in the municipality, where a system of separate schools has been established, will be compelled to follow suit.

Mr. LaRIVIERE. They can free themselves by simply giving notice to the clerk of the municipality.

Mr. LANGELIER. Why compel them to give notice ?

Mr. LaRIVIERE. Why deprive the minority of their schools ?

Mr. LANGELIER. I do not want the minority of the minority to compel the majority of the minority to do something.

Mr. LaRIVIERE. You merely compel them to notify the clerk, while on the other hand, you would be compelling the minority of the minority to do without their schools.

Mr. MILLS (Bothwell). The rights of all parties are secured where you give the right to establish separate schools to those who are asking for them. You here include everybody of the same faith as supporters of the separate schools, and compel them to give notice in order to get out of that support, if they do not want these schools. You go sufficiently far when you authorize what you consider a proper number to ask for separate schools to have them ; but if there are any Roman Catholics who prefer to remain under the public school system, you ought to allow them to remain there until they themselves indicate their wish to go elsewhere.

Mr. DAVIES (P.E.I.) It is carrying compulsion to an absurdity if you adopt this clause. My hon. friend says you are legislating to give the minority certain rights. How is the minority to speak. There is only one way, and that is to get the majority of the minority to speak. The proposition that this Bill should be amended by providing not only that five heads of families should, of themselves be entitled to separate schools, even if ten were opposed to it, but that the majority of the Roman Catholic heads of families in a certain place must petition for a separate school system before you could establish it.

Mr. FOSTER. Is that what the member for Quebec (Mr. Langelier) wants ?

Mr. DAVIES (P.E.I.) That is my proposition, anyway.

Mr. LANGELIER. This is what I said : If we are to maintain the other portions of the Bill, this should be altered. I suggest as an alternative that we might adopt the system which exists in Quebec, and I believe that system is in Ontario also, and it has worked well.

Mr. LaRIVIERE. And this system has worked well for nineteen years in Manitoba. The hon. gentleman loses sight of the fact that in Manitoba we will have to assess real estate here and there which belongs to Roman Catholics, while in Quebec you can take a whole district and form a school corporation.

Mr. LANGELIER. I am not aware of any difficulty in Quebec in the working of the law there.

Mr. LaRIVIERE. And I am not aware of any difficulty in Manitoba in the working of this law.

Mr. LANGELIER. It works no injustice to anybody in Quebec. They have a choice to remain with the majority or minority whichever they like. Under this Bill, the result will be that five heads of families can compel the whole of the Roman Catholic minority in a locality to form separate schools.

Mr. FOSTER. No, no.

Mr. LaRIVIERE. If the hon. gentleman (Mr. Langelier) wants to protect the public school system in Manitoba as against this separate school system, he had better say so right away.

Mr. LANGELIER. We are proposing a system of separate schools for Manitoba, and the best thing we could do would be to take the system in Quebec.

Mr. LaRIVIERE. No, Sir ; we want our system as it existed.

Sir ADOLPHE CARON. Five heads of families cannot impose their will upon the forty-five mentioned by the hon. gentleman (Mr. Langelier). Those who do not wish for a separate school have only to give notice that they wish to belong to the public school.

Mr. DAVIES (P.E.I.) But why should you place the onus on them of getting out ?

Sir ADOLPHE CARON. There is no onus at all.

Mr. DAVIES (P.E.I.) There may be twenty in a district who may not agree to separate schools, but they will have to agree until they get out by giving notice.

Sir ADOLPHE CARON. What hardship is it to give notice.

Mr. FREMONT. There is a difference between the system in the province of Quebec and the system in the province of Manitoba. In the province of Quebec we have dissentient schools, and those who want them must make a declaration to that effect. They naturally form part of the schools of the majority. But in the province of Manitoba the law which existed before the Act of 1890, and which we intend to re-enact, is a separate school law. There are the public schools for the different creeds and there are the separate schools which are the schools of the Roman Catholics. The Roman Catholics naturally form part of the separate school system in Manitoba. There is no hardship whatever in those giving notice who do not want to form a separate school district. If a Roman Catholic desires to continue to pay taxes to public schools, section 28 provides that he has only to give notice to the clerk of the municipality.

Mr. MILLS (Bothwell). Why should he ?

Mr. FREMONT. There is no trouble in doing that. There is no hardship or no injustice in that. This law existed previous to 1890, and those who belong to the province of Manitoba tell me that it always worked in a very efficient way. I cannot accept the suggestion of the member for Quebec Centre (Mr. Langelier), under which the majority of the minority would decide whether or not there would be a separate school municipality. It would be an injustice, and it might deprive the minority of their separate schools.

Mr. LANGELIER. I am afraid I did not make myself understood. If we are to maintain the Bill as it is let us require the majority of the minority, if the establishment of separate schools is to be compulsory. I would not be desirous of establishing that system, but I say, let us adopt the system of separate schools in the province of Quebec, which works so well. Give separate schools only to those who want them, and do not force them on those who do not want them.

Mr. ROBILLARD. We do not form those separate schools in the dark. Do you suppose that five heads of families would be stupid enough to start out to establish a school without consulting the rest of the minority. We call a public meeting, and if the majority are against a separate school they cannot be forced to it by the heads of five families, because they would say we will not contribute, and so the heads of five families would not be stupid enough to proceed and to support their school themselves. The law of Ontario used to be that we had to give notice every year, but now once you give notice you remain a separate school supporter until you recall it. There is no great hardship in that.

Mr. PATERSON (Brant). The hon. member (Mr. LaRivière) said that if the member for Quebec (Mr. Langelier) wanted to keep the present Manitoba school system in operation, there was nothing better calculated to do so than if we adopted the suggestion he made. That suggestion was that those who are desirous to form a separate school shall be at liberty to do so. There can be no other inference drawn from that statement of the hon. member (Mr. LaRivière) than that the minority in Manitoba do not want separate schools. He is afraid to trust them. If they do not want separate schools, he wants to compel them to have them. If this suffering minority are in favour of separate schools, why do you not leave it to themselves to say whether they are or not. You want five families to compel forty-five families in the district to come in. That is an emphatic declaration that the minority do not want separate schools.

Mr. ROBILLARD. It is practically the same thing in Ontario and do we not trust the minority there?

Mr. MILLS (Bothwell). If there are twenty-five Roman Catholic families in the district, you propose to allow five families to compel the other twenty families to adopt a separate school, whether they want it or not. The hon. gentleman (Mr. LaRivière) seems to have no confidence in this system. If he has not undertaken to mislead the House in this matter, then he ought to leave it to say whether they will come in or not, and let them judge for themselves. I am willing and anxious to see the minority get the rights they were entitled to under the compact, but I am not willing to force upon them that which they do not want. What right has this House to force them to give notice to the clerk of the muncipality ? They are free men, over twenty-one years of age, and they ought to be allowed to judge for themselves. But the hon. gentleman (Mr. LaRivière) undertakes to bulldoze the minority.

Mr. LaRIVIERE. A milder word, please.

Mr. MILLS (Bothwell). What we should do here is to see that those who want separate schools should have them, but those who do not want them should not be compelled to have them.

Mr. LaRIVIERE. The hon. gentleman is arguing about something that does not exist. By this Act we are re-establishing the separate schools we had, and we merely want the same law which we had before, and which worked so satisfactorily. Now, what will be the consequence of the law. In one case we will have a number of ratepayers applying to be organized into a school district, who can not get all the signatures of those who would be called upon to contribute to the support of the school, because there is the case of non-residence. After the district is organized, if there are any ratepayers who do not wish to contribute to the maintenance of that school, all they have to do is to give notice to the clerk of the municipality and they are exempt. On the other hand, we have some parishes in Manitoba where there is not a single Protestant family. You want to limit the school to those people who apply for it, and those who do not apply would have no school at all, because there is no public school in the district. We now maintain our private Catholic schools in these parishes, and there are no public schools there. I could name a dozen parishes in Manitoba, some of them having seven or eight schools, among which there is not one public school. If we have to organize these schools as they existed before, a certain number of ratepayers will apply, while you would confine the organization of the school district to those who sign the application for its establishment, and the rest of the parish would be thus exempted from school taxes altogether. A bachelor or a Catholic non-resident would not be called upon to contribute to the maintenance of these schools at all. You will hamper the working of the Act, and exempt people who should be called on to contribute to the support of these at all, if they have not applied for the same. You will hamper the working of the schools. The system proposed by the Bill is perfectly good, and the only inconvenience is that when the district is organized, one who does not wish to join it gives notice, and that is the end of it ; and if he comes back, he is included again. This proviso is something new ; it is one of the concessions granted, in order that those Roman Catholics who might wish to avail themselves of the public school system will be free to do so. I do not think the hon. gentleman will consider this unreasonable.

Mr. LANGELIER. The more I hear the proposed system defended, the more unjust I find it. If a number of Roman Catholic families want to have a separate school, it is only necessary for five of them to petition the municipal council. As soon as that petition is presented and the school district is formed, the rest of the Roman Catholics in the district, whether they wish it or not, form part of the organization, and from that moment are assessed for the support of separate schools. If any one wants to be exempted from the assessment, what has he to do ? Under section 28, subsection 3, he must give to the secretary-treasurer of the separate school district, and the clerk of the municipality, a written notice to that effect at any time prior to the completion of the assessment roll. He must give two notices, these notices must be in writing, and he must know at what time the notice must be given ; otherwise, he will have to pay the tax.

Mr. LaRIVIERE. When he pays it he will find out.

Mr. LANGELIER. I do not think he should be compelled to pay the tax. Those who want the separate schools should be allowed to have them, but those who do not want them should not be compelled to support them.

Mr. LaRIVIERE. Will my hon. friend tell me whether, in the province of Quebec, any ratepayer is allowed to exempt himself from paying school taxes because he says he does not want a school ?

Mr. LANGELIER. In the province of Quebec every one must form part of some school organization. If there are not a sufficient number of dissentients to form a school, they cannot dissent. The minimum number of children for a school, under the Quebec law, is fifteen ; if there is not that number, they must pay taxes for school purposes to the commissioners of the majority. There is no injustice in what I am proposing because under the law it will be necessary to have five heads of families, at least, to have a separate school ; but I do not want to assist the passage of a law which would compel people to pay taxes in support of a system of separate schools for which they do not care.

Mr. DICKEY. This Bill, as I understand, is for the relief of minorities on conscientious grounds. Under the old system in Manitoba, all Roman Catholics were obliged to contribute to Roman Catholic schools whether they wanted to or not. I could not agree to the proposition that a majority of the minority should petition for a school. That would not meet the point of the hon. member for Quebec Centre (Mr. Langelier), because the majority of the minority would then be coercing the minority of that minority on matters of conscience, which would be quite as objectionable for the Protestant majority to coerce the Catholic minority. It is impossible for the hon. gentleman to say that, under this Bill, there is coercion of any portion of the minority, because section 28 provides an absolute choice. The difference is that a Roman Catholic must take certain steps before he is withdrawn from the separate school system.

Mr. MULOCK. You start with a presumption.

Mr. DICKEY. We start with a presumption, if you put it that way. This Bill, being based on the assumption that it is required to meet the conscientious convictions of the Catholics of Manitoba, all practical injustice will be removed if every Roman Catholic has a right to withdraw from the separate schools if he chooses to do so. When he makes his election, that settles the question. It may be said that that is putting a man in a false position—that he will be influenced to stay in the schools. You cannot except a man from influence of that kind. It is purely a matter of convenience to him. Five heads of families who may sign a petition for a school, will not as practical men do so unless they see a way ahead of them to support the school, and there is nothing in the Bill to compel them to do so. That, I admit, would be an act of tyranny. I think the proposition in the Bill which is the old practice, is the most convenient, and should be adopted by the committee.

Mr. MILLS (Bothwell). Let me show you how the system would work. There are, I believe, at present in the province of Manitoba forty-five schools in districts where the people are all Roman Catholics, conducted under the present public school law.

Mr. LaRIVIERE. That is not a fact. I do not think there are ten.

Mr. MILLS (Bothwell). The hon. gentleman does not speak from his own knowledge of that. I speak from reports made to me from persons who are supporting those schools. They are treated as public schools ; they have religious instruction, just as they had under the former system, at all events after half-past three o'clock ; they are taught by Roman Catholic teachers ; they are practically separate schools, which are receiving public aid, just like the other schools of the province. The hon. gentleman's proposition will have this effect—that if five people sign a petition for a separate school, every one of those schools is disorganized, and they cease to receive provincial aid or to be treated as provincial schools. They come under this law, although there might be fifty heads of families in that section who did not desire to be interfered with.

Mr. DICKEY. We must presume that ordinary motives will actuate men. The hon. gentleman mentions the case of a school sharing in the legislative grant, and giving religious education, and satisfying the people. There is no earthly motive for men to desire to change a system with which they are entirely satisfied. A fraudulent application might be made by five persons who wanted to wreck such a school.

Mr. MILLS (Bothwell). Will the hon. gentleman say, if five persons in such a district were to apply under this Bill to be organized into a separate school district, whether that would not make every member of that school district a supporter of the new school ?

Mr. DICKEY. Prima facie it would ; but all that the members of that school section would have to do to make such an insane action impossible would be to give notice that they did not want to join the school section.

Mr. MILLS (Bothwell). I ask the hon. member for Provencher if he does not expect that every one of those institutions will organize under this Act.

Mr. LaRIVIERE. Yes, I do, because those people have been induced to accept the Government grant, and, contrary to the law of 1890, the inspectors have shut their eyes to the fact that they continue to use books in the schools that are not authorized. It was just to enable opponents of the Bill to come here and say that 42 school districts have accepted the law ; and, contrary to the Act, they have allowed those school districts not to change the teaching in the schools, but to say as many prayers as they choose. When the teacher was making his return, all he had to do was to draw his pen through those parts of the report he could not swear to, and that was allowed under the system. What is the consequence ? Since attention has been called to these facts, all these school districts have been deprived of the grant. There are not ten left under the present law, because they were allowed to break the law in order to be induced to come in, and that is used as an argument that the law is acceptable to the people. It was treachery, and nothing else.

Mr. DAVIES (P.E.I.) I cannot dispute the facts——

Mr. LaRIVIERE. I can read to the hon. gentleman twenty affidavits made out by statements.

Mr. DAVIES (P.E.I.) I accept the hon. gentleman's statement for the moment. I have under my hand Inspector Young's report, in which he makes the statement that 32 schools are working under the Act, and that the conscientious scruples regarding religion are respected, and they use the books and prayers they like.

Mr. LaRIVIERE. Against the law.

Mr. DAVIES (P.E.I.) What I am pointing out is that, whatever the technical meaning of the Manitoba law may be, in its practical operation it is so worked that these people have no grievance at all. The same wisdom, moderation, common sense, conciliation and fair-play which prompted Nova Scotia and New Brunswick people to work their system so that justice might be done to those who had conscientious scruples against sending their children to a school where they could not get religious education, have prompted the people of Manitoba to work their schools in the same way. The argument of the hon. member for Bothwell is unanswerable, so far as the school districts are concerned. Supposing there are 20 of them, and they want to remain as they are, we are passing a law to break up these school districts, whether the people wish it or not, at the instance of a small minority. Is that fair ? By your plan you allow a small minority to overrule the will of the majority and break up the existing system.

Mr. SPROULE. I see by this report of the Minister of Education of Manitoba that there are 37 schools already organized and in operation. If this Bill becomes law, any five heads of families can break up every one of those schools. It does seem to me that it would be fair to allow these people to be regarded as public school supporters, and, if they want to get out, let them give notice and get out.

Mr. DUPONT. (Translation.) Mr. Chairman, I do not share in the opinion of the hon. gentlemen who contend that the Roman Catholics are not presumed to belong to the Catholic school system or to become the supporters of such schools by the very fact that they are Roman Catholics, and I believe that the absolute choice provided under this law for those Roman Catholics who wish to contribute to the support of public schools, is a sufficient ground for protecting the freedom of those who do not wish to belong to the public school system. I move, therefore, Mr. Chairman, that section 10 now under discussion be amended by adding after the words "neglect of any council" in the sixteenth line, the words "during 30 days."

Mr. DAVIES (P.E.I.) I do not think the Government should force this section on the committee in its present shape. This House has pledged itself to extend to the Roman Catholic minority certain religious rights in the matter of education, but this House has not pledged itself to force upon them, against their will, any right or privilege they once enjoyed. This House has not pledged itself to enable a small minority of the Roman Catholic minority to coerce their fellow-citizens and compel them to adopt a system to which they may be averse. This enables five ratepayers to break up public schools now established. Why should the will of five men prevail against the will of the majority ?

Mr. LaRIVIERE. All they have to do is to give notice.

Mr. DAVIES (P.E.I.) Why force them to give notice ? The hon. gentleman (Mr. LaRivière) says that if you leave it to them they won't come in.

Mr. LaRIVIERE. I did not say that at all. I said that my opinion was that these people will be only too glad to come under the system. They are not compelled to, and we cannot compel them under this Act. This new provision which did not exist under the old law enables them to remain under the public school system if they choose.

Mr. DAVIES (P.E.I.) I move in amendment that the following be added to the clause :—

> **Provided also that no Roman Catholic head of a family shall be considered a supporter of such separate school, unless he has signed such petition, and provided further, that any Roman Catholic head of a family in any such district so organized, may become one of the supporters of such separate school by giving notice of his desire to do so to the clerk of the municipality in which such district is situated.**

This will enable those who want separate schools to have them, and those who do not want them need not have them.

Mr. McLEOD. Under the Bill, no member of the minority need spport a separate school unless he wants to.

Mr. DAVIES (P.E.I.) There are a number of schools of the minority which have come in under the public school system, and they are allowed to teach whatever prayers they like.

Mr. LaRIVIERE. Against the law.

Mr. DAVIES (P.E.I.) Never mind, they are allowed.

Mr. LaRIVIERE. They were allowed at that time, but they are not now.

Mr. DAVIES (P.E.I.) This clause will allow any five ratepayers to break up these schools.

Mr. FREMONT. Not at all.

Mr. POWELL. Your amendment reverses the provision made in clause 10.

Mr. DAVIES (P.E.I.) I stop coercion.

Mr. POWELL. Is that for the country or for the Bill ?

Mr. DAVIES (P.E.I.) It is for you.

Mr. MILLS (Bothwell). The Minister of Justice admits that any five heads of families can break up these forty-five schools, in which they are teaching religion in Manitoba.

Mr. LaRIVIERE. My conviction is that these people will come back under the separate school system, because they were dragged into the other system. This clause will not break up at all any public school.

Mr. MILLS (Bothwell). Why not allow them to continue as they are when they are giving religious instructions satisfactory to the minority. You propose to allow any five persons to disorganize these districts. I say it is a mischievous provision.

Mr. POWELL. This Bill entitles them to organize a separate school district, but not to disturb any public school district.

Mr. SPROULE. It says distinctly that they can rearrange districts and so break up the present schools. There are forty-five of those schools now as given in the report on the public schools.

Mr. LaRIVIERE. There are not ten out of that number now.

Mr. McLEOD. The basis of this Act is a separate school Act, and that being so, is it not reasonable that we should allow those who do not want separate schools to get out of it. The separate school system is the basis of this Act, and if any of the minority do not want it they can get out of it.

Mr. CAMERON (Inverness). These forty-two schools in Manitoba are allowed to teach religion in violation of the law, the same as is done in Nova Scotia and Prince Edward Island. This Bill therefore only gives them by law what they have by practice.

Mr. DAVIES (P.E.I.) If it did that I would have no objection to it, but it allows them to break those schools up.

Mr. NORTHRUP. Why not break them up if they are illegal ?

Mr. DAVIES (P.E.I.) That is not our business.

Mr. NORTHRUP. Better put a stop to that illegality.

Mr. CAMERON (Inverness). So anxious are they to have the separate school system that they have refused to adopt the public school system, and the authorities wink at the illegality. In some places the feeling is so strong, and the prejudices are so strong, that they have refused to permit these illegalities. There are cases of very great hardship in New Brunswick and Nova Scotia under the existing condition of things. In Newcastle, N.B., where the minority paid $20,000 for a school building in that town, they receive not a single dollar of provincial aid for their school, simply because they are Catholics. These schools are in exact accord with the law except that they teach religion ; and under this Bill, these schools would be legalized. It would not interfere with the districts at all.

Mr. FREMONT. I think what the hon. member for St. John has said is very striking. We established separate schools, and there is a presumption that those who have petitioned the Government, and for whom this law is brought forward, are in favour of separate schools.

Mr. DAVIES (P.E.I.) Why will they not sign the petition, then ?

Mr. FREMONT. It is not necessary, and there may be several reasons. I will give the hon. gentleman one reason. The presumption is that they desire a separate school and, acting on this presumption, it is quite natural to suppose that they form part of the separate school district until they have made a declaration to the contrary. The hon. member for Queen's started on the assumption that when five Roman Catholics sign a petition to organize a separate school district, they are the only persons in favour of the separate school in the district. I say that assumption is altogether false. The presumption is that those five have started the movement to organize a separate school; but naturally those who are Roman Catholics in the district, and have not shown their intention to the contrary, are to be presumed as joining in the movement. Now, to illustrate that this presumption is the proper one, suppose I own a farm in Manitoba and reside in Quebec. I am Roman Catholic, and I favour the separate school system ; but I do not reside in the locality and am not in a position to sign that petition According to the contention of the hon. member for Queen's, I am supposed to be against the separate school system, whereas the fact is quite the contrary. This example, I think, shows clearly that it is an improper assumption to say that those who have not signed the petition are opposed to the separate school system and desire to form part of the public school system. Of course, I am not at all in favour of a system of coercion, by which they would be obliged by law to form part of the separate school system. I am in favour of their having the privilege of forming part of the public school system if they prefer ; but so long as they have not formally expressed their objection, the presumption is that they desire to form part of the separate school system. Another point that has been made is that the action of five heads of families in petitioning for the formation of a separate school district would disorganize the public school district. I believe that is not well-founded, for the reason that the moment that petition is made, the public school is not disorganized, and the separate school organized immediately. It always takes a certain lapse of time—a few days, or perhaps a few weeks—for that to be done ; and during that time the Roman Catholics who desire to form part of the public school system have ample time and opportunity to exercise that option. For these reasons, I believe the principle of the clause is essential to the separate schools and should be accepted.

SATURDAY, 11th April, 1896.

Mr. MILLS (Bothwell). I think that this provision is a very mischievous one, and that the intention of including it in the Act was frankly disclosed by the hon. member for Provencher. The hon. gentleman mentions a presumption. I can well understand a presumption of that sort against a secular or non-denominational school ; but he must understand that these forty odd schools in Provencher and elsewhere, that have come under the Public School Act, are to all intents and purposes denominational schools. They are practically as much separate schools as they would be under this Act. It seems to me desirable to secure local action as far as possible ; and where the provincial government have removed the grievance in practice, you do not want to put barriers in the way. Yet by this provision of the Bill, you propose to put it in the power of any five persons residing in any of those forty-five school districts, composed altogether of Roman Catholics, most of them speaking the French language, and having religious instruction in the schools at the close of the day, as they had before—you propose to put it in the power of those five persons to compel every one of the other ratepayers—and there may be fifty in the district—some of whom perhaps cannot read or write, to give notice in order to escape from the meshes you throw around them. These people at the present time are receiving their share of taxes and public aid, as fully as if that power were conferred upon them by statute. They do not stand in the position of a few Catholics scattered amongst a Protestant population. These five persons may be persons who take an extreme view, and who may wish to organize under this statute; and you put it in their power to deprive the others of the local aid they now receive, by coming under this law instead of under the other.

Mr. FREMONT. Can they make an option?

Mr. MILLS (Bothwell). Why should you put them to the trouble? Many of them may be illiterate men, who cannot read or write. If the local government were to withdraw their right or privilege to teach religion in the schools, every one of them would probably come under this statute; but as long as that right or privilege is untouched by practice, it is to their interest to remain as they are. What you want to do, what your commission went to Winnipeg to do, was to induce the local government to act so as to prevent action here; yet, so far as they have acted you propose to break up the arrangement by this provision. It is not only unwise, but mischievous.

Mr. SPROULE. The hon. member for St. John (Mr. McLeod) says why not follow the system in Quebec. There, a man is presumed to belong to the school of the majority until he gives notice to go out of that school. Why not let the system obtain under this Act? If the people are satisfied with the public school system and wish to continue under it, we should allow them to do so until they express a desire to come under this law, by signing a petition for that purpose, or giving notice to the clerk of the municipality in which they reside. But the provision in the Bill is unfair, because it practically coerces them by placing upon them the responsibility of giving notice, though they may not be able to read or write, or know the form of the notice they are required to give.

Mr. MACDONALD (Huron). I think the motion embodies my views on this matter. I see from the report of the Minister of Education for 1894 that there were at that time 37 French schools which had adopted the national system in Manitoba, and I understand that eight or ten more have adopted it since that time.

They are permitted to use religious exercises in the last half hour of the day, and they appear to be perfectly satisfied with the arrangement. They have the same arrangement as prevails in Nova Scotia, New Brunswick and Prince Edward Island, with which the Roman Catholics are perfectly satisfied. Now, this clause provides that any five heads of families can urge upon the board to appoint a separate school, and that if such a school be established, the other Roman Catholics, who may not want it, must notify the clerk of the municipality. I think that the reverse should be provided. It should be provided that the application should be required to form part of the separate school system, and leave the public system.

Mr. WALLACE. In my opinion, we should adopt this amendment. It has been said that the people should be divided into two sections—that the Protestants naturally belong to the public school system, and the Roman Catholics to the separate school system. I do not share that view. When a public school system is adopted, the whole community is supposed to approve of it, unless some expression to the contrary is given, and those Roman Catholics who are now supporting the public schools should not be compelled to leave those schools unless they give notice of their desire to support the separate schools. In a district where there are forty-five Roman Catholics, five should not be allowed to dictate to the other forty.

Mr. ANGERS. (Translation.) Mr. Chairman, it strikes me that to start upon the presumption that the Roman Catholics in Manitoba are presumed to become public school supporters, until some expression to the contrary is given, would be unfair and unwise. We are endeavouring under this remedial legislation to restore to the minority the rights which have been taken away from them. Prior to 1890, the Roman Catholics were presumed to be separate school supporters. It seems but natural that they should be restored to the old status quo. It is urged that forty odd schools have adopted the national system in Manitoba, and it is contended that the supporters of that system are not presumably desirous of coming under the separate school system. This position, to my mind, is far from being as unassailable as some pretend it is. I say first that those Roman Catholics who came under the new system created by the law of 1890, are likely to have done so because they could not help it, and chiefly because certain concessions had been made to them respecting religious teaching at certain fixed hours, and also in relation to the use of school books. In short, they were compelled to come under the public school system because they had no better schools available. Moreover, such concessions as were made to them are ignored by the law, and do not constitute a permanent state of things for which any allowance ought to be made under the law. Now, Mr. Chairman, with the exception of those forty odd schools which came under the Public School Act and which are presumed, as stated, to adhere to that system, unless they express a desire to the contrary, there are found all the other Catholic schools, forming the great majority and as to which no such presumption can apply. By complying with the wishes, not to say the caprice of those Roman Catholics who would become public school supporters, a wrong would be inflicted upon the rest of the population, which is the large majority of the

Roman Catholics in Manitoba. In my opinion, there is a question of justice involved here, and we must revert to the principle of the law done away with by the Acts of 1890. To legislate in a contrary direction would be, to a large extent, denying the separate school principle which is now at stake.

Mr. MULOCK. The Minister of Justice has admitted that whilst we cannot go beyond the old law, we can legislate within it. That being so, why should you not make the number more than five heads of families.

Mr. LaRIVIERE. That is the law under the Public School Act of to-day.

Mr. DICKEY. The Bill is founded on that assumption, and adopted by the House.

Mr. MULOCK. If we are bound to go on any such assumption as that, then there is no use considering the Bill in committee. The vote on the second reading simply decided on the principle of remedial legislation, and nothing else. Why should we assume that every member of the Roman Catholic faith in Manitoba is prima facie willing to become a supporter of separate schools. There are twenty thousand Roman Catholics in Manitoba, and out of those only two hundred have petitioned for the law. Why should we be required to adhere to this number of five. It seems to me that in each district a large number of the minority, or even the majority of the Roman Catholics should be in favour of establishing a separate school.

Mr. MARTIN. It seems to be wrong that this clause should provide that all regulations must receive the sanction of the Board of Education. Why not adopt the public school law as it exists in that respect ? Why should we make any additional law for separate schools, except where the necessity of the case requires it ? If there is any dispute as to the formation of the district, and if any person thinks he is aggrieved, he has an appeal to the county judge. The system provided in the Bill was the old system in Manitoba, which was found to be a nuisance and was abolished, because very often the matter was decided by the board without the parties being properly represented ; or, if they undertook to get representation before the board, it was both very expensive and very inconvenient, because the Board always met at Winnipeg. It might take the parties two or three weeks to go to Winnipeg, while the county court judge is always accessible to the school district, and he holds sittings three or four times a year. I would like to know why the Government have adopted the old law rather than the new, in that respect.

Mr. DICKEY. The hon. gentleman will admit at once that the cases are not parallel —the public school system and this. I have no doubt that he is endeavouring to make a workable Act ; but he will see that if the various municipal councils in Manitoba were left to deal with this matter, it might imperil the whole working of the Act. The municipal councils are not elected on this question ; it is no part of their regular duty to form these school districts, and they might consider it a matter thrown upon them, and refuse to touch it at all. Therefore, by throwing this duty upon them, you might be unable to have a single school district in the province formed, and so render the whole Act unworkable. So it becomes necessary to put it directly upon the board. Then, the question arises, what commissioner shall we adopt ? The old machinery seemed to be as good as any that could be got ; and in subsection "e" of section 4 we have given the board power to make regulations for the formation of these school districts by the municipal councils. That was discussed before, and, while there was a difference of opinion, there was no substantial division on that.

Mr. MARTIN. That is one of the unfortunate circumstances of this continued sitting ; we cannot all be here at one time, for I certainly would have objected to that subsection, if I had been here. That provision in the old law was deliberately changed, without any reference to the question of separate schools at all, and I do not see why you should make a different law from the public school law in that respect. Why should we undertake to say that we know better than Manitoba in a matter of this kind ? The Manitoba legislature, in which the Roman Catholic faith is pretty well represented—I fancy, fully represented, because there are six or seven Roman Catholic members out of forty—have deliberately changed the old law, which worked very badly, and have made the appeal to the county court judge, for the reasons I have pointed out. This board is to take the place and perform the functions of the Department of Education with regard to separate schools. The Department of Education has nothing to do with the formation of school districts. That is a judicial matter, involving the determination of a question between two sets of men, therefore it should go to the county court judge, rather than to the Board of Education.

Amendment negatived.

Section, as amended, agreed to.

Mr. MARTIN. I had risen to address the Chair, Mr. Chairman, when you called out "carried," and I certainly think that I should be given the opportunity to press a further amendment.

Mr. LaRIVIERE. You can do that on the next section. You can find fault with the next one.

Mr. MARTIN. I do not know. I have not looked at the section yet ; I will find fault with it if there is any to find. That is what we are here for. I must ask you, Mr. Chairman, in fairness, to revise your decision, and allow me to go on discussing the clause.

The CHAIRMAN (Mr. Joncas). It is too late now, because I have declared the clause carried.

On section 11,

11. In case of the readjustment of any school district subsequently to an issue of debentures by such district, and before the said debentures have been fully paid, all lands added to the school district by such readjustment shall thereafter be liable to taxation in common with the remaining portion of the school district for the purpose of meeting payments on such debentures as they become due ; and all persons assessed for land detached from any school district after an issue of debenture in such district and before the said debentures have been fully paid, shall in case of their assessment for the payment of debentures in any other school district, be entitled to receive back all sums for which they may hereafter be assessed for payments on debentures in any school district except that in which they then reside.

Mr. MARTIN. I do not think we should make the law different from the public school law except where necessary. If the circumstances are the same for the separate school as the public school, we should adopt the law in force in Manitoba for public schools, and apply it to these separate schools. You take a quarter section of land out of district No. 12 has issued debentures. There is no means of reaching that quarter-section for those debentures. My impression is that this clause, which is copied from the law of 1884, was founded in that law on the erroneous opinion that the debentures were in some way a lien upon the land. But the only way you can reach the land for debentures is by assessing it and having it sold for taxes. If the land goes out of the district that district cannot tax it any more. If a man has been taken out of the district he cannot possibly be made to pay for the debentures issued before he left.

Mr. DALY. The trouble is that taxes have been levied in the meantime, and the land is liable. He may not have paid his taxes for the school section and he goes out of the district, the land should only be liable for his portion of the taxes due before the readjustment. If this provision were not in the Bill the land which he owned in the district at the time the debentures were issued would still be liable. Those who purchase the debentures, purchase them on the strength of their being liens on the land. That is their security.

Mr. MARTIN. I have looked into this matter most thoroughly, and I know that there is no possible means of enforcing a lien on the land if it has gone outside of the district. That lien is not in the nature of a mortgage under which you can proceed by equity of redemption.

Mr. POWELL. Where a party resides he is liable to pay his school tax, and by virtue of the lien the land is responsible for the debentures that attach to the district of which it originally formed part. He is only to be responsible once, and he is to be responsible in the district in which he now resides. He must, therefore, be recouped by the first district when he is assessed in both.

Mr. MULOCK. The clause requires amendment in the last line. The words "in which they then reside" should be replaced by the words "of which the detached lands form a part." It is not where the parties reside that is taken into account, because the parties may not reside in the province at all, but where the lands are situated.

Mr. DALY. I do not think there is any difficulty in the clause at all. It seems to me that the amendment suggested by the hon. member for North York (Mr. Mulock) would clear the meaning ; that is, to strike out the words "in which they then reside," and put in the words "of which they then form a part." I am quite willing to accept that.

Mr. MULOCK. I think there is a weakness in the clause from the standpoint of the debenture holder, for it provides for the diminution for the security without his consent. The return of taxes to any one who becomes detached from the school district lessens the security to that extent. If he is paid back the taxes, it is the same as if he had never paid them at all.

Mr. MARTIN. A school district cannot have power to mortgage the land for the school debt, because it does not own the land. All the debenture holders can do, in case of non-payment, is to take out a writ of execution against the school trustees, and the sheriff will then be empowered to levy the amount of the writ by rate on the assessable lands in the said school district. He can only levy on the lands which are in the school district at the date of the writ, and cannot touch any lands which may previously have been transferred from that school district to another. Now, if you give a man, as you do by this clause, the right to recover from the old school districts in which his land originally was, any sums assessed for payment of debentures issued in that district, you are by that much diminishing the security of the debenture holder. I don't see the necessity for this clause at all, and I move that it be struck out.

Amendment (Mr. Martin) negatived.

The CHAIRMAN (Mr. Joncas). The question now is on the amendment of Mr. Mulock, that the words "of which the detached lands form part" be substituted for the words "in which they then reside" at the end of clause 11.

Mr. WELDON. I move to add to section 11 the words :

And no person shall be liable to assessment for any issue of new debentures on land detached from any school district until the former issue of debentures has been paid off.

Mr. WALLACE. It is perfectly clear that we cannot come to any understanding on this very much mixed clause. The lawyers have been trying to do so for the last two hours and it is getting worse. They cannot understand it at four o'clock in the morning, and I think it is time to move that the committee rise.

Amendment (Mr. Weldon) negatived.

Amendment (Mr. Mulock) negatived: yeas, 20; nays, 33.

Section agreed to.

Mr. McNEILL. I really think, Mr. Chairman, that it is not right to go on any longer at this hour, and I therefore move, seconded by Mr. Wallace, that the committee rise, report progress, and ask leave to sit again. In fact, I would have moved this long ago had not hon. gentlemen apparently desired to dispose of the clause they have been discussing. I do not know whether my hon. friend who is now in charge of the Bill intends to let this motion carry or not.

Mr. DALY. I do not.

Mr. McNEILL. He says he does not. We are not now discussing the Bill. We are discussing the propriety of keeping this House in session from Monday at three o'clock till Saturday at twelve o'clock. One would have thought it did not require a great deal of discussion to induce any reasonable man to come to the conclusion that that is altogether wrong. I would like to see this Bill more fully discussed, because the more it is discussed the more clearly it is seen that it can be a measure for no good. It is evidently because they fear to have its absurdities exposed by discussion that hon. gentlemen are taking the course they are, because they know that the way to prevent progress with or discussion of the measure is to insult this House, as they are doing.

The CHAIRMAN (Mr. Joncas). Surely the hon. member for North Bruce knows as well as I do that he owes some respect to the House of Commons, and I would ask him to discuss the motion now before the committee with that seriousness which is due to the committee and this House.

(Mr. Wallace supported the motion that the committee rise.)

Mr. FRASER. We have now been sitting for 110 hours, and we cannot be expected to give any intelligent consideration to this Bill. Looking over this whole Bill, I do not think I ever saw an Act of Parliament so unskilfully drawn. The truth is, I believe, that it was not drawn by any member of the Government, but by some one outside of the Government. I see three members of the Government here, and I venture to say that not one of them read this Bill before it was presented to the House.

Mr. OUIMET. Perhaps the hon. gentleman would like to be enlightened on that subject. The Act was first prepared by the Department of Justice, it was then submitted to a sub-committee of Council, who examined it several times, clause by clause, and it was then submitted to the whole Council, and discussed clause by clause in Council, and that several times.

Mr. FRASER. Then, where could these men's eyes have been when they permitted section 8 to pass as it stands in the Bill? It deals with the duties of one superintendent at the beginning, and before the end of the section is reached, it speaks of "their respective jurisdictions," as if there were two, showing plainly that the section was simply clipped from the old school law, under which there were two systems of schools, instead of being properly re-drafted.

(Mr. McNeill spoke in support of the motion.)

Mr. TYRWHITT. It would appear that a melancholy spirit has taken possession of this Chamber, possibly owing to the fact that even all our efforts will not enable us to crystallize this Bill into legislation this session. I apologize, Sir, for what I said in your absence the other evening, and I do so with very great pleasure because of the fact that you appeared here this morning at twenty minutes past six o'clock. I see that you are making heroic efforts to retrieve your character, and I must congratulate you on being an early riser. It appears to me from the remarks of the hon. gentlemen in this House, that they have not read this Bill, and, therefore, in order that they may know what it is, I propose to read the 112 clauses. It is now seven o'clock, and I think I shall be able to accomplish that task in half an hour.

(The hon. gentleman proceeded to read Bill (No. 58) the Remedial Act (Manitoba).)

Mr. MACDOWALL. We have already had the first reading and the second reading of this Bill, and, I presume, that the House will consider, after the hon. gentleman has finished, that the Bill has been read the third time.

Mr. WELDON. Mr. Chairman, I must take exception to that.

(Mr .Tyrwhitt continued to read the Bill.)

Mr. JEANNOTTE. You are going too fast.

Mr. TYRWHITT. My object is to get on with the Bill. The object which we have had from the outset has been to expedite matters, and, if I may use the term, to rush this Bill through the House as rapidly as possible. I have just got through clause 13. Here I would like to stop and compute how long it would take me to finish the reading of the Bill, but as clause 13 is an unusual number, and I cannot very well divide 13 into 112, I think I shall proceed a little further before making the calculation.

(The hon. member read clause 14.)

Mr. WELDON. The hon. gentleman has been twenty-five minutes reading 14 clauses, and as 14 goes in 112 eight times, it will take him three hours and twenty minutes to finish the Bill.

Mr. TYRWHITT. Having undertaken the task, I am determined to go through with it if it takes all day.

Mr. JEANNOTTE. Read it in French.

Mr. WELDON. I do not wish to interrupt the hon. member, but I would like the ruling of the Chair on the question of a quorum. I have been counting carefully, and there are clearly not twenty members present who are awake. I would ask if hon. members, whose minds are away in a far country, come within the meaning of the statute regarding a quorum.

Mr. IVES. I do not think the point is well taken, because if you hold that it is, you must hold that it is also requisite that a member of Parliament should have sensibility of mind.

Mr. TYRWHITT. Clause 18——

Mr. WELDON. I think the member for Simcoe should treat the point of order with some respect, and wait for a ruling from the Chairman.

The CHAIRMAN (Mr. Mills, Annapolis). I do not think there is occasion for any ruling. I consider it trifling with the committee to raise such a point of order.

Mr. WELDON. Then you rule that there are twenty members present, counting those who are asleep.

Mr. TAYLOR. I rise to a point of order. Is it not contrary to the rules of the House for an hon. gentleman to have his feet on top of a desk ?

Mr. MARTIN. To whom does the hon. gentleman refer ?

Mr. TYRWHITT. I would like to draw your attention to the fact, Mr. Chairman, that the hon. member for Leeds (Mr. Taylor) is obstructing the Bill. I am being constantly interrupted, and amongst my interrupters is the hon. member for Leeds, who professes to have such faith in the Bill, and is so anxious to get it passed this session. Clause 20——

Mr. JEANNOTTE. I would like the hon. member to talk French a little.

Mr. TYRWHITT. Je parlerai français plus tard. Clause 21——

Mr. JEANNOTTE. I rise to a question of order. The hon. member for Alberta (Mr. Davis) has his feet above his head. I think he is out of order, and wanting in respect for you, Mr. Chairman.

Mr. TYRWHITT. I must protest against these interruptions. I repeat what I have already said, that I am most anxious to get through with the Bill. It appears to me that I have undertaken a very heavy task.

Mr. MACDOWALL. I asked the hon. member to hand me his bill, and I would settle it for him, but I think he does not want a settlement.

Mr. TYRWHITT. I have only got through 21 clauses, and I have been more than half an hour about it.

Mr. JEANNOTTE. I suppose the hon. member had not read the Bill before, and he wants to read it now to see what is in it.

Mr. MARTIN. I draw your attention to the fact, Mr. Chairman, that an hon. member is playing on a mouth organ.

Mr. TYRWHITT. It appears to me that in the course of our proceedings on this Bill, a certain part of the time should be allotted to music. Perhaps it would be as well for me now to allow the musical part of the entertainment to proceed. But I am subject to your ruling, Mr. Chairman. If you rule that the musical portion of this entertainment shall now proceed, I am quite prepared to wait and allow the hon. member for L'Assomption to proceed.

Mr. GUILLET. It is evident that the music is promoting harmony.

Mr. TYRWHITT. "Provided further——

(The hon. gentleman continued to read the Bill ; and also read in French from a work of Lamartine.)

Now, Sir, I have fulfilled my promise of reading the Bill, I have not only read the Bill myself, but I have read the Bill to the members of the committee, who are attempting to do their duty to their constituents and to their country. I feel that the members of the committee are making a great sacrifice in remaining here at this hour in the morning, for the purpose of considering this Bill. Allusion has been made to the health of the members. I feel that I am here sacrificing myself on the altar of my country, in attempting to do my duty to my country and to the county which I have the honour to represent.

Mr. CAMPBELL. The conduct of the Government during the last few days tend very strongly to confirm the popular impression that they do not intend, and never did intend, to pass this Bill. Although some of their friends seem yet to have faith in their good intentions, I believe that the majority of the people now are beginning to think that they have been fooling this House, and trying to fool the people, in fact that they have never been in earnest. I confess that when I survey the situation, and the conduct of the Government during the last three months, I am strongly of that opinion myself. If we take a retrospective glance at the course of the Government ever since the time when last year they promised to call another session early in January to pass this Bill, we can come to no other conclusion than that they have been insincere from the beginning. They had had ample warning from some of their most influential supporters that these supporters were unalterably opposed to the Bill, and would do everything in their power to prevent its passage. Prominent among these gentlemen was the hon. member for West York (Mr. Wallace) who gave up a situation in the Government worth $5,000 a year, rather than sacrifice his principles in regard to this measure. Notwithstanding the importance of this Bill, its second reading was delayed until two months after the opening of the session. The Budget debate was allowed to proceed to an unprecedented length, and for some time afterwards the Government abstained from applying for additional days. In introducing the Bill the Secretary of State dwelt on almost every possible topic and thus opened wide the discussion. At first substantial progress was made, but within a few days the Government made the announcement that they would sit continuously for some time. Subsequently the Secretary of State made most insulting and irritating statements to the Opposition, and in this way progress has been delayed. Much attention has necessarily been given to amending clause 4, which as drafted was ungrammatical, unconstitutional and would have proved useless. Clause 3, which appears to have been passed in undue haste, is now under the re-consideration of the Government with a view to its rejection. The proper course for the Government to have pursued was to have presented the Remedial Bill at the opening of the session, to have referred it to a select committee composed of leading members on both sides of the House. The Budget debate could then have been proceeded with during which time the Bill would have received the careful consideration of the committee, and within a reasonable time they would have reported a comparatively perfect Bill, which no doubt could have been passed through the House this session. A similar course was followed in respect to the Criminal Code Bill, introduced some years ago, although it was not a measure of such importance as the Remedial Bill, which it must always be remembered cannot be amended when once passed by Parliament. Throughout the discussion it has become apparent that the Government are not really anxious to pass this measure. The hon. member for Inverness (Mr. Cameron) and the hon. member for Bagot (Mr. Dupont) and other hon. members on the other side of the House will be held responsible by their constituents for not having approached the Government in the early part of the session and compelled them to pursue a course which would push forward the Bill. Who are the men who have really obstructed this Bill? Why was not the hon. member for North Ontario (Mr. McGillivray) shut off instead of being allowed for three long hours yesterday afternoon to obstruct the progress of business? Why was not the leader of the House shut off in the bitter, ugly, tantalizing, irritating, unparliamentary speech that he made the other day?

Mr. DALY. It seems to have struck home.

Mr. CAMPBELL. It struck home in the wrong quarter. It did not have the effect it was expected to have. I believe the hon. Minister of the Interior (Mr. Daly) was pleased with that speech because it did so much to obstruct the progress of the Bill, and I believe, down in his heart, he does not want this Bill to pass. I give him credit for more common sense.

Mr. DALY. I cannot accept the hon. gentleman's strange compliment. I am most anxious that the Bill should go through.

Mr. CAMPBELL. If the hon. Minister had really wanted the Bill to go through, would he not have introduced the measure in a form which would call forth less objection and criticism? Everything goes to prove that the Government are only humbugging the hon. member for Inverness (Mr. Cameron) and others who really want this Bill to become law. I wonder that that hon. gentleman, who is a shrewd, far-seeing man, did not denounce the course of the Government in delaying this Bill so long.

Mr. CAMERON. I denounce the factious opposition of the hon. member for Kent.

Mr. CAMPBELL. But I have been calling attention to the absurd position in which Parliament is placed. Here we have been sitting all night with barely enough in the House to form a quorum, and the hon. member for Leeds (Mr. Taylor), a short time ago, was running through the lobbies hunting up members to enter the chamber, for fear the number present would fall below twenty.

Mr. TAYLOR. I may just say that it was necessary for me to do that because the hon. member for Kent (Mr. Campbell) tried to count out the House, and at his bidding both members of the Opposition and McCarthyites went out.

Mr. CAMPBELL. The hon. gentleman has no foundation for that statement. I was here during the whole sitting, but had to leave the chamber for a short time, and the hon. member for Leeds, fearing there would not be a quorum, was rushing through the lobbies to send in the members.

Mr. TAYLOR. I spoiled the little job you had put up.

Mr. CAMPBELL. The hon. Minister of Public Works (Mr. Ouimet) now leads the House. He must see that it is a disgrace to Canada that we should be compelled to sit here——

Mr. STEVENSON. Who is making us sit here ?

Mr. CAMPBELL. The hon. member for Peterboro' (Mr. Stevenson) would like to see the Bill become law as it is. He does not believe in making any changes.

Mr. STEVENSON. That is right.

Mr. CAMPBELL. He is going to the Senate, I understand. I believe he had the promise of a senatorship, but during the Cabinet strike last January, the promise was lost, and he is afraid now that it will not be fulfilled.

Mr. STEVENSON. I gave the hon. gentleman credit for being a man of sense. He is talking of what he does not believe.

Mr. CAMPBELL. I esteem the hon. member for Peterboro'. I believe he is a man of Cabinet rank. I would like to see him appointed Postmaster General. I am a little surprised that the hon. member for Marquette (Mr. Boyd) has not taken more interest in this Bill. As he comes from Manitoba, he should be specially interested in this Bill. Manitoba is interested in it more than any other province. The Manitoba minority want to see a perfect Bill, a Bill that will give them the remedy they desire. Now, I do not think the hon. gentleman has done his duty to the people of that province. He should be here deliberating on this Bill, suggesting changes and alterations, and bringing to bear his ability and talents to make this as perfect a measure as possible. The hon. member for Marquette voted for the Bill all right enough, and the Government can fairly claim that he should give them every assistance in his power to pass the Bill.

Mr. MARTIN. I think that it is time the committee should rise and ask leave to sit again. On Tuesday of last week the Government very arbitrarily decided to take Saturday, so that Saturday, that is to-day, is set apart for Government business. Moreover, they decided that the House should sit on Saturday morning at 10 o'clock. It is now 9.30 on Saturday morning, and I would like to know how the House is going to sit at ten o'clock this morning if the committee do not rise and allow the charwomen time to sweep up the newspapers and clean up the House. The last clause this committee was working at was clause 11, and hon. members know how much difficulty we had in understanding it. As we found it in the Bill, it was absolutely meaningless, and after discussing it three or four hours we were obliged to leave it as it was, although we were satisfied on both sides that it was entirely meaningless. This fact shows how little care has been bestowed by the Government in drawing up the Bill in the first place. (The hon. gentleman read the Imperial Order in Council.) You will observe that this Order in Council concludes with the following paragraph :—

> Her Majesty having taken the said report into consideration, was pleased, by and with the advice of Her Privy Council to approve thereof and to order, and it is hereby ordered, that the recommendations and directions therein contained be punctually observed, obeyed, and carried into effect in each and every particular. Whereof the Governor General of the Dominion of Canada for the time being, and all other persons whom it may concern are to take notice and govern themselves accordingly.

Of course, hon. members of this committee understand that these concluding words are merely formal, and are to be found in every other Order in Council covering the decision of an appeal by Her Majesty's Privy Council. But you will be surprised to learn, Mr. Chairman, that in the election which resulted in the return of the hon. Controller of Inland Revenue (Mr. Prior) for Victoria, one of that hon. gentleman's supporters there gravely argued that on account of these formal words in the Order in Council that there was no discretion in the Dominion Parliament, but that it would be treason both in the Parliament and Government to refuse to pass a Remedial Bill for Manitoba. You would hardly think it possible that such ignorance could exist, but I assure you that on the public platform a prominent lawyer belonging to the Government party seriously urged that as a reason why the Government should pass this Bill. I would not have believed it possible, had I not been there. I did not hear the argument, but I know it was advanced, because it was discussed, and it was reported in the newspapers at the time. This shows the extremes to which people are driven to find a reason for supporting the peculiar action of the Government in connection with this Bill. I would call attention to the fact that it is now ten minutes past ten on Saturday morning. Now, this House passed an order that the House should meet on Saturday morning at ten o'clock. But this House cannot meet until this committee rises, and it seems to me that there is a grave constitutional question whether we have any right to sit, and thus prevent the House from carrying out its order. I would like your ruling on that point, Mr. Chairman.

Mr. DEPUTY SPEAKER. I would remind the hon. gentleman that this is still the sitting of Monday, even though the committee should rise now, and the House should meet, I take it for granted that we should be beginning the sitting of Tuesday. In this way, it would take us a long time to reach the sitting of Saturday. It seems to me that there are difficulties in the way of carrying the hon. gentleman's point of order into effect.

Mr. McMULLEN. It appears to me that there has been an effort by some members in this House to improve their own personal position by the course they have deemed it their duty to take with regard to this Bill. It is greatly regretted that party politics should be allowed to take any part in the settlement of a question which involves the peace, harmony and prosperity of an important province of this Dominion. This is a sad spectacle in the history of this Dominion. Now, for very nearly a week the Government has forced this House to sit, night and day in a pretended consideration of this Bill, at the risk of the health, and even the lives of members. It appears to me that a peaceful settlement of this whole difficulty could have been reached long ago were it not for the mandatory terms in which the remedial order was issued. The Government are evidently anxious to show to the minority and to their advisers throughout this country that they are overloaded with a desire to do them justice. It appears to me that by the course they have adopted in postponing the consideration of this Bill for two months after the session had been called, and by the course they have pursued since the Bill has been before the House, they have no sincere desire of passing it into law. If they had really wished to legislate in the direction of this Remedial Bill, they would have asked the House to go into committee a long time before the date when they finally took that step. But they did not do that for reasons best known to themselves. I presume that to one section of the country they want to be able to say that they were very anxious to press this Bill through to a conclusion; and to another section they want to be able to wink with their eyes and tell them they never were sincere, that they never intended to press this remedial measure. We have had too much of this kind of political humbug in this country for the past few years. It is not creditable to any party who indulge in it: and I can assure hon. gentlemen opposite that if they think by this manœuvre they are going to impose upon the credulity of the people of the country, they will find themselves very much mistaken. Now, when the Secretary of State carried a resolution that the House should sit on Saturday, it was decided that the House should meet at ten o'clock in the morning. Well, here we are at 10.30. Where are the Ministers? There is not one present, unless it is the Controller of Customs. I would like to know from him if he is so completely and intelligently in charge of this Bill that he is prepared now to go into a consideration of the 12th clause?

Mr. WOOD. Yes.

Mr. DEPUTY SPEAKER.

Mr. McMULLEN. Well, it appears to me that they must all be wonderfully well posted upon the different clauses of this Bill. The Minister of the Interior claims that he is in charge of the Bill; the Minister of Justice claims, when he is here, that he is in charge of the Bill; and the Secretary of State, when he is present, claims that he is in charge of the Bill. They all appear to be in charge of the Bill by odds, and none of them very long at a time. It is somewhat amusing. I have witnessed the passage of Bills through this House in past years. When it was a Bill that affected the Customs, the Minister of Customs usually attended to it. When it was a Bill affecting the Department of Finance, I have noticed that the Minister of Finance took charge of that Bill; and, when it was a Bill affecting the Inland Revenue, the Minister of Inland Revenue took charge of it. But here is a Bill which all the Ministers take charge of by turns, and a pretty mess they have made of it. I shall be prepared, when before my constituents at the approaching elections, to defend any act of mine in obstructing this Bill. The Opposition have invited the Government to consider the Bill from three p.m. to two a.m., and make steady progress with it. Yesterday, however, after three o'clock, the hon. member for Assiniboia occupied the time for three hours, and was followed by other members on the Government side until six, with the exception of forty-five minutes. It must always be remembered that it is impossible for members to consider this question morning, noon and night. Soldiers on the battlefield are not compelled to stand on duty day and night. Generals have more mercy than the leader of this House shows towards his followers and the members of the Opposition. The Secretary of State expects to influence votes at the approaching elections by pointing to the superhuman efforts made to put this Bill through. The hon. member for Montreal West (Sir Donald Smith) has been present in the House during two successive evenings, no doubt prepared to make a statement of his mission as one of the Dominion commissioners to the Manitoba government. If the Government had been disposed to allow him an opportunity of presenting his views on the situation, they would have put the Speaker in the Chair, and asked the hon. member to make a statement as to the prospects of arriving at a settlement of the school difficulty. But they failed to do so—an action which was very unfortunate, as undoubtedly his advice would have been most valuable. We are not willing to take Manitoba by the throat, as was unfortunately done at the time when the provincial railway charters were disallowed. I believe the Manitoba government is prepared to so adjust their legislation as to afford the relief required by the minority. I should feel ashamed of Protestants, if they were not prepared to remedy any injustice, and I earnestly hope that the legislature will adjust any differences existing and mete out to the Roman Catholic minority a full measure of relief, consistent with the development of the province and the true interests of education. The minority cannot expect that they will ever be replaced in their former position. The old system of education had its day. Advancement is needed in education, as in everything else, and I believe it is the desire of the minority that legislation should be in the direction of raising the standard of education and making it more efficient for the rising generation, in order that the children and young people of Manitoba will be placed on a par with the youth in the other provinces. We have got through an average of three clauses a day on this Bill, and have made many amendments although the Government seemed to think at first that practically no amendments would be necessary. I cannot see, under these circumstances that this sitting should be prolonged, as members cannot be expected after the committee have been sitting so long without adjournment, to give due attention to their duties here. And I trust the Government will not ask us to sit to-morrow. That would be an outrage upon the Christian sentiments of the community and upon the religious feelings of members. According to the Minister of Public Works there are very few important clauses or clauses likely to prove long discussion. In that case we must surely have finished those clauses that are most likely to be discussed, and, if we adjourn now and come together in good time after the rest we so much require, we shall be able to make satisfactory progress.

Mr. O'BRIEN. Before entering upon the consideration of matters now before the committee, I would like to say a few words with reference to myself and my position in this House. However, as I observe that the hon. member for East Simcoe (Mr. Bennett), who was present a few moments ago, is not here just now, I will defer that part of my remarks until he returns. There is one matter to which, it seems to me, sufficient attention has not been directed. It will be remembered that the Manitoba commissioners in their answer to the first memorandum of the Dominion commissioners called attention to the fact that they had made certain stipulations, one being that during the conference the Remedial Bill should be held in abeyance providing the conference did not extend beyond Tuesday next. In reply to this the Dominion commissioners say :

> We regret to find that there has been some misapprehension as to any understanding upon which the conference was proceeded with. As to the first of those matters mentioned by you ; we understand the facts to be that you insisted that no further consideration of the Remedial Bill should be pressed for by the Dominion Government until to-day (Tuesday) and that we directed your attention to the announcement to that effect in the newspapers of the day, and having every desire to meet your wishes we further promised to communicate with the Dominion Government asking that the Bill be not taken up on Friday. This communication we sent, and we were as much surprised as yourselves to find that late on the night of the Friday sitting the Bill was advanced a stage. We cannot say what consideration forced the Government to the conclusion that this step was necessary, and we sincerely regret that any misunderstanding has arisen as to a point upon which we carried out what we believed to be our engagement, and upon which we did all we could to have your wishes observed.

It is plain from these words that Mr. Dickey, the Minister of Justice, who represented the Government, fully understood—had, in fact, agreed on behalf of the Government—that the proceedings under the Bill should be held in abeyance and that he did all he could to have this carried into effect. I do not see how he could have entered into an agreement in more formal terms or how that agreement could have been stated more clearly. We have had many instances of what we thought breaches of faith on the part of the leader of the House. We had one the other night when the hon. gentleman's silence, his failure to take exception to an arrangement proposed, would natural'y be regarded among gentlemen as an acceptance of it. I was surprised that any man sitting as a gentleman among gentlemen should have repudiated that engagement. But it is of a piece with this. And I can hardly understand how the Minister of Justice can reconcile his treatment by the leader of the House or by the head of the Government which refused to carry out an engagement he had evidently entered into, an engagement which was reasonable in itself, with the respect that is due to him. How the Minister of Justice can allow himself to be placed in such a position by his leader is a thing which I do not profess to be able to understand. It does seem to me that the Minister of Justice and his colleagues on this commission have strong reasons to feel aggrieved with the action of the hon. gentleman who is in charge of the Bill in repudiating, or at any rate in not carrying out the engagements they had made. I do not lay stress upon the second part of the agreement, because upon that it would seem that there was a misunderstanding. As I see that the hon. member for East Simcoe (Mr. Bennett) has returned, I wish to speak of the matter to which I referred on rising. I pay no regard whatever and shall not attempt to reply to the personal attacks made upon myself either by that hon. gentleman nor by the hon. member for North Ontario (Mr. McGillivray). If my position in the House and in the country is not sufficiently well established for me to pass such remarks in silence, it is time I retired from political life and from public life in any form. Public life would be intolerable if matters with which this House can have nothing to do, matters which, even though they might properly at the time they occurred have been subject to controversy, have passed into oblivion, are to be dragged forward and made the ground of personal attack. And one cannot help feeling that when this line of attack is adopted, it shows great weakness somewhere, otherwise it would hardly be imagined or expected by anybody that the public would accept such an attack upon an opponent as an answer to any argument that opponent might make. What I wish to say is that upon mature consideration of the language I used with reference to the hon. member for East Simcoe and some other members of the House in reference to what I thought of their conduct with regard to this measure, I think I used language which, perhaps, the facts did not warrant; and therefore in justice to myself and in justice to these hon. gentlemen I desire to say that I had no intention whatever of using language which could be construed into an attack upon the personal integrity of these gentlemen. I used the language in purely political sense and only desired to charge these gentlemen with great inconsistency in having first voted against this Bill and then having done all they could to assist the Government in pressing it through the House. Therefore I say that, influenced not at all by the personal references to myself, but influenced only by what I think is just to these gentlemen and just to myself—because I should be sorry to remain under the imputation of having used in the course of debate language which the facts did not justify—I desire to say that, upon reflection, I think I did use words with reference to these gentlemen which, so far as I can understand the facts, were not warranted, and therefore, so far as the inference drawn is concerned, I desire to retract them. One of the strongest arguments used by the promoters of this Bill is that it is only intended to place the Roman Catholic minority in Manitoba upon the same basis as that upon which stand the Protestant minority in Quebec. I think there is a good deal of misunderstanding as to the position of the Protestant minority in the province of Quebec. I have before me a document which, I think, places the position of that minority in a light in which many members of this House have not been accustomed to view it. I shall take the liberty of reading the opinions of a gentleman, who, I think, may be fairly taken to be an exponent of the views of the Protestant minority in Quebec. I refer to Mr. Robert Sellar, editor of the Huntingdon "Gleaner," a paper published in the Eastern Townships. He sets forth the position of the Protestant minority in relation to this question in so clear a light that I shall have to ask the indulgence of the committee while I read it. The letter is written chiefly in answer to the Minister of Trade and Commerce, who, in speaking upon the Remedial Bill, argued that it was necessary to pass this legislation in favour of the Manitoba minority in order to place them on the same footing as the Quebec minority. Mr. Sellar writes:

> The keynote sounded by Sir Charles Tupper, in opening the debate on the second reading of the Remedial Bill, that what the Government proposed to do was to extend to the Manitoba minority the same privileges as are enjoyed by the Quebec minority, has been taken up by succeeding speakers, who have prolonged its tone and introduced variations of their own. It would be tedious to follow all who have re-echoed this cuckoo cry of the Government, and it will suffice to take up the speech of the gentleman who stood up in the House of Commons on Thursday and assured the members he spoke as the representative of the Protestants of the province of Quebec. From the portion of his speech we print on the first page it will be seen that he asserts:
>
> (1). That the Protestants of Quebec have separate schools.
>
> (2). That they have these schools by grace of the majority.

These words are very emphatic, Mr. Chairman, and require careful attention—that the Protestants have religious schools by grace of the majority. It will be important, in considering this question, to bear in mind the statement that it is purely by the grace and generosity of the Roman Catholic majority in Quebec that the Protestants there are allowed any schools at all; that it is owing, not to their sense of justice, not to their toleration, that the Protestants are not compelled to pay taxes for the support of what are called public schools in that province. I think the public are beginning at last to understand the distinction—at any rate, it is time they did—that the public schools of Quebec are sectarian schools, pure and simple, and that in those schools the doctrines of the Roman Catholic Church form a large portion of the education that is given. If that is so, it is clear that there is no analogy between those schools and the public schools; and if that is so, then the whole argument based upon there being any analogy between what are called separate schools in Quebec, and the Roman Catholic schools in Ontario, or those it is proposed to establish in Manitoba—this whole argument falls to the ground.

> (3). That if separate schools are now refused to Manitoba, the Quebec majority may adopt a coercive policy by so changing the character of the schools of the Quebec minority that they would become valueless.
>
> (4). That the schools of the Quebec minority depend for their existence on the right of appeal provided for in the constitution.
>
> Mr. Ives's argument rests on one point—that the Quebec Protestants have separate schools in the same sense that he, as a member of the Government, seeks to give separate schools to the Manitoba minority. If this assumption of his is true, then the force of his argument must be acknowledged. If it is not true, his plea is valueless. Let the reader then ascertain: Has the Quebec minority separate schools?

Now, that will be a somewhat startling

proposition. Mr. Sellar asks the question, and he proposes to answer it :

> On this continent a distinction is drawn between common schools and separate schools. By common schools is meant schools that confine themselves to giving an every-day education, and which are, therefore, common to all who desire such an education.

You see there he gives a definition of what is a common school. It is not a school called common with reference to the existence or non-existence of any religious teaching in it ; it is a common school in the sense that it is common to anybody who chooses to attend it. We are in the habit of speaking of common schools as if they meant a school in which religion is not taught. Mr. Sellars here draws the distinction, and points out that the true definition of a common school is a school common to everybody, which everybody may attend :

> By separate schools is meant schools that, in addition to giving an every-day education, add instruction in the doctrines and ritual of a religious denomination.

So here we have a clear distinction drawn between common schools and separate schools. We have common schools defined as being schools existing without reference to religious teaching, which is given to everybody, and which everybody may attend ; and the separate school we have defined as a school in which the religious teaching of some particular denomination forms part of the instruction given.

> The one school is open to all ; the other is shut to all children whose parents do not belong to the church whose doctrines are taught in it. Is this definition correct or not ? Would it be just to speak of a school devoted solely to imparting secular knowledge as a separate school ? We think not, and those like Mr. Ives who say so should tell us in what regard they are separate. There is nothing separate about them. They are the schools of the people, schools true to their own name, school which welcome all and impart solely that knowledge of which all children stand in need. If it be an abuse of language then, and designed to convey a false impression to call the schools maintained by the Quebec minority "separate," is it not an even greater perversion of the truth to designate schools that are exclusive, and designed solely for the members of one religious denomination, common ? Yet it is by this misrepresentation of realities, by this juggling with the names separate and common, on which the argument of the Government in favour of the Remedial Bill depends.

Hon. gentlemen will understand the distinction which is drawn. Mr. Sellar points out the distinction between common and separate schools, and he makes it apparent that what are called common schools in the province of Quebec are in reality separate schools, because it is in them that religious education is given, the religious education of one particular denomination ; and therefore those schools are not common to all, because no one could possibly attend them who is not prepared to accept the teaching of that particular church.

> We are only proposing to give to the Catholics of Manitoba the same rights as are possessed by the Protestants of Quebec, declares Sir Charles Tupper. And when he sat down up rises Mr. Ives with the statement that not only all his leader had declared is true, but if the House will not do as he asks, the majority in Quebec will put the screws on the Quebec minority, and he beseeches the members not to leave them to such a dreadful fate.
>
> We ask Sir Charles Tupper, we ask Mr. Ives, we ask whoever makes the assertion that the Quebec minority stands on the same level with the Manitoba minority, to prove that the schools of the Quebec minority are separate schools. That is the point, gentlemen, for you to prove.

Mr. Sellar asks Mr. Ives and Sir Charles Tupper if there is any foundation for the argument, to commence by proving that what they state is the fact, to prove that the schools of the Quebec minority are separate schools, and if they cannot prove that, their whole argument falls to the ground.

> You say they are ; then prove it. Show us in what regard the schools controlled by the commissioners of these townships are separate. Do they teach the doctrines of any religious denomination ? Is a catechism of any church among their text-books ? Do they drill their scholars in the ritual of any church ? Are their teachers members of any religious community ? No man knows better than Mr. Ives that the schools of the Quebec minority do not possess even one of these features ; why, then, should he speak of them as separate and as equivalent to the schools which he proposes to force upon Manitoba.

It is evident from this statement that these schools in the province of Quebec which are called separate, are not separate, but they are common schools, because they are open to everybody, everybody can attend them without any danger of his religious faith being interfered with, or being called upon to accept any ritual specially belonging to any denomination. So you will see that the so-called separate schools in Quebec are really common schools, and that the so-called common schools are really the separate schools.

> The truth is, as every speaker who alleges that the Remedial Bill is going to extend to the Manitoba minority the rights already possessed by the Quebec minority knows, that what they are really trying to do is to extend to Manitoba the schools of the Quebec majority.

Not the schools of the Quebec minority, but the schools of the Quebec majority.

> They are working under false pretenses. Manitoba has already schools similar to those of the Quebec minority, and no Federal intervention is required to give them. What it is seeking to do is to fasten on Manitoba the separate school system of Quebec, the schools of the Quebec majority.

Now, this is a light in which the hon. members of this House have not been in the habit of regarding this question. They have been in the habit of looking upon the schools of the Quebec minority as separate schools, and it is a new view of the question to be told that what the Government are trying to force upon Manitoba are not the schools of the Quebec minority, but the schools of the Quebec majority.

> It is as cowardly as it is false to endeavour to make the people of the Dominion believe that the Remedial Bill is giving to Manitoba what is equivalent to the schools of the Quebec minority, for the representation is made at the expense of the weak and decreasing English-speaking population of this province. Let this deception cease, let the Remedial Bill stand on its own merits, let its advocates boldly declare that it is intended to give to Manitoba the church schools of Quebec, and Parliament and the electorate will know what they are about.

Now, that is just what it is the duty of those members of this House who are opposed to this legislation to do. It is their duty, among other things, to study this question in the light in which it is presented by Mr. Sellar, and they will find out from that examination that the schools which the Government are trying to establish in Manitoba are not the schools of the Quebec minority, but are in reality the schools of the Quebec majority, not common schools such as those of the Quebec minority are, but separate schools such as the schools of the majority are. Now he asks the question whether the Quebec minority owe their schools to the toleration and fair-play which we are told actuate the Quebec majority. It is just as well, without attributing to that majority any harshness of feeling towards the Quebec minority, to get at the facts. I am willing to give the Quebec majority every credit for toleration to which they may be entitled by fact, but let us get at the facts to find out how much they are entitled to. Mr. Sellar goes on to say:

> While it must of necessity be acknowledged that the schools of the Quebec minority are not separate schools, yet it may be contended the very fact of the minority being permitted to have common schools is a concession on the part of the majority.

Well, I think any one who knows what the schools of the minority in Quebec are, will not be willing to accede that they are the result of a concession. When you concede a thing, the implication is that you are giving something you are not compelled to give; the very word concession implies the granting of a favour. What Mr. Sellar proposes to establish is that there was no concession, that there was no favour, and that the Quebec minority had nothing to thank the majority for.

> All through Mr. Ives's speech this assumption runs. The majority has been kind enough to allow the minority to live in a house alone, but the majority "owns the door, windows and staircases," and he ascribes this partial possession of a house of their own to Cartier and Langevin, and their tenure of it he declares to depend on the educational guarantees in the Act of confederation.

Now, this happens to be a view of the question that hon. gentlemen will find it to their interest to study, and it is their duty to study it if they wish really to understand the history of this educational question.

> These assertions are not confirmed by facts. The rural schools of Quebec trace their origin to Acts passed during the administration of Lord Dalhousie, and it is needless to tell those conversant with his rule that no superiority to the majority was given. They provided that in the parishes the fabriques could organize schools and in the townships the people could do so.
>
> The principle of the early Acts, giving neither the majority nor the minority preference, but legislating for both as equal, was adopted in all subsequent legislation until after confederation took place.

So the existence of these schools of the minority in Quebec cannot be due to any spirit of toleration on the part of the majority, for they were in existence long before confederation:

> In no Act during that period will it be found that the majority were given control of education, but in every one of them the schools of the minority are treated of as independent in their origin and existing by equal authority as the schools of the majority. Indeed, we are not aware that any provision whatever was made for separate schools in the townships until after the union. So scrupulous were these anti-confederation legislators in making it clear that the continuance of the schools of the minority did not depend on the will of the majority, that the words Catholic and Protestant are not used to designate them, but the term "dissentient" applied to wherever a minority, whether Catholics or Protestants, formed a school, and in the townships the dissentient schools were Catholic. We challenge Mr. Ives to prove that the schools of the townships are not of independent origin. In face of these facts is it truthful to speak of the schools of the minority having been granted as a matter of privilege and being dependent on their future existence on the pleasure of the majority? For the establishment of township schools we have to thank Lord Dalhousie and not the majority, and for their continuance up to confederation the old Quebec legislative council and the Upper Canada members.

In these few lines the fiction that the Quebec minority enjoys their schools by virtue of the grace of the majority is pretty effectively dissipated, for we have it established that they rest on the same foundation and date from the same period as the schools enjoyed, and used as separate or religious schools by the majority. The writer asks:

> The air is full of it, the words are heard everywhere—the generosity of the Quebec majority towards the minority; the consideration with which that minority is treated; what an example to the majorities of the other provinces!

Every hon. member has heard those sentiments time and again. We have heard them used on every platform and in debate in this House—in fact, we never cease to hear of the generosity of the Quebec minority. Mr. Sellar goes on to say :

> When those who speak thus are asked to give instance of this striking liberality they always mention the schools. Just think of it, they exclaim, here is this Quebec majority, we were taught to believe to be so bigoted, acting so generously in giving the minority their own schools, and then look at Manitoba how it is using its minority ! This implies the Quebec minority are receiving more than they could claim. Now, is it true that the Quebec minority in the matter of schools are getting more than their right ? Look at what poor, innocent affairs their schools are, colourless as to creed, inoffensive as to curriculum, taught not by religieuse but by the daughters of the farmers themselves. If the minority are to be allowed schools at all, could they use more humble and unpretending means for teaching their children ? But from the talk at Ottawa it seems it is a wonderful instance of toleration to allow the Quebec minority to teach their children the three R's, and slavish adulation is sounded in praise of the majority for such a gracious condescension.

We have all this adulation of the majority because these people are allowed to teach the elements of education without the doctrines of the Roman Catholic Church. This is indeed wonderful and extraordinary toleration. It is time the public of this country should know the real facts of the case, for they have been already too long deluded by this fiction which has been so constantly farmed off upon them. The writer continues :

> We confess when we read the speech of Sir Mackenzie Bowell in the Senate last April, and the Hon. Mr. Baker's in the Commons last July ; when we noted the expressions in Mr. Foster's Ontario election addresses, in J. L. Hughes's manifesto to the Orangemen, in Sir Charles Tupper's speeches, and this later utterance of Mr. Ives, we have been staggered and forced to ask if Quebec is a British province or a South American republic, that non-Catholics are required to be devoutly thankful they are permitted by the majority to give their children the elements of education ? Quebec is a British province, and the minority are not here by permission or the tolerance of the majority. They are here as equals among equals, and in exercising so simple a right as teaching their children in non-sectarian schools they thank nobody, ask no permission, and are under no obligation whatever to the majority. If in their schools they taught the distinctive doctrines the parents profess, if their text-books contained passages offensive to their fellow-subjects, if the teachers were members of oath-bound societies who trained the children to form a caste in the community, then the continued existence of such schools might be quoted in proof of the tolerance of the government of Quebec, but when it is acknowledged these schools are the reverse, that they are objectionable to the majority just because they do not meddle with creed, but keep an open door for all, no matter what their faith, to enter, it is astounding to listen to the paeans of the politicians in praise of the majority. How steeped in the darkness of bigotry must be the minds of those who smile complacently on being praised for allowing the minority to have common schools ; how lost to manly feeling the office-seekers and office-holders who offer the incense of compliments they know are not deserved.

How the members of the hierarchy must laugh in their sleeves at the credulity of the great Protestant population in the Dominion, when their leaders come forward, and without any reality or basis for doing so, utter these pæans of praise and adulation for the majority of Quebec ; how gratified they must feel at obtaining on such cheap and easy terms this applause, simply because the people in the townships are permitted to teach the rudiments of education without at the same time inculcating the doctrines of the Roman Catholic Church. It is a fiction which should be exploded, and the time has arrived. The writer further says :

> Let it ring out over this broad Dominion, that the minority of Quebec enjoy no exclusive privileges and seek none, that their schools are non-sectarian and common, and that for their origin and continuance they are under no obligation whatever to the majority. The effrontery of the Quebec majority in claiming credit for not compelling the minority to send their children to Catholic schools is only surpassed by their impudence in demanding as an equivalent for such a marvellous exhibition of tolerance on their part that Manitoba furnish funds to establish Catholic separate schools. Matters have surely come to a sore pass when, in a British province, the fact that non-sectarian schools are permitted to exist is trumpeted forth as a proof of toleration, and low indeed have sunk our public men when they re-echo the cry in order to curry favour with those upon whom they fawn.

We have a good many of such people in Canada, and we have some of this class in the House, and it is because this fallacy is being found out by the people of the country that we have this reaction against the course now being pursued in our political affairs. The writer says :

> Self-respect still survives among the Quebec minority, and why they have not given public and emphatic refutation to the widespread perversions of the truth regarding their status we do not comprehend, except it be that they have been waiting for Montreal to lead.

Unfortunately, Montreal does not seem very much inclined to do so. Unfortunately, material considerations affecting business and personal interests keep many of the people of that city from expressing sentiments which they are well known to entertain. Mr. Sellar next asks :

> The majority never had the power to deal with the schools of the minority until confederation took place, when they fell under the control of the Quebec legislature, and fear of what it might do caused Sir A. T. Galt to frame the guarantee clauses. That the attitude of the legislature has been as satisfactory during the past 29 years as Mr. Ives wishes the public to understand, we do not think. First, it introduced a hard and fast line between the two

> classes of schools on the basis of creed. The old mixed schools were ignored, and it was required schools be either Catholic or Protestant.

The real distinction between the two classes of schools was lost sight of, and the common schools were designated Protestant schools, when they were not sectarian in any way whatever. This attempt to designate public schools as Protestant was the beginning of the mischief which has already produced so many injurious results. The writer continues :

> The proper division was sectarian and non-sectarian schools, but that did not suit the majority, and colour for the existence of Catholic schools was got by styling our common schools Protestant. Second, while thus ascribing certain schools to the Protestants, the reasonable request that the taxes of manufacturing corporations be divided according to the creed of their stockholders was inconsistently and unjustly refused, and Protestants are thus, to this day, taxed to support Catholic schools.

The Minister of Trade and Commerce did not tell the committee about that injustice. Under the Ontario system of schools, suppose a corporation consists of nine Roman Catholics and one Protestant, how would the money paid in taxes be divided ? The taxes paid by the nine Roman Catholics go to support separate schools, and the amount paid by the one Protestant would go towards the general schools. In the province of Quebec the result is very different. Suppose there were nine Protestants and one Roman Catholic in the population, the taxes of the nine Protestants would be paid out towards the support of the Catholic schools on the basis of population ; so that if in the district there were one thousand Roman Catholics and one hundred Protestants, all the taxes paid by the nine Protestants would go to sustain the schools of the Roman Catholics, and the one-tenth would go to the so-called Protestant schools. So this division is exceedingly unfair. This is especially the case in Montreal, where the vast bulk of the business is in the hands of Protestants, where the taxes paid by Protestants are divided on the basis of population, and do not go to support the Protestant schools, if you choose to call them such. If the population is ten Roman Catholics to one Protestant, all the taxes paid by the Protestant population on the basis I have mentioned go to support Roman Catholic schools, with the exception of the fraction to which I have referred. That is a gross injustice. It simply amounts to this, that in the province of Quebec, in spite of all this talk of toleration on the part of the majority, Protestants are compelled to pay their taxes practically for the support of Roman Catholic schools. This means, in effect, the support of the Roman Catholic Church. So what is the use of talking about there being no state church in this country, when, as a matter of fact, the Protestants are compelled to pay taxes to support the Roman Catholic Church. This is not done in any other part of the Dominion. If this majority were so tolerant and generous as they are said to be, they would allow taxes paid by Protestants to go to support so-called Protestant schools, and not Catholic schools. The writer continues :

> Third, in organizing the Protstant Committee of Public Instruction the just method would have been to provide for the choice of its members by those electors who pay taxes to the schools under its control. Instead of that the committee is formed of gentlemen nominated by the government of the day, a government which is always Catholic, and more than once has been Ultramontane. With the exception of two or three, it may be safely said the present members of the committee would have no chance of election by the Protestants of the province. They are either church dignitaries and college officials, who combine for the division of the superior education fund among the institutions in which they are interested, or gentlemen chosen for their political views and services. To say that the minority have the control of their schools, when the schools are managed by a committee which commands neither their respect nor confidence, and whose tenure of office is dependent upon a Catholic governmnet, is misleading.
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> Under the management of such a body the schools of the minority exist, but they do not prosper. Red tape regulations, irritating rules, and a persistent effort to give the teaching of the schools a religious complexion, is all the committee has done for them. There is a general feeling among the Protestant farming community that if they could get rid of Government interference altogether, and were left to provide for and control their schools themselves, they would become more efficient and be again acceptable to English-speaking Catholics. To represent the Quebec minority as satisfied with the treatment they have received under confederation will not be confirmed by investigation, and few of our farmers will endorse Mr. Ives's statement that a " full measure of justice and of control over their own schools is given " them.
>
> Mr. Ives holds out the threat that unless we throw our influence on behalf of the Remedial Bill dire ills may overtake us, and our schools be rendered inefficient—in his own expressive language, the doors, windows and staircases of our house be taken away. We read of the Mahommedans closing the mission schools and forcing the Armenians to send their children to Moslem schools. Mr. Ives insults the Quebec majority by supposing them capable of similar conduct—rendering useless the schools of the minority and leaving Protestants the alternative of sending their children to schools taught by nuns and Christian Brothers. That the peril Mr. Ives conjures to frighten the opponents of the Bill is impossible a moment's reflection will show. The worst the Quebec government could do would be to withdraw government aid from the schools of the minority, and as that aid is only some 60 cents a year per scholar its loss would be no hardship. If the majority ever undertake to remove the doors and windows of the little red school-houses of the minority, the withdrawal of that munificent grant of 60 cents is the limit of their power to do harm. To talk about the majority having the power to force upon the minority obnoxious text-books, or to shut the school-houses and leave none but sepa-

rate schools efficient, is absurd. The right of toleration depends neither on the Act of Confederation nor the Federal Government ; it is the inherent right of every British subject. To endeavour to induce Parliament to pass the Remedial Bill by representing that the Quebec minority is in the same boat with the Manitoba half-breeds is as contrary to fact as the statement that the privileges of the Quebec minority are those that Bill professes to confer upon the Manitoba minority.

Then there is another consideration that appears here. The separate schools in Ontario rest upon precisely the same basis, so far as the Act of Confederation is concerned, as the separtae schools—to use the term that is improperly used in Quebec. Let the majority lay their hands upon the rights of the Protestants of Quebec and they will soon find that the Protestants of Ontario can retaliate and will retaliate by withdrawing from the separate schools in Ontario every privilege that they have gained since the Confederation Act was passed. The friends of those schools have persistently agitated with the result that they have obtained a great deal from the government and the legislature beyond that which they hold under the constitution. And what has been given to them by the legislature can be taken away by the legislature., I think Mr. Sellar has pretty well made out his case. He has proved that these so-called separate schools in Quebec do not exist by virtue of the generosity or toleration of the Quebec majority. He has proved that they existed long before the present legislation was thought of, either in the Dominion or in the province, that they existed upon precisely the same footing as other schools of the province. They are not sectarian schools, they are not separate schools : they are common schools. The schools of the majority are separate schools, and therefore there is no analogy between the province of Quebec and the province of Manitoba in this respect, and no argument can be drawn in favour of this Bill from the condition of things that exists in Quebec. Having disposed of this question based upon the assumption that justice to the minority in Manitoba is required by the treatment of the minority in Quebec, he goes on to speak of the principles on which it is based. I think these principles are not sufficiently understood by the House, and one great reason why this committee should rise and report progress is that the Government should have time to consider the basis of their Bill.

SHOULD THE PRINCIPLE OF THE REMEDIAL BILL BE ENDORSED ?

Stripped of the pretenses with which the **politicians have surrounded it, the principle of the Remedial Bill will be found to be, that when the clergy of a church ask that day-schools be set aside for the use of their people, the legislatures are to be compelled by the Federal power to give them support. The issue, therefore, which the Bill presents to the people of the Dominion for settlement is, whether or not the state is bound to pay for the teaching of denominational doctrines. It is necessary to keep in mind that it is not the teaching of religion in its broad sense that is meant, the fundamental truths of Christianity, or the inculcation of the faith, love and obedience which these truths lead to and which all desire, but what is asked by the Bill is that the distinctive and peculiar tenets, doctrines and ritual of one particular church be taught at the public cost. Is it any business of the state to give money to train children in any particular denomination ? If it is, the Remedial Bill is right ; if it is not, it is wrong. This is the crucial point in the question before the Dominion, has the state the right to use public money to impart sectarian teaching ? That it is within the right of the state to see that every boy and girl be taught the elements of education, that they learn to read so as to become intelligent, to write and count that they may discharge the duties of life, is admitted by all, and also that in imparting this knowledge it is not improper for the state to teach the children the duties of good citizenship ; forbearance, toleration and kindness towards neighbours ; patriotism and obedience to law towards the state. Further than this has the state any right to go ? Is it, for instance, within its jurisdiction to give money to teach the catechism ? If it be, then every denomination which can produce a sufficient number of children to form a school under the Remedial Bill has a right to a school of its own, and so the Government would become involved in teaching children to be Anglicans, Methodists, Presbyterians, Mennonites and Catholics. That is the fair conclusion of any person who holds that the state should assist denominational schools, but few who do will approve of so wide an application of their view, and put in the plea that it is only Catholics who should be so favoured. That makes the matter worse, for instead of dealing with all alike they would have the state make a preference and bestow a favour on one denomination which it refuses to all others.**

That strikes at the very foundation of this legislation.

THE QUESTION OF CONSCIENCE.

The plea that the Catholic hierarchy hold it as a matter of conscience that their people should have schools by themselves involves providing a great deal more than separate schools. It means that the state shall provide them with separate hospitals, separate deaf mute and blind institutions, separate lunatic asylums and separate criminal reformatories. The claim of conscience applies to every one of these with like force as to schools. Should the Dominion endorse the principle of the Remedial Bill, it commits itself to compelling the provinces to supply the hierarchy with whatever institutions it declares are necessary to meet its claims of conscience, which would lead to all that is to be found in Quebec being reproduced in every other province, and the state thus made the provider of what a particular church declares is necessary to meet its conscientious scruples.

The plain and common-sense view we take to be, that while it is the duty of the state to do nothing calculated to give offence to the conscience of any church, it is not called upon to give exceptional treatment to any under the pretense of conscience, for the simple reason that doing so implies violence must be done to the consciences of others. If one class say they

will not use the common school it is obviously wrong to give them a separate school at the expense of those who do not believe in their views. The consciences offended by public money being used to teach sectarian doctrines in schools are entitled to as much regard by the state as the consciences of those who say they will not send their children to common schools. There are two sides to this talk of conscience, and when a man stands up and tells us he cannot comply with this or that regulation of the state he should consider whether granting him exceptional treatment will not as grievously offend the consciences of those at whose expense he seeks the exceptional treatment if it be granted. A conscience that asks its requirements be provided at the public expense is one not considerate of the consciences of others. If a man be so fastidious and exclusive that he will not sit down at the table with his fellows nor eat a slice off the loaf baked for all, his views are to be respected and nothing said to hurt his feelings, but it is not unreasonable that he be told he ought to provide a table and a loaf for himself at his own cost or else hold his peace. When the bishops affirm that to send children to the common school is to do violence to the Catholic conscience, they should bear in mind other people have consciences also, and that a great many who support common schools have strong conscientious objections to being taxed to provide schools that will teach the doctrines demanded by the bishops.

It has been alleged in the debate now going on at Ottawa that Catholics are entitled, at least, to receive back the school rates they have paid. Will those who say so consider whether it would be possible to carry on the Government of the country if every dollar the state collected was to be labelled with the creed of the man who paid it, and expended accordingly ; the Methodist and Catholic, Presbyterian and Anglican Churches receiving back their respective portions ? Taxes are not levied according to creed, and we pay them neither as Catholics nor Protestants, but as citizens. The money goes into a common fund, and the Government that applies any portion to any church violates the bond upon which we all contribute. The Government should know no church beyond protecting all alike, and it should know their members solely as British subjects and citizens of the Dominion, and treat them as such. For the state to take cognizance of creeds and to favour one at the expense of the other is to court strife and endanger the stability of our country.

He points out here with great force that if you accept this principle with regard to education, you cannot refuse it with regard to other matters that rest upon a similar basis. If you arrange your laws not to offend a Roman Catholic by having his children taught in the school, why not the same with regard to hospital and various other institutions to which the provinces contribute.

THE OUTLOOK.

That the Remedial Bill will be settled in accordance with these elementary principles of government is not to be expected. On one hand we have the bishops demanding its passage ; on the other, men like Samuel Hughes, who oppose it chiefly because those bishops are Roman Catholic. We see the members of one party supporting it in order to retain clerical support, and the other fencing with the Bill to avoid provoking violent clerical opposition. What will be the outcome it is impossible yet to see. If the Bill be carried it may end in Manitoba withdrawing from the confederation ; if it is lost Quebec may form an irreconcilable third party. Grievous as are these alternatives, either would be preferable to a compromise that would postpone the evil day, for we hold the great issue, whether this Dominion is to be ruled by the people and for the people, or by a church and for a church, cannot be long evaded. And when it is, we trust it shall be with a full knowledge that the case of the Quebec minority is no parallel of that of the Manitoba minority, because there is no semblance between those who resist and those who demand sectarian schools ; that the Quebec minority enjoy no exceptional favours and have nothing to thank the majority for, and therefore they have nothing to fear from retaliation by that majority ; that if the measure of assumption is to be the measure of privilege the Dominion Government can never satisfy those who are now clamouring at its door ; and that the safety and peace of the Quebec minority with that of the entire Dominion rests upon the firm application to all creeds and all men of the principle of equal rights to all and favours to none.

R. SELLAR.

Now, I think the time I have taken up in reading this letter of Mr. Sellar is not lost, as it will give hon. members of this House a much better idea of things in Quebec than they had before. I think it will show that the fears entertained by the Minister of Trade and Commerce, Mr. Ives—I will not say entertained by him, because no one can suppose that he is so wanting in knowledge of the facts or in intelligence as to believe that his predictions will come true—are not well founded. It should be remembered that this is not a question of education of Manitoba alone ; it is a question underlying the whole constitution of the country, a question whether one church is to be supported at the expense of the community. We all know that the Roman Catholic hierarchy look upon these schools not in the same sense as that in which we look upon them. They do not regard them as necessary for the secular education of the people, but as a means to perpetuate and inculcate the peculiar doctrines of their church. No one can take the standard of results which are attained, the books which are used, the curriculum of education which is followed, without coming to the conclusion that, so far as the hierarchy are concerned, who are the principal movers in this agitation, it is not an efficient system of education which they desire, it is not that the Roman Catholic children shall be placed on the same footing as others, as regards the advantages of education, but it is that they shall be obedient children of the church, and the first and last consideration is that their children should be taught in the doctrines of the church, not that they should be given a good education. What the result has been in Manitoba we know already. When we take the province of Quebec, we find that of all the provinces in the Dominion it stands lowest in the scale of education. We know that such men as Senator Masson and others have been compelled to rise in revolt against the system, and in opposition to the bishops and clergy, and they publicly declare that that system has been a failure and is a failure. Then, how manifestly absurd and ridiculous it is to force upon Manitoba a system, the evil results of which have been found elsewhere. In the province of Quebec they have an educational system which has been in force for some two hundred years; it has been supported by enormous endowments, it possesses more wealth than all other systems in the Dominion combined, it has trained teachers by the thousand, whom it costs very little to pay and to support, and, notwithstanding all these facts, that province stands the lowest in the scale of all the provinces in regard to education. Well, how monstrous it is to ask this House, in face of these facts, in face of the opposition of the people of Manitoba, in face of the many reasons which can be urged against it on constitutional and other grounds, how exceedingly unjust it would be to persist in the efforts now being made to force this Bill through Parliament.

Mr. WELSH. I think this is a rotten Bill, and ought to be denounced by every honest man in the country.

Sir CHARLES HIBBERT TUPPER. Are you in favour of remedial legislation?

Mr. WELSH. I am in favour of letting Protestants and Catholics settle their own affairs without force and without compulsion. I want to know whether the Manitoba government had a right to pass a Bill which has been declared constitutional by the Privy Council? I have not heard any one say that they had not that right. But the Privy Council said there was a grievance. The people of Manitoba had been following a certain custom in regard to schools for years, and the people of Manitoba thought that it was a bad custom, and they introduced a new one. They had a legal right to do it. Then the minority went to the Privy Council, claiming they had a grievance, and the Privy Council said they had. But the question is whether it is a legal grievance, or whether it is one with which the Dominion Government ought to interfere. I do not think the Dominion Government had a right to interfere in the manner they have chosen to adopt. What they should have done was to follow the course of appointing a commission long ago, as the leader of the Opposition advised them to do. They treated his advice with scorn. But finally they had to haul down their flag, and they appointed a commission, and adopted a policy of conciliation. They sent a commission to Manitoba with a flag of truce in one hand and a remedial knife in the other. Their commission failed, as they must have known it would fail, and now they have again resorted to the policy of coercion. I am firmly convinced that a coercion policy will never be submitted to by the people of Manitoba, and that the Government will signally fail to set this matter right in the course they are now pursuing. The picture presented by the Secretary of State in regard to wheat-growing in the North-west was as fanciful as that regarding the effect of the National Policy. The hon. gentleman visited Charlottetown and declared before a great meeting, that if the National Policy were endorsed he could guarantee the island reciprocity with the United States within two years. That prophecy was not fulfilled, but the people have not forgotten it. The Secretary of State complained because the hon. member for South Oxford (Sir Richard Cartwright) read from the "Mail" newspaper in regard to himself, but the Secretary of State read an opinion expressed by the hon. member for Norfolk (Mr. Charlton) with respect to the leader of the Opposition some time ago. This House has been in session during four months, but the amount of business done has not been worth four pence to the country. Undoubtedly, the Manitoba school question will be settled by the provincial government without the interference of this Government. The life of this ship of state is nearly up. It will have shortly to be sold for the benefit of all concerned. She is covered with barnacles; there have been no dividends paid. There will have to be a survey on the eleven clauses that have been got ashore, because they are damaged and will have to be sold. If greater progress is not made, what is to become of the Chignecto Ship Railway Bill and other private measures? No progress, however, can be made so long as the Government pursue the present policy of coercion and tyranny. If there were opportunity, a Bill for the closure no doubt would be attempted, but the Government are shut up by the fact that four months would be required. I am in favour of remedying any grievance of the Manitoba minority, and they will obtain more from this side of the House than from the other side, because this Bill will not benefit the minority in any particular.

Mr. FOSTER. Is the hon. gentleman in favour of a stronger Bill?

Mr. WELSH. I am in favour of Manitoba settling the question. I have always voted for provincial rights, and I gave my vote for the Jesuit Estates Bill.

Mr. GIBSON. The hon. Secretary of State the other day repudiated the "Mail," which condemned the Government for trying to force remedial legislation through the House at this stage of the session. The Minister of Finance should refer to the Hamilton "Spectator," one of the oldest Conservative papers in the country, and he will find the opinion expressed that it would be far better if, instead of striving to coerce members of the House, the Government took up Estimates and other business. The article to which I refer is headed "Determined Mr. Foster," and was published on March 21st. This is only one of many articles in the Hamilton "Spectator" within the last twelve months warning the Government against the course they were pursuing. As to the attempt at coercion of this House the Hamilton "Spectator" has the following also :—

DETERMINED MR. FOSTER.

Hon. George E. Foster announced last evening in the House that the coercion Bill would be pushed through to its third reading this session, even if it became necessary, in order to do so, to drop the Estimates. It may be that the Government will be able to do this ; but there are nearly as many members in the House opposed to the coercion Bill as there are in favour of it, and it is possible for the members of the Opposition, if they feel like doing it, to talk all summer. It, however, makes no great difference. The members are already committed for or against the principle of coercion, and the third reading can neither change that fact nor the opinion their constituents have formed of them because of their vote. The dead ducks are dead—third reading or no third reading.

If Mr. Foster were to announce that in order to give more time to the pushing through of the coercion Bill, the Government had decided to drop the proposition to "advance" two million dollars to the Montreal Harbour Commissioners, he would be doing at least one good thing.

THE COERCION VOTE.

An analysis of the vote on the second reading of the bulldozing Bill shows that 105 Conservatives and 7 Liberals voted to coerce Manitoba, while 73 Liberals, 18 Conservatives and 3 Independents were opposed. It will be seen that the Conservatives give a majority of 11 for the Bill, and the Government could have carried the second reading without any assistance from the enemy. The Government's majority ordinarily is 44, and over the Liberals and Independents, 41.

The vote by provinces shows some figures which, in view of the coming elections, will make an interesting study. The vote was :

	For.	Against.
Ontario	35	52
Quebec	32	29
Nova Scotia	16	5
New Brunswick	13	3
Manitoba	4	1
Prince Edward Island	2	4
British Columbia	6	0
North-west Territories	4	0
	112	94

It will be noticed that Ontario was strongly against coercion, and that Quebec, with all the power of the hierarchy exercised to force the vote in favour of the Bill, gave a majority of only 3 in favour of the coercion of Manitoba ! New Brunswick and Nova Scotia, in which provinces, the Government claims, the Manitoba school questions cuts very little figure, went strong for coercion. The odd thing about the vote was the attitude of the western provinces. With the exception of one Manitoba member—Martin—every vote west of Ontario went with the Government ! It is nonsense to suppose that that represents the sentiment of the people of Manitoba, the Territories and British Columbia.

We leave the gentle reader to get any other information out of the figures which he may desire. The figures don't lie about what has already been done ; but they may be terribly misleading in respect of what is to be done in the future.

There are other small comments from day to day, for instance I notice the following :—

Sir Charles Tupper affirms that there is no coercion in the Remedial Act. He says to Greenway : You must die. In the meantime you are at liberty to cut your own throat ; but if you refuse to do that we shall hang you. It is quite evident that Greenway "controls" the situation.

We are told by the political doctors that the Remedial Bill is necessary to save Canada's constitution. This country's constitution is not in danger. But it may be endangered by compelling the country to swallow a quack medicine which contains a lot of poison and no nourishment.

The Ottawa "Citizen" professes a desire to "read the 'Spectator' into the party again, under present circumstances." Under the circumstances the "Citizen" would do well to follow the "Spectator's" example and read into the party the wholesome advice and warning which this journal, with all loyalty and love for the party, has been giving.

The determination of Sir Charles Tupper to keep the House in continuous session from today until Saturday, is nothing short of an outrage. There is entirely too much coercion going on at Ottawa.

That the Government ought to be sustained on the Remedial Bill was never doubted by those who took a broad view of the question at issue.—London "Free Press."

What do you think of that, Mr. "Spectator" ? —Hamilton "Times."

We think that the gentleman who wrote that ought to get a fat office immediately.

FORGOT TO NOTIFY HIM.

When Nicholas Flood Davin left his prairie home he was opposed to the coercion Bill. Nicholas forgot to notify his editor at Pile o' Bones that he had flopped, and the result was that, about the time Davin was voting for the coercion Bill the Regina "Leader" made its appearance with a fierce denunciation of the coercion Ministers for their "contemptible exhibition of the essence of selfish stupidity." "When such tales are told," says Mr. Davin's "Leader," "we may well believe the tales that are told of the buying up of members with promises of office. The attempt to coerce a province is bad enough, but this attempt to coerce members of Parliament is ten times worse." The "Leader," utterly ignorant of the fact that Davin had turned himself inside out, goes magnificently along to say that, "Fealty to party is good in its place ; but when the interests of party and country clash, the man is a traitor to patriotism who allows the former to outweigh the latter." The article winds up with this statement : "Those who forced the measure, which is contrary to the principles of the Conservative party, are the ones who are guilty of disloyalty to the party !" There will be a lively scene when Davin and his editor meet.

I hope the hon. senior member for Hamilton (Mr. McKay) will take notice of this remark in the paper that has supported him so long. In viewing the situation at Ottawa, the Hamilton "Spectator" of the 5th March, has the following remarkable article :—

THE SITUATION.

The time has gone by in which the people of Ontario and other British provinces can be cajoled into submission by politicians whose actions are governed by a desire to please Quebec, and who are ready and willing to give anything and everything the Quebec bishops may choose to demand, in expectation of receiving in exchange the votes of a people dragooned by their spiritual advisers. It may be that the manner of knuckling down to the French has been changed ; it may be because of a deterioration in the personal magnetism of the politicians ; it may be that the trick has been performed several times too often, and that the people have grown tired of it. Whatever the reason, Sir Mackenzie Bowell's attempt to capture Quebec at the expense of the feelings and principles of the people of the British provinces has been a sad failure. It was evident from the first move that Sir Mack had made a terrible blunder ; but he persisted in his course and went on, step by step, plunging deeper and deeper into the mire ; determined, in spite of all danger signs, in spite of the warnings of his friends and of the by-elections, to go on to the bitter end.

Finding that the Remedial Bill was likely to be defeated, Sir Mack recently made a strong appeal to Conservatives who believe him to be in the wrong, and who are firmly convinced that his course is most dangerous to the party, asking them for the love they bore to the old party, for the safety and preservation of the National Policy, for the sake of good government, to cease their opposition and help him to accomplish the very thing which they look upon as equivalent to ringing the death knell of the Liberal-Coservative party. The Manitoba school question was described as being a "paltry sentimental affair," and Conservatives opposed to coercion were asked if they would assist in the defeat of the Government on account of so small a thing. And much more was said of the same tenor and about the same date.

It did not occur to Sir Mackenzie Bowell that, inasmuch as he alone was responsible for the present position of the Government ; that inasmuch as he alone devised and insisted upon the grand scheme to capture Quebec by coercing Manitoba ; the proper thing for him was to drop out, and leave the party to restore itself to its former position. It does not seem to have occurred to Sir Mack to make an appeal to the Quebec members to remember the National Policy, and let up on their insistance upon the coercion of Manitoba. It does not appear to have dawned upon Sir Mack that the bishops might be appealed to to loosen a trifle the grasp they have upon the Government's throat, and defer their demand for the coercion of Manitoba which, made now upon the eve of an election, and insisted upon, will wreck the Government which has been so anxious to please them. These people, for whom the Government is prepared to do anything and everything, are not asked to save the old party, to preserve the National Policy, or to set aside their "paltry sentiment" in respect of the Manitoba schools. No, they must have what their paltry sentimentalism demands even if it wrecked the party, and the long-suffering people of Ontario are asked to once more throw their convictions, their opinions and their principles to the dogs, and stand by the National Policy, as if they were the only people in the broad Dominion who are at all interested in that policy.

We are much afraid that this preposterous demand has been made upon Ontario once too often, and that, if the Government insists upon pressing the coercion Bill to a vote, and committing the Conservative members to the coercion scheme, it is simply making first-class arrangements for its overwhelming defeat at the coming elections. Once more we ask the Government to drop the whole business, or seek some plan whereby a vote can be avoided. The situation in Ontario is not being improved, from a Government standpoint, by the debate on the second reading of the coercion Bill.

I am glad the Secretary of State has returned to the House because he repudiated a statement read by the hon. member for South Oxford from the "Mail" saying that it was most unfair to quote against him the "Mail," of 1891, because at that time that paper was strongly opposed to him. He said also that he had received no resolutions nor any complaints from any part of the Dominion of Canada against the course of the Government in forcing this Bill through Parliament. I would like to read him, more particularly as the senior member for Hamilton (Mr. McKay) is just behind him, from a paper that has supported his party for the last forty years, a resolution that was passed by an influential body. This article is headed "McKay and his Lodge."

Mr. DEPUTY SPEAKER. I have ruled—I do not know whether the hon. gentleman was then in the chamber—that it was not in order for hon. members to read from newspapers ; that is going altogether too far.

Mr. GIBSON. I shall be obliged to appeal from your ruling, Mr. Chairman, for this reason—the Secretary of State said it was unfair to quote against him a paper which he said was at that time opposed to him. I now propose to read from a paper which has always supported his party.

Sir CHARLES TUPPER. The hon. gentleman is mistaken. I made no such statement. The point was an entirely different one and had nothing to do with the Bill. The quotation was one read by the hon. member for South Oxford from the "Mail" of 1891, my remarks applied to that.

Mr. GIBSON. Quite so, but I think the hon. gentleman said it was most unfair to quote that paper against him, because, at that time it was unfriendly to him. That is not the case with this paper.

Mr. DEPUTY SPEAKER. I know the hon. gentleman would not do anything unjust——

Mr. GIBSON. I do not wish to.

Mr. DEPUTY SPEAKER—but I leave it to himself. The hon. member for South Oxford proposed to read against the Secretary of State an article from the "Mail" of 1891, which, as the Secretary of State pointed out, was, at that time, opposed not only to him but to the whole Government. If he were referring again to that, I could hardly rule him out of order. But I leave it to his sense of right whether we should quote from newspapers, because if that is allowed we shall never get through.

Mr. GIBSON. But this refers to the Remedial Bill. This is a report of a meeting of perhaps the most influential Orange lodge of the city of Hamilton, at which a resolution was passed, which resolution appears in the public press. I cannot understand your ruling out this article.

Mr. DAVIES (P.E.I.) It seems rather hard, Mr. Chairman, after other members have been allowed to quote from newspapers so freely that my hon. friend from Lincoln (Mr. Gibson) should not be allowed to do so, particularly as what he wishes to quote refers to the subject before the Chair and goes to show the state of public opinion. Bourinot says that it is now in order for a member to quote extracts from books and other printed publications if he does not infringe any rules of order. That is, I suppose, he must not read for the purpose of making an attack upon other members, or stating inferentially what he would not state upon his own authority. It is a very serious point that is raised as to whether a member has a right to read a newspaper article which is pertinent to the debate. May says that it is irregular to read extracts from newspapers, letters or other documents referring to debates in the House during the same session. For instance, any paper commenting on a debate during this session, could not be read this session, under parliamentary practice.

Sir CHARLES HIBBERT TUPPER. I think the hon. gentleman is wrong. According to Bourinot, a member may make extracts from book or other printed publications containing a report of his speech, provided that in doing so he is not infringing upon a point of order. The point of order is that you must not make an attack upon a member of the House, that you cannot, by reading a newspaper article, make an attack which you would not otherwise be permitted to make, if coming through yourself.

Mr. DEPUTY SPEAKER. I think we can come to an agreement on this matter. All our rules are based on common sense. Certainly many hon. gentlemen have read extracts from newspapers, short extracts, or an analysis of a whole article. But we have not hitherto allowed full articles of newspapers to be read. The hon. member for Lincoln wants to read an article from the Hamilton "Spectator" which condemns the Government of the day. He may read extracts from that article, but I understood that he wished to read a lengthy article, which it is clearly out of order to do in a deliberative assembly.

Mr. DAVIES (P.E.I.) The point of order is not what the hon. gentleman might wish to do; it is a question whether a member has a right to do it. Yesterday we listened to an article being read from "La Vérité."

Sir CHARLES HIBBERT TUPPER. Was that relating to this session?

Mr. DAVIES (P.E.I.) Certainly. We wanted to know what the opinion of the official organ of the church in Quebec was upon this matter. Now, if you lay down a precedent that a member cannot read an article from a newspaper, it is going to be a serious thing. I respectfully submit, Mr. Chairman, that you can only do so when you are satisfied that the article being quoted is irrelevant to the subject before the House.

Mr. DEPUTY SPEAKER. The hon. member for Yarmouth (Mr. Flint) read the article of "La Vérité," and nobody objected to it, as it was pertinent to the subject. According to the strict rules of the House, I might have asked him not to read it all, although I permitted him to do so. But in this case I understood that the hon. member for Lincoln had a long article to read.

Mr. GIBSON. The article is only a paragraph, and if you will not permit me to read it, I think you are laying down a rule that was broken yesterday by the Minister of Finance reading an article from "La Patrie."

Mr. DEPUTY SPEAKER. Of course, I rely upon the hon. gentleman's own knowledge of what it is he wants to read, and whether it is pertinent to the subject.

Mr. GIBSON. The article I wish to read is directly bearing on the subject before the House, because it shows that the sentiment of the people of the city of Hamilton, both Conservative and Liberal, is strongly opposed to the policy of the Government in regard to this Remedial Bill. It is far more pertinent to this question than are many of the extracts that have been read to this House.

Mr. DEPUTY SPEAKER. I do not want to prevent the hon. gentleman from reading it, if he thinks he is entitled to do so. When the Minister of Finance read the article yesterday from "La Patrie," it was to verify certain words that had been used by an hon. member, and words only. But this is a different case. The hon. gentleman may read extracts, but not the whole paper.

Mr. GIBSON. I do not wish to transgress the rules, but I shall see that the rules you are enforcing against me are hereafter enforced against others. It is only a paragraph, and I have no doubt the senior member for Hamilton (Mr. McKay) has seen it. It was a resolution proposed by his friends in Hamilton, and I have no doubt he was furnished with a copy of it.

Mr. McKAY. What right has the hon. gentleman to make that assertion, or even to quote from the Hamilton "Spectator" that such a resolution was passed by any Orange body in Hamilton? He is himself a member of a secret association, and he knows well that everything done in a body like that is supposed to be absolutely secret. I know if anything of that sort was done, it was not given to the press by any officer of the lodge, but it must have got out surreptitiously, and was picked up by the paper as a matter of street gossip. He knows that the Hamilton "Spectator" was the only one that published it, the "Herald" and the "Times" did not refer to it. I think the hon. gentleman himself will acknowledge that street gossip is no foundation upon which to lay a charge against any man.

Mr. GIBSON. I do not wish to hurt the feelings of the hon. gentleman. What he says is quite correct, that this resolution had no right to get into the newspapers; and he must admit that it is not my fault if it has got into the newspapers. If he objects to my reading it, I will not do so.

Mr. McKAY. I object to your reading an article like that, knowing it does not come from any authoritative source. You know yourself it cannot be official.

Mr. GIBSON. I quite agree with what the hon. gentleman says, but if my memory serves me, the Hamilton "Herald" also says that that resolution was passed, and a copy of it was sent to the hon. member, and to the hon. member for York (Mr. Wallace). Now, whether I am allowed to read this article or not, there is no doubt that it correctly expresses the opinions of all the Liberals, and a vast majority of the Conservatives in the city of Hamilton, and, indeed, of all western Ontario, in opposition to the policy of the Government on this Remedial Bill. The Secretary of State, who said he was prepared to die for this Bill, appears to have withdrawn the death clause, and goes to bed, as a good old gentleman should do. Nevertheless, members have to sit here night and day, from Monday until Sabbath day, in endeavouring to pass through this Remedial Bill. Already there have been two strikes in the Government on that issue. The conspirators or traitors to the present Premier were compelled to return and accept office. A singular fact is that while they were on strike, Sir Mackenzie Bowell filled thirty or forty appointments, and did more business during a few days than the combined Cabinet had done for months. Since the opening of the session two months have been frittered away, and, in fact, the whole obstruction has been done by members supporting the Government. This Bill, however, is not a Government Bill, but a Bill prepared by Mr. Ewart, counsel for the Catholic minority, for it appears that the seven or eight lawyers in the Cabinet have not sufficient ability to prepare a Bill. About four hours are spent in discussing the Bill, and twenty hours in discussing points of order during the day. If the Government had any desire to press forward the Bill, the Minister of Justice should be in his place. Bad tactics have been followed throughout by the Government. They have not shown staying capacity, although they have compelled the members to remain in their seats for the week. It is perfectly evident that the Government never intended to pass this measure, and the minority in Manitoba are further from obtaining it than they were when the remedial order was passed.

Mr. CHARLTON. I would not address the committee at this time if I were under the impression that the motion that the committee rise and report progress would be carried. But perhaps it may be adopted after I have used a little more persuasion and argument in its favour. We have had incidents in connection with this long sitting of the committee which convince us how unjustifiable this course has been and which shows that the person who is responsible for it committed a grievous blunder. The House is a demoralized House. As Chairman of the committee, you must have realized the difficulty of keeping order, and you must have noticed with regret the many incidents that have occurred quite out of keeping with the dignity of the Canadian House of Commons. It has been impossible to keep the House in proper order. That might have been expected. Members being kept here so unreasonably long become irritated. We have a bar under this chamber, and those who indulge in drinking are liable to indulge to too great an extent. We have had unseemly scenes, resulting, in some cases, I fear, from indulgence in the liquors served at that bar. This sitting injures the health of members but it has not done so, I am glad to believe, to so great an extent as was to be feared. The reason that might be assigned for this long sitting was the desire to make progress with the business. If that was the case, it has proved a failure. The business of the committee would have been much further advanced if we had sat in reasonable hours. The person responsible for this course, if he is not a member of this House, is a monumental tactical donkey, and if he is a member of this House he would be the same, if it were parliamentary to call him so. It is the work of a tactical ass to have the House held in session from Monday afternoon until Saturday. If this was the work of the leader of the House, I can only say that he is an imperious, dictatorial bungler, in having attempted to drive the House of Commons in this way with a slave whip. He is unfit to lead the House if he has not more sense than that. If he does not understand better what is due to the House and does not understand better the temper of the House, he is unfit to sit on the Government benches. Now, in my opinion, the reasons that have been urged from time to time for the committee rising and reporting progress have hardly been given the proper attention by the Minister of Justice. There is one of them to which I have called attention before, but which I would refer to particularly again. I wish to remind him and to remind the Government that we have taken no steps to ascertain the wishes of the Manitoba minority. We are not in a position to know whether the offer made by the Manitoba commissioners would be accepted by the minority or not. We have a right to know that before we proceed with this Bill. We have the assertion made in the reply of the Manitoba commissioners that the minority do not ask for the change proposed under this Bill. The following is the assertion to which I refer :—

> At present in every city, town and village in the province outside of Winnipeg and St. Boniface, the Roman Catholic children attend the public schools. Not a word of complaint is heard. Absolute contentment and satisfaction prevails. The children have the advantage of efficient instruction, and numbers of them are qualifying themselves to become teachers in the public schools. We do not hesitate to say that not only is there no desire to separate, but if left to themselves, the Roman Catholic people in the cities, towns and villages outside of Winnipeg and St. Boniface would not consent to a change in the direction indicated.

Is that statement true ?

Mr. WALLACE. I would like to ask the hon. gentleman if that statement has ever been contradicted ?

Mr. CHARLTON. I am not aware that it has ever been contradicted. This statement is made by two responsible members of the Manitoba government, and it could come from no higher source. I hold that it is an outrageous thing for the House of Commons to proceed with the consideration of this Bill, or to attempt to formulate a measure with reference to this matter with that statement staring us in the face. I assert that it is our duty to pause and take the steps necessary to ascertain definitely what the desires of the Manitoba minority are. We know that the pressure for this Bill has not come from them, but from another province. I called attention a day or two ago to the written communication made by a representative Roman Catholic of Manitoba to the Privy Council when this appeal was before them. I am told by my hon. friend from Provencher (Mr. LaRivière) that this gentleman, Mr. O'Donohue, is a cattle buyer, and consequently does not know anything about public schools. Whatever may be his occupation, his statement before the Privy Council, prepared by himself, is an able document, and shows that he is capable of forming an opinion on public questions. I read a portion of that statement on a former occasion. I intend now to read the remainder of it. (The hon. gentleman read the document referred to.) Now, I adduce this evidence, not as conclusive as to the opinion of the minority, but as conclusive in favour of the point that we ought to pause before settling this matter finally, and ascertain more definitely than we now know what the condition of affairs is and what the opinion of the minority is. If the minority are satisfied with the existing condition of affairs, certainly we have no business to proceed with this Bill. We should drop this law and let the people pronounce upon it, leaving it to the incoming Parliament to deal with it. Everything in connection with this matter convinces me that the Government are not actuated by a desire to do justice to the minority, but that they are acting from political motives. When this case was before the Privy Council, Mr. McCarthy was called upon to represent the Manitoba government, and asked for delay as the Manitoba government had not been given time to prepare their case. The Manitoba legislature was then in session, and was to prorogue in a few days. In the absence of Mr. Greenway through illness, Mr. Sifton, the Attorney General, was leading the House and an adjournment of the Privy Council was desired long enough to allow him to finish his duties in the legislature and to prepare his case before coming to Ottawa. That reasonable request was denied. The Government has held the House during the whole of this week, but it must be remembered that more obstruction has been done by their friends than by the Opposition, for, when three o'clock arrives in the afternoon, supporters of the Government rise and address the House at great length, and thus prevent the consideration of the Bill during proper hours. I desire to point out that the trial at London before the Judicial Committee of the Privy Council was one at which Manitoba was practically unrepresented. The minority were represented by two able counsel, thoroughly posted in the facts, Hon. Edward Blake and Mr. Ewart ; while the Manitoba government were represented by English counsel, who were employed hurriedly, and who were not posted in the circumstances or the facts of the case. But this question was also tried before the Supreme Court of Canada, when the judgment was given in the first place in favour of the minority, but subsequently in favour of the province, and our Supreme Court judges are thoroughly familiar with Canadian law, our institutions and constitution. The decision of that court should have much more weight attached to it than the decision of the Judicial Committee, especially when the case of Manitoba was really not presented. (The hon. gentleman then read extracts from the judgment of the President of the Judicial Committee.) The Remedial Bill, founded on the decision of the Judicial Committee of the Privy Council, is full of incongruities, contradictions and tyrannical positions, one notable instance being section 10. The circumstances connected with the progress of this measure are distasteful to the Government. At the eleventh hour they sent a commission to Manitoba. Those commissioners made certain propositions. These were rejected by the provincial government, and reasons assigned. Manitoba made counter-propositions, of a more liberal character than those now enjoyed by the Roman Catholics of Prince Edward Island, Nova Scotia, New Brunswick and the North-west Territory. Further, the Government are seeking to enforce a law on Manitoba which will not be any remedy, and which they have no ground for believing will be accepted by the minority.

Sir RICHARD CARTWRIGHT. I am not going to spend any long time in reviewing the present Bill. I will, however, say this, that we are probably likely to distinguish this Parliament as having completely broken the record in regard to foolish obstinacy on the part of the Government of the day. I am afraid that we will also completely break the record as to the extent to which these proceedings, to which the Government have contributed, will degrade Parliament as a governing body. I doubt if any more stupid absurdity has been perpetrated than that to which the Government have been parties during the past six days. Here they are professing to be actuated by a desire to advance this Bill. What they have done practically is this, and it has been pointed out by no one more effectively than by the hon. member for Albert (Mr. Weldon): They have rendered it necessary to the proper discussion of the Bill that any point of importance which really requires serious discussion must be repeated three different times at different periods of the same day, in order that it may be physically possible that members of Parliament should know what has been said. In other words, any attempt to keep the committee in session twenty-four hours means to involve the delay of three times repeating the same statements. This has now become exceedingly apparent to every one. I put a case in point. I was compelled to be absent last night during part of the discussion, at which an exceedingly important question was taken up. If this discussion goes on long enough, I shall see that statements are repeated, and that I have an opportunity of replying to statements made, and every hon. gentleman will be absolutely in his rights in doing so. So, practically, what the Government are doing by holding twenty-four hours sessions is to unnecessarily treble the length of the discussion. There is another matter to which I wish to call attention. There are, at the outside, ten parliamentary days in which to deal with public business; I say ten, because one or two necessarily must be taken up in the Senate with the usual formalities. Although the Supplementary Estimates have not been formally placed in our hands, yet they have been brought down, and have been made public in the press, although afterwards withdrawn from circulation among members. Those Estimates show several large items which involve quite new departures on matters of important public business, which will meet considerable discussion. As to the ordinary Estimates, it is utterly idle for the hon. gentleman, the Finance Minister, to suppose he will get them. Over and above the infringement of our rights, there is another way in which, I am sorry to say, Parliament has been degraded, and of which this session is affording ample truth; I refer to the practice of purchasing members of the House, which has evidently been going on more or less. We had a very bad instance last session, and the session before that, and the session before that, of the way in which appointments to offices of public importance had been used to secure the votes of members, who have retained their seats in this House, and voted and spoken on questions, while they were, to all intents and purposes, violating the Independence of Parliament Act in the spirit, and, I might almost say, the letter. We had one very bad case, when the office of collector of customs at Montreal was deliberately kept vacant for three years, although it is well known that the late hon. member for Cardwell (Mr. White) was practically the nominee to that office. That is a very bad case; but, black as it was, it was white or gray compared with the case of the hon. member for North Grey (Mr. Masson). That is a case to which it is absolutely necessary without further delay to call the attention of the House. It was perfectly well known by public rumour and statement in the newspapers that the office of county court judge for the county of Huron had been kept vacant for a year to afford a berth for the member for North Grey, Mr. Masson. This is a very notorious case, and I repeat that, whatever the qualifications of that hon. gentleman may be, he neither consulted his own honour or the honour of Parliament by sitting here and voting when he knew he would never face his constituents again, and when, to all intents and purposes, he was an officer, in expectation, of the Government, and incapable of discharging his duties to his constituents in a fair and honourable manner. But I find the case to be even considerably worse than that. I had not in my hand at the moment the paper last night, when the subject was brought up, and at that time the Secretary of State referred me to the Minister of Justice, and so I desire to call his attention to the facts. The "Globe," in an article on Friday, yesterday, states:

> There is a phase of Mr. Masson's appointment as judge of the county of Huron as a reward for his vote on the Remedial Bill which is not probably generally understood. By the County Courts Bill, passed at the recent session of the legislature, it is provided that there shall not be two judges for a county having a population of 80,000 or less. This clause was inserted in the Bill on Thursday of last week, and the Bill was read a third time on the same day, when the House finished its business and rose. The next day being Good Friday, the Lieutenant-Governor did not come down to sanction the Bills, but that ceremony was deferred until the following Tuesday. In the meantime telegraphic information was no doubt conveyed to the Government and Mr. Masson at Ottawa of this new provision. Mr. Masson was snatched from his duties as a watcher over the coercion Bill, his commission was issued on Monday, he made haste to reach Toronto on Tuesday, and was sworn in on the forenoon of that day, before the Lieutenant-Governor gave his assent to the Bill in the afternoon. It was a lively scramble and a narrow escape. We can with difficulty conceive a more striking illustration of the keenness of the traffic carried on at Ottawa than this appointment presents.

Mr. DICKEY. Can the hon. gentleman tell me the nature of that Bill?

Sir RICHARD CARTWRIGHT. I know no more about it than is contained in the statement of the hon. member for North Simcoe, from which it appears that it was a Bill declaring that after the Bill became law two county court judges should not be appointed in any county having less than 80,000 population.

Mr. EDGAR. And, in addition to that, it was provided that no surrogate fees should be paid to any county judge; therefore a large portion of the emoluments of county judges appointed after the passing of the Act would be taken away.

Sir RICHARD CARTWRIGHT. This is a particularly atrocious job. In the first place, it is a piece of practical bribery of members of Parliament, and that of the very worst sort. It is as clear as daylight that the late hon. member for North Grey had a pledge and promise of that office, and he sat in this House with that promise in his pocket. How it was made, I do not pretend to say, but the facts must prove to every human being that he considered that he had a patent right to the position. The Independence of Parliament Act has been completely violated in the spirit, if not in the letter. And I point out further that all this is being done in defiance of the Ontario legislature. Under our constitution the provincial legislatures are the only authorities to decide how many county judges—and I believe I am correct in saying, how many superior court judges—are required for the administration of justice in the province. And here we find a Federal Government deliberately and defiantly disregarding the decision of the Ontario legislature, which had decided, unanimously, I believe, that one county court judge was all that was necessary in every county of not more than 80,000 population. If this is correct, I would like to ask this House in what respect this differs from giving Mr. Masson a vote of $30,000 in a lump sum. We present him with an annuity of $2,600 practically for doing nothing. He is a gentleman of forty-nine years of age, and I hope, for his sake, that he will continue to flourish, though I would rather not see him flourish as a county court judge. In all human probability he will draw his annuity at our expense for thirty years, perhaps more, if he belongs to a reasonably long-lived stock. If I go into the market and purchase an annuity of $2,600 a year for a man of that age, it will cost a little more than $30,000.

Mr. EDGAR. Then, there are the surrogate fees.

Sir RICHARD CARTWRIGHT. The surrogate fees I know nothing about. But the Government have done to Mr. Masson precisely what they would have done if they had given him a vote of $30,000 for his services for the last few years in supporting the Government. That would have been a bad precedent, but it would not have done half as much injury to the public as they have actually done. I would strongly recommend them to abandon this practice of appointing men to office in this manner and, instead, to add to the Supplementary Estimates a column to reward their friends in proper fashion.

Mr. BELLEY. Hear, hear.

Sir RICHARD CARTWRIGHT. My hon. friend here (Mr. Belley) is willing to support that. At least, it has the advantage of being comparatively honest, if "honest" may be used in this connection at all. In thirty years Mr. Masson will draw some $80,000 from the public chest, and, if I add interest, after the fashion of my hon. friend from North Wellington (Mr. McMullen), the gross amount Mr. Masson will receive in thirty years will amount to $160,000. That may be a useful thing in fixing the tariff for similar services rendered to hon. gentlemen opposite. Now that I have been specially referred to by the Minister of Justice, I wish to demand what he has to say on the subject. Does he, in the teeth of the legislature of Ontario, pretend to say that an extra county court judge is required in the county of Huron? If he is not prepared to say that in defiance of the legislature and in defiance of the Attorney General and his cabinet, I want to know how he justifies such an act as this? The explanation is easy, but justification is quite another thing. The only possible explanation is that the promise had been given to Mr. Masson, and it had to be redeemed. But such an explanation will not in the slightest degree justify the action of the Government, which I impeach on the three grounds I have given, but most particularly because it is the most outrageous defiance that can be imagined of the prerogative of the Ontario parliament to decide how many judges are wanted for the proper administration of justice in that province.

Mr. DICKEY. So far as I know, the hon. gentleman is mistaken in saying that an Act was passed at the last session of the Ontario legislature dealing with the number of judges in the county of Huron. I am not aware what legislation was enacted at the last session of the legislature upon the subject of county court judges. But I have heard what the hon. member for West Ontario said, that there was a law passed affecting the fees to be received by the judge as surrogate. The hon. gentleman has said a great deal that I think had better been left unsaid. He said that Mr. Masson did not consult his own honour in accepting that judgeship. Mr. Masson was, of course, a politician supporting the Government warmly. There is no disguise to the fact that appointments to office are made by every party, other things being equal, from the ranks of their own political supporters. Now, that should not be the case so much with regard to judges, perhaps, as with regard to other appointments, and I do not know that it is. The hon. gentleman has suggested that this amounts to a purchase of Mr. Masson's vote for the second reading of the Remedial Bill. I give that, so far as I am concerned, and so far as my knowledge goes, the most emphatic denial possible.

Sir RICHARD CARTWRIGHT. I did not say the purchase of his support for this particular Bill.

An hon. MEMBER. But generally.

Mr. DICKEY. I do not see how that mends the matter very much.

Sir RICHARD CARTWRIGHT. I am not anxious to mend it.

Mr. DICKEY. No doubt; and I do not think that anything I could say would induce the hon. gentleman to do so. So far as I know, no promise whatever was made to Mr. Masson in connection with this judgeship.

Mr. EDGAR. Was the hon. gentleman aware of any application by him or on his behalf ?

Mr. DICKEY. There was none, so far as I know. Reflections have been made before now in this committee with regard to Mr. Masson's position upon this Bill. But all Mr. Masson's friends know that he has always taken the view which the vast majority of lawyers in this House have taken—that the minority in Manitoba had constitutional rights, which it was the duty of this Parliament to restore, if necessary. Hon. gentlemen know that—aside from the expediency of acting now, and aside from the merits of this Bill—the body of legal opinion in this House is in favour of that position. Mr. Masson made no secret of his opinions. Last session he made one of the strongest speeches that was delivered along that line. Therefore, while it is perfectly open for any hon. gentleman to say that his course was influenced by the prospect of this judgeship, if any think it desirable to do so, I say that there is nothing in Mr. Masson's course that is not consistent and above-board, irrespective of any ulterior motive. I recommended Mr. Masson for this judgeship, because I thought he was competent to fill such an office. He has always taken a prominent part in the legal discussions in this House, and in private consultations with him I have always found him show the qualifications of a good practitioner, thoroughly versed in the practice of the courts. He is a man of eminent respectability in every way. I think none on either side of the House will dispute his qualifications for the office. As to the appointment flying in the face of the legislature of Ontario, I am not able to answer at the moment, because I do not know the Act to which the hon. gentleman refers.

Sir RICHARD CARTWRIGHT. I refer to the Act passed on Thursday week.

Mr. DICKEY. I am not aware what that was, and therefore cannot express an opinion about it; and, not knowing it, I can hardly be said to be flying in the face of it. This position has been vacant for some time, and, in the judgment of the officers of the department and myself, it was desirable that it should be filled, and that the emoluments should be sufficient to enable the judge decently to maintain his position. I make no secret of my opinion—but I know that the majority of this committee do not agree with me—that the judges of this country generally are quite insufficiently paid. I would be glad if an Act were passed, increasing the salaries of judges all along the line, for the sake of the efficiency of the bench. Therefore, so far as I am concerned, personally, I would willingly have appointed Mr. Masson to office at a time when the emoluments would be sufficient to enable him to live properly and be independent of outside consideration, as a judge should be. Therefore, I believe that the public service will not suffer by Mr. Masson's appointment. While it is open for the hon. gentleman to say that his action in this and other matters has been affected by the hope of that appointment, I say that, from Mr. Masson's record as a party man, and from his record on this question. there is not the slightest foundation for any assertion of that kind.

Sir RICHARD CARTWRIGHT. The hon. gentleman did not state why he saw fit to recommend Mr. Masson on Monday, 6th April. Why did he select that date ?

Mr. DICKEY. I said I should be glad, indeed, to appoint Mr. Masson on Monday, if it would make his salary a thousand dollars more than it would be if he was appointed on Tuesday, because I think the judges are insufficiently paid.

Sir RICHARD CARTWRIGHT. The hon. gentleman heard the member for North Simcoe, who is an authority on matters of law in Ontario, make precisely the same statement that I made last night, and I have given him the editorial in the "Globe" of yesterday. The "Globe" reporters were present, no doubt, during the whole session of the Ontario legislature, and they state explicitly that that legislature passed an Act declaring that one judge is enough for 80,000 inhabitants or less. Now, I ask him to explain why, if the Ontario legislature thought 80,000 people could be served by one judge, the Government should appoint two ?

Mr. DICKEY. All I can tell the hon. gentleman is that, after the statement made by the hon. member for Simcoe, I inquired of my deputy, Mr. Newcombe, if there was any foundation for that statement. He made inquiries that he thought were sufficient, I suppose ; at any rate, he informed me that he could find no foundation for the statement. The only thing he knew was what the hon. member for Ontario has said, that there was a question with reference to the fees as a surrogate.

Sir RICHARD CARTWRIGHT. Supposing the case to be as the member for North Simcoe stated, and as I stated, it appears to me that under those circumstances the Government have been deliberately defying the legislature of Ontario. Has the hon. gentleman no opinion to express on that point ?

Mr. DICKEY. The hon. gentleman cannot expect me to take any blame for that, supposing it should turn out that there was such legislation, which I beg leave to doubt, unless I get better information. I never knew about it, I do not know about it at the present time. I might express an opinion on the abstract question of the desirability of appointing a judge under a case like that, but I would not take any blame to myself in this case.

Sir RICHARD CARTWRIGHT. Surely the hon. gentleman, in his capacity of Minister of Justice, consults with the Ontario legislature as to how many judges there should be.

Mr. DICKEY. The number is fixed by statute. There was an Act passed by the Ontario legislature, last year, that in counties where there were less than 80,000 inhabitants, no junior judges should be appointed.

Sir RICHARD CARTWRIGHT. On the ground that one judge was enough. Is the hon. gentleman's defence, as I understand it, that he has appointed Mr. Masson a senior judge, in addition to the junior judge, and that because he is appointed a senior judge, therefore he does not violate the Ontario Act ? Is that the defence ?

Mr. DICKEY. Not necessarily.

Mr. EDGAR. I do not think the Minister of Justice has been quite as candid in his explanation as I expected he would be. He admits that Mr. Masson was appointed to the judgeship on his recommendation as Minister of Justice, yet he does not know, he could not tell, if Mr. Masson ever applied for it. He is absolutely ignorant of it.

Mr. DICKEY. He certainly never applied to me.

Mr. EDGAR. He says he had only the general information that everybody else had, he never applied to him. Well, it turns out that the general information which everybody had was absolutely correct, because it was on that same general information, apparently, that he was appointed by the Minister of Justice, without any application or expectation on the part of Mr. Masson. Are we to suppose that it dropped from the clouds, like manna, for Mr. Masson ? Here was a vacancy of twelve months. Was it urgent to fill it ? The Minister of Justice says he understands it was considered important in his office to fill that vacancy. Why did not the Minister of Justice, when he came into the office, within a reasonable time, fill the vacancy, if he considered it was important to do so ? Why this indecent haste ? Why this sudden recommendation, and sending Mr. Masson up to be sworn in on that particular date ? Why, Sir, it is because he had earned his reward, and he demanded his pound of flesh. If he had not made a bargain with the Minister of Justice —and the Minister of Justice denied it, and I believe him, of course ; I do not think he would personally make such a bargain. But the facts prove, and any jury on their oath would find, that there has been a bargain, from the circumstances, from the action, and from the results. And what was the consequence, apart from its effect on this House ? What was the effect upon the independence of Parliament ? It was practically to disallow and to repeal a statute of the Ontario legislature, relating either to the appointment of the judge, or to the surrogate fees he was to receive. The practical repeal of that Act by this Parliament is a gross breach of propriety. It was technically right, of course, to hurry through an appointment under such suspicious circumstances, and allowing Mr.

Masson to be sworn in one hour before the assent to the Ontario Act was given, technically repealing and disallowing that Act so far as the county of Huron was concerned. But was it straightforward ? Was it manly ? Was it within the spirit of the constitution that that sort of thing would be done, that high-handed interference with the legislature ? Why, here was the member for Grey, who, we know, was not going to run in his county again, who, as we know, is out of sympathy with his constituents, and the Conservative candidate running in his county to-day is unfavourable to remedial legislation. We know that Mr. Masson had abandoned all hope of public life, and he rushes forward and seizes this judgeship at a critical time. I know it must have been a hard wrench for the Government to pay their debt at this particular time, when the attention of the whole country is upon the votes of hon. gentlemen opposite. It must have been a very hard bargain that forced them to give the pound of flesh to the member for Grey, when he demanded it. Everybody knows that the whole country will have but one opinion, that not only is the independence of Parliament attacked, but the honour and dignity of the Canadian bench is prostituted by this appointment for political purposes. That is what it amounts to, that is what the people will think about it. I am sorry indeed that the Minister of Justice, who I thought was a little above his colleagues in these things, would have lent himself to be a party to an action of this kind. He might have said : I will sign this, and won't ask any questions about it ; but the public won't free him from responsibility. There is a blot forever upon his position as Minister of Justice, from having made that recommendation under those circumstances.

Sir CHARLES HIBBERT TUPPER. I do not think the hon. member for West Ontario (Mr. Edgar) really feels so intensely what he says, or that he is so perturbed over this appointment. If so, I want to ask him what he considers of the appointments to much higher judicial positions made by the Government which he was glad to serve between 1874 and 1878. What were the reasons that induced that Government to take Mr. E. B. Wood out of this chamber, after he had steadily supported the Government of Mr. Mackenzie, and make him Chief Justice for the province of Manitoba ? What inducements were there for the appointment of Mr. Dorion, a member of that Government, to the position of Chief Justice of the province of Quebec ? What inducement operated to translate from this chamber Mr. Fournier and make him a judge of the Supreme Court of Canada ? What induced them to appoint Mr. Thomas Moss Chief Justice of Ontario ? If they cannot understand any other motive than the base one which they allege has induced this Government to appoint a former supporter to a county judgeship, then we can understand some reasons for the appointments to which I refer. That reminds me that the Liberal Government of 1874-78 came into existence by trafficking in Cabinet positions. They stole from their opponents three or four members of this House. They took Mr. Ross from the Conservative ranks, and, when he appeared in the Liberal ranks, he was a full-fledged Minister of the Liberal Cabinet. They dealt with Mr. Coffin in the same way. They got Mr. Cauchon as a colleague in the same way ; and, forsooth, we are to listen to these gentlemen delivering us a lecture on the proprieties of appointing members of this chamber to high offices in this country. Then, they took Mr. Bodwell, a member of the Reform party, out of this House, and appointed him superintendent of the Welland Canal. They appointed Mr. Ross collector of customs at Halifax ; they appointed Mr. McDonald Lieutenant-Governor of Ontario ; they took from this chamber Mr. Tremaine, and made him a county court judge in Nova Scotia ; they appointed Mr. David Laird Lieutenant-Governor of the North-west ; they appointed the present Auditor General, after he had done good service in the Reform ranks in this House for, I think, four years. They appointed Mr. Sturton postmaster of Guelph; they appointed Mr. Horton first-class clerk in the Auditor-General's Office ; they appointed Mr. Charles Lajoie superintendent of the St. Maurice Works ; they appointed Mr. H. J. Taschereau judge for Kamouraska; they appointed L. A. Boyle inspector of Harbours, Montreal ; they appointed Mr. Chandler Lieutenant-Governor of New Brunswick; they appointed Mr. E. Richard sheriff of the North-west Territories. I do not say these were corrupt appointments ; I do not say there was a bargain made with any of these men, except the first three (Ross, Coffin and Cauchon) I have mentioned, when those gentlemen were appointed Ministers under suspicious circumstances. But the rest of them, no doubt, earned these legitimate rewards in various lines of public service. But, if we are to believe hon. gentlemen to be sincere to-day, if we are to go with them the full length, we would not be permitted to credit them with the purest motives in making these appointments. According to the hon. member for South Oxford, the very fact of appointing Mr. Masson to this position seemed to him to afford evidence of corruption, bribery of members, a violation of the Independence of Parliament Act. Well, if the hon. gentleman will plead guilty in the several cases I have mentioned, perhaps I would not be able to make out so strong a case as I have done in behalf of the Government. But the hon. member had to assume that there has been a pledge and a promise of the office of judge of the county court to Mr. Masson. But not a scintilla of evidence was produced to prove that grave charge, and, instead of the appointment being atrocious, I say that it is atrocious to fling so positive a charge on such flimsy evidence across this House. It is not fair to Mr. Masson, it is not fair to this House, to make such a charge without any evidence to support it. Now, the Minister of Justice knows nothing of that bargain; he has so stated. I was Minister of Justice for a comparatively long period, perhaps the balance of the period during which this vacancy occurred. A vacancy of ten or eleven months is not an extraordinary thing in the case of a judgeship. I have had occasion to look into the records of the length of time in which vacancies have been permitted to exist in the different courts of Canada from time to time; and I find that under both Administrations the time varies; in one case it was as long as ten months; in other cases, five, six or seven months. Now, I can state that, so far as I am concerned, I never heard of any understanding with Judge Masson. I do not think I ever discussed with him, or he with me, the vacancy in my time. I may have done so, but whether I did or not, as to his being either an applicant or desiring the position, the matter was never discussed between us. I have not now the slightest evidence of any understanding, direct or indirect, with him or with his friends, or with my late Ontario colleague in the Cabinet, that would have prevented me making the appointment. On the contrary, if hon. gentlemen want to corroborate the statement I am making, I did hear rumours that there was a desire in the county that the present member for Huron should be appointed. Friends of his had mentioned his name, and that rumour came to me. I know nothing in connection with an arrangement with Mr. Masson, or any one else, that would have prevented my recommending that gentleman's name to His Excellency. So far as a pledge is concerned, you have the statement of the present Minister of Justice, and you have my own; therefore, I think this bargain for a pound of flesh, as the hon. member for Ontario (Mr. Edgar) calls it, is wholly imaginary. So far as I can see, there has been no violation of the Independence of Parliament Act. Now, if the hon. member for South Oxford feels this matter at all keenly, I ask him, was it not necessary for him to take the trouble to obtain definite information in regard to the subject which is now not well understood on either side of the House? Neither myself nor the Minister of Justice had seen any copy of this legislation, and no one here seems to be familiar with the exact terms of it. This Act, said to have been passed in the last session of the Ontario legislature, is not in the possession of the member for South Oxford; he is not familiar with it. He may be led to that conclusion by hearing some hon. gentleman refer to the provisions of the Bill as preventing the appointment of a second judge where the population of a county, or of two adjoining counties, is not over 80,000. But some gentlemen who refer me to that Act, which was passed last year, were not evidently familiar with it, because it constitutes no bar to the appointment of Judge Masson. One may read out of that Act a principle that was involved, and claim that it prevented the appointment of a junior judge in the county, with this population. But, when we consider that the Act came from Sir Oliver Mowat, it is hardly fair to him to suppose that it meant anything else than what it says; and, if Sir Oliver Mowat wished to prevent the appointment of a senior judge, as well as a junior, he could very easily have expressed that intention afterwards in his legislation. He did not do so, and I do not think the argument is sound, that we are to assume that he meant anything more than we can find in the Act. It seems to be generally conceded that the last Bill had become an Act at the time of the appointment of Judge Masson.

Mr. MILLS (Bothwell). I am somewhat surprised at the speech made by the hon. gentleman and his references to a large number of appointments which he says were made by the Mackenzie Administration, and his argument that because they were made, therefore this is a proper appointment. The hon. gentleman ignores the real point in this case. If we look at the English practice we find many men who are members of Parliament taken from time to time and appointed to important and responsible positions in the public service. I have never regarded that as an improper practice; on the contrary, I think it is a practice that is eminently proper. In England we find, that usually the chief justices of the various law courts were taken from members who had served in Parliament as law officers of the Crown. In fact it was regarded as the right of law officers of the Crown, when the courts were differently constituted, to accept the position of Chief Justice of Common Pleas, or Chief Baron of the Court of Exchequer, when those positions became vacant. The Government have taken members from the bar, either friends or opponents, and have placed them in judicial offices. I know very well that Sir Montague Smith, a member of the Conservative party, was by Lord Palmerston appointed a Justice of the Common Pleas, and was afterwards promoted; Sir John Karslake, a member of Lord Derby's administration, and afterwards of the Disraeli administration, was appointed by the government of Mr. Gladstone to the Court of Appeals, and we find Sir Colin Blackburne, and Sir Henry Keating, both Conservatives, were appointed by the government of Lord Palmerston and Mr. Gladstone to seats on the bench. In all those cases the appointments were made when vacancies occurred. No one could have foreseen there was a vacancy.

Those gentlemen were engaged in discharging their duties as members of the House of Commons, but they were not kept there twelve months discharging their duties as members so as, at a later period, to accept vacancies on the bench to which they might look forward. That is the point, and the hon. gentleman will find in every case he has cited the essential element is wanting. Take the case which the hon. gentleman has mentioned, the appointment of Mr. Fournier to the Supreme Court Bench. The court was not before that time constituted—he was appointed immediately before the constitution of the court. Take the case of Mr. Moss, who was appointed Chief Justice of Ontario on the death of Chief Justice Draper. Mr. Moss was a very eminent lawyer in Ontario.

Sir CHARLES HIBBERT TUPPER. He was a man who naturally could look forward to that position.

Mr. MILLS (Bothwell). Does the hon. gentleman profess that because a man possessed ability to fill the appointment of judge, the place should be reserved for him ?

Sir CHARLES HIBBERT TUPPER. I am with the hon. gentleman. I do not attack the appointment of Mr. Moss. I say he had a right to look forward to obtaining that position, as Mr. Masson had a right to look forward to obtaining the position in question.

Mr. MILLS (Bothwell). In the case of the appointment of the Auditor General, the hon. member for South Oxford (Sir Richard Cartwright) carried a Bill through creating an audit office and Mr. McDougall was appointed. He was not kept in this House supporting the Government for years before the appointment was made. No, there is no analogy between the cases cited by the hon. gentleman and the case with which the hon. gentleman has undertaken to deal. The hon. member for Pictou has said—and the Minister of Justice made the same statement—that it is provided in the Act of 1895 that where a county does not possess 80,000 population, a junior judge should not be appointed. In what sense is the phrase junior judge used there ? It is in the sense of a second judge. The county of Huron has not a population of 80,000, but because the senior judge died twelve months ago or more, the hon. gentleman says that does not preclude the appointment of a senior judge, and therefore the appointment is within the strict letter of the statute. What is the position of the matter ? You appoint a second judge to conduct work that the senior judge is incapable of overtaking. It is assumed that the junior is competent to discharge the duties, as is the senior judge, and if the office of the senior judge becomes vacant, the statute provides that there shall not be a second judge ; and the contention of hon. gentlemen can only be supported by the assertion that the junior judge is incompetent to discharge the duties of the office. Is the Minister of Justice prepared to say that the junior judge of the county of Huron who was appointed by a previous Conservative Government is unfit to discharge the duties ?

Sir CHARLES HIBBERT TUPPER. That affords an additional ground for a construction of the Ontario Act differing from that which the hon. member for Bothwell first placed on it, that Sir Oliver Mowat had in his mind that some junior judges would not be fit to occupy the position of senior judges, and therefore he had either to promote the junior to the position of senior, and leave one judge only, or where a junior was not fit to discharge the duties of senior, a new man must be appointed.

Mr. MILLS (Bothwell). I remember very well that certain judges asked that junior judges be appointed, to assist them. This whole question was considered by Mr. Blake, and when the work of the county courts was investigated he came to the conclusion that only in the counties of York, Middlesex and Wentworth was a second judge required. But when the Mackenzie Government went out, and a Conservative Government came into power, the Government appointed a large number of junior judges, because no statute existed inhibiting them. What has been the result ? That a large number of persons who could not regain their professional income have been cast on the public treasury by being appointed junior judges. The object and intention of the Act of 1895 have therefore failed to be accomplished. The Minister of Justice made the extraordinary statement that the county court judges receive only $2,600 a year and that this was not sufficient. He held that it was justifiable to enable the new judges to secure the surrogate fees. If, however, the salary is inadequate, he is responsible, and it is his duty to come before Parliament and propose an increase. I have here a copy of the Act passed the other day by the legislature of Ontario with respect to the surrogate fees, in which it is provided that the change shall not affect any judge who is now judge of a Surrogate Court. The appointment of the county court judge of Huron was made on Monday. On Tuesday Mr. Masson appeared before the assistant provincial secretary and took his oath of office. The hon. gentleman had not time to go to his own county, and that was the only way in which he could be sworn in. What made him a judge ? Was it the Act of being sworn in, or the patent of his appointment ? Unquestionably the patent of his appointment, and his functions as a judge began at the moment he received it. Yet that gentleman was under the impression that if he was not sworn in before the Surrogate Act was passed, notwithstanding the fact that he had his patent in his pocket, he would be deprived of the emoluments of a Surrogate Court Judge. He succeeded in getting sworn in two hours before the Lieutenant-Governor gave his consent to the Bill. That is a rather singular commentary on the legal attainments of the gentleman who was appointed over the head of the second judge who has been acting for some time.

Sir CHARLES HIBBERT TUPPER. He wanted to make assurance doubly sure.

Mr. MILLS (Bothwell). It was rather singular that this newly appointed judge should not be aware that it was his patent that gave him the office.

Mr. DAVIES (P.E.I.) How long was he ahead of time ?

Mr. MILLS (Bothwell). Two hours.

Mr. DICKEY. He was a prompt judge, at all events.

Mr. MILLS (Bothwell). Where his own interest was concerned. It must be remembered that the local legislature, which alone has a right to say whether two county judges are required or not, has prescribed that two judges are required only in counties where the population exceeds 80,000. So I have shown that a double offence has been committed, and the Minister of Justice has defended in both cases that which was in neither case defensible.

Mr. TISDALE. I deprecate strongly these attacks made on the appointment of hon. members to positions of importance. I do not think it is fair to the gentleman appointed or to hon. members of this House.

Mr. MILLS (Bothwell). I have made no attack, but I have pointed out that in this case there has been a departure from the spirit and principles of law which governs appointments of hon. members of this House to office.

Mr. TISDALE. There must be something wrong when the hon. gentleman has made an attack, although I admit he has spoken more moderately than other hon. gentlemen who have referred to this matter. He does not, like the other hon. gentlemen, impute motives. I regret that such statements should be made on either side of the House. The hon. member for Bothwell (Mr. Mills) confines himself to the fact that the position was kept open for some time. He qualifies the statement by saying that he does not impute anything to Mr. Masson. But if all he charged is that the position was kept open for ten months and then given to a gentleman who had been a member of the House all that time, it is a much less serious thing. I suppose he wishes that to be fully understood, because it relieves Mr. Masson from the charge of doing anything wrong or corrupt. The hon. member for Bothwell (Mr. Mills) says that we cannot construe the Act of 1895 to mean anything but that there shall not be two judges in any county having 80,000 people or less. As pointed out by the hon. member for Pictou (Sir Charles Tupper) he discredits the legal attainments of Sir Oliver Mowat by so saying. I say it to his credit, though a political opponent, that I admire Sir Oliver Mowat as a lawyer and because of the clearness of the Acts drawn under his direction. It was easy to make it clear that he meant to have only one county judge in a county if that was really what he meant. But what was the position when the Act was passed ? Certain large counties in Ontario had a senior and a junior judge each. I think it is clear from that Act that Sir Oliver Mowat meant that there should not be an extension of the system of junior judges in the lesser counties. Take the county of Huron. That is one of the largest counties. It sends three members to this House. No man will say that it is not fair and proper that there should be two judges. Sir Oliver Mowat cast the responsibility upon this Parliament to either appoint a senior judge, leaving the junior, or to promote the junior judge, leaving the responsibility with this Parliament to say whether there should be one or two. I am surprised that my hon. friend from Bothwell should endeavour to distort the meaning of that Act. I agree with the Minister of Justice that the judges of this country as a rule are underpaid. A few years ago there was an agitation amongst the county judges of Ontario, a number of whom were appointed by gentlemen opposite, many of them being known to me, and all excellent men. They could hardly keep up their position on the salaries they were receiving. And I believe that the bar generally felt that there should be an increase. I am surprised and grieved, as one belonging to the legal profession, that an Act reducing the emoluments of the judges should have been passed in the Ontario legislature. I know the members of the Ontario government, most of them lawyers and all honourable men—politicians, it is true. I do not understand why they should take these emoluments from the county court judges, particularly in view of the difficult positions the judges have to fill in connection with the local lists and frequently in connection with the Dominion lists. I am grieved and surprised, I say, that the Mowat government has given the judges this slap in the face by cutting off about one-third, or at least one-quarter of the salaries. What will be the effect ? There will be a place for some man poorly paid to fill the position of surrogate judge, but it will be at the expense of the county court judges. I am sure that the hon. member for West Lambton (Mr. Lister) and the hon. member for West Ontario (Mr. Edgar) will agree with me that the county judges were not overpaid before. But I am sure that both sides of the committee will agree that the real question before the committee is : Was Mr. Masson

honestly appointed for his merits and is he fit to fill the position ? I regret the remarks made by hon. gentlemen on the other side of the House. It is my pleasure to have known James Masson for twenty years, and my county is in such close communication with the counties on the Georgian Bay that I know the feeling of the people there. No man will contradict me when I say that no lawyer stands higher in the district as a good practitioner and as an honest, straightforward man than James Masson, and not one man, be he Conservative or Reformer, but will feel that it is an outrage upon him that he is charged with truckling with his conscience upon any question.

Mr. **STUBBS.** Will the hon. gentleman permit me to ask him a question ?

Mr. TISDALE. Certainly.

Mr. STUBBS. You claim that Mr. Masson was appointed on his merits as a man and as a lawyer. If he had voted according to the voice of his constituency and against the Government on this Bill, do you mean to tell me he would have got that appointment ?

Mr. TISDALE. I believe he would have been given the appointment just as quickly, one way as the other. Does the hon. member for Cardwell (Mr. Stubbs) stand up in this House and say—dare he stand up in this House and say—that James Masson is not an honest man in the vote he gave on this Bill ?

Mr. STUBBS. I believe he did not vote with the voice of his constituents.

Mr. TISDALE. Be a man. Either say it or take it back. Do not insinuate that a man—is it parliamentary to say cowardly ?—do not be so cowardly as to insinuate what you dare not say. I respect a man who will make a strong charge, for he will as readily withdraw it if he finds he has been mistaken.

Mr. STUBBS. I think I asked a reasonable question, Mr. Chairman.

Mr. TISDALE. The hon. gentleman asked a foolish question, because he knew I could not tell. I had nothing to say about the appointment. I never knew that Mr. Masson was an aspirant to the office until I saw that he had been appointed. I am not in the councils of my leaders in such matters. In regard to this question of Mr. Masson being bought—I like to use plain words, because people then understand the gravity of the charge—I want to tell the hon. members of this House one thing. We hear it said that Mr. Masson dare not seek re-election. Does the hon. member for Cardwell know that after Mr. Masson's speech in favour of remedial legislation last year there was a convention in his riding and that he was offered the nomination, and that he declined it, after taking time to consider it, and that then the convention was held at which Mr. McLaughlin was nominated ? The hon. gentleman should have made himself acquainted with the facts. Mr. Chairman, I may have spoken warmly, but I feel warmly. A man who does not feel indignant when he hears an honest man and a friend of his traduced is unworthy of the name of friend. And what is the object of these charges ? To gain, if possible, a petty political advantage. Unless we can get our politics upon a higher plane than this, the people will get a poorer idea of this Parliament and its members than they ought to have, in justice to us and in the interest of the country. Let me illustrate how easily a man might be condemned if the methods of reasoning followed here were sufficient to condemn him. I am not insinuating anything against the hon. member from North Ontario (Mr. Edgar) who made a very warm speech on this subject. Does he remember a man named Wheler ? I find that my hon. friend was first elected to his present seat on the 22nd August, 1884—elected by acclamation. Who was Mr. Wheler ? He was a member of this House. He resigned and went up to Ontario where he was appointed to a position in the central prison, and the hon. member was returned in an election that would not have been held but for the resignation of Mr. Wheler.

Mr. EDGAR. Did not I face the people? Did Sir Oliver Mowat elect me ? Did Mr. Wheler elect me ?

Mr. TISDALE. I do not believe—I say that frankly—that there was any corrupt bargain between the hon. member and Mr. Wheler.

Mr. HUGHES. Merely an understanding.

Mr. TISDALE. No ; I do not believe there was any understanding. It was a coincidence. But as strong a one as this. But I would say more. I believe that Mr. Wheler was a fit man for the place.

Mr. BENNETT. It turned out that he was not.

Mr. TISDALE. I believe that the Government that appointed him thought he was. I believe that proper appointments in the public service of members of Parliament who have faithfully performed their duties are not injurious but beneficial to the public interest. But I say we had better be forbearing with our fellow-men, and do all we can to inspire respect in the minds of the people for this their chief representative body, rather than inspire the opposite feeling.

Mr. SPROULE. I would like to set the hon. gentleman right in one thing. I understood him to say that after Mr. Masson spoke in the House last year he was chosen as the standard-bearer of his party in the county.

Mr. TISDALE. He was offered the nomination at a convention called for that purpose.

Mr. SPROULE. According to my information that is not correct. The convention was held the year before, and since that no convention was held until this spring. I am sure, from my knowledge of the riding, that had Mr. Masson submitted himself to the convention after the speech he made in this House last year, he would not have had the slightest chance in the world.

Mr. BENNETT. I would like to ask the hon. member if, at the meeting where Mr. McLaughlin was nominated, there was any resolution passed condemning Mr. Masson for his speech of last year, and asking him to change his course in this House? Does not the hon. gentleman know that Mr. Masson addressed a public meeting, as I was informed last night by Mr. McLaughlin, and did he not state in his riding what his course would be on this subject? And yet the convention did not ask Mr. Masson to change his course.

Mr. SPROULE. The convention did not pass a resolution condemning him, because it was well understood that he would not run again.

Mr. DAVIN. The point in this discussion is that raised by my hon. friend from Cardwell (Mr. Stubbs), who asked whether, if Mr. Masson had voted against this measure, the judgeship would have been given to him. That is not the question at all. The question concerning Mr. Masson's integrity is this: Would Mr. Masson have voted as he did vote, judgeship or no judgeship? That is the real question. Anybody who has known Mr. Masson in this House, knew him to be a stalwart Conservative, and no one can doubt that he would have voted as he did irrespective of the judgeship. The difference between doing what the hon. member for Bothwell says is quite right, and doing that which he says is not right at all, is simply the difference between a general invitation and a special invitation to dinner. It is a great crime that an office should be vacant for a certain time, and that a member of Parliament should take that office; but in case the office has not been vacant for a certain time, and the vacancy has just occurred, there is, it seems, not much of a crime in that.

Mr. LISTER. The hon. member for South Norfolk (Mr. Tisdale) wandered over a wide range in discussing this question, and has introduced subjects entirely foreign to the discussion. I may say of Judge Masson that I have known that gentleman ever since he has been in the House. Our social relations are intimate, and I have learned to respect him, and to have a personal friendship for him. I should be sorry indeed to say anything disrespectful of him, or deprecatory of the position he now occupies. But I must say that the question put by the hon. member for Cardwell (Mr. Stubbs) is very pertinent, and strongly points out the impropriety of the appointment at this particular time. While we are all willing to believe that there was no corrupt bargain between the late member and the Government, the action of the Government has left the country at large to draw an unfavourable inference. The facts that exist enable the people to draw the inference that there was some arrangement between Mr. Masson and the Government. What are the facts? This office became vacant a year ago. It was the duty of the Government, if it was necessary that two judges should be appointed for that county, to have filled that office at once. Nobody could have objected to the appointment of Mr. Masson, everybody on both sides of the House, I am sure, would have been pleased if the Government were determined to appoint anybody as junior judge, that Mr. Masson should have been appointed. But one session passed over, and no appointment was made. We knew last session that this school question was to be an important one, and this session the question has indeed been so. The Government were not sure that they would be able to carry their Bill by a majority of their own supporters. Every vote was of the greatest importance to the Government, and we find that in order to carry that Bill the Government thought it was necessary that an appointment should be made to that judicial position, and the hon. gentleman is appointed to the position. Now, I say that, knowing the constituency as well as we do, knowing that the position was open for a year, knowing the stress to which the Government was driven for support, the people at large will think it a reasonable inference that there was an implied understanding that Mr. Masson was to get that position. Then I say it is unfortunate, not only for the Government, but for Mr. Masson himself, it is unfortunate for the people of the country at large, who have been taught to look upon the judiciary of this country as above any impropriety, it is unfortunate from every standpoint, that the appointment of Mr. Masson was delayed until that vote was taken in this House. I feel that the Government have left themselves open to the charge of using the patronage of the country for the purpose of securing support. I do not charge Mr. Masson with it, but I do say that all the facts put together make a case so strong that the people will believe that there was an implied understanding between the Government and Mr. Masson that he should have this position. Now, there is another point involved, and that is whether the Government should have made any appointment at all. Governments in this country are not formed on purpose to fill up vacancies, on purpose to make appointments that will be a charge upon the treasury. They should have been satisfied that two judges were required to discharge the judicial duties in that county. I am told that Judge Doyle, the junior judge, a good lawyer, eminently fit for the position of county court judge, has informed the Government that he alone could do all the work for the county of Huron. If that be so, then upon what pretense can the Government defend the appointment of the second judge in the county of Huron ?

Mr. DICKEY. I may inform the hon. gentleman that there is no such correspondence on file in the Department of Justice.

Mr. LISTER. If the hon. gentleman says so, then I accept his statement. But I am told that Judge Doyle informed the Government here that he could perform that duty alone. The correspondence may not be in the office of the hon. gentleman, it may be in the office of the Premier. But I think there is no dispute but what one judge is sufficient to discharge the judicial business in that county. I know that Judge Doyle is fully qualified to discharge every duty thrown upon him under the law. Now, is it right that a second judge should be appointed at all ? But if a second judge were necessary, is it fair that the junior judge, a man performing all the duties of a senior judge, is it fair to him that he should be passed over when the appointment could have been given to him honestly and justly, and that a man without any experience should be placed over his head, and that he should remain in a subordinate position for the rest of his life ? Hon. gentlemen say that the emoluments of these offices are not all they should be. I grant that there are many complaints as to the inadequacy of the salaries of the judges. It is quite likely that many of them are underpaid ; but we cannot shut our eyes to the fact that when a vacancy does occur, there are many applications for the position. I desire to point out to the Government again that where a vacancy takes place in the senior judgeship, if the junior judge is qualified to discharge the duties of the office, in all fairness he ought to be promoted to the position, and a stranger should not be put over his head.

Mr. DAVIES (P.E.I.) The importance of the point we are now discussing will be best understood by the hon. gentlemen who were not present yesterday afternoon reading the opinion expressed in regard to it by a gentleman who holds the acknowledged position of one of the leaders of the Ontario bar. The hon. member for Simcoe, speaking in the House yesterday, speaking, as he stated, with all the responsibility upon him of a leading member of the bar and a member of this House declared :

> I do not know that Canadian history shows a more flagrant, a more disgraceful, or a more reprehensible proceeding than has taken place this week.

That flagrant, that reprehensible, that most disgraceful proceeding, was the appointment of the hon. member for Grey to the judgeship of the county of Huron. Now, my hon. friend from Assiniboia (Mr. Davin) labours under a constitutional disability in reference to these matters. He never can see where there is political disgrace attaching to the Government, or any man in it, and I rule him out as being incapable of expressing an opinion upon a question of this kind. My hon. friend from South Norfolk simulated a great deal of passion here, which I do not think anybody gave him credit for. He skirmished a good deal around the quesion, but either he did not understand it, or he tried to obscure it with a cloud of words. Hon. gentlemen in this House who have objected to this proceeding do not object to it because the appointment has been made from the ranks of members of this House. There is nothing wrong in appointing a member of this House to the bench, or to any position in the Civil Service. I never heard anybody make that charge. It is eminently proper that from time to time vacancies on the bench or in the Civil Service should be filled by men who are fit to fill them, whether they are members of this House or not. It would be a serious thing indeed if the fact that a gentleman possessing the confidence of the people, and elected to a position in this House, is thereby disqualified for appointments to office. It would be a serious thing, and my hon. friend from Bothwell was careful, in opening his remarks, to declare that the fact of the appointment being made from the ranks of members of this House was not a fact which exposed the appointment to attack. That is done in England every day. The best men on the bench in England have been taken from the ranks of the House of Commons ; and the same may be said in Canada. If the chief justiceship of Nova Scotia became vacant to-morrow, would anybody think it improper or wrong in any sense that either the Minister of Justice or the member for Pictou should be appointed there ? Not at all. They would either of them be eminently fit and proper appointments to make. The chief justiceship of New Brunswick was vacant twelve months ago. Would anybody have thought it wrong if the member for St. John (Mr. McLeod) had been appointed to that office ; not at all. He is a gentleman who holds a very high and distinguished position at the bar where he practises, and it would not have been considered improper if he had been appointed to that position. But when that appointment has been kept vacant for twelve months, or two years, when the incumbent, unfortunately paralyzed as he has been for a long time, and unable to discharge any duties of that office, has been confined to his bedroom for nearly two years, when that office is left vacant, and the hon. member for St. John is known actually to be an aspirant for it, then there comes in another element entirely. This is the question, Is the independence of Parliament being properly defended and guarded by the Government when they keep that office vacant, and make no appointment to it? The hon. gentleman knows that the constitution of the country requires that the full number of judges shall be appointed to each of the provinces; they have kept the position of the head of the bench in New Brunswick vacant for nearly two years.

Sir CHARLES HIBBERT TUPPER. No; it is not vacant.

Mr. DAVIES (P.E.I.) The hon. gentleman knows that Sir John Allen has been paralyzed and unable to do anything for two years. His resignation is in the hon. gentleman's hands, and has been there for months.

Sir CHARLES HIBBERT TUPPER. I never saw it there.

Mr. DAVIES (P.E.I.) But the hon. gentleman knows it is true.

Sir CHARLES HIBBERT TUPPER. I say distinctly that while I was Minister of Justice I never heard of his resignation, and do not know now that it has been given.

Mr. DAVIES (P.E.I.) The opinion of members of the bar does not enter into the discussion. If the chief justice did not desire to resign, if there was no possibility of his resigning his position, he might remain, although unable to perform his duties, to enable him, for a certain time, to draw salary. It is known in the maritime provinces that the judge has either forwarded his resignation or a letter announcing that he would place, at any time, his resignation in the hands of the Government.

Sir CHARLES HIBBERT TUPPER. I never heard of his resignation or intended resignation.

Mr. DAVIES (P.E.I.) I have heard it frequently; it is talked of by everybody. The scandal does not lie in appointing any hon. gentleman to the position, but in keeping the position dangling before the eyes of an hon. member, and thus affecting his independence. The hon. member for Pictou has said that the Liberal Government sinned in the same way. There is no complaint of wrong being committed because appointments were made from members of the House. Take the case of Judges Dorion, Moss and Fournier. Are those appointments such that any government is called upon to apologize for them? They are among the most distinguished appointments made since confederation to the bench—the office sought the man, not the man the office. We may therefore dismiss the argument put forward by the ex-Minister of Justice, and get down to the point. The hon. member for North Simcoe (Mr. McCarthy) designated this appointment as a violent, disgraceful and reprehensible proceeding, and the hon. gentleman said he weighed his words well; that he had personal respect for Mr. Masson, both as a man and as a lawyer, but that the hon. gentleman had been appointed after the office had been vacant during eleven months, and when it was necessary to appoint him in a hurry in order to secure him surrogate court fees, amounting to nearly $1,200 a year. The use of the term senior and junior judge is merely a conventional one. The statute provides that in cases where there is more than one county judge, the judge whose commission has priority of date shall be called the county judge, and the other junior judge.

Sir CHARLES HIBBERT TUPPER. Under the statute, the junior does not become the senior in case of vacancy.

Mr. DAVIES (P.E.I.) He becomes the senior.

Sir CHARLES HIBBERT TUPPER. Not by operation of statute.

Mr. DAVIES (P.E.I.) Yes, unless otherwise expressed in the commission, he shall be styled judge of the county court.

Sir CHARLES HIBBERT TUPPER. In the case we are dealing with it does not so apply.

Mr. DAVIES (P.E.I.) He becomes so by operation of law. The legislature provided on May 14, 1895, that there should not be two judges in the case of the county of Huron.

Sir CHARLES HIBBERT TUPPER. It declares that in counties where there was not a population exceeding 80,000, on the death or retirement of a senior judge there should not be an appointment made of a junior judge.

Mr. DAVIES (P.E.I.) The provision is that there should be only one judge appointed in a county with less than 80,000 people. Unless it is distinctly stated on the face of the commission that Mr. Masson is appointed senior judge, the appointment is not worth the paper on which it is written, for the Government have not the power to appoint him, unless it is expressly stated in the commission that he is to be senior judge. If Mr. Masson has been appointed junior judge, this Government has gone directly in the teeth of the Ontario statute, which states that there shall be no junior judge, but only one judge in a county with a population not exceeding 80,000. That is a scandal and a disgrace, and it is a greater scandal because it was made eleven months after the legislature had enacted that in the county of Huron there should be only one judge. And worse and worse, this appointment was made after the legislature had passed an Act, of which the Government were aware when they made the appointment, because the third reading passed on April 1st, declaring that after the passage of that Act surrogate fees to the value of about $1,200 in Huron County should pass to the Ontario treasurer. Hon. gentlemen opposite have talked about Mr. Masson's honour, but the more important question is the action of the Government in violating the Independence of Parliament Act, and holding appointments before the eyes of members. There is nothing in the fact that Mr. Masson may have expected this appointment, but the wrong consists in keeping it open when, at the same time, the hon. gentleman knew that by supporting the Government he would be acting against the wishes of his constituents. The late hon. member for Cardwell (Mr. White) sat in this House two years expecting the collectorship of Montreal, but when this Bill came forward he resigned his seat, because he knew that his constituents were adverse to the passage of this measure, and that if he voted against the Government he would not obtain the collectorship. The present member for Cardwell (Mr. Stubbs) asked the hon. member for Norfolk (Mr. Tisdale) whether he believed Mr. Masson would have obtained his appointment had he voted against the Government, and had he voted as his constituents desired. No one will believe that Mr. Masson would have obtained the position if he had voted against the Government. I therefore charge against the Government that their action in this case is without justification, that it is a violation of the Independence of Parliament Act, and is deserving the condemnation of this House.

Sir CHARLES HIBBERT TUPPER. I desire to explain that the statute distinctly refers to the junior judge. It says that no junior judge shall be appointed in a county when the population is less than 40,000. That appears in the Consolidated Statutes. An amendment increased the population to 80,000.

Mr. DAVIES (P.E.I.) Under that statute the junior judge was so designated simply for purposes of convenience.

Sir RICHARD CARTWRIGHT. We require to see the commission. It is tolerably clear that the Government are without a defence for their action.

Sir CHARLES HIBBERT TUPPER. I speak positively in regard to this case, because I am familiar with it. I know that in this particular case the position of the present judge, as stated by his commission, is that of junior judge.

Sir RICHARD CARTWRIGHT. I am speaking in regard to the commission given to Mr. Masson, which should be laid before the House. I do not retract in the slightest degree what I stated, that this appointment reflects discredit on Mr. Masson and all concerned. I beg it to be understood that I maintain my statement to the full, and quite as fully as the hon. member for North Simcoe (Mr. McCarthy), who designated it as a most disgraceful, and reprehensible proceeding. If the hon. member for Pictou had understood the first principles of constitutional practice he would have known that the whole case depended on the surrounding circumstances. No one contended that the hon. member could not be appointed, but we contend that it is an utter violation of parliamentary decency and parliamentary practice, and a defiance of the Independence of Parliament Act, and everything that makes parliamentary government, to hold an appointment dangling for months and years before the eyes of an hon. member. It was a disgraceful course which was followed in this case. Everybody knows that the hon. member for Cardwell (Mr. Stubbs) hit the nail on the head when he asked the hon. member for Norfolk (Mr. Tisdale) whether he supposed the hon. member for Grey (Mr. Masson) would have been appointed if he had voted against the Remedial Bill. We are men who do know the principles on which the Government administer their affairs. And if the hon. member for Grey had voted against the Remedial Bill—I do not say that he voted for the Remedial Bill on consideration of the judgeship—there was not the slightest chance that the present junior judge of Huron would have been superseded by Mr. Masson.

Mr. HUGHES. He would have been appointed before the vote if he was going to vote against the Bill.

Sir RICHARD CARTWRIGHT. I fancy that is possible enough. If it had been likely that the hon. gentleman would have voted against the Bill, I am quite sure one of two things would have happened, he would have been appointed before the vote, or he never would have been appointed at all. I repeat that the Independence of Parliament Act has been violated in the worst possible way, by an appointment being kept open during a number of months, with an understanding, a tacit or implied understanding, either with the whip or the Premier or with confidential friends of the Government, that that particular place should be given to that particular man. It was notorious that the name of the hon. member for North Grey was associated with his office ever since it became vacant. It was notorious before last session, during last session, during all this session, and all the surrounding circumstances go to show that the hon. member had the promise of this appointment ; and if he had not had the promise he never would have been appointed in this hot haste ; and, therefore, I repeat, that we are perfectly justified, as was the hon. member for North Simcoe (Mr. McCarthy) the other night, in declaring that this is a gross violation, an outrageous violation of the Independence of Parliament Act in the spirit if not in the letter. As to the plea made by hon. gentlemen opposite that because the legislature distinctly declared it was not expedient to have two judges in a county with less than 80,000 people, therefore they were justified in the absurd quibble raised with regard to the hon. member for North Grey, and that all the legislature meant was that in cases where a junior judge was acting it was legitimate for them to appoint a senior judge, the proposition needs only to be stated to refute itself. An hon. member stated that the county of Huron has very nearly 80,000 people. it has been so gerrymandered that it is difficult to say what the judicial county of Huron may be, but the county as represented here contains only 58,000 people according to the last census, and I am afraid it has lost some population since then. That is 22,000 less than 80,000. The county has lost, I believe, by the operation of the gerrymander, a couple of townships. I am not able to say what their population may be, but I should think it would not be more than 6,000 or 7,000. So, while the legislature fixed 80,000 as the lowest limit for a county to have two judges, the Government appoint two judges for a county of little more than 60,000 souls. I think it is the duty of the Minister of Justice to have informed himself and to have considered extremely carefully, under the circumstances, whether two men were required for the proper administration of justice in the county of Huron. Had he had the slightest regard for the public interest, had he desired to administer his office properly, he would undoubtedly have conferred with the Ontario government, or with the Attorney General of the province, in order to ascertain the facts. The law of 1895 was ample warning to him to have done that, and, in my judgment he gravely neglected his duty if he made the appointment without satisfying himself by examination of the case and reference to the Ontario authorities whether two judges were needed or not. If one judge is enough, it is clear that $30,000 or $40,000, or the equivalent of it, is to be given by the Government for the purpose of rewarding a political supporter.

Mr. WALLACE. For an hour we have listened to a discussion upon the appointment of Mr. Masson to the judgeship of the county of Huron. That appointment must be condemned by all right-thinking men in this House and in the country, under the circumstances. But that is not the subject properly before the Chair, and I do not intend to be dragged away from the consideration of that subject. Before the House prorogues I think we shall have an opportunity of discussing this and many other appointments that have been made or are going to be made under the same circumstances or even more flagrant circumstances, warranting condemnation by this House. But at present we have before us this Bill relating to the Manitoba schools. It is said that the Manitoba schools are godless schools and that if they are not so now, they will be made so by the alternative proposition submitted by the Manitoba government. I have in my hands a sermon delivered by the Rev. Mr. McIntosh, in Ottawa, on the subject of godless schools, which expresses so clearly and forcibly the views I hold, that I shall call the attention of members to it. Mr. McIntosh points out that there is no ground for saying that a secular school is a godless school, any more than there would be for saying that because a music school or an art school that is not opened with religious exercises is a godless school. I have already pointed out that the experience of the world shows that schools that are conducted under the direction of the church become rather devoted to the teaching of dogma than to the training of the children in matters of value to them in everyday life. The result is that in such places as Mexico and the Central and South American republics, after long experience of the control of the church in matters of education, they have decided to pursue the other course. They have refused to permit the church to control the education of their people. It is notable that of all the Government's supporters from Nova Scotia and New Brunswick, only one has declined to vote for this proposal to force separate schools upon Manitoba. Such a system does not exist, and would not be permitted in Nova Scotia and New Brunswick, and yet these gentlemen insist in forcing upon Manitoba a system which they would not have for their own provinces. A more tyrannical or unjustifiable proceeding has never been known. They say there was a bargain before confederation, and that that bargain must be carried out. But the Privy Council has declared in most emphatic terms that no such bargain or agreement as they allege was ever made. What, then, is the reason for forcing this system upon Manitoba ? There is only one reason.

An hon. MEMBER. Let us have it.

Mr. WALLACE. It is that the bishops demand it. We have been told that the people want it. But we have challenged those who say so to leave it to the people themselves, either by petition or simply by holding up their hands, or by any other way. But they have not accepted the challenge. Now, there is another point of some importance to which I wish to refer. A good deal has been said upon the question whether the privileges that have been given to the Protestant minority in Quebec should be denied to the Roman Catholic minority of Manitoba. Well, I say myself that if any privilege that is given to the Protestant minority in Quebec were refused to the Roman Catholic minority in Manitoba, it would be most unfair. There could be no justification for such a course, and I for one would be the first to condemn it. But what are the facts ? The Minister of Trade and

Commerce, in his speech on this subject, made an elaborate statement on this branch of the question, as did also the Postmaster General, but their arguments were altogether beside the mark, because they failed to understand the character of the schools of the Protestant minority in the province of Quebec and wherein they differ from the schools of the majority. On this point a very important letter has been written by Mr. Robert Sellar, editor of the Huntingdon "Gleaner," and as it sets forth the facts in a very clear manner, I propose to read his letter to the committee. (The hon. member reads Mr. Sellar's letter). Now, Mr. Chairman, I think this authoritative statement made by the Huntingdon "Gleaner," is of such importance that I would like to have an answer to it by some member of the Government.

Sir RICHARD CARTWRIGHT. I am sorry to interrupt the hon. gentleman, but I am afraid he will not get any answer from the Government. With his permission and with the permission of the committee, I would like to clear up a disputed matter about which there was a good deal of contradiction of sinners the other evening. It is well to know to whom we are indebted for certain historic phrases. Now, there is a historic phrase the paternity of which is in dispute, but the authority for which I am able to lay before the House :

Sir Charles Tupper to J. A. Macdonell.

Ottawa, May 20, 1879.

My dear Macdonell :

I have consulted Sir John about that matter of the old Bank of Upper Canada premises, and we have decided to knock off the interest, as you suggest. The case will go before council forthwith, as Sir John says, but little confidence is to be placed in the breed, we shall hold its final settlement in abeyance until after the election, when it can be passed through.

The whole correspondence is to be found in the Toronto "Globe," of Thursday, April 5, 1883, to which I refer the hon. gentlemen who have any desire to know. But now the paternity of the historic phrase that "but little confidence is to be placed in the breed" is clearly placed where it belongs, and that is with the present leader of the House. We now know exactly what opinion, when the election was on, that hon. gentleman entertained about the gentlemen he is now patronizing. It is well for the House to have that little matter settled. It was disputed and denied publicly by the Secretary of State, if my memory serves me right, and although I do not see him here, I have no doubt that his friends can communicate with him, and show him where the authority for the statement can be found.

Mr. DICKEY. Where is that ?

Sir RICHARD CARTWRIGHT. The letter is dated May 20th, 1879. The three correspondents are James J. Foy, J. Stewart Tupper and John A. Macdonell.

Mr. WALLACE. I pause for a moment to give the members of the Government an opportunity to reply to the statement of Mr. Sellar.

Mr. TISDALE. Was not the hon. gentleman in accord with the Government on this measure when he was a member of the Government ?

Mr. WALLACE. In the first place, I never was a member of the Cabinet. In the next place, I do not think the hon. gentleman can find any statement that will justify him in making the insinuation. Did I ever appear to be in accord with such legislation ? From the first day the question came before Parliament, when the telegram was received on the 29th January, 1895, announcing the decision of the Privy Council, I have expressed my determination to oppose at every stage this so-called remedial legislation. I invite any hon. gentleman to say to the contrary.

Mr. TISDALE. An hon. gentleman who is a member of the Government, when a positive statement as to the course of the Government has been made, and he does not agree with that course, but does not withdraw until it is requisite to take definite action, he drawing pay in the meantime, is not an hon. member who should lecture the other members of this House in regard to motives.

Mr. WALLACE. I waited on the Premier and told him my views and my position, and that I was ready to hand in my resignation at once. His reply was that my position was not in question in any way, and that my resignation was not needed.

Mr. TISDALE. I say that you remained a member of the Government.

Mr. WALLACE. I never led any one to imagine that I occupied a dual position. In justification of my action, I need only quote the speech of the Minister of Justice of that day, and the Premier himself, who told me that the speech of the Minister of Justice was a complete justification of my course. I was willing to resign—I thought I would not remain any longer in the Government. I went to West York and laid the case before my constituents, and talked over it with 300 or 400 of the leading Conservatives in the county. They said the time had not come for my resignation ; that if the Manitoba question was settled by the local legislature it never would come before this Parliament, and therefore no issue would be raised. I accepted their view with respect to my resignation. The Premier was also of that opinion, and the Minister of Justice. I have never occupied a position where my honour was in doubt, and I never will. It has been suggested that Mr. Sellar, whose views have been quoted, was a representative of Colonel Mulberry Sellar. That, however, is a poor reply to make to an argument, and it appears to be all that the hon. gentleman can make. The St. John's "News," the leading Conservative paper in the Eastern Townships, has recently published an article on the political situation, in which it states that it is not satisfied with the comparison made by Sir Adolphe Caron and Mr. Ives, as between the position of Quebec and the position of Manitoba if the present Remedial Bill became law, and that the minority in the Manitoba province would enjoy privileges which are not now possessed by the Protestant minority of Quebec, among which would be a superintendent of schools of the religion of the minority. I should like to ask the hon. member for Ottawa (Mr. Robillard) whether he thinks it is absolutely necessary to have a Roman Catholic superintendent of schools.

Mr. ROBILLARD. If they were as fair in Manitoba to the Catholics as the Catholics in the province of Quebec are to the Protestants, it would not be necessary.

Mr. WALLACE. Then the hon. gentleman appears to think that the Roman Catholics of Quebec are more fair and generous than the Protestants of Manitoba, and I suppose he can produce evidence of that fact. The history of Protestantism in this country shows, not only toleration and fair-play, but great generosity to the Catholics, a great feeling of regard for the Catholic minority in the different provinces, and I repudiate the statement made by the hon. member for Ottawa that the Protestants in Manitoba are actuated by bigotry or want of generosity and fair dealing.

Mr. ROBILLARD. I did not say so. I said that if the Manitoba government was as favourable to the Catholics as the Quebec government is to the Quebec Protestants, there would be no necessity for the Catholics having such power.

Mr. WALLACE. That is an amended statement. There was no question of the government in the first place. However, it cannot be said that the government of Manitoba is one wanting in generosity and fairness, and in saying so I have no special interest in defending the Greenway government. There is no reason, as regards politics, why I should defend them. I ask the hon. member for Ottawa to read over the correspondence regarding the negotiations between the Dominion and Manitoba commissioners, and see whether there is not evinced an honest desire on the part of the Manitoba commissioners to conciliate and effect a settlement, although they may not be willing to go so far as the hon. member for Ottawa desires. They strongly protest against separate schools, and in doing so they occupy a strong and impregnable position.

Mr. DICKEY. I should like to make a statement.

Mr. WALLACE. I had intended to finish my speech; but I will give way on the distinct understanding that I shall have an opportunity of continuing my remarks.

Mr. DICKEY. I wish simply to refer to a matter while it is fresh in the memory of hon. members, and that is regarding a statement made by the hon. member for South Oxford (Sir Richard Cartwright). I was very much surprised to hear the Secretary of State, among the rest of his misdeeds, charged with being the author of the phrase "there was no confidence to be placed in the breed." I do not know whether it is a credit or not to have originated that phrase, but if it be a credit, I do not think he is entitled to it. I always understood as part of the political history of Canada that Sir John Macdonald had found that striking phrase in one of his happy moments, and that he had been very sorry afterwards that he used it. There is nothing in the statement read by the hon. gentleman to change my impression in the slightest degree. The letter he read is evidently a quotation—that phrase is a quotation. I shall read it thus: "As Sir John says but little confidence is to be placed in the breed, we shall hold this final settlement until." and so on. I am not responsible, nor is the Secretary of State responsible for the punctuation used by the "Globe." But " as Sir John says" could not refer to the fact that the case would go to council, because that was information which the Secretary of State was giving. It must refer to what comes after—that the matter was to be held over.

Mr. PATERSON (Brant). And acquiesced in it.

Mr. DICKEY. I do not dispute that. He quoted a phrase as used by Sir John.

Mr. PATERSON (Brant). And adopted it.

Mr. DICKEY. It may have been a joke or it may not. But he was writing to a Roman Catholic friend, and one who hugely enjoys the joke. But the hon. member for South Oxford read this to show that the Secretary of State was the author of the phrase. The hon. member for Brant (Mr. Paterson) says that the punctuation of the "Globe" makes out that the Secretary of State is the author of the phrase.

Mr. PATERSON (Brant). Does it not?

Mr. DICKEY. I think probably it does. But at the head of the column in the "Globe" appears "Sir John's real opinion of Catholic electors," which shows that the opinion of the "Globe" was that this was Sir John's opinion, in which case the Secretary of State could only have quoted it.

Mr. McGREGOR. The hon. Minister of Justice said that this letter was written to a Catholic. But it was to a Scotch Catholic, and it was to the French Catholics that the phrase was applied.

Mr. DICKEY. No ; to the Irish Catholics.

Mr. DAVIN. The grammatical construction was that that was the reason given by Sir John.

Mr. SOMERVILLE. Evidently, if the leader of the House had been quoting the expression of another he would have enclosed the expression in quotation marks.

Mr. DAVIN. Either the hon. member for South Oxford has forgotten his Trinity College training or he was trying to misrepresent the leader of the House.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

House again resolved itself into Committee.

(In the Committee.)

Mr. LANGELIER. Mr. Chairman, this afternoon the hon. member for South Oxford (Sir Richard Cartwright) brought to the attention of the committee a part of a certain correspondence which took place in 1879. I think it is of some interest to the House to become acquainted with the whole of that correspondence, which has a great bearing on the question before the House. In 1867 a certain property belonging to the Bank of Upper Canada on Duke street, in the city of Toronto, was transferred to the Government of Canada. In 1870 that property was put up for sale, and it was sold to the Christian Brothers, not directly in their name, but to one Mr. Stock, acting in their interest. The selling price was $8,000, which was to be paid in five annual instalments, with interest. One instalment had been paid in 1879, at the time to which the correspondence I am going to read refers. At that time the elections for the legislature of Ontario were about to take place within a few days. The late Archbishop of Toronto, Archbishop Lynch, was very anxious for a settlement of the question of the indebtedness of the Christian Brothers to the Dominion Government for the balance of the purchase money, and applied to Messrs. Foy, Tupper and Macdonell, barristers, of Toronto, to use their endeavours with the Dominion Government to obtain a settlement of that claim—not to obtain a complete release, but a reduction of the claim, especially of the interest. I will now read the correspondence, which speaks for itself. The first letter is as follows :—

Foy, Tupper and Macdonell.
Barristers, Solicitors and Attorneys,
Office, Equity Chambers,
Corner Adelaide and Victoria Sts.

James J. Foy, J. Stewart Tupper, John A. Macdonell.

Toronto, January 23rd, 1879.

(Private.)

Dear Mr. Tupper :

The Archbishop of Toronto has asked me to attend to some business for him, and before writing to you officially on the subject I would like to know what your views are : In 1870 the old Bank of Upper Canada premises, which in 1867 were conveyed by the bank to "the Queen" were sold by order of the Minister of Public Works to the Brothers of the Christian schools for $8,000 at auction. One-tenth of the purchase money was paid at the time of sale ; one-fifth was to have been paid in 15 days, and the balance in four equal annual instalments, with interest at 6 per cent.

Since the day of sale nothing has been done. No portion of the principal or interest has been paid or called for. The Archbishop now wishes to have the matter settled up, the purchase money paid, and the deed procured from the Government. The old gentleman is not without hope that the Government may not claim all the interest on arrears, but he does not care to ask the Government to grant this favour. His object in coming to us, I fancy, was in the hope that we could get him favourable terms, and both in a business and political point of view I would like to meet his wishes. It will be a great matter for the office to get the business of the archdiocese, and I am most anxious to get his ear politically. There is no doubt that he was unfavourable at the last election, believing that the Government will be returned ; and the Ontario men conciliate him in every conceivable way with the view to securing his influence at this coming election. I want to counteract Fraser's influence with him, and if he sees that Foy and I can secure favours at Ottawa for him he is likely to remain neutral at least.

The way in which I would put the application in behalf of the Brothers is that they were perfectly prepared and willing to carry out the agreement entered into at the time of sale, but the Government never enforced it or gave them an opportunity of doing so, and I would ask for the carrying out of the purchase now on payment of the principal and the interest, which would have been paid had the Government enforced the bargain entered into.

Would you speak to Sir John about it if you have a chance ? He knows the Archbishop and his little peculiarities.

We will be obliged if you will have the papers in the matter forwarded to us. When we receive them and hear from you we will write to you officially, and instructions can be sent to Foy in proper time to carry through the transaction on such terms as the Government may decide.

I am acting for the Archbishop,
Faithfully yours,
(Signed) J. A. MACDONELL.

No immediate action was taken by the present Secretary of State. Here is the letter that was written by him in reply :

My dear Macdonell :

I have consulted Sir John about that matter of the old Bank of Upper Canada premises, and we have decided to knock off the interest as you suggest. The case will go to Council forthwith ; as Sir John says, but little confidence is to be placed in the breed, we shall hold its final settlement in abeyance until after the elections, when it can be passed through. In the meanwhile if you could send Foy here on some kind of business with instructions to also inquire how this particular affair is progressing, he will ascertain that it has been referred and recommended by you to Council, which he will naturally report to your client on his return to Toronto.

That is the private letter. Here is the report to Council :

Department of Public Works,
Ottawa, 22nd May, 1879.
(Memorandum).

The undersigned has the honour to report that the property on Duke street, Toronto, known as the old Bank of Upper Canada, deeded to the Government, on the 20th August, 1867, in payment on account of the general indebtedness of the bank to the Government, was under the authority of Order in Council passed on the 13th of September, 1869, and on the 30th of August respectively, sold at public auction to Mr. James Stock for $8,400, the terms of payment being one-fifth cash and the remainder in four annual instalments with interest at 6 per cent.

That the purchase was made by Mr. Stock for and on behalf of the Christian Brothers, who have since the purchase and up to the present time occupied the building for school purposes.

That no further payment than the fifth cash paid at the time of the purchase has been made by the Christian Brothers, and that until recently no demand has been made to them for payment.

That the Christian Brothers, through their agent, now represent that they should not be made to pay the interest which, through the inaction of the Government, has accrued on the unpaid instalments of the purchase amount, alleging, moreover, that the premises were a source of loss while occupied by the Government and that they have not enhanced in value since purchased by them.

That Mr. J. Samond Smith, who was agent of the Government, and in charge of the premises for some years previous to the purchase, and Mr. E. B. Osler, general manager of the North of Scotland Canadian Mortgage Company (Limited) of Toronto, have been asked for an estimate of the present value of the property, and both have expressed the opinion that, apart from the improvements made to it by the Christian Brothers, the property is not worth any more to-day, or perhaps not as much as it was when sold in 1870.

The undersigned, under all circumstances of the case, and in view of the charitable use to which the building in question is applied by the Christian Brothers, and seeing that it could not be sold for the price obtained in 1870, would recommend that on condition of the immediate payment of the whole amount of the purchase money by the Christian Brothers, the property be transferred to them without interest.

Respectfully submitted
(Signed) CHARLES TUPPER,
for Minister of Public Works.

Then, the paper from which this is extracted, states that, according to the endorsation on the back of the report, it was referred to the Committee of the Hon. the Privy Council, and was referred back to the Minister of Public Works. The last part of the correspondence is a letter from the Secretary of the department, as follows :—

Ottawa, June 27th, 1879.

Gentlemen,—As agents on behalf of the Community of the Christian Brothers of Toronto, who have made application to be relieved from the necessity of paying accrued interest on the amount of the purchase money from the building known as the old Bank of Upper Canada, I am directed to convey to you the regret of the Hon. the Minister that the view taken by the Government, as to the necessity of carrying out the terms of the purchase (such purchase having been effected through public auction) has rendered it impossible for them to accede to the representations made by him on behalf of your client.

I am, gentlemen,
Your obedient servant,
F. BRAUN,
Secretary.

Messres. Foy, Tupper, Macdonell, barristers, Toronto.

This correspondence, in my opinion, is of still more importance as a whole, when all the facts are taken together, than the portion which was quoted this afternoon by the hon. member for South Oxford. We must not forget the fact that the elections for the legislature of Ontario were to take place on the 7th June of that year. That correspondence commenced on the 23rd of January, 1879, and the report to Council is dated the 22nd of May, 1879. The present Secretary of State says, repeating a remark of Sir John Macdonald, that he has no confidence in the breed, and that he does not want to pay for the goods before they are delivered, but he will make arrangements to make the goods believe that they are paid for ; and the arrangement which appears from that correspondence is this. A sham report is prepared, to be shown to the representatives of the interested parties, to make them believe that the release shall be obtained for the Christian Brothers, and that if the Catholics of Ontario behave properly, that is to say, vote for the Tory candidates, the report will be carried into effect; but if the goods are not delivered, that is to say, if the Roman Catholics of Ontario do not vote for the Tory candidates, the report will be set aside. As the Roman Catholics did not vote according to the wishes of the writer, the result was that the report was not carried into effect, as is shown by the letter from the secretary of the department. All the good reasons given in the report seem to have been of no effect after the elections took place. This shows the way the principal member of this Government was dealing with the Roman Catholics of Ontario at that time, and the opinion he and his Government had of them. And now these are the people who want to make the Catholics of the whole Dominion believe that they are their best friends.

Sir CHARLES TUPPER. Will the hon. gentleman allow me to have the book ?

Mr. LANGELIER. Yes. It is published in the "Globe," of the 5th of April, 1883, as having been taken from the Hamilton "Tribune," which, I am told, was an independent paper.

Sir CHARLES TUPPER. Mr. Chairman, when the hon. leader of the Opposition stated, a few evenings ago, that I had, on a former occasion stated, in reference to the

Roman Catholics, that I had no confidence in the breed, I promptly challenged the accuracy of that statement, and I defied any man living to produce any such statement ever made by me during my life. A good many things have happened since 1879, and I had a vague recollection of a charge of this kind having been made either against myself or against the late Right Hon. Sir John A. Macdonald; but I felt perfectly certain that it was quite impossible that I ever could have made such a statement as that, as it was in contradiction to the whole tenor of my public life, and I am very much obliged to the hon. member for Quebec (Mr. Langelier) for having given me an opportunity of meeting this attempted support of that slander, on the present occasion. I denounced it then as an unfounded slander, and I am prepared to prove that I properly denounced it as an unfounded slander. The statement here is in a letter addressed by me to Mr. John A. Macdonell. In that letter it is said:

> I have consulted Sir John about that matter of the old Bank of Upper Canada, and we have decided to knock off the interest as you suggest. The case will go to Council forthwith, as Sir John says but little confidence is to be placed in the breed.

It is not a statement, therefore, made by me. It does not profess to be a statement made by me: it intimates Sir John said that. That is the only construction I can give this letter. I see the hon. gentleman smiling and evidently under the impression that some little quibble can be raised on this point; but I am happy to say that I stand here in the position to-night not only of throwing back this vile and miserable slander upon the parties who have ventured to bring it up here but of giving the most convincing evidence possible of its entire falsity. How any gentleman, how any intelligent man could suppose that I, professing, as I do in this matter, my desire to obtain the approval and meet the views of a gentleman who had addressed me on a public question—how any man of the lowest order of intelligence could suppose that I, in writing to a Roman Catholic gentleman, would make use of such an expression as that, passes my comprehension. The circumstances occurred so long ago as 1879, and a good deal having happened of interest since that period, my recollection was very hazy of the matter, but I recollected that some such charge had been made and had been promptly refuted at the time. But happily for me, a gentleman who was a prominent actor in the whole of this matter, and who consequently has the subject more within his recollection, Mr. John A. Macdonell, a barrister of high character and standing in this country, a Roman Catholic gentleman, who was the person who communicated with me with reference to this business, and with whom I had this correspondence, wrote me a letter which I received yesterday. I am not quite aware where my private secretary is, but shall have great pleasure in laying before the House that letter from Mr. John Macdonell, the gentleman mainly concerned in this transaction, at that time a member of the firm of Foy, Tupper and Macdonell, with whom this correspondence took place, and I may mention, at the same time, that Mr. Foy is a Roman Catholic gentleman of as high standing as any man in this country—I shall say nothing about the third partner in the firm. But that it could be supposed possible, that I, in addressing the firm of Foy, Macdonell and Tupper, would use such language as that, or that even if Sir John Macdonald had made use of such a term, I would repeat it in a letter which, if it had any influence at all, would necessarily and naturally be shown to his Grace the Archbishop of Toronto, passes my comprehension. Mr. Macdonell, who remembers the facts perfectly, has addressed a letter to me, stating that no such words were contained in the letter addressed by me to him, and he adds that these letters were stolen out of the office of Foy & Macdonell and that a vile forgery was perpetrated by interpolating those words. The facts, as I have said, have long since passed away from my mind, but I had perfect confidence in challenging any man living to pretend that any such statement or any evidence of any such statement ever having been made by me. Mr. Macdonell, unsolicited by me, sent me a letter which I will have great pleasure in laying before the House to-morrow. I would do so at this moment, but cannot find my private secretary, to whom I gave it for the purpose of having it typewritten, in order that it might be more easily read. Mr. Macdonell informed me that, with my approval, he proposed to send the letter to the hon. leader of the Opposition. He declares that his letter never contained any words of the kind, that those papers were stolen from the office of Foy, Macdonell and Tupper, and that this forgery was then perpetrated and given to the press. I need not waste much more time on this question, and I leave it for the committee to decide how hard driven hon. gentlemen opposite are to find some evidence by which they can attack the character of a man who, from the commencement of his public life down to this hour, has never committed an act or uttered a word with reference to the Roman Catholic body in this country that has not been of the most respectful character. I need not take the time of the committee longer than to say that I shall have great pleasure in giving the evidence that this letter of mine which was shown—if my memory serves me rightly; I read it over hastily—to His Grace the Archbishop, contained no such words and no reference of the kind charged against me. I may mention for the information of hon. gentlemen who may think that this was perpetrated to secure Catholic votes at the election, that this correspondence appears to have taken place in 1879, four years before there was any election.

Mr. MILLS (Bothwell). The hon. Secretary of State has told us that the paragraph which appears in the letter is an unfounded slander and that Sir John Macdonald did not say any such thing as there reported, and that no such statement was in the letter. I am not going to contradict the hon. Secretary of State in that matter, because it is quite out of my power to do so, but I may call the attention of the House to this fact, that this letter was read when Sir John Macdonald was living and a member of this House, and that while he jested with regard to it, he never denied or contradicted it, and that was very much nearer the period when the correspondence took place. Then there is to be borne in mind, that in that letter it is said that a certain proceeding will be adopted. I call the hon. Secretary of State's attention to this fact, that in the letter he repeats words that Sir John Macdonald had employed, that he had no confidence in the breed, and that is intimated as a reason for the course which was marked out to be taken with reference to this property and with reference to the famous terms or understanding with regard to the agreement come to between those solicitors and the Government. The charge made and the course of procedure adopted are exactly in the same line; and I will call the attention of the hon. leader of the House to this fact, that it is not only necessary to show that no such phrase was used by Sir John Macdonald and no such phrase repeated by him in this correspondence, but it is equally necessary, in order to maintain the position which the elimination of these words would imply, that the policy adopted with regard to the remission of interest upon this property and with regard to the time at which this arrangement was to be carried out was altogether different from that represented in the correspondence. I did not understand the hon. leader of the House to say that the rest of the correspondence was not genuine.

Sir CHARLES TUPPER. I have not had time to look over the correspondence.

Mr. DAVIES (P.E.I.) I did not understand him to say that he recollected sufficiently to challenge the accuracy of that letter.

Mr. MILLS (Bothwell). No, his challenge is not upon his own recollection, but upon the letter received by him.

Sir CHARLES TUPPER. I challenged the statement, when first made, as unfounded, and defied any person to the proof; but though my recollection of the circumstances of such a charge having been made some time ago was dim, I said I knew there could be possibly no truth in the statement and that I never said anything of the kind.

Mr. MILLS (Bothwell). The hon. gentleman will see that by the statement in the correspondence which he read—I have not read it myself since the time it appeared, some twelve or fourteen years ago—this is indicated that we have no confidence in the breed, you want this course adopted, as you say in your correspondence, partly for political consideration. That political consideration was that you should support the Conservative party in the local elections, and that then, if you do that, we will carry out this understanding. Now, we propose to submit an Order in Council, but we do not propose to ask that that Order in Council shall be adopted, we will communicate that Order in Council to you, and if you fulfil the political obligations on your side, then we will fulfil these pecuniary obligations on ours. And as the political obligations were not fulfilled, as the Conservative party did not in the local election receive the support of the Roman Catholic electors of the province of Ontario, as the Roman Catholic electors supported the government of Mr. Mowat, the arrangement have fallen through in part upon the one side, was abandoned on the other. That is what the correspondence, if it is a genuine correspondence, shows, and that is exactly in harmony with the contention that you had no confidence in the party with which you are dealing. If you had confidence in that party, you would at once have adopted the rule which prevails in ordinary business transactions; but having no confidence in them, you will not make the remission of interest, you will not act upon the report of your officer or agent in the matter until the elections are over, and you see whether the other party fulfil their obligation. The hon. Secretary of State will see that, if the correspondence is genuine, to say that you have no confidence in the breed is a very subordinate part of the whole matter, and of much less consequence than those other portions of the correspondence, which assume that you do distrust the parties and that you will not fulfil the arrangement until the elections are over and you see that they have carried out their obligation. These are the facts which appear upon the face of that correspondence if it is genuine.

Sir CHARLES TUPPER. That is a different question altogether.

Mr. MILLS (Bothwell). But the hon. gentleman will see that it is in perfect harmony with the statement that you have no confidence in the other party.

Sir CHARLES TUPPER. Do not say my statement, please.

Mr. MILLS (Bothwell). With the statement in that letter, which the hon. gentleman says is a forgery, because if it is not a forgery—and I am not calling in question the words of the hon. gentleman—then by quoting the words, as they stand there, which are quoted because the writer agrees with them: "Sir John Macdonald says he has no confidence in the breed"—assuming for a moment that that was a genuine expression, the hon. gentleman was adopting that idea as the basis of the negotiations which were to follow—I am not saying that the hon. gentleman did use these words, because he has denied that himself.

Mr. DAVIES (P.E.I.) No, he has not. He says that Mr. Macdonell denies that these words were in the letter he received.

Sir CHARLES TUPPER. I did deny most emphatically, and the hon. gentleman knows that I denied it, and I challenged any man living to prove that I ever in my life used any such language.

Mr. DAVIES (P.E.I.) I did not understand the hon. gentleman when he rose a few moments ago to say that he had sufficient recollection of the letter to enable him to pronounce those words to be an interpolation and a forgery, but that Mr. Macdonell would say so.

Sir CHARLES TUPPER. I have given it the most emphatic denial a man can give any statement and defied any person to prove it, and I offered to produce Mr. Macdonell's letter, in which he declared that the papers were stolen and that no such statement was in the letter, and that it was a forgery.

Mr. DAVIES (P.E.I.) I am not questioning any statement of the hon. gentleman, but I am merely asking whether he says that those words were a forgery.

Sir CHARLES TUPPER. I do. I say that such words were never written by me in my life, and have said so repeatedly.

Mr. MILLS (Bothwell). I have nothing further to add. The hon. gentleman says he has not read the rest of the correspondence and cannot speak with regard to it. I just rose for the purpose of calling attention to the facts which I have stated, and I understand the hon. gentleman, not only to deny upon the statement of Mr. Macdonell, but upon his own recollection, that any such letter was written by him.

Mr. WALLACE. Before the question is put to the committee I wish to enter my protest at the interference and obstruction which are practised here from day to day and night to night when we propose to discuss this Remedial Bill now before the committee. Why, Sir, before six o'clock, I was asked, when I was discussing some of the clauses, if I would postpone my remarks for a few moments in order to enable the hon. Minister of Justice to read a statement to the House. I did so, and ever since then we have been taken away from the question, which we supposed would receive our most serious consideration. Now, with your permission, I shall try to bring the House back to the consideration of this very important question. Before six o'clock I was discussing a point that had been raised by hon. gentlemen—not recently, but five weeks ago,—and that was that, as a matter of fair-play, and of right and justice, the minority in the province of Manitoba should receive the same treatment as the Protestant minority in the province of Quebec. Now, I shall endeavour to establish that the minority in Manitoba are not satisfied with the measure given to the minority in Quebec. The fact is, that in Quebec the doctrines of the Roman Catholic Church are taught in the schools of the majority, and it could not be asked that the children of Protestant parents should attend these schools, or that Protestants should be asked to support them. As a matter of fact, Protestants are asked to support these schools in places where they are not sufficient in number to establish a Protestant school. On the other hand, in the province of Manitoba, the public school is not sectarian, and there is nothing taught that will interfere with the consciences of the children. The only grievance raised against them is, that Roman Catholics are not allowed to teach the doctrines of their church in schools supported by the state. I submit to the fair consideration of every man in the country, that that does not constitute a grievance. I have letters here which I will read in order to support the statement I have made, that the schools in the province of Quebec are sectarian in their character. A writer to the editor of the Ottawa "Journal" compares the system of schools existing in Quebec with the present school system of Manitoba. Here is what he says:

> To the Editor of the "Journal":
>
> Sir:—So much has been said in course of the discussion upon the Manitoba school question by way of comparison of the position of the Roman Catholic minority in Manitoba with that of the Protestant minority in Quebec, that the public has already come to believe that the Quebec Protestant minority are allowed all sorts of latitude and run their schools as they please. The law quoted below will show how the treatment of Protestant schools starts at its foundation. I give hereunder the law upon which the structure is built:
>
> FROM REVISED STATUES, QUEBEC.
>
> 1893. The Council of Public Instruction is composed of Roman Catholic and Protestant members, as follows:—
>
> 1. The bishops, ordinaries, or administrators of the Roman Catholic dioceses and apostolic vicariates, situated either in whole or in part in the province, who are members ex-officio.
>
> 2. An equal number of Roman Catholic laymen appointed by the Lieutenant-Governor in Council.
>
> 3. A number of Protestant members, equal to the number of Roman Catholic members appointed by the Lieutenant-Governor in Council, who are appointed in the same manner.
>
> (That is one Protestant for each Catholic layman).
>
> 1908. Each Roman Catholic bishop, vicar apostolic or administrator of a Roman Catholic diocese, if unable through illness or absence from

> the province to be present at the meetings of the council, or at those of the committee of which he forms part, may appoint a delegate to represent him, and such delegates shall have all the rights of the person appointing him.

> ### THE DEDUCTIONS.

> You will notice from this that the Protestant minority representatives (?) are appointed by the Roman Catholic majority ; that they are outnumbered two to one.

There must be two Protestants to one Catholic on the school board in the province of Quebec, and in that case the two would have their way whether it is just or not. I do not, however, make any complaint that there is any injustice at the present moment. I merely mention the fact now, and show that the Catholics in Manitoba are better treated than the Protestants in Quebec.

Mr. JONCAS. The Protestants have their own separate Board of Education in Quebec.

Mr. WALLACE. I am quoting the law.

Mr. JONCAS. But they have a board for themselves, and they can manage their own affairs.

Mr. WALLACE. Excuse me, a large part of the business is conducted by the joint board. I will point that out afterwards.

Mr. JONCAS. What are you reading from ?

Mr. WALLACE. A letter addressed to the editor of the Ottawa "Journal."

Mr. JONCAS. By whom ?

Mr. WALLACE. By a citizen of Montreal.

Mr. JONCAS. What is his name ?

Mr. WALLACE. His name is James Harper.

Mr. JONCAS. Is he quoting the law of the province of Quebec ?

Mr. WALLACE. Yes.

Mr. JONCAS. Then he is misquoting it.

Mr. WALLACE. These statements were made in the Ottawa papers on the 29th of March, and if there is anything incorrect in them, they could have been corrected by anybody who pretends to know the law. I say that the statements contained in this letter are correct. The question about the assessments for school purposes on corporations also comes into this Act, and the manner in which the law, in this respect, is administered in the province of Quebec, is most unfair to those men who invest their money in joint stock corporations. Suppose a Protestant in Montreal has $100,000 invested in his business, he can see that all his rates go to the Protestant schools, if he so wishes. That is fair. But suppose he finds it more convenient to change his business into a joint stock company, and although the men who compose that company be all Protestants, the school tax on that company is not given by law to the Protestant schools, but it is divided in proportion to the school population, or the school attendance, I do not know which, respectively, of the Protestants and Roman Catholics. In Montreal, where there are six Catholic children to the one Protestant, $6 of the taxes of that Protestant joint stock company would go to the Roman Catholic schools, and only $1 to the Protestant schools.

Mr. LANGELIER. That law to which the hon. gentleman refers was adopted in 1869 by the legislature of Quebec, with the unanimous consent of the Protestants in the legislature. There was no opposition at all to it, and I never heard any objection or opposition made to that law, except within the last two or three years. I may say, that the threat alluded to in one of the letters read was, that if the Protestants insisted upon their contention in that matter, the Catholics would insist upon some other things. At the present time, the Protestants get for higher education much more than their proportionate share, because, otherwise, they could not maintain their normal schools. The threat to which allusion is made there, was that if the Protestants wanted to have the money obtained from corporations distributed in a different way, they would not receive more than their due proportion for their higher schools.

Mr. WALLACE. Even if the law were adopted by unanimous consent in 1869, that does not make it right. The hon. gentleman (Mr. Langelier) himself says that complaints have been made during the last few years of the injustice of this law. We all know that the course of business has changed since 1869, and that enterprises which were then conducted by private firms are now turned into joint stock companies. This change perpetrates a gross injustice on the Protestants of Quebec, because a Protestant conducting his business privately in former years could pay the taxes as he liked, but now if he turns his business into a joint stock company, he has to pay the greater part of the taxes of the Roman Catholic schools. What might have been a small grievance in days past, has become a grievance of enormous magnitude at the present day. As to the statement of the hon. gentleman (Mr. Langelier) about the share which the Protestants obtained for higher education, I do not know about the circumstances, and cannot say anything as to that. The writer further says :

> That the Roman Catholic bishops and clergy are privileged to be always present, if not in person, by proxy, with full powers from the bishop or priest to do his will ; that the Protestant, be he layman or minister, has no power to send a proxy ; and that no person unless he be a Protestant subservient to the powers that are may be appointed.

> When people speak of giving Manitoba Roman Catholics rights equal with those of the

Protestants of Quebec, they should first ask what rights the Protestant minority of Quebec enjoy. The so-called Protestant schools of Montreal are managed by Protestants appointed, one-half of them, by the Roman Catholic majority of the Montreal city council and the other half by the Roman Catholic majority of the province—the Quebec government.

Representatives of the hierarchy have said that they will accept no less for the minority of Manitoba than the Protestant minority of Quebec receives.

In face of the facts given above, would the hierarchy accept such an arrangement as this, even if the Protestant system permitted it to be fastened upon them? Fancy the Archbishop of Canterbury appointing a cordon of bishops who should by virtue of their appointment by him become not only members but arbiters with special privileges of the school government of Manitoba, Protestant and Catholic. Nevertheless, it is the Pope's bishops, appointed by him in Quebec, who hold that position towards the Quebec Protestants.

In face, even, of the statute I have here quoted, such gentlemen as Sir William Dawson and others actually champion an extension of privileges enjoyed by the hierarchy in Quebec to Manitoba. Such gentlemen declare over their own signature that Quebec Protestants have nothing to complain of.

SOME PROTESTANT EXPERIENCES.

Principal Shaw at this very moment is hat in hand before the Quebec government asking relief for certain Protestants in Montreal who have been commanded to pay taxes to the Roman Catholic school parish of St. Gregoire le Thaumaturge, which is within the city limits, and who have already paid and still are liable to pay to the city of Montreal Protestant schools as well. The Rev. Principal MacVicar several years since endeavoured to have the joint stock corporation's tax, most of which goes to Catholic schools, though nearly every dollar of it is paid by Protestants, more fairly distributed. He failed, and could not find a Protestant member of Parliament with courage enough to fight it through Parliament. As for the council of education, there leaked out from its star chamber a story that Dr. MacVicar had been threatened that if the Protestants decided to press that just claim it would be worse for them, as they would lose more in other directions.

So much for the application of the rights, save the mark, which Protestants in Quebec enjoy. The privileges, as you will observe, all belong to the majority.

The so-called freedom for Quebec Protestants from Roman Catholic supremacy is chimerical. The very law above quoted shows them to be under the heel of the hierarchy, because the legislature will not alter anything in either law or practice except at the bidding of the council of education. That means the cardinal and bishops who are, as the law shows, its privileged governors and law interpreters. Quebec's Protestant minority should not be made a foil for the Manitoba minority, and all that high lay or clerical dignitaries of our province may say about the generosity of the majority in Quebec cannot alter the facts above stated. If these exhibit any generosity it must be of the nature of the fabled sunbeams that are extracted from Quebec cucumbers.

JAMES HARPER.

Montreal, March 20, 1896.

In the face of these facts, which are incontrovertible and undisputed, we may see that the demands made in favour of the minority in Manitoba are much greater than those granted to the minority in Quebec. Protestants in the province of Quebec have stated to me many a time that if the schools there were such as they could send their children to without their religion being interfered with, there would be no demand for dissentient schools in that province. Now, efforts have been made to settle this difficult problem; but I regret, and I am sure every member of this House will deeply regret that efforts had not been made long before to get the difficulty settled by the province of Manitoba on a basis which, if not all that the Roman Catholic Church might demand, would be fair, just and conciliatory, not only to the minority, but also to the majority of the people of that province. Our Premier visited the North-west, accompanied by the Minister of the Interior, and was in the city of Winnipeg for several days, during which he met the board of trade and the municipal council, and conferred with them about various matters, and yet not one step was taken by these gentlemen to meet the government of Manitoba and endeavour, by mutual concessions, to arrive at an agreement that would be fair and reasonable to all parties. The whole of this correspondence shows the anxious desire of the government of Manitoba, and also of the commissioners of this government, to settle this question. But after the commissioners had gone out, with instructions which permitted them to use their discretion largely, I regret to say that a subsequent Order in Council, limiting them to agree only to such terms as would be satisfactory to the minority, completely nullified their former instructions. The two governments meet to use their best efforts to come to an agreement, and before they get to work, supposing themselves to be untrammelled, an Order in Council is passed tying their hands. What do the minority want? They want the principle established that this Parliament of Canada, unnecessarily, as I contend, thrusting their power into the province of Manitoba, shall make a declaration which shall be not only for the province of Manitoba, but for every province of this Dominion. If it is wise and just to establish separate schools in the province of Manitoba, why is it not wise and just to establish separate schools in the province of Nova Scotia? If it is to be done for one province, let it be done for all the provinces by changing the constitution of the country. That is a great reason why, in my opinion, we should stay our hands, and decline to pass this legislation. While the Government have been compelling this House, day after day, and night after night, to sit to carry through this legislation, what have they been doing? I see the Finance Minister. We know his great abilities as an orator.

and his acumen as a statesman; we know his patriotic instincts; we know that he is imbued with the great policy of uniting this country more closely with the greatest Empire the world has ever seen: we know that he is a man whom we have heard with great satisfaction on this measure as it proceeded day by day. He made one strong speech on the Bill, but we have not heard from him from that day to this. We have seen him sitting in his seat and resting, evidently not caring about the Bill. What for? To coerce the Parliament of Canada as well as the province of Manitoba? Is that the object these hon. gentlemen have in view? Then, there is the Minister of Justice. He has had large control of this measure. He is supposed to have drafted its clauses. I do not believe it. I do not believe that these crude, ill-considered clauses have been drafted by a man of his great legal ability. There is another man in this House—the Controller of Customs.

Mr. HUGHES. The late Controller.

Mr. WALLACE. The late Controller has been heard from several times, and, his voice holding out, I hope he will be heard from again. But I am speaking of the present Controller of Customs. We all admire the career of that hon. gentleman from the day he came into Parliament. We know the impartiality he displayed as Deputy Speaker, and we know the able manner in which he has discharged the duties of Controller of Customs. Yet with all this experience, and with that judicial look which no man can bear better than he, with the training he has obtained in Parliament, and in the legal profession, giving him the high standing he very properly holds, we might reasonably have expected that his eloquence and good sense would have been given to expounding the provisions of this Bill, and justifying and defending it. We have expected all this, but we have been disappointed. I remember well when he and I were deputed to visit the farmers of this country and to ascertain their views as to what changes should be made in the tariff, in the interest of that important section of the community. If hon. members of this House had been present and seen the ability with which that hon. gentleman conducted those negotiations, ferretted out the facts, and laid down the law for the guidance of the farmers of this country, they would have been delighted that Canada possessed such an able and eloquent statesman. But on this important question, I regret to say, like his colleagues, he has not a word to say. When we are discussing its clauses, or discussing its general provisions, as we are doing to-night, they remain silent. When they do get an opportunity to speak, they do not discuss the Bill at all. The leader of the House has addressed the House several times with great vigour; but what has he said about the Bill? Not a word: he never mentions it. Why is it? Because the principle and the clauses of the Bill cannot be defended. It is left to the minority in this House to discuss the provisions of this Bill. Every clause of this Bill which we have discussed we have taken to pieces and turned inside out, and we have not done enough of that yet. Why, the first two or three clauses which we took hold of, I must confess we did not consider as carefully and lengthily as we should, and consequently they are in such a position to-day as to render the Act unworkable: but we are determined, when the other clauses come along, to scrutinize them more carefully, so that we may be able to justify our legislation before the people. Now, how about the other members whom I am delighted to see around me to-night. Look at my hon. friend the member for L'Assomption (Mr. Jeannotte), a gentleman whom every member of this House delights to meet, and who, in the county of L'Assomption, which he represents so worthily, and in the city of Montreal, where he resides, is greeted with an affection such as falls to the lot of no other representative in this chamber. But it is not only in the county of L'Assomption and the city of Montreal, but all over the province of Quebec the hon. gentleman is held in equally high esteem. Why, even in the county of West York, hundreds of miles away, the name of the hon. member for L'Assomption is a household word.

Mr. JEANNOTTE. I hope the hon. gentleman will spare me his compliments, unless he wants to ruin me in my county.

An hon. MEMBER. Did you not support him at one time?

Mr. JEANNOTTE. I supported the Government of which he was a member, but always spoke against him, when the opportunity offered.

Mr. WALLACE. That shows that I am a much better Christian than the hon. gentleman, for I am prepared to go down into the hon. gentleman's county and prove every word I say. The hon. gentleman has gained a reputation for himself unique of its kind. Do we not know that on that great question of Canadian tobacco he was the champion who insisted that the Canadian tobacco-grower should be given ample protection.

Mr. DEPUTY SPEAKER. Order. Speak to the question.

Mr. WALLACE. Then, there is the hon. member for South Norfolk (Mr. Tisdale). We heard his charming voice to-day, after he had been silent for a week or more; but, when we did hear it, he was obstructing the business of the House. Did he talk on the Bill which is engaging our attention? No: not one word. Are we not all delighted, when we go to the Committee of Railways and Canals, to find our genial friend, who is the

Chairman of that committee, expounding the laws and regulations regarding railways, and, when we try to get in a word, we cannot get it in edgeways. The Chairman will simply say: You are entirely wrong; allow me to explain the law to you. And he explains it so lucidly that we acquiesce in his opinion and fall into line; but, though he is able to speak intelligently and fluently on every question that comes up in this House, on this important question now before us, for a whole week has his tongue been silent. What is the reason? Surely, it is not with the intention of letting us go blindly in this discussion, because I know he could give us many valuable pointers with regard to this measure? We have other gentlemen who are constantly engaged in giving us the benefit of their views in promoting the business of Parliament, but who on this question have not a word to say. We have members of Parliament who on this question, instead of giving us here the advantage of their views and taking part in the discussion, write to the newspapers under such noms de plume as "A West York Conservative," relating slanders and misstatements of every description about myself, but when we ask them to come before the committee and state their views and objections, not one word can we get from them. What is the reason? Is it because the order has gone out that they are not to speak? I could not suppose so. This is a free Parliament, and we are bound by our duty to our constituents to legislate wisely and well. We are responsible to our constituents, to Parliament and to our consciences, and, if we do not endeavour to carry out our duties as members of Parliament, we are failing in our trust, and will have to account to the people for that failure. Some hon. gentlemen seem to imagine that because this Parliament has lasted so long, we are going to sit here for ever. They are mistaken. I am told that on the 24th of this month, what has never occurred in the history of this country, nor in any country favoured with parliamentary institutions, since Oliver Cromwell ordered the bauble, as he termed the Mace, to be taken away, is going to occur here. On that day we are to be told that we can no longer remain here, but must depart at once. Is not that a humiliating position? On the 24th of April our powers to do anything are to be exhausted. Are we going to stay here until the Governor General, as it is his bounden duty to do, will order us to go away, and tell us that he wants another body of men, who will come back representing the views of the people? For these reasons I strongly urge that this Parliament is not performing its duty in attempting to carry legislation through this House. I am told that the business of the country will require us to meet again, a few short weeks after the elections are held, and they should be held at the earliest possible moment. If that be the case, why not wait for the verdict of the people? Are we above the people, that we are not going to pay any attention to their opinions? Sir, they have been looking into this question, as we have; they are interested in it equally with us. They are the men who sent us here, and, that being the case, we are not doing our duty in attempting at this late hour, and in the dying hours of this Parliament, to force this legislation upon an unwilling people and adopt a system that has never yet been tried in this Dominion. Power has been given us in our constitution to pass remedial legislation, but that power has never yet been exercised, and it should only be exercised with the greatest discretion and caution. In view of these facts, I do not think that the Government should insist on forcing this measure through. But let the question be discussed in its various phases before the people, and then those words of wisdom that fall like dew from heaven will have their effect upon the next Parliament, and we will have more careful legislation, if it be then thought necessary to legislate at all in this matter, than can possibly be enacted in these dying hours of this dying Parliament.

Mr. SPROULE. Before we adopt the motion in your hands, Mr. Chairman, I would like to say a few words on this question, as we may never have another opportunity. There is no denying the fact that we are building up history very fast at present. One of the most important pages in our history will be, no doubt, that containing the account of the long sitting of this extraordinary session—the longest we have ever had. But, if the sitting has been a long one, there has been a very good reason for its extreme length. We were told at the beginning of the debate that this was the most important measure which had ever engaged the attention of the Canadian Parliament; and, as the debate went on, we began to realize more fully the force of that declaration made by the hon. leader of the House, in moving the second reading. We began sitting on Monday afternoon, and by tweleve o'clock to-night we will have sat 129 hours, during which our whole time has been given to the consideration of this most important measure. Nor is it to be wondered at that this Bill should require so much of our time, because there is no precedent for legislation of this exceptional character. It is now the 11th of April, and since we commenced considering this Bill on the 3rd of March eleven clauses have been passed or disposed of in some way. It would be an interesting problem in mathematics to calculate what length of time it would require to pass the remaining 101 clauses. Considering that this Parliament must prorogue on the 24th of April it is apparent to every one that this Bill cannot be put through the committee stage before that time. I might to-night with perfect safety pronounce the valedictory on this measure, because I believe it extremely improbable that it is likely to be introduced in any future Parliament or that we will ever be able to whip this Bill into a condition that will make it workable. There are some important clauses in this Bill, but the House last night saw what difficulty there was in understanding them. It is said that in a multiplicity of counsel there is wisdom, and I never saw a better illustration of that than I saw last night when eminent lawyers in this House were giving their opinions on certain clauses on which no two of them could agree as to the interpretation of the clause, or that it was suitable for the purpose intended. If doctors differ it is plain that lawyers differ also, when we saw them here considering a single clause for hours without being able to agree as to what it meant. I have no doubt that there has been a great deal of time wasted in this debate, but I cannot be accused of wasting time. Every time we discussed this Bill I endeavoured to make my remarks as brief as possible so as to convey what I intended, and to present the amendments which I thought necessary. I have not obstructed this Bill, unless it may be said that the giving of short explanations was obstruction. I may fairly say that I have endeavoured to devote myself as assiduously as possible to the task that was before me. Now, with regard to the result of the commission which was sent to Manitoba the other day. From my reading of the report of that commission it struck me as wonderful how difficult it sometimes is for men to come together when the differences between them are so slight. Looking at the proposal of the commissioners and at the reply of the Manitoba government it occurs to me that the whole trouble might have been settled within four hours deliberation. I believe, Sir, that the greatest good is going to follow from that commission. I believe that at no very distant time in the future it will result in bringing about a satisfactory settlement of this vexed question. Although this session may end without passing the remedial law, I am still hopeful that it is not only possible but probable that if a reasonable effort is made this question may be settled before the general election. I am sure that every one would gladly welcome such a result. It is desirable that it should be done, and the more I examine this report of the commission to Winnipeg, the more I am inclined to believe that a settlement can be effected. I have no doubt that the hon. gentlemen who went there on this commission tried to do their best. I have every respect for them. I know them to be men of amiable disposition, men of high integrity and great ability, and men who would try to accomplish what they had in view. I look upon it with a feeling of regret that they did not succeed. But I am still hopeful that their efforts will be ultimately crowned with success. Sir, if the motion that the committee do rise had been adopted at three o'clock this morning and had we met at a reasonable hour to-day, I believe that greater progress would have been made with the Bill. There is no doubt the Government desire to pass this Bill and that they are doing their best in that direction, but I think that there has been a mistake of judgment on their part. I know that the Secretary of State or leader of the House was actuated by the best intentions, but at the same time it was not right that he should ask members of this House to sit day and night. We have heard a great deal of talk about the vote on the second reading, and the member for North Victoria (Mr. Hughes) gave a lengthy explanation of his vote on that occasion. My desire was to prevent this Bill from becoming law, because I regarded it as an unsuitable measure, and so I voted for the six months' hoist, because if carried that effectually killed the Bill, and I also voted against the second reading. I have the authority of Dr. Bourinot that the best way to kill a Bill is to vote for the six months' hoist, and that course I pursued. Dr. Bourinot says:

> The Commons have no rule on the subject, but the practice of the House is always to discuss the principle of a Bill at this stage. Any member may propose as an amendment a resolution declaratory of some principle adverse to, or differing from, the principles, policy or provisions of the Bill, or expressing opinions as to any circumstances connected with its introduction or prosection or otherwise opposed to its progress, or seeking further information in relation to the Bill by committees, commissioners, the production of papers or other evidence, or the opinion of judges. All amendments must "strictly relate to the Bill which the House by its order has resolved upon considering."

Now, the member for South Leeds (Mr. Taylor) voted against the six months' hoist, but said that when the Bill got to the committee stage he would move an amendment of which he had given notice and which would practically change the principle of the Bill. The member for North Victoria (Mr. Hughes) did the same in effect. But it is a very strange thing that at the very time when these gentlemen had an opportunity of moving their amendments on the motion for the second reading of the Bill they never said a word about them. I say that this House and this country cannot regard these gentlemen as being sincere in the action which they have taken in connection with this matter. These two hon. gentlemen said: Wait till we get into Committee of the Whole. Well, we have been in the committee during the last week, and during all that time neither of them attempted to move the resolutions of which they had given notice. Are these hon. gentlemen sincere, or are they trying to befog the House and the country? Why have they not moved their amendments? Up to the present time they have not made a single effort to get the principles of those proposed amendments accepted by this

House. They have made long speeches in explanation of their position, which I am told they have sent out in large numbers to the country to show that they desired to oppose the Bill ; but at the time they should have done so neither of them attempted to do it. Both of these hon. gentlemen have said time and again that they were against the principle of this Bill. The hon. member for South Leeds (Mr. Taylor) has said so to his constituents, both in public and in private ; the hon. member for North Victoria (Mr. Hughes) has, I think, said so repeatedly, in his paper, on the platform and in this House. But the resolution which was moved, and which above all other resolutions was best calculated to kill this Bill for the present session, which means to kill it for all the time we can kill any Bill—that is, for giving it the six months' hoist—was voted against by both of those hon. gentleman. Dr. Bourinot, in his work on parliamentary procedure, says :

> If a resolution adverse to the Bill be resolved in the affirmative, or the motion "that the Bill be now read a second time" be simply negatived on a division, the measure will disappear from the order book, but it may be revived at any subsequent time, as the House has only decided that it should not then be read a second time, and the order previously made for the second reading remains good. When a Bill disappears in this way from the Order paper, it is competent for a member to move at any time : "That it be read a second time next." On this motion being agreed to, the Bill takes its place on the orders.

That is to say, if the motion that the Bill be now read a second time be lost—the motion which both of these hon. gentlemen voted against—does that kill the Bill ? No ; it only removes it from the Order paper for twenty-four hours, when it may be restored to the Order paper, as was done in the case of the Chignecto Railway Bill this session, and the second reading may be carried. When it is desired to kill a Bill effectively, the practice, as stated by Dr. Bourinot, is as follows : —

> It is customary for those who are opposed to a Bill to move "that the word 'now' be struck out, and the words 'this day three' (or four, or six months)" be added at the end of the question.

In this case, the proper and legitimate motion for killing this Bill was made, that it be not read the second time now, but that it be read the second time six months hence. If that motion had carried, six months hence this House would not be in session, this Parliament would have been ended, and the Bill would have been killed and could not have been revived during the present session. If these hon. gentlemen had voted for that motion, the country could have credited them with a sincere desire to kill this Bill. But they did not show a sincere desire to kill the Bill by the vote they gave, because if that vote had carried, the Bill could have been restored to the Order paper twenty-four hours afterwards, and could have been read a second time then. Now, I have seen a long letter from one hon. gentleman to explain that vote against the motion for the second reading was the way to kill the Bill. Surely he could not have read May's "Parliamentary Practice," or Dr. Bourinot's work on the same subject, or he would not have made that statement, because the rule is so plain that no person can mistake it. Therefore, I do not think these hon. gentlemen can go back to their constituents and justify the vote they gave. I do not believe they will attempt to do so, because the people know enough of parliamentary practice to know the meaning of that vote. They know that when these hon. gentlemen voted against the six months' hoist they really voted for the Bill. When Mr. Speaker declared the motion for the six months' hoist was lost, the next motion he put was that the Bill be now read the second time ; and if the yeas and nays are not called for by five members, he declares the motion carried, or carried on a division ; but there is no division of the House, so far as taking down the names is concerned. Suppose the motion for the second reading of this Bill had been carried without a division, or simply on division—and it came within a fraction of being carried on division, because if my hon. friend from North Bruce (Mr. McNeill) had not joined with those who called for a division, there would not have been a division of the House—what would have been the position of these hon. gentlemen ? They would have been in the position of having voted against the motion to kill the Bill, the motion for the six months' hoist, and not against the motion that was carried. They would have stood before the country in the position of not having made the slightest effort to kill the Bill in this House. I give this explanation, because I saw a letter in the "Mail and Empire" from one hon. gentleman explaining the vote he gave on the Bill ; and that letter was so disingenuous that I thought it would be a pity to allow it to go to the world to mislead the people of this country without explaining the real position in which these hon. gentlemen stood. I mistake the people of this country if in the coming elections they do not look into this matter and see how far these hon. gentlemen are representing their constituents, and whether they have shown an honest desire to kill this Bill.

Now, I would like to refer to another matter very briefly—not for the purpose of reflecting upon the hon. member concerned, who I see is not in the House, but for the purpose of giving him an opportunity to make any explanation he may think due to himself. We have heard a great deal of influences having been brought to bear on members of this House to induce them to vote for this Bill. I would be sorry to think that many members of this House were influenced to vote for the Bill against their honest convictions. It is a very serious thing to interfere with a member of Parliament in the discharge of his parliamentary duties. Sometimes it is said that there are no evidences that efforts have been made to influence any hon. member to vote one way or the other on this Bill ; but there is something in this paper which I hold in my hand, the "Victoria Warder," which leads me to a different conclusion. This paper is the property of the hon. member for North Victoria (Mr. Hughes), and I believe this article was written by that hon. gentleman. Lest I might do him an injustice, I will read what he states :

> Mr. Hughes believes in consistency. He opposed Sir Mackenzie Bowell's policy of remedial legislation before the crisis, during the crisis and since the crisis.

But I have shown that he was not consistent—that he did not vote in the way he should have voted if he wished to kill the Bill. The article goes on :

> During the crisis, though very strong influences were brought to bear on Mr. Hughes, to induce him to give up his principles on the school question for personal preferment, he promptly refused to listen to any such proposals.

Mr. O'BRIEN. Oh, surely not.

Mr. SPROULE. I merely read this to draw the hon. gentleman's attention to it, so that he may give whatever explanation he thinks fit ; and I read it in justification of the assertion, made too frequently, I think, in this House, that efforts have been made to influence members of this House to vote for this bill. There is an acknowledgment by the hon. gentleman himself, in his own paper, that some kind of influences, whatever they were, were brought to bear upon him. He was not amenable to them, to his credit, be it said. But this indicates that there were influences at work to induce some members to vote for this Bill. That is all I have to say as to that.

I have spoken because I believe, from what I have heard, that an attempt has been made to create a false impression upon the public mind in regard to the nature of the votes which have been given on this Bill. One hon. gentleman said to me that he would not vote for the motion for the six months' hoist, because it was made by the leader of the Opposition. I said to him, "If it had been made by the hon. member for West York (Mr. Wallace), would you have voted for it then ? If it was right that you should vote for it in the one instance, it was right in the other instance. If you wished to kill the Bill, this was the only motion you could vote for to attain that end." If the hon. member for North Victoria desired to introduce some other principle into the Bill relating to schools, he should have moved it then as an amendment to the Bill at the second reading, for that is the only time he could do it. If the hon. member for South Leeds wished his principle to prevail, he should have moved it at that time. But as neither of these hon. gentlemen took that course, I have a right, and the country has a right, to assume that they were not sincere when they gave notice of their amendments. Since giving notice of them, they have never attempted to proceed with them, or to say one word with regard to them.

Mr. MACDONALD (Huron). Mr. Chairman, we have now been here nearly one week, both night and day, working away with all the energy we possess, and you need not be surprised if we feel rather wearied at this hour of Saturday night. If the members of the Government and their supporters had not obstructed the progress of this Bill so much as they have done during this week, I think a great many more clauses would have been passed, and greater progress would have been made. In fact, looking over the history of the week, I think there have been more columns of "Hansard" filled by speeches made by members of the Government and their supporters than by members on this side of the House. What do the Government really mean ?

Mr. FOSTER. Does the hon. gentleman say that in looking over the history of this week's debate, he finds that more columns of "Hansard" were filled by speeches of Ministers and gentlemen on this side of the House, supporting the Government, than by gentlemen on the other side of the House ?

Mr. MACDONALD (Huron). I will explain it in this way—that the Ministers and their supporters, and those who usually work with them—meaning those of the Conservative party who have had sufficient independence to oppse the Government in this measure——

Sir CHARLES TUPPER. That is, the opponents of the Bill ?

Mr. FOSTER. That is quite a different statement.

Mr. MACDONALD (Huron). I still consider that these gentlemen are supporters of the Government, largely. They are only opposed to the Government on this particular measure ; and I think that if the columns of "Hansard" are counted, my statement, including that explanation, was within the truth.

Mr. FOSTER. Then my hon. friend means to state that those who are supporting the Bill, and those who were formerly and are yet Conservative members, but do not support the Bill, have filled more columns of "Hansard" in this debate than members of the Liberal party ?

Mr. DAVIES (P.E.I.) Is the point important ?

Mr. FOSTER. I do not suppose it is, but the hon. gentleman seemed to make it the substance of his speech, and it was so unfairly wrong that I thought I would like to know exactly what he did state.

Mr. MACDONALD (Huron). I do not think the statement matters much.

Mr. FOSTER. No, it is a mere matter of veracity.

Mr. MACDONALD (Huron). I think I was within the truth. It is not necessary that the Finance Minister and myself should bandy words over that matter. I think a great many columns were spoken that it would probably have been as well not to have been spoken—probably by all parties. I admit that.

Some hon. MEMBERS. Hear, hear.

Mr. MACDONALD (Huron). I admit that. I admit this, too, if the Government had acted more wisely and had taken reasonable hours for the consideration of the Bill. "Hansard" would not be so large at the close of the session as it will be. I was willing to stay here twelve or fourteen hours to consider the Bill and make its clauses as perfect as possible; but I was not willing to stay for the remaining hours of the twenty-four, during which the members should be away getting that sleep and rest which are necessary to prepare them for their duties on the following day.

Sir CHARLES TUPPER. May I ask the hon. gentleman to allow me to make a remark. It is now a quarter to twelve, and I would be greatly obliged if the hon. gentleman would terminate his speech, so as to enable a Message from His Excellency transmitting important papers, to be laid before the House, with the Speaker in the Chair, before the adjournment.

Mr. LAURIER. I am very glad that at last the hon. gentleman has come to the conclusion to adjourn the House. He might have laid these papers on the Table a week ago, if he had chosen to do so.

Mr. MACDONALD (Huron). I just wanted to say a few words.

Sir CHARLES TUPPER. I think I must ask the hon. gentleman to desist, unless he wishes to carry this discussion into Sunday morning. If he does that, the hon. gentleman must take the responsibility of invading the Sabbath.

Mr. MACDONALD (Huron). I will conclude in a minute or two. I wanted to say that if the Government had long ago taken the position they had taken a week ago, and had had a conference with Manitoba, instead of sending the remedial order in the language in which it was couched, it would have been much better for the whole country—better for the minority, better for Parliament, better for everybody—and the whole matter would have been settled; during this session, if a session had been called, we would have been discharging the duties of the country and passing the Estimates, instead of remaining here——

Some hon. MEMBERS. Time, time.

Mr. DEPUTY SPEAKER. Order.

Mr. MACDONALD (Huron). I have fifteen minutes of Saturday yet, and those fifteen minutes belong to me as much as to the Secretary of State; and, if he wants a portion of that time, he must keep his followers in order. I say I think the Government will be held responsible for having caused the country to be disturbed and torn assunder by racial and religious feelings in the way we have witnessed during the last few months. Their own friends, to the right of them and to the left of them, and the whole country condemn them for putting themselves in the position they have done, and for rending assunder the different classes of the community from one end of the country to the other.

Motion (Mr. McNeill) that committee rise and report progress, negatived.

Sir CHARLES TUPPER moved that the committee rise, report progress and ask leave to sit again.

Motion agreed to, and committee rose and reported progress.

MANITOBA SCHOOL QUESTION—REPORT OF COMMISSIONERS.

Sir CHARLES TUPPER presented a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message as follows:—

ABERDEEN.

The Governor General transmits to the House of Commons, the Report of the Commissioners appointed to confer with the government of Manitoba on the subject of the schools in that province.

Government House,
Ottawa, 6th April, 1896.

SUPPLEMENTARY ESTIMATES, 1895-96.

Sir CHARLES TUPPER presented a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message, as follows:—

ABERDEEN.

The Governor General transmits to the House of Commons, Supplementary Estimates of sums required for the service of Canada for the year ending on the 30th June, 1896, and in accordance with the provisions of "The British North America Act, 1867," he recommends these Estimates to the House of Commons.

Government House,
Ottawa, 6th April, 1896.

Sir ADOLPHE CARON laid on the Table the answer from Mr. Chamberlain to Lord Aberdeen with reference to the tender of service made by Colonel Domville, of his battalion.

Sir CHARLES TUPPER. I move that the House do now adjourn, and, in doing so, it will perhaps be convenient for hon. members to know that the Government propose on Monday, at the meeting of the House, to take up the Remedial Bill.

Motion agreed to, and House adjourned at midnight (Saturday).

HOUSE OF COMMONS.

MONDAY, 13th April, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

NORTH-WEST TERRITORIES REPRESENTATION ACT.

Mr. DALY moved for leave to introduce Bill (No. 94) to amend the Acts respecting the Representation of the North-west Territories in the Parliament of Canada.

Mr. LAURIER. Explain, please.

Mr. DALY. As hon. gentlemen are aware, at present the Territories are represented in this House by four members, from Saskatchewan, East Assiniboia, Western Assiniboia and Alberta. We propose under this Bill, to divide Alberta into two constituencies giving an additional representative to Alberta, and in consequence an addtional representative to the North-west Territories. Clause 44 of the original Act was struck out some two years ago, and I have received a petition from the Assembly of the Territories asking that the clause should be restored. I am restoring clause 44 by this Bill, but providing that the oath is not to be taken by the elector presenting himself at the poll in the manner set forth in the original Act. He must subscribe to and take the oath in the form prescribed in the schedule. I am informed that clause 44 was struck out of the original Bill in the Senate, because a great deal of perjury had taken place in Eastern Assiniboia, and I have endeavoured under this Bill to prevent anything of that kind, by providing that those who apply to the deputy returning officer to have their names put on the list, shall subscribe to the oath and swear to it before the deputy returning officer. It is believed that there will be less danger of perjury if the person has to sign the affidavit. I have changed the oath of the enumerator, making it similar to the oath of the revising officer under the Franchise Act. The oath provided for in the Bill is as follows:—

> I, enumerator for the polling district No. (or as the case may be), of the Electoral District of swear (or solemnly affirm) that I will well and faithfully discharge the duties assigned to me, without favour or partiality; that I will place no name on the list of voters for the said polling district and will strike no name off the said list, unless I shall be satisfied that the said name should by law be placed on or struck off the said list; and that I will in all respects conform to the law to the best of my judgment and ability. So help me God.

These are the only provisions of the Bill.

Mr. DAVIN. This Bill, as I understand, meets the point that was intended to be met in the Bill which I placed upon the paper, and I think also the Bill that my hon. friend (Mr. Martin) placed there. There is in addition to that, an additional member provided for in the North-west Territories. The chief thing which the people up there are interested in is met by the first part of the Bill.

Mr. MARTIN. Do I understand the Minister of the Interior to say that Alberta is simply divided into two, and that he does not alter Eastern or Western Assiniboia?

Mr. DALY. It is simply a division of Alberta by the line which is the southern boundary of Saskatchewan being extended westerly to the western boundary of Alberta. This line runs south of Innisfail. It is nearly as equal a division of the population of Alberta as it is possible to make. The boundaries of Eastern and Western Assiniboia remain as before.

Mr. MILLS (Bothwell). Is there any provision for another Senator?

Mr. DALY. That is provided for in a Bill that is being introduced in the Senate by the Premier.

Mr. McCARTHY. Who is the elector to subscribe the oath before?

Mr. DALY. The deputy returning officer on polling day.

Mr. McCARTHY. Provision ought to be made for the deputy returning officer having these forms?

Mr. DALY. Yes.

Mr. MARTIN. That system might cause delay on polling day.

Mr. DALY. I do not think there will be any trouble about that.

Motion agreed to, and Bill read the first time.

ANIMAL CONTAGIOUS DISEASES ACT.

Mr. FOSTER moved for leave to introduce Bill (No. 95) to amend the Animal Contagious Diseases Act.

Some hon. MEMBERS. Explain.

Mr. FOSTER. This Bill is to provide power to inspect horses that are being exported from Canada, or through Canada, at our seaports to the old country. The present Act does not give that power although it was supposed it did.

Mr. EDGAR. I notice from the papers that the spread of glanders in Liverpool is attributed to horses imported from Canada. Has the Government any information as to that ?

Mr. FOSTER. Nothing more than the rumours in the papers. It is doubtful if under the present law we have power to detain horses which had the glanders. This Bill will give us power.

Motion agreed to, and Bill read the first time.

THE ARMENIAN OUTRAGES.

Mr. CHARLTON. I desire to call the attention of the hon. gentleman who leads the House to a resolution that stands on the Order paper with reference to the Armenian outrages, a resolution for which he was kind enough to express sympathy, and which I requested him a few days ago to take over as a Government order, as otherwise it could not be reached this session. I now renew the application, in order that it may be acted upon by the Government.

Sir CHARLES TUPPER. I expressed the sympathy of the Government with the resolution which was placed on the Order paper by the hon. gentleman ; but I expressed my regret that the state of business in the House was such as to preclude us at present from naming any time when it could be taken up.

Mr. CHARLTON. I may say, Mr. Speaker—and I will follow up my remarks with a motion, if necessary—that when I was considering this matter, I consulted the hon. gentleman as to what course I should take. I took the course suggested by himself, and thus precluded myself from proceeding in any other way The motion is similar to the one passed by the English House of Commons, except——

Mr. SPEAKER. The hon. member is aware that there is nothing before the House.

Mr. CHARLTON. I will put something before the House, if necessary.

Mr. SPEAKER. I would point out to the hon. member that he cannot discuss a motion that appears on the Order paper on a motion to adjourn.

Mr. CHARLTON. I am not discussing a motion that appears on the Order paper. I am reminding my hon. friend of the communications in relation to this matter that passed between himself and myself, which I think is pertinent and proper. I ask the hon. gentleman simply to implement a promise he made to me that this motion should be taken over by the Government. I have here a communication from the hon. gentleman, with his compliments, directing what course I should take on the motion, which was submitted to him and met with his approbation ; and I wish to know if this course is to be taken. As I gave up my opportunity to bring up the motion on the House going into Supply, the hon. gentleman assured me that if there should not be time for me to discuss the motion, the Government would adopt it as a Government order. It is a matter of some importance that this motion should be moved, and I feel that the Government should carry out the promise made in reference to it.

QUESTION OF PRIVILEGE.

Mr. BERGERON. Before the Orders of the Day are called, I wish to rise to a question of privilege. I find in the Montreal "Star" an article or despatch, which reads thus :

> Rumoured Appointments—Snug Berths said to be waiting many Members.—The following appointments will, it is rumoured, be announced at or previous to the end of the session.

Then follows a long list of names, among among which I find this one : "Mr. Bergeron, to be Deputy Postmaster General." I wish to declare, Sir, that never has any such position been offered to me, never have I asked for any, I am not looking for any, and I do not want any. I may say that this is a delicate question. The other day when I was presiding in the House, I heard the hon. member for North Simcoe (Mr. McCarthy) mention some names of gentlemen who, it was alleged, were to be appointed to positions. Sixteen years ago the then Minister of Public Works, now the hon. member for Three Rivers (Sir Hector Langevin) offered me a judgeship in the North-west, which I declined. When Senator Trudel died, I was offered a senatorship by Sir John A. Macdonald, which I declined ; and when Senator Tassé died, I was again offered a senatorship by the present Minister of Public Works, which I again declined. I intend to remain in politics and give the hon. member for L'Islet (Mr. Tarte) the best thrashing he ever got in his life.

RETURN OF LICENSE FEES.

Mr. FLINT. I would like to ask the Minister of Marine and Fisheries whether arrangements have yet been made, and if so, what arrangements, for the payment of the claims for a refund of license fees in the case of the Canadian fishermen at Newfoundland, to which I referred a short time ago, in a question before the House.

Mr. COSTIGAN. Satisfactory arrangements have been made to refund that money to the parties entitled to it. The only question of delay was in consideration of the costs, and that has been arranged so that they will come out of the public treasury.

INQUIRIES FOR RETURNS.

Mr. COLTER. I would like to ask the Minister of Public Works when I may expect a return to an order of the House of the 10th of February, now over two months ago, in reference to improvements in the St. John River. I received a letter from the Deputy Minister stating that I might expect to receive it in the beginning of last week. I also notice by that letter that the order of the House, made on the 10th of February, did not reach the department until the 20th of February. I would like to know if I may expect that return this session.

Mr. OUIMET. On inquiry, I find that all the officers of the department who could be spared have been put to work on that return, and it will be brought down as soon as possible.

Mr. PERRY. I also wish to ask the Minister of Public Works when he intends to lay before this House a return showing the amount of money spent by the Dominion Government from 1880 up to date on certain Government works in Prince Edward Island. That order was made by the House on the 3rd of February, and I do not want the return to be left till the 3rd of May. I would like to know when I may expect it.

Mr. OUIMET. My impression is that that return will be found among the papers which have been laid on the Table. If not, I will see that it is brought down.

DISALLOWANCE OF A MANITOBA ACT.

Mr. LAURIER. I beg to ask the hon. Secretary of State whether it is true or not that a certain Act of the legislature of Manitoba with regard to the taxation of loan and other companies has been disallowed.

Sir CHARLES TUPPER. My recollection is that it has been.

CHEESE UNSOLD ON GOVERNMENT ACCOUNT.

Mr. McMULLEN (for Mr. Rider) asked:

1. How much cheese made under Dairy Commissioner on Government account remain unsold, and if sold unpaid for, and where stored ?

Mr. FLINT.

2. Where made ?

3. Have any offers been received for the balance on hand? If so, by whom made and how much ?

Mr. FOSTER. 1. Less than 100 boxes of cheese made at the dairy schools at Kingston, Ontario, and St. Hyacinthe, Quebec, on Government account are not yet disposed of because not cured enough for shipment. 2. 693 boxes of cheese made at the dairy stations in Prince Edward Island on account of the patrons there, were on hand at Charlottetown, P.E.I., at the date of last report, 2nd April. These are to be disposed of as soon as weather permits them to be shipped safely. 3. 126 boxes of cheese slightly damaged by rats or water are in the warehouse of the Montreal Cold Storage and Freezing Company. These were made at the dairy stations in Prince Edward Island. Negotiations are in progress for a settlement of the loss caused by the damage. 4. 250 boxes of cheese sold to Messrs. J. C. & G. D. Warrington are still unpaid for. The account has been put in the hands of a lawyer for collection.

TAY CANAL.

Mr. CHARLTON asked:

1. What amount of tolls were collected upon the Tay Canal in the year 1895 ?

2. What was the cost of management of the Tay Canal in the year 1895 ?

3. What amount of money was expended in repairs upon the Tay Canal in the year 1895 ?

Mr. HAGGART. Amount expended upon said canal last year, 1895, for repairs and maintenance, was $3,189. Amount of revenue last year, 1895, was $120.

FISHING LICENSES, PORT ARTHUR DISTRICT.

Mr. McCARTHY asked:

1. Who is the fishery overseer for the Port Arthur district ?

2. Is it the fact that fishermen of the name of Nuttalls were fishing in the season of 1894 in the Port Arthur district, claiming to do so under six licenses for pound-nets ?

3. Is it the fact that only three licenses had been issued to the said Nuttalls, but they claimed that they had receipts for the payment of the fee chargeable for six licenses, viz., $300 ?

4. Is it a fact that only three licenses had been issued to them, when in truth they had paid to the fishery overseer the sum of $300 ?

5. Did the same state of things exist in the season of 1895 ?

6. How many license fees did the overseer for the said Port Arthur district return for the year 1894 ?

7. Is the Department of Marine and Fisheries aware that it is said that the fees for fifty licenses were paid in fact to and received by the overseer of fisheries ?

Mr. COSTIGAN. 1. Donald F. Macdonell. 2. The Nuttalls were fishing in 1894 in the

Port Arthur district and had licenses from this department for six pound-nets. 3. Four licenses had been issued to the said Nuttalls covering the privilege of fishing six pound-nets. They may have had receipts for $300, as department received that amount on their behalf. 4. Covered by No. 3. 5. In 1895, the Messrs. Nuttall held licenses from this department for four pound-nets and two boats with gill-nets, for which they paid the requisite fees aggregating $220. 6. Fifty license fees. 7. The fee covering the fifty license fees were received by the department from the overseer.

BRITISH COLUMBIA PENITENTIARY.

Mr. **BROWN** (for Mr. Devlin) asked :

1. Was Mr. Justice Drake instructed to make inquiry into the general administration and affairs of British Columbia penitentiary, or did his commission confine him to an investigation of which the Deputy Warden Fitzsimmons was to be the sole subject ?
2. If instructions and authority were given him to make a full inquiry, why did he not exercise it ?
3. On what grounds did he refuse to hear the evidence of witnesses in defence of Fitzsimmons ? Why did he not examine the accountant, Mr. Foster ?
4. Is it true that the accountant Foster sent a confidential report to the Minister of Justice previous to and advising an investigation ?
5. Is it the intention of the Government to have a full and impartial inquiry made into the affairs of British Columbia penitentiary ?
6. What is Mr. Foster's present official position and what salary does he draw ? Is Mr. Foster accountant of penitentiaries, and is Mr. Douglas Stewart also accountant of penitentiaries, or does the latter simply discharge the duties connected with the position ? How has Mr. Foster been employed since the appointment of Mr. Moresby as warden of British Columbia penitentiary ?
7. Have any complaints been received by the Government regarding the manner in which Mr. Foster administered matters confided to him ? If so, from whom, and of what nature ?
8. How much has been paid to Mr. Foster from all sources during the years 1891-92, 1892-93, 1893-94, 1894-95, 1895-96 ?

Mr. **DALY**. 1. Mr. Justice Drake was instructed to make inquiry into the general administration of British Columbia penitentiary. 2. He reported that he had done so. 3. The department is not aware, further than is stated in his report already brought down. 4. Mr. Foster did not advise an investigation in any report, confidential or otherwise. 5. No. 6. Mr. Foster is accountant of penitentiaries. His salary is $1,800 per annum. For some months after the reorganization of the staff at British Columbia penitentiary he remained at that institution to assist the new officers. He is now on leave of absence owing to a severe family affliction, which prevents him from returning to Ottawa. 7. No. The payments to Mr. Foster for the fiscal years 1892, 1893, 1894, 1895 will be found in the Auditor General's Reports for those years. The returns for the current fiscal year are not yet complete.

WELLINGTON BRIDGES.

Mr. **McMULLEN** (for Mr. Landerkin) asked :

What was the original estimate of cost of construction of the Curran Bridge ? What has been paid upon it up to date, and what is still claimed ?

Mr. **HAGGART**. Estimated cost of construction of the Wellington bridges for 22-feet navigation, $223,000. Amount paid for the work up to 1st April, 1896, $405,179.40. Amount still claimed, $79,000.

LITTLE RAPIDS LOCK.

Mr. **McMULLEN** (for Mr. Landerkin) asked :

What was the original estimate of the cost of constructing the Little Rapids Lock ? What amount has been expended upon it ? What amount is still claimed ?

Mr. **OUIMET**. The work originally consisted of a lock and dam and was estimated to cost $45,000. The plans were afterwards found to be defective and had to be altered, as also the location of the work. New plans were made and new estimations prepared which brought up the cost of the work to more than four times the original estimate. The prices of Messrs. Poupore & Company's contract were schedule prices, and remained the same after the changes were made. The total amount paid to the contractors was $185,873.96, for work done according to that contract. After the completion of the contract further works, such as lock gates, dredging, timber slide, were executed by the department, which brings the total expenditure, made up to date, to $255,384.91, that sum covering in addition to the works themselves all expenditure of superintendence and other contingencies connected with the works.

GALOPS RAPIDS.

Mr. **McMULLEN** (for Mr. Landerkin) asked :

What was the contract price of the Galops Rapids ? What has been paid upon it ? What is still claimed ? Is that part of the canal now used ?

Mr. **HAGGART**. Tenders were invited in August, 1878, and no alteration has since been made. The contract price for the Galops Rapids as per extension of tender prices was $312,600. The amount paid thereon, including the judgment of the Exchequer Court, $629.630. No further sum is claimed.

ST. CHARLES BRANCH RAILWAY.

Mr. McMULLEN (for Mr. Landerkin) asked :

What was the estimated cost of the St. Charles Branch Railway ? What has been expended upon it ? What is still claimed ? What land damages have been paid ?

Mr. HAGGART. The estimated cost of the St. Charles Branch was :—Land. $228,800 ; works, $327,200 ; total, $556,000. Total expenditure upon the Charles Branch up to 7th April, 1896, was :—Land, $909,366 ; works, $822,272 ; total, $1,732,238. Amount still claimed, $5,500.

COST OF LANGEVIN BLOCK.

Mr. LANDERKIN asked :

What was the original estimate of cost of the Langevin Block ? What amount has been paid upon it ? If any, what amount is still claimed ?

Mr. OUIMET. The construction of the Langevin Block was carried on with different contractors, separate contracts being made for the building itself, the roofs, the staircases, the heating apparatus, the elevators, &c. I have been unable to find the bulk estimate for the total of the works, but the records of the department show that the estimate of the chief architect for the part of the work executed under contract by Mr. Charlebois was $440,000, while the payments to him on that account, were $405,990. The most accurate estimate of the cost I can find, is that which was stated in the House of Commons by the then Minister of Public Works, in 1889, who placed the total estimated cost of the building at $714,000. The total cost was $727,546.29, including the site, which cost $96,000. After the completion and occupation of the building, several changes, alterations, &c., furniture, and fittings were supplied, which have amounted to date to $52,080.38, bringing the total cost to $783,801.51. There is a claim of Mr. Charlebois amounting to $295,000, which has not been recognized by the department.

IMPORTATION OF UNLEAVENED BREAD.

Mr. LISTER (for Mr. McShane) asked :

Whether unleavened bread used by the Hebrews during Passover, and imported into Canada, was exempted from duty in some cities in the Dominion, and not in Montreal, where 9,000 Hebrews reside, the only exemption in Montreal being for the poor ?

Mr. WOOD. Unleavened bread imported into Canada for use during the Passover was not admitted free of duty in certain cities in the Dominion and not in Montreal. In every instance, uniformity of action prevailed, and no free entry was passed, except the conditions were in accord with the provisions of the Order in Council of 1st August, 1894, which admits the said bread, when not imported for sale, but for free distribution among the Hebrew community in connection with their religious rights. This Order in Council has been in force since the above date.

MAILS BETWEEN KESWICK AND ROACH'S POINT.

Mr. CHARLTON asked :

1. Did Allan Jones, post office inspector, Barrie, or any other person in the service of the Government, receive any offer for carrying the mails between Keswick and Roach's Point on the expiry of the existing contract ? If so, what were the terms of such offer, and when was it received ?
2. Who has the present contract for such service ?
3. What is the amount paid for such service ?
4. Who are the sureties for the proper performance of the contract, and in what amount have they given security for the performance of the contract ?

Sir ADOLPHE CARON. I have telegraphed for the information in reply to the first question, but a reply has not yet come to hand. I will furnish the facts to the hon. gentleman when the answer is received. In reply to the second question, the present contractor is James Cake. 3. The amount paid for the service is $130 per annum. 4. The sureties are Levi Miller and David Hamilton, and the amount in which they have given security is $300.

SHEIK'S ISLAND DAM.

Mr. MARTIN (for Mr. Mulock) asked :

1. Has any water power from Sheik's Island dam been leased or granted ?
2. If so, to whom ?
3. How much in horse power has been disposed of and at what price, terms and conditions.

Mr. HAGGART. No water power from Sheik's Island Dam has been leased or granted.

REMEDIAL ACT (MANITOBA).

On the order,

House again in committee on Bill (No. 58), the Remedial Act (Manitoba).—Sir Charles Tupper.

Mr. McCARTHY. Before that order is called, I desire to draw the attention of the House——

An hon. MEMBER. The order has been read.

Mr. McCARTHY. I rose before the order was read.

Mr. SPEAKER. If the hon. gentleman did not rise before the order was read I must leave the Chair.

Mr. McCARTHY. I did rise before the Order was read, Mr. Speaker.

Mr. SPEAKER. The hon. gentleman may go on.

Mr. McCARTHY. I desire to draw the attention of the House to a matter of sufficient importance to justify me in so doing. I propose to close with a motion for the adjournment of the House. Late on Saturday night the papers in connection with the negotiations which took place in Winnipeg were brought down to this House, and we are now officially seized of the facts which, of course, were known to us, more or less, from the newspaper reports which we had had an opportunity of reading before these papers were formally brought before us. Now, Sir, the negotiations, it will be remembered, originated in a proposition made by the hon. member for Montreal West (Sir Donald Smith) and that proposition, according to the statements we have had, was assented by His Excellency the Governor General. The hon. member for Montreal West then went to Winnipeg and had an interview with Mr. Greenway.

Sir CHARLES TUPPER. Perhaps the hon. gentleman would allow me to interrupt him to say that the Minister of Justice (Mr. Dickey), who was one of the delegates, and who is conversant with this question, is unfortunately confined to his bed to-day by illness, but is expected to be out very shortly, and I thought, perhaps, under these circumstances, the hon. gentleman would defer the consideration of this question until the hon. Minister was in his place.

Mr. McCARTHY. I see the reasonableness of the request made by the Secretary of State; but I think, if the hon. gentleman asks me to accede to it, he will be good enough to tell us that the committee will rise at a reasonable time, so that an opportunity may be afforded of discussing it. I have not the slightest objection to let it stand until the Minister of Justice is in his place, but there may be no opportunity to call attention to the matter if the committee is to sit again through until Saturday.

Sir CHARLES TUPPER. I hope the hon. gentleman will have an opportunity before Saturday, certainly, of raising the question when the hon. Minister of Justice is present. The hon. member will see that this question may be dealt with just as effectively, at any time, on the calling of the Orders of the Day, or on going into committee, as at present.

Mr. McCARTHY. No, there is no order to go into committee, there is no debate allowed on that. The only way I could put myself in order is to move the adjournment of the House, as I do. If the hon. gentleman will say that the committee is to rise to-night so that the House may meet again to-morrow, I will be willing to accede to his suggestion.

Sir CHARLES TUPPER. It is impossible to make any arrangement of that sort until we see what progress is made.

Mr. McCARTHY. Then I think under these circumstances, I can not accede to the request, which otherwise I would have been most happy to do, so that the Minister of Justice could be present to give us such other information as is not to be found in the printed papers. Now, when I was interrupted by the Secretary of State, I was outlining very shortly the condition of affairs that existed when the commissioners were sent to Manitoba. There had been an interview between the hon. member for Montreal West and Mr. Greenway, at Winnipeg, and certain communications had passed between them which gave the hon. member reason to hope that if a compromise was attempted, it would be attended with success. Now, it must be remembered that when this negotiation commenced, there were certain existing conditions which no doubt had to be taken into consideration. After the remedial order had been disobeyed, after the legislature of Manitoba had deliberately determined that they would not carry the remedial order into effect, it will be remembered that on the 27th of July a communication was made to the government of Manitoba, which is to be found in our blue-book at page 357. In that communication the reasons advanced by the Manitoba government were discussed, and amongst them it was stated that:

> Compliance with the terms of the order would restore Catholic separate schools with no more satisfactory guarantee for their efficiency than existed prior to said date. * * * The said schools were found to be inefficient. As conducted under the Roman Catholic section of the Board of Education, they did not possess the attributes of efficient modern public schools; their conduct, management and regulation were defective; as a result of leaving a large section of the population with no better means of education than was thus supplied, many people grew up in a state of illiteracy. So far as we are aware, there has never been an attempt made to defend these schools on their merits, and we do not know of any ground upon which the expenditure of public money in their support could be justified.

Having stated these difficulties, the memorial proceeds :—

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

After reviewing other phases of the educational systems recently and now in force, in the province of Manitoba, the memorial asserts :—

"We also believe that there was lacking the means of forming a correct judgment as to the effect upon the province of changes in the direction indicated in the order."

The sub-committee desire to call special attention to the following paragraphs in the said memorial :—

"We respectfully suggest to Your Excellency in Council that all of the above considerations call most strongly for full and careful deliberation and for such a course of action as will avoid irritating complications."

"We deem it proper also to call attention to the fact that it is only a few months since the latest decision upon the subject was given by the Judicial Committee of the Privy Council."

So far, I have been quoting from the reply given by the Manitoba legislature to the remedial order passed by the Governor General in Council. I now proceed to read a passage or two from the communication sent from this Government to the government of Manitoba :

Fully appreciating the importance of the points involved in the above quoted paragraphs, the sub-committee beg leave to suggest that Your Excellency's Government should avail themselves of the invitation expressed in the memorial for further discussion of the subject, and that the attention of the provincial authorities of Manitoba should be invited to certain considerations suggested by the foregoing extracts.

In the interest of all concerned, it will not be disputed that if possible the subject of education should be exclusively dealt with by the local legislature. Upon every ground in the opinion of the sub-committee this course is to be preferred, and with the hope that this course may yet be followed the sub-committee have now the honour to recommend that Your Excellency will be pleased to urge upon the government of Manitoba the following further views which may be pressed in connection with the remedial order.

The remedial order, coupled with the answer of the Manitoba government, has vested the Federal legislature with complete jurisdiction in the premises, but it by no means follows that it is the duty of the Federal Government to insist that provincial legislation to be mutually satisfactory should follow the exact lines of the order. It is hoped, however, that a middle course will commend itself to the local authorities, so that Federal action may become unnecessary.

With a view to a settlement upon this basis, it seems desirable to ascertain by friendly negotiations, what amendments to the Acts respecting education in public schools in the direction of the main wishes of the minority may be expected from the Manitoba legislature.

It is believed by the sub-committee that the religious opinions and rights which have been recognized in the judgment of the Judicial Committee of the Imperial Privy Council could be sufficiently met by the local legislature without impairing the efficiency or proper conduct, management and regulation of the public schools.

It is with the object of effecting some such changes in the educational system of Manitoba that the sub-committee desire that an expression of opinion be obtained from the government of Manitoba. It was with this view that the Canadian Government at the last session of the Federal Parliament made the following announcement.

Now, I come to the reply, because it is important to bear in mind that when these negotiations were opened, the Government had before them this reply of the government of Manitoba, and the further fact that this reply had been, as we know, submitted to the people of Manitoba, who had approved of it by a very large majority. Now, this is what the government of Manitoba said :

Attention may be drawn to the following extracts :—

"It is believed by the sub-committee that the religious opinions and rights which have been recognized in the judgment of the Judicial Committee of the Imperial Privy Council could be sufficiently met by the local legislature without impairing the efficiency or proper conduct, management and regulation of the public schools."

The expression "religious opinions and rights" evidently refer to the contention that the Roman Catholic people of the province are entitled to special privileges in regard to education.

In another portion of the Order in Council may be found the following :—

"The Government has therefore decided not to ask Parliament to deal with remedial legislation during the present session. A communication will be sent to the Manitoba government on the subject with a view to ascertaining whether that government is disposed to make a settlement of the question which will be reasonably satisfactory to the minority of that province without making it necessary to call into requisition the powers of the Dominion Parliament. A session of the present Parliament will be called together to meet not later than the first Thursday of January next. If by that time the Manitoba government fails to make a satisfactory arrangement to remedy the grievances of the minority, the Dominion Government will be prepared at the next session of Parliament, to be called as above stated, to introduce and press to a conclusion such legislation as will afford an adequate measure of relief to the said minority based upon the lines of the judgment of the Privy Council and the remedial order of the twenty-first March, 1895."

The above extracts, taken in connection with the history of the question at issue and the expressed views of those who claim to represent the minority, leave no room for doubt that the remedy of relief sought for is the re-establishment in some form of state-aided separate schools. Whether the proposal is to place such separate schools in effect under clerical control, as were the Catholic schools prior to 1890, does not appear. It is, however, reasonably certain that no concession which does not admit the principle of such separate schools and embody the same in the Educational Statutes of the province will be regarded as an adequate measure of relief or accepted as a solution of the difficulty. If this conclusion be correct, and it is submitted that no other conclusion can be deduced, any present consideration of suggested concessions other than the restoration of separate schools may be dismissed as being irrelevant to the issue. The Order in Council in question may in effect be stated to be a declaration that the advisers of His Excellency the Governor General have as a matter of educational policy decided upon the re-establishment of state-aided separate schools for the Roman Cath-

> olic minority, that it is desired by His Excellency's advisers that such policy shall be adopted and carried into effect by the government and legislature of Manitoba, and that should such policy not be so adopted and carried into effect, the Parliament of Canada will be forthwith asked to override the wishes of the people of the province, its legislature and government, and re-establish such separate schools by Dominion legislation.

Then it goes on, after further argument, to say :

> The question of relief to the minority, therefore, came before the Governor General in Council, and will now come before Parliament as a question of policy, to be decided upon its educational merits, subject always to the well-recognized principle that the central authority ought not to interfere with a province, except in a case of the most urgent necessity.
>
> The Governor General in Council was in no way bound by the constitution to make a remedial order, granting the prayer of the appellants in whole or in part, nor is Parliament now bound by the constitution, expressly or impliedly, to give effect to the remedial order in whole or in part.
>
> This fact being clear, it is submitted with confidence that no sufficient ground has been established for interference in our educational affairs by the Government or Parliament of the Dominion.
>
> The remedy sought to be applied is fraught with great danger to the principle of provincial autonomy. An independent consideration of the subject, as well as the recognized constitutional practice in analagous cases, clearly indicates that it should only be made use of as a last resort ; and after the clearest possible case has been made out, it is obvious that so drastic proceeding as the coercion of a province in order to impose upon it a policy repugnant to the declared wishes of its people can only be justified by clear and unmistakable proof of flagrant wrong-doing on the part of the provincial authority.

I pass over other arguments and come to the conclusion, as follows :—

> It is a matter of regret that the invitation extended by the legislative assembly to make a proper inquiry into the facts of the case has not been accepted, but that, as above stated, the advisers of His Excellency have declared their policy without investigation. It is equally a matter of regret that Parliament is apparently about to be asked to legislate without investigation.

Then it goes on :

> With a view to so doing, the government and the legislature will always be ready to consider any complaint that may be made in a spirit of fairness and conciliation.
>
> It seems therefore most reasonable to conclude that by leaving the question to be so dealt with, the truest interests of the minority will be better served than by an attempt to establish a system of separate schools by coercive legislation.

So, Sir, it appears by this document, from which I have culled, that the Manitoba government definitely and absolutely refused to re-establish state-aided or denominational schools. That fact must be borne in mind, when we come to inquire into the policy of the Government in sending the Manitoba commissioners to Winnipeg with a view to secure a settlement. The authority given to those commissioners appears in a document which was brought down to this House, which has not yet been printed, but which I hold in my hand. This document reads as follows :—

> The committee of the Privy Council have had under consideration, a report, dated 16th March, 1896, from the Honourable Sir Mackenzie Bowell, Prime Minister, to the effect that, on the 9th of March instant, he communicated to His Honour the Lieutenant-Governor of Manitoba, a statement made that day by the Honourable Sir Charles Tupper, Bart., in the House of Commons, which statement is as follows :—
>
> " Since answering the question asked a few days ago by the member for North Simcoe (Mr. McCarthy), the following telegram has been received by Sir Donald Smith :—
>
> Winnipeg, 2nd March, 1896.
>
> Your telegram has received most careful consideration of myself and colleagues. While fully appreciating all you say, it is quite clear to us that we can only proceed to Ottawa for the purpose of holding a conference, upon the official invitation of the Dominion Government. I fully appreciate your very kind offices in this matter. In view of the assurance that the government of Manitoba are willing to have a conference, the government propose, so soon as the second reading of the Remedial Bill is carried, to have a conference with Mr. Greenway's government, with a view to arrive at a settlement of this question on terms that will be satisfactory to his government and the minority of Manitoba, but in the meantime to proceed with the question before the House, de die in diem, as previously arranged."
>
> (Sd.) GREENWAY.

This is the famous telegram, the whole of which was not given, but part of which was eliminated, without any intimation being conveyed on the face of the document that the whole had not been submitted to the House. I draw attention to the words "minority of Manitoba."

> The Prime Minister adds that, to the foregoing communication, the following reply was received on the 16th March instant :—
>
> Government House,
> Winnipeg, 10th March, 1896.
>
> " Dear Sir Mackenzie :
>
> I sent Mr. Greenway a copy of your telegram this morning, and had an interview with him after the legislature rose at six o'clock this evening. He takes the ground on behalf of the provincial government that, not being the complainants, it is not for them to volunteer suggestions. He says that the provincial government would treat with respect an official invitation to visit Ottawa. By 'official' he means an inviation by Order in Council, in which would be set forth clearly the object of the pro-

posed visit, and the subject-matters intended to be discussed at the suggested conference. At the same time, he stated frankly that he did not see what practical results would be attained by the proposed visit.

Faithfully yours,
(Sd.) J. C. PATTERSON.

The Honourable
Sir Mackenzie Bowell, K.C.M.G., &c., &c., &c.

The Prime Minister recommends that, in view of the foregoing, the Lieutenant-Governor of Manitoba be informed that Your Excellency's advisers are prepared to hold a conference with the government of Manitoba for the purpose of ascertaining whether legislation cannot be obtained from the legislature of Manitoba, during its present session, which will deal, in a manner satisfactory to the minority of Manitoba, with those grievances of the minority which are now before the House of Commons in connection with the Remedial Bill (Manitoba).

The Prime Minister further recommends that the Lieutenant-Governor of Manitoba be requested to inform his advisers that, immediately after the second reading of the Remedial Bill, Your Excellency's Government proposes to send a deputation to Winnipeg, if they are prepared to receive it.

This recommendation was approved, and on 17th March an Order in Council having been passed, the commission was sent to the government of Manitoba. On 21st March we had a further Order in Council, and the Minister of Justice, the Minister of Militia and Sir Donald A. Smith were appointed to proceed to Winnipeg to hold a conference with the government of Manitoba for the purpose of ascertaining whether legislation could be obtained during the present session which would deal with the matter in a manner satisfactory to the minority, and with the grievances now before the House of Commons in connection with the Remedial Bill. I emphasize that point, that this negotiation was to be conducted between the two governments, but it was to be conducted on the part of this Government for and on behalf of the minority in Manitoba. I do not think I am putting that at all too strongly. There was to be no arrangement made that was not satisfactory to the minority in Manitoba, and I apprehend, if it had not been for that fact, an adjustment would have been reached. Two things are very important in this report which has been brought down. First, we have the statement by the representatives of the government of Manitoba. It will be remembered that they stated in their letter of 30th March to the Dominion commissioners :

We desire first to refer to the understanding upon which the conference was proceeded with. You will remember that we thought it necessary before proceeding with the discussion of the question involved, to stipulate :

1st. That while the conference was proceeding, the Remedial Bill now before Parliament should be held in abeyance, and no proceedings taken thereon in the meantime, provided that the conference did not extend beyond Tuesday next.

There is a positive statement made by those gentlemen, Messrs. Sifton and Cameron, that at the outset it was agreed that, while the conference was proceeding, the Remedial Bill was to be held in abeyance until the following Tuesday. The answer to that is as follows :—

We regret to find that there has been some misapprehension as to any understanding upon which the conference was proceeded with. As to the first of those matters mentioned by you ; we understand the facts to be that you insisted that no further consideration of the Remedial Bill should be pressed for by the Dominion Government until to-day (Tuesday), and that we directed your attention to the announcement to that effect in the newspapers of the day.

If I understand it rightly, when this demand was made—a very natural and proper demand—that, pending negotiations, there should be a truce, and that the warfare carried on against the Manitoba government should cease. To that the Dominion commissioners say, that they direct attention to the statement in the newspapers of the day, which stated that the Government here had intended to stop after the second reading of the Bill, until the close of the conference. Further they state :

And having every desire to meet your wishes we further promised to communicate with the Dominion Government asking that the Bill be not taken up on Friday. This communication we sent, and we were as much surprised as yourselves to find that late on the night of the Friday sitting the Bill was advanced a stage.

Here we have, in effect, though not in terms, the substantial admission made by the commissioners from this Government, that they had referred to the statements made in the public press that the Bill would not be pressed after the second reading, and not only so, but that they had communicated the desire of the Manitoba government—no doubt, with their practical assent thereto—and they expressed their great surprise to find—their surprise being, as they put it, as great as those of the members of the Manitoba government, with whom they were negotiating—that these proceedings had been pressed. I venture to say, that if there was any desire on the part of this Government to reach a settlement of this vexed question, if there was any desire at all to come to terms with the province of Manitoba—I venture to say that it was absolutely necessary that they should observe not only the very best faith, but that they should show the most placable disposition. And to be holding out, or pretending to hold out, the right hand of fellowship one moment, while with the other hand they were pointing a pistol at the head of the Manitoba government, may be the way to ask a man for his money or his life, but it certainly is not the way to obtain a settlement between friendly governments. We must remember that that follows a long series of hostile acts. We must remember that this Government has never treated the Manitoba government in this matter, except as an enemy. We must remember that, from the beginning to the end, this Government has placed itself, as it did at the last, in the hands of this minority. It has not acted as a central power ought to act, as a friend to all—a friend to the minority, a friend to the Government against whom the minority were complaining—in order to reconcile their differences, if that were possible ; and, if not possible, to bring about a proper adjustment by means of the legislative power vested in this Parliament. But, Sir, this Government has placed itself in the hands of the minority of Manitoba, and it has forced the claims of that minority, from first to last, against the government of Manitoba, as if that Government were a hostile power. Never, from the first moment that this petition was presented in 1891, and that this Government determined by Order in Council, which, of course, was not communicated to Manitoba—not to interfere by the exercise of the veto power ; never has there been, from that up to the 1st of July last, any communication with the Manitoba government, other than the summons to appear at the Bar to answer for its legislation, with the threat held over its head, that if it failed to appear, and if it failed to show cause, and if it failed to submit, that interference would be had at the hands of the central power. Now, Sir, I think I am not wrong in saying that that course has been unprecedented, that that course has been one which was sure to cause exactly what we find—a difficulty between the central body and the province. Sir, that course, irrespective of every other consideration, calls for the condemnation of all those who are not so immediately interested in this question as are the particular minority of the province of Manitoba. But if that is an important matter, and I venture to think it is ; still more important are the suggestions made in this most interesting communication from the commissioners of this Government to the government of Manitoba. Now, Sir, we are bound to assume, having regard to the instructions that I have referred to, that these negotiations were to be carried on on the basis of reaching a result satisfactory to the Manitoba minority. We are bound to assume that these communications which I am about to read, stated what the Manitoba minority were prepared to accept as a settlement. One proposition is :

> Legislation shall be passed at the present session of the Manitoba legislature to provide that in towns and villages where there are resident, say, twenty-five Roman Catholic children of school age, and in cities where there are, say, fifty of such children, the board of trustees shall arrange that such children shall have a school-house or school-room for their own use, where they may be taught by a Roman Catholic teacher ; and Roman Catholic parents, or guardians, say, ten in number, may appeal to the Department of Education from any decision or neglect of the board in respect of its duty under this clause, and the board shall observe and carry out all decisions and directions of the department on any such appeal.

Now, contrast that with the provisions of the Bill. The Bill is, that not merely in cities, towns and villages——

Mr. SPEAKER. The hon. member is beginning to discuss the Bill ; that is out of order.

Mr. McCARTHY. I was only going to point out the difference between the Bill and this proposition ; not to discuss the Bill. If that is not in order, I will bow to your rulin, Mr. Speaker. What I propose to do is to point out the differences, but not to discuss the Bill in any other way.

Mr. SPEAKER. I do not think the hon. member can make a comparison without discussing the provisions of the Bill.

Mr. McCARTHY. Of course, if you say so, according to your ruling, Mr. Speaker, I will not say what the provisions of the Bill are ; but we have had them so much before us, that I dare say we all know what they are. I point out here, in this proposition, that in towns and villages there have to be twenty-five children, and in cities fifty children, before there can be a separate school. In rural municipalities there is no provision at all for separate schools. That is the proposition that is made here. Then, ten heads of families, Roman Catholics, parents or guardians, could alone enforce this provision, which hon. gentlemen will quickly realize is very different from any proposition which has been made before, whether in the Bill or elsewhere. Then, the next clause in the proposal of the commissioners is as follows :

> Provision shall be made by this legislation that schools wherein the majority of children are Catholics should be exempted from the requirements of the regulations as to religious exercises.

Well, Sir, that need hardly have been provided for, because that is the law now. The law now is that the religious exercises are not to be had in any school except by the consent and authority of the trustees. In a school, therefore, where the majority of the children were Catholics, the strong probability is, at all events, that the majority of the trustees would be also Catholics, and, if they objected to it, they would not permit the religious exercises which are enjoined by the advisory board.

Mr. DAVIN. Does not my hon. friend (Mr. McCarthy) misapprehend the point of that ?

Mr. McCARTHY. If so, I would be obliged to the hon. gentleman to give me the point.

Mr. DAVIN. If the hon. gentleman looks further into it, he will see that what this document stipulates or proposes would exempt them from the regulations in the present law, but it would leave them free to make any regulations they pleased.

Mr. McCARTHY. If that is the point it is now very clearly stated.

Mr. MARTIN. I think my hon. friend is right. I understand that to mean this. Now, it is quite true the trustees cannot have any religious exercises. If they have any, they must be those prescribed. I understand this to mean that schools where the majority of the children are Roman Catholics should be free from that requirement, and that any religious exercises which they may see fit to have should not disentitle them to their share of the Government grant, and that that should apply to all rural districts where the majority of the children are Catholic children, and to schools in cities and towns, where there are twenty-five or fifty Catholic children.

Mr. McCARTHY. Well, I will suppose that is so. The next clauses are :

> Catholics to have representation on the advisory board. Catholics to have representation on the Board of Examiners appointed to examine teachers for certificates.

Now, the importance of that is this, that the Government representing the minority were willing to recognize the advisory board; and all they stipulated for was that upon that advisory board there should be a Catholic representative, which as I said before, and I say again, was most reasonable, and that there should be a Catholic representative on the board of examiners, clearly indicating that the examination was to be had by the public advisory board of the province, and not by any newly-created organization

> It is also claimed that Catholics should have assistance in the maintenance of a normal school for the education of their teachers.
>
> The existing system of permits to non-qualified teachers in Catholic schools to be continued for, say, two years, to enable them to qualify, and then to be entirely discontinued.
>
> In all other respects the schools at which Catholics attend, to be public schools, and subject to every provision of the Education Acts for the time being in force in Manitoba.

Now, Sir, if I understand that, although it is not put in very definite or clear language, it means that the system of state-aided or separate schools was to be recognized in the manner stated by the hon. gentleman who interrupted me a moment ago, and who, I dare say, interpreted this better than I—that the exemption from the requirement of the regulations as to religious exercises implied the right of the trustees of these schools to have such religious exercises as they saw fit ; in other words, to establish in rural sections as well as in cities, towns and villages, a system of separate schools. But the important matter, and the only important matter in these suggestions—the only difference, or the substantial difference between the secular system as it exists in Manitoba to-day and that which the Dominion commissioners, on behalf of and representing the minority, desired to have—was the recognition of state-aided separate or denominational schools. If that was so, it was an idle task to send these commissioners to Manitoba ; because, Sir, it was impossible for the Manitoba government to state that they had any hope of giving state-aided separate schools, regard being had to their reply of December last, upon which they had appealed to the electors of the province, and upon which the electors of the province had decided by an overwhelming voice that it was impossible for the Government of Manitoba to recede from that position, while almost anything else was practicable in the negotiation. Now, Sir, did this Government recognize that fact or not ? Is it possible to doubt that this government failed to recognize that salient fact—that while every other possibility of settlement existed, it was impracticable for the government or the legislature of Manitoba to recede from that which their electors had decided on, namely, the absolute refusal to recognize state-aided separate or denominational schools ? Let me draw attention in the end to the final reply on this point, of the commissioners of the government of Manitoba :

> The point of difficulty in arriving at a basis of settlement seems to be very clearly defined. You maintain that, in the words of your memorandum, " the Roman Catholics " certainly have important legal rights in " connection with separate schools," and that your idea of the object of the conference is to give effect to those rights in the most unobjectionable way, through the action of the legislature of the province.
>
> We hold on the contrary that the constitution gives the Roman Catholics no legal rights in reference to separate schools, except the right of appeal under which the Federal authority may, or may not, restore any rights formerly enjoyed under provincial legislation.
>
> Your proposition aims at the legal recognition by the legislature of Manitoba of the right of the Roman Catholic people to separate for school purposes. Our proposition aims at removing every practical objection to the present system without giving a legal right to separate. We understand that by Order in Council your authority is limited to making a settlement satisfactory to the minority, and that as a matter of fact the minority will accept nothing short of statutory recognition of the right of separation.

Now, is this not absolutely conclusive ? Is it possible for the government of Manitoba, representing and supported by the legislature of that province, or for that legislature, under such conditions, to make any other answer ?

> We regard ourselves as precluded by our declaration of policy preceding our last election from assenting to such statutory recognition. While joining with you in the earnest desire to

> reach a settlement, we are unable to suggest any way of reconciling these two propositions.
>
> We are of the opinion that there would be no objection on principle to the plan we propose, and that its practical operation would prove to be very satisfactory. It would give substantial relief on every material matter without legal separation. If the minority insists on legal separation there does not seem to be any possibility of reaching a basis of compromise.
>
> We cannot but express our regret and disappointment at the failure of our negotiations. We assumed when a conference was asked for by the Federal Government, with full knowledge of the fact that we were clearly estopped by the terms of the Order in Council of December 20th, 1895, from assenting to the re-establishment of separate schools in any form, that it was with the object of securing substantial modifications, which while falling short of the principle of separation, would remove every alleged reason for Roman Catholic opposition to the use of the public schools. We think that the proposition which we have made would, if adopted, remove every such reason, and it is therefore such a proposition as we believed you had come prepared to accept. Its non-acceptance apparently is due to the determination of the minority to insist upon the most extreme, and in our opinion, unsound view of their legal rights.
>
> We entered upon the task of seeking a settlement of the question at issue in the face of grave and obvious difficulties.
>
> In the first place, so far as the re-establishment of separate schools is concerned, the question has for years been considered settled so far as the people of this province, to whom we are responsible, are concerned.
>
> In the next place we have hitherto believed that a state-aided separate school system, and that only, would be accepted by the minority. This view we have repeatedly stated, and we have not yet been authoritatively informed to the contrary. That our contention in this respect was, and is correct, is shown by your proposition, which indubitably means a system of schools separating by law Protestants from Roman Catholics and wholly dependent for support upon municipal taxation and the legislative grant.

I submit either the Government knew what this basis of settlement could possibly be or they rushed headlong into the negotiations for the mere purpose of show. Did they or did they not recognize, not merely the memorandum from the government of Manitoba communicated here last December, but the fact, that upon that document the government of Manitoba appealed to its people and the people had sustained and approved of its course. Was it possible, under these circumstances, to expect the Manitoba government to recede from that position, and was this Government disposed to recommend the minority—because that may be a possible explanation why this Government sent its commissioners—look upon this matter in a reasonable way and accede to reasonable proposals, which, of course, could not include the restoration of state aid to separate schools. But let us see what the counter proposition was to that submitted on behalf of Manitoba.

Mr. MILLS (Bothwell). If the hon. gentleman will allow me, I would like to call his attention to a phrase in their order of December which, to me, is not at all as broad as that stated in the last communication. They say "whether the proposal is to place such separate schools in effect under clerical control, as were the Catholic schools prior to 1890, does not appear." They seem to object to separate schools so placed and not to separate schools which would not be so placed.

Mr. McCARHTY. My hon. friend does not quite see that as it should be read. What these gentlemen here say is this, that whether the communication from this Government in July is to place such separate schools under clerical control, as were the Catholic schools prior to 1890, does not appear.

Mr. MILLS (Bothwell). Why should it be a matter of consequence whether it appeared or not, if that were not the basis of objection ?

Mr. McCARTHY. It seems to me what they mean is this. What you propose to us is some modification of the school law, something in the direction of a settlement, we are now reciting the substance of what you have said, and we are unable to say whether you desire that the separate school system should be restored under clerical control or without it, but still separate schools. Then they go on to affirm that they will have no separate schools under any circumstances.

Mr. MARTIN. The next two sentences make it clear.

Mr. MILLS (Bothwell). No.

Mr. McCARTHY. They proceed to say :

> It is, however, reasonably certain that no concession, which does not admit the principle of such separate schools and embody the same in the educational statutes of the province, will be regarded as an adequate measure of relief or accept as the solution of the difficulty.

They say they do not intend, whether in the communication of July it was intended to ask the control of the clerical schools—that separate schools under the control of the clerical authorities—or separate schools not necessarily under ecclesiastical authority, to restore such schools. Their answer, however, is what I was dealing with. It is emphatic that they would not, under any condition, restore separate schools. That has been the settled policy of Manitoba ever since 1890, from which the legislature has never deviated or given any indication of any intention to depart. I want to draw the attention of the House to the reply to the offer made by these gentlemen.

Mr. MARTIN. Will the hon. gentleman allow me. On page 362 they put beyond any doubt what they mean :

It is therefore recommended that so far as the government of Manitoba is concerned, the proposal to establish a system of separate schools, in any form, be positively and definitely rejected, and that the principle of uniform nonsectarian public school system be adhered to.

Mr. McCARTHY. I am obliged to my hon. friend for supplying the place. I did intend to quote that, but could not put my finger on it at the moment. Let us see what this proposal was, it being perfectly plain and clear that is was impossible even to ask the government of Manitoba to recede from the system of non-sectarian schools, under the circumstances which I have mentioned. Let us see then what was the offer, and whether the offer made was such as ought to have been accepted, if this Government had not chosen to hand over its authority into the hands of this minority. What I am urging now is that the Government of this Dominion—which certainly ought to act in an impartial way, which is as much the Government of the majority in Manitoba as it is that of the minority—should not have made itself a party to that very section, but should have held the balance fairly and evenly between both, and endeavoured to do what was right and proper in seeking to effect a compromise between those who are complaining and the government of Manitoba who refused to yield to their complaints. Here is the offer of the Manitoba government :

First—Should it be accepted as a satisfactory measure of relief to the minority and as removing their grievances, we hereby offer to completely secularize the public school system, eliminating religious exercises and teaching of every kind during school hours. We desire it to be understood in connection with this proposition, that it is made as a compromise offer and not embodying the policy which the Government and legislature of the province are themselves desirous of pursuing. We are willing, however, to adopt such a measure in order to attain a settlement of the dispute.

Now, if the complaint was, as raised in the petition for the disallowance of the Act and which has been reiterated in other documents, and which was contended by their counsel before the Privy Council here—if the complaint was that these were Protestant schools, that they were sectarian schools, that it was a great injustice to compel Catholics to support these schools to which they could not conscientiously send their children, while leaving them the burden of paying for the education of their children in addition to contributing for public schools, this offer was destined to remove it. And it was an offer, as stated here, which was not agreeable either to the government or the legislature, and, I venture to say, to the majority of the people of Manitoba. It is perfectly certain, if we are to judge at all from the statements made by the representatives of religious bodies of Manitoba, whether they be the church of England, or Presbyterian, or Methodist, or Episcopalian, that they all believe in a certain amount of religious teaching and religious exercises. It is certainly clear, from the statement of the Bishop or the Archbishop of the Episcopalian Church, that they are not satisfied with the religious teaching which exists there at this time. They want more of it, and they put up with what they get, because they cannot very well better their position in that respect. At page 384 of this blue-book, we have a communication from the Bishop of Rupert's Land, in which he puts the matter in this way :

The system at first established by the local legislature, by which the Roman Catholics had separate schools entirely under their own management, and all others, grouped under the name of Protestant, had common schools, never worked to our satisfaction, though we always had the hope of improvement.

That system failed to give the state a proper security for good secular instruction in the Roman Catholic schools, while it gave that body an unfair advantage over other denominations—an advantage which in this province it was not entitled to by any numerical majority. But, as we realized that like advantages could not be given to other bodies in the circumstances of the country, we submitted to the denominational disadvantage, in the hope that a fairly satisfactory system of religious instruction might be established in the so-called Protestant schools. We never thought of any instruction beyond what is recognized in England by the state as unsectarian—the opening of the school with authorized forms of prayer and the reading of the Bible—the reading and teaching and learning by heart selected portions of the Holy Scripture and the learning of the Apostles' Creed, the Ten Commandments, and the Lord's Prayer.

This is not regarded by the state authorities in England as Protestant instruction, but as unsectarian, that is as giving instruction on what is believed in in common by at least all the great religious bodies, Roman Catholic and Protestant. But so many members, placed by the government on the Protestant section of the Board of Education, were favourable to simply secular instruction, that our hope was never realized. Arrangements were under consideration for giving instruction in selected passages of the Bible and the Apostles' Creed was required to be learned by heart, but neither it nor the Bible was ever taught.

Then the present system of education was established. As a church we took no part in the struggle. The new system does not satisfy us any more than the old. But I address you now, as we are anxious that the schools should not become still more unsatisfactory.

At the present time we gladly welcome in the short prayer and the reading of Holy Scripture, an acknowledgment of the need of the divine guidance and blessing and of the need and place of that divine word, that should be the lamp to our feet and the light to our path. There is also the learning and teaching of the Ten Commandments, as the divine foundation of moral instruction.

Now, what would be the meaning of the exclusion of these and the secularizing of the schools thereby ? Surely not merely the loss of these important advantages, but the exclusion from instruction of every allusion to God or what could touch religion in fact or history. It would be, I dare say, impossible to teach English literature at all adequately on such terms, yet contrary to the spirit and intent of the law to act otherwise.

I need not pursue this further. I only read it to show that, as far as the Church of England is concerned, the Synod adopted these resolutions which the bishop communicated to the Prime Minister here. It is certainly the same, I think I am safe in saying, with the Presbyterians, and I think it was the same with the Methodists, and these form the great proportion of the population of Manitoba. What I am emphasizing is that the Manitoba government were willing to yield, for the sake of peace, they were willing to say: If it is complained that these schools are Protestant, we are willing that they should become secular schools, and thus remove the objection—which, after all, is the only one, it will be remembered, which appears in the petition presented and signed by the late Archbishop, and quite a number of his co-religionists in the province of Manitoba. That proposal, of course, was not acceptable to Roman Catholics. We know from statements which have been made, and to which I have referred more than once, that the Catholics prefer the educational system which exists in Manitoba to-day to the secularization of the schools. I remember that it was made a charge against the leader of the Opposition that his policy was to secularize the schools. In a very celebrated speech by Mr. Pelletier, delivered some time last winter, or the winter before last, the charge was made against the leader of the Opposition that he was in favour of what Mr. Pelletiér called neutral schools, which, this gentleman went on to say, speaking, I believe, for his party, and his church as well, were more objectionable to them than schools in which there are such religious exercises as there are in the schools of the province of Manitoba. There is the further fact, known to all, that in the province of Ontario, the late Archbishop Lynch sat down with the dignataries of the other religious bodies, and agreed to certain forms of religious exercise, and the reading of certain parts of scripture in the public schools, which more than one-half, not far from two-thirds, of the Roman Catholic children attend. We all remember the controversy that took place with regard to that. I am not now doing more than referring to the fact that this proposition could hardly be accepted by the Roman Catholics, but it still was proper and necessary that it should be made. Now, the second alternative was:

> Second, in the alternative we offer to repeal the present provisions of the School Act relating to religious exercises, and to enact in substance the following:—
>
> No religious exercises or teaching to take place in any public school, except as provided in the Act. Such exercises or teaching, when held, to be between half-past three and four o'clock in the afternoon.
>
> If authorized by resolution of the trustees, such resolution to be assented to by a majority, religious exercises and teaching to be held in any public school between 3.30 and 4 o'clock in the afternoon. Such religious exercise and teaching to be conducted by any Christian clergyman whose charge includes any portion of the school district, or by any person satisfactory to a majority of the trustees who may be authorized by said clergyman to act in his stead; the trustees to allot the period fixed for religious exercises or teaching for the different days of the week to the representatives of the different religious denominations to which the pupils may belong in such a way as to proportion the time allotted as nearly as possible to the number of pupils in the school of the respective denominations. Two or more denominations to have the privilege of uniting for the purpose of such religious exercise. If no duly authorized representative of any of the denominations attend, the regular school work to be carried on until four o'clock.
>
> No pupil to be permitted to be present at such religious exercises or teaching if the parents shall object. In such case the pupil to be dismissed at 3.30.

Now, Sir, is this not an offer which, if this minority was reasonable at all, ought to be accepted? Is this Dominion under the control of a Government which will not bring any pressure to bear upon this minority, but who hand themselves over to the minority, to make themselves the agents and abettors of this minority in all their demands? Is this Dominion to be rent in twain because a handful of people in Manitoba decline to accept either one or other of these two propositions? Is it to be supposed that the people of this province, the people of any other part of the Dominion are to support this Government in maintaining this view? The Manitoba government says: If you complain that the schools are sectarian, we propose to abolish all that part of the system which requires the teaching of religion, and to completely secularize the schools; we do it against our will, but we do it for the sake of peace. If your objection is such that you want your children taught religion by your own people, by their own religious leaders, we propose that a portion of the school day—not after school hours, but a portion of the school-day, before four o'clock, the ordinary time for the dismissal of the scholars—a proper and reasonable time for that purpose, shall be devoted to religious exercises, and that "the Christian clergymen"—to use the language of the document—"whose charge includes any portion of the school district" is to be at liberty to come in for half an hour, day in and day out, and instruct the class in the religion of their parents, and of the body to which they belong. If the section is wholly Catholic, the result will be that for the five school days of the week, the priest or curé will be at liberty to come and teach religion to the children. If the school is divided, then the very reasonable proposition is made that these half-hour periods shall be apportioned to the representatives of the different denominations, unless there is sufficient accommodation in the schoolhouse to admit of the children being sent into different rooms. I forget if that last is a condition, but it is one, no doubt, that might have been applied. But, Sir, this is rejected. Let us see what is the ground of objection. It is hard to grasp in one sentence what the ground is, because it is more an argument than a statement, and I will have to trouble the House with the reasons given by the Dominion commissioners at perhaps a greater length than I had hoped to do, because I am unable to put my finger upon any particular passage or paragraph which states the ground of those very reasonable propositions I have mentioned in a way that would do justice to the argument of the commissioners of the Government. I read now from the Manitoba document, page 7:

> A few words are necessary as to the character of our memorandum. It was put in general terms as a suggested basis upon which our future discussions might proceed with a view to a possible agreement of all parties interested. It is therefore open to some of the objections raised by you, inasmuch as it does not deal with details, and professes only to lay down broad lines upon which legislation might be drawn.
>
> In addition to this, we must premise that sufficient weight is not given by you to the undoubted legal position of the Roman Catholics. Under the judgment of the Judicial Committee of the Privy Council and the remedial order they certainly have important rights in connection with separate schools, and while the Dominion Parliament may have jurisdiction to enforce some or all of those rights, it is universally acknowledged that this could be done with more advantage to all parties by the local legislature, and for this reason we are holding this conference. A discussion of the disadvantages of separate schools is therefore in our view not relevant to the present situation, and is likely to raise misleading issues. In our view much of your argument misses its mark because you have not recognized the present position of affairs and dealt with our suggestions as compared with a regular system of separate schools such as might be established under the Remedial Bill, or under the old system, but have rather confined your attention to maintaining that our position would involve some of the drawbacks of these other schools.

Now, I venture to say that this is a misconception which, from the first to the last, either the Government or some members of the Government pretend to have. The legal right of the Manitoba minority cannot be too often stated. The legal right of the Manitoba minority is not to have separate schools re-established, the legal right of Manitoba is to appeal. The power of the Governor in Council was to listen to that appeal, and grant the prayer of that petition if they thought fit, or to reject it if they deemed it inadvisable on any or all grounds. Then it comes to this Parliament, as we have it now, with full and undoubted jurisdiction, not to restore the legal rights, but to carry out as far as, in the estimation of this Parliament, we think proper to carry out the terms of the remedial order. Everything is discretionary. It is discretionary with the Governor in Council to pass the remedial order; it is discretionary with this Parliament to implement or abolish the remedial order, to go as far as we please, or not to go at all. But to speak of it as a legal right in a binding sense—the term is misleading, and if we start on that basis, of course there can be no possible agreement:

> We deeply regret that you have felt obliged to reject our proposition, and with all deference it does not appear to us that the objections, general and special, which you urge are such as to necessarily involve so serious a step. It would serve no useful purpose for us to support our view with any detailed argument, but some general considerations may be advanced as to the three objections upon principle which you mention, viz.: (1.) That our plan would divide the population into two classes, Roman Catholics and Protestants, giving the former class privileges as against the latter. (2.) That it would establish a system of state supported separate schools, and (3). That the whole school organization would be modified to an unusual extent to bring it into accord with the separate school principle. As to the first of these objections we may observe that the separation of the Roman Catholics as a class does not arise from our suggestions. It is made by the constitution and arises as to them because they happen to be a minority of the population.

There, again, is confusion of ideas on the part of the writer of this document, which no doubt leads to mischievous results. Roman Catholics and Protestants are, in a sense, divided by the Manitoba Act. The minority, whichever it might be, have the right of appeal; but it did not follow, as has been held by the Privy Council, that the legislature of Manitoba might not establish a public school system; the contrary of that has been affirmed. It is perfectly constitutional to do that, subject, of course, to the rights of the minority to appeal to the higher legislative body for the supervision of that legislation. The Manitoba commissioners go on to say:

> It is inaccurate to say that any privilege is given to them as against the rest of the population. It is only the rights conferred on the minority by the constitution that are in question. The problem presented in the school question is to secure to them their just and lawful privileges under the constitution in such a manner as to cause the minimum of interference with the public school system of Manitoba, and in that view we think our suggestion has merits.

Well, Sir, I do not doubt that if it was possible to admit the system of separate schools, the suggestions, which are acceded to, so far as I understand, by the minority, have merits. They have the merit that they are far to be preferred, in some respects, at all events, to the Remedial Bill:

> As to your second objection we may observe that the Roman Catholic population contribute

their share of all taxation for schools, and in return are entitled to obtain education for their children. It is now a question of the mode of that education in view of the rights held by the minority under the constitution. The contention that the system we propose would be unduly expensive and the limitations on ordinary separate school privileges embodied in our proposition will be considered later on. In so far as there is any principle violated by the application of taxes to the support of schools in which Roman Catholic doctrines are taught, your alternative suggestion would seem to be quite as objectionable as ours.

Mr. MILLS (Bothwell). In case the proposition of Manitoba had been accepted, does the hon. gentleman understand that that would have given any religious body, as a matter of right, the privilege of giving instruction in the subject of religion without the consent of the trustees, say in Winnipeg, or any place where the majority might have been adverse ?

Mr. McCARTHY. I certainly understand that it did, I think it can have no other meaning. I think one has only to read these suggestions to be convinced of that. The only thing I understand the trustees had any say in at all, was when a representative Christian clergyman was deputed by him to appear and represent him in the schools :

> Such religious exercise and teaching to be conducted by any Christian clergyman whose charge includes any portion of the school district, or by any person satisfactory to the majority of the trustees, and who may be authorized by said clergyman to act in his stead.

So the trustees have nothing to say except as to the representative of the clergyman. They were authorized, perhaps reasonably so, to object to one who was not in charge of any portion of the district, and who was sent there to represent the clergyman. It seems to me perfectly plain that the trustees were not in any sense to have an unlimited right. Certainly, it would not have been a very reasonable proposition.

Mr. MARTIN. What is the meaning of the first part of that paragraph "authorized by resolution of the trustees" ?

Mr. McCARTHY. "Such exercises or teaching, when held, to be between half-past three and four o'clock in the afternoon." That, I understand, means the time between the secular system and the religious system. That is the law at present. The trustees have no control to say whether there is to be a religious system or a secular system; and I recollect Mr. Sifton saying that in the Brandon school, where his own children attend, is a secular school ; and it is carrying out that part of the Manitoba Act.

Mr. MILLS (Bothwell). There is an alternative, the first proposition is in favour of secullar schools ; the second proposition, it seems to me, is in favour of permitting religious instruction upon condition that the trustees assent to it.

Mr. McCARTHY. That possibly may be so.

Mr. MARTIN. But once they do assent to it, then any clergyman has the right ?

Mr. McCARTHY. Yes.

Mr. MILLS (Bothwell). Take the case of Winnipeg, for instance, where three-fourths of the population are Protestant, where the entire school board might be Protestant, and where the school board might object altogether to religious instruction being given for half an hour each day.

Mr. McCARTHY. All I can say with respect to that is this : Of course, if that is the objection, it is one not suggested by the Government commissioners. I do not think there would be any difficulty, because, as I understand, the great portion of the population believes in religious exercises—they would not secularize the schools. But that is not a matter for negotiation. The matter I am dealing with, however, is the answer to the proposition made by the commissioners of this Dominion. They made their proposition ; they made some alternative propositions. I am considering now the answer made to the alternate propositions submitted by the commissioners sent by the Dominion Government. Passing to clause 3, the House will find, on page 19, that the commissioners are answering objections made by Messrs. Sifton and Cameron to the original suggestions of the commissioners. The commissioners say :

> In reply to your third objection, we beg to urge upon you that the changes we suggest are much less than what we understand to be involved ordinarily by the establishment of separate schools. We do not insist upon normal schools. As to text-books, and representation on the boards, as a matter of practice and administration we find that you raise in point of fact no objection.

That is true. I have pointed out that on the Board of Education, a position was offered to the last Archbishop.

> We do not ask that the Roman Catholics have a separate right to elect trustees or otherwise to have any special representation on the board of trustees, being content with the protection afforded by an appeal to your own department of education, and in this respect our proposals very materially limit what is always considered the privileges essential in connection with a separate school system. The proposed schools would be controlled by trustees elected by the whole body of ratepayers under the provisions of your school law. There does not seem to be any adequate foundation for your remark that the carrying into effect of our suggestion would involve a modification of school organization greater than usual in cases of separate schools. We desire to minimize such modification, and think that to some extent we succeeded.
>
> Your second objection in detail seems founded on a misapprehension. Our memorandum was drawn on general terms, and did not in any

> sense intend to exclude the principle of election on the part of the Roman Catholics, a principle which is elementary, and which is embodied in the Remedial Bill.
>
> As to your third objection, we cannot agree that there would be any special disadvantage in having Roman Catholic children in a separate room as distinguished from teaching them in a separate building. It would seem to be quite as objectionable on principle to separate them for religious exercises, as one of your own suggestions would involve.

With regard to the financial objections, the reply says :

> The ground taken in your fifth objection has been touched on in the preceding remarks. As to clause two of our memorandum, your objections could be met by provisions as to detail. If desired the privilege of teaching religion could be limited to a certain time in the schools attended by Roman Catholics. The point that provision should be made for non-Catholic children is certainly well taken and is quite in accordance with our views, which were in this respect imperfectly expressed in the memorandum. Neither of the propositions which you make would, as it appears to us, remove the sense of unjust treatment existing amongst the minority, nor would they possess the elements of permanency and freedom from friction in administration which are certainly necessary for final and peaceable solution of existing difficulties.

The only reply made by the commissioners under the dictation of the minority to the proposition to secularize the schools, or to the proposition to admit religious teaching during school hours on terms that were fair to all, was that such would fail to " remove the sense of unjust treatment existing amongst the minority, nor would they possess the elements of permanency and freedom from friction in administration which are certainly necessary for a final and peaceable solution of existing difficulties." It must be borne in mind that the Secretary of State who is pushing this Bill through the House, and is himself, and I believe he is very proud of it, and perhaps deservedly so, the author of the school law of 1864 in the province of Nova Scotia, which, we are told continually, is giving perfect satisfaction to Catholics and Protestants, claimed that it has been in force for thirty odd years without friction or complaint of injustice, and that when we look at that Act, we find it is not so favourable to the rights of the religious minority of the province as the proposition contained in this correspondence with Manitoba. The Nova Scotia Act provides a simple system of public schools, in effect, abolishing, to some extent, a system of separate schools that existed up to that time. I speak subject to correction, but my information is, that up to 1864, when the Nova Scotia school law was enacted, there were voluntary schools of all denominations, and those denominational schools were supported, to some extent, by Government subsidies. So that there was in Nova Scotia, prior to 1864, a system by which Roman Catholic separate schools, and Church of England schools and other schools obtained a certain measure of support in the form of contributions to teachers' salaries made by the Nova Scotia government. That system was superseded by the hon. gentleman who now leads this House, and who is insisting with great vehemence on this House the passing the Bill now before it, and it must be remembered that the Nova Scotia law was passed against the remonstrances of some leading Roman Catholics. We have heard it stated that it was passed with the support of the Roman Catholics, that the Archbishop of that day was pleased with the law, and that it has given satisfaction ever since. I cannot find that the first statement is historically correct. We must remember that at that day the question of denominational schools, as we understand them, was not, perhaps, so fully realized in Nova Scotia. I find on reading the debate that the proposition of the Government was likened to the Massachusetts public school system, and it was pressed and urgently pressed by Mr. Miller, now a member of the Dominion Senate, who was a member of the Nova Scotia assembly, at the time, that the proposed law was unfair to the Roman Catholics, for it enacted a system of schools for which they would be called upon to pay taxes although not able to send their children to them. So I do not think the recollection of the Secretary of State with regard to that subject was very accurate.

Sir CHARLES TUPPER. The hon. gentleman will remember that I was speaking regarding events that occurred a long time ago, and when my attention was called to the fact that Mr. Miller had taken exception to the Act, I quite admitted that such was the fact, but it had passed from my recollection. I know that, at the time, I had the support of the whole Roman Catholic representatives in the legislature of Nova Scotia, perhaps not the very warm support of Mr. Miller at that time. I had forgotten, at the time, that circumstance, and I subsequently admitted that such was the case.

Mr. McCARTHY. I remember that when the Secretary of State made that statement, the assertion was thrown out that he was not the author of the School Bill and he had not made provisions for the Roman Catholics asserted here.

What I wanted to point out—and I will be saved the necessity of doing that at any length by the admission which has now been made that that Bill was opposed by Mr. Miller upon the very ground that it was compelling Catholics to contribute to schools to which they could not send their children. Let me read an extract or two from Mr. Miller to make that perfectly plain. At page 50 of the parliamentary debates of that year, Mr. Miller said :

> Mr. Miller * * * simply wished to express his conviction that the principle enunciated in the Bill was not the sound principle upon

> which the educational system of the country should rest. In his opinion the denominational system was the only correct one. * * *

Mr. Miller further on, at page 52, said :

> But on a question of so important a character it was not strange that there should exist some diversity of opinion as to what was the soundest principle upon which to rest our common school structure. This was always found to be the case in every country divided by different interests and ideas into discordant elements. * *
>
> He considered the usurpation of that right (i.e., the right to enforce education by compulsory enactments) by the state, a gross violation of the natural rights of the parent, and an attempt under the cover of a broad principle to exercise the spirit of tyranny and intolerance.
>
> He was in favour of grounding the common school system of the country on the denominational system, as the wisest and the most consistent that could be adopted. * *
>
> He feared that what he considered the best basis of our school system would not be favourably received by a majority of the House, and he was therefore willing to accept what might be esteemed a second best. But, in doing so, he did not wish to be looked upon as according a preference to the Hon. Provincial Secretary's Bill for views which he sincerely entertained.

Now, at page 70, the Secretary of State (Sir Charles Tupper) used the following language, and it is quite evident that the hon. gentleman has departed from his early record. He then said :

> That he had never disguised his motives and object in preparing the Bill. He had on more than one occasion said, and he repeated it now, that he approved of the compulsory assessment principle for the support of common schools, and believed it to be the most efficacious and practicable mode of establishing a proper basis of educational means in the country. He had been deterred from adopting only because of the difficulties that lay in the way of carrying it into effect at the present time.

Mr. Miller, at page 71, again says :

> 3. If the measure now before the House only compelled those who agreed to subscribe for the support of schools in any district to pay the requisite amount, he would not object to it as far as that part of it was concerned, because if people voluntarily entered into an agreement to pay for schools they could not complain if payment was executed, but he contended that it was neither fair nor just to compel the minority to enter into an arrangement agreed to by the majority. * * * * * *
>
> He was entirely opposed to the principle of compulsory assessment, and he could not look upon the clause they were discussing without feeling that it had one object in view, which was altogether repugnant to his feelings. He was sure such a law would create strife, turmoil and discord among the people of the province, and therefore it was that he gave it his most strenuous opposition.
>
> 4. His chief objection was the want of provision for a fair distribution of the funds raised among all classes. Was it the desire of the House that any body of men would be obliged to support schools in whose benefits they might not be able conscientiously to participate ?

Compare that language with the language of the petition. This was the time when the Nova Scotia school law was passing through, and the objection made by a leading Roman Catholic was that it was not fair nor right to oblige the parents of children to contribute to the support of schools, in the benefits of which they might not be able conscientiously to participate. Mr. Miller goes on to say :

> It was no matter whether his conscientious scruples were sound or unsound, it was the duty of the state to respect them. To attempt to pass judgment upon them was a tyrannical intrusion of the domain of conscience, permitted to no earthly power. The state did not inquire if one's religious views were true or false to accord to them the fullest recognition of protection. So should it be with the sincerely entertained opinion of any class on the subject of education. Wherever this doctrine was denied constitutional freedom was a mockery—religious toleration a farce. In conclusion he reiterated his belief that the House was about to introduce strife and discord where there should be unity and peace.

Now, Sir, that Nova Scotia law has been in force for thirty years, or more, and we are told, over and over again, by every representative from Nova Scotia, by the Secretary of State himself, that that law has given perfect satisfaction.

Sir CHARLES TUPPER. Hear, hear.

Mr. McCARTHY. That law has given practical satisfaction, while it makes no provision at all for religious exercises, while it permits them simply, as I understand, in practice, while it leaves religious education solely to the management of the trustees, there being but one curriculum, one set of books, one inspection, and one management, and simply such religious education as the trustees may direct. I suppose, in Protestant sections, if they are illiberal, they are not satisfactory to the Roman Catholic minority, and in Roman Catholic sections, I suppose the same thing might be said with regard to the Protestants. But, Sir, if that Nova Scotia law is satisfactory, how can the second proposition that was made by the Manitoba commissioners be rejected as unsatisfactory. In Nova Scotia and in New Brunswick—where we are told practically the same thing exists—there is no legal right to separation, there is no legal right to have religious teaching of a formal character in any school, and the enjoyment of that privilege is merely an enjoyment by common consent or courtesy, and not by right. If that is satisfactory, how can the proposition that is made by Mr. Sifton and Mr. Cameron be deemed unsatisfactory, who propose that portion of the school hours, every day, should be set apart for religious exercises, and that the religious exercises of the majority should be permitted, or if there was a difference in the school, that the religious exercises should be in proportion to the numbers attending : how, I say, can that proposition be rejected as unfair. For this reason. I submit that this House should now consider, whether at the late stage we have arrived at this session, within, now, ten days of our final dissolution, when it is absolutely impossible for us to pass this Bill ; I say, this House should consider whether we are warranted in continuing to waste the time of the House and of the country, in a vain and futile effort. I say it is absolutely impossible to pass this Bill, if it is to receive that consideration at the hands of this House which its importance demands. We have been in committee all last week, with what advantage ? Sir, the committee declined to consider this question, after the leading members of the Government, who had charge of the Bill, sought that repose which nature demanded, and from that time, up to the next day, and sometimes beyond the hour of meeting next day, nothing practical was done in advancing the Bill through committee. I am not called upon here—and perhaps I would be called to order if I ventured to express an opinion about the proceedings of the committee—but, what I do mean to say is, that is the practical result, and the country will judge by and by, when appealed to on this question, whether, in taking that course, the hon. members who took that course, were in the right or whether the course of the Government, in endeavouring to force this Bill through the House by a continuous sitting, at which it was impossible the full committee should be represented, was the better or the fairer course. But, Sir, I want to draw attention to what seems to me to be a very analogous case. I have once or twice before drawn attention to it, but I propose to do so now in a little more detail, because it seems to me it is a very fair illustration to show the time we have lost—for, practically, it has been lost—on the investigation of this Bill in committee. The Irish Home Rule Bill contained but forty clauses. This Bill contains one hundred and twelve. The Irish Home Rule Bill was opposed by the Conservative party and by the Liberal-Unionists. I do not know that it would be said—the country, at all events, has not dealt with them as if they abused their parliamentary privileges ; for the gentlemen who were then in minority of thirty or forty, were returned to Parliament, on the first occasion afforded to the people to speak, by the largest majority which has been found in the House of Commons since the days of the Reform Bill. So that their conduct, in their opposition to the Bill, and the method of their opposition, were substantially approved of by the country where parliamentary institutions are best understood. Now, Sir, as I have pointed out before, that Bill was introduced on the 13th of February, a very few days after the House met. The second reading was moved on the 2nd of April, and was carried, under the closure, on the 22nd of April. The House went into committee on the Bill on the 8th of May, and remained in committee until the 27th of July.

Mr. DAVIN. Was that from day to day ?

Mr. McCARTHY. No, not from day to day, because there was an adjournment at Easter.

Mr. DAVIN. Was there any other work between ?

Mr. McCARTHY. There was other work done, but the important work was the consideration of that Bill in committee. That occupied forty-seven nights ; and not only so, but during those forty-seven nights the closure was applied thirteen different times to the different clauses, and finally, on the 30th of June, an order of the House was made, under the closure rules, by which it was decreed that clauses from 5 to 8 should be disposed of, there being then only four clauses carried. Now, a good deal has been said of the debate on clause four of this Bill; but it took the committee of the English House of Commons twenty-six sittings to get through the first four clauses of the Irish Home Rule Bill, and during that time the closure was applied thirteen times.

Sir CHARLES HIBBERT TUPPER. How many suspensions ?

Mr. CARTHY. The hon. gentleman is confounding the Irish Home Rule Bill with the Crimes Act. There was no suspension, except of some unruly Irish member who pressed for the consideration of the Bill

Mr. McNEILL. Fifteen days were taken on the first clause.

Mr. McCARTHY. Yes, and after the first four clauses were disposed of, an order was made that clauses 5 to 8 should be disposed of before the 6th of July, clauses 9 to 26 before the 13th of July, and clauses 24 to 40 before the 20th of July, and the postponed clauses of the schedules before the 27th of July ; so that, when those different dates were reached, the Chairman of the committee, without debate, put the various clauses and declared them carried, as they were carried, by a majority of votes. And, as my hon. friend from North Bruce (Mr. McNeill) reminds me, the comment of the opponents of the Bill and of the leading organ of public opinion, the "Times" newspaper, was that three-fourths of the Bill had gone through practically undiscussed. Now, it may be said that the Bill before this House is not as important a measure as the Irish Home Rule Bill was. The importance of a measure has very little to do with the purport and meaning of it. The question is this : Is this as difficult a measure for us to deal with as the Irish Home Rule Bill was for the English Parliament ? We find ourselves here with limited powers, while the powers of the Parliament at Westminster were plenary. We find ourselves here continually hampered by what the law was before 1890, what the meaning of the remedial order was as to the restoration of that law, what the effect of the new clauses in this Bill are ; and, therefore, it would be utterly impossible for us, if we give that consideration to this measure which its importance demands, in the remaining days of this House—even if we do not admit any other business—and I do not understand the Government to be introducing Bills simply for the purpose of putting them on the Order paper, if it is intended that we are not to consider them—it would be utterly impossible for us to give to this Bill that consideration which would enable it to become law. Then, we are in this position. The people of Manitoba, notwithstanding the very unfavourable conditions in which they have been approached, the hostile spirit in which they have been met from the beginning, the unfortunate misunderstanding as to the terms under which the conference was to proceed—because they understood that the proceedings on the Remedial Bill would be stayed in the meanwhile—the people of Manitoba have shown a disposition to do all they possibly could to settle this difficulty ; and it is absolutely unwise on our part to go on with this measure, which, although it cannot pass, must necessarily become the great question in the appeal soon to be made to the people. It will arouse feelings from one end of Canada to the other such as have not been aroused before. It has arrayed the Government of the whole Dominion against the government of one province, and has already been fraught with great injury to the material prosperity of that province. Under these circumstances, I say it is wise and proper, as it appears to me, that we should now pause in our course, and allow the time to elapse, which can elapse before we meet again in a new Parliament, to see whether the minority will not be more reasonable in their demands, and will not be willing to accept a proposition which, in my humble judgment, is abundantly fair. I move, Sir, seconded by Mr. O'Brien, that the House do now adjourn.

Mr. DALY. Mr. Speaker, I regret very much that I was not in my place when the hon. gentleman began to address the House; so that I did not hear the first part of his argument. I came in when the hon. gentleman was stating to the House that it was idle on the part of the Government to have sent a commission to meet the representatives of the Manitoba government to discuss this question, in view of the fact that the Manitoba government, in their memorandum of December, 1895, had stated that they could not recognize state-aided separate schools. It seems to me, in view of the invitation that was extended by Mr. Greenway, as shown in the papers brought down, and the acceptance of that invitation, that Mr. Greenway and his government were just as fully aware of the position which this Government had taken as it was possible for any one to be. It seems to me that the fact that this Government had introduced this Remedial Bill, had pressed it to a second reading, and had carried that second reading, was a clear indication that it did not intend to recede from its position. And what was that position ? Simply that it should carry out to the fullest extent, the position it had originally taken with reference to the rights which the minority of Manitoba claimed to be theirs, and of which they claimed to have been deprived. Now, from the memorandum that was laid before the commissioners of the local government by the representatives of this Government, it is clear that our commissioners, while fully alive to the position which the minority claimed, were willing to recede from that position for the purpose of effecting a compromise, if a compromise could be had. Why, in the reply that was made on the 31st March, to Messrs. Sifton and Cameron, we find our commissioners say :

> It is to be further noted that the Roman Catholics earnestly desire a complete system of separate schools on which only their own money would be expended, a state of matters which would meet the observation under consideration, but which you decline to grant. Our suggestion was to relieve you from the necessity of going as far as this. It is perhaps impossible to devise a system that would be entirely unobjectionable theoretically and in the abstract. We had great hope that what we suggested would commend itself to your judgment as a practicable scheme doing reasonably substantial justice to all classes and securing that harmony and tranquility which are perhaps more than anything else to be desired in a young and growing community such as is now engaged in the task of developing the resources of Manitoba.

So that the commissioners did not press for all the rights the minority claimed they had been deprived of, but were willing to accept a compromise. What was their proposition ? Under the circumstances, it was a very proper one. They proposed :

> Legislation shall be passed at the present session of the Manitoba legislature to provide that in towns and villages where there are residents, say, twenty-five Roman Catholic children of school age, and in cities where there are, say, fifty of such children, the board of trustees shall arrange that such children shall have a school-house or school-room for their own use, where they may be taught by a Roman Catholic teacher ; and Roman Catholic parents, or guardians, say, ten in number, may appeal to the Department of Education from any decision or neglect of the board in respect of its duty under this clause, and the board shall observe and carry out all decisions and directions of the department on any such appeal.
>
> Provision shall be made by this legislation that schools wherein the majority of children are Catholics should be exempted from the requirements of the regulations as to religious exercises.
>
> That text-books be permitted in Catholic schools such as will not offend the religious views of the minority, and which from an edu-

> cational standpoint shall be satisfactory to the advisory board.
>
> Catholics to have representation on the advisory board.
>
> Catholics to have representation on the Board of Examiners appointed to examine teachers for certificates.
>
> It is also claimed that Catholics should have assistance in the maintenance of a normal school for the education of their teachers.
>
> The existing system of permits to non-qualified teachers in Catholic schools to be continued for, say, two years, to enable them to qualify, and then to be entirely discontinued.
>
> In all other respects the schools at which Catholics attend to be public schools and subject to every provision of the Education Acts for the time being in force in Manitoba.
>
> A written agreement having been arrived at, and the necessary legislation passed, the Remedial Bill now before Parliament is to be withdrawn, and any rights and privileges which may be claimed by the minority in view of the decision of the Judicial Committee of the Privy Council shall, during the due observance of such agreement, remain in abeyance and be not further insisted upon.

Now, it seems to me that our commissioners went very far indeed to meet the position taken by the Manitoba government. It is true that by their memorandum in 1895, the Manitoba government declared that they had a mandate from the people not to establish a system of state-aided separate schools in any form. Yet, in view of the fact that Mr. Greenway had extended his invitation and his invitation had been met by our sending commissioners, it seems to me that he entered into these negotiations with the full knowledge that it would be impossible for this Government to recede from the position it had taken in forcing the Remedial Bill to a second reading. I think that the objections made by Messrs. Sifton and Cameron to the memorandum have been fully met by the reply of the 31st March. And our commissioners struck, it seems to me, the key-note of the whole position, in one of the clauses of their reply, as read by the hon. member for North Simcoe, in which they say :

> In addition to this we must premise that sufficient weight is not given by you to the undoubted legal position of the Roman Catholics.

The hon. member for North Simcoe says that their only legal position—and that is repeated in the second memorandum of the local government—is that the minority has the right to appeal. We contend that their legal position goes beyond that. We contend that they had the right to appeal, that the appeal was granted, that the remedial order was the consequence, that this House was vested by the remedial order with the power to legislate, as we are seeking to do at present, and that in all the negotiations the local government have not given that weight they should have done to the undoubted legal position of the Roman Catholics. It was not for the commissioners to recede in any particular, or to embarrass, or in any way take from the legal position which the Roman Catholic minority enjoyed under these circumstances. No negotiations could have taken place, there could have been no basis of any negotiations that would, in any way whatever, affect the legal position which the Roman Catholic minority enjoyed. I do not wish to weary the House by reading extracts from the reply of the commissioners, dated 31st March, but I will read to the House some of the statements made by the commissioners in that reply, which the hon. member for Simcoe did not read, in order that the position they have taken should be upon record. In the first instance, they say :

> It is only the rights conferred on the minority by the constitution that are in question. The problem presented in the school question is to secure to them their just and lawful privileges under the constitution in such a manner as to cause the minimum of interference with the public school system of Manitoba, and in that view we think our suggestion has merit.

Any person reading the suggestions made by the commissioners will come to the conclusion that these suggestions are made with a view to a minimum of interference with the public school system. Further, they say :

> We do not ask that the Roman Catholics have a separate right to elect trustees or otherwise to have any special representation on the board of trustees, being content with the protection afforded by an appeal to your own Department of Education, and in this respect our proposals very materially limit what is always considered the privileges essential in connection with a separate school system. The proposed schools would be controlled by trustees elected by the whole body of ratepayers under the provisions of your school law. There does not seem to be any adequate foundation for your remark that the carrying into effect of our suggestion would involve a modification of school organization greater than usual in cases of separate schools. We desire to minimize such modification, and think that to some extent we succeeded.
>
> As to your first objection in detail, we submit that under existing conditions there would not arise any great practical inconvenience, as in most of the localities affected the Roman Catholics are sufficiently numerous to afford all necessary facilities for grading and competition.

I would refer to this further fact, which must always be taken into account in considering this question, that the majority of the Roman Catholics live either along or east of the Red River. Prior to 1890, when the Act was passed doing away with the separate schools, there were not more than twelve separate schools west of the parishes lying along the Red River ; and the difficulties that were apprehended by Mr. Cameron and Mr. Sifton in their replies, it seems to me, could not arise outside of the city of Winnipeg, and possibly, the city of Brandon. It would be well always in discussing this question to bear in mind the fact, that, as I stated before, the Roman Catholic population is placed in such a position that there is no doubt that, with the exception of the twelve schools I mention they were practically in a large majority. The commissioners go on to say :

> In any event it must be quite clear that the standard of efficiency maintained would naturally be higher than can be reached by Roman Catholics who refuse on conscientious grounds to attend the public schools, and are therefore obliged to maintain schools from their own private means, and without the aid of the legislative grant. Considering the question of efficiency alone we think it cannot be denied that the state of affairs under the system we suggest would be very much better for the community than that which would obtain under existing conditions or under the Remedial Bill if it became law. And if this be so, even the argument from efficiency is all upon the side of bringing the Roman Catholics amicably within the public school system by some method as we suggest. * * * Your second objection in detail seems founded on a misapprehension. Our memorandum was drawn in general terms, and did not in any sense intend to exclude the principle of election on the part of the Roman Catholics, a principle which is elementary, and which is embodied in the Remedial Bill.
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> As to your third objection, we cannot agree that there would be any special disadvantage in having Roman Catholic children in a separate room as distinguished from teaching them in a separate building. It would seem to be quite as objectionable on principle to separate them for religious exercises, as one of your own suggestions would involve.

Then further, on page 9 :

> We must again direct your attention to the evident advantages in point of economy of the system we propose over the old system, over school under the Remedial Bill, and particularly over the existing state of affairs where an important section of the public has to pay school taxes, and in addition feels compelled from conscientious motives to educate their children at their own expense. There would be no expenses of organization either general or local. The utmost that can be said is that it would cost the whole community the increase in expense, if any, which would necessarily be involved in the Roman Catholic children being educated together in one room, or in one building, as compared with educating them scattered amongst the rest of the school children. It is only in small mixed communities that this could be a serious item. We note your objection that this would be an offensive method of compelling one portion of the people to pay for the education and sectarian religious training of the remainder, and must again remind you that in principle your own alternative suggestion is equally objectionable, because conceivably the Roman Catholics under your system might pay a comparatively insignificant share of taxation, and yet you propose that their religion shall be taught them in the schools. We must further draw your attention to the flagrant injustice of the present system, which compels Roman Catholics to contribute to schools to which they cannot conscientiously send their children, and we beg to submit that this fact deserves due weight and consideration in this connection.

Mr. WALLACE. Will the hon. gentleman permit me to ask him if that last sentence is a correct statement of the case ? Their schools are very much the same in character as the public schools of the province of Ontario, and a large majority of the Roman Catholic school children in Ontario attend these public schools. How then can the statement be made that the Catholic parents in Manitoba cannot conscientiously send their children to the schools there ?

Mr. DALY. I presume the explanation is that by the law of Manitoba the choice of these religious exercises for the schools is left to the advisory board on which there is no Roman Catholic representative.

Mr. WALLACE. If the hon. gentleman would permit me—I do not wish to interrupt him—I understand that the bible selections in Manitoba are precisely those of what we can call the " Ross Bible " which is authorized in Ontario.

Mr. McCARTHY. And approved by Archbishop Lynch.

Mr. DALY. I cannot speak of that, nor can the hon. gentleman, I fancy, as fact. At all events we have the fact that the minority are dissatisfied. The representatives of the minority presented a petition to the leader of the Opposition when he was in Winnipeg in 1894 representing that they had conscientious objections to the religious teaching in the schools, and that is the point we have to deal with—not as it may be regarded in Ontario, in Nova Scotia and elsewhere. We have to deal with the conditions as they exist in Manitoba at the present time and to endeavour to relieve the grievances under which the minority rest. Now, the hon. gentleman who preceded me (Mr. McCarthy) dwelt at some length upon the proposition that was made by the Manitoba commissioners in their second communication, viz. :—No religious exercises or teaching to take place in any public schools except as provided in the Act. Such religious exercises to be between 3.30 and 4 o'clock, " if authorized by resolution of the trustees, such resolution to be assented to by a majority, religious exercises and teachings to be held in any public school," and so on. I take it as a condition precedent to the right to hold these religious exercises in the schools that the same shall be assented to by a majority of the trustees. The whole matter would rest with the trustees and we might have, and no doubt should have communities in which the trustees would be opposed to any religious exercises being held, in which case it would be impossible for the Manitoba government to carry out the suggestions or the offer they make here. Then, as to the secularization of the schools, hon. members of this House are quite aware that there is a very strong opinion in Manitoba, not among Roman Catholics alone, but among the Anglicans, the Presbyterians and the Methodists, against the secularization of the schools. The hon. member for Winnipeg (Mr. Martin) stated, as the fact is, that when his Bill was introduced it provided for no religious instruction.

Mr. MARTIN. The hon. gentleman misunderstood me. I said that it was at first contemplated to frame the Act in that way.

Mr. DALY. That was the original intention, then, I suppose that that was the form of the original draft. But the hon. gentleman found that his supporters in the House were so strongly of the contrary opinion that he had to agree to the representations that were made to him by his supporters, and when the Bill was introduced these provisions had been withdrawn. It seems to me that that offer made by the Manitoba government was an idle offer, and was made by them with full knowledge of the fact that not only the Archbishop of Rupert's Land and the Rev. Dr. King, Moderator of the Presbyterian Church, but numerous other religious bodies declared against secularizing the schools. If we are to have a public school system in Manitoba, it must be with religious exercises in the schools. And that being the case, we can only come to one conclusion and that is that, notwithstanding their reiterated statements that they were desirous of coming to an arrangement with this Government, the Manitoba commissioners were not in a position to meet the reasonable offers that were made by the commissioners of this Government, and, not being able to meet these offers, did not show that disposition to remedy the condition of things they should have shown under the circumstances.

Mr. MARTIN. The first point dealt with by the Minister of the Interior (Mr. Daly) with regard to this question is that very clearly raised by the hon. member for North Simcoe (Mr. McCarthy) that the sending of commissioners to Winnipeg, intending all the time that these commissioners should insist upon the restoration of separate schools in Manitoba, was an idle thing, and utterly of no use. The Minister of the Interior thinks not, because he says Mr. Greenway's government must have known what the commissioners were bound by, what they would demand as the limit beyond which they would not go. Surely, that is no answer at all. What Mr. Greenway knew about it is of no importance to us here. We are not discussing the action of the Manitoba government, we are discussing the action of this Government, which, during the pendency of the Remedial Bill in this House, proposed a conference with the Manitoba government for the purpose of seeing whether a compromise could be reached. Now, the point taken by the member for North Simcoe is that the Government knew perfectly well from the published answers of the Manitoba government on the two different occasions, first, in the answer to the remedial order in June, 1895; and second, in the answer to the second Order in Council passed by this Government and sent to Manitoba, in December, 1895, in which that government made it perfectly plain that they were not prepared to abandon the principle of public schools, and they were not prepared to re-establish separate schools as they were prior to 1890. This Government, in sending these commissioners to Winnipeg, were aware of that, and if they then intended that the commissioners should not deparrt from the principle of separate schools as laid down in the offer of the commissioners, then, surely it was an idle proceeding, surely it was a conference from which no possible good could be expected, and from which no possible good was expected. Now, let us consider, for a moment, the circumstances under which that conference took place. The hon. member for Montreal West (Sir Donald Smith) went up to Manitoba in a semi-official capacity, at any rate, with the knowledge of the Government, and he had a long discussion with Mr. Greenway and Mr. Sifton, and other members of the Manitoba government. Can we imagine, after what Mr. Sifton and Mr. Cameron say here in this document, that they did not explain explicitly to the hon. member for Montreal West that they would not re-establish separate schools, and can we not imagine that Mr. Greenway and his government hinted to the hon. member for Montreal West that they would be prepared to take some such course as that outlined in the reply of Mr. Sifton and Mr. Cameron to the offer of the commissioners ? It must be plain to every member of the House that the first conference of which we have no report, which was private and confidential, must have been in that direction. There is no doubt at all that the hon. member for Montreal West came back from Winnipeg, knowing perfectly well that the Government there did not intend, and could not be induced, under any circumstances, to restore the system as it was, but they were prepared to make some such concessions as are contained in the first reply of Messrs. Sifton and Cameron. The member for Montreal West communicated confidentially to Sir Mackenzie Bowell and the other members of the Government here, what he had done in Manitoba, and he gave them the impression that there could be a settlement of this question. What kind of a settlement, a settlement on the lines of the offer of 28th March ? No, not in that direction. It was because the hon. member for Montreal West had been to Winnipeg and had had this preliminary conference, and because he expressed the view that there was an opportunity of settling this question, that he and the other two commissioners of this Government were sent to Winnipeg. So surely, Mr. Speaker, it follows that the Government knew beforehand that there could be, by no possibility, any result from a conference in which the commissioners were to be tied down to obtaining the re-establishment of separate schools. The next point the Minister of the Interior dealt with was the question as to what the legal position of the Manitoba minority is. It is asserted by the hon. member for North Simcoe that the legal position of the Manitoba minority is simply the right to appeal, a right to appeal which has been recognized by the Privy Council of Canada by the passing of the remedial order, and now the question is before this House as to what shall be done upon that remedial order, with no obligation whatever binding upon this House to carry out the terms of that remedial order if this House is not of the opinion that that remedial order embodies suggestions which should be crystallized into law. A different position was taken in the country by the Cabinet Ministers, namely, that there was no option, that the Government were bound by the constitution to pass remedial legislation in Manitoba in terms of the remedial order. But that position has been abandoned on the floor of this House by the Minister of Justice, in the speech which he made upon the second reading of this Bill.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

House again resolved itself into Committee.

After Recess.

(In the Committee.)

Mr. MARTIN. Mr. Speaker, the suggestion of the Minister of the Interior that the Roman Catholic minority of Manitoba occupy a much stronger position than that they are merely entitled to the right of appeal, is not borne out by the facts, because it was urged more or less throughout the country and in this House, that this Parliament was bound under the constitution as interpreted by the Judicial Committee of the Privy Council to pass the remedial order and to place on the statute-book of Canada a Remedial Bill. But that position has been entirely abandoned by the Government. The Minister of Justice stated most clearly and distinctly that the constitution did not compel Parliament to pass a Remedial Bill, that that question was entirely open to Parliament, and he urged that the circumstances of the case made it obligatory on Parliament to do so. That is now a very different issue. If we were constitutionally bound to pass an Act in the terms of the remedial order, then there should be no discussion here; no time need be occupied in considering the matter, because we would have no option. It is a very different matter when it is suggested that the circumstances are so strong that Parliament should exercise a discretion vested in it, because that is something on which the Minister of Justice may have an opinion and other hon. members may entertain a different opinion. So that the minority in Manitoba are not in the position of being able to say while engaged in the conference with the local government: If you are not prepared to restore us the separate schools we had prior to 1890, we have it in our power to compel the restoration of these schools through the action of the Dominion Parliament, because the Dominion Parliament will not re-establish those schools unless a proper case is made out by the minority to induce Parliament to restore them. So then, I say, Mr. Speaker, that if the people of Canada and the Parliament of Canada become satisfied that the people of the province of Manitoba are willing to give to the Roman Catholic minority all that the minority in fairness could ask, then the Parliament of Canada will not, if it does, be supported by the people of Canada in inflicting on that province a Remedial Bill. It is admitted that any remedy attempted to be given to the minority by this Parliament must necessarily be more or less imperfect. It was shown in the correspondence now before us, in the statement of the Dominion, that if the local legislature can be prevailed upon to act in the premises they have the power, much more effectively than this Parliament can have, of putting the matter right, if it is wrong. So that the contention that the minority of Manitoba are justified in refusing to consider the proposition of a compromise unless the Manitoba government and legislature are prepared to restore certain schools, is one which the position of the Manitoba minority is not strong enough to justify them in taking. The position of the Manitoba minority is not that they are legally and of course entitled to a restoration of what they had before 1890. They are entitled to the removal of any grievance, if any grievance is established before this Parliament, and if the Manitoba government and legislature are prepared of their own accord to remedy everything that would appear to reasonable persons to be a grievance on the part of the minority, it cannot be expected that Parliament will interfere under these circumstances. The Minister of the Interior contends that we are not to consider the Manitoba question in the same way as we would consider the question of separate schools in Nova Scotia and New Brunswick, but we must consider it purely from the Manitoba standpoint. Why is that? One would naturally think that a comparison of the position of the Roman Catholics in another province similar to Manitoba would be a very reasonable means of judging of the fairness of the overtures made by Manitoba in the premises. I cannot agree with the suggestion of the Minister of the Interior that we cannot consider the cases of New Brunswick or Nova Scotia and that we must consider the case of Manitoba entirely by itself. But, after all, that is really the only answer which has ever been made to the very clear and definite proposition enunciated in this House time and again, that in Nova Scotia there is no provision in the law for separate schools, and yet we find Roman Catholic members in this House standing up for Nova Scotia, and saying that that law in practice is to-day, and has been for thirty years past, entirely satisfactory to the Roman Catholics of that province. If the government of Manitoba is prepared to accord to the Roman Catholic minority there the same privileges or greater privileges than are accorded to the Roman Catholic minority in those other provinces to which I have referred, and in addition to those I might mention Prince Edward Island and British Columbia, is that not evidently the principle upon which we should consider whether the offer of the Manitoba government was a reasonable one or not? I do not intend, Mr. Speaker, to urge that the offer of the Manitoba government is a reasonable proposition. Of course, I do not dispute that, but I am not going to discuss it now. What I propose to say is that the commissioners on behalf of the Dominion Government did not treat the Manitoba government in the proper spirit. They refused to consider it at all. They point out that it does not give to the Roman Catholic minority separate schools, and therefore they cannot consider it. Now, we know that the Roman Catholic minority have not separate schools in Nova Scotia, New Brunswick, Prince Edward Island or British Columbia, and yet we find, not only in this Parliament, but out of this Parliament, from laymen and from ecclesiastics, that the Catholic Church is perfectly satisfied with the practice with regard to education in these four provinces. I contend that what the Dominion commissioners should have done, and what the minority in Manitoba, if it were prepared to be reasonable, should have concurred in the commissioners' doing, was to point out in what respect, if any, the proposition of the Manitoba government was not satisfactory; and in what respects, if any, it failed to remove the grievances which the Roman Catholic minority complain of in connection with the legislation of 1890. I shall briefly deal with the proposition of the Manitoba government, not so much with a view of expressing any opinion on the question, as with a view of throwing, if possible, some light upon that question from the Manitoba standpoint. This proposition, as has already been pointed out, is an alternative one. In the first place, the Manitoba government offer to advise the legislature to repeal the clause in the Act of 1890 referring to religious exercises. I may say that, so far as I am concerned, individually, I am most happy indeed to find that the Manitoba government are prepared to take this step. However, I differ from the commissioners of the Manitoba government in the expression of opinion in connection with this. They say:

> We desire it to be understood in connection with the proposition, that it is made as a compromise offer, and not as embodying the policy which the government and legislature of the province are themselves desirous of pursuing.

Of course, I cannot dispute Mr. Sifton and Mr. Cameron, representing the government and representing the legislature, as to what the policy of the government and of the legislature is. They are in a position to speak authoritatively on that point; but I do dispute them, if they desire to imply that it is not the desire of the majority of the people of Manitoba to have secular schools. I believe that if this offer had been accepted on the part of the minority, it would have required no departure from the wishes of the people of Manitoba for the legislature to have accorded to them that change in the law. However it may have been in 1890, when this Act was introduced, however the people of Manitoba may have felt at that time upon this question, the six years which have transpired since, and the full discussion of this matter, has, I am satisfied, completely changed the view of many of the majority who in 1890 were unfavourable to purely secular schools—I am satisfied to-day, so far as my observation has enabled me to speak, that in Manitoba the people would be more than satisfied with the legislature if they completely secularized the schools. Then, as regards the offer of the Manitoba government to advise a change in the law by which certain religious exercises would be allowed in the schools. Now, that offer has been criticised, inasmuch as, apparently, those religious exercises can only be carried on with the consent of the trustees. I must say that, so far as the wording of the offer is concerned, it seems to be open to that construction, although I am inclined to think that that was not the intention in making the offer. But, Mr. Speaker, if this offer was unsatisfactory to the minority, only because the trustees could intervene and refuse to allow religious exercises at all, that was a proper point for the Dominion commissioners to take. They did not refer to it, and therefore that was not the reason why the offer of the Manitoba government was not accepted. It does not follow at all that that offer should have been accepted as put. It was a mere proposition, and there was nothing final in it. So far as the proposition of the Dominion commissioners was concerned, the answer of the Manitoba government was final as to that. They said: We cannot entertain a proposition of that kind, because the people of the province have pronounced upon that; we have long ago declared our policy as to the maintenance of the public school system, and therefore we cannot consider the proposition of the Dominion commissioners; but we offer this. Suppose the Dominion commissioners had abandoned their proposition for separate schools, and had pointed out to the Manitoba government that this offer was defective, inasmuch as it did not fully redress the grievances as to which the Roman Catholic minority complained.

I do not understand the declarations we have had from the hon. Minister of Public

Works to mean that the Roman Catholics must have separate schools restored in Manitoba, as they were prior to 1890. I understood the interview with the hon. gentleman, which appeared in the press last summer, to amount to this : That with the Roman Catholics it was a question of religious teaching ; that if they were allowed to have unhampered the right of religious teaching in the schools, they would be satisfied ; and it was upon the appearance of that interview in the press that I wrote the letter which has been the occasion of so much comment in regard to a phrase that appeared in it. In that letter I stated that I felt satisfied that if the hon. Minister of Public Works really represented the views of the Roman Catholic clergy in stating that they desired simply the right to have religious teaching in the schools, the Manitoba people would be prepared to meet them ; and I am glad to find that on the earliest occasion on which the government of Manitoba have had an opportunity of speaking upon that question, their action has fully borne out the promise which I ventured to make on behalf of the people of Manitoba. It will be remembered that in that letter I stated that if the Protestant majority in Manitoba insisted upon retaining the right of having in the schools religious exercises which were agreeable to Protestants, and refused at the same time to give to Roman Catholics the right to have religious exercises in schools in which they were a majority, agreeable to their ideas and their consciences, it would be rank tyranny. That has been interpreted as a statement on my part that the 1890 Act was rank tyranny, something I did not say in the letter, and something which I could not of course say of that Act, for which I am fully responsible. But I did say that if the complete withdrawal of religious exercises from the schools would satisfy the Roman Catholic minority, I was satisfied that the people of Manitoba would insist upon their legislature taking that step. I went further, and said that if allowing the Roman Catholic minority the privilege of religious teaching in their own schools—in the schools in those districts of the province in which they constituted the largest part of the population would satisfy them—I felt satisfied that the people of Manitoba would accord that privilege to them ; and I expressed the opinion that if the people of Manitoba failed to accord that to the Roman Catholics, it would be on their part, rank tyranny. Now, Mr. Speaker, the Manitoba government have justified what I said in that letter. Of course, although I have always expressed the view that allowing religious exercises, even such as those in the public schools in Manitoba at present, which are practically offensive to no one, is logically unfair to the Roman Catholic population, at the same time it was well-known to me and to every one, that the withdrawal of that clause of the Act would in no measure satisfy the Roman Catholic minority ; and it was only urged in order to satisfy the conscience of those Protestants, who did not feel right in allowing in the schools any religious exercises which were not satisfactory to all classes in the community, when the schools set out to be, and were intended to be, purely public schools, to which every individual in the province should feel entitled to send his children. But while that was so, I am very glad indeed that the Manitoba government have made it clear that they are quite willing, for the purpose of a settlement, to withdraw this clause, and also that they have gone much further ; and it does seem to me that in their second offer, they have met the position of the Roman Catholic clergy, as outlined by the hon. Minister of Public Works last summer, and more recently within the last few weeks. However, I do not know whether the hon. Minister of Public Works represents the Roman Catholic clergy upon this point. I do not undertake to say even that the offer of the Manitoba government should be entirely satisfactory to the minority ; but I do say that unless and until the Manitoba minority furnish some answer to the proposition of the Manitoba government, they stand before the bar of public opinion in the wrong—that, when the Manitoba government are prepared to make these concessions, unless and until the Roman Catholic minority, or the Government here, who are acting apparently on behalf of that minority, are prepared with the Manitoba government, are prepared to point out wherein it fails to remove the grievances of the minority, then I contend that the Roman Catholic minority stand before the bar of public opinion in the wrong, no matter how this particular Parliament may look upon this matter. It is true, a Remedial Bill, which is admitted by the Roman Catholic minority to be unsatisfactory, has passed its second reading in this House by the small majority of 18; but it is perfectly clear that that Bill cannot at the present session receive its third reading and become law. If that Remedial Bill is to receive its third reading, the people must be convinced that that is a proper step for this Parliament to take. How important it is, therefore, that just before a general election, in which this question is likely to be paramount, the minority in Manitoba should put themselves in the position of being reasonable and right in their demands. So far as that conference is concerned, the position taken by the Roman Catholic minority is this. They say : We do not ask to have separate schools restored to us because it is reasonable or right, but because we are legally entitled to their restoration. That is not the case. That is contradicted on the part of the Opposition of this House, and it is admitted not to be the case by the Government. It is clear, therefore, that they have no legal rights for the restoration of separate schools as they were, and, therefore, they are placing themselves in the position of asking as a right something which they are only entitled to, on convincing the people of Canada that what they are asking is reasonable and fair, not only to them, but to the majority in Manitoba. We hear a great deal about the rights of the minority, but I would like to ask if the Manitoba majority have no rights. Is there any difference between the Protestant majority in Manitoba and the Protestant majority of any of the other provinces ? If the Catholic minority in Manitoba are entitled to a system of separate schools in that province, are not the Catholic minorities in the other provinces equally entitled to separate schools ? And, if the Parliament of Canada should decree that separate schools should be restored to Manitoba, will we not have the Roman Catholic minority in these other provinces demanding that the Public School Act in those provinces, which differs not at all in principle from the Public School Act of the province of Manitoba, should be abrogated ? If we make a special law with regard to Manitoba, how can we resist the claim which is sure to be made by the Roman Catholics of Nova Scotia, New Brunswick, Prince Edward Island and British Columbia ? We cannot deal with the position of Manitoba any differently than we dealt with the position of these other provinces. There was a day, not so many years ago, when the New Brunswick school question was an equally prominent question in this House. Speeches were made by representatives of the minority from New Brunswick and also from the other provinces, just as strong as any which have been made during this debate. New Brunswick, however, was allowed to work out its own salvation, and with what result ? With the result that we find Roman Catholics in that province telling us that their position there is eminently satisfactory. And I ven-to prophesy that, if the Parliament of Canada should take the same course with regard to Manitoba, and allow Manitoba to work out its own question of education for itself, we will find in due course the Roman Catholics from that province expressing themselves perfectly satisfied with their position. But, as a citizen of Manitoba, I take this position, that, if Manitoba does not do what is reasonable and fair, I am willing to join in passing through this House a remedial law for the purpose of forcing Manitoba to do its duty. I have always taken that position; but I say that, until the conference has taken place, and until the whole question has been gone into, until the Manitoba minority are prepared to be reasonable in their demands and not expect to be put in an exceptional position in this Dominion, I do not believe that the sentiment of the people of Canada, as a whole, will justify this Parliament in taking out of the hands of Manitoba a question so purely local in its nature. The discussion we have had shows how exceedingly difficult it is for this Parliament to deal with the question of education in any province. Every section of the Bill we have come to has pointed that out. We do not understand the circumstances, and it never can be possible that this Parliament, so small a proportion of it coming from the province of Manitoba, can make a workable statute upon the question. However, if the time comes when the province of Manitoba refuses to do justice, we have the warrant of the Judicial Committee of the Privy Council to warrant our interference. But there are two reasons why we should not interfere at the present time. The first of these is that a case has not been made out, and the second is that it is impossible for us to effectively place the minority of Manitoba in the position which they seek to occupy. And, although I prophecied in this House that, under the circumstances, no effective arrangement could be made with Manitoba, I am not sorry that this conference has taken place, because it has enabled the province of Manitoba to show that, at any rate, it is prepared to consider the question and make propositions. Before the bar of public opinion in Canada it has thrown the onus upon the Roman Catholic minority and upon the advocates of their cause, of showing wherein the proposition of the Manitoba government is defective and of suggesting modifications and alterations. And I hope that, before this Parliament takes any further step in proceeding with remedial legislation, before that Bill is reported to this House from Committee of the Whole, these negotiations will be further pursued. If this offer has defects, only one of which was alluded to to-day by the hon. member for Bothwell (Mr. Mills)—with regard to the question of trustees—let these defects be pointed out ; and then, if the Manitoba government finally show that they are not fair and reasonable, that they are not prepared to remove the grievances of the minority, I for one will be prepared to proceed with the third reading, not of this Bill, which is an absurdity, a delusion and a snare, but with a real Remedial Bill, which will be effective in the premises.

Mr. McNEILL. I was very much gratified when I learned that it was the intention of the Government to endeavour to carry out a policy of conciliation rather than a policy of coercion, and to send this commission to interview, and, if possible, to come to an arrangement with the government of Manitoba. I would like to say that for my part I had the greatest possible confidence in the members of the commission with whom we were acquainted in this House, in the Minister of Justice (Mr. Dickey) and the member for Montreal West (Sir Donald Smith), both of whom, I am quite sure, went to Winnipeg with the firmest determination to do all that in them lay to arrive at a satisfactory and amicable arrangement of this unfortunate dispute. I do not wish, in making that remark, to imply for one moment that the third member of the commission was not equally desirous of securing the same result. It would seem, however, that the hands of the commissioners were tied, and that it was not left to them to do what, in their judgment, on the spot after investigation, after discussion, after conference, might appear best in the interest of Manitoba and of the Dominion of Canada. They could only do what they were permitted to do by the hard task-masters who have their hands upon the throat of the Government of the Dominion. It would seem that with whatever anxiety they may have approached the work they had in hand, with whatever desire for settlement they approached it, it was impossible for them to arrive at a satisfactory solution of the difficulty. They were bound to ask for the full pound of flesh ; they were ordered to ask for what the delegates of the Manitoba government, in their reply, described as a demand which would leave neither to the Roman Catholic parents, nor to the school trustees, any option whatever. The unfortunate minority in Manitoba were to have separate schools imposed upon them whether they wanted them or not. And as the discussion on this measure has proceeded it has become more and more apparent that the desire is not to give effect to the wishes of the minority in Manitoba, but to coerce the minority into the acceptance of a system which, in many cases, at all events, they entirely disapprove. In the course of this discussion it has become abundantly clear that those who are urging upon the Government the necessity of passing this measure are themselves well aware, that in many cases the Roman Catholic minority, if left to themselves, would not agree to separate schools at all. We had an exemplification of this but very recently, when the proposal that the majority of the Roman Catholics in a district be permitted to say whether there should be a separate school in the district, was rejected, and when it was determined that five heads of families in the district should be permitted to coerce the majority of the Roman Catholics in the neighbourhood, and to force a separate school upon them contrary to their wishes. It is well that this should be distinctly understood by the people of Canada. It is well that the hollow sham of which we have heard so much, which has been paraded as if it were a reality before the people of this country, should be exposed, and that it should be distinctly understood that this is a measure as much for the coercion of the minority of Manitoba as it is a measure for the coercion of the majority of the people of that province. Now, it has been pointed out already that in the rejoinder made by the Dominion commissioners to the proposals of the government of Manitoba, these proposals of Manitoba have not really been dealt with at all, and are merely referred to to be passed by. There is no discussion of them, there is no investigation of them. And why ? Because apparently the commissioners, anxious as they were to arrive at a satisfactory arrangement of this matter, were not allowed to deal with these proposals. That is the only explanation that I think it possible to offer for these extraordinary circumstances, for this extraordinary condition of things. It is inconceivable that the gentlemen who went there, as we know they did, with their minds permeated with the idea that they should, if possible, arrive at a satisfactory arrangement of this question. I say it is impossible to suppose that those gentlemen would not have carefully considered the proposals made by the government of Manitoba had they had permission to do so. When we consider that the legislation which was inaugurated in the province of Nova Scotia some thirty years ago, has been described by the leader of this House, the hon. gentleman who introduced that legislation, and who is responsible for it, as a monument of legislation regarding schools, a monument of legislation which is well worthy of regard and well worthy to be copied by any legislature in the world, when we recollect that that legislation was so described, and when we know that the offer which is now made by the province of Manitoba goes far beyond that legislation in its liberality to Roman Catholics, and in giving them an opportunity for the teaching of religious exercises in schools, I say that when we bear that in mind it seems to me perfectly astounding to find that this proposal, which is so much more liberal than that legislation which was a monument of legislation connected with schools, and well worthy to be copied by any legislature in the world, that this proposal should be passed by with a mere reference. It is marvellous that it should not be investigated, that it should not even be discussed at all by the commissioners who were sent from Ottawa to deal with the Manitoba government on this matter, that the commissioners who were sent by the Government of which the hon. gentleman is a member, that the commissioners who were sent out of this House of which he is the leader, should not have considered at all a proposition far more liberal in its nature than the proposal which he said was a monument of successful school legislation, seems to me a most extraordinary condition of things. I do not know how it is to be explained unless it be that the lines had been laid down, and the Government of this country had got their orders from their masters, and that they were permitted to go no jot or tittle beyond the limits that had been assigned to them. Justice counts for nothing, liberality goes for nothing. It matters not at all how liberal or how just was the offer made by the province of Manitoba, it matters not at all though it goes far beyond that which has been described in glowing terms in this House as legislation that any province might be proud of, yet, the Government of this country are not permitted to deal with it, are not even to consider such a proposition, but are obliged to instruct their commissioners to pass it by without consideration. Well, Sir, we have come to a pretty pass in Canada if that is the position in which we find ourselves to-day, if a free province and a free legislature is to be dealt with in this manner, and if a free Parliament here at Ottawa is to be coerced to pass legislation, to coerce a province in a British community that has offered such liberal terms as Manitoba has offered. But apparently that is the point at which we have arrived. Now, we are told once more in this Parliament, and in the reply of the Dominion commissioners, "that under the judgment of the Judicial Committee of the Privy Council and the remedial order, the minority have important legal rights in connection with separate schools ; and while the Dominion Parliament may have jurisdiction to enforce some of those rights, it is freely acknowledged that this could be done with more advantage to all parties by the local legislature." Mr. Speaker, I do not wish to weary the House by a further reference to the legal aspect of this case, but I do wish to say that if there be any one thing more certain than another, it is that the framers of confederation distinctly refused to make arrangement granting in perpetuity rights to state-aided separate schools. If there be one thing clearer than another it is that the rights granted in perpetuity were only those granted at the union. The English language can make it no clearer than it has been made in the constitution that those rights only were granted in perpetuity, and it is making too great a draft on our credulity to imagine that hon. gentlemen like Sir George Cartier and Sir Hector Langevin, who were present when that constitution was framed and who represented the minority at that time, were not perfectly well aware of the plain meaning of those plain English words. It is no doubt true that there was an understanding at the time of the framing of the constitution that separate schools should be granted by legislation in the province to the minority, that state-aided separate schools should be granted. But it is abundantly evident that that fact was known at the time, and the understanding at the time is proof positive that those separate schools were never intended to be granted in perpetuity. Because the fact that these schools were in the minds of the legislators at the time when the constitution was framed, and the fact that they knew the establishment of them was to be proposed in the legislature of Manitoba, coupled with the fact that the framers of the constitution refused to grant in perpetuity, any rights subsequent to the union, absolutely demonstrate that it was distinctly understood here at the time that those state-aided separate schools were not to be granted in perpetuity. That is as clear as anything can be. Therefore, when we find this reference to the legal rights that the minority had, at all events, we know that those legal rights were not rights to state-aided separate schools in perpetuity ; they did not constitute a right granted to the minority in perpetuity to schools that were to be given to them after the union. The constitution distinctly provided that perpetuity should not attach to the schools granted after the union. So, whatever the rights were, they were not rights in perpetuity, and it is simply for this House to say what they will do in connection with the restoration of these state-aided separate schools, when the question is brought up before it. The schools were given to the minority in accordance with the understanding at the time of the union, that understanding being that they were not to be given in perpetuity. They were given, and they were tried for nineteen years, and after nineteen years' trial they proved wanting, and the government of Manitoba in the interest of the province, and of this very minority whom it is now sought to coerce into the acceptance of separate schools, did away with those separate schools, and established a system of national schools. Now, we are asked to interfere, and to coerce the province into doing away with its national schools and re-establishing this system of state-aided separate schools, which the province, after giving it a trial of nineteen years, abolished. Under what plea are we asked to do this ? On the plea that the rights of the Roman Catholics are being trampled on, that violence is being done to their conscientious scruples. What evidence have we to that effect ? We have no evidence, but on the contrary, it has come out in the course of the discussion of this Bill, that those who are endeavouring to force this measure through the House, refuse to allow the majority of Roman Catholics in any district to say whether they will have schools or not. How in the face of that fact, can it be suggested for one moment that this Bill is being introduced to protect the minority in the exercise of any right they wish to possess, in the face of the fact that the provisions of this proposed legislation will not allow the majority of the minority to say whether they are in favour of separate schools or not. I understand it was distinctly stated that if the matter were left to the majority, in many cases they would refuse to have separate schools at all, and that statement was made by the hon. member for Provencher (Mr. LaRivière), the accredited representative of the minority in this House. How can this country be deluded into the belief, in the face of such a declaration, that this measure is being passed through this

Dominion Parliament in the interests of the down-trodden minority of Manitoba. Why, Sir, I have always believed, though I have not had the proof which I have now, that we who are fighting for the rights of Manitoba in this matter, were fighting for the minority in the province just as well as for the majority. I believed, and I now know that the majority of the Roman Catholics in that province are just as much opposed to this proposed legislation as are Protestants, and it is a hollow sham and mockery to say that this is a measure to safeguard the rights of the Roman Catholic minority in that province.

These poor people do not want those separate schools, Mr. Speaker, and they are to be placed in such a position that they shall be obliged to send their children to schools of which they disapprove ; whereas, by the offer made by the government of the province, they would have an opportunity of attending the public schools and obtaining the best possible education there, and then have an opportunity, if they so desired, of having religious instruction at a certain hour of the day of the nature which their clergy wish the children to obtain. What more reasonable proposition could be made? It is a proposition which is not new, it is an arrangement which has already been tried and with success. It is a compromise, which was arrived at in the town of Birmingham, in England, at a time when religious animosity and strife ran very high there. Just after the disestablishment of the Irish Church, there was a very strong feeling of antagonism between religious bodies in that town. The result was that this antagonism found its way into the schools, and very serious difficulty arose there, as we have here to-day. The feeling ran so high that it was found that some compromise must be arrived at, and it is stated that through the suggestion of Mr. Chamberlain, a compromise was agreed to of the very nature which is now proposed by the Manitoba government in this case, namely, that so many hours in the day should be set aside for purely secular instruction, and that so many hours in the week should be set aside for purely religious instruction, at which hours the clergymen of any denomination, or their representatives, might instruct the children of their religion in the manner which they thought best. That compromise was put into operation with the most happy results, the fact being that all the religious rancour which had existed previous to this arrangement has died away, and that the clergymen of the various denominations meet in the school, take the children apart, and teach them in accordance with their own doctrine. In view of all the facts, in view of the fact that the legislation introduced in Nova Scotia by the leader of the House (Sir Charles Tupper) was, as he himself says, legislation which was a monument of legislation in regard to schools, legislation that might well be copied by any legislative body in the world ; and in view of the fact that the offer of the Manitoba government is far more liberal to the Roman Catholics than that legislation was, surely we might be allowed to drop this measure, and the House might be permitted to proceed with the necessary business of the country. I have made these few observations with the desire of earnestly pressing upon the Government the propriety of dropping this unfortunate measure.

Mr. O'BRIEN. Mr. Speaker, it is just as well that the House and the country should understand exactly how this debate has arisen. The member for North Simcoe (Mr. McCarthy) naturally desired to have an opportunity of commenting upon the report of the commissioners to Winnipeg, and upon the extraordinary condition of things revealed by this correspondence. The commissioners representing the Dominion Government, or their principals at Ottawa, are fairly chargeable with something like a breach of faith in not staying the remedial legislation here while the conference was going on. The Secretary of State (Sir Charles Tupper) to-day appealed to the hon. member (Mr. McCarthy), that as the Minister of Justice was unable to be present—owing unfortunately to illness which we all very much regret—it would be advisable to defer the debate. The member for North Simcoe declared that he was perfectly willing to do so if the leader of the House would give an assurance that the committee on this Bill would rise at a reasonable hour, the House adjourn, and an opportunity be afforded to make the observations while the Minister was in his place. The leader of the House had then an opportunity of stating whether or not he intended to pursue the course which, so disastrously for himself, he pursued last week ; but the hon. gentleman (Sir Charles Tupper) left the House under the impression that he would do this week as he did last. The member for Simcoe (Mr. McCarthy) was entirely without blame in taking this course. Sir, the worst enemies of this Administration cannot desire them to pursue a course more disastrous to themselves and to their future prospects in the country than that which they had determined upon. As was said in the beginning of the debate : Those whom the gods wish to destroy they first make mad. Let us review the result of last week's proceedings. Every day the leader of the House was told that if he would consent that the House should rise at a reasonable time——

Mr. SPEAKER. The hon. member is not in order in referring to what took place in Committee of the Whole.

Mr. O'BRIEN. I admit my error, Sir, but I was simply pointing out the condition under which this debate was forced on the

House. It cannot be too strongly pressed upon the country, that governed by some influence which we can all perfectly understand, the reasonable and fair proposals made by the Manitoba government have been refused by the Administration. It cannot be too often called to the attention of the House and the country, that these commissioners, going up at an unsuitable period at which to attain their object, would have known that they would be met by the repeated declaration of the Manitoba government, that under no circumstances would that province consent to anything like the establishment of state-supported separate schools. The Dominion commissioners knew perfectly well that the Manitoba government could not withdraw from that position. If that conference was anything more than a mere pretense, the Dominion commissioners must have known the basis upon which alone they could treat with any prospect of success. Therefore, they should have been prepared to accept the proposals which would have given to the minority practically what they wanted—a system of education carried on under the auspices and direction of the ecclesiastical authorities of that church, so far as religion and morals are concerned, and would also have secured to them a system of secular education as good as that which was enjoyed by any other portion of the community. So that, in point of fact, as has been well stated by my hon. friend from North Bruce (Mr. McNeill), the proposals of the Manitoba government were in every respect more beneficial to the minority than the proposals embodied in the Bill now under discussion possibly could be. But, as appears from the correspondence, and as was fully argued by the hon. member for North Simcoe (Mr. McCarthy), this Government, instead of representing all parties to the controversy, have made themselves the adherents and exponents of the views of the minority alone; and, having done that, they have been guided, not by consideration for the general interests of the community, not even by considerations for what would have been for the best interests of the minority themselves, but by the instructions they have received from what is evidently the governing power in this matter, and have refused to accept the proposals made by the Manitoba government, and insist in the main upon the principles embodied in this Bill, although they have departed very widely even from them. They having taken that ground, the conference necessarily came to an end without any satisfactory result. Now, as I said a few moments ago, when my reference to that subject was very properly stopped by you, Mr. Speaker, we fall back upon the old proposal; and we are now called upon to pursue that without reference to the proceedings of the conference. It is needless, in discussing this question, to go into the many minute points of difference between the proposals of the commissioners on behalf of this Government and those of the commissioners representing the Manitoba government. It is sufficient for us to emphasize the fact, which cannot be too strongly emphasized, that, when they were met at the eleventh hour by a deputation from the Dominion Government, who were representing the minority, the Manitoba representatives stated that, while they could not and would not—supported, as they were, by a great majority of the people of Manitoba in that determination—adopt by legislation the system of schools to which the majority of their people were opposed, yet they were willing practically to adopt a proposal which would gain for that minority the religious advantages which they said were so essential to them, while, at the same time, they would be secured in the full enjoyment of a complete and useful system of education. I say it cannot be too strongly emphasized that, when a conference was agreed to, late as the hour was, and when a proposal was made to that conference by the representatives of Manitoba, which would have gained all the real objects in view, that proposal was refused, at the instance of the minority, or, I should say, with probably much more truth, at the instance of those who claimed the represent the minority, the ecclesiastical authorities of the Chuch of Rome. The minority were not permitted to accept what was offered; and the onus of the failure of those negotiations rests upon the gentlemen who are now trying to force this Bill through the House. Under these circumstances, I regret that the Bill is being proceeded with; I regret the circumstances under which the Bill is being proceeded with; and I am sure this House will regret that it is called upon to proceed further in a course which so far has not produced any satisfactory results. The country understands it, as it will be at the next general election, that it was in the power of this Administration, had they not been determined to pursue the course on which they had entered, from some motive which we cannot understand, or because they have been compelled to do so by some other authority, to put an end to all this difficulty by accepting a proposal which would have removed all the heart-burning and the evil results that must flow from the legislation we are now entering upon, and which would have more than obtained the object this Bill purports to pursue. Under these circumstances, I say we cannot too often or too emphatically express this view before the House and the country, and, in so doing, I believe we are doing the best thing possible to secure for that minority the rights they profess really to desire.

Motion (Mr. McCarthy) to adjourn negatived.

THE REMEDIAL ACT (MANITOBA).

House again resolved itself into committee on Bill (No. 58) the Remedial Act (Manitoba).

(In the Committee.

On section 12, subsection 1.

12. In all cases of readjustment, the inspector of schools for the district, jointly with one competent person to be appointed by each board of trustees, whose district the readjustment may affect, who shall be non-residents of the said district, shall form a board of arbitration, whose duty it shall be to value the existing school-houses, school sites and other school property or assets within the territories readjusted, and ascertain the respective debts and liabilities thereof ; and the said board or a majority of its members shall thereupon adjust and settle in such a manner as they may deem just and equitable, the respective rights, claims and demands of the parties interested ; and their award in writing, including their own reasonable costs and charges, may be enforced in the county courts of the province, and which said award shall in all respects be subject to appeal to the Court of Queen's Bench, the same as awards in civil matters.

Mr. MARTIN. I regret very much that section 11, which is the first part of this Bill having reference to the adjustment of school districts, was passed in its present shape. It was passed on Saturday morning, long after the time when the committee should have risen. I am sorry that the committee could not come to a better understanding of what the meaning of that clause was, because the whole thing comes up again in clause 12. Subsections 8 and 9 of section 84 give the effect upon the lands in a school district of debentures issued under the authority of this measure, but you will notice that section 11 undertakes to deal with the assets and liabilities of two school districts whose boundaries are re-adjusted. There is no provision at all for the representation of creditors of either of these districts on the board of arbitration ; and in order that we should come to some understanding of what section 12 should be, it is necessary that we should consider very carefully the effect of a school district issuing debentures, because it is important to know how far you affect the debenture holders by taking a piece of land out of one district and adding it to another. I was unable to make the committee adopt my view on Saturday night, but I venture to repeat here what seems to be the clear effect of the issue of debentures by a school district. The same thing will, of course, apply to the issue of debentures by a municipal corporation. I contend that the property of the school trustees cannot convey or render liable to creditors any property except that which is owned by the board. Therefore, when school trustees issue debentures, it is not possible for them to give the debenture holders any claim upon the lands included in that district beyond the right to those lands which the trustees themselves have. What right is that ? They do not own the fee simple. What they own is simply the right of taxing those lands for school purposes.

Mr. MILLS (Bothwell). They can mortgage the school-house.

Mr. MARTIN. I am not now alluding to property belonging to the corporation in which they have the fee simple. The debentures may be properly allowed to bind the school property. There is nothing in the constitution of things to prevent a legislature giving to the school trustees the right to mortgage their own building, but they do not usually do that, and it has been held, with regard to cities and towns, that the creditors cannot seize a fire engine for a corporation debt, because that is against public policy. But I do not wish to discuss that question now. I am discussing what the school trustees can do with that property which does not belong to them but which is liable for taxation for school purposes. All that the school district can render liable to the debenture holders is the right of taxing the lands, and section 84, bears me out. If it does not, it will be our duty, when we come to that section, to make it conformable to that view, because it would be an outrage to all the school trustees to put a mortgage upon lands belonging to individual ratepayers in that district, in the ordinary sense of the term. If by holding debentures, we have a mortgage on all the lands in the district, it follows that we can take one particular portion of land and have it sold in order that we may realize upon it. Would it be contended for a moment that the bondholders of the city of Ottawa, if the debt was not paid, could select a particular piece of property,—say the Russell House—and sell it ? That would be absurd, because the Russell House is only liable for its proportion according to its value. It can be assessed by the sheriff, and then, if the owners do not pay, it may be sold. It was argued the other night that the school debentures were a lien and charge upon all the Roman Catholic property assessed in that particular district, and that they constituted a mortgage upon that property. My answer is, if that be so, it is our duty to change it, because it would be an outrage to allow the school trustees to mortgage the property of individual persons within the district. But that is not what is meant.

Mr. MILLS (Bothwell). Suppose all the Roman Catholic settlers in the district were to sell their lands to Protestants what would there be left liable, under your contention ?

Mr. MARTIN. That is just what I am coming to. Does the hon. gentleman contend that it would be right to allow a board of school trustees to mortgage something that they do not own, so that the mortgagee can proceed against that individual property ? I say that it may be possible and proper to allow readjustment of school districts, but there must be provision to protect the bondholders. At the same time, you cannot allow them to have a mortgage on the land.

The land in a school district does not belong to the board of school trustees, just as the land in the municipality does not belong to the corporation. They have the power of taxation over it, but the protection that every property owner has is that he will never have to pay more than his own proportion of the debt. That is the difference between a lien under a debenture of this kind and under an ordinary mortgage. I don't think that what the hon. member for Bothwell (Mr. Mills) suggests militates at all against my view of the law. It militates against the proposition under section 12, however, and I will deal with that in a few moments. I see, however, that section 84, which is not binding upon this committee, not having been passed, is quite in accordance with the law in the province of Ontario and in the province of Manitoba, as to the power of school trustees issuing debentures. It shows the kind of lien intended to be given, and says:

> And the amounts from time to time falling due upon such debentures and coupons (subject to any provisions for establishment of sinking funds for the requirement of any such debentures) shall be included in the amount required from time to time for school purposes for the said district——

That is quite reasonable, but that must be pro rata.

> —and shall be collected and received by and paid to the trustees.

The next section provides for the case where they fail to pay interest or principal. It provides that the bond-holders may sue the corporation, and the sheriff may levy the rate that they should have levied, and collect in the usual way. He cannot levy against any particular land, but upon the whole. The owner of any particular lot cannot be called upon to pay more than his pro rata share of that debt. Let us see what provision section 12 makes for the protection of these debenture-holders. Section 12 provides:

> In all cases of readjustment, the inspector of schools for the district, jointly with one competent person to be appointed by each board of trustees, whose district the readjustment may affect, who shall be non-residents of the said district, shall form a board of arbitration, whose duty it shall be to value the existing school-houses, school sites and other school property or assets within the territories readjusted, and ascertain the respective debts and liabilities thereof; and the said board or a majority of its members shall thereupon adjust and settle in such a manner as they may deem just and equitable, the respective rights, claims and demands of the parties interested; and their award in writing, including their own reasonable costs and charges, may be enforced in the county courts of the province, and which said award shall in all respects be subject to appeal to the Court of Queen's Bench, the same as awards in civil matters.

Now, one of the parties interested, and probably the party most interested, is the debenture-holder. He has no representation upon this board of arbitration, but he is bound by the award. Does this clause mean that, if section A owes $1,000 and section B owes $2,000, and it is proposed to readjust the boundaries of sections A and B, this board of arbitration are to determine how much of this $3,000 the new section A is to pay and how much the new section B is to pay? If it does, not mean that, what does it mean? Is that award to be binding only as respects others of the creditors, and, if so, what others? In order to understand it, it seems to me, it is necessary to take into consideration section 11. It was drawn without any regard at all to the nature of the school debenture and without any regard to what is fair and equitable to debenture-holders. What does section 11 provide? We have passed that, but it is necessary, in order to understand this section, to refer back to it. I do not go into it at length, but I wish to summarize as briefly as possible. The first part of section 11 provides that, in the case of land being added to a new district and debentures being upon the new district, the land becomes liable to the debentures, although the debentures had been issued prior to the time the land came into the district. The second part provides that where a piece of land is taken out of one district and put into another, and thereby becomes liable for debentures in the other district, in case that land is called upon to pay the debentures in the district, it shall be entitled to a refund—it does say from whom, but evidently from the old district—of any sums that it has paid.

Mr. McCARTHY. It says, I think, "recoup."

Mr. MARTIN. But it means that, surely.

Mr. McCARTHY. It means they must get it from the party they paid it to.

Mr. MARTIN. I suppose it might just as well mean that as the other. I am trying to put a reasonable construction upon it, though I may be doing it in defiance of the language. But it must mean something that is reasonable. I contended that that was all wrong, for this reason—according to the law, if you take a piece of land out of the district, there is no way of reaching it for the claims of the old debentures, and it follows from the law we propose to put in force that, if you put land into a district, it becomes liable from that fact to the debentures and to hold all claims of that district. So I say that clause 11 is entirely unnecessary and legally of no meaning. But having passed clause 11, it has a very important bearing upon what clause 12 is to be. What does clause 12 mean? Is it proposed that this board of arbitration, upon which the creditors have no representation, may give a decision which shall bind the creditors? If that is not intended, let us say, "Provided, however, that no such arbitration shall have any effect upon the rights of creditors of either of the school districts."

But, if it is to have no effect upon the creditors of the school districts, what good effect is it going to have? I shall be very glad, now that we have more members of the committee here, to hear from members of the committee what their opinion is as to the effect of this section, especially read in the light of section 11 and of section 84.

Mr. McCARTHY. I would be glad if any gentleman in charge of the Bill would tell me what is meant in the last line of the fourth page:

> And the said board, or a majority of its members, shall thereupon adjust and settle in such a manner as they may deem just and equitable, the respective rights, claims and demands of the parties interested.

Now, who are the parties interested? It is important for us to know that, it seems to me it is the key to the whole clause.

Mr. OUIMET. Sections 11 and 12 are a reproduction, word for word, of sections 12 and 13 of the old Act. Section 11 was discussed the other day at great length. It provides for the readjustment of a school district, and specially as to the bearing such readjustment will have on the debentures that might have been issued previously to that readjustment. It provides that whenever to a district new lands will be attached, these new lands will be subject to the payment of the balance of the debentures that might have been issued for that district so adjusted. It also provides for the case where some of the lands that belong to that district may be taken from it and attached to another district; and, as it is easy to be understood, claims will arise as to the unequal treatment that will be the consequence of this readjustment. Supposing, for instance, that the lands that have been detached from another district, and are included in the readjusted district, have already been taxed for payment of the debentures issued the other district, disputes would naturally arise as to the results of that readjustment. It is in order to settle these disputes that this board of arbitrators is provided for in section 112.

Mr. MARTIN. I would ask if that award is binding upon creditors of either of the school districts in any way?

Mr. OUIMET. As to the effect on the debenture-holders, I think the time to discuss that will be when clause 84 is under discussion.

Mr. McCARTHY. And if we ever get there?

Mr. OUIMET. If we do not get there, why should we anticipate difficulties that may never rise?

Mr. MILLS (Bothwell). Because it is dealt with here.

Mr. OUIMET. We are dealing with difficulties that may arise in consequence of the readjustment, and a board of arbitrators is established by this section 12 in order to adjudicate upon these difficulties. As to the effect on the debenture-holders, when section 84 comes up for discussion, it will be time to discuss that. A long discussion took place the other day as to whether a debenture covering a certain territory, or affecting the lands of a certain territory, could be decreased as to its security, by the detachment of a certain part of those lands so affected. It was admitted, according to the reasoning of the hon. member for Winnipeg, that the lands should be immediately affected for the payment of these debentures, including the interest and sinking funds, and the sheriff whenever a writ of execution is placed in his hands, must be the secretary-treasurer in the district, and have a levy on all lands situated within that district. I suppose that the part of section 11 could only be resorted to in the supposition that the lands so sold would be insufficient for the satisfaction of the writ of execution. But, as I said, according to section 84, and to that extent the hon. gentleman for Winnipeg is right, the payment of the annual interest of the debenture and the provision for the sinking fund are included in the taxes that are levied every year; and if that is done every year, there is no reason why later on the lands that have been detached from that district may not be looked after or placed under execution for the satisfaction of the claim of the debenture-holders. I venture to say that although this seems a little complicated, these people have lived twenty years under the operation of this law, and no difficulty seems to have arisen. I think we are losing our time in looking after difficulties that may never arise.

Mr. MILLS (Bothwell). It seems to me that the hon. gentleman's statement with which he has concluded his observations, did not prove anything. As I understand this section, school property that is in either of the two districts shall be regarded as assets of all those within the boundaries prior to the readjustment. Then, if one of the districts happens to be in debt, and the other owes nothing, and the one that is in debt has a portion of its territories taken from it, and added to the other district, and a certain charge of indebtedness that was due by one district will be transferred to the other in this readjustment; is that so?

Mr. WOOD. The hon. gentleman sees that the section 12 makes provision for that in what is deemed to be an equitable manner. I find by reference to the Public School Act of Ontario there is a similar clause for the adjustment of moneys there. But what is the use of anticipating these difficulties that have never arisen in Ontario?

Mr. MARTIN. The hon. gentleman will find no such clause as clause 11 in the Ontario Act.

Mr. WOOD. I am citing the Ontario section by analogy. Section 83 appears to meet the difficulty pointed out by the hon. member for Bothwell (Mr. Mills) where a portion of a new territory is added and a question of liability is raised in respect to the new part that is brought in. The hon. member for Winnipeg (Mr. Martin) has raised the question as to the position of debenture holders, as to the extent to which their claims might be a debt. I think that is a difficulty which has never been anticipated by legislation of this kind. I do not think in the Ontario Public Schools' Act there is any provision made for any such condition as covered by sections 10 and 11.

Mr. FRASER. Section 11 provides that "all lands added to the school district by such re-adjustment shall be liable to taxation in common with the remaining portion of the school district for the purpose of meeting payments of debentures." There is no need of any adjustment, because any lands added to the school section become liable like any other land.

Mr. WOOD. I was replying to the hon. member for Bothwell, and was supposing a section which had no debt added to another section on which there was debt, and I said that the clause which I referred to in the Ontario Act provided for such a case. I have pointed out that under section 11, that no adjustment is required. The arbitration clause is clause 12, and there is no sense whatever in the latter part of clause 11.

Mr. MILLS (Bothwell). I desire to ask the Controller of Customs with respect to a matter of considerable importance, and there being a difficulty I do not see how it is met. Suppose a Catholic is tenant of a Protestant property. A school-house is built, and debentures are issued. He bears a proportion of the taxes towards the school-house. Suppose he abandons the property, and it passes to a Protestant tenant. Is it intended that that property shall be held any longer liable? Of course you cannot make it liable. How do you proceed in that case?

Mr. OUIMET. The property is no longer assessed for Catholic schools if it falls into the hands of a Protestant.

Mr. MILLS (Bothwell). Then you have no definite parties liable for your debentures. Further, supposing those who are Catholic land owners sell their land and it is purchased by Protestants: do they purchase it with a lien on it?

Sir ADOLPHE CARON. No.

Mr. MILLS (Bothwell). Then what security will the debenture holders have?

Mr. WOOD. The debenture holders will have security in the property assessable. I am bound to say this, that we are legislating in a manner similar to the provisions enacted in the school laws in every part of the Dominion. If there is anything in the point raised, the same objection would apply to all legislation, especially the school law of Ontario. Therefore, I think we are wasting time by doing more than merely alluding to this point, because we are anticipating objections which might be raised.

Mr. FRASER. Except as regards Nova Scotia.

Mr. DAVIES (P.E.I.) Leaving aside for the moment the question of the debenture holders, I should like to ascertain what is the object of the board of arbitration. Section 11 provides for re-adjustment of school districts. Then there is to be a board of arbitration appointed to adjust the liabilities. The board has to value existing schools, school sites and school property generally within the territories readjusted and ascertain the respective debts and liabilities thereof. If they ascertain the liabilities of A and B for purposes of readjustment, what do they award, and against whom do they make an award?

Mr. MILLS (Bothwell). Will the person be entitled to receive from the other section the portion of money he has contributed for the erection of the school-house?

Mr. WOOD. Possibly. The word "adjustment" means the equalization between the different sections.

Mr. DAVIES (P.E.I.) I take it that it means a readjustment of the respective liabilities of the corporations of the two sections.

Mr. OUIMET. I understand it is to readjust the rates of the parties interested.

Mr. DAVIES (P.E.I.) Who are they?

Mr. OUIMET. If I belong to district B, and have paid my share for the debentures issued for a school-house in that district, and if I pay in district A, to which I have been transferred for other debentures, I have paid a certain amount in district B, which is proportionately more than the ratepayers in district A have already paid. This is to readjust the claim that I may have for having paid more than my share in the first district. The Board of Arbitrators will have to decide my claim against the first district.

Mr. DAVIES (P.E.I.) The Board of Arbitrators are to ascertain data specified in the clause, but that data does not enable them to base any award on the point the Minister suggests. I think your section is intended to adjust between the two school districts alone, and has nothing to do between the rights of individuals and debenture holders.

Mr. LANGELIER. The same difficulty presents itself in municipal affairs in Quebec, but it is provided for in a clear manner. This clause is very imperfect. Suppose a school district is divided into two, and that before its divisions it had assets and liabilities. What share of these assets and liabilities will devolve upon each of these districts. That is what the clause is intended to provide for. But there is a very important omission which shows a great deal of carelessness in drafting this Bill. Suppose a school district has liabilities of $1,000, and it is divided into two, this clause does not say to whom the creditors shall apply to be paid.

Mr. WOOD. How is it provided for in the Quebec law?

Mr. LANGELIER. If a portion of a municipality is taken away, the creditors have the right always to apply to the municipality or school district which incurred the debt.

Mr. WOOD. Is there anything more definite in that law than here?

Mr. LANGELIER. There is nothing at all here.

Mr. WOOD. You will look in vain through the public school law of Ontario, to find a more definite provision than is set out here.

Mr. LANGELIER. We are dealing with this law and not with the Ontario law, and I have pointed out that there is a very important omission in this respect in the present Bill.

Mr. OUIMET. The hon. gentleman must know that all these things must be taken into consideration when the new division is asked for, and the municipal council choose to adjudicate on this readjustment. If they meet all the difficulties which the hon. gentleman suggests, it is more than likely that the readjustment will not take place until those difficulties have been removed.

Mr. FRASER. I admit that section 12, if it means anything, points to a readjustment of liabilities of sections; but section 12 can only be operative in view of section 11, where a readjustment is mentioned. Section 11 only refers to two cases, and it refers to persons, and to persons only. Consequently, section 12, if it is of any good at all, must refer to persons. You cannot read the two sections together, and you cannot put section 12 into any effect by arbitration or otherwise. The award mentioned in it merely refers to an award of one section against another. It cannot be an award against the person mentioned in section 11. I would like to see any hon. gentleman, as a judge, applying section 12 to section 11, to which alone it must be applied, and work it out.

Mr. POWELL. Why do you limit it to section 11?

Mr. FRASER. Because there is no other adjustment mentioned.

Mr. POWELL. Suppose a piece of land went over, and carried a school-house with it, what has that to do with section 11?

Mr. WOOD. Section 12 applies to cases of adjustment, leaving section 11 to go by itself. When that is done, it is quite competent to this Board of Arbitrators, under the powers conferred upon them, in making their award, to provide for the remedy. In Manitoba, as in the province of Ontario, the municipalities generally make provision as to the collection of taxes, and so forth; and I suppose that in Manitoba the municipality interested in the adjustment, would take cognizance of this award I fail to see any practical difficulty in the working out of section 12, read by itself.

Sir ADOLPHE CARON. It should be read by itself.

Mr. FRASER. There is no new adjustment mentioned in section 12.

Mr. LANGELIER. The clear intention of this Bill is to make of each school district, a corporation, otherwise a portion of it would be quite meaningless. For instance, section 11 provides for the issue of debentures by school districts. A school district, to issue debentures, must be a legal person—a corporation, and I do not see anything in the Bill providing for that.

Mr. OUIMET. Everything pertaining to the issue of debentures will be settled later on when we come to section 84. Why should we anticipate that? These people will have lived for 20 years under the operation of this law, and they have been satisfied.

Mr. LANGELIER. If they have not had law suits, that is well: but if we have to make a law, we must make such a law as will be able to stand the test of judicial decisions; and if a school district is to be authorized to issue debentures, I think it would be well to follow the practice in the province of Quebec, where a municipality is divided into two separate municipalities, or is annexed to a neighbouring municipality, as provided for in sections 78 and 79 of the municipal code, which provide with the greatest accuracy and in the minutest detail the way in which the creditors are to proceed to get their payments, and to whom they are to apply. Under this Bill it will be utterly impossible for the creditors of any school district, which is divided into two, or is annexed to a neighbouring district, to know to whom to apply for payment.

Mr. O'BRIEN. I think the best plan would be for the committee to rise and take up other business and not go on with this Bill until we get somebody in this House who understands it and can explain it.

Mr. WOOD. I am not accustomed to deal in harsh language, but I consider the remark of the hon. gentleman as uncalled for and impertinent. I was going to reply to the point that section 12 must necessarily refer to section 11. Section 11 provides for the readjustment of a school district after the issue of debentures by that district. Section 12 deals with cases of readjustment as regards the valuing of the existing school-houses, school sites and other school property or assets within the territory readjusted and ascertaining the respective debentures and liabilities thereof.

Mr. FRASER. The section merely mentions "readjustment," and that would provide for the readjustment of districts which issued debentures afterwards. No judge will incorporate any words in an Act ; and say that section 12 refers to cases that arise different from section 11. A lawyer would reply why did the legislature not provide for those cases ?

Mr. POWELL. The hon. member for Guysboro' is misapplying the words cases of re-adjustment. The cases of adjustment are not a financial adjustment under section 11, but adjustments of territory under section 10—not adjustments of bonds and liabilities.

Mr. FRASER. No court would give that interpretation without the mention of the different readjustments. I can very well understand how clause 12 was meant to apply to those cases ; but when such adjustment is not mentioned at all, you cannot incorporate it and the readjustment will refer back to section 11.

Mr. POWELL. Readjustment of what, do you mean ?

Mr. FRASER. That is what I want to put in. It can only refer to clause 11 unless you state definitely otherwise.

Mr. POWELL. Both refer back to clause 10 which changes the boundaries of districts. Section 11 applies to the matters referred to in section 11, and section 12 to matters in that section, which may be the circumstances resulting from a readjustment under section 10.

Mr. FRASER. Section 10 does not refer to any readjustment.

Mr. POWELL. Altering the boundaries is a readjustment. It is a territorial readjustment, not a financial one.

Mr. FRASER. Then what would the judgment of the arbitrators be for ?

Mr. POWELL. The better way is to take an illustration : We have two districts, A and B, which are going to readjust their bounds. That is the readjustment that is spoken of. Section A may have a school-house which is taken by section B, with the territory cut off from district B, and it is necessary to readjust the matter between them. It is necessary to value the school-house, and if the school-house is in debt, we will have to value that, and have all the matters come up as matter account between the two districts. The circumstances may be these. A may be in debt for the teacher's salary, and you are giving to B a portion of A, and that debt to the teacher has to be adjusted between A and B, and it may be the individual ratepayer. The only difficulty lies in the words "with regard to the claim and demands of the parties interested," as to whom you include in the parties interested. The language is sufficiently comprehensive to include both districts and the ratepayers in the portion of the territory transferred from the one to the other. The matters that come up for readjustment are the existing school-houses and school sites which have been bought and paid for and should count in the territory transferring them. Other things incidentally will come up, such as the debentures, because their liability is attached to the school-house.

Mr. MARTIN. I understand the Government's proposition, but it is quite impossible, from what we have heard from any hon. gentleman on the other side, to give any satisfactory explanation of the meaning of this section. No one has been able to do so. The only argument for it is that this has been the law in Manitoba for twenty years, and has worked well. I dispute that statement. It was only the law since 1881. In the law of 1881, section 10 of this Bill was section 13, section 11 was included in the same section, and section 12 was section 14. To show that they did not work satisfactorily, in 1883, by chapter 46, the whole system was changed. Then, in 1884, another change was made by chapter 37, section 2, and again in 1885, another change was made. So that they were continually changing the law with regard to the formation of school districts. In 1890 the whole three sections were wiped out and the whole system abandoned because it had worked so utterly unsatisfactorily, and the law was put on a sensible basis, as you find in section 68 of the Manitoba Act.

Mr. POWELL. You retain it in section 70. The drafting is better, but you retain the same thing.

Mr. MARTIN. We retain it, in a way, the same, but it is different, because section 70 means something.

Mr. POWELL. So does the other.

Mr. MARTIN. Perhaps it does, but we cannot find out what it means. The hon. gentleman himself cannot say what the meaning of "parties interested" is. It seems to me that that includes the debenture-holders. They must be interested in saying——

Mr. POWELL. That does not change the relation between debtor and creditor.

Mr. MARTIN. It seems to me it does. If you take a piece of land out of a school district, and there is no means of reaching any lands except that within the school district, the debenture-holders must be affected.

Mr. POWELL. It is practically a dissolution of partnership by arbitration—no more, no less.

Mr. MARTIN. Yes, but you have the parties interested in the arbitration.

Mr. POWELL. Not the creditors.

Mr. MARTIN. No, because what is done with respect to partners does not affect the creditors. But take a piece of land out of one section and put it into another and say that it is to be liable for the debts of the new section, and prevent its being liable for the debts of the old section.

Mr. POWELL. It does not say so.

Mr. MARTIN. But what is the effect ? There is no way to reach the land.

Mr. POWELL. Yes, there is.

Mr. MARTIN. How ? The hon. gentleman suggested the other night that you could proceed in equity against these lands.

Mr. POWELL. It would be rather expensive.

Mr. MARTIN. But it cannot be done. You cannot proceed in equity unless you have a mortgage on the land. You have no mortgage in this case and no lien except a lien to have them taxed pro rata ; and if you get the land out of the district you cannot tax it pro rata or any other way. I am sorry the Minister of Justice is sick and not able to be here. The hon. Secretary of State suggested that that was the reason why the conference proceedings should not be discussed in this House. It seems to me a better reason why we should not attempt to pass a law which may not be amendable by us, according to the opinion of eminent lawyers.

Mr. POWELL. Who said that ?

Mr. MARTIN. I do not know. But I have read that that opinion has been given.

Mr. WOOD. Better be careful about mentioning eminent lawyers.

Mr. MARTIN. I think I have read that eminent lawyers were of that opinion, but I would not like to give names for fear I might mention some who had not taken that view. But everybody knows that that opinion has been expressed time and time again in this House and out of it.

Mr. DEPUTY SPEAKER. Question.

Mr. MARTIN. But this is most material. One great reason why we must know what this section means is that it is contended that once we pass an Act we cannot alter it. If we cannot understand it, let us alter it to mean something. We have had the Minister of Public Works (Mr. Ouimet), the Controller of Customs (Mr. Wood), the hon. member for Westmoreland (Mr. Powell), the hon. member for North Simcoe (Mr. McCarthy), the hon. member for Bothwell (Mr. Mills), the hon. member for Quebec Centre (Mr. Langelier), the hon. member for Guysboro' (Mr. Fraser), and several other members, discussing this clause and no two have placed the same construction upon it, or rather every gentleman has had a different understanding of what the section meant. I think it is the duty of the Government to prepare an amendment to the clause which will give it a clear and definite meaning. This is not according to the law of Ontario. The hon. Controller of Customs read the Ontario law, and it is quite different.

Mr. WOOD. I do not wish to prolong the discussion. I do not know whether it is the intention of the hon. member for Winnipeg (Mr. Martin) to do so or not. The hon. Minister of Public Works, the hon. member for Westmoreland and I have all argued alike. What is the use of the hon. gentleman saying that no two have agreed.

Mr. MARTIN. I must admit that I did not pay as close attention to the hon. Controller of Customs and the Minister of Public Works when they were speaking as to the hon. member for Westmoreland. I heard that hon. gentleman say that he did not know what "parties interested" meant. As the Controller of Customs and the Minister of Public Works argue on the same line as the member for Westmoreland, they also, it would appear, do not know what these words mean. I call upon the Government to make an amendment to this clause that will mean something. Surely a little trouble would enable us to get a clause that would be satisfactory, at any rate, that would be understood. I do not find anybody particularly opposing this clause. But the difficulty is to understand it. We can neither oppose it nor support it intelligently until we know what it means. That is the difficulty with clause 11. I am dissatisfied with what the committee did with clauses 10 and 11. While we had some difficulties with the previous clauses, we surmounted those difficulties and made such amendments as left the clauses clear. Leaving out the constitutional question raised by the hon. member for Prince Edward Island (Mr. Davies) and some other hon. gentlemen, all the clauses up to clause 8—9 having been struck out—are clear and definite ; and while we do not all agree with the policy of some of them, there is no doubt of what they mean, and they are, in many respects, reasonable. But when we came to clause 10 the Government refused to consider amendments, and arbitrarily voted them down. They refused entirely to consider the most important points I raised as to the right of appeal from municipal councils in forming school districts. I urged that the appeal should be as under the Act of 1890, to the county judge, instead of to the Board of Education. I gave the strongest reason for that when I stated that that was the law of

Manitoba. When we came to clause 11, everybody agreed that it was meaningless. The hon. member for St. John (Mr. McLeod) and the hon. member for Westmoreland pointed out that it was perfectly absurd.

Mr. POWELL. Not that it was meaningless.

Mr. MARTIN. The hon. member for Westmoreland pointed out that it was perfectly absurd and meaningless, and the Minister of the Interior put his foot down and said: I will allow no amendment to this clause, because it was that way in the original Bill. Are we to pass a clause because it was in the original Bill ? I say, no. The committee have adopted the policy of making it reasonable and right. I think it is going to be unfortunate, if we are to proceed with this clause as we have with 10 and 11, and accept no amendments. Here we are on clause 12, and we find the same difficulty. I submit the Government are bound, if they have not got one here who understands the Bill, to get some one here who does. I am inclined to agree with the hon. member for Muskoka that the Government have not got any one here to-night who understands about this Bill. I asked the meaning of the words "parties interested," and as to whether the result of this arbitration would affect the creditors.

Mr. DAVIES (P.E.I.) I was unable to follow the member for Westmoreland in his argument that the words "persons interested" would extend to the school corporations in the districts whose rights are to be adjusted.

Mr. POWELL. I said it certainly includes the two school districts, and is broad enough to include the transferred territory. But I do not claim that it does not extend to the rights of creditors against the property. It is analogous, in my mind, to a dissolution of partnership.

Mr. DAVIES (P.E.I.) I do not think it goes to the extent of affecting the personal rights of any ratepayers ; it is confined to the corporate rights of the ratepayers in school districts to be adjusted. The duty of the arbitrators is to value the existing school lands, sites and other properties in the territory to be readjusted, that is, the school property of each corporation, and ascertain the respective debts and liabilities thereof. But, starting on the assumption that the section was intended to readjust the several liabilities and rights of the two corporations the limits of whose territory are readjusted, you are constituting arbitrators for the purpose of settling them. The intention, I take it, is that the labours of this arbitration are only to be called into operation in case the trustees do not agree, and an amendment seems to be required. Even though the trustees could agree among themselves, I would suggest that, after the word "readjustment," we add these words: "of any school district, in case the trustees of the school district interested are unable to agree."

Mr. McCARTHY. I think it would be well clearly to understand what this clause 12 was intended to effect. We saw that the preceding clauses are dealing with the readjustment, as it is called, of the district, namely, as my hon. friend from Westmoreland says, of the territorial changes which may be effected. Clause 11 deals with the liability of the taxpayer, and it declares that those who have been liable shall continue to be liable, and those who by that means are called upon hereafter to pay a double assessment in connection, shall have the right to recover back the second assessment which they are called upon to pay. Now, that is a declaration of rights. We have, first, this declaration in regard to an adjustment, and then we have the declaration of rights with regard to the individual ratepayer. Now we come to clause 12, and this is to enable the arbitrators to consider the rights of the taxpayers. My hon. friend who leads the committee is quite clear in his mind that it does not include the right of the individual, no matter how great his wrong may be. Now, is it not right, in the first place, that we should determine whether the taxpayer is to have a right, and, if it is not provided for, to make some provisions to enable him to obtain redress for that right ?

Mr. WOOD. I submit that the hon. gentleman is addressing himself to section 11.

Mr. McCARTHY. No, I am not ; I am pointing out that section 12 says how the provision of section 11 is to be carried into effect. It seems to me that, if these taxpayers are to have rights, we should declare by section 12 how they are to get a remedy. If this clause be as wide as the hon. member for Westmoreland seems to think it is, then the remedy is to be effected under section 12; if it is as narrow as the member for Queen's thinks it is, then there is no means by which these taxpayers are to have their rights. Suppose the case of a man who, in a school district, has been assessed for debentures to build a school-house. Supposing he has paid ten years of those debentures, and there is only ten years to pay. Then he is taken into a new section, without a school-house, and he is then called upon to contribute to building a new school-house ; is he or is he not to have any remedy for the amount he has paid during the last ten years in the old section from which he has been taken ? The committee should know whether the Government propose that a man who has paid a large sum of money for building a schoolhouse, and who, by changing the boundaries of the section, ceases to have any interest in the property in question, shall be able to recover the payment he has made.

Mr. MARTIN. The Manitoba Muncipalities Acts provides for all these matters. By sections 36 to 42, provisions are made and a number of principles laid down which must be followed by the commissioners in arriving at their decision. These are principles that could be applied to this Act, which we should make every effort to perfect, as it is held by every lawyer that it cannot be changed hereafter.

Mr. MARTIN. It appears to me that the superintendent could work out the equities of a case of readjustment.

Mr. IVES. It is perfectly evident to me that the object of this clause is to arbitrate as between the two different school districts when the change is made.

Mr. McCARTHY. Will the hon. gentleman say, then, what is the meaning of the words, "the parties interested"?

Mr. IVES. It is perfectly evident to me that the words, "parties interested" means school districts there.

Mr. DAVIES (P.E.I.) That is my idea, too.

Mr. McCARTHY. If that is the intention of the Government it should be so stated. Then, there is no provision made for the parties who are taken out of their district.

Mr. WOOD. Is any provision made in any school law for such a contingency as the hon. gentleman (Mr. McCarthy) suggests? No doubt this Act ought to be made as perfect as possible, but, at the same time, you are anticipating a case that is not provided for in the Manitoba School Act, or in the Ontario Act.

Mr. McCARTHY. I am not anticipating anything. If a man is transferred from one district to another, he certainly ought to have a remedy.

Mr. WOOD. There is no provision in the law in Ontario.

Mr. McCARTHY. If there is a defect in the Ontario law, why should we repeat it here? This shows that we should insert it in this Bill?

Mr. WOOD. It shows that this Bill has been subjected to a greater degree of criticism than was ever bestowed on any similar Bill.

Mr. McCARTHY. All I want to know is, what the Government intend by this clause?

Mr. IVES. If the hon. gentleman wants to provide for the case of a person who was transferred from one district to another, he can do it by a subsequent clause.

Mr. McCARTHY. That quite meets my views.

Amendment (Mr. Davies) agreed to.

Mr. DAVIES (P.E.I.) The section speaks of two boards, the board of trustees and the board of arbitration, and in line 52 it speaks of "the said board." I would suggest that that ought to be made to read, "the said board of arbitration."

Mr. McCARTHY. It seems to me that we ought, in the second line, to change the word "district" into "districts." If that means anything, it means the inspector of schools of both districts which are being readjusted. Then, what is the meaning of a "competent person"?

Mr. OUIMET. A person who knows.

Mr. McCARTHY. I think that is really confusing. What it means is a person. I would move:

> That section 12 be and is hereby amended by striking out all after the word "the" in the second line thereof, down to and including the word "district" in the fourth line thereof, and inserting in lieu thereof, the following: "Districts, together with two persons to be appointed, one by each board of trustees of the districts to be affected, who shall be non-resident of the said districts."

Amendment agreed to.

Mr. DAVIES (P.E.I.) I move that after the word "interested" the following words be inserted: "consequent upon such readjustment, and shall have power if they see fit to take evidence on oath."

Amendment agreed to.

Mr. MARTIN. Why should we give the county courts under this Act power to enforce this award? Our county courts are like the division courts in Ontario, and there is no pleading. Their jurisdiction is limited to a certain amount.

Mr. POWELL. I would suggest the following words: "that the award in writing shall be enforced in any court of competent jurisdiction."

Mr. OUIMET. The section is quite right as it is.

Mr. MARTIN. It is absurd as it is.

Mr. OUIMET. The hon. gentleman must remember that this Bill is copied from the old law, and it is similar to a clause that has been placed in Mr. Ewart's draft, although I do not say we are bound to follow that. Yet Mr. Ewart must have some authority as a lawyer knowing all about the law in Manitoba. The suggestions of Mr. Ewart have not been followed all through the Bill, but in this instance it is one of the clauses that have been revised by him.

Mr. MARTIN. He just copied the old law.

Mr. MARTIN. I would suggest that the words be inserted in this section: "may be enforced in, and shall be subject to any court of competent jurisdiction."

Mr. MONCRIEFF. If we say it shall go to the county court for decision, we can surely give the county court jurisdiction. I think that, after the words "enforced in the county courts," we should add the words "and from the judgment or decision of the said court an appeal shall lie to the Court of Queen's Bench."

Mr. DAVIES (P.E.I.) What do you want an appeal for ?

Mr. MONCRIEFF. The county court is the easiest and the least expensive court.

Mr. DAVIES (P.E.I.) If the award directs a certain thing to be done, as well as a specific sum of money to be paid, and you refer that to the county court, it has no jurisdiction to enforce specific performance.

Mr. OUIMET. But it has no jurisdiction to disturb the award. It has only to enforce the award, and if you have to take an appeal from an award, you have to go to the Court of Queen's Bench. The enforcing of the award is purely an executive power given to the county court.

Mr. DAVIES (P.E.I.). Then, you are conferring on a court that has no power to do it, an assumed power.

Mr. OUIMET. We give it the power.

Mr. McLEOD. I would suggest that the clause be made to read thus : "and their award in writing, including their own reasonable costs and charges, may be enforced, either in the Court of Queen's Bench, or in the county courts of the province, as the case may be."

Mr. DAVIES (P.E.I.) That will do.

Mr. MONCRIEFF. My idea is the very reverse—to leave it to the county court to start with.

Sir ADOLPHE CARON. If the proposition of the hon. member for St. John (Mr. Mcleod) is accepted, there will be no appeal.

Mr. DAVIES (P.E.I.) Personally, I am opposed to the appeal, which will only leave the lawyers an opportunity to get the school districts to appeal.

Mr. McLEOD. My proposition does not affect the appeal in any way. It leaves the latter part of the section as it is. The first part of the section refers simply to the enforcing of the award, and I suggest, with regard to that, to add the Court of Queen's Bench, which may, in some cases, be the best court to enforce the award. If it is desired to have the award set aside, it remains subject to appeal to the Court of Queen's Bench.

Mr. DAVIES (P.E.I.) moved that the clause be amended by striking out the words "may be enforced in the county courts of the province," and inserting the following words in lieu thereof, "shall be subject to the jurisdiction of and summarily enforced in and by either the county court or the Court of Queen's Bench of the province."

Amendment agreed to.

Mr. MONCRIEFF. Mr. IVES moved that the section be amended by striking out all the words after province and inserting in lieu thereof the following "and an appeal shall lie from the county court to the Court of Queen's Bench."

Amendment agreed to.

On paragraph 1, section 13,

Mr. MARTIN. When this clause was in force in Manitoba there were only incorporated cities and towns, but now there are villages. I move that the word "village" should be added.

Amendment agreed to.

On paragraph 2,

Mr. MARTIN. I object to this subsection 2 altogether. I do not see why the board should have any power of altering the wards in a city or town. Why not leave it as in the Public School Act. It seems to me that it is going to complicate things to have the Board of Education divide the city into wards different from those for municipal purposes.

Mr. IVES. In working this Act, the school district must be made to suit what would be most convenient to the Roman Catholic school population. It might be found impossible to work this Act if you were to oblige the school trustees to adhere to exactly the same divisions that the municipality adheres to. The first thing you do before you elect a trustee, if I mistake not, is to create a school district.

Mr. MARTIN. No. The hon. gentleman is quite mistaken.

Mr. COATSWORTH. In Toronto, where there are six wards, there may be only twenty Catholics in ward 1, while there may be a thousand in ward 2, and I think it would be better to have those words united for this purpose, than to have them separate. The municipal boundaries are settled purely with reference to municipal purposes, not with reference to the religions of the inhabitants ; and it is very desirable that those who arrange for the schools should have the power to form the districts in the most convenient way.

Mr. MARTIN. There may be something in that ; but in Ontario they do not follow that course, but they follow the municipal divisions. There is no part of Winnipeg exclusively Catholic. The Catholics are scattered all through the city in the same way as the Protestants.

Mr. COATSWORTH. Does not the hon. gentleman think that it would be much more convenient for the separate school board to adopt the existing local boundaries, unless they felt compelled by some circumstances such as I have mentioned, to adopt some other boundaries ?

Mr. MARTIN. Probably it would. But why should we have in Manitoba something that has not been found necessary in the province of Ontario ?

Mr. IVES. I do not see that any parties are interested in having the view of the hon. gentleman adopted. It is of no interest to the Protestants that the Catholics should be prevented from creating their school districts with different boundaries from those of the wards of the town. The other provisions of the Bill amply safeguard the interests of Protestants, and of Catholics who do not wish to support separate schools. It is only the separate school supporters who want this provision.

Mr. COATSWORTH. It seems to me it cannot do any possible harm, and we can readily understand a case arising where it would be important for them to have this power.

Mr. MARTIN. They had not it before, as distinguished from the Protestant board, and it was a very improper power for either of them to have. There is no reason why they should divide up the city or town into districts other than those existing for municipal purposes.

Mr. COATSWORTH. A town of 5,000 inhabitants may be divided into four wards. There may be only two or three hundred Catholics in it altogether. Under the hon. gentleman's argument he would insist on their having elections in four wards, whereas, it might be to their interest to have all four wards combined in one district ' or, they might want to divide the town into two wards, and if that was a matter of economy, why should we insist on their dividing the town into four wards instead of two ?

Mr. MACDOWALL. What amendment would the hon. member for Winnipeg propose ?

Mr. MARTIN. My amendment would be to insert the clause of the Public School Act, that is, clause 79.

Mr. COATSWORTH. What about the case of a ward where there are no Catholics at all ?

Mr. MARTIN. That is a very improbable thing. I do not think you would find any ward with no Catholic children in it.

Mr. McDONALD (Assiniboia). Outside of Winnipeg and St. Boniface, there is not a town in Manitoba with two hundred Roman Catholic children in all the wards.

Mr. MARTIN. I do not know that it is a matter of very serious importance, but it does seem to me it is not a power we should give to this Board of Education. It will create confusion if you depart from the municipal divisions.

Mr. FLINT. I do not see any great objection to that part of this section. After the explanations of the hon. member for East Toronto (Mr. Coatsworth), it seems to me it would be most convenient to leave to the board the opportunity to arrange the school districts to suit themselves. The latter part of the section seems to give the board power to form districts wherever they see fit. It seems to me a large number of words are taken to make that provision.

Mr. COATSWORTH. But this provision would be subject to the provisions of section 12.

Mr. MARTIN. This speaks of the "appointment" of the trustees. School trustees are not appointed ; they are elected. That word should be changed to "election."

Amendment agreed to, and subsection 2 of section 13 agreed to.

On subsection 3 of section 13,

3. In portions of the province not organized into municipalities the Board of Education shall have authority to form and alter school districts under its authority, and the trustees of such school districts are hereby empowered to assess the same and levy and collect taxes therein for the support of their schools.

Mr. FRASER. You cannot assess a district or collect taxes in a district. The board can only assess or collect taxes from the Roman Catholic ratepayers. This must be changed, otherwise it would give this board power to assess all ratepayers.

Mr. IVES. I do not think there is any possible danger of this subsection being held to empower the Board of Education to assess or tax Protestants. The phrase "to assess the same" is not strictly correct. "To assess property in the same" would be more correct.

Mr. FRASER. In unorganized districts, all parties would be assessed.

Mr. MARTIN. The trustees in an organized school district are given, by this subsection, the power to assess and collect taxes, but no machinery is provided by which they can exercise that power. It is important to provide this, and I would suggest that sections 42, 43, 44, 45 and 46 of the Public School Act be added to the section.

Mr. IVES. If we added simply section 42, giving power to appoint an assessor, the rest would flow from the other provisions of the Bill, the case being analogous of that in which the county clerk or the municipal authority, refused to render any assistance. I move, therefore, that the following subsection be added :—

The trustees of all school districts in an organized territory, shall annually, appoint a duly qualified person to make out an assessment roll for the district.

Amendment agreed to.

Section 13, as amended, agreed to.

TUESDAY, 14th April, 1896.

Mr. O'BRIEN. Before you proceed with the next clause, considering that we have now been discussing this Bill since 3.30 p.m., and it is now 2.30 a.m., and considering the discussion has been germane to the subject, and the amendments moved by hon. gentlemen who are not in favour of the Bill have been accepted by the Government, and considering the Bill has been materially altered and improved by those amendments, it is only reasonable that the Government should allow the committee to rise. I move that the committee rise, report progress and ask leave to sit again.

Mr. McLEOD. I hope the hon. gentleman will not press that motion ; we have done good work, and we have only a short time before us, and we had better go on with the Bill.

Mr. O'BRIEN. If the Government are going to pursue the same tactics that they did last week, what are they going to gain ? They must have seen that if they had gone on steadily with the Bill during regular hours, we would have been far ahead of what we have done. The progress of the Bill would have been very much greater, if they had come down with it at the proper time of the session, as they should have done.

Mr. WALLACE. If the hon. member for Muskoka will permit me to interrupt him for a moment, I would propose that we should go on for another hour or two, provided the Government will give us the assurance that the House will then adjourn.

Mr. McLEOD. I have never taken any time in discussing these motions, but it is undeniable that we have wasted a great deal of time. Had we gone on with the Bill, as we should have done, we would have got through with it by this. We have done some work to-night, though we spent a great deal more time over the two sections than was required. I am willing to go on until this Bill is completed.

Mr. STUBBS. Day and night ?

Mr. McLEOD. I hope the hon. gentleman will withdraw his motion, and let us go on.

Mr. EDGAR. The suggestion is most fair, and, if the Government will agree to rise at four o'clock, we will go on with the business. If they will not, it shows the clearest possible case of trying to drive the House by physical force. People are not made of iron or cast steel, but have flesh, and bone, and blood, and nerves, and they require rest. A horse would not be treated that way, nor a slave, and yet we are representing a free people. If the Government have no consideration for us, let them consider the people we represent. They are insulting the people and bulldozing them. There is no use in the Government imagining that they are either going to force members of this House like driven cattle, or that they are going to make political capital out of an attempt of this kind. The people of this country will resent such physical force coercion more than they will almost anything else. The Franchise Act is universally unpopular, and one of the reasons for its unpopularity is that an attempt was made to force it through this House. But no such attempt in the history of this Parliament ever reached the magnitude of the present one. I am perfectly satisfied that the Government are politically playing into our hands by their action ?

Mr. COATSWORTH. Why object then ?

Mr. EDGAR. Because I do not want to be compelled to remain here night after night. The longer it goes on the more will the country understand that this is an attempt of the majority to coerce the minority in this House. The coercion attempted by this Bill is nothing compared to the coercion attempted by the action of the Government. No sane legislators in the world would do a thing like this. It is the last resort of a desperate Government. What is the use of going through this farce of pretending to pass this Bill when they know it cannot be passed this session. The hon. member for Provencher (Mr. LaRivière) must be forcing the Government to go on.

Mr. CHOQUETTE. He is in bed.

Mr. EDGAR. Yes, and how pleasant it is to see that he is forcing the Minister of Railways to do his work.

Mr. CHOQUETTE. The French Ministers are all gone too.

Mr. EDGAR. Yes, and they are allowing the Minister of Railways to look after the matter for them. When the leader of the House agreed to a certain amendment the other day, the member for Provencher (Mr. LaRivière) jumped up and said : I object to that, and the leader of the House had to take it all back. What a pleasant thing it is to see the Cabinet under the whip of the hon. gentleman (Mr. LaRivière). I think the amendment of the hon. member for Muskoka (Mr. O'Brien) is a most reasonable one and should be agreed to.

Mr. O'BRIEN. We have been four and a half hours discussing two clauses of the Bill, and that delay has occurred because the Ministers have been unable to give explanations or deal intelligently with the question. If they will not accept the proposal to sit until four o'clock, which is in itself an unreasonable hour, I will have to press my motion.

Mr. WALLACE. It has never been heard of in any Parliament in the world, or in any free country, that men should be forced to attend to their legislative duties for twenty-four hours in the day. The people of the country do not want to see their valuable legislators killed off in this way, and such a course will not meet with their approval. When those gentlemen who support the Government in this House go back to their electors, they will have to tell them : We tried to coerce the province of Manitoba.

Mr. MACDONELL (Algoma). Not at all.

Mr. WALLACE. The hon. member for Algoma says not at all, but if it is not coercion to try and force a Bill through against the almost unanimous verdict of the people of a province, then I want to know what the word "coercion" means. The hon. gentleman should recall to mind that both political parties in Manitoba consider that it is coercion. The people of the country, so far as I can learn, are opposed to this attempt at coercion, and they are freer in forming an opinion than we are, because they are exempt from any improper considerations which we might be subjected to here. Members of Parliament are only human, anyway. Suppose the Government were to offer one the position of a senator. Of course, there is no vacancy now, but still there might be anyway by-and-by and a Government might say : we will make you a senator if you vote with us. This Government, of course, would not be guilty of any such improper conduct, but there might be another Government which would do that. Of course, we all have consciences of the most active description, but those consciences are often weakened by offers of this kind. It may be only a humbugging offer after all, because unless we kill a senator there would be no vacancy, but the promise of a position when a vacancy occurs would have influence upon anybody except the hon. members of this House. We know it would have no effect upon the hon. member for North Leeds and Grenville (Mr. Ferguson), because he would spurn an offer of that kind.

Mr. FERGUSON (Leeds). The member for North Leeds and Grenville (Mr. Ferguson) has acted within his conscience, and within his political right, and he has acted as independently as the hon. member for West York (Mr. Wallace) ever did and he will continue to do so.

Mr. WALLACE. The hon. member was in Parliament before your humble servant was, and possibly he may, or possibly may not, be in Parliament after me. If he were made a Senator, he would be in Parliament right along to the day of his death. But I am not in the senatorial business. I said that the hon. member for North Leeds (Mr. Ferguson) was not open to such mercenary considerations. Every member of this House who knows him knows that he is lifted high above any such thoughts or feelings ; and whatever any one else would do, the hon. member for North Leeds would not accept a Senatorship as a barter for the betrayal of his constituents. Now, I hope I shall get the plaudits of the hon. member.

Mr. DEPUTY SPEAKER. What has that to do with the question that the committee rise ?

Mr. WALLACE. I was giving reasons why the committee should rise, when the hon. gentleman asked me questions. This put me in the position of either not replying to those questions, or dealing with them. If they had been called to order when they put these irrelevant questions, it would not be necessary for me to answer them. Now, why should this committee rise, report progress, and ask leave to sit again ? The hon. member for Eastern Assiniboia (Mr. McDonald) says we should not. Well, if the hon. member goes back to his constituents I will venture to predict that if he gets the nomination of his party, which he has not got——

Mr. McDONALD (Assiniboia). But he will get it.

Mr. WALLACE. He will not get it, he cannot get it, and he will be certain not to get it after having misrepresented his constituents.

Mr. McDONALD (Assiniboia). He has not misrepresented his constituents.

Mr. WALLACE. Then I have a letter from a gentleman who was a warm supporter of his——

Mr. McDONALD. I have a hundred letters.

Mr. WALLACE. He knows the name of the gentleman himself. He was at Regina on the 8th of this month, and he says that if the hon. member for Eastern Assiniboia went back to his constituency he would require a body-guard.

Mr. McDONALD (Assiniboia). Oh, I am not afraid. I will go there alone.

Mr. WALLACE. The hon. member did not get the nomination of his party at any rate. Another genteman has got that.

Mr. EDGAR. Might I ask the hon. gentleman, did I not see somewhere that the hon. member for East Assiniboia made a great speech down in Quebec against this Bill ?

Mr. McDONALD (Assiniboia). No, you did not. If you have that, trot it out.

Mr. WALLACE. The information I got on that subject was that he very cleverly straddled the fence.

An hon. MEMBER. Which side did he fall on ?

Mr. WALLACE. You remember the story about the darkey and the turkey. The darkey said, "The turkey was sitting on the fence, and he first sat on one side and then on the other side, and at last he flopped over; but he flopped over on the side where there was most corn." The hon. member for East Assiniboia sat on the fence, but he flopped over on the side where there was most corn. Of course, it is not a Senatorship in his case; he would not be induced to flop from the side of virtue by the offer of a Senatorship; but I think you will find that, like the turkey, he has flopped over on the side where there is most corn. Now, I am going to call your attention to what I consider important facts in regard to the Bill before the House, the consideration of which will, I think, decide you that we should not proceed further with this Bill at the present time. I had occasion last week to make some comparisons between the proposed separate schools in the province of Manitoba and those of the province of Quebec, and I tried to show that the Government are attempting to force upon Manitoba a system of separate schools such as have no parallel in any other province of the Dominion. Though I am not an apologist for the government of Manitoba, yet I say that all the evidence proves conclusively to my mind that that government have been conciliatory, and anxious to do what they could without sacrifice of principle. Conservative as I am, and attached to the principles of the Conservative party, I will say that the government of Manitoba——

Mr. MACDONELL (Algoma). You are a McCarthyite now.

Mr. WALLACE. I am not a McCarthyite, nor any other "ite." I am just what I always have been, and I have never sold my principles, as the hon. member for Algoma (Mr. Macdonell) has done. That hon. gentleman had told the Premier of Canada in my presence—I am stating a fact now—that he never would vote for a system of separate schools in Manitoba, that he never would vote for this Remedial Bill——

Mr. MACDONELL (Algoma). Pardon me, that is not what I did say.

Mr. WALLACE. What did the hon. member say?

Mr. MACDONELL (Algoma). Finish your speech, and I will make my statement.

Mr. WALLACE. I would like to be corrected if I have made a statement which is in any way incorrect.

Mr. MACDONELL (Algoma). I would have to make a speech in answer to the hon. gentleman to explain what I did say. At that time we were friends and confreres. I went to the leader of the Government and told him that I never could vote for the re-establishment of separate schools in Manitoba as they existed previous to 1890. The Premier told me to go and do as I pleased, and get elected. Which is entirely different from the hon. gentleman's statement.

Mr. WALLACE. We are told of every clause of this Bill, that it was in force previous to the Act of 1890. We are told that 106 out of the 112 clauses are precisely the same as those of the School Act previous to 1890. The hon. gentleman will have every opportunity of explaining why he did not fulfil that promise, which he made not only to the Premier, but to many of his constituents; and I promise him that he will have a large contract on his hands when he comes to explain it to his constituents. Now, I was pointing out that this law for Manitoba goes beyond the school laws of any of the other provinces. I have before me the Public School Acts and Regulations of the province of Nova Scotia, portions of which I will read to the House; and I think it will be demonstrated clearly that those gentlemen from Nova Scotia who are so anxious to impose a system of separate schools on Manitoba would not permit any such Act to be placed on the statute-books of their own province. To my mind that is very inconsistent. Why should I refuse to have a law placed on the statute-book of my own province that I am determined to place on the statute-book of another province? I know well my own province, its conditions and circumstances and necessities; but I do not know the conditions and circumstances of a province a thousand or more miles away. Yet we are asked to rush the clauses of this Bill through Parliament without proper consideration; and if we refuse to do that, we are called obstructionists. We are not obstructionists, we are patriots; we are the men who are anxious to have the business of Parliament done right, or not done at all. For my part, I am one of those who say that this legislation should not be done at all. The Government have given us no reason for it. There is no demand for it from the people interested. The demand comes from where? From the hon. member for North Leeds and Grenville (Mr. Ferguson); from the Minister of Railways (Mr. Haggart); from the hon. member for North Ontario (Mr. Hughes); from the hon. member for Algoma (Mr. Macdonell). These are the gentlemen who demand that these separate schools shall be established.

Mr. MACDONELL (Algoma). You have no right to say that.

Mr. WALLACE. The people of Manitoba are not demanding them. It is said that petitions signed by about 5,000 people, men, women and children, were sent asking for them. Well, that is about one-fourth of the Roman Catholic population; and surely it is not contended for a moment that one-fourth represents the whole population. We had the additional evidence, stated the other day by the commissioners who met the Dominion commissioners, that outside of two municipalities 75 per cent of the separate schools are incorporated under the Public School Act, and are working satisfactorily under that Act. Why should they not ? What is to prevent those of the Roman Catholic faith adopting the public school system of Manitoba, and getting their children educated better than they were educated under the old system ? It is said that that interferes with their conscience ; but 60 per cent of the Roman Catholic people of Ontario are able to get their children educated under the public school system of the province of Ontario without any interference with their conscience. But if the doctrine those gentlemen preached to us about the Roman Catholic children of Manitoba be correct, these children are deprived of their conscientious rights. It is a matter of conscience with the children of Manitoba that they are to be taught their religion in the public schools, but it is not a matter of conscience in the province of Ontario or the city of Windsor. Well, if conscience applies in the one case, it ought in the other. There never was a more fraudulent representation than that their conscience requires religious education in the schools. Have we interfered with any civil or religious liberty ? Have we interfered with their right to worship God as they choose, to educate their children in whatever doctrine they choose ? No such thing is attempted. Every church is protected in all the rights it can demand. No church has ever yet been able to say that any right to which it was entitled has been interfered with in any degree. Where is the interference with civil or religious liberty or with conscience ? There is none. That being the case, there is no reason for the proposed legislation. We can get along without it, and can leave the province of Manitoba to manage its own affairs instead of thrusting our crude, ill-considered views upon it. And at the dictation of whom ? Who is behind all this ? I would like to ask the hon. member for North Leeds and Grenville (Mr. Ferguson) whom he takes his orders from ?

Mr. FERGUSON (Leeds). I am not under orders from anybody, not even Clarke Wallace.

Mr. WALLACE. I am quite sure he is not. I am quite sure that Clarke Wallace has never attempted to give orders——

Mr. FERGUSON (Leeds). Nor has any other man dare even to attempt it.

Mr. WALLACE. I can say further that he is not going to give orders to anybody but himself. He regulates his own conduct and is responsible for it.

Mr. FERGUSON (Leeds). Then he should grant the same privilege to others. He has no right to refer to me in that peculiar insinuating manner.

Mr. WALLACE. The orders have gone out, what are they ? They are that this Bill is to be pushed through at all hazards. Are the Government not aware that they are wasting the time of Parliament ? If there was a chance of the Government pushing this legislation through, there might be some excuse for its course, but every member of this House knows that is impossible. Either one or two things. The Government want to make the Roman Catholic population believe that they are doing all that mortal men can do to pass this Bill into law ; or else his Eminence the Archbishop of St. Boniface, has given his orders, and they must be obeyed. I decline to exert myself to make the Roman Catholics believe that we are doing our very best to pass this legislation. Why ? Because the Bill never came up for debate until more than two months of the most valuable time of Parliament has elapsed. Until then what were we doing ? Kicking up our heels, marking time, discussing matters in a perfunctory way, debating the Budget, which will never be reached, and which the Government have made no special effort to reach. But now, at the end of the session, they say : We will make you sit night and day until you pass this Bill. At the beginning of the session, they said : We will not make you sit at all, but we will adjourn from day to day after sitting about five minutes. That is the state of the case which they will have to explain. They will have to explain to their taskmaster, the Archbishop, at their head, how it was that after two long months, they started out on this course when they could have forced the Bill through in a legitimate constitutional way, had they submitted it at proper time. On the other hand, they will have to explain to those who are opposed to the Bill that they made us sit day after day, night after night, and nailed themselves down to the policy of this Bill, and did their best, in the last hours of the session, to make it pass. When the crack of the whip was heard, when the orders came from the old Archbishop on the hill that the Bill had to be gone on with, the Government had to obey. When Friday last came, they were asked what they were going to do. Nobody knew what course the Government would take but we are told—and of course the rumours may be true or they may not,—that a member of the Government and one not a member of the Government, two distinguished men called upon the Archbishop and got their orders.

Mr. MACDONELL (Algoma). That is an infernal shame and you know it.

Mr. WALLACE. If it be true, it is what the hon. member for Algoma says it is, and if not true we are here wasting our time. Can any one tell us what for ?

Mr. MACDONELL (Algoma). To pass that law.

Mr. WALLACE. We know that the law will not pass. We know that the eloquence of those opposed to the law will have such a strong effect upon the Government that the Government will yield to their views and will say : Gentlemen, as you are so earnestly desirous of the Bill not coming on, we will accede to your wishes. That is the course which the Government will probably take, and this question will be thrust into the arena of an election campaign ; and I think that when the electors are brought face to face with it, and asked whether they will submit to the dictation of gentlemen who have plainly told them in strong language that if they do not do this, they are a lot of hell-inspired hypocrites, they will resent such dictation. I shall not submit to that dictation. This being the case, we might fairly say to the Government : You had better proceed with those other questions which the country is looking with anxious solicitude to have settled. The people are looking for the fulfilment of the promise of the Government to provide for the defence of the Dominion against any foe whatever, and no matter what the consequences may be, to stand by Great Britain. The people are looking to us to enlarge our business with foreign lands and increase our productiveness at home. But instead, we have allowed three and a half months to pass without touching any of those important questions. Not one single law have we passed except some private legislation, which of course is important in its way, and we have spent a half of million dollars doing what? Dividing the nation into hostile camps on religious grounds, and embittering religious feeling among the people. The Government could not do a better thing, even to-day, than to cry a halt. Why do they attempt still further to obstruct the business of Canada ? We place upon them the responsibility of the absence of necessary legislation and the necessary passing of the Estimates. An unseen power seems to be forcing the Government upon the rocks to destruction. Is there any means of stopping them in their mad career on this question ? We are able and willing to so strongly impress our views upon this Parliament that this Bill will not become law. The Public School Act of Nova Scotia is much more stringent than the law is in Manitoba to-day, but the government of Nova Scotia say they will not change it. Yet we see that the government of Manitoba have committed themselves to certain concessions and agreed to almost everything, except establishing the principle of separate schools. And why have not the offers of the Manitoba government been accepted ? It is because of the postscript sent up to the commissioners in Manitoba after they had left here. That postscript is as follows :—

> The committee of the Privy Council on the recommendation of the Prime Minister, advise that the Order in Council of 21st March instant, be amended by the insertion after the words "the Remedial Bill (Manitoba)" in the said Order in Council, of the words "the delegation are hereby given full power to effect an arrangement with the government of Manitoba on such terms as shall be satisfactory to the said minority."

It was therefore not left to the representatives of the two governments to deal with the matter as they should deal with it, but this order meant that the consent of His Grace the Arshbishop of Manitoba must be obtained. How could they ascertain the views of the minority, except through His Grace the Archbishop. That might be right on religious matters, but on questions of education, and on questions affecting the civil rights of the people, the Archbishop should have no power to interfere. Outside of the provinces of Quebec and Ontario, all over the Dominion, education has been completely divorced from the domain of the churches.

Mr. JEANNOTTE. In Manitoba they did not dare to divorce it, because the Protestants themselves were against it.

Mr. WALLACE. The decisions of the Privy Council are to the effect that the schools of Manitoba are non-sectarian in every sense. The government of Manitoba have given their pledge to enact legislation that will abolish religious teaching in the schools, and make them completely secular.

Mr. JEANNOTTE. The hon. member for Winnipeg (Mr. Martin) says they won't do it, because they are afraid of the churches.

Mr. WALLACE. They have solemnly pledged themselves to do so in their offer to the commissioners.

Mr. JEANNOTTE. And that offer proves that they are not secular schools.

Mr. WALLACE. They have offered to do that if it would satisfy the minority. There is, I believe, a large and growing number of the people of Canada who are in favour of the secularization of the schools. The second offer of the Manitoba government is as follows :—

> Second, in the alternative we offer to repeal the present provisions of the School Act relating to religious exercises, and to enact in substance the following :—
>
> No religious exercises or teaching to take place in any public school, except as provided in the Act. Such exercises or teaching, when held, to be between half-past three and four o'clock in the afternoon.
>
> If authorized by resolution of the trustees, such resolution to be assented to by a majority, religious exercises and teaching to be held in any public school between 3.30 and 4 o'clock in the afternoon. Such religious exercise and teaching to be conducted by a Christian clergyman whose charge includes any portion of the school district, or by any person satisfactory to a majority of the trustees who may be authorized by said clergyman to act in his stead ; the trustees to allot the period fixed for religious exercises or teaching for the different days of the week to the representatives of the different reli-

gious denominations to which the pupils may belong in such a way as to proportion the time allotted as nearly as possible to the number of pupils in the school of the respective denominations. Two or more denominations to have the privilege of uniting for the purpose of such religious exercises. If no duly authorized representative of any of the denominations attend, the regular school work to be carried on until four o'clock.

No pupil to be permitted to be present at such religious exercises or teaching if the parents shall object. In such case the pupil to be dismissed at 3.30.

Where the school-room accommodation at the disposal of the trustees permits, instead of alloting different days of the week to different denominations, the trustees to direct that the pupils shall be separated and placed in different rooms for the purpose of religious exercises as may be convenient.

We believe that the foregoing proposals will remove any well-founded grievance.

Now, Sir, when these two proposals are presented to the people of this country, I believe they will be endorsed by the people, and that the charge that the Manitoba government are not willing to do anything to meet the wishes of the minority, will fall to the ground. Why was that offer not accepted ? It was because this Government did what no other government should do, they made pledges and promises months before, which tied their hands down. The remedial order was a drastic and tyrannical one, and one that would never have been sent to the province of Manitoba, if we had these illustrious statesmen who conducted the affairs of Canada before this present regime came into power. Look at the history of Sir John Thompson, himself a Roman Catholic, and you will see that he was for conciliating the Manitoba government. Referring again to the Nova Scotia school law, the oath taken by the teacher provides that there shall be no evasion of the regulations. Under these regulations the doctrines of no denomination are to be taught, and any devotional exercises in the schools are to be such as not to offend the religious feelings of any. If the regulations of the province of Nova Scotia are satisfactory to the Roman Catholics, as we are told they are, the regulations of the province of Manitoba are much more liberal, and must be satisfactory to the minority in that province. But if that is not sufficient, the government of Manitoba offer to grant them anything in reason short of endorsing the principle of separate schools, established and conducted under the law of the country. They say that it is not proper or right that the public money of the province should be devoted to teaching the dogmas or doctrines of any church. If the doctrines of any church are to be taught in the province of Manitoba, can any one give me a reason why the doctrine of every church should not be taught there ? Where would that lead us ? The result would be that it would be impossible to conduct half a dozen schools where the people are barely able to conduct one set of schools ; and so the education of the children would be neglected, and the country would retrograde. That would be the legitimate and logical conclusion which would follow from the adoption of the principle of separate schools. The proposals offered by the government of Manitoba the other day, if accepted, would remove every possible grievance of the minority, and would render it unnecessary to pass legislation at all. That legislation would never be attempted, only that the Government last July solemnly pledged themselves to it. The Parliament of Canada, I am satisfied, would be willing to accept the proposals of Manitoba, but the Government, whether willing or not willing to accept them, are unable to do so—why ? Because of their pledges and promises, and because the other parties to the contract demand the pound of flesh, and will accept nothing else. We are placed in this dilemma to-day. The Government have tied their hands ; they have promised to do something which they cannot do ; they have made promises which they cannot fulfil, and because they have done that, we are kept here day after day, night after night, morning after morning, expending our eloquence that should be expended in other directions for the benefit of the people of Canada, in pointing out the fallacy and the utter inadequacy of this measure.

They propose, still more, to take away any religious teaching which may be objectionable and make the schools perfectly secular. Either of those plans they have pledged themselves to introduce into the legislature in Manitoba and enact into law or else resign their position. But these offers were not accepted. Why ? Because the power behind the Throne had the pledge of the Government of Canada that they would force through to a conclusion a Remedial Bill, founded on the decision of the Privy Council of Great Britain, and the oppressive, arbitrary, tyrannical remedial order sent Manitoba. We are at the end of the sixth session of this Parliament, and shall soon be face to face with the people. Let the people decide. We never had a mandate from the people to settle this question. It is a new piece of legislation, and one which the great statesmen of the past, who built up confederation, put on the statute-book, to be used only in cases of the most urgent and extreme necessity. Every government has extensive powers. The Government of Great Britain has power to veto any law passed by the Dominion, but it does not follow that they are bound to exercise it, and they never have exercised it. They sent remonstrances on one or two occasions. They remonstrated when it was proposed to reduce the salary of the Governor General, which was an Imperial matter, because he is an Imperial officer, and the remonstrance had its desired effect, but they have never attempted to exercise their enormous power of veto. Although they were strongly opposed to our protective policy, as injurious to the motherland, they wisely refrained from interfering with it in any way. In this matter, while the Parliament of Canada has the power to legislate, it should pause before doing so. Because we have the power, it does not follow that we are compelled to legislate. The opinion of the Privy Council is not that we should re-enact the old law. They say it is certainly not essential that the statutes repealed by the Act of 1890 should be re-enacted, or that the precise provisions of these statutes should again be made law. All legitimate grounds of complaint, they say, would be removed if that system were supplemented by provisions which would remove the grievance upon which the appeal is founded, and were modified so far as might be necessary to give effect to these provisions. In my opinion, the concessions offered by the legislature of Manitoba satisfy the conditions required by the Privy Council. We were told, at the beginning of the debate, by the leader of the Government, that before confederation, the two provinces of Upper and Lower Canada had their hands on one another's throats, and that, owing to their division on the religious question, the continuance of the union between them was utterly impossible, and it was necessary to bring in the provinces by the sea, and establish confederation, leaving each local legislature to deal with its own local affairs, including these religious questions, and giving the central Parliament jurisdiction over matters of general interest to all provinces. The people of every province in this Dominion are fair-minded, and they have no desire to oppress the minority. The Catholics of New Brunswick told us that they never could get justice from the local legislature, but it was afterwards found that they could, and indeed it is said to-day that in some places it is the Protestants that are being oppressed in that province. Sir John Macdonald and Hon. Alexander Mackenzie said to the minority of New Brunswick : Go to your own province and they will render you justice, and if that course had been followed by this Government, everything would be satisfactory to-day. The reason that that course had not been pursued is that this Government were willing to imperil the existence of this Dominion in order to catch the Roman Catholic vote to keep them in power. Here they have wasted the whole session, which has cost the country over half a million dollars.

Mr. JEANNOTTE. That is your fault.

Mr. WALLACE. The hon. gentleman says that is my fault.

Mr. JEANNOTTE. Yes, you obstructed the business.

Mr. WALLACE. Can it be said that half a dozen members or even five dozen members of Parliament, can rule the majority ?

Mr. IVES. In this Parliament, but not in the next.

Mr. WALLACE. The Minister of Trade and Commerce had better keep his predictions until after the event.

Mr. FERGUSON (Leeds). It would not be a prediction at all then. You will be as mild as a sucking dove after the next election.

Mr. WALLACE. I tell the hon. gentleman that I shall express my free and independent feeling after the next general election, whether in Parliament or out of Parliament, as I do to-day, and I will not be dictated to by any man or by any set of men. I repudiate the assumption that I have obstructed. I would not hesitate to say that if necessity for obstruction should arise, and if it were necessary to kill such an objectionable Bill as this, I would be delighted to be an obstructionist.

Mr. JEANNOTTE. You can be delighted then.

Mr. WALLACE. The necessity for obstruction has not arisen and even if it did, the rules of a British Parliament prevents it. The people of this country will not hold the Government guiltless in this matter. They have neglected the interests of the people of Canada, and they have not accomplished anything in the direction they attempted, whether sincerely or not I will not say.

Mr. EDGAR. I think the opinion of the hon. gentleman (Mr. Wallace) would be most valuable to the House and to the country, as to whether the Government had sincerely attempted to accomplish this or not ?

Mr. WALLACE. It is one of the most difficult of problems to express positively an opinion as to a person's sincerity. I confess that in this case it is a difficult and intricate problem, and I shall not attempt to solve it. The Government could have brought this question before the House at an early date, and having a large majority at their back, they could have passed this measure into law, notwithstanding the protests of those who are opposed to it. The hon. gentleman asks my opinion as to the sincerity of their intentions. Well, I do not think I am called upon to express an opinion upon the sincerity of anybody's intentions, but only to judge by their acts. Now, after these few remarks, I do not think I would be justified in detaining the House any longer, as there are many other hon. members who are anxious to express their views. I do not think we should be forced to proceed with this matter at a break-neck speed. Time was made for slaves, not for free men like us. Give us our own time ; let us take our own gait. The hon. Minister of Trade and Commerce, who only spends six or eight hour a day in this House, cannot realize what it is for us who feel it our solemn duty to spend twenty-four hours every day in discussing this measure. I think you will agree, Mr. Chairman, that it is the duty of every member of Parliament to be in the House and watch the course of legislation ; and I do not think that the majority of the people of Canada will raise any objection to our course of procedure. They will say that we have not legislated hastily, but have legislated wisely and well, and their verdict will be, "well done, good and faithful servants."

Mr. MACDONELL (Algoma). Mr. Chairman, I need not answer all the twaddle that has been talked by the hon. gentleman who has just taken his seat.

Mr. EDGAR. I rise to a point of order. I would like to know whether the word "twaddle" or "twiddle," or anything of that kind, is parliamentary ?

Mr. MACDONELL (Algoma). I say that when an hon. gentlemen spends hour after hour in talking nonsense, he is speaking twaddle and nothing else.

Mr. EDGAR. I rise to a point of order.

The CHAIRMAN (Mr. Mills, Annapolis). I think the hon. member used the word "twaddle" in a parliamentary sense.

Mr. EDGAR. If the hon. gentleman says so and apologizes for any personal meaning, it might pass ; but if he does not use the word in a strictly parliamentary sense, I think he should be censured and named.

Mr. MACDONELL (Algoma). I submit to hon. members that when a gentleman undertakes to speak on the subject under discussion, and wanders off to a variety of subjects which are not under discussion, to my mind it is twaddle, and nothing else. If the hon. gentleman is satisfied with that, he is welcome to it. I was going to say that this Bill has been discussed so many days that the people are tired hearing of it. It has been threshed out in this place so long that it has become nauseous in the noses of the public. I am sorry my hon. friend has gone away because I was going to say a few words about him, particularly as he brought my name into the discussion. The hon. member for West York (Mr. Wallace) discussed the question of who were going to be appointed from this side of the House to positions in return for their vote on this Bill. I wish to say this, that no offer has been made me nor have I ever solicited anything. I feel that I am doing my duty honestly and starightforwardly, as a member of the Conservative party ought to do it, in supporting the Government on this measure. I challenge the hon. gentleman to come into my constituency and fight me there after I have done my duty to the party. There is another matter that engaged the attention of the hon. gentleman, and I am sorry to have to allude to it while he is not here, in which he committed a breach of confidence by telling what took place in the Privy Council. Hon. gentlemen opposite are honest and just enough to know whether a man should commit a breach of confidence in revealing what took place in the Privy Council. It is true that I did go to my leader and say to him that I could not support any measure that was going to re-establish separate schools in Manitoba, as they existed previous to 1890, and that was the question before us at the time. My leader told me to do as I pleased, in the presence of Mr. Clarke Wallace, who was then a member of the Government at the time, and it is a low contemptible thing for a man to repeat a private conversation that took place between my leader and the hon. member for West York and myself at that time. I will state what really took place. I went to my leader and told him how I felt. The hon. member for West York was sitting there and heard the conversation. My leader told me to go and do as I pleased. What am I doing ? I am helping the Government, and intend doing it all through the piece, and he is not, although he was a member of the Government at that time and I am but a private member. I am merely repeating the conversation that took place between the leader of the Government and the hon. gentleman and myself, and when that hon. gentleman repeated the conversation, he did what is low, mean and contemptible.

Mr. EDGAR. Surely things are going a little too far, when one hon. member, no matter how strong his feelings may be, should characterize another in that way. The hon. Minister of Railways (Mr. Haggart) was very anxious the other day to have certain words taken down. I do not know how these words could be taken down because I see no clerk here, but I am sure the hon. Minister will agree with me that such words as "low, mean and contemptible," applied to another hon. member should be either taken down or withdrawn or something should be done. They should not be allowed to pass unnoticed, more particularly as the hon. member to whom they are applied is out of the House.

An hon. MEMBER. He is here now.

Mr. EDGAR. I did not know he was here when that language was applied to him. We ought to exercise among ourselves, under your direction, Mr. Chairman, the same proper parliamentary self-respect which we would have if we were sitting in a business session of Parliament. Therefore I call on the hon. member for Algoma to withdraw those expressions.

Mr. MACDONELL (Algoma). The expressions I have made use of are perfectly correct. They occurred in a private conversation in the office of the president of the Privy Council. What I say I do not take back, and I say more than that. I found the hon. gentleman was prepared to deliver over to the great party opposite a certain majority by which the Government would be defeated. When I found that, I could be no longer a supporter of the hon. gentleman and I withdrew. Now, I judge, from what I see before me to-night, that though the obstructionists do not come so much from that side, still the hon. gentlemen are sitting there prepared to take part in the debate and keep the thing going. When I saw the hon. member for West Ontario (Mr. Edgar) and other hon. gentlemen,—the admiral, for instance—sitting bolt upright in the House, I come to the conclusion that there is a scheme on hand and that it is advisable for us to watch them. Therefore, I judge that the information I received was reliable, and that was that a certain number of us were to be delivered over, body and soul, to the leader of the Opposition to defeat the Government, and I say that I shall not be a party to anything of the kind.

Mr. WALLACE. There never was a more unfounded slander. Why, the hon. gentleman went up and down the corridors of this House proclaiming to everybody last year that he would never submit to this measure. He told it a hundred times in my presence, and he repeated it to dozens of his constituents whose letters I have.

Mr. MACDONELL (Algoma). It is not true.

Mr. WALLACE. He wrote to Major Thomas Elliot, whose letters I have.

Mr. MACDONELL (Algoma). Produce the letters.

Mr. WALLACE. I shall produce them if the hon. gentleman wants them. There is another letter I have in my pocket which I received to-day from Fort William, dated——. It says :

> On Thursday March the 26th they held a meeting of the executive committee of the Fort William Liberal-Conservative Association. Fourteen out of eighteen members comprising the executive were present. The following resolution was passed :—
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> That, in the opinion of the executive committee of the Fort William Liberal-Conservative Association, the so-called Remedial Bill of the Dominion Government, already passed the second reading, is contrary to the principles of Ontario Conservatives, and injurious to the best interests of the Dominion ; that our member, Mr. George Macdonell, having voted for the second reading, has forfeited our confidence in him as our member and acted contrary to the wishes and the views of the majority of his supporters throughout the riding ; that therefore we instruct our officials to call a special meeting of the general association forthwith to discuss the advisability of holding another convention.

A general meeting was called for, I think, Saturday, April 4th, at which, after endorsing the action of the executive and doing some other routine business, the following resolution was carried by an overwhelming majority, in the largest meeting ever seen at Fort William of the Conservative Associations :

> Whereas, at the time the last convention for the Dominion House in this district, in the Liberal-Conservatives interest, was held, it was generally believed that a general election was immediately pending, whereas since that time two sessions of the Dominion House have been held, in which much important legislation has been initiated and some passed ; whereas our member, at the time of such convention, showed considerable weakness as a candidate ; and whereas his action and votes since then have, in the opinion of many of his warmest supporters before the said convention, still further weakened him,—therefore be it resolved that, in the opinion of the Fort William Liberal-Conservative Association, it is in the best interests of the party in this district to hold another convention.

Of course that expresses unbounded and unlimited confidence in the hon. member for Algoma by his own constituents.

Mr. IVES. How does it happen this report was sent to the hon. gentleman ?

Mr. WALLACE. There is nothing to prevent any member of that Conservative Association sending me a report of the proceedings, which, I presume, are always published in the press of the district.

Mr. IVES. From the report being made to you, it would seem you had originated the meeting.

Mr. WALLACE. The hon. gentleman will not find a single ground for his insinuation. I never heard of any such meeting having been called until I recived this letter to-day, giving me this account of it. This is somewhat of a free country yet, and any gentleman in the district of Algoma is at perfect liberty to write to me telling me what proceedings have taken place in Fort William with regard to a question which is exciting more interest and attention throughout the country than those hon. gentlemen perhaps dream of. The resolution passed by the executive committee and that passed at the largest meeting of the Conservative Association ever held, show conclusively that the hon. member for Algoma (Mr. Macdonell) was never asked by me for his vote. I asked neither him nor any other hon. member for his vote. Why should I ? Every man is responsible to his constituency for his vote and not for me. I am responsible only for my own vote to my own constituency as every other hon. member is. Those who sent the hon. member for Algoma here, have apparently been watching closely his course, and have expressed their opinion in open meeting, first at the executive committee where out of eighteen members, fourteen of his old-time friends condemned his course, and next at the largest meeting of the Conservative Association ever held at his own door, within a few miles from where he himself resides. And then the hon. gentleman can get up and say that I have attempted to bulldoze him and deliver his vote. I denounce it as a slander that I ever attempted to influence any person's vote.

Mr. HAGGART. The hon. gentleman has spoken already on the motion to adjourn and is now wandering from the subject altogether.

Mr. WELSH. The hon. member for Algoma attacked the character of my hon. friend, and my hon. friend has a perfect right to dress him down.

Mr. HAGGART. It is not pertinent to the question before the House in any manner.

Mr. MACDONELL (Algoma). I would like to apologize for what I said with reference to the hon. member for West York. I am sorry I used the words, "low, mean and contemptible." Not on your account.

Mr. WELSH. Nobody asked you.

The CHAIRMAN (Mr. Mills, Annapolis). If the hon. member would keep to the question more, there would be less trouble.

Mr. WALLACE. The Minister makes the extraordinary proposition that because I spoke on this question in committee, I cannot speak again.

Mr. HAGGART. There is a motion that the committee rise, and I do not suppose he has a right to speak on that half a dozen times.

Mr. WALLACE. I have a right to speak on that motion as often as I please so long as I keep tolerably close to the question, and I think I have been careful in that regard.

Mr. STUBBS. I wish to make a few remarks on this difficult and troublesome question which is so intricate that few members in this House seems to understand the Bill which they are so anxious to force through the committee. This Manitoba school question has troubled some of the best legal minds in the Empire. If you trace the legal history of the question you will find that there has not been a second judgment given by the courts which corroborated the first one. When we find that, is it any wonder that many hon. members in this House should differ, and that we should pause and give this Bill careful consideration ? I wish to compare the separate school system in Ontario with the school system which we propose to force upon the province of Manitoba, and which is somewhat similar. In doing this I have the advantage of the report of the commission appointed by the Ontario Department of Education, to inquire into the charges made against the separate schools of the city of Ottawa. If there was any place in Canada where separate schools would be supposed to give satisfaction, it would be in the city of Ottawa with its large population. They have grown up along side of the public school system for years, and one would expect that they would gain some experience from that. In this report, however, the text-books used in the separate schools are condemned by Mr. White, the Inspector, who is a Roman Catholic himself, and are condemned by the commissioners, and yet these are the text-books which we propose to allow them to use in Manitoba if they see fit. (The hon. member read at length from the report referred to.)

Mr. TYRWHITT read in French from L'Histoire du Canada, par Bibeaud.

Mr. DEPUTY SPEAKER. What bearing has that upon the motion before the committee ?

Mr. TYRWHITT. I have not reached the point yet. I am not particularly aware that there is a point, but it appears to me that Bibeaud, being well versed in the history of the country, probably might have led up to the point ; but having failed to discover the point so far, I propose to deal with another subject. Now, Sir, I have in my hand a book called "A Connecticut Yankee in King Arthur's Court," by Mark Twain. (The hon. member proceeded to read from the book mentioned.) "There is no accounting for human beings." It appears to me that is a pretty good point ; there is no accounting for the action of the Government in pushing this Bill. "We make good time." I suppose that is an allusion to the way this Bill is going through committee. "Such a scene is always mournful." That, I imagine, Mr. Chairman, alludes to the scene we are now witnessing in this House when so many hon. gentlemen are lying prostrate with their forms in unsightly postures. It appears to me this has a direct bearing upon the subject.

Mr. EDGAR. Mr. Chairman, I think the hon. member is out of order. He says hon. members are lying about something. That is not a parliamentary expression.

Mr. DEPUTY SPEAKER. The hon. gentleman cannot use that expression about fellow members.

Mr. WALLACE. He said they were lying under a mistake.

Mr. DEPUTY SPEAKER. The hon. gentleman will have to take back that.

Mr. TYRWHITT. I was saying that they were lying down. Apparently you do not understand the dual language. "We heard it with out ears, or with our spirits." I should imagine that in mentioning spirits, probably the author meant to refer to the subject under discussion by the committee. We are certainly in very low spirits at times, when we see how little progress we are making with this Bill. It appears to me that has some bearing upon the subject.

It appears to me that I have contributed my share to the present discussion. I trust I have enligtened you, as I have endeavoured to do. In quoting from others as I have done, I feel that probably I have done my duty better than I should have done had I attempted to explain to unwilling ears the views I entertain. I only trust that this very pleasant discussion may be continued during the entire week so that each of us may have an opportunity to contribute to the literature that is going out to the country on this subject. I trust, Mr. Chairman, (Mr. Bergeron) that you will occupy your position for as many hours as possible, for the reason that you perform your duties in the chair so admirably.

Mr. BOSTON. Having voted against the second reading of the Bill, I would like to make a few remarks at this stage. I cannot be called an obstructionist, for this is the first time that I have risen to speak in this House. I come from a constituency in the west. I have been up home several times during the session and have taken means to make myself familiar with the opinions held by the people in that section of the country, and I am sure I am speaking the sentiments of my constituents when I say that they are entirely against the coercion of Manitoba. They say : These people in Manitoba are our own sons that have gone up there to make homes of their own, and we know them well enough to know that they will educate every child there and will give every child a fair start in the race of life. But they should not be coerced. The Dominion of Canada has spent large sums of money upon that great country. So far as I am concerned, I do not object to that, for I want to see that country prosperous. It costs us about $600,000 a year to keep the Mounted Police. We spent about $25,000 in establishing creameries and cheese factories. We spent $7,000 in assisting the agricultural interest there. I am not against such expenditures. Manitoba is already a great province, and our people do not want to see it coerced upon this school question. We believe that they are able to take care of their own school affairs and that in time they will give the Roman Catholics everything that is required to convince them that they are being fairly treated. During this discussion it has been made quite evident that where the people are left alone, as in the provinces of Nova Scotia, New Brunswick and Prince Edward Island, they live happily together, and their children are as well educated as in the province of Ontario or in the province of Quebec. This is proven by the men they send here—strong-minded, broad-minded men whom we are pleased to meet. When the discussion upon the question of confederation began, I was not very old. But I was a strong confederationist : I believed in trying to build up our country and in opening up the great North-west so that we could fill it up, and I have always considered it a great help to this Dominion. I warn the Government if they take this proposed step of coercing a great province, they will do more to prevent immigration to that country, they will do more to check the progress of that country than by any other course they could pursue. I do not believe that the Government are in earnest, but if they are in earnest in trying to carry this Bill, I am glad to know that they cannot succeed. For such a Bill as this could never be forced upon the people of that country. A Bill of so complicated a nature, a Bill which even the lawyers themselves do not understand. We should try to understand the Bill we pass before attempting to force it upon an unwilling province. Nobody can deny that this Government is trying to force an obnoxious measure upon an unwilling province. Now, I have before me the report of the conference held at Winnipeg between the commissioners of this Government and the Manitoba government, from which I will take the liberty of reading some extracts. (The hon. member read the report of the conference.) I hope the Government will at once close this discussion, finish the necessary public business, and go to the country. If as a result of the general elections the Government should return with a large majority on this question, we will of course bow to the decision of the people ; but it is not in the interest of the people of Manitoba and of the people of the Dominion as a whole that this Bill should be further proceeded with at the present time.

Mr. FEATHERSTON. The Manitoba school question has agitated the country from 1890 up to the present day. It is unfortunate the Government have handled it in the way they have done. Whatever may be my views with respect to separate or secular schools, I am opposed to the principle adopted by the Government of seeking to coerce the province of Manitoba. Since the Bill of 1890 was passed it has been through the courts. Different decisions have been rendered, and a final judgment has been obtained from the Judicial Committee of the Privy Council. It is now claimed that it would be disloyal not to endeavour to carry out that judgment. That is the excuse put forward by the Government for submitting the present Bill. In 1895, the Minister of Justice proposed to dissolve the House and go to the country on this question ; but he failed to carry out his views, because the French members wanted some pledge and did not consider the Minister was in earnest. I think the French members were correct, for I am satisfied that the Minister of Justice intended to go to the electors, pleading in one province that the Government would submit remedial legislation, and in another province telling its Protestant supporters that they did not intend to pass any Remedial Bill. This policy was the one adopted in 1890, when the Government appealed to the people on the question of reciprocity with the

United States. Honest Conservatives were led to believe that the Government were in earnest and would secure reciprocity within twelve months ; but the Government's action in that case was wholly insincere. I believe the Government are not honest to-day in attempting to pass remedial legislation. After the House met in 1895, there were differences in the Cabinet, and three of the French representatives withdrew. They were out for a few days, and then two returned, no doubt some inducements having been held out to them, but the third representative, having no faith in the Government, did not return. He was the most plucky of the lot, and except for the loaves and fishes, the others would doubtless have remained out, but they returned and are working with the Government at the present time. Coming down to the events of the present session, we find there was another bolt, seven members leaving the Cabinet. But before they went on strike, the Controller of Customs resigned. He went out on principle ; I believe he was honest in his action, for he thought by remaining in the Government he was not representing the true interests of his constituents. Then, we find seven of them conspiring for the purpose—as one would think —of wrecking the Government. But it was to strengthen the Government, according to the statement of the hon. gentleman (Mr. Foster), who led the House at the time. I agree that there never was a time when Canada more needed a strong Government, and I think the day is at hand when she will get it. These Ministers all came back, except one, who is replaced by a senior member of the same family. My opinion is —and I am satisfied it is the opinion of the country—that the Government is weaker now than it was then. I believe that the Government is not anything like as strong as at the time when the younger Tupper was negotiating with the French members of the Cabinet to introduce a remedial order, and go to the country on the strength of that. As they did that they probably hoped that the Manitoba government would do something to let them out of the trouble. It seems that the Government of Manitoba have made up their minds to run their own affairs, as the government of every province ought to do. I would like to see this question settled in a way satisfactory not only to the people of the other provinces but to the people of Manitoba. I think it is a great pity that we should have religious strife cropping up every now and then. I think it particularly unfortunate that at such a time, this House is kept in session as it has been, during such unreasonable hours. I do not think I can give a better reason in favour of this committee rising and reporting progress than is found in the following despatch which is published in the morning papers :

> Montreal, April 13th.—The following resolutions were unanimously adopted at the regular monthly meeting of the Protestant Ministerial Association this morning, and copies were ordered to be sent to Sir Charles Tupper, Secretary of State :
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> "That we hereby put on record our sense of shame and sorrow at the disgraceful conduct of certain members of the House of Commons during the debate in committee on the Remedial Bill as reported in the public press. The presence of intoxicated members in the House, the utterance of blasphemous language, the ridicule and sarcasm with which the Word of God was treated—all speak of a depth of degradation, which crimsons with shame the cheek of every self-respecting citizen of our beloved Dominion, and fills with sorrow and humiliation the heart of every Christian.
>
> "That while no excuse can exonerate the individual members of the House, who have thus disgraced themselves and humiliated the people whom they represent, yet it is self-evident that the physical and mental strain inseparable from an enforced session of a week's duration without interruption, with the exception of a daily intermision of two hours for dinner, together with an open bar for the sale of intoxicants, are the aggravating causes of the unhappy occurrences which to-day hold up our young Dominion to the pity, if not the scorn, of the civilized world, and we hereby call upon the leader of the Government in the House, who is a medical doctor, and fully aware of the consequences of such a violation of natural law, to limit the daily sessions of the committee and the House to a period of time compatible with the laws of health, and with the mental conditions essential to the enactment of wise legislation."

Another reason why I should like this committe to rise and the House to adjourn is that at the next sitting I may have an opportunity of calling attention to a matter that is greatly agitating the minds of the agriculturists of this country. As I have told this House two or three times there is a serious agitation in England with respect to important branches of our export trade to that country which demand the immediate and serious attention of the Government. I am sorry that the Government have paid no attention whatever to the horse trade between this country and England. I notice in this morning's paper that a representative from a committee of the health department of Liverpool alleges that the spread of glanders among the horses of that city is due to the importation of Canadian horses. I am satisfied that, if the Government does not do something to prevent the landing of diseased horses, whether Canadian or American, in England, we may look to see our horses also scheduled. I am satisfied that nine out of ten of the diseased horses landing in England are American horses that pass through Canadian territory. But the people in England regard them as Canadian horses, and naturally so seeing they are shipped from a Canadian port. It is most important that an opportunity should be had to discuss this question. I warned the Government about a year ago that your sheep would be scheduled if steps were not taken to prevent it, and they have been. And I warn them now that inside of three months our horses will be excluded from Great Britain, unless prompt and satisfactory action is taken by this Government. I think it is a great pity that this House should not be allowed to discuss matters that are necessary to the welfare of the country instead of occupying time with a question which is before us only that it may be used to secure the seats of gentlemen opposite in the next election. I am satisfied that this Bill is nothing more or less than an election dodge, and I am sorry that any man should resort to such tactics for the sake of power. I would not support such tactics in any party for the sake of power to the neglect of the real interests of the country.

Mr. BORDEN. Surely, after a sitting of eighteen hours, there cannot be any difference of opinion among hon. gentlemen who compose this committee on the motion before you that we should rise, report progress and ask leave to sit again. Is it possible that this Government intend to condemn this House and this committee to repeat this week what we passed through last week, to sit from Monday at three o'clock until Saturday at midnight ? To do so would be to make a howling farce of parliamentary government in this country. The reasonable proposition was made at two o'clock this morning—it might be called unreasonable it was so favourable to the Government—that we should sit for two hours longer and then rise and the House adjourn. Up to the time this proposal was made, the committee had made considerable progress. But to this proposal the Government would not consent. What are we to understand ? Surely the Government must know by this time that it is impossible to go on with this Bill until they are willing to limit the working of this committee to reasonable hours. We can sit for eight or ten or twelve hours, or even fourteen hours and make some progress, but if the Government insist that after three o'clock, or after four o'clock according to the proposal made this morning, we shall be kept sitting here, they must know that it is absolutely impossible for them to get on with the measure. We should be more than human to submit to any such coercion. It is nothing less than the most outrageous attempt at bulldozing Parliament that has ever been known in a country boasting free institutions. Certainly nothing like it has ever been attempted in this country. Certainly nothing like it has ever been attempted in Great Britain, and certainly nothing like it has ever been attempted in any of the British colonies that I have ever heard of. If we expect the people of Canada to have any respect for us as a Parliament, we should give up this farcical procedure and return to common sense and regular methods of carrying on the business of the House.

Mr. DALY. Hear, hear.

Mr. BORDEN. I believe that if the hon. Minister of the Interior (Mr. Daly) had the matter under his own control, he would not keep us here. I cannot believe that it is the desire of that hon. gentleman, or perhaps of a majority of the Cabinet that the kind of thing we have had during the past week should be continued until the end of this Parliamentary term. I would appeal to the hon. Minister and to those hon. gentlemen who, like myself, are amenable to reason, and who, unlike the gentleman who leads this House are not able to spend two-thirds of their time in bed or out side of this chamber ; I appeal to these gentlemen, who can sympathize with those of us who sit here twenty-four hours out of the twenty-four to try to bring their friends in the Cabinet to reason and induce them to return to sensible methods of carrying on the business of this House. There is only one conclusion to be drawn from the conduct of the Government. If they seriously desired to carry this law, they would not pursue the course they are pursuing. As I have said before, it is as clear as the noonday sun that the ruling spirits of the Government at any rate, those who direct its destinies—or, perhaps, its fate would be a more proper term—never had any intention of having this Bill become law, and the methods they have adopted during the last few weeks make that absolutely clear. They are taking the best means in their power to prevent the Bill becoming law. There is at the same time a certain other motive in the conduct of the Government. While they prevent the Bill from becoming law they are endeavouring to give a large section of the people of this country an idea that they are sincere and are really making an honest effort to put this Bill through. But even if you go back a few months and view the course of the Government with reference to this legislation it becomes plain that they have no desire to carry this Bill through Parliament. Had that been their desire, they would have introduced the Bill during the session of 1895, which opened some months after the remedial order was passed.

The Government boast of having carried the second reading of this Bill by a considerable majority, as the Secretary of State put it. Well, if you analyse their majority, you will find that, deducting from it the votes of several gentlemen who usually vote with the Opposition, the Bill was carried by a majority of just four Conservative members. Since that vote, one supporter of the Government has been appointed to a judgeship, one has gone back to his home in British Columbia, and another one, I regret to say, has passed away altogether from this sublunary sphere ; so that of the four Government supporters who constituted the majority on the second reading, exactly one remains. Now, Sir, when we consider the course pursued by the Government ever since they began to talk of remedial legislation, the long delay which they allowed to intervene before getting down to actual work on the Bill, and the tactics they have since adopted of aggravating the patience of the House, and of inviting obstruction, we are forced to the conclusion that the Government never had any real intention or any real desire of passing this measure into law. Their aim seems to be to deceive a section of the people of this country interested in remedial legislation, and to make them believe that they are sincerely desirous of passing the Bill; while on the contrary their whole course proves that they have no real desire to pass the Bill.

This is a measure intended to engraft upon a province laws with reference to a subject over which the provinces have exclusive right to deal. It is a law which is contrary to the expressed wish of the people of that province, expressed by an overwhelming majority. That is the proposal contained in this legislation which is now before this House, and which this Government is determined, by hook or crook, right or wrong, to force through the House.

Mr. McALISTER. You just said they did not intend to do it, that their action was a sham. How can you reconcile the two statements?

Mr. BORDEN. I say that they are doing this for the sake of effect, for the sake of making a certain section of the country believe they are in earnest in appearing to endeavour to force the measure through this House.

Mr. McALISTER. You said a large portion of the people were opposed to it; then how can the Government be seeking their favour?

Mr. BORDEN. I said they were trying to please a section. I did not say they were trying to force a law through Parliament which a majority of the people wanted; I said that only a section of the community wanted it, and the Government, by their Remedial Bill, is endeavouring to secure the favour of that section of the community, and having started out on that line, they are bound to proceed upon that line.

Mr. McALISTER. You said a moment ago that they did not want to put it through.

Mr. BORDEN. I said they are endeavouring to make the people believe they want to put it through. I would advise the Government to study the system which prevails in Nova Scotia and New Brunswick, where every section of the community is perfectly satisfied with the working of the educational laws in those provinces, and to see if they cannot settle the Manitoba school question on similar lines.

Mr. WELSH. The action of the Government in keeping hon. members sitting day and night is inhuman and disgraceful. It cannot be expected that independent men will submit to such dictation, and that a coercive measure can be forced through the House by such means. The majority of the people throughout the Dominion will condemn this action of the Government at the ensuing elections. In regard to this so-called Remedial Bill, I am bound to say that I have always held strong opinions on the school question, and agree with the views held by the late John Bright, of England. He was an advocate of the voluntary system. If a man pays something towards the support of church and school he takes more interest in them. People nowadays suppose they get education free, which is a mistake; but because they apparently do not pay for it they take less interest in it. Of course if I expressed these sentiments on a platform, I would stand almost alone. While I have always supported the free school system in preference to the separate school system, I adhere to my belief in a non-sectarian system. But the systems prevailing in Prince Edward Island, Nova Scotia and New Brunswick, which are almost identical with the present Manitoba School Act, have admittedly given perfect satisfaction. The Secretary of State has declared in this House, with a flourish of trumpets, that he carried the School Act in Nova Scotia about thirty years ago, and that it has given satisfaction to Roman Catholics and Protestants. Yet that hon. gentleman now desires to go back on the system introduced by him in Nova Scotia and force a new system on Manitoba. That provincial government has offered to supplement the Manitoba Act by giving rights which the minority now enjoy by custom in the lower provinces, but they are willing to enact them by law for Manitoba. If the people were treated properly, this educational question could be settled without compulsion and coercion. Even if the present Bill were passed, it would be useless and unworkable, for it would be impossible for the Dominion Government to force the Manitoba government to carry out its provisions. Do hon. gentlemen opposite intend to raise another rebellion in Manitoba and the North-west? They should understand at once that the people would not submit to this measure of coercion, even if it became law. (The hon. gentleman then read the reply of the Manitoba commissioners to proposals submitted by the Dominion commissioners.)

Mr. COSTIGAN. Have you not a word to say about clause 14?

Mr. WELSH. I am speaking now on the motion to adjourn. It will take about four hours to give you the information you lost by being away last night. You have to depend upon the Opposition to keep you posted. In speaking the other day I spoke about the Devil's Bill. I want to explain about what I had in mind at that time. I received a letter from a very strong Conservative in Amherst, N.S., in the constituency of the hon. Minister of Justice (Mr. Dickey). This letter is from a very worthy man, and I have known him for many years. This is a private letter, but if I were to read the part that pitches into the Government and leave out the part that pitches into me, you would say that it was garbled. So I will read the whole :

Remedial Bill and Ship Railway. Well, to be honest, I know all about your sympathy for the latter. I do not blame you for the stand you took, but do not you think the Government of Canada is in honour bound to give the extension of subsidy, as the scheme is as profitable as it stands as it was before. As to the Remedial Bill. I believe it is one of the devil's origin to cause turmoil and trouble. I would not vote for a man or a government who would support such a bill. Let Manitoba deal with her own affairs, I say.

Mr. McDOUGALL. Name.

Mr. WELSH. I cannot see you over there. Who is speaking ?

An hon. MEMBER. McDougall, of Cape Breton.

Mr. WELSH. Oh, coal dust ! But the hon. gentleman could never see ; he was born blind.

Sir RICHARD CARTWRIGHT. Morally or physically blind ?

Mr. WELSH. No ; politically blind. We can fight our battles here without coming to anything personal.

Mr. HUGHES. Hear, hear.

Mr. WELSH. I think that it is the man who votes two ways who is speaking How will you vote next time ? I come now to the rejoinder of the Dominion commissioners. But it is too long to read it all.

Mr. McALISTER. Read it all.

Mr. WELSH. You are fond of interrupting and taking up time, but you do not do anything else.

The CHAIRMAN (Mr. Mara). Order.

Mr. WELSH. When I was aboard ship I was accustomed to get fair play and make every one do as they were told. You are the captain of the ship, just at present, Mr. Chairman, and I bow to your ruling. Now, if we are not inhuman we will give these poor little boys, the pages, a rest, and the big boys too, and will adjourn until three o'clock. Surely the Government and the hon. gentlemen at their back do not suppose for a moment that they are going to bully us into passing this Bill. If this system of day and night sitting goes on we shall have another spell at it, and we will give you many queer yarns before we are through with you. Let the Government change their course in this matter.

While the lamp holds out to burn
The vilest sinner may return.

Mr. WELSH.

Before you go to the people show that you have some repentance by forsaking your evil ways.

Mr. PATERSON (Brant). As a majority of the hon. gentlemen now present were not here during the night, it would be proper to give some account of what has passed since they left. Some time this morning the gentlemen who had been working faithfully on the Bill proposed that the committee should sit until four o'clock and that then an adjournment should take place. But the Government refused an adjournment. As it was felt that the members were entitled to rest, a motion that the committee rise and report progress was moved. It was not until after about twelve hours work that that motion was moved. And seven hours have passed since then. We have had now nineteen hours of continuous sitting, and I think the committee will see the necessity of rising. Because many hon. gentlemen find themselves in opposition to this Bill, and have spoken against its passage, their conduct has been denounced as bad, as outrageous, and they have been called obstructionists. Now,how will the country view this question? Had this House not given every facility for the proper consideration of this Bill ? If we find that there is not time during the existence of this Parliament, to complete it, should any blame be put upon those gentlemen who feel it their duty to see that, if the Bill is to become law, it should be made as nearly perfect as possible ? It seems to me that the blame should rather be put upon those gentlemen who, having the conduct of business in their hands, deliberately neglect, if not designedly, to introduce it until two months after the House had been in session. So far every clause that has been considered in committee, was found to be so imperfect that it had to be amended in important particulars ; and when we consider that there are 112 clauses in the Bill it becomes evident that the Government cannot expect to have it passed through the House during the few remaining days of the session, if the various clauses of it are to be considered and put into a shape that would make the measure at all workable. If that be the case, what is the use of going through with this worse than farce, asking the members to sit here day and night ? We have seen what took place during the last week and last night. When last night this motion to adjourn was placed in the hands of the Chairman, the House was nearly deserted of members, there was no one in the House belonging to the Government, who was able to explain or defend the provisions of the Bill. For hours the Minister of Railways alone was the occupant of the Treasury benches. While not wishing to say anything against the hon. gentleman's ability to do the work that he is called upon to do in his department, all will agree with me that he was in no position at all to explain the provisions of this Bill to the committee. We saw Ministers who are supposed to be in charge of this Bill, leave the chamber deliberately, and not re-enter it at all during the night and morning. The Minister of the Interior, who is supposed to be specially conversant with this Bill, who is a legal gentleman himself, and whose opinions would carry some weight—even that hon. gentleman did not arrive in the chamber until eight o'clock this morning.

Mr. DALY. Half-past seven.

Mr. PATERSON (Brant). When there was no one here representing the Government, who was capable of taking charge of the Bill, of course it was impossible to discuss it intelligently. Why then was the committee kept sitting ? I think that it would be in the interest of all parties that the motion for the committee to rise should prevail. The House is not in a position to deal intelligently with this Bill. In view of its extraordinary character, the combined wisdom of all the members of the House is needed in order to make it such a Bill as a Bill ought to be which goes out from this House, and when there are so few members present, I think certainly the committee should accept the motion to rise and ask leave to sit again.

Mr. SPROULE. I was informed on entering the House this morning that considerable progress had been made with the Bill, that some clauses after careful discussion and the adoption of important amendments had been adopted. After 3 o'clock this morning, however, the usual motion was moved that the committee rise and report progress. That motion was opposed by the Government. They should have had sufficient experience to have become satisfied that it is impossible to coerce independent members of this House. There are many reasons why this proposed measure should not pass. It is admittedly a Bill of great importance, it is a lengthy Bill ; we are now at a late period of the session and there is not time to do it justice ; and under these circumstances the Bill should be withdrawn, the important work of the session proceeded with and an appeal made to the people. Parliament is supposed to reflect the will of the people and to enact laws in accordance therewith. How far are we reflecting the will of the people to-day ? Is it the will of the people that this Bill should be forced through Parliament, that we should coerce Manitoba, that we should take from that province the right to control her educational affairs and interfere with her provincial rights ? Such is not the will of the people. How do we ascertain the will of the people ? First, through the public press. The majority of the newspapers to-day are against interfering with Manitoba, against the Government forcing through this so-called remedial measure and against depriving the province of its right to control education. Next, we learn the will of the people from resolutions passed at public gatherings. The unmistakable verdict of the people is against interference with Manitoba.

Mr. JONCAS. How many gatherings have been held ?

Mr. SPROULE. I should not like to take up the time of the committee by reading the reports, but gatherings might be counted by hundreds.

Mr. JONCAS. Where ?

Mr. SPROULE. There was a gathering of Presbyterians in Montreal only yesterday, a report of which the hon. gentleman will find in to-day's "Citizen." That gathering expressed itself opposed to interference with Manitoba, and against remedial legislation. I could proceed and quote from gatherings of Wesleyans at Toronto and Guelph.

Mr. GILLIES. What is your opinion of the Conservative meeting in North Bruce ?

Mr. SPROULE. I am privately informed from reliable sources that when the meeting which was represented to be a meeting of the Conservative Association of North Bruce was held at Wiarton to discuss public questions and the public policy of the Government, one of the hired men of the Government, who has been ready for the last five years to assist the Government on any question no matter what its nature so long as he was paid $10 a night, went there.

Mr. BENNETT. To whom does the hon. gentleman refer ?

Mr. SPROULE. To John George, of Port Elgin.

Mr. BENNETT. John George is quite as respectable as you are.

Mr. SPROULE. I am not speaking about his respectability. The hon. gentleman, in his anxiety to be offensive and to interfere with the right of discussion, brings that up. I repeat that I am saying nothing about his respectability, but I am saying that he has been employed by the Government. He was employed in North Ontario and in Cardwell.

Mr. McGILLIVRAY. I ask the hon. gentleman why he says that he was employed in North Ontario ?

Mr. SPROULE. I saw in the papers that he was down there speaking.

Mr. McGILLIVRAY. I employed him and paid him. How does the hon. gentleman know he was in the employ of the Government. Certainly he was not in the employ of the Government.

Mr. SPROULE. He went there and spoke for the Government and for their policy. By whom was he brought down ?

Mr. McGILLIVRAY. By me.

Mr. SPROULE. I was told by the committee and by Mr. Birmingham. Who took him to Cardwell ? Were the voters there not intelligent enough to attend to their own affairs ?

Mr. TISDALE. When the hon. gentleman makes the statement, which has been denied positively, that this gentleman was employed by the Government and three hon. members have declared that he was not so employed, it comes down to a simple question of fact.

Mr. PATERSON (Brant). Those three hon. gentlemen must take my hon. friend's statement.

Mr. SPROULE. Before I could answer the question put by the first member, the second member rose, and before I could answer him a third member rose, and I now have the fourth member, and I have not had time to answer these questions.

Mr. BENNETT. I wish to say——

Some hon. MEMBERS. Order.

The CHAIRMAN (Mr. Mara). The hon. member for East Grey (Mr. Sproule) has the floor. When he has finished hon. members can ask him questions, but so long as he does not give way he should not be interrupted.

Mr. SPROULE. In regard to North Bruce, I said I was privately and reliably informed that at the meeting called to endorse the action of the Government on this question, they dare not discuss the school question, and there is not a word in regard to it in the resolution adopted. That is how far their policy on the school question has been endorsed. The general policy of the Government was endorsed, as I have supported it for seventeen years. I support the Government's general policy, but their action in regard to this remedial measure I believe to be wrong. Taking all the expressions of public opinion, the church gatherings are against this measure, the pulpits of the country, the political gatherings and the social gatherings are all against it. We can also judge largely the current of public opinion by conversation in social intercourse. That shows public opinion to be against the Bill. Commercial travellers from different sections of the country report that the Remedial Bill is universally unpopular, that the great majority of the people are evidently against it, and are opposed to any interference with Manitoba's rights. Hon. members of this House should endeavour to bring themselves in accord with public sentiments. Public opinion demands that the electorate should have a voice on this matter before the Bill is passed. We know that the press of the country hold it to be unwise to pass such a Bill now, and declare that the Government of the day are destroying their own popularity so as to lead in all human probability to their defeat. We, as Conservatives, do not want that result brought about, because we believe that in the main the policy of the Conservative party has been right, and we support it now, as we have done in the past. But in respect of this measure we believe that they are wrong and feel reluctantly and unwillingly to oppose this Bill. Four times in Canadian history has this question engaged public attention. The principle involved here is the question of separate schools. At confederation we accepted the contract that was entered into between Ontario and Quebec that we should have separate and dissentient schools in perpetuity, but most of us understand that it was not contemplated that that right should be extended to any other province. The effort was made to establish the right to separate schools in Prince Edward Island. A long and painful discussion took place, but the provincial legislature refused to recognize the principle of separate schools or to admit that it was intended by the Confederation Act that separate schools should be maintained in the province. Public excitement ran high, but still the principle was maintained that there should be no separate schools in Prince Edward Island. Certain slight amendments were made in the educational laws, certain concessions were made in the regulations controlling the working of schools, and the question was settled by the acceptance of the system. The children are educated in a satisfactory manner and, so far as we know, no complaint is made against the system now in existence. At another period the same discussion took place in New Brunswick, the effort being made to establish the principle of separate schools. But after an exciting discussion which aroused the religious animosities of the people to a high pitch, the question was settled by some slight amendments and the educational system of the country is being successfully and satisfactorily carried out. But this was not until after the question had been fought out in this Parliament. To-day we do not hear serious objections to the educational systems or complaints that the minority are illiberally treated. In Nova Scotia the same question came up and the matter was taken up not only in the press but in the pulpit and in social gatherings. The principle of separate schools was believed by the majority to be unsound and was not conceded. The hon. leader of this House took great credit to himself for introducing the school law which still exists in that province and which he says gives satisfaction to the people. I say that he is entitled to great credit for the wisdom he displayed in introducing and carrying through that law. And though that Act was passed, I think, in 1864, no material alteration has been made in it since confederation. The Roman Catholic and Protestant children are educated together and associate together as they ought to do. They are growing up together to be good citizens under the same system of education as the people of Manitoba seek to carry into effect in their own province. Now, for the fourth time we are face to face with this question and this agitation. Manitoba, exercising what we regard as her undoubted right, did away with a system of education which was unpopular and unsuited to the local conditions and established a system that was calculated to bring about the best results in the province. An agitation was carried on by those opposed to this system. Though that agitation attained some height in Manitoba, it did not go so far as it did in the province of Quebec, which is over a thousand miles away from Manitoba, and whose people cannot be expected to understand the local conditions as well as do the people of Manitoba. Quebec would indignantly refuse to allow the Dominion Parliament to interfere with her rights, but at the same time was willing to insist upon interference with the rights of Manitoba. We are advised that this Parliament has the constitutional right to deal with the question. Under certain limitations, I think we have the right to deal with it, but I deny that it is wise for us to deal with it, or that we are constitutionally justified in dealing with it as is proposed in the measure now before the House. The agitation failed in all these provinces—Prince Edward Island, Nova Scotia, New Brunswick and Manitoba. Why then should we deal with the question here? Is not the failure of this agitation in every one of these cases the best proof that we should not interfere? Having refused to interfere with the rights of these other provinces, why should we interfere with the rights of the province of Manitoba? We are now invading new territory where the condition of things is unknown to us and is unfavourable to the principle involved in this Bill. I stated in the first debate on this measure that if success attended the efforts to force separate schools on Manitoba, it would open the educational question in the whole Dominion. In view of the agitation which has started in the North-west Territories, I think I was justified in such a statement. The Finance Minister (Mr. Foster) declared that there was no logical justification for any such conclusion, nor had there been any utterances of public men to form a basis for it. I cited as my justification for that statement and as opposed to what the Minister of Finance said the statement of Archbishop Langevin with regard to educational affairs. The Minister of Finance said that if Archbishop Langevin had stated the same ten times over it would not justify me in making the statement I made. I had not the report of Archbishop Langevin's utterances at hand at the time, but I have it here. I read from the Edmonton "Bulletin" of 19th December, 1895:

> The following is a synopsis of the reply of Archbishop Langevin to the address of the Catholics of Edmonton delivered in St. Joachim's church on Sunday afternoon last:
>
> Archbishop Langevin, in reply, expressed his thanks for the expressions contained in the address, and for the opportunity which it gave him of stating his views. The school question was looked upon as of the very first importance by Catholics, who in their present stand on the subject were fighting for their rights, and would defend those rights, if necessary, to the death. They were not slaves. This question was not one that could be settled by synods. It must be settled by the court of highest jurisdiction, the Parliament of Canada, and unless Parliament granted Catholics their school rights, confederation could not stand. He could not understand how, when a Government does its duty, it should not be supported. This was not a question of Catholic or Protestant, but of right and justice.

Well, he assumes the thing to be a right which a great many deny to be a right.

> A commission of inquiry had been suggested. For five years we have had nothing but the school question. Every one knew about it. It was strange that the matter had been before the courts from year to year, and yet we knew nothing of it. Even the children could tell of the school question. No; we need no commission, but justice and right. A commission on this question would be an insult to the country, and every one in it. When England made her laws she did not possess all the lands she does now. And when she makes her treaties those treaties stand good even if she adds to her possessions. If Australia did not belong to England, English treaties would stand just the same. Then it should be so in the case of Canada, as in that of England. An addition to the territory of Manitoba did not abrogate the agreement regarding Manitoba. Catholics claimed their constitutional rights. They claimed that the minority in the Territories have the same constitutional rights as in Ontario.

We deny that. In Ontario and Quebec the agreement that was entered into was endorsed at confederation. There is nothing which justifies any one in saying that the same right was to be extended by the constitution to any other province that came in; but the right they had when they came into confederation was to be continued to them.

> As long as you in the Territories have not your school books, your teachers, your inspectors, your training for teachers, you have no separate schools in fact. Are your interests protected on the Council of Public Instruction by a representative without a vote? The council meets and may listen to your representative, but does as it pleases afterwards. Such a system could not be accepted.

Then, was I not justified in saying that if we give this concession to-day, we are face to face with an agitation that will end, no one knows where, or when.

> He had a direct interest in the school question in the North-west, as a part of the district of Assiniboia was included within his diocese. The Catholics of the Territories were bound in conscience to fight to obtain here what they wanted in Manitoba, and were bound to have. He was pleased to see that the laity were with the hierarchy on this question. It had been insinuated that the hierarchy held stronger views on this subject then the laity, and he was glad to have it thus proven that it was not so. The duties of the hierarchy and laity were the same. It was the duty of every Catholic to educate the children under his care according to his conscience.

That is the system of schools in the North-west Territories which the Minister of Finance told us is perfectly satisfactory. Now, the church does not say they are satisfactory : therefore, am I not justified in saying that in the future they are likely to fight for the concession which they ask in this Bill, as soon as it is granted in Manitoba, to be extended elsewhere throughout the Dominion ?

> The first right in respect of education belongs to parents, and parents were bound, as well as the clergy, to answer before God for the education of their children. As you give them food and raiment you must give them moral training. At the great tribunal you will be asked the question "did you give moral and religious training."

No one objects to that, no one objects to the religious instruction at definite times.

> Catholics as well as Protestants wanted a first-class education, and he denied that the education of the Catholics was inferior to that of the Protestants.
>
> Our public men can perform their duties as well as others. A Manitoba member had admitted to the speaker that the Catholic members of Parliament were superior to the Protestant members in education. We want our children to be good and then to be learned. Catholic children should receive Catholic instruction. Under the present regulations in the North-west the children had been tired with the day's work, during the last half hour religion was allowed to be brought in. This could only tend to disgust the children with religious teaching.

Well, now, the best information we have with regard to separate schools in Manitoba, justifies us in believing that they were not efficient, that they were not as good as they should be, that they were not as good as the public schools there, and therefore that the province was entitled to devise some system that would give better educational facilities to the Roman Catholic children.

> Food must be given daily. Moral training should be instilled in the minds of the pupils throughout their whole course of study.

No one objects to moral training, it is a good thing for both Protestants and Catholics.

> In conclusion he thanked his beloved people from the bottom of his heart for their address. He was sure that the Bishops of St. Albert and Athabasca-Mackenzie sided with him in the stand taken on this question, and in his gratitude for the expressions contained in the address.

Now, was I not justified in saying that if we grant this concession to-day, if we force these schools upon Manitoba to-day, will we not be obliged in the future to deal with the same question in the North-west Territories? If we force a system of separate schools on Manitoba and the North-west Territories, is it not reasonable to suppose that the same power will force the fight to have the same concession in British Columbia, and then in Nova Scotia, New Brunswick and Prince Edward Island ? Now, we have the strongest evidence that Manitoba does not want this system of schools. She has said so when she passed her Act of 1890, and when she established a new educational system that was regarded as more suitable for the wants of the people. She said so when she refused to allow the principle of separate schools to be re-established. She said in answer to the request of the Dominion Government that she should amend her educational laws, and place them in harmony with the wishes of the minority. She said so when she answered the remedial order, and she said so in the last provincial elections, when her people, by an overwhelming majority, pronounced against the system of separate schools. She said then, and at various time since : We will not accept the principle of separate schools, we will not tolerate it. On every occasion she has stood unalterably upon her rights, and has asked the Government to respect those rights, and not to force the situation. She has given all-sufficient reasons why she does not want separate schools. She does not want them because, when they existed there, they were inefficient ; because they divided the children into two camps, and where the settlement was sparse, it was impossible to carry on, successfully, two classes of schools. She has cited to us the fact that there are 190 schools in that province where the average attendance of scholars is less than ten ; and if you divide up such a district and compel four or five families to build a school-house, and to support a teacher, and to pay for all the furnishings of the school, you are placing upon those poor families a burden of taxation which they will find it very hard to bear. I have here a list of school districts where there are only five children, and upwards to ten, and what folly it would be to divide these schools into two. Manitoba declares that it does not want the Remedial Bill, because it will interfere with its normal schools ; that there is no necessity for a separate Catholic normal school as all teachers can be instructed in secular education in one such school ; that this would involve additional and useless expense, and that the more the funds are distributed, the less efficient will be the results. Dominion commissioners visited Winnipeg, and the report of their negotiations has been presented to the House. Almost the first request made by these commissioners to Manitoba was that the principle of separate schools should be admitted. But it has been clearly and unmistakably refused by the people at no less than three elections that they were opposed to separate schools. The commissioners asked for Manitoba that Catholic representation be given on the advisory board. The provincial commissioners at once agreed to that request, and mentioned that representation had been voluntarily offered at a previous time. Next, it was suggested that the school rooms in the building should be divided, and the children be thus practically divided into two camps, Catholics and Protestants. The province refused this proposition. Then it was asked that religious education should be given during some portion of the day. The provincial representatives were willing to agree to that proposition, if that instruction was given during stated hours, especially from 3.30 to 4, but on the distinct understanding that Presbyterians, Methodists, Church of England, Congregationalists and Roman Catholics should each have equal rights and privileges to give such religious instruction. The Dominion Government further claimed that they were able to enforce the rights sought to be given the Roman Catholics by the Remedial Bill. Manitoba declared that the Dominion might be able to enforce some of them, but could not enforce all. The hon. gentleman read the offer made by the Manitoba commissioners. Manitoba offered either to secularize the schools, or to permit religious teaching by Catholics and Protestants alike during specified hours. It appears to me that the objection which the minority offered to the present educational system would have been removed, if the latter proposition had been accepted. Objection has been raised to children attending school where there was no religious instruction given, and under the second proposition such instruction could be given after regular school hours. We have been told repeatedly by the Secretary of State and other hon. members that the educational system of Nova Scotia is perfectly satisfactory, and that the only objection that can be raised is that the rights granted to the Catholics are given by courtesy and not by law. Manitoba has, however, offered the same rights, and has expressed its willingness to enact them by law. If the arrangement in Nova Scotia is satisfactory, it is important to know exactly what the Nova Scotia school law is. The school law, as consolidated, was passed on 20th March, 1895, and this embraces the Act of 1864 relating to education, for which the hon. the leader of this House takes great credit on account of having enacted it when in Parliament. It provides :

THE COUNCIL OF PUBLIC INSTRUCTION.

1. The members of the Executive Council shall form a Council of Public Instruction, five of whom shall be a quorum.

2. The Governor in Council shall have power to appoint a Superintendent of Education, who shall also be Secretary of the Council of Public Instruction.

3. The Council of Public Instruction shall have power :

(1.) To direct (in all cases not specifically provided for by statute) the expenditure of such sums of money as may from time to time be appropriated by the legislature for educational purposes, such expenditure to be made on the requisition or certificate of the Superintendent of Education.

(2.) To appoint a principal of the normal and model schools, and also such assistant teachers as may be found necessary, and to fix the salaries of the same.

(3.) To make regulations for the conduct of the normal school, and to prescribe the conditions of admission and graduation of students, who shall receive five cents a mile for travelling expenses to and from the institution.

(4.) To divide the province into inspectorates, and upon the recommendation of the Superintendent of Education to appoint an inspector of schools for each of said divisions, to prescribe regulations for their direction, and to make such provisions for their payment as may from time to time be deemed proper.

(5.) To prepare and publish regulations, under which moneys may be drawn and expended and teachers classified, to grant and cancel teachers' licenses, and make such general regulations for the guidance of school boards as may seem best fitted to bring about uniformity in their proceedings.

(6.) To fix the time of the annual meeting of each board of school commissioners, and call special meetings of any board when deemed necessary ; and to make such changes in their districts as may from time to time be found necessary.

(7.) To regulate the time in session, holidays and vacations, of all public schools.

(8.) To prescribe the form of school registers for all public schools.

(9.) To prescribe text-books, courses of study, and apparatus for all public schools, proper books for school libraries, and plans for schoolhouses ; and also text-books to be used for instruction required to be given under section 75 (7) of this chapter. Said text-books to be used in the primary or intermediate grades shall give at least one-fourth of their space to the consideration of the nature and effects of alcoholic drinks and narcotics ; and the text-books to be used in the higher grades shall contain at least twenty pages of matter relating to this subject.

(10.) To make regulations for constructing, locating and controlling county academies, and to authorize the payment of provincial grants to the same.

(11.) To receive the recommendation of any inspector for separate apartments or buildings in any section for the different sexes or different colours, and make such decisions thereon as they shall deem proper ; but coloured pupils shall not be excluded from instruction in the public school in the section or ward where they reside.

(12.) To expend a sum not exceeding sixteen hundred dollars per annum for the establishment and support of school libraries, on the condition that any section raise a sum equal to the amount sought from the Council (consideration being given to poor sections), the books to be selected from a general catalogue authorized by the Council, and the libraries to be managed under uniform regulations prepared by the Council, and at all times to be open to the inspection of the superintendent, inspectors and examiners.

(13.) To appoint qualified persons to constitute a provincial board of examiners, to examine and report upon the written exercises at the annual examination of pupils who have pursued a high school course of study at the county academies, high schools, or elsewhere, the results of such examinations to be used as evidence of scholarship in the case of applications to the Council for licenses to teach ; to prescribe the mode in which examinations shall be conducted, to designate the times and places at which candidates shall present themselves for examination ; and to make such further arrangements as may be deemed necessary. The examiners so appointed shall be paid such sums as the Council may determine, and the persons appointed to conduct the examination at each station shall be paid a sum not exceeding three dollars per diem while actually engaged in the duty.

(14.) To appoint a lecturer on agriculture in connection with the provincial normal school, and to define particularly the duties of the aforesaid lecturer with reference to the following general objects :

(a) Instructing the pupil teachers in agricultural chemistry and the sciences bearing on agriculture, according to the provincial standards of examination, as announced from time to time.

(b) Conducting a regular course of lectures on agricultural science, with experiments and laboratory practice, for the benefit of young men generally who may wish to fit themselves for the successful prosecution of agriculture, and with a view of training teachers for the special schools provided for in this chapter.

(c) Inspecting and reporting upon any schools receiving special grants under authority of this chapter, so far as the teaching of agriculture is concerned.

(d) Delivering public lectures on agriculture throughout the province, so far as his other duties will permit.

(15.) To frame regulations as to the outfit and management of schools in charge of teachers holding an agricultural diploma, and claiming the special grant aforesaid ; and without the due observance of such regulations by both trustees and teacher the special grant shall in no case be paid.

(16.) To distribute annually a sum not exceeding $250, as prizes, among the five teachers who shall pass the best examination on the subjects of the course.

(17.) To divide the province into school commissioners' districts, and to appoint seven or more commissioners for each district, who shall form a board, of whom three shall be a quorum. But in case there should be no quorum at any meeting, duly called, the Council of Public Instruction shall, on the recommendation of the inspector, perform the duties of such board at the said meeting.

(18.) To determine all cases of appeal from the decisions of commissioners and trustees, and make such orders thereon as may be required.

(19.) To make any provisions, not inconsistent with this chapter, that may be necessary to meet exigencies occurring under its operation.

SUPERINTENDENT OF EDUCATION.

4. The Superintendent of Education shall receive an annual salary of two thousand dollars, and four hundred dollars for travelling expenses and contingencies of office. The superintendent's duties shall be as follows :—

(1.) To have, subject to the Council of Public Instruction, the general supervision and direction of the inspectors, the normal school, county academies, high and common schools.

(2.) To enforce the provisions of this chapter and the regulations of the council.

(3.) To promote the establishment and efficiency of county academies.

(4.) To hold public meetings and institutes of teachers.

(5.) To inquire and report respecting the qualifications of teachers and the management of schools.

(6.) To inspect as often as possible all the county academies, and, when directed by the Council of Public Instruction, any school receiving provincial aid.

(7.) To prepare printed instructions and blank forms for all purposes required by this chapter, and furnish them gratuitously to the inspectors, boards of school commissioners, trustees and teachers.

(8.) To make annually for the information of the legislature a report on the state of the academies and schools subject to his inspection and supervision, accompanied by full statistical tables and detailed accounts of the expenditure of the moneys appropriated under this chapter, to collect as far as possible the statistics of all educational institutions in the province, and offer such suggestions on educational subjects as he may deem proper.

(9.) To apportion, with the assistance of the inspectors, as hereinafter provided, the county fund among trustees annually, and pay the provincial grants to teachers semi-annually, in accordance with the provisions of this chapter.

DISTRICT COMMISSIONERS OF SCHOOLS.

5. In every county where there are two or more separate boards of district school commissioners, there shall hereafter be one board of commissioners instead of such separate boards, and the members of the existing boards shall be members of the new board, and any trust or property vested in existing boards shall vest in the new board ; provided, however, that such consolidation of boards shall take place only upon the joint request of the separate boards of commissioners at their annual meeting, save when ordered by the Council of Public Instruction. The Council of Public Instruction shall have power to determine the places of meeting of boards of commissioners, and each board of commissioners shall have power to re-number consecutively the school sections within its district.

6. Each board of commissioners shall meet annually on the day appointed by the Council of Public Instruction, and shall elect a chairman at each regular meeting, who shall call a special meeting when required by two members of the board, or when directed by the Council of Public Instruction. In case of a special meeting the chairman shall notify the inspector of the same,

and if the inspector be unable to attend, the board shall appoint a secretary pro tempore, who shall record the proceedings of the meeting, and preserve such record for the inspector, and transact any other necessary business as directed by the board, and in case of the absence of the chairman the commissioners may appoint a chairman pro tempore.

7. Each board of commissioners shall have power :

(1.) To create new sections, either directly where none previously existed, or indirectly by the sub-division or re-division of existing sections, provided that in neither case shall such action take effect until formally ratified by the Council of Public Instruction, and to make such alterations in the existing boundaries of contiguous sections as may from time to time be deemed necessary. In all cases coming under the provisions of this section the commissioners shall have due regard to the number of children and the ability of each section to support an efficient school, and all alterations thus made shall take effect at the beginning of the next ensuing school year.

(2.) To declare, upon the inspector's report, or other reliable information, the school-house or the houses or buildings used as such, or the appurtenances or grounds thereof, unfit for school purposes ; such declaration shall be forwarded to the trustees of the section, and the condemnation shall, unless otherwise specified, take effect at the commencement of the next ensuing school year.

(3.) To appoint trustees or a trustee for any section in cases as hereinafter provided.

8. Any person may convey or devise real estate to the commissioners for any district, and duly vest in the commissioners and their successors in office the legal title thereto, in trust for the purpose of erecting and keeping in repair a school-house or houses thereon ; and the commissioners may sue and be sued in respect thereof, but shall have no control over any school-house or houses or such lands as against the trustees of the school section or the inhabitants, other than may be expressed by the conveyance or devise.

9. Each board of commissioners shall have power to appoint a committee of not less than three of their number to perform the duties imposed on them by sections 13 and 50 of this chapter, and such committee when so appointed is hereby authorized to perform such duties.

10. Each board of commissioners shall at its annual meeting determine what sections under its supervision are entitled to special aid as poor sections during the following school year, and the Superintendent of Education shall allow to the trustees of schools kept in any such section one-third more from the county fund than the allowance to other sections, and teachers employed in such poor sections shall also receive one-third more from the provincial grant. No section employing a teacher holding a license higher than that of grade D, so called, shall be entitled to receive the special aid provided for poor sections in respect to provincial grant to teachers. No county shall be entitled to receive as special provincial aid to teachers employed in poor sections more than three hundred dollars annually, and in case the special grant to such teachers in any county shall for any half year exceed one-half the above sum, namely, one hundred and fifty dollars, they shall be reduced pro rata of the amount of such excess.

11. The several boards of commissioners shall have power at the annual meeting to unite two or more school sections into one school section, on a petition addressed to the board of commissioners by a majority of the ratepayers of each section, setting forth that they have agreed among themselves as to the terms on which the existing liabilities shall be borne by the ratepayers of the several sections, and upon the report and recommendation of the inspector of the district within which such sections lie. Whenever the said several boards shall unite such sections they shall have power from time to time to make such order or orders as they may deem proper respecting the continuance and constitution of the board of school trustees, and respecting the rights, property, and liabilities of the sections affected by such union, and generally to order and direct all things which may become necessary to give effect to such union.

12. The union shall take effect on the day fixed by law for the next annual school meeting, notice of which meeting shall be issued by the inspector, and such meeting shall elect a board of three trustees for the new section.

13. When the annual meeting fails to elect three trustees, or to fill the annual vacancy occuring in the trusteeship, or vacancies from other causes then existing, the trustee or trustees may be appointed, upon the written requisition of five ratepayers in the section, accompanied by a certificate from the inspector of schools that to the best of his knowledge and belief, founded on an inspection of the minutes of the school meeting or of the copy in his possession as hereinafter provided, and if necessary on personal inquiry, that the alleged vacancy or vacancies actually exist, by the board of commissioners for the district in which the school-house is situate ; and any board of trustees thus secured shall as soon as practicable convene a meeting of the ratepayers of the section as provided for the annual meeting, and such meeting shall transact all business, except the election of trustees, required of the annual meeting, and in the same manner.

14. Each board of commissioners shall have power to exempt from the sectional school rate, either altogether or in part, persons dwelling more than two and one-quarter miles from the school-house in the section where they reside, or on islands too distant from the mainland to permit children to attend school ; and each such board shall also have power to make such arrangements as they may deem necessary to establish schools on such islands, and in sparsely-peopled places, for at least four months in the year.

TRUSTEES.

15. Subject to the provisions of the Towns' Incorporation Act of 1895, each school section shall have a board of three trustees, and no section shall have more than one board. The powers and duties exercised by and imposed upon trustees by this chapter shall in incorporated towns be enjoyed and discharged by commissioners of schools appointed for such towns except as otherwise provided in the said Act.

16. At the first annual meeting of any section under this chapter the majority of the qualified voters present shall elect three trustees ; and at the second and third annual meetings one of the trustees elected at the first meeting shall go out of office, by ballot, and at each annual meeting there after he who has served the longest shall retire from office, and each of the vacancies shall be filled by the election of a new trustee ;

provided always, that he whose term of office has expired may be re-elected, with his own consent, his time of service to date from such re-election. No irregularity in the mode of electing trustees shall invalidate the election, unless formal objection be taken thereto by a qualified voter before the adjournment of the meeting ; provided that the person so elected possesses the qualifications required by law for the office of trustee.

17. A majority of the trustees shall always be qualified ratepayers of the section, but one trustee may be chosen from the poll-tax payers, authorized as hereinafter provided to vote in the election of trustees. No commissioner of schools, inspector of schools or licensed teacher employed in the section, shall be deemed eligible to the office of trustee of schools.

18. Any occasional vacancy in the board of trustees caused by death, removal from the section, continued absence for more than six months, insolvency, permanent disability for business, refusal to act, or resignation, or acceptance of official positions declared to be incompatible with the office of trustee, shall be filled at a special school meeting called by the remaining trustee or trustees. The person elected to fill an occasional vacancy shall hold office only for the unexpired term of the person whose place he is chosen to fill.

19. It shall be lawful for the trustees of any section wherein are located academic institutions other than county academies to co-operate with an equal number of persons chosen by the governing bodies of such institutions, in order that the section may secure the educational advantages supplied by such institutions ; such combined board of trustees to manage the school or schools, as the case may be, in accordance with the provisions of this chapter.

20. The trustees of any section, with the permission of the inspector of schools, may, in their discretion, admit to school privileges pupils from other sections ; and if the trustees shall deem it necessary, they may exact from such pupils a reasonable tuition fee.

21. The trustees of any section shall be a body corporate for the prosecution and defence of all actions relating to the school or its affairs, and other necessary purposes, under the title of "Trustees of School Section No. ——, in the district (or districts) of ————;" and they shall have power, when authorized by the school meeting, to borrow money for the purchase or improvement of grounds for school purposes, or for the purchase or building of school-houses ; and all such amounts shall be paid by equal yearly instalments, not exceeding twelve, to be assessed upon the section ; and the money so borrowed shall be a charge upon the school section.

22. The trustees in the several counties are authorized to effect insurances on school-houses.

23. A trustee may resign his office with the consent in writing of his co-trustees and of the inspector. Without such consent, a trustee refusing to act shall forfeit the sum of twenty dollars, to be collected by the inspector, a district school commissioner or any ratepayer in the section, such sum to be payable to the inspector or his order, and applied by the board of school commissioners of the county or district as special aid to the erection of school-houses. The following among other things shall constitute a refusing to act under the foregoing provision :—Continual refusal or failure to attend the meetings of the board of trustees when notified ; failure or refusal to issue the notices required under this chapter ; and failure or refusal generally to perform the duties or exercise the powers imposed or conferred on trustees after a written request shall have been addressed to him by his co-trustees or the inspector of schools to perform or exercise the same.

24. The duties of the trustees shall be as follows :—

(1.) To meet as soon after the annual election or appointment of trustees or a trustee as practicable, and appoint one of themselves or some other person to be secretary to the board of trustees, and to provide him with a suitable blank book, and instruct him to keep therein and carefully preserve a correct record of all the doings of the board.

(2.) To take possession of and hold as a corporation all the school property of the section which was or may be purchased for or given to it for the use or support of common or high schools ; provided always that they shall not interfere with any private rights or the rights of any religious denomination.

(3.) To lease or rent lands or buildings, if necessary, for school purposes, for a period of not less than ten months, except with the consent of the inspector.

(4.) To determine the sites of school-houses, subject to the sanction of the inspector of the district. If the owner of any land selected by any trustees for a school site, and approved by the inspector, refuses to sell the same, or demands therefor a price deemed unreasonable by the trustees of any section, the proprietor of such land and the trustees shall forthwith each select an arbitrator. The arbitrators thus chosen, together with the inspector, or any two of them, shall appraise the damages to the owner of the land. Upon the tender of payment of the amount of such damages to the owner by the school trustees, the land shall be taken and used for the purposes aforesaid. In case of a border section the inspector qualified to act shall be the inspector of the district in which the proposed school-house is to be built. In case the owner or owners of any land selected for a school site shall refuse or unduly delay to appoint the arbitrator required by this chapter, such arbitrator shall be appointed by the warden of the municipality in which said school site is situated, on the written application of the inspector of schools for the district.

(5.) To provide school privileges free of charge for all persons resident in the section five years of age and upwards who may wish to attend school ; but it shall be lawful for trustees of schools, and boards of school commissioners in the city of Halifax and in incorporated towns, with the approval of the Council of Public Instruction, to establish special departments for children under five years of age ; and, when authorized by the school meeting, improved school accommodations ; such accommodations to be provided as far as possible in accordance with the following arrangements :—

(a) For any section having fifty pupils or under, a house with comfortable sittings for the same, with one teacher.

(b) For any section having from fifty to eighty pupils, a house with comfortable sittings for the same, and a good class room, with one teacher and an assistant.

(c) For any section having from eighty to one hundred pupils, a house with comfortable sittings for the same and two good class rooms, with one teacher and two assistants ; or a house having two apartments, an elementary and more advanced, with two teachers ; or if one commodious building cannot be secured, two houses may be provided, with a teacher in each ; one being devoted to the younger children, or elementary department, and the other to the more advanced department.

(d) For any section having from one hundred to one hundred and fifty pupils, a house with two adequate apartments, for graded schools, and a good class room, accessible to both, with two teachers, and, if necessary, an assistant ; or if the section be long and narrow, three houses may be provided, two elementary and one more advanced, the former being located towards the extremes of the section, and the latter at or near the centre.

(e) For any section having from one hundred and fifty to two hundred pupils a house with three apartments for graded schools, and at least one good class room, common to the two latter, with three teachers, and if necessary an assistant ; or if necessary, separate houses may be provided for the different departments.

(f) And generally, for any section, a house or houses, with sufficient accommodations for different grades of schools, so that there may be one room for about every fifty pupils.

25. Whenever it may be deemed desirable to change the site of a school-house, or to dispose of school lands by sale or exchange, such lands may be disposed of by the trustees, who are hereby authorized to purchase or accept other lands or sites in lieu thereof, subject to the sanction of the inspector.

26. In any section having more than one department under one roof, or under separate roofs, the trustees, by the aid of the principal teacher or otherwise, shall regulate from time to time the attendance of pupils in the several departments, according to their attainments.

27. If in any section the Council of Public Instruction shall permit separate departments under the same or separate roofs for pupils of different sexes or different colours, the trustees of the section shall in this as in other cases regulate attendance on the several departments according to the attainments of the pupils.

28. It shall further be the duties of the trustees :

(1.) To contract with and employ a licensed teacher or teachers for the section, and where necessary licensed (or unlicensed) assistants, for a period not less than one year ; provided, however, that for special cause, with the consent of the inspector, trustees may employ a teacher for a shorter period.

(2.) To notify as they may deem proper the inhabitants of the section of the opening or reopening of the school or schools, so that pupils may present themselves for classification without delay.

(3.) To furnish, in case the annual meeting shall have determined to raise money for the purchase or building of school-houses, or for the purchase or improvement of school grounds by assessment, the town clerk, or the municipal clerk for the county in which the section or a portion of it may be situate, a list of the inhabitants of the county resident in the section liable to be taxed; and the town clerk or the municipal clerk shall affix the amount of property for which each is assessed according to the county assessment roll for the year ; and the town clerk or the municipal clerk, as the case may be, shall be entitled to receive from the trustees a fee of twelve cents for every list so furnished where the number of ratepayers in the section does not exceed twelve, and of twenty-five cents where such number exceeds twelve.

(4.) To provide by assessment, as set forth in section 44, for the purchase of suitable grounds and the purchase or erection of a house or houses according to the decision of the school meeting, to select the design of building most suitable and let out the work, the amount required being levied and collected in equal portions from year to year, not exceeding twelve years, with any interest accruing, until the whole shall have been raised.

(5.) To visit the school at least four times in each year, and to be present when practicable at the annual examinations and the visitations of the inspector.

(6.) To expel from school any pupil who is persistently disobedient to the teacher or addicted to any vice likely to injuriously affect the characters of other pupils, or to suspend any such pupil until there shall be indications of reform.

(7.) To adopt efficient measures for the preservation of the health of the school, for proper outhouses, warming, ventilation and general cleanliness.

(8.) To give proper notice of all annual and special school meetings required to be held under the provisions of this chapter.

(9.) To present at the annual school meeting a written report of the educational operations of the section for the year then ending. This report shall contain an estimate of the financial requirements of the ensuing year, and be accompanied by a detailed account, previously audited as hereinafter provided, of all school moneys received and expended since the last annual meeting.

(10.) To prepare or have prepared a true return of the state of the school according to the form drawn up for that purpose by the superintendent ; and if there is more than one department in the section, a return for each, indicating the grade of each department; and to lodge the same, duly certified by the teacher or teachers, at the office of the inspector, on or before the day fixed for the same ; and if the section be a border section, the trustees shall present a complete return to the inspector of schools of that district in which the school-house is situated, marking the same as a border section, and to the inspector of the other district a supplementary return, containing the number of enrolled pupils belonging to each district, and the total days' attendance made by the pupils of each district.

(11.) To forward to the inspector of schools, within one week after the annual school meeting of the section, a copy of the minutes of the meeting, duly signed by the chairman and secretary thereof.

29. Trustees shall have power to suspend or dismiss from their employ any teacher for gross neglect of duty or immorality, and they shall immediately forward a written statement of the facts to the inspector for the district, and they shall also forward a statement of their proceedings to the superintendent ; and the pay of any such teacher shall thereupon cease, unless otherwise ordered by the Council of Public Instruction, upon the appeal of the teacher ; but he or she shall be paid ratably up to the time of his or her suspension or dismissal.

30. On proof of inability to pay any school assessment or poll-tax, the trustees shall have power to exempt any person in part or altogether from the payment thereof, without prejudice to the rate ; and the trustees shall present a statement of any such exemptions in their report to the annual meeting.

31. Whenever a majority of the ratepayers of any section shall request it in writing, the trustees shall convene a special meeting of ratepayers for the purpose of voting money or adding to any amount previously voted for any purpose authorized by this chapter. Also, independent of any such requisition, the trustees shall have authority to call a special meeting for the aforementioned purpose, and generally to call special meetings for the consideration of subjects deemed of importance to the educational interests of the section, notice being given in all cases according to the mode prescribed for annual school meetings.

32. Whenever any person has obtained a judgment in the supreme or county court against the trustees of any school section in their corporate capacity, the trustees of such section shall, and they are hereby authorized to, assess on the ratepayers of said section a sufficient sum to pay such judgment, which sum shall be collected by said trustees and paid over to such judgment creditor.

SECRETARY OF TRUSTEES.

33. The secretary of the trustees shall give a bond to Her Majesty, with two sureties, in a sum at least equal to that to be raised by the section during the year, for the faithful performance of the duties of his office, and the same shall be lodged by the trustees with the inspector of schools.

34. The secretary shall be entitled to receive five per cent commission on all sums collected by him or under his direction for the support of the school or schools, including expenditure for rents, repairs, furniture, outhouses, fuel, maps, apparatus and salaries, except in cases where payment shall be voluntarily made, when he shall make a reduction to persons making such payment of two and a half per cent from his commission ; and he shall be entitled to two and a half per cent on all sums collected by him or under his direction for the purchase or erection of a new school-house or houses, and for the purchase or improvement of school-house grounds. A payment shall be considered to have been voluntarily if made within twenty days after the collector's roll is made up and posted up in at least three public places in the district. The sum or sums on which the secretary shall be entitled to receive commission under provision of this section shall be taken to mean only the moneys directly levied on the section and collected in accordance with vote of the annual or any special school meeting, and shall not include county fund apportionment or provincial grant of any kind.

35. The secretary of trustees may resign, with the consent, in writing, of the trustees and inspector.

36. The secretary's duties, to be performed under the direction of a majority of the trustees, either by the secretary in person or under his direction, shall be as follows :—

(1.) To keep the accounts, moneys and records of the board, and to collect and disburse all school moneys.

(2.) To keep the school-house or houses in good repair, and supply the same with comfortable furniture, outhouses, fuel, prescribed school books, maps and apparatus.

(3.) To promptly supply to the teacher or teachers copies of the school register prescribed by the Council of Public Instruction, and carefully preserve the old registers.

(4.) To keep a faithful record of any school books, maps or apparatus that may at any time be procured for the use of the section.

(5.) To present the teacher with a copy of the inventory of the school property under his or her charge, and renew the same, particularly when a change of teacher occurs.

(6.) To post up the collector's roll in the manner provided for in section 34.

(7.) To take due care of the library books of the section, and see that the same are managed in conformity with the regulations of the council, and generally to transact any business of the board as directed by a majority of the trustees, a record being first made in the minute book of the board.

MODE OF SUPPORT.

37. The sum of one hundred and eighty-two thousand five hundred dollars for each school year shall be paid semi-annually, or as the Council of Public Instruction may prescribe to legally qualified teachers employed in the common schools in accordance with law, to be divided to each teacher in conjoint proportion to the number of days taught and to the following scale for the respective grades or classes of license held, namely, class A (academic)—in the case of a principal two hundred and twenty dollars, and in the case of a subordinate teacher one hundred and eighty dollars—when employed in a graded school doing high school work under conditions prescribed by the Council of Public Instruction in a section not maintaining a county academy ; class B (first), one hundred and twenty dollars ; class C (second), ninety dollars ; and class D (third), sixty dollars.

38. Any male teacher of the first class (class A or class B), who shall have attended the course of lectures at the school of agriculture, provided for in section 3, subsection 14, of this chapter, and shall have passed a satisfactory examination on the subjects thereof, shall be entitled, subject to the conditions specified, to receive, when teaching school, in addition to the ordinary grant of his class, a special grant of one hundred dollars for the school year, or ratably according to the time he may have taught.

39. The distribution of the moneys payable under the authority of the two preceding sections shall be made semi-annually through the inspectors, or in such other manner as the Council of Public Instruction may direct, to the respective teachers and assistants lawfully employed by the trustees according to the number of days the schools have been in session and the class of license held.

40. Assistant teachers, if provided with separate class rooms and regularly employed at least four hours in each day, shall receive two-thirds of the amount granted to principal teachers of the same grade.

41. Nothing in any preceding sections shall be construed to authorize the employment of unlicensed teachers in any of the public schools of this province.

42. The clerk of the municipality in each county, except as hereinafter provided in relation to the city of Halifax, shall add to the sum annually voted for general municipal purposes at the regular meeting of the council a sum sufficient, after deducting costs of collection and probable loss, to yield an amount equal to thirty cents for every inhabitant of the municipality, according to the last census preceding the issue of the municipal rate-roll, and the sum so added shall form and be a portion of the municipal rates. The sum thus raised shall be paid an-

nually by the treasurer upon the order of the Superintendent of Education.

43. The amount provided to be raised annually as aforesaid shall at the close of each year be apportioned to the trustees of schools conducted in accordance with this chapter, to be applied to the payment of teachers' salaries, and each school shall be entitled to participate therein at the rate of twenty-five dollars per year for each licensed teacher employed, and the balance of the municipal fund shall be distributed among the schools according to the average number of pupils in attendance and the length of time in operation, but no school shall receive any allowance for being in operation more than the prescribed number of days in any year.

44 Any sum required by any section over and above the sums provided by the province and municipality for the support and maintenance of a public school or schools during the ensuing year, including the purchase or improvement of school grounds, the purchase, erection, furnishing, cleaning or repairing of school-houses and outbuildings, rent of buildings or lands, insurance on school property, the purchase of fuel, prescribed school books, maps and apparatus, the payment of interest on money borrowed by the section, teachers' salaries, or any other expenses required in providing an efficient school or schools in accordance with this chapter, shall be determined by a majority of the ratepayers of the section present at a regularly called school meeting, and any amount so determined shall be a charge on the section and shall be levied as follows :—Every male person between the ages of twenty-one and sixty, residing in such section at the time of the holding of such regular school meeting, shall pay the sum authorized of one dollar as a poll-tax. The balance of the sum authorized to be assessed shall be levied on the real and personal property and income within the municipality of the residents of the section according to the municipal rate-roll. Nothing herein shall render any person liable to pay more than one poll-tax for any school year. The trustees shall furnish to their secretary a list of the assessments under this section, with instructions in writing thereon signed by the trustees, authorizing and directing such secretary to collect from the persons therein named the amounts set opposite their names and the secretary shall demand the several amounts from the person so assessed, and in default of payment the same shall be collected under and by virtue of the provisions of the Municipal Assessment Act of 1895 ; and the trustees shall return such assessment to the regular sitting of the municipal council, where appeals shall be held and determined. Provided that when on such appeal it shall be ordered that any part of such rate shall be refunded to the appellant, such order shall be on the trustees of the school section appealed against, who are hereby required to re-pay the same to the party aggrieved out of any funds in their hands, and if there are no funds on hand they shall assess for the same at the next annual meeting or at any special meeting called for that purpose. The words or phrase, "residing in such section," shall apply to persons temporarily absent from the county or province, and engaged in any kind of business or employment, but usually residing in the section, or whose families reside in the section, or are temporarily absent for any other cause. The words real and personal property within the municipality of the residents of the section in this section shall apply to property lying in the city of Halifax, the owners whereof reside in Dartmouth or other school sections in the municipality of Halifax.

(1.) Provided that, notwithstanding anything contained in the Towns' Incorporation Act of 1895, all property real or personal (save that by law exempt from taxation situate within the limits of an incorporated town, but assessed on the town assessment roll to persons resident in some other school section in the same municipality, shall be liable to be rated for the support of schools in the school section in which such person resides, and shall be exempt from taxation for the support of the schools of such town.

(2.) It shall be the duty of the clerk of each incorporated town to furnish the trustees of any school section applying therefor, a statement of the amount of property, real or personal, owned by the residents of such section within the limits of the town, according to the last authorized town assessment roll, and for each list so furnished he shall be entitled to receive a fee not exceeding twenty-five cents. Any refusal or neglect on the part of a town clerk to furnish such statement shall make him liable to a penalty of five dollars, to be recovered by any person suing therefor.

45. Notwithstanding anything contained in section 44, or any other section of this chapter, all the real and personal property, according to the municipal rate-roll, situated within the boundaries of the school sections named in schedule "E," excepting dyke lands, shall be liable for sectional assessment for the support of schools in said sections, without regard to the place where the owners of said property may reside, and such property shall not be liable to sectional assessment for the support of any school or schools other than those of said sections ; and property owned by persons residing within any of the said school sections and situate within the municipality outside of said section shall be assessable for school purposes in the section in which it is situate.

46. On depositing with the secretary of trustees previous to or at any annual school meeting the sum of one dollar, any person liable to pay such poll-tax, and having paid all poll-taxes previously imposed, including that of the year just closing, though not rated in respect of real or personal property, shall be qualified to vote in the election of trustees at such meeting, and at any other meeting held for the election of trustees within a year from such deposit, except the same be refunded as hereinafter provided. Money deposited as above shall be refunded on demand in every case where no assessment is authorized by such meeting ; otherwise it shall be retained as payment of the poll-tax of the depositor.

47. Each clerk of the municipality shall immediately upon making up the rate-roll in each year, notify the Superintendent of Education and the inspector of schools of the sum provided by municipal assessment for the support of schools during the ensuing year.

48. A sum not exceeding one-half the amount assessed as a county rate in any municipality for the support of schools may be advanced from the provincial treasury to the municipality for a period not exceeding four months, and the municipality shall repay to the province such sum out of the municipality taxes when collected.

49. Where counties are divided into municipalities having separate councils, the term "county" in this chapter shall, for all the purposes of the chapter, be held to include and apply to such municipalities as fully as if these had been specially mentioned therein.

50. In any school section where sectional assessment shall be required to support a free public school, and the ratepayers of such section, after legal notice has been given in accordance with the provisions of this chapter, shall neglect or refuse to make adequate provision for such school, the trustees of the section shall name the sum of money which they deem sufficient therefor ; and such amount shall be submitted to the board of school commissioners for the district, and be subject to their approval. If the board approve thereof, the trustees shall have power to levy and collect the sum so submitted and approved of in the same manner as if it had been voted for school purposes at a regular school meeting called for the purpose.

51. Property situate in any school section and owned by a non-resident of a county, the same not being otherwise liable to sectional assessment, shall be liable to assesment in the section in which it is so situate.

52. The assessment of any person who shall subsequently die, or become insolvent, or assign his property liable to the assessment, shall be a charge upon his estate, to be paid by his executors, administrators or assignees ; and in default of payment they or either of them may be held personally liable under the warrant, unless they or either of them shall make oath before a justice of the peace stating that there is not in their possession or under their control belonging to such estate sufficient money or other property to satisfy such assessment.

53. In every case where between the making of the county assessment roll for any year and the levying of any sectional assessment according to such roll, any person rated therein in respect of real or personal property, shall remove from the section, having conveyed, leased or otherwise disposed of such property, such assessment shall be a charge on the property, and may be collected from the owner or person in possession of the same at the time of levying such assessment, whose name shall be inserted in the affidavit and warrant for collecting in the same manner as if such person had been originally assessed in respect of such property and his name were on the assessment roll.

54. Property held by executors, administrators, trustees or assignees at the time of the making of the county assessment roll for any year, shall be liable to be assessed in all assessments levied according to such roll in the section in which the original owner of such property resides or last resided ; but property held in trust for heirs being minors shall be liable to assessment in the section in which such heirs being minors, or a majority of them, may be in attendance at a public school, provided such section shall be in the county in which such property is situate. In default of payment of any assessment levied under this section, the same may be collected as provided in the case of unpaid assessments under the fifty-second section.

55. Any regularly ordained minister occupied in ministerial work, any unmarried woman or widow, shall be exempt from sectional assessment on all property to the value of five hundred dollars, but shall be liable for any excess of that sum.

56. All beds, bedding, clothing, stoves, cooking utensils, and the last cow of any person against whom a warrant of distress or other legal process shall be issued to recover the rates assessed for school purposes, shall be exempt from the operation of such warrant or other legal process.

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57. Real and personal property situate within a school section and belonging to a corporation or company shall be subject to sectional assessment ; and the rates shall be payable by the agent to the extent of the funds in his hands or under his control at the time of the demand, as if assessed upon him personally, and shall be chargeable by the agent to the principal.

58. It shall be the duty of assessors to assess all the ratable property belonging to any association, company or firm in the name of the association, company or firm, and not in the name of the agent or of any single member ; and in assessing such property it shall be the duty of the assessors to have regard to the boundaries of school sections, to specify distinctly their valuation of the portion in each, also of the portion, if any, not included in any school section.

59. The assessment of such property shall be in and for the benefit of the section wherein it lies ; and shall extend and apply to all ratable property held by any association, company or firm, whether incorporated or otherwise ; that is to say, the assessment payable directly by the association, company or firm, in respect of any property shall be paid in and for the benefit of the section where the property lies ; and if any portion of the ratable property of any association, company or firm lies in a place not embraced in any school section, such portion shall be treated in all respects as if situate in the section where the chief works and business of the association, company or firm are established, and the provisions of this section and of the two preceding sections, shall apply also, in case of the insolvency of any such corporation, company, association, or firm, to property in the hands of, or held by the assignee or assignees of such corporation, company, association or firm.

60. In any case where, owing to neglect on the part of the assessors, the county roll does not afford the information necessary for the purpose of this chapter, the assessors shall upon request of the secretary of the trustees furnish such supplementary lists and such further information as is called for by the provisions of the two next preceding sections.

COUNTY ACADEMIES.

61. The trustees of schools in the shire or county town of each county in the province, shall have authority to establish and maintain a high school or academy, which shall be open free of charge to qualified students from all parts of the county in which it is situated. For the purposes of this section the municipality of Clare shall be deemed a county, and an academy may be established in any school section within such municipality which is willing to accept the responsibility of conducting an academy under the provisions of this chapter.

(1.) In respect to county academies, the Council of Public Instruction shall prescribe the qualification of teachers, fix standards for the admission of students, arrange the coures of study, establish conditions of accommodation and outfit, and frame such general regulations as may be deemed necessary for the efficient prosecution of academic studies.

(2.) The trustees of a county academy, conducted in accordance with the provisions of this chapter and the regulations of the Council of Public Instruction framed thereunder, shall be entitled to grants from the public treasury, according to the following scale :—

(a) When one duly qualified teacher is employed, with a properly certified yearly average of at least fifteen high school students, a grant equal to two-thirds of the salary paid such teacher, provided that the grant so paid shall not exceed five hundred dollars.

(b) When two duly qualified teachers are employed with a properly certified yearly average of at least forty high school students, a grant equal to two-thirds of the amount of salaries paid such teachers, provided that the grant so paid shall not exceed one thousand dollars.

(c) When three duly qualified teachers are employed, with a properly certified yearly average of at least eighty high school students, a grant equal to two-thirds of the amount of salaries paid such teachers, provided that the grant so paid shall not exceed fifteen hundred dollars.

(d) When four duly qualified teachers are employed, with a properly certified yearly average of at least one hundred and twenty high school students, a grant equal to two-thirds of the amount of salaries paid such teachers, provided that the grant so paid shall in no case exceed seventeen hundred and twenty dollars.

(3.) No provincial grants shall be paid to, or in respect of, teachers employed in county academies except under the provisions of this section, and all funds necessary for the maintenance of such academies, apart from the grants herein provided and the duly accruing county fund apportionments, may be voted by the ratepayers and levied on the section as provided by law in respect to school assessments in general ; but nothing in this section shall prevent the payment of the regular provincial grant to any teacher, teaching full time, whose employment and quota of pupils (not less than an average of twenty) are not necessary to qualify for drawing the county academy grant payable to trustees, where such grant is less than the maximum of seventeen hundred and twenty dollars.

(4.) The term "trustees of schools" as employed in this section shall be held to include the board of school commissioners for the city of Halifax and of incorporated towns.

(5.) In case of any shire or county town failing to avail itself of the privilege conferred upon it by this section in respect to the establishment and maintenance of a county academy, the Council of Public Instruction may transfer the privilege aforesaid to any other section of the same county disposed and qualified to fulfil the conditions imposed by this section.

62. In any county where an academy, conducted under authority of this chapter, receives an annual grant of five hundred dollars or less, if it shall appear at the close of any school year that no class A teacher has been employed in the county under the provisions of the thirty-seventh section of this chapter, the Council of Public Instruction may grant to such academy the sum of one hundred dollars in addition to any sum otherwise authorized.

SCHOOL MEETINGS.

63. The annual school meeting for the election of a trustee or trustees shall be held in the school-house of the section, or if it be not commodious, or if its use cannot be obtained, or if there is none, in any other convenient building, on the last Monday in June, or at any previous date which may for special reasons be fixed for any inspectoral district, county or section, by the Council of Public Instruction, the meeting to be called by the trustees, or by the secretary under their direction, or when none exist, by the inspector, by notices posted in three public places within the section five days previously, signed by the trustees or the inspector, as the case may be.

64. At the annual school meeting the majority of the ratepayers, male and female, of the section present shall elect from their own number or otherwise a chairman to preside over the meeting, and a secretary to record its proceedings ; and the chairman shall decide all questions of order, and shall take the votes of ratepayers only, and give a casting vote in case of an equality of votes ; and the ratepayers shall, by a majority of those present, decide what amount shall be raised by the section to supplement the sums provided for public schools by the province and county, and shall also decide whether any and what sum shall be raised for the purchase or building of school-houses, for the purchase or improvement of school grounds, or for general school purposes.

65. If any person offering to vote at an annual or other school meeting shall be challenged as not qualified, the chairman presiding at such meeting shall require the person so offering to make the following declaration :—

"I do declare and affirm that I am a ratepayer of this school section ; that I have paid all sectional school rates for which I have been assessed up to the close of the school year which ended on the 31st of July last, and that I am legally qualified to vote at this meeting."

Every person making such declaration shall be permitted to vote on all questions proposed at such meeting ; but if any person shall refuse to make such declaration his vote shall be rejected ; provided always, that any person who shall wilfully make a false declaration of his right to vote shall be punishable by fine or imprisonment, at the discretion of the court, or by a penalty of not less than five nor more than ten dollars, to be recovered by the trustees of the section for its use as a private debt.

66. In all cases where a school-house has been built within any section and is owned in shares, it shall be competent for the majority in interest of the owners of shares to sell and dispose of the same, together with the land on which it is situate (provided such land belongs to the same parties who own the house), to the section, at any meeting duly held after ten days' notice of the object thereof, at such price as the meeting shall determine, or as may be realized at a public sale thereof duly advertised ; and the proceeds of sale shall be divided among the proprietors in proportion to their shares in interest in the property.

67. The ratepayers present at each annual meeting shall appoint two competent persons to act as auditors for the ensuing year. The auditors shall at least three days before the next annual meeting receive from the board of trustees or their secretary all the accounts, vouchers, agreements, &c., connected with the year's business, and shall examine into and decide upon the legality and correctness thereof, and report thereon in writing to said ensuing annual meeting. Should the auditors or either of them object to the legality or correctness of the trusees' accounts, the matters in dispute shall be referred for final decision to the annual meeting itself.

68. In case an annual meeting fails for any reason to appoint auditors for the ensuing year, the next ensuing annual meeting shall have authority to appoint auditors to examine accounts of the preceding year, and to report thereon either before the close of the annual meeting or at an adjourned session held for that purpose.

69. If for any reason the annual school meeting shall not be held at the time fixed by this

chapter, it shall be the duty of the trustee or trustees remaining in office to give notice to the inspector of schools for the district within which the section is situated of the failure to hold the annual meeting at the legally appointed date. said notice to be given if possible within a fortnight of such date, and it shall be the duty of the inspector of schools, on receipt of such notice, to fix a date at which a special annual meeting shall be held ; such notice of such special annual meeting to be given as is provided in the case of regular annual meetings. In case there are no trustees in a section the inspector of schools shall have authority to call a special annual meeting under the foregoing provisions and limitations on the requisition of seven ratepayers.

70. Notices of all special school meetings, except a special annual meeting, called under the provisions of this chapter, shall distinctly specify the object or objects of said meetings, and it shall not be lawful to transact thereat any business not referred to in said notices.

71. The secretary of trustees in each school section in every county of the province shall make up the school accounts relating to such section at least three days before the annual meeting, and shall forward such accounts, together with all vouchers and papers relating to the financial affairs of the section, to the auditors herein provided for, who, after due examination of the same, shall report thereon at such annual meeting.

INSPECTORS.

72. It shall be the duty of the Inspector—

(1.) To act as clerk of each board of school commissioners within his inspectorate, and to examine all school returns received from the trustees of the various sections, and to prepare therefrom and transmit to the Superintendent of Education, according to forms received from that officer, an abstract of the number of legally authorized teaching days taught by each duly licensed teacher in his inspectorate, together with the class of license held by each teacher ; also to prepare and forward a statement of the apportionment of the county school fund for the year on the basis defined in section 43 of this chapter. Special reports shall be made of cases of false returns and of schools conducted in condemned buildings. It shall be the further duty of the inspector to report to the Superintendent of Education the names of teachers notoriously remiss or inefficient in the discharge of their duties, and of sections failing to make reasonable provision for the health, comfort and progress of the children attending school, and the Superintendent of Education may, with the sanction of the Council of Public Instruction, withhold in whole or in part the provincial grant from such teachers and the county fund apportionment from such sections.

(2.) To give a bond to Her Majesty in double the sum granted annually to his inspectorate for education purposes, for the faithful discharge of the duties of his office.

(3.) To keep a correct record of the boundaries of each school section in his inspectorate, and furnish from time to time amended copies of the same to the several sections.

(4.) To visit and inspect annually, and oftener when required, each school and county academy within his inspectorate, and report fully upon its condition to the Superintendent of Education, in conformity with instructions received from that officer ; and in case of failure to visit any school to indicate the fact and the cause in his report to the Superintendent of Educaion.

(5.) To furnish trustees and teachers such information as they may require respecting the operations of this chapter and the performance of their duties, and especially to assist teachers in employing improved methods of imparting instruction, classifying pupils and conducting schools.

(6.) To appoint a convenient place within his inspectorate where all school returns shall be lodged, and to give sufficient publicity to any such arrangement.

(7.) To keep on hand and distribute as directed by the superintendent all necessary blank forms and returns.

(8.) To diffuse such information as shall promote the improvement of school-houses and grounds and the appurtenances thereto.

(9.) To report annually to the superintendent all fines received by him under this chapter.

(10.) To promote the advancement of education by holding public meetings as frequently as possible, and especially to encourage the establishment of schools in sections where none exist.

(11.) To aid the superintendent in carrying out a uniform system of education, and generally in giving effect to this chapter and the regulations of the Council of Public Instruction.

(12.) To transmit to the superintendent on or before the 1st day of August in each year a statement of the annual distribution of the county fund, and also by the 1st day of October a general report of his labours, noting the condition of the schools in his district, and the means of improvement, stating the sections visited where schools did not exist and the results of such visitations, and furnishing therewith such statistical information as the superintendent may require.

73. It shall be the duty of school officers and school inspectors to report to the Council of Public Instruction any failure on the part of the trustees or the teachers of the section under their control to carry out the provisions of sections 3 (9) and 75 (7) of this chapter. Upon its being shown to the Council of Public Instruction, either by such school inspectors or school officers, or any ratepayer, that any teachers or trustees have failed to carry out these provisions, any such failure shall be deemed sufficient cause for withholding wholly or in part from any such teacher or trustee, provincial or county grants.

74. The certificate of any inspector shall be received in courts of law as evidence of the boundaries of school sections.

TEACHERS.

75. No person shall be deemed qualified to receive under this chapter any portion of the moneys granted towards the support of county academies, high or common schools, unless holding a license from the Council of Public Instruction. It shall be the duty of every teacher—

(1.) Not to attempt to establish a public school in any section without first making an agreement with its trustees.

(2.) To teach diligently and faithfully all the branches required to be taught in the school, and to maintain proper order and discipline therein, according to the engagements entered into with the trustees, and the provisions of this chapter.

(3.) To call the roll morning and afternoon, and otherwise keep an accurate register in the manner prescribed by the Council of Public Instruction, on pain of liability to forfeiture of the public grants ; the register to be at all times open to the inspection of the trustees, visitors, examiners, commissioners, inspectors and superintendent, and to be handed over to the secretary of trustees at the expiration of the term of service.

(4.) To render when necessary the trustees all possible assistance in classifying the pupils of the section according to their attainments, and when requested by the trustees to institute examinations for the purpose of transferring any pupils who may be prepared to another department.

(5.) To inculcate by precept and example a respect for religion and the principles of Christian morality, and the highest regard to truth, justice, love of country, loyalty, humanity, benevolence, sobriety, industry, frugality, chastity, temperance, and all other virtues.

(6.) To give assiduous attention to the health and comfort of the pupils, to the cleanliness, temperature and ventilation of the school-rooms, to the esthetic condition of the rooms, grounds and buildings, and to report promptly to the trustees the appearance of any infectious or contagious disease in the school, or insanitary conditions of outhouses or surroundings.

(7.) To give appropriate instruction regularly in the public schools as to the nature of alcoholic drinks and narcotics, including tobacco, and special instruction as to their effect upon the human system in connection with the several divisions of the subjects of relative physiology and hygiene. Such instruction regarding physiological and hygienic laws and the effects of alcoholic drinks and narcotics, shall be given orally from a suitable text-book in the hands of the teacher to pupils unable to read, and such instruction shall be given to all others with text-books in the hands of the pupils and from text-books as well graded to the capacities of the pupils as other text-books are, and such instruction shall be given as aforesaid to the pupils in all public schools in the province.

(8.) To have a special care as to the use of school books and apparatus, registers and journals, the neatness and order of the desks, and to reimburse the trustees for any destruction of school property by the pupils which is clearly chargeable to gross neglect or failure to enforce proper discipline on the part of the teacher.

(9.) To have during of at the end of each year a public examination of the school, of which notice shall be given to the parents and trustees and to school visitors resident in the section.

(10.) To give notice through the pupils of school meetings advertised by the inspector or trustees.

(11.) To furnish the trustees, examiners, commissioners, inspector and superintendent, any information that may be in his power respecting anything connected with the school, or affecting its interest or character.

(12.) To certify the correctness of all returns under oath, as in schedule A (teacher's oath). Any teacher signing a false certificate shall have his or her license cancelled or suspended, as the Council of Public Instruction may decide.

ATTENDANCE.

76. In every school section in which the provisions of sections 76 to 83 inclusive, have not been adopted, it shall be the duty of the chairman of each annual school meeting held under the provisions of this chapter to call upon the qualified voters present at such meeting to vote yea or nay on the resolution embraced in schedule B.

77. Whenever a majority of the qualified voters present shall have voted in favour of the resolution embraced in schedule aforesaid, it shall be the duty of the trustees of schools to ascertain through their secretary or other person or persons appointed for that purpose before the 1st day of August following the school meeting, the names and ages of all children residing in the section between the ages of seven and twelve years inclusive, and the names of their parents or guardians, and to preserve carefully prepared lists of the same.

78. To ascertain as soon as possible after the 1st day of April in every year how many of the children embraced in the foregoing list have been at school for eighty full days during the then current "school year," and to notify the parents or guardians of such children of the exact number of days' attendance made by their children from the first of the school year until the first of April.

79. To ascertain as soon as possible after the close of the school year how many of the children of the section have not been at school during the school year for the period of one hundred and twenty full days, and to impose upon the parents or guardians of such children a fine of two dollars for each child who has attended school no portion of the year, and pro rata in the case of each child who has attended school but has not reached the period of one hundred and twenty full days.

80. Such fines shall be collected in connection with the sectional school rates of the following year, and as a part thereof.

81. The ratepayers present at the annual school meeting are empowered to make provision to compensate the trustees for the discharge of the duties imposed by this chapter.

82. In imposing fines for failure to attend the required minimum period of one hundred and twenty full days, trustees shall exempt such parents or guardians as can show that their children are being properly educated otherwise than in the public schools, or whose children are by reason of delicate health, or being distant over two miles from a school, or other sufficient causes, prevented from attendance.

83. Parents or guardians fined under the provisions of this chapter can appeal within ten days from the imposing of said fine to any police magistrate or stipendiary magistrate residing in the section, or in the absence of such officer to any justice of the peace, who may remit or modify the fine after hearing evidence in such case.

TOWNS' COMPULSORY ATTENDANCE ACT.

84. This section of this chapter may be cited as the "Towns' Compulsory Attendance Act," and shall be operative in every school section under the control of a board of school commissioners of any incorporated town adopting it.

(1) The following terms and expressions used in this Act shall mean as hereby defined, except where the context shall preclude such definition.

"Child." Any boy or girl living in the school section between the ages of six and sixteen years.

"Parent." The father of such child, but in case the father be dead or absent from the school section, then the mother of such child.

"Guardian." Includes any person acting in loco parentis where the parents of such child are dead or absent from the section, and is not to be confined to a testamentary guardian or appointee of a court.

"Person having charge." Any person over the age of twenty-one years, with whom such child ordinarily lives or resides, or who controls, or is in a position to control, or assumes to control, or has the apparent charge of such child.

"The board." The board of school commissioners for the school section or town.

"Principal." The teacher or other officer having the general supervision of the schools in the school section or town.

"Stipendiary magistrate" or "magistrate." The stipendiary magistrate in and for the town, or his lawfully appointed deputy.

"Officer." The secretary of the board, supervisor or principal of the schools of the section, or any other person in the regular employ of the board.

"Truant officer." Any person appointed by the board or town council to carry out the provisions of this Act.

"Police officer." Any member for the police force of the town, or special constable appointed by the town council for the purpose of enforcing the provisions of this Act.

"School hours." From 9 a.m. to 4 p.m. on school days, or such other regular hours as the public schools may be in session by order of the board.

"School days." The prescribed days.

(2.) Every child in the school section shall attend school during the regular school hours every day for at least one hundred and twenty days in each school year, unless the physical or mental condition of the child is such as to render such attendance or instruction in the subjects taught in such schools inexpedient or impracticable ; but any child over twelve years of age who shall pass a satisfactory examination in grade seven of common school work, and any other child over thirteen years of age, who shall have attended school sixty days during fourteen consecutive weeks in the preceding year, if necessity requires him or her to work, and who shall show that fact to the satisfaction of the board, and obtain the written permission of the secretary of such board for such employment, shall be exempt from the requirements of this subsection.

(3.) The board shall ascertain before the first day of each school year the names and ages of all children residing in the said section between the ages of six and sixteen years, and the names of their parents or guardians or persons having charge of them, and carefully preserve lists of the same.

(4.) The board shall have full power and authority to appoint officers and persons to make such enumeration, and to make rules and regulations for the purpose, and to prescribe the books and records to be kept under this Act and designate the persons to keep and the manner of keeping the same.

(5.) Any person refusing to give any information to the board or its officers, or the truant officer, or to any person appointed by said board or the town council to carry out the provisions of this Act, as to the name or age of any child residing or living with said person in the school section, or wilfully giving any false information in regard to the same or any matter about which information is required by this Act, shall be liable on summary conviction before tthe stipendiary magistrate to a fine of not less than one nor more than twenty dollars and costs.

(6.) The board shall ascertain as soon as possible after the close of the school for the year, how many of the children named in the lists mentioned in the third subsection have not been at school for one hundred and twenty days during the said school year, and notify the parents, guardians or persons having charge of said children of the exact number of days' attendance made by such children during said year, and that they are liable to prosecution under this Act unless they satisfy the board that there was a good reason for the failure of said children to attend for the full period prescribed.

(7.) The board shall also ascertain how many of the children of the school section between said ages have not attended school at all during the year, and shall notify the parents, guardians or persons having charge of such children, that they are liable to prosecution under this Act unless they satisfy the board that there was a good reason for such non-attendance.

(8.) Every parent, guardian, or person having charge of any child residing in the school section shall cause such child to attend some public or private day school at least one hundred and twenty days in each school year, except as exempted under section 84, subsection 2, of this Act.

(9.) Every parent, guardian, or person having charge of any child in the school section, failing to comply with the preceding subsection, shall be liable on summary conviction before the stipendiary magistrate to a fine of not less than one nor more than twenty dollars and costs for the first offence, and for every second or subsequent offence to a fine of one dollar and costs for each school day that the law is not complied with, provided, however, that the same person shall not be fined more than sixty dollars exclusive of costs in any one year.

(10.) It shall be the duty of the board to cause all parents, guardians and persons having the care of children residing in the school section, failing to comply with the law, to be summoned before the stipendiary magistrate, unless such parents, guardians, or persons satisfy the board that the physical or mental condition of the child of or under the guardianship of such person is such as to render attendance or instruction in a public school inexpedient or impracticable, or that such child is being properly educated in reading, spelling, writing, English composition, geography, and arithmetic, otherwise than in a public or approved private school, or that the failure to attend the requisite term was owing to ill-health or temporary absence from the school section, or through some domestic affliction in the family of said person, rendering it necessary or prudent, in the opinion of the board, to keep such child home, or that the parent, guardian or person summoned was by reason of poverty unable to provide such child with proper and sufficient wearing apparel for attendance at school, and that such parent, guardian or person bona fide endeavoured to procure sufficient wearing apparel for such child to attend school. For the purposes of this Act the school board shall approve a private school only when the instruction given therein includes reading, spelling, writing, English composition, geography and arithmetic, as well taught as in ordinary public schools, and when such school shall keep a register of attendance in form and manner as prescribed by the Council of Public Instruction for public schools, which register shall at all times during school hours be open to the inspection of such persons as the school board shall appoint, and shall furnish to the board such reports and returns concerning the studies and attendance of all pupils in such school between the ages of six and sixteen years as may be required for the carrying out of the provisions of this Act ; and it shall be the duty of the Superintendent of Education to supply such register and blanks for returns as may be necessary for compliance with the provisions of this section. No parent, guardian, or person having charge of any child shall be exempted from the penalties of subsection 9, on the ground that the child in question has been educated, "otherwise than in public or approved private school," unless such child present a certificate from the supervisor or principal of schools of having passed a satisfactory examination on the grade of work suitable to the child's age and previous opportunities for receiving an education ; and it shall be the duty of the supervisor or principal to examine at stated times all such children making application whose compliance with this Act is called in question. In any prosecution under this Act the age stated in the information shall be taken prima facie to be the age of the child. No other than the board or its executive committee, or person or persons appointed by them for the purpose, shall have power or authority to prosecute or institute any proceeding before the stipendiary magistrate under this Act.

(11.) Notice from the board shall not be a condition precedent to any prosecution under this Act, but the stipendiary magistrate may exempt any parent, guardian or person from any penalty under this Act on proof of any of the reasons set forth in subsection 10 of this section, and the exemptions mentioned in subsection two of said section.

(12.) All fines and pealties imposed and recovered under this Act shall be paid over to the board, and be applied by it towards enforcing and carrying out the provisions of this Act, and the magistrate may in any conviction made under this Act impose an alternative of imprisonment in the county jail for non-payment of the fine, such imprisonment not to exceed two days for each dollar of the fine imposed ; and in such case it shall not be necessary to issue any distress warrant against the goods or property of the person convicted, but such person may be forthwith committed to prison if the fine be not at once paid.

(13.) A certificate under the seal of the board, and signed by the secretary of the board, that the name of the child or the names of the children mentioned in the summons do not appear on any school register of any of the public schools in the school section, or that the child or school children named have not complied with the requirements of section 84, subsection 2, of this Act (in which case the number of days attended shall be specified), and that the party summoned has been returned on the list to the board as the parent, guardian, or person having the charge of such child or children, shall be received by the magistrate as prima facie evidence of the offence charged, without requiring any proof of the seal of said board or the signature of such secretary, or the production of any school register or list in the custody of the board, or any certified extract from the same, and shall be sufficient evidence to warrant a conviction in any case, unless the person summoned makes defence and satisfies the magistrate that he comes within one of the exemptions hereinbefore specified, or that the certificate presented by the secretary is in fact untrue, for which purpose the party summoned shall be competent to give evidence under oath in his own behalf.

(14.) The provisions of this Act shall not apply to the children of persons in the military or naval service of Great Britain during the time they continue in said service while residing in the school section, nor to the children of persons visiting the school section for business or pleasure, and not permanently residing therein.

(15.) Any child registered as attending any of the public schools, and reported by the teacher to be absent for ten or more days, not necessarily consecutive, during any school term, without excuse and without the consent of the parent, guardian or person having charge of such child, may be deemed to be and shall be dealt with as an habitual truant by the board.

(16.) Any child known to the police, truant officer or officers of the board, to be begging or wandering at large within the school section for ten or more days, not necessarily consecutive, during any school term, and found not to be attending any school or engaged in any proper employment during regular school hours, shall be deemed to be and shall be dealt with as an habitual truant.

(17.) The truant officer or any policeman may, without any warrant or process, arrest such habitual truant and convey him to school, and so from time to time as often as he shall absent himself from school without lawful excuse. Any person who shall be so arrested and conveyed to the school, and who shall thereafter violate any regulation of the school, and any person who shall be so convicted as an habitual truant three times within three months, shall, upon conviction before the stipendiary magistrate, be liable to imprisonment for such term as the stipendiary magistrate may adjudge, not exceeding one month. The magistrate may suspend the imposition of the penalty if he is satisfied that it is in the child's interest to do so.

(18.) The school board is hereby authorized and empowered to make, pass and publish all necessary by-laws and ordinances concerning habitual truants, and children between the ages of six and sixteen years who may be found wandering about the streets or public places of the section during school hours, and to prevent such children growing up in ignorance, and for the proper enforcement of all rules and regulations made by the board for more effectually carrying out the provisions and objects of this Act.

(19.) No child under the age of sixteen years shall be employed in the school section by any person to labour in any business whatever during the school hours of any school day, unless such child shall have attended some public school or some approved private school, or shall have been otherwise instructed by a teacher qualified to instruct in spelling, reading, writing, geography, English composition and arithmetic, for at least six months of the twelve months next preceding such employment, and in every year in which such child shall be employed, and shall at the time of such employment deliver to the employer a certificate signed by the secretary of the board, certifying to such attendance, or a certificate signed by the supervisor or principal that such child had passed a satisfactory examination in grade VII of the common work. Any child, however, between the ages of thirteen and sixteen years, who has attended a public school sixty full days during fourteen consecutive weeks during the preceding year, as mentioned in subsection two, and delivers to the employer the secretary's certificate of such attendance, may be employed to labour. But no child under the age of thirteen years shall at any time be employed in any mechanical, manufacturing or mercantile establishments. Any person who shall employ any child contrary to the provisions of this section shall, for each offence, be liable to a penalty of not less than ten dollars nor more than fifty dollars, with costs, on summary conviction before the stipendiary magistrate.

(20.) The board, or such officer or person as they shall appoint, shall, at the beginning of each school year, and at such other time as they may deem necessary, examine into the situation of the children employed in all manufacturing and other establishments in the school section, and ascertain whether the provisions of this Act are duly observed, and prosecute all persons violating its provisions.

(21.) On demand, on any such examination as mentioned in the preceding subsection the proprietor, superintendent or manager of such establishment or manufactory shall exhibit to the officer or person appointed or designated by the board to make any such examination, a correct list of all children under the age of fourteen years employed in such manufactory or establishment, with the said certificate of attendance at school or of instruction. Any such proprietor, superintendent or manager, who shall refuse or neglect to furnish such list, or to send such list to the office of the board when requested in writing to do so, shall be liable to a penalty of not less than ten dollars nor more than fifty dollars, with costs, on summary conviction before the stipendiary magistrate.

(22.) All fines, forfeitures and penalties imposed by this Act, or any amendment thereof, shall be prosecuted in the name of Her Majesty the Queen, and when any act or thing is directed to be done or prohibited by this Act or any amendment thereof, and no penalty is provided therefor, then and in such case the party violating said Act shall be liable to a penalty not exceeding twenty dollars and costs, and in default of payment imprisonment in the county jail for a period not exceeding sixty days, or both, at the discretion of the stipendiary magistrate.

(23.) The provisions of the Summary Convictions Act, chapter 103, of the Revised Statutes, and all Acts passed amending the same, shall apply to all proceedings instituted under this Act, when not inconsistent with any expressed provision herein ; and the stipendiary magistrate shall amend any summons, warrant, conviction, or any document, to make it in accordance with the evidence.

85. In every incorporated town in which the foregoing section 84 has not already been adopted, it shall be the duty of the mayor, warden or presiding officer to submit, on or before the first day of July in each year, to the town council, the resolution embraced in schedule D, and whenever the resolution aforesaid shall have received the assent of a majority of the town council voting thereon, the town council and the board of school commissioners of the said town shall and are hereby required to continue to perform the duties assigned by the said section 84, unless the action adopting it shall have been repealed by a two-thirds vote of the members of the town council.

MISCELLANEOUS.

86. Members of the legislature, ministers of religion, and magistrates, and any person temporarily appointed in writing by the superintendent of education, shall be visitors of schools.

87. The superintendent, inspectors, teachers of the normal and model schools, and licensed teachers, while employed as such, shall be exempt from serving in any town office or on juries.

88. The school year shall begin on the first day of August and end on the last day of July.

89. When any section shall have been without a school for the period of two years, in consequence of the inability of its inhabitants to provide a school-house, there shall be refunded to the trustees of said section, on the recommendation of the board of school commissioners, the amount of the county municipal school rate assessed during the said two years on the inhabitants of the section. In no case shall the superintendent of education issue an order for such repayment till furnished by the inspector of schools with a certificate that a school-house is in actual course of erection.

90. Both county fund apportionment made to trustees and provincial grants to teachers shall be withheld from sections making a false return, and from sections whose school or any of whose schools have been conducted in buildings condemned by the board of school commissioners.

INTERPRETATION.

91. The following terms used in this chapter shall mean as hereby defined, except where the context shall preclude such definition :

" Section " : That portion of territory the school or schools of which may be presided over by a board of trustees, or in case of incorporated towns by a board of school commissioners.

" Border Section " : A section embracing portions of two or more districts.

" District " : That portion of territory the schools of which may be under the general supervision of a board of district commissioners of schools.

" Ratepayer " : Any resident of a section rated in the county rate-roll in respect of real or personal property.

CITY OF HALIFAX.

92. The city of Halifax shall be one school section, and there shall be twelve commissioners of schools for such city, appointed, six by the Governor in Council and six by the city council, as hereinafter provided ; and the twelve commissioners thus appointed shall constitute a board of school commissioners for the city of Halifax, and such board shall be a body corporate, under the name of the Board of School Commissioners for the city of Halifax, and subject to the provisions hereinafter referring specially to such board, shall have all the power and exercises all the duties of trustees and commissioners of public schools.

93. The six commissioners appointed by the Governor in Council shall hold office during the period of three years, the two senior commissioners retiring on the first day of November of each and every year ; and the Governor in Council shall appoint two persons to fill the places of the two retiring commissioners, who shall hold office for three years.

94. The commissioners appointed by the city council shall likewise hold office during the period of three years, the two senior commissioners retiring on the first day of November in each and every year ; and the city council on the first day of November of each year, or as soon thereafter as conveniently may be, shall appoint two persons to hold office for three years, to fill the places of the two retiring commissioners.

95. No such commissioner, whether appointed by the Governor in Council or the city council, shall be eligible for re-appointment to the board

until the expiration of twelve months from the time of his going out of office.

96. Any extraordinary vacancy in the board caused by death, resignation, removal from the city, refusal or inability to act, or other causes, shall be filled by a person appointed by the body or authority who shall have appointed the person causing the vacancy, to hold office for the unexpired term of the person so causing such vacancy.

97. If from any cause all or any of the persons to be appointed either by the Governor in Council or by the city council under the provisions of this chapter shall not have been appointed at the time fixed for such appointment, or having been appointed shall not act, it shall be lawful for the commissioners who may have been appointed and consented to act, to act until the vacancies so existing shall be filled up.

98. At the first meeting of the board in November in each year they shall elect a chairman and vice-chairman, who shall, if they continue to be members of such board, remain in office until their successors are appointed.

99. Notice of the first appointment of the commissioners and of all subsequent appointments shall be published in the "Royal Gazette," as soon as conveniently may be after such appointments.

100. The board of commissioners shall have power, by resolution or otherwise, to apportion to each and every school or department, an area from which the pupils residing within such area may attend such school or department: and such board shall take all necessary steps to provide sufficient school accommodation, and shall furnish annually to the superintendent of education a report of their proceedings under this chapter, also returns of all schools subject to their control, and a statement of the appropriaiton of all moneys received and expended by them under the provisions of this chapter.

101. The board of commissioners are authorized to co-operate with the governing body of any city school on such terms as to the board shall seem right and proper, so that the benefits of such school may be as general as circumstances will permit; and the board may make such allowance to any such school out of the funds under their control as shall be deemed just and equitable; but no public funds shall be granted by them in support of any school unless the same be a free school or the high school.

102. On request of the board of commissioners specifying the amount required in addition to the sums provided from the provincial treasury for the yearly support and maintenance of the schools under their charge, the city council shall be authorized and are hereby required to add a sum sufficient after deducting costs of collection and probable loss, to yield the amount so specified by the board, to the general assessment of the city, to be levied and collected from the inhabitants thereof and from property lying within the county the owners whereof reside in the city; and on the payment of the required fee the city assessor shall furnish to the trustees of Dartmouth or other school section, and the clerk of the peace for the county shall furnish to the city assessors, the information necessary in order to give effect to this provision. Any person who may have been assessed both in the city and in Dartmouth or any other school sections in the county, in respect of such property, shall be entitled to receive back the amount paid by him either in the city or in Dartmouth or other school sections as the case may be, in accordance with the foregoing construction of the law. The sum so assessed shall be paid weekly by the city treasurer to the board, as collected. Provided, however, that the commissioners shall not have power to assess the city for any greater sum than ninety thousand dollars in any one year without the consent of the Governor in Council, given at the request of such commissioners.

103. The objects to be provided for by the board of commissioners out of the sum so assessed shall be the salaries of teachers and assistants, and of the secretary of the board, the leasing of lands and buildings for school purposes, the repairing and improving of grounds and buildings, the cleaning, fuel, and insurance of school-houses, the purchase of prescribed school-books, the interest payable on debentures issued by the board, the cost of supervision of schools, special instruction to teachers, school apparatus and stationery, and all other expenses required in the due execution of the different powers and trusts vested in the board by this chapter.

104. The board of commissioners shall have power to select and purchase sites for school buildings, and shall have power to borrow money for the purchase of the same; as also for the purchase of suitable furniture and apparatus for the schools under their control, and for the redemption from time to time of the debentures in the next section mentioned, as they mature; but the commissioners shall not enter into any contract for the purchase of any land nor for the erection of any school building until such contract has been submitted to and obtained the approval of the Governor in Council.

105. To enable the commissioners to borrow money, they may issue debentures in such form and for such sums as they may decide upon, payable with interest in twenty-five years from the date thereof, free from taxation; such debentures to be a charge on the city of Halifax, and the interest thereon to be paid every six months, and to be included in the sum specified and required to be assessed upon the inhabitants of the city as aforesaid. The debentures shall be sealed with the corporate seal of the board, and shall be signed by the chairman and countersigned by the secretary.

106. The board of commissioners are hereby invested with the title of all public school property, real and personal, within the city, and may sell and dispose of the same or any part thereof, and with the proceeds may purchase new school-house sites and erect new school-houses in such places and at such times as they may deem expedient.

107. The commissioners shall appoint their own secretary and fix his salary.

108. The superintendent of education shall be empowered to pay to the board of commissioners the grants provided by law for teachers and assistants employed in the city.

109. The board of commissioners for the city shall be empowered to dispose of debentures, authorized under this chapter, at current rates.

110. The board of commissioners for the city shall be entitled to receive a sum, in no case to exceed a thousand dollars annually, as remuneration for their services; such remuneration to be apportioned according to the promptness and regularity of the attendance of the members of the board, and the amount of labour performed by each, as the board may decide.

111. The commissioners of schools for the city of Halifax are authorized to effect insurances on school-houses.

112. The provisions of this chapter, except as herein otherwise specified, shall apply to the city

of Halifax, provided that this section shall not have the effect of repealing the City Compulsory School Act or any amendment thereof.

Subsection 5 of section 75 is the special section which the teachers have to regard in respect of the matter now under discussion before this committee. This is the law for them with regard to moral or religious instruction, and it is the only section in law, so far as I have been able to ascertain, that gives them imperative instructions what they shall do in respect of this matter.

That is all that is said with regard to the teaching of religion in the schools. Now, they are obliged to take an oath to do their duty in the manner provided for by this Act, which is said to be satisfactory to the minority in Nova Scotia, and which was introduced by the leader of this House, and for which he takes so much credit to-day. I think we cannot peruse this Act without coming to the conclusion that the rights asked for by the minority in Manitoba are not enjoyed by the minority in Nova Scotia, where they are said to have all the rights which they are entitled to. I can only say that if the teachers all over the country had been giving such instructions in the nature and effect of alcoholic drinks, as in subsection 7 of section 75, for the last quarter of a century, there would have been little or no difficulty in doing away with the bar in this building, which, I think, ought to be done away with and the sooner the better. Every teacher who gives sectarian instruction and takes this oath is a perjured person according to pages 7 and 8 of the comments and regulations. And yet every teacher is obliged to take this oath.

Mr. CAMERON (Inverness). There is nothing in the law to that effect.

Mr. SPROULE. I have learned that now, because I have read every clause of the law.

Mr. CAMERON (Inverness). Who put that comment there?

Mr. SPROULE. I don't know; but the question is, is it true or is it false?

Mr. CAMERON (Inverness). It is false.

Mr. SPROULE. If the teacher takes a false oath, is it perjury or is it not?

Mr. CAMERON (Inverness). It does not say so.

Mr. SPROULE. The teacher must swear that he has done his duty according to the regulations, and if he has not done his duty and takes that oath, is a perjured person. Now, I have gone over all this Act, including the regulations, and I have done so to show to this House and to the country that there is nothing in the Nova Scotia school law that provides for the teaching of any religious dogma in the schools during school hours, that there is nothing in it which prevents any child from attending these schools and receiving a proper secular education. I have gone through this Act because it has been stated by the hon. leader of the House, who has taken great credit to himself for passing such an admirable law, because it has been stated by the Minister of Marine and Fisheries (Mr. Costigan), by the hon. senior member for Halifax (Mr. Kenny), the hon. member for Inverness (Mr. Cameron), that it is an admirable law, which gave sufficient latitude to carry on the educational affairs of the province in a way that is satisfactory to a large majority of the minority. I have read this because it has been said by hon. gentlemen in this House, as well as by those outside, that if the provisions of this law were extended to Manitoba, no person among the minority or the Government could have reasonable grounds for complaint, and because, on the other hand, I have said more than once before that practically the provisions of this Act, so far as it relates to religious instruction, were offered to the minority of Manitoba by the commissioners of the Manitoba government through the commissioners of this Government, who went to Winnipeg. I have read this Act to show that the latitude that is given in the province of Nova Scotia for teaching religion is to teach after or before school hours, and not during school hours. If the Bishop of Halifax is correct when he said that the provisions of the Nova Scotia School Act were admirably suited to the minority, similar provisions ought to be suitable to a similar minority in any part of the country, and conditions that at least equally favourable have been granted or offered by the Manitoba government. It has been said by hon. members that if the minority had by law a system as favourable to them as that which exists in Nova Scotia that would be acceptable to the minority. But that has already been offered and refused by the commissioners representing this Government. I believe that no further steps should be taken with regard to this Bill at this time, and that this committee should rise so as to give the House an opportunity to make progress with other necessary legislation.

Sir CHARLES TUPPER. Mr. Chairman——

Mr. McNEILL. Will the hon. Secretary of State allow me a moment to correct a statement. My hon. friend from East Grey (Mr. Sproule) referred to some private information he had received, which is, I doubt not, information he received from me. He said with reference to the late meeting at Wiarton, that the school Bill had not been discussed at all. That was a misapprehension on his part. The school Bill was discussed, but there is a misapprehension as to what was intended by the vote at that meeting. A resolution was moved on that occasion which approves the course of the Government, but very carefully sails around the school question. It is as follows:—

> Resolved, that the Young Men's Liberal-Conservative Club of Wiarton, proud of the traditions of the Conservative party in Canada, and believing that the prosperity of the country has been due to the wise, patriotic and statesmanlike manner in which the Conservative Administration have conducted the affairs of the country, have pleasure in expressing continued confidence in the Government at Ottawa, knowing that in their hands the country will be wisely governed and its constitution and laws faithfully maintained.

I have received a communication from two staunch Conservatives in Wiarton to this effect:

> Government's course re schools was not approved at Wiarton meeting. Government's policy of the past was approved, but not school Bill.

Now, one word with regard to my friend Mr. John George. Mr. George has always been, as long as I have known him, and I believe all his life, an ardent Conservative. He has been advocating the Government's policy in North Ontario, in Haldimand and in Cardwell. I have no information to lead me to suppose that he has been doing anything improper so far as that advocacy is concerned. I did not understand my hon. friend to mean that Mr. George had been doing anything improper.

Mr. SPROULE. I did not wish to be so understood.

Mr. McNEILL. Mr. George has a perfect right to advocate his views on a public platform. But I hope it will also be conceded that those who differ from him and differ from the Conservative Government as to their policy on this question have an equal right to express their views frankly and fairly, either in Parliament or out of it.

Mr. SPROULE. I am glad the hon. gentleman has corrected me, because I have no desire to put on record anything that is inaccurate.

Sir CHARLES TUPPER. I have not taken up a great deal of the time of the committee because I was very anxious that nothing should emanate from the supporters of this Bill which would lend any countenance to the obstruction with which it has been met. But I feel it due myself and to the committee to draw attention to a little episode which occurred in this discussion a few nights ago. The hon. leader of the Opposition, in a somewhat strong criticism and censure of my course, charged me with two things. One was with having incurred the reprobation of the late Right Hon. Sir John Thompson, and the other was with having spoken in terms of great contempt of the Roman Catholic body in this country. I gave those statements the promptest possible denial, and I said I was prepared to show that, so far as Sir John Thompson was concerned, down to the close of his life and from its commencement, I enjoyed the esteem and confidence of the right hon. gentleman. I said that I was prepared to meet a letter which was quoted as having been written by Sir John Thompson with an extract from a letter written by himself when he was in Paris in 1893. The other statement was that I had spoken or written in terms of such profound contempt of the Roman Catholic body as to say that I had "no confidence in the breed." I met that statement, which was not new, and which, as I said, I had but a dim recollection, as it was a long time ago that the charge was made, with a flat denial.

I met that by a bold and defiant challenge to any man living to produce evidence that I ever uttered such words in my life, or had ever written such words. Subsequently, when I entered the House, I found the hon. member for Quebec Centre (Mr. Langelier) reading from the "Globe" newspaper a correspondence in which some such words were used, not as emanating from me, but as stated by me to have been spoken by Sir John A. Macdonald. I then stated that I had received a letter from Mr. John A. Macdonell, a Roman Catholic gentleman, of the firm of Foy, Tupper and Macdonell, at the time this correspondence is purported to have taken place, and that I was prepared to produce the letter from that gentleman, showing the entire falsity of the statement made in reference to myself. Now, Sir, I propose to read to the House the evidence upon which I give these two statements an emphatic denial. I will just say to the hon. gentlemen opposite that I do not think the credit of the House, the credit of the party, or the credit of the country, will be advanced by hon. gentlemen in this House adopting a policy of calumny with reference to any political opponent. I believe the good sense of this country will revolt at measures of that kind for the purpose of advancing the interests of a party, or attacking the character of any public man. I am reminded of the saying of Dusenbaum, "Whenever you would ruin a person or a government, begin by spreading calumnies to defame him." Now, I do not think it is creditable to any party, or to any member, to endeavour to sustain its fallen fortunes by adopting such a policy. I propose now to meet this charge by a statement of facts. You will remember that Shakespeare, in Henry IV., says, "Mark now how plain a tale shall put you down." I will first read extracts from a letter, dated at Paris, March 22nd, 1893, written by Sir John Thompson to Sir Charles Tupper, Bart., and copied from the original handwriting of Sir John Thompson, by Mr. Joseph Pope; and I shall be glad to show the original to any person anxious to see it:

> * * * I thank you very heartily for the regard of which you assure me, and I add very sincerely that I should esteem it a great disappointment and mortification if my recent accession to office should be followed by Canada being deprived of the services of one whose position, as a statesman, is a matter of so much pride to her, and for whom I personally have an attachment and loyalty which have grown very deep and strong in twenty years of political association.

I may say that that letter was written on an occasion when I desired to be relieved from the duties of the High Commissioner in London, and it was in consequence of the letter which I received from Sir John Thompson, containing this statement, that I was dissuaded from carrying out my intention. I may say in reference to the other statement, that I am enabled to give it an emphatic contradiction ; and I think it discreditable to any hon. gentleman in this House to rake up old correspondence of so long ago, purporting to have taken place in 1879, and bringing it before this House, when it had already been met by a complete and overwhelming refutation. There is an end of all courtesy in discussion if, when statements have been made and have been met by a complete and overwhelming denial, an hon. gentleman again undertakes to renew the charge, and entirely ignores the refutation that has been made. I will give a statement concerning the correspondence which purported to have taken place, and has been read by the hon. member for Quebec Centre (Mr. Langelier), and I will now read the refutation of what appeared in the "Globe," of 5th April, 1883. The "Mail," on the 5th of April, 1883, contained this statement from its Ottawa correspondent, which was published in refutation of the statement contained in the "Globe" :

> Ottawa, April 5th.—The Grit papers are publishing a correspondence purporting to have taken place between the solicitors of the Christian Brothers and the Government of Canada relating to some property in Toronto which the Christian Brothers had purchased from the Government at auction in 1867, the consideration being $8,000, one-tenth of which was paid at the time of sale, the balance was to have been paid by instalments, with interest at six per cent. The payments were not made, and the matter remained in statu quo till 1879, when an attempt was made to secure a settlement of the outstanding liabilities in order to enable the Christian Brothers to obtain a deed. Mr. J. A. Macdonell, of Toronto, was employed to approach the Government, and he wrote a letter to Sir Charles Tupper on this subject, dated 23rd January, 1879.

And that stolen correspondence was brought to light and published in 1883 :

> But whether the letter published is that letter or not, is something no one can tell, seeing that the letter in question, the memorandum of Sir Charles Tupper, and the final answer of the Secretary of the department were stolen and have been hawked around among newspapers for some time, without the possessor finding any man so dishonourable as to purchase stolen documents which, on the face of them, indicated that they were stolen.

Mr. MILLS (Bothwell). May I ask the hon. gentleman whether they were stolen from his possession ?

Sir CHARLES TUPPER. The hon. gentleman will see as I proceed.

> The probability is that the man who would not hesitate to steal the documents, would not hesitate about interpolating words and sentences which were not in the original. At any rate, the Government are only responsible for their own acts, and those acts were : First, the recommendation of Sir Charles Tupper, acting Minister of Public Works, dated May 22nd, that the property should be transferred to the Christian Brothers with the payment of the accrued interest on the condition of immediate payment of the whole amount of the purchase money by the Christian Brothers ; and, second, the letter signed by F. Braun, in which the Minister of Public Works regrets that the view taken by the Government as to the necessity of carrying out the terms of the purchase (such purchase having been effected through public auction) has rendered it impossible for them to accede to the representations made by him (the Minister) on behalf of the Christian Brothers. These two documents speak for themselves. The first one shows that it was several months after the attention of the Government was called to the subject that the Minister made his report. He was in no great hurry. Matters took their usual course. There was evidently no extraordinary anxiety to conciliate the Archbishop. He was treated exactly as any other man in the country making an application to the Government : that the Government did not approve of making an attempt to wean the Archbishop from his supposed regard for the Grits by such means. The Government of Sir John Macdonald took their time, and from January to May, turned the subjects over in their minds and finally declined to accede to the wishes of the Archbishop in this matter. The facts, as presented in the Grit organs are the strongest proof that the Government were not willing to do anything prejudicial to the public interest, and were not willing to depart from the usual routine, even to conciliate an Archbishop. Passing away from the stolen documents which were published by those who knew them to be stolen documents, we come to the letter purporting to have been written May 20th, 1879, to J. A. Macdonell, and in which appears italicised words : "Sir John says he has little confidence in the breed." That letter, of course, could not be among the documents stolen, because it necessarily, if actually sent, was in the possession of Mr. Macdonell, and could not have been among the stolen documents. Either, then, the thief must have gone to Mr. Macdonell's private papers in Toronto, and hunted this particular letter out, or must have forged it. He must have determined upon adding a second theft to his first, or a second and greater crime to his first crime. On examination, it looks remarkably like a clumsily prepared forgery. In the first place, it will be observed that while all the other documents given in the statements published by one or two obscure journals are signed by the persons writing them, this document is without any signature. The concocter of the plot thought it better not to go too far. He imagined that he might save himself by the cunning device of omitting the signature. In another essential he has proved himself a clumsy

fabricator. The point of the whole thing lies in the attempt to induce the public to believe that Sir John Macdonald made a statement which Sir Chas. Tupper endorsed to the effect that there was "little confidence to be placed in the whole breed," meaning thereby, says the Grit organ, that the Roman Catholic, or the hierarchy of that body were entitled to but little confidence. The clumsy forgerer makes Sir Charles Tupper write this in a most confiding way to a man who is himself one of that persuasion. The absurdity of such a concoction is only equalled by its malice. The concoctor overreached himself, like many another villain, but independent of the fact that the internal evidence is strongly indicative of forgery and that the absence of a signature to the only one of the four documents to which the slightest importance can be attached is a remarkably suspicious circumstance. I have the authority of the Minister——

The Ottawa correspondent says to the "Mail":

– to affirm in the most explicit and straightforward way possible that he knows nothing about the letter, that he never wrote it, never used such words in any form, either in writing or verbally, and that the letter from beginning to end is a forgery. The clumsily prepared forgery will probably deceive none but those who are, by strong partisan feeling, been given over to a delusion to believe a lie. At the same time, it is just as well to expose the fact that three of the documents have been obtained by theft from a public department, and not only fasten no wrong-doing on the Government, but actually show that the Government declined to purchase the support of a prominent man by declining to agree to what, on a review of all the circumstances, they thought would be prejudicial to the public interest, while the fourth, or unsigned letter of May 20th, is a downright malicious forgery, a fraud attempted to be palmed off on the public.

There is the complete refutation, and the emphatic declaration by myself at the time these letters first appeared, appears not to have been accepted, and I will assume was not known, by the hon. gentleman who made a reference to the statement. I will now read the letter of Mr. Macdonell, who, as I said before, is a Roman Catholic gentleman, and the partner of another Roman Catholic gentleman of the highest standing in this country, Mr. J. J. Foy, of Toronto. No person with a head upon his shoulders could believe for a single moment that any man could so far forget himself as to write in terms so insulting to a gentleman of a firm comprising two leading Roman Catholics in this country, whatever his opinions might be. I will now read the letter I received from Mr. Macdonell a few days ago:

Alexandria, April, 1896.

My dear Sir Charles:

I have seen with surprise that the old falsehood has been revived to the effect that you once stated that "you had no confidence in the breed," referring to those of your fellow-countrymen who professed the Catholic religion. I had thought that this had long since been disproved and abandoned. Political exigencies would appear, however, to have necessitated its resurrection, and I regret to find that no less a person than Mr. Laurier has been so far imposed upon as to give countenance and repetition to it.

As the statement was originally alleged to have been made by Sir John Macdonald and conveyed by you in a letter to myself, permit me to state very shortly the facts.

Application was made about the year 1879 by the late Archbishop Lynch through me to the Government of Canada for a small concession in respect of some interest in arrears on the purchase by a Catholic institution of the old Bank of Upper Canada building in Toronto. You were Minister of Public Works at the time, and I, acting as solicitor for the Archbishop of Toronto, wrote to you upon the subject. You were inclined to accede to our request, but consulted Sir John Macdonald with regard to it, and conveyed to me Sir John Macdonald's legal opinion that the concession could not be made without a vote of Parliament, it not being, in his view, within the legal competency of the Privy Council to remit moneys due to the Crown. I reported accordingly to my client the Archbishop, to whom I showed your letter, and although considerably disappointed at what we thought was a somewhat forced and technical reason for refusing a request amply justified bp the surrounding circumstances, we felt that nothing further was to be done in the face of Sir John's legal decision to which, of necessity, we bowed. It was a matter of public business, and you were naturally guided by Sir John's view of the law and your decision was final and was conveyed to me in the ordinary course of departmental routine. Shortly afterwards, but fortunately not before Archbishop Lynch had seen your letter, the correspondence was purloined from the office of Foy, Tupper & Macdonell, and your letter freely interpolated by some facile hand, appeared in print, with the statement that Sir John had made use of the expression with reference to Archbishop Lynch, and generally including, of course, Mr. Foy and myself.

I was astonished at the stupidity and impudence of the forgery, for such it was, the statement referred to having been forged, to a letter genuine, in other respects, and published as being an authentic document in its entirety. I was surprised that any rational being could be so stupid as to credit that a man so notoriously astute as Sir John Macdonald, would make use of so offensive a remark, which was to be conveyed to the solicitor for the Archbishop in a letter which he knew must, of necessity, be shown immediately to His Grace, in the ordinary course of business. Secondly, that it could be supposed by any one who was aware of the well-known relations of most intimate personal friendship which existed between Sir John Macdonald and myself, that Sir John would offer me so gratuitous an insult in regard to a high dignitary of the church to which I belonged, and to all who, in common with myself, professed the Catholic religion, and, thirdly, that it would be supposed to be conceivable that the father of my partner could be selected by Sir John as the medium of communicating so grave a breach of all those amenities observed among gentlemen to the son of his own former partner and life-long friend. And I was only a degree less surprised that it should be suggested that persons in our rank of life had recourse either in our conversation or correspondence with each other to such language or expressions which I have been given to understand are customary among loafers at the street corners, and the habitues of the slums.

When I discussed the matter with the Archbishop, he dismissed it with the remark that it was the first time he had seen it suggested that Sir John Macdonald was a fool, and that he was not to be caught by any such chaff as that.

Let me state, in conclusion, that Archbishop Lynch and Sir John Macdonald continued, until the death of the former, to be warmest personal friends, and I, who was then a resident of Toronto, and enjoyed the confidence of both, was frequently the intermediary between them in relation to matters of common interest. His Grace died on May 12th, 1888, and, writing to him on March 5th, 1887, shortly after the general elections of that year, Sir John concluded a somewhat lengthy letter as follows :—" And now, my dear Archbishop, let me again thank you most warmly for all that you did for us in the recent campaign. I can assure you that my colleagues and myself gratefully appreciate your kindness."

Having had something to do with the action of the Archbishop thus warmly acknowledged, and knowing that it would be gratifying to me who was then an invalid, His Grace, with great courtesy and kindness, sent me this letter and told me to keep it, and it thus happens to be in my possession. It indicates, I venture to submit, that Sir John had very much confidence, indeed, both personal and political in his friend the Archbishop, and those of his faith, and that he had very good reason therefor ; and, further that the confidence was mutual.

I have not the pleasure of Mr. Laurier's acquaintance, but I feel sure that after this statement (of which I can forward him a copy) he will not repeat a story which he has been deceived into supposing had some foundation in fact.

I am, my dear Sir Charles,
Faithfully yours,
J. A. MACDONELL.

The original of that letter is under my hand. I will now add to that, a letter by His Grace Archbishop Lynch, in his own handwriting, to Mr. Macdonell, treating with profound contempt the insinuation that he could be supposed to countenance any such statement ever having been made :

St. Michael's Palace,
Toronto, October 2nd, 1885.

My dear Mr. Macdonell :

I am sorry that you have taken so much to heart a letter written many years ago, that you say was interpolated. You are both a Catholic and a gentleman, incapable of being disrespectful to a prelate of your church. I am sure that Sir John A. Macdonald and Sir Charles Tupper are too much gentlemen and politicians to say anything that might offend a very large portion of their constituents.

I am, dear Sir,
Yours faithfully,
JOHN JOSEPH LYNCH,
Archbishop of Toronto

I am quite sure, Sir, after this refutation, I need not say a single word more than that I think it is greatly to be deprecated that any hon. gentleman lends his ear to any rumour of fact dating far back, and which, as I have already shown, was promptly refuted in the most emphatic and thorough manner in which it is possible any statement could be refuted. If, under those circumstances, questions of that kind can be revived and treated as authentic, and the circumstance ignored, that they were refuted at the time they were originally stated, there is an end of all parliamentary courtesy—I will not say courtesy, but fair-play. I do not believe the interests of any party are likely to be promoted by anything of the kind. I propose, before I sit down, to offer a few remarks, and a very few remarks, in regard to the discussion which has taken place with respect to the negotiations between the Government of the Dominion and the government of Mr. Greenway in Manitoba.

Mr. MARTIN. I rise to a point of order. That discussion took place in another debate, on a motion to adjourn the debate, and it is not competent for the hon. gentleman to speak as to what occurred in another debate. That was the time for the hon. gentleman to have made his remarks, and it was a great disappointment to the committee that he did not avail himself of that opportunity.

Sir CHARLES TUPPER. The point of order will not avail the hon. gentleman, and for this reason : The debate was not confined to the long speech made by the hon. member for Simcoe (Mr. McCarthy), but there was a discussion, in which the hon. member for Winnipeg (Mr. Martin) and half a dozen other hon. members took part, and that was part of a continuous debate.

Mr. MARTIN. The hon. gentleman is quite mistaken. I discussed the matter on the motion of the hon. member for North Simcoe. I have not said a word upon it since. Of course, the hon. gentleman can speak on other questions now. My point is that, in speaking on the question now, he cannot allude to any observations made on the motion moved yesterday by the hon. member for North Simcoe, that the House do now adjourn. That was not a continuous debate : it was one that was disposed of, and what was said during its progress cannot be referred to during this discussion.

Sir CHARLES TUPPER. It is not necessary that I should refer specially to the speech made by the hon. member for North Simcoe (Mr. McCarthy).

Mr. McMULLEN. In regard to the subject mentioned a moment ago, the hon. gentleman intimated that a correspondence had taken place between himself and Sir John Thompson with respect to his position as High Commissioner. As there may not be an opportunity to move for that correspondence by resolution, perhaps those papers, without an order being made, will be laid on the Table of the House.

Sir CHARLES TUPPER. I think the hon. gentleman might have taken another opportunity of raising that question, after I had concluded. But I may say that the correspondence between Sir John Thompson and myself was of a private nature, and will not be laid on the Table of the House. I have given the entire extract that bears on the statement made by the leader of the Opposition.

Mr. McMULLEN. I protest against the Secretary of State declining to lay on the Table of the House correspondence to which he has drawn the attention of the House.

Sir CHARLES TUPPER. The hon. gentleman has ventured to make an irregular interruption, which he has no right to do. He can raise the question at another time, but I do not propose to be interrupted while I have the floor.

Mr. LANDERKIN. Will the hon. gentleman tell me——

Some hon. MEMBERS. Order, order.

Sir CHARLES TUPPER. I have not taken up an undue portion of the time of the committee, as I think hon. members on both sides of the House will admit, and I propose to occupy a very short period at the present time; but it seems, under the circumstances, hardly respectful to the committee that I should not take some opportunity, anxious as I have been not to do anything that could possibly interrupt the proceedings on this Bill, to briefly refer to the statements made at great length and reiterated by hon. gentlemen opposite. It has been stated by hon. gentlemen opposite, throughout this debate, that the Government of this Dominion have treated the government of Manitoba as an enemy. Well, Sir, I am very glad at last that we have evidence to show how utterly unfounded that assertion is. The hon. gentleman who has just taken his seat, after paying me the very great compliment of extending on the pages of "Hansard" the Nova Scotia School Act, which I had the honour of introducing and passing through that legislature, and all other hon. gentlemen in this House seem entirely to forget the position we occupy. They seem to imagine that this Parliament is engaged in constructing a school law, that we have carte blanche to make it as perfect and complete a school law as possible. I submit that is an entire misapprehension. That is not the position at all. If it were, the action of many hon. members on both sides of the House would be very different to the opinions they have expressed on this question in the position in which it stands, and, therefore, I wish briefly to draw the attention of the House to the fact that this very important conference which took place at Winnipeg on this question has, in my judgment, been of very great service in its consideration. The leader of the Opposition has taken the ground for a very long period that it was the duty of this Government to issue a commission to ascertain the facts, and he has spent a great deal of time and ability in endeavouring to convince the House and the country that it was impossible to deal with this question without first having a commission to ascertain the facts. That delusion has been swept to the winds.

Some hon. MEMBERS. Oh, oh.

Sir CHARLES TUPPER. Yes; I say that delusion has been completely swept to the winds by the conference at Winnipeg. I am, however, anticipating a little. The position the Government finds itself in is not one of constructing a law, but of carrying out a decision given by the Judicial Committee of the Privy Council. I cannot do better, in view of the position in which we stand on this question, than to draw the attention of the committee to what the constitution of the country is with regard to the position of the Manitoba and the Dominion Government. The Manitoba Act says:

> In and for the province, the said legislature may exclusively make laws in relation to education, subject and according to the following provisions:
>
> 1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law or practice in the province at the union.
>
> 2. An appeal shall lie to the Governor General in Council from any Act or decision of the legislature of the province, or of any provincial authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.
>
> 3. In case of any provincial law, as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section, is not made, or in case any decision of the Governor General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then, and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor General in Council under this section.

What were the provisions of this section? They involved the declaration that the power to legislate exclusively by the legislature of Manitoba, ceased when they undertook to legislate to take away the rights or privileges enjoyed by the minority, as they had existed.

Mr. DAVIES (P.E.I.) Is the hon. gentleman not convinced yet that that is not so?

Sir CHARLES TUPPER. No. I am not only convinced that it is correct, but, if there are any terms in the English language which can establish the point conclusively, they are contained here, when the Act gives to the legislature of Manitoba exclusive powers to legislate in regard to education, subject to the condition that it shall not take away rights enjoyed by the religious minority; and there is further provision that, as regards that exclusive jurisdiction, an appeal lies to the Governor General in Council as to whether those rights have been taken away, and, if it is found that they have been taken away, power is conferred on this Parliament to legislate. That is the position. What has happened ? No pretense is made in this House or country that those rights have not been taken away. It is admitted by everybody that rights and privileges enjoyed by the Roman Catholic minority in Manitoba down to 1890, were taken away by the legislation of 1890. We do not require to waste time in establishing that, because, I say, it is universally admitted. We have the decision of the highest tribunal in the Empire, which declared, after the subject had been argued fully before it, that the privileges of the minority had been invaded, and that the right thereby devolved on this Parliament to restore those privileges which had thus been taken. It is idle, under the circumstances, I hold, for any hon. member to pretend for a single moment that we are in a position to make such a law as hon. gentlemen on both sides of the House would be disposed to make, if we were in the position to take up the question de novo. It is idle to waste time and discuss whether it was within our power and duty to see whether we could prepare a Bill better than the Remedial Bill. What devolved on the Government was this : When the Judicial Committee made that declaration, the Government of Canada were bound—and I do not believe any hon. gentlemen deny it—to recognize that the necessity for legislation was created and a duty imposed on this Parliament under the law and the constitution to redress the wrong. Then we must look at the question not as to what kind of a law we prefer, but what is necessary to restore to the Roman Catholic minority of Manitoba the rights which everybody is obliged to admit they have been deprived of and the privileges they enjoyed under the law as it existed when the law of 1890 was passed.

Mr. SUTHERLAND. The Finance Minister stated the position differently in his speech from the Secretary of State.

Sir CHARLES TUPPER. Although there may be a difference in phraseology, I say, in the presence of this House, that from the hour I entered the Government of this Dominion down to this hour, there has not been a difference of opinion on the question of this Bill or the necessity that devolves on the Government to carry it through this House.

Mr. SUTHERLAND. The Finance Minister said it was not required by the law or the constitution, but it was a matter of policy.

Sir CHARLES TUPPER. I reply that there is no difference of opinion in the Government in the slightest degree, that all these ideas are creations of a too active imagination on the part of hon. gentlemen opposite. There is no foundation whatever in fact, so far as I know, for an opinion that any difference of opinion in the Government has existed down to the present hour.

Mr. FRASER. Which of the two views is the view that all are agreed on ?

Sir CHARLES TUPPER. The hon. gentleman had better spare his interrogations if they are as senseless as that one. I say there has been no doubt that the Government have been unanimous as regards the principle, while there may be a difference of opinion on minor details, while one Minister may consider the question more important than another. It is quite competent for the Minister of Finance to disagree with myself as regards the importance of this Bill, and not to hold it as important as I deem it ; but that does not touch the vital essence as to whether this Bill restoring the rights and privileges to the minority of Manitoba is a measure on which we have agreed from the time I entered the Government down to this hour, and which we were determined to press on the attention of the House so long as there was the faintest possibility that it could become law. What happened ? The remedial order was passed by the Dominion Government. I believe it was passed—I am not quite sure about the date—on 21st March. That order has been denounced by certain hon. gentlemen opposite as very unwise and very harsh and calculated to give offence to the government of Manitoba. But the House must not forget what followed. An answer was sent, after a considerable interval, by the government of Manitoba, and a second remedial order was passed showing how anxious the Dominion of Canada was that this measure should be considered, dealt with and disposed of by the government of Manitoba. The second invitation to take this subject up and dispose of it in a satisfactory manner, was declined, and the Government were compelled to fall back upon the constitution and upon this remedial measure. As to whether the Government have been treating Manitoba with due courtesy, and whether we have been disposed to adopt those mild and sunny ways that the leader of the Opposition suggested—and as to which I quite agree with him, for every means should be exhausted to bring this unhappy question to a satisfactory termination—abundant evidence is now before this committee that we have neglected nothing. My hon. friend from Montreal West (Sir Donald Smith) on his own account and animated by the most lofty and patriotic desire to see this matter amicably arranged by the government of Manitoba, went there for the purpose of seeing what could be done. Some communication took place between that hon. gentleman and the government of Manitoba, after he returned. The first information that was received that the government of Manitoba would consent to negotiate with the Dominion Government was promptly availed of the moment it was received. The papers that are before the House show that the moment it was intimated on the part of Mr. Greenway that he would be disposed to respond to an official invitation to have a negotiation, this was availed of, and the Government at once sent three gentlemen who, I believed then, and believe now, were as agreeable to the Manitoba government as could have been selected for the purpose of carrying on the negotiations. They were received with the utmost courtesy by the government of Manitoba, and proceeded to take up this question. Was anything said about a commsision ? Look through these papers, and you will find that there is no suggestion that the facts were not all patent and known to everybody. Instead of saying at the very opening of the negotiations : Before we can do business, we must ascertain the facts, and there must be means taken to investigate the facts ; it was all taken for granted. That disposes, and I think it is very fortunate that it does, of the position the hon. gentleman held so long, and ultimately, in an unhappy hour, was led to abandon. It has been said over and over again, that this Government has increased the difficulty of dealing with this subject by the harsh spirit in which we approached Manitoba. Is there a single suggestion in these papers that any other mode of approach was possible ? I think we can take that part of the objection on the part of the opponents as having been swept away. These commissioners entered upon the negotiations in the kindest spirit, without any complaint being made with reference to these matters. The only ground of complaint arose on a misunderstanding as to proceedings in this House. It will be remembered that the hon. member for North Simcoe (Mr. McCarthy) suggested that the Bill should not be taken up until Tuesday, and a considerable portion of the press assumed, wrongly, that that was the arrangement. "Hansard" shows verbatim what was said, and shows that Friday was the day agreed to by the hon. leader of the Opposition and myself for taking up the Bill and going into committee. Our delegates saw the statement with reference to Tuesday, and they did not see that with reference to Friday. Consequently, they assumed that nothing would be taken up until Tuesday. That was the only point on which there was the slightest complaint, and the explanation offered by our delegates was courteously received by the government of Manitoba. I refer to that to show that everything that could be done on the part of this Government has been ratified, so far as we can judge, and the imaginary objections raised by some hon. gentlemen have been swept aside by the course the delegates pursued.

But there is another and much more important point in relation to these negotiations, and that is that no person can read over the propositions of the delegates from this Government without coming to the conclusion that they were animated by the most sincere desire to have this question settled in Manitoba, and not here. I do not think that any great advantage will be gained by that attempt to show that this Government has not been anxious from the first that Manitoba should retain the exclusive right to legislate on the question of education, and that the smallest possible concession that would restore the rights and privileges of the minority should be accepted.

Exception has been taken by a number of gentlemen in this House, who speak sneeringly of the minority. They say this is a question between the Dominion Government and the Manitoba government, and suggest that any statement from any source as to what the minority think or feel in this matter should be treated with contempt. I do not so read the constitution. I understand the constitution and the decisions of the Judicial Committee of the Privy Council as establishing this—that, where rights and privileges are taken away, the duty of the restoring of them rests with the Government and Parliament of the Dominion. Therefore, it becomes of the most vital importance to know what rights and privileges have been taken away and how they can best be restored.

Mr. LAURIER. Hear, hear ; that is the very point.

Sir CHARLES TUPPER. I think so—what rights, what privileges, have been taken away. A privilege may not be a right, but, under the constitution of the country, I do not gather that any broad distinction is drawn between the rights and the privileges that were enjoyed and that were taken away. Were our delegates to assume, in spite of the judgment, that they were to go on without reference to the feelings of or desires of the minority ? I think not. I think that the duty devolved upon them, knowing the decision that had been given and the terms of the instructions they had received, to deal with this matter in such a way as would, at all events, put the question in a position that the rights and privileges that had been withdrawn from the minority under the Act of 1890, should be restored. I cannot help thinking that any person, dispassionately regarding this question, will come to the conclusion that it would be impossible that they should go further than they did in reference to this matter. What were their suggestions for the settlement of this question ?

> Legislation shall be passed at the present session of the Manitoba legislature to provide that in towns and villages where there are resident, say, twenty-five Roman Catholic children of school age, and in cities where there are, say, fifty of such children, the board of trustees shall arrange that such children shall have a school-house and school-room for their own use,

> where they may be taught by a Roman Catholic teacher; and Roman Catholic parents, or guardians, say, ten in number, may appeal to the Department of Education from any decision or neglect of the board in respect of its duty under this clause, and the board shall observe and carry out all decisions and directions of the department on any such appeal.

I do not know how any hon. gentleman who is willing to restore these privileges in the slightest degree, can say there is anything unreasonable in that.

> Provision shall be made by this legislation that schools wherein the majority of children are Catholics should be exempted from the requirements of the regulations as to religious exercises.

I do not think that the strongest opponent of the Bill would not say that the converse of this would be revolting. That children shall be compelled to receive religious instruction which is in antagonism to the wishes of their parents, is what no man with any sense of justice would suggest.

> That text-books be permitted in Catholic schools such as will not offend the religious views of the minority, and which from an educational standpoint shall be satisfactory to the advisory board.

In other words, they are to be first-rate schools, under the control of a body appointed by the government of Manitoba, in order to secure a high order of education and to make it certain that they shall be as efficient as the other schools of the province, but that provision shall be made that there shall be nothing in the text-book to offend the religious susceptibilities of the Roman Catholics.

> Catholics to have representation on the advisory board.

Now, Sir, I may say that the smooth working of the Educational Act of Nova Scotia is due to the reason that, without providing separate schools by law, it has yet practically met the wishes of both Catholics and Protestants in Nova Scotia, has been the fact that the Council of Public Instruction is the government of the day, and, as the Roman Catholics are always represented in that government, it is impossible to have any regulations or arrangements made that are not satisfactory both to Roman Catholics and Protestants. This simply calls for a recognition of the same principles, and that on the advisory board Roman Catholics shall have a representative. The appointment of one single Roman Catholic on this board of eight or nine members in all that would be required.

> Catholics to have representation on the board of examiners appointed to examine teachers for certificates.

I am sure that no person will for a single moment object to that.

> It is also claimed that Catholics should have assistance in the maintenance of normal schools for the education of their teachers.

Sir CHARLES TUPPER.

I do not see any reason why they should not be given the means to give their teachers just as high an education as is secured by attendance at the Protestant schools.

> The existing system of permits to non-qualified teachers in Catholic schools to be continued for, say, two years, to enable them to qualify, and then to be entirely discontinued.

That was found necessary by the circumstances of the case, in which a number of persons who, perhaps, would not be able to pass the examinations at this moment required of Catholic teachers, might continue to teach, if they complied with the other requirements of the law with reference to qualifications.

> In all other respects the schools at which Catholics attend to be public schools and subject to every provision of the Education Acts for the time being in force in Manitoba.

If the privileges taken away from these people are to be restored, if their rights are to be respected at all, I cannot conceive any more moderate arrangement or one less open to any kind of objection on the part of any government here disposed to do any justice to the minority whatever.

I do not propose to go into the counter-propositions, for that is not necessary. But I will refer to one subject, and that is that one of the first proposals made by the Manitoba government was to secularize the schools. The hon. member for Winnipeg (Mr. Martin), I believe, would be willing to have the schools secularized, to banish the Bible and every kind of religious instruction from the schools, but I doubt if there are many members on either side who would agree with him.

Mr. EDGAR. The hon. member for Leeds (Mr. Taylor), the chief Government Whip, expresses that opinion.

Sir CHARLES TUPPER. I am very sorry to hear that, but I am sure that the Church of England would not agree to it, I am sure that the Presbyterian body would not agree to it, I am sure that the Wesleyan body would not agree to it, and I am quite sure that the Baptist body—which may not be a very large one in that country—would not agree to it. Therefore, the proposition to secularize the schools, I believe, would run counter to the overwhelming sentiment of all denominations, whether Catholic or Protestant, in the province of Manitoba, and, therefore, I regard that as a step certainly very much in the wrong direction. What a delusion it would be, if you were to have religious instruction after the manner proposed by the Manitoba government. What would it amount to? You have the Roman Catholic Church, the Church of England, the Presbyterians, the Wesleyans, represented in each school, and they are each to take alternate days. So you would have, in practice, half an hour once a week. Will you expect that to satisfy any person, Catholic or Protestant, who wishes to have this religious instruction in the schools ? Surely not. I do not intend to prolong these remarks, because I am anxious to avoid doing anything that shall take up a single moment of the time of this committee. But we have been accused of obstructing our own Bill. Absolutely, gentlemen have been found who, in the face of what is known to every member of this committee, actually accuse us of obstructing our own Bill. It has been insinuated that there was some occult influence at work which made the Government desirous of preventing this Bill from becoming law. Well, I have in my hands a copy of the Hamilton "Evening Times," of April 13th, a strong opponent of the Government, which gives the true inwardness of the opposition to the Bill :

> Canadians who do not believe in forcing separate schools upon Manitoba, may thank the Liberals in Parliament for getting an opportunity to prevent the outrage.

They gave to the Liberals the entire credit ; they won't allow any Conservative in this House to enjoy the credit.

Mr. LAURIER. The paper is not fair.

Sir CHARLES TUPPER. Hon. gentlemen opposite have said a good deal about last week affording a record-breaking session. This paper adds :

> The result is worth all the discomfort of a six days' and five nights' sitting.

So I think proper to give to the opponents of the Government, I won't say they are all Liberals, the credit of the unparalleled obstruction which this Bill has met from the commencement. Now, we have been ardently desirous of settling this question, for reasons which I have often stated, and need not repeat to the House. My great desire has been to remove from the political arena a question of this kind that is calculated to prevent us getting a verdict upon the important political issues that separate the two parties in this country. I believe also that it is very much to be deprecated that the people should have their passions and feelings excited, as they are excited on questions of religion more than on any other question in the world. I think it is very much to be deprecated that such a question should be taken to the polls. I think it is unnecessary, because the Government, while obeying the law and the constitution in the steps that have been taken, and declared to be absolutely necessary to restore the rights and privileges of the minority in Manitoba, have shown from the first that they are anxious that nothing should be done that could be construed as a violent or extreme measure. I do not hesitate to say that the minority, in my judgment, have been most reasonable in regard to this measure. Hon. gentlemen opposite profess so great a desire to destroy this Bill that they are willing to spend days and nights over a clause which is an exact transcript from laws that have been in use in Ontario and Manitoba for many years, and have been found to work perfectly well. Now, I do not understand this pretended anxiety on the part of the opponents of this Bill to have criticised in committee. If the minority are satisfied with the Bill, imperfect as the measure may be, falling short, as the leader of the Opposition holds it does, of restoring fully the rights of the Roman Catholic minority, if the minority are satisfied with the measure, why do some hon. gentlemen object to it ? That the minority are satisfied with it, we have the highest authority for saying. Every person knows the respect that is paid by the Roman Catholic people to the views of those who are placed in charge of their religious and educational interests ; everybody knows the confidence that is placed in those who preside over them as bishops and archbishops, and who may, therefore, be held to represent the views of the people themselves. In order to show the House, in an unmistakable manner that the minority are satisfied, I propose to read a message received by myself, and a similar one was sent to the Prime Minister yesterday, by the Archbishop of St. Boniface, from Montreal, in which he says :

> In the name of the Catholic minority of Manitoba that I represent officially, I ask the House of Commons to pass the whole remedial Act as it is now amended. It will be satisfactory to the said Catholic minority, that will consider it as a substantial, workable and final settlement of the school question according to the constitution.
>
> (Signed) EDOUARD LANGEVIN.

I give that as a complete answer to any hon. gentleman who says this Bill is worthless, that it will not give satisfaction to the minority. After this approval of the Bill by a gentleman holding so high a position as His Grace the Archbishop, who speaks on behalf of the Manitoba minority, certainly no person can any longer say that this measure will not satisfy their claim. I deeply regret that the necessary measure was not passed by the government of Manitoba. It would be infinitely more satisfactory, and no effort has been spared by this Government to secure a settlement by the government of Manitoba. I do not hesitate to say that I believe if this Bill were put on the statute-book, it would terminate the difficulty, for I believe the Manitoba government would then be in a position to say to the people of that province who have become excited upon this subject—and I believe that is one of the difficulties of the Manitoba government—they would then be able to say to the people : Either we must meet the claims of this minority by our own legislation, or we must have under the constitution of the country a divided authority ; and that is certainly not desirable. I believe if this Bill were placed upon the statute-book, this Government would probably never find it necessary to carry out any of its provisions, because they would be promptly adopted by the government of Manitoba in order to prevent the divided authority I have mentioned; and the hands of the local government would be enormously strengthened by putting this Bill on the statute-book. Now, I wish to say a word about the obstruction of this measure. Who is obstructing?

Mr. WELSH. Do you want to coerce us by keeping us here all night and all day? You are the men who are obstructing.

Sir CHARLES TUPPER. I will tell my hon. friend, if he will allow me to call him so, that nobody is more unwilling to keep him here than I am. It has been a case of necessity, not of choice. We have felt bound to exhaust every possible means for the purpose of carrying a Bill that we believe to be only of the greatest importance that it should become law, but we believe it to be of the most vital importance that it should become law this session. The session has been called specially for the purpose of dealing with this measure, the country expected it of us, and we have felt it our duty to exhaust every means to pass it. But I want to put this question to hon. gentlemen opposite. Who is it that is obstructing this Bill? Is it the representatives in this House of the two millions of Roman Catholics? I do not believe that there is one representative among those who represent the two millions of Roman Catholics in Canada in this House, who will get up and say: I am prepared to obstruct this Bill and prevent its becoming law. Then I say if you have at the back of this Bill the Government of the Dominion, composed of both Catholics and Protestants, if you have supporting them a large number of members representing both Protestants and Roman Catholics, if you have in favour of the Bill the representatives of the two millions of Roman Catholics in this country to-day, why should it be obstructed? Sir, it is not too late yet. The Bill has been prepared with the utmost care by the law officers of the Crown.

Mr. DAVIES (P.E.I.) Care!

Sir CHARLES TUPPER. Well, I do not suppose it would be in the power of human ingenuity to frame a Bill in which lawyers could not find flaws from Monday morning till Saturday night. But because they can do so, I do not hold that to be evidence that the Bill is imperfect. I say the clauses have been torn to pieces and changed and modified by hon. gentlemen opposite, in their desire, not to perfect the measure, but to mar it. I believe that the Bill as submitted to this House would have been perfectly satisfactory to the House. The law officers of the Crown had given it careful attention: and a gentleman of high standing in this country and great legal talent, Mr. Ewart, who has devoted, I may say, years of his life to the study of this question, has been devoting his great powers and his great legal talents to this measure for a long period. He has had the opportunity of crossing swords with another hon. gentleman of great legal talent, the hon. member for North Simcoe. It is said that iron sharpens iron, so I say that after this conflict of opinion on this question in all its phases, this Bill meets with the approval of the counsel retained by the minority in Manitoba. It also meets with the approval of the Minister of Justice and of the committee of the Dominion Government, composed of both Catholics and Protestants, who had charge of this Bill. As a layman, I say I would have been quite willing to take it as it stood; and I say now that the most vital and important portions of this Bill have been considered, and I believe it is the duty of his committee to allow the remaining clauses to be passed. If it is imperfect, hon. gentlemen opposite are not responsible for that; the Government of the country are responsible.

Mr. LAURIER. No, not the Government but the country.

Sir CHARLES TUPPER. We will settle that a little later. I say that the Government of Canada have been upheld by a majority of 99 to 7 in this House in favour of abandoning obstruction and passing this Bill. Now, under these circumstances, I venture to make the last faint appeal to hon. gentlemen opposite to let us settle this vexed question, which is the cause of so much trouble, and let the Government go to the country, responsible for all their sins, responsible for all the enormities of this measure, whatever they may be, and let them answer for their shortcomings to the people of this country. We are quite willing to take that responsibility. We believe it will be in the interest of the country, in the interest of peace and good feeling among Roman Catholics and Protestants of this country, and I trust, under these circumstances, that we may be permitted to place this Bill on the statute-book, late as the period of session is, and that we may be able to take up the other important business of the session that it is very necessary to transact before this Parliament prorogues.

Mr. LAURIER. I have been watching with some attention the trend of the speech delivered by the hon. gentleman in order to find out what conclusion he was driving at, and the conclusion which he at last enunciated was that we should pass this Bill, imperfect though it be, because the Government would be responsible for its defects. Well, Sir, I may tell the hon. gentleman at once, that if the conclusion he has just stated were true, I would not hesitate for my part to accept the appeal he has just made. If it were true that for this defective Bill the Government alone would be responsible when it is attempted to put it in force, I would not hesitate to pass it, and let the Government take the consequences. But, Sir, the statement is not true. The hon. gentleman knows, or should know, at all events, as well as anybody else, as everybody in this country does know, that the Government would not suffer the consequences of the defects in this Bill which the Government are seeking to railroad through the House. But the poor taxpayers of Manitoba would suffer the consequences, it is upon them that the results would fall. If you were to pass this Bill, imperfect as it is, the result would be litigation, and more litigation for the Catholic minority of Manitoba. Is that a prospect that we can regard with indifference ? Is that a view of the case that is to be ignored entirely ? Is that a view of the case which members of this House, responsible to their constituents, have not to take into consideration ? For the mistakes of this Government the minority of Manitoba must suffer the consequences. Sir, we have had in this very matter an example of hasty and ill-considered legislation. When the Manitoba Act was considered in this House of Commons, it is a matter of history that the intention of the legislature was to put the Roman Catholic minority in Manitoba on exactly the same footing as the Roman Catholic minority in Ontario and the Protestant minority in Quebec, that is to say, that their separate schools woud be beyond the reach of the legislature of Manitoba, that they would be in such a position that the legislature of Manitoba could no more touch their schools than the legislature of Ontario could touch the separate schools of that province, or than the legislature of Quebec could touch the separate schools in that province. Therefore, through hasty legislation, through ill-considered legislation, through undigested legislation such as we have to-day, that intention of the Parliament was not carried out, with the result that the minority have been deprived of their schools. Is that not the case ? The Minister of Finance has admitted that such was the intention of a former Parliament, but the intention of Parliament was not carried out. The Privy Council, by its judgment in the Barrett case, decided that the legislature of Manitoba could deal with this question, whereas the intention of Parliament here was that it should not deal with the question. Well, in the face of this example, the hon. gentleman asks us to go on and pass this Bill ; whether it is right or wrong, whether it is ill-digested or not, he says his Government will take the consequences. Again, I say that if the consequences were alone to fall upon the Government, I would take their advice ; but it is because the consequences cannot fall upon the Government, but must fall upon the minority, that every consideration must be given to this Bill before it becomes law. Now, the hon. gentleman said a moment ago, in the course of his argument, that the conference at Winnipeg had shown conclusively that there was no necessity for investigation. Why, that is just the delusion which has been swept away by the conference. An idea long indulged in by the leader of the Opposition had been shown to be a delusion by the fact that the commissioners of the Manitoba government did not, forsooth, suggest a commission. How could they suggest a commission ? Does the hon. gentleman dare to put forward such an argument as that if they did not suggest an investigation, it was because there was no reason for it. Why, the government had no time to legislate, as the hon. gentleman well knows. We have here the statement, and it was acknowledged by the Government themselves, that the demand made by the commissioners of Manitoba that this Remedial Bill should be suspended for two or three days, while negotiations were going on, and which was a very reasonable demand, was not carried out. How could the commissioners of Manitoba expect that the Bill would be suspended while the investigation was going on ? There was not time for investigation. But the government of Manitoba, as we all understand, were ready and willing to consider the proposition which was made by the Government, to have a friendly conference over the suggestions made for a friendly settlement of this question. The commissioners of Canada went to Winnipeg and there offered certain suggestions to the Manitoba commissioners for the settlement of this question, and those suggestions were fairly and favourably considered by the Manitoba government. But the hon. gentleman is aware that from the first the government of Manitoba stated that the only way to reach a solution of this difficulty was by having an investigation into all the facts. The hon. gentleman asks, what facts are there to investigate, and he declares that all the facts have been settled by the judgment of the Privy Council. What facts have been settled, I should like to know ? What facts were investigated by the Judicial Committee of the Privy Council or by any other tribunal ? The hon. gentleman knows, and he could not ignore it in a debate of this importance, that the Judicial Committee was consulted simply on assumed facts, and they gave their decision on the assumed facts being proved, and they arrived at the conclusion that, the facts being as stated, then the judgment should be as rendered by the Judicial Committee, and there was thus ground for interference by this Government. That is the case, and I cannot find words fitly to characterize the argument of the hon. Secretary of State. But it is not by repeated assertion of a fact which does not exist that he can build up an argument. It is by too much assuming facts in this way that the question has been brought to the dangerous position which it occupies to-day. Then, the hon. gentleman said that on the first intimation from the government of Manitoba, the Government of Canada sent commissioners to Winnipeg. Why, Sir, I am sorry to say, for the honour of the country and for the honour of the Government, that here again is a statement which cannot bear the light of day. The hon. gentleman is aware that the government of Manitoba were always ready, as I was aware they were always ready, and as the correspondence demonstrates, to open negotiations in order to arrive at a settlement of this question. But the hon. gentleman wants to convey the intimation that the negotiations originated with this Government, and not with the government of Manitoba, and I am sorry to say, for the name of Canada, that the correspondence laid before Parliament is a garbled correspondence, that the telegram from Mr. Greenway is garbled, that part of it is suppressed, and that the communication sent to Mr. Greenway at the outset does not appear in this parliamentary return. What is the first paper published? The first paper is an answer made by Mr. Greenway to a telegram sent by Sir Donald Smith. Why was not the telegram sent by Sir Donald Smith placed before Parliament? If the answer of Mr. Greenway to the telegram of Sir Donald Smith is placed before Parliament, it is unfair to Mr. Greenway, unfair to this Parliament, and unfair to the people of Canada, that the very communication which led to this correspondence has not been placed before this House. The explanation is found in the fact that in this matter, from first to last, there has never been candour on the part of Canada in dealing with this question. If the Government had from the first dealt fairly and squarely with the people of the Dominion and the people of Manitoba, there would have been reason to hope for, and indeed, I believe, long ere this there would have been reached, a better solution of this difficulty than is possible at the present time. But even at the very moment when it was expected to send commissioners to the government of Manitoba, this Government placed on record a distinctly hostile declaration to the Manitoba government. It was not fair towards the provincial government; but I am glad to say that, in their anxiety to deal with this question and arrive at a settlement, the Manitoba government passed over this want of candour on the part of the Dominion, and treated its commissioners fairly, generously and well, and with the greatest courtesy, as the Canadian commissioners have admitted in the reports submitted to the House. I again come back to this point, that the conference itself showed that an investigation was required. Any man who will look over the proposals made by the Canadian commissioners, and the counter-proposals of the Manitoba commissioners, and the action of the Dominion Government, must come to the conclusion that an investigation would have shed an amount of light that would have enabled a basis to be reached for a solution of this unfortunate question. What do we find in this correspondence? Any one who has read it with the intelligence which any man must possess who has given any attention to this question, must have come to the conclusion that if an investigation had been held, it would have been found that the Manitoba school question could be brought into very narrow compass, simply to the question of separate schools in the city of Winnipeg, and probably nowhere else. The grouping of the population in that part of the Dominion is such that there would be no trouble in giving the people that religious tuition which the minority demand should be given in the schools; but in Winnipeg, there being a mixed population, it is admitted there would be greater difficulty in dealing with the matter. But it seems evident, from the report made by the commissioners, that if an investigation were held, the question of education would be simplified into one probably of separate schools in Winnipeg, for everywhere else the question was one of comparatively easy settlement. That is shown already by the correspondence and the result of the negotiations before the House. I will not answer to-day, perhaps I may at some future period, the charge that the opposition to this Government, whether from the Liberal ranks or the Conservative ranks, has been obstructing this measure. There has been no disposition, I am sure, to obstruct the measure in the early stages of the Bill, and in the early hours of the day. Take what occurred yesterday. The hon. member for North Simcoe (Mr. McCarthy) very properly—and his action is to-day fully vindicated by the debate at this moment and the speech of the leader of the House—brought to the attention of the House the negotiations which took place recently at Winnipeg. The debate was interesting. If it was deficient in one thing, it was in this, it was not sufficiently broad, long, full and complete. This is well illustrated by the fact that, though at the time the Secretary of State would not answer the speech of the hon. member for Simcoe, yet to-day the leader of the House decides to discuss the same subject himself. This, therefore, is a justification for the debate of yesterday. At ten o'clock we took up the consideration of the Bill, and a great deal of laborious and useful discussion was spent on it. The hon. gentleman may deprecate that discussion, but it will be apparent to every one who reads "Hansard," that the speeches were most material to the subject under debate. After two or three o'clock, close attention cannot be given to the consideration of these clauses; the hon. leader of the House is not present, and all hon. members need rest. We have even offered to sit and consider the clauses carefully until four a.m. Under such circumstances, men would be less than men if they would agree to be bullied. I am prepared to stay here until three, or even four o'clock in the morning, but men must have some rest, and after three a.m., when three-fourths or over of the Government supporters have left the House, and the Bill is left in the hands of Ministers who know nothing of the measure, any attempt to pass this Bill is a process of bullying which no man with a heart in his bosom will suffer. On this question I am ready to take the judgment of men, whether friends or foes of this Government. With respect to the question itself, it has been demonstrated that if negotiations had been opened in March or July last, if Dominion commissioners had been sent there, not hampered by time, not forced to report within three days, the Government would have had full time to investigate the whole question, and there would certainly have been by this time a settlement arrived at with the province of Manitoba, by which the Catholics would have been restored to their rights, and at the same time the rights of the majority would not have suffered.

Mr. FOSTER. I intend to make but very few remarks indeed, and that largely because the arguments addressed by the hon. leader of the Opposition are not new and have been met before, but there are one or two points which might be emphasized. The hon. gentleman made an admission which is on the line of admission made by him before, but which is none the less important, and to-day he has been more emphatic than in any similar admission he has made. He has stated, in the face of this House, to his own supporters and to the country, that it was undoubtedly the intention of the framers of the Act, and of this Parliament at the time of the framing and the passing of the Manitoba Act, which brought the province into the Dominion, to give to the religious minority, whichever it was, in Manitoba, the Catholic minority, as it turned out, an indefeasible right to the exercise of their own religious instruction, as the same was given in Quebec to the Protestant minority, and to the Catholic minority in Ontario. I want that opinion of the hon. leader of the Opposition to go to the country with all its force and all its weight. It is an answer to many of his own speeches, and to many hon. gentlemen on that side of the House who deny it. It is an answer made to hon. gentlemen on this side of the House who have denied it. It is the most substantial proof of the position taken by myself and by other hon. members on this side of the House, as to the duty which is laid upon this Parliament, if not a legal duty, one which is greater and more binding than a legal obligation, the obligation which comes from the intention expressed, and the intention asked to be expressed by parties to a compact in 1870, both of them settling down, one to the idea that what they requested had been granted, and the other to the idea that what had been requested had been efficiently provided for, and that in the light of what the hon. gentleman has said, is a parliamentary compact, which, in his opinion, must be binding on his followers and must have weight in this House. But he says that what was asked and intended by this Parliament to have been efficiently provided for in the Manitoba Act, by the careless work of the draughtsman, or law clerk, fell short of its mark; and to what inconsistent conclusion does the hon. gentleman come? Forsooth, because Parliament, sitting here, made a mistake in the drafting or enacting of its law, the hon. gentleman takes the position now that hereafter and for ever we shall never attempt another law for fear we might make another mistake. The hon. gentleman, instead of taking the position that right was intended in 1870, and though the position was embarrassed by the Act placed on the statute-book that fell short of being fully carried out, therefore the obligation is on us to make good so far as possible the right to-day, instead of falling back on this position and welcoming the legislation that was brought down with honest intention, he practically declares that his full opposition will be given to bring the compact of 1870 to fulfilment and fruition. The hon. gentleman has sat in this House two months with this Bill before him, and I do not wish to use too strong language, but I may be pardoned if I say that I have not seen an indication of one honest and earnest effort on his part to promote this legislation in the principle of which he believes; and hon. members will read "Hansard" in vain to find a suggestion which comes from the hon. gentleman, as regards promoting this measure within the limitations which the constitution places upon him, as well as upon the Government and Parliament. What an inconsistent position it is for an hon. gentleman to take, who rises and in his speech says in one breath that a minority is suffering under a grievance, and in the next breath, instead of aiding to remedy that grievance, proceeds to move the six months' hoist of the Bill. Indisputably, the hon. gentleman's insincerity—if that expression be allowable—is proved by his motion. And yet the hon. gentleman claims to be sincere, and to be consistent, in his action on this Bill. He says the facts should be investigated. He has said that often, and the hon. gentleman has made the remark that it is a poor way to build up an argument by the oft-repetition of a phrase. The hon. gentleman himself is the chief sinner in that respect. How often has he repeated the phrase "The facts ought to be investigated?" He made a tour through the country in 1895 with that as the main portion of his speech. But when he came to the House and sat face to face with this Remedial Bill he had not the courage to carry out that upon which he had made his campaign, he had not the courage to ask for an investigation. For reasons best known to himself he did not ask this Parliament to investigate and then legislate, but he took the extraordinary course of asking this House to give no courtesy to this Bill but to throw it out immediately, this Bill which embodied the very principle of redress to the minority which he acknowledges should be given. He dwells upon the phrase the "assumed facts." The "assumed facts" were placed before the Supreme Court and carried to the Privy Council. Yes, Sir, and they were of such a character that they were debated by learned and able counsel. The hon. gentleman talks of the "assumed facts." Will he deny that they are real? What are the facts that call for action? The fact that the minority had rights and privileges of which they have been deprived Does my hon. friend deny that? Is that an "assumed fact?" In 1870 these rights and privileges were granted. From 1870 to 1890 they were enjoyed. In 1890 they were swept away in a single enactment, and in 1891, they were removed still further. My hon. friend knows that is a fact. And these are all the facts he needs in order to make him perfectly sure that this Parliament ought to act in this matter. It is a different thing when we come to legislate, for you have to have knowledge of the case upon which you propose to legislate. But any fact that was required in addition to the fact that the grievance existed and that the power existed here to remove that grievance has been furnished by the hon. gentleman himself. He has stated that probably no other country in the world offers so easy a field for a remedy of this kind as the province of Manitoba owing to the manner in which the population is grouped. He declared to-day that the only difficulty arising would be found in the city of Winnipeg. What facts are they, which we are to investigate? Does he want to know the population? He does not need a commission to inform him that this is an easy question to settle, and that the point in which there is trouble is the little difficulty in the city of Winnipeg. The hon. gentleman is right. There is no province in the Dominion where you could settle the rights of the minority while creating less disturbance than you can in Manitoba and that, as the hon. gentleman stated from the fact that the population is so distributed as to facilitate the granting of this redress. The hon. gentleman—and it shows how hard up he is for argument—actually bases some of his complaints and of the position he takes as an obstructionist against this measure on the fact, as he alleges, that we garbled the correspondence with Mr. Greenway. The hon. gentleman knows, as every hon. member of this House knows what portion of Mr. Greenway's telegram was not first read in this House, for it was afterwards read in this House, and the hon. gentleman knows that that portion of the despatch had no possible connection with the subject matter in hand as to whether there should be a conference between this Government and the Manitoba government or not. So much for one garbling; how about the other question? He complains and says they will not go any further because they did not get one end of the telegraphic correspondence between Mr. Greenway and Sir Donald Smith while they did get the other. And he complains of want of candour. The hon. gentleman knows as well as any of us that the reason why we did not get it was that Mr. Greenway refused to allow it to be laid before the House. But what was it, anyway? Read the text of the telegram that was brought down. Does my hon. friend think that the withholding of the other telegram has in it such a hidden and important meaning that it should be the cause of preventing progress upon this Bill. These things show upon what slight foundation rests the position that he takes—a position for which the country will hold him responsible,—of gross and unfair obstruction against this Bill. His last point was that there was no disposition to obstruct, and he brings it all down to this in the last analysis —we get into the committee on the Bill at three o'clock, and we work away on this or that clause and try to make it a good clause until one o'clock, talking all over the section. If you read "Hansard" you will find what a wonderful amount of information is developed. And at two o'clock after we have done work on that clause we ask that we may be allowed to go home, and because we are not allowed to go home at two or three o'clock, we will not be bullied and we will not do anything more. Grant the soundness of all this. Will my hon. friend explain that other part of the obstructive tactics which occupied this House day after day and prevented us getting into committee on the Bill, the obstructive war being waged just as persistently before they had a single clause of it to occupy their legal abilities upon. Why day after day was taken up in the persistent fight on this line. But my hon. friend from Montmagny (Mr. Choquette) let the secret out in an unguarded moment when, in discussing the second reading or on motion to go into committee, I have forgotten which, he made the statement that the Bill would never get to the committee. This is an exhibition which the leader of the Opposition cannot explain, either to his own satisfaction or to the satisfaction of the country. And no proposal to work two or three hours on an unimportant clause followed by a declaration that they want to go home will do. The arguments upon which my hon. friend founds his course of prevention and obstruction are well known and will be taken at their true worth.

Mr. McCARTHY. Although we are now in the middle of April, we are, so far as the discussion of this Bill is concerned, practically back again to the 3rd March, and now, on a motion that the committee rise, the Bill is being discussed by the leader of the House and by his principal follower in the Government on the lines appropriate to the second reading. It is no doubt important that this question should be kept fresh before the House and the country, but it is equally clear and appropriate that the statements and arguments—that the arguments put forward by the leader of the House and Minister of Finance should not be allowed to go unanswered. I must be permitted to differ from the leader of the Opposition when he states it as a historical truth that under the Manitoba constitution it was intended to guarantee to the minority their rights in respect of schools in the same way that the minority in Quebec and the Roman Catholic minority in Ontario had been assured of their rights by the British North America Act. I have read the history of the debate and all I could find on the subject, and I venture, with all respect, to say that there is no justification whatever for the statement of the leader of the Opposition. Let me draw attention to the provision in the British North America Act which applies to Ontario and Quebec in this respect and point out how the principal clause was omitted in the Manitoba constitution, and I venture to say, designedly omitted. The clause which guarantees the minorities in the two old provinces, is subsection 2 of section 93 of the British North America Act. This is not applicable to any of the other provinces or incoming provinces, but is confined to Upper and Lower Canada. The object was to give to the dissentient Protestants of Quebec the rights and privileges which had been granted to the Roman Catholics in Upper Canada and it had no reference to any of the other provinces. When the Manitoba Act was passed and this subsection 2 or its equivalent was deliberately omitted, as it was, while subsection 1 and subsection 3 were practically re-enacted, as well as subsection 4, is it possible to suppose that it was not done deliberately ? Not only is the historical fact not as the leader of the Opposition has stated it, but the very contrary is true. It is manifest that Parliament deliberately left to the province to determine what the school law should be and all that was done was to say whatever rights the minority or whatever rights any denominational school they had in Manitoba at the time of the union, whether a right guaranteed by law or allowed by practice, that right should be preserved. I think it important that such a statement should not go uncontradicted and, speaking for myself alone, I say that, having read the debate and the correspondence, having read the statement made by the hon. member for Montreal West (Sir Donald Smith) who states that separate schools were not thought of when he went to the Red River as a delegate, that instead of separate schools being guaranteed to the minority, the very reverse is the fact. The hon. Minister of Finance (Mr. Foster) was very glad to seize upon this statement of the hon. leader of the Opposition because it is the first little crumb of comfort he has had to sustain the elaborate argument he made the other day. He spoke of a compact, and I think it was clearly shown in the course of a subsequent debate that he had no foundation for this allegation of a compact. Therefore he was glad to find the hon. leader of the Opposition make this statement as it formed some kind of ground upon which he could rest his claim that the Manitoba minority should have this Remedial Bill. But let us look at the position taken by the leader of the House upon this question. I confess I was astonished when I read the public speeches of that hon. gentleman, when he was soliciting the votes of the electors of Cape Breton. I was astonished to find that he based the Government's position on the ground, which he has reasserted here to-day—that the Judicial Committee of the Privy Council had commanded this Parliament to restore the rights of the Roman Catholic minority which had been swept away by the Act of 1890. By the course which the legislature of Manitoba had taken, that legislature had denuded itself—I use the expression of the hon. gentleman in his opening speech on the second reading—had denuded itself of its rights in regard to education, and had handed over the power to deal with that to this Parliament. Sir, I venture to say that for that statement, which is not a statement of fact, but a statement of law, there is absolutely no warrant ; and I venture to say that there is not a lawyer in this House there is not a publicist in this country, there is not a man who has read the arguments before the Judicial Committee of the Privy Council, there is not a man who has given the slightest attention to this question, who can arrive at the conclusion that the leader of this House has stated over and over again ; on the contrary, they must come to the opposite conclusion. There is some excuse, perhaps, for the hon. gentleman. He has evidently not been paying much attention to this subject, and he has been pitchforked into the Government in order, by his masterful ways, of which we are having some painful experience just now—although I do not think it is going to redound to the credit of the Government—he was brought into this Government in order to exercise his masterful, dominating will, with which he has forced himself along through all his public career. I say he knows very little about the question on which he has undertaken this afternoon to enlighten this committee. Sir, will he take the opinion of Christopher Robinson on this question, which was read in this House last session ? There the opinion of the greatest lawyer in this province, on this subject, and a gentleman who is always consulted in difficult matters by this Government, a gentleman whose leaning is in favour of those who sit on the Treasury benches, a lifelong Conservative, not to say Tory of the Tories. When his opinion was asked by the Manitoba government on this matter, he gave it as follows :—

> The restoration of the privileges of Roman Catholics in Manitoba is undoubtedly left open by the judgment, in the sense that it is entirely in the discretion, both of the Governor General in Council and of the Dominion Parliament, to what extent, if at all they will act upon the appeal or upon the Order in Council, respectively, in affording a remedy.
>
> It cannot, I think be said that the mere fact of right of the Roman Catholic or Protestant minority in relation to education having been affected by provincial legislation, entitles them, in every case and under all circumstances, to the restoration of such right, or to any relief. Their right is to appeal, but the result of such appeal must depend, as I have said, upon the judgment of the Governor General in Council and of the Dominion Parliament, whose course would no doubt be determined by a sense of justice and right, and by a due regard to the letter and spirit of the constitution, in view of all the surrounding facts and circumstances in each particular case.

I regret that the Secretary of State is not now in his place, perhaps he does not want to know about these matters. He makes this proclamation, and then he runs away. I do not know whether this hon. gentleman has ever taken the slightest pains to investigate this subject. I suppose he makes that announcement here as the prospective leader of the party, which he expects his henchmen to take up and repeat, depending upon his statement, regardless altogether of the foundation upon which it is based. Sir, we have had the argument before the Privy Council, presented by so great a lawyer as Mr. Blake, and opinions from the judges from time to time in the course of that argument ; and every one of the judges who spoke on the subject over and over again, and it was admitted by Mr. Blake, and perhaps still more formally by Mr. Ewart, who framed the Bill which this Government now proposes to the House, that the matter was one for the discretion of the Governor General in Council, in the first place ; and it was afterwards for the discretion of this Parliament ; and there was no obligation upon us to do what we do not feel to be right and proper to be done under all the circumstances, and with regard to the condition of affairs as they exist in that province. I dislike to take up the time of this committee ; if the hon. gentleman had remained in his place, I would have read these extracts to him, some of which were given to the House last session, some of which have been mentioned during this session, and there can be no substantial doubt as to their meaning. Let me, however, just trouble the committee with one or two extracts :

> Mr. BLAKE. I do not think your lordships are. I do not like to make an absolute concession at this time.
>
> Lord WATSON. I rather took it from your statement that we are in a position in which we ought not to do that.
>
> Mr. BLAKE. I think your lordships are not bound to go further.
>
> Lord WATSON. I suppose we are bound to give him advice in this appeal. He has asked nothing else but advice throughout. He has not asked for a political decision which shall fetter him in any way.
>
> Mr. BLAKE. It could not be. The law which creates the tribunal for the purpose of giving advice, expressly states that in their political capacity they are not bound by that service.

Further on, Lord Shand stated :

> There must be a marked difference, with reference to anything interfering with what was the state of matters at the union, and anything interfering with the state of matters which had been changed by the legislature after the union. In the one case it would be bad in point of law and ultra vires, in the other you can destroy the right, but that destruction of the right is liable to appeal.
>
> Mr. BLAKE. That is precisely the line which I am about to adopt. ,
>
> Lord WATSON. It may be qualified or abrogated.
>
> Mr. BLAKE. The case does not rise, if there are privileges which have not been broken. I suggest that the provision of the enabling clause with subsection 1, is absolutely complete in itself.
>
> Lord WATSON. The power given of appeal to the Government, and upon request by the Government to the legislature of Canada, seems to be wholly discretionary in both.
>
> Mr. EWART. No doubt.
>
> Lord WATSON. Both in the government and in the legislature.
>
> Mr. EWART. Yes.
>
> * * * * * * * *
>
> Before closing, I would like to say a word or two as to what we are seeking. As it has been already remarked, we are not asking for any declaration as to the extent of the relief to be given by the Governor General.
>
> We merely ask that it should be held that he has jurisdiction to hear our prayer and to grant us some relief, if he thinks proper to do so.
>
> Lord WATSON. I am prepared to advise the Governor General and decide on the meaning of this clause, but I am not prepared to relieve him of the duty of considering how far he ought to interfere.
>
> Lord WATSON. The power given of appeal to the government, and, upon request by the government to the legislature of Canada, seems to be wholly discretionary in both

Now, I need not read more. If the hon. Secretary of State had heard this and understood it, or had ever read it and understood it, is it possible to suppose that he would get up here, after this subject has been under discussion for a month and a half, and tell this committee that the Government were merely obeying the mandate of the Judicial Committee of the Privy Council, and as to which they had no discretion, and that they were merely doing that which, by the course the legislature of Manitoba had taken, that legislature had deprived itself of the power to do ?

But more extraordinary even than that was the statement made that we have no power to do otherwise, that we had no discretion in the matter, that we were not in a position—I took down his words—to make such a law as we would wish. Why, Sir, what are we doing ? The Government have brought down a law in some respects a slavish copy of the old law, as it stood, in other respects, and in the most important matters, new altogether, and differing from the law as it stood. Take the education code, take, for illustration, the standard of the qualification of the teachers, and you do not find that in the old law. The Government have undertaken to make a law which would be satisfactory, but differing from the old law, and yet he tells us that we are not in a position to use our discretion one way or the other, but we are compelled to re-enact the law as it was. He sits here night after night when this is under discussion, and amendments are made with the assent of the Government, others are drawn by their own hand, differing from the law as it stood, and yet we are told that we have no power to make any change, and that we have merely to re-enact the law as it stood. Sir, it does appear to me that a consideration of these matters will bring back the committee to its proper jurisdiction, and proper conception of its jurisdiction. This Parliament has, no doubt, subject to many difficulties and many limitations and restrictions, power to restore the rights which were taken away. For my part, I have never disputed it ; but the manner and extent of that restoration, subject to the legal and constitutional difficulties in our way, is within our rights and within our jurisdiction. Why then should we not consider the clauses of this Bill ? But the hon. gentleman says the Government are responsible. Sir, this Government are not responsible for this Bill. The Government were responsible for the remedial order. This House is responsible for the Bill it passes, and not the Government. The distinction is well taken in the very clause under consideration. The remedial order merely goes no further than to vest jurisdiction in the House. In itself it has no force and no effect. It is only the law of this Parliament that changes the school law of the province of Manitoba, and we would be neglectful of our duty here as representatives, if we did not give it that consideration that would put it into a shape which will be satisfactory, if in the end it ever becomes law. Now, on that subject I will not take up the time of the committee by any further elaboration. Let me, however, just draw attention to one matter which it does appear to me to be of sufficient importance to be re-stated again. The hon. gentleman denies that we have treated the province of Manitoba, the representatives of which in the Government is now sitting in this House, as an enemy. Now, let us just re-state shortly the history in regard to that. When this petition was presented in 1891, no communication took place with Manitoba. The first Manitoba heard about it was after the judgment was rendered in the Barrett case, when the law was found to be constitutional, and then a summons was issued to that province to appear here in Ottawa—that was in 1893—to appear here and show cause why the remedial order should not be passed. It will be remembered that such were the terms that the government of Manitoba were on with the Dominion Government, that they declined to make an appearance ; they treated this summons with contempt, and refused to appear ; and the Government proceeded some days ex parte without Manitoba being represented. Finally the matter stood over, from the winter of 1893, until the second judgment of the Privy Council had been rendered, and then Manitoba was called upon to come here by a telegram, requiring its immediate attendance at this bar. Now, Sir, I have given a statement of all that took place up to that time, and I challenge any fair-minded man in this House, or out of it, to deny that the treatment accorded to Manitoba was treatment which, if it had been accorded to a foreign power, would have meant nothing short of war. It was not treatment that any foreign state would have tolerated, and it was not treatment that would have been exercised towards a foreign state by any friendly power. It is true that in the month of July last, after a declaration was made in this House, after the people of Manitoba through their representatives, had answered the remedial order, after a declaration was made on the floor of Parliament binding this Government to call Parliament together by the 2nd January to pass the remedial Bill, with this threat hanging over the heads of the Manitoba government, a letter was sent praying that government to interfere and save this Government from the mess and trouble they had got into. That order was duly answered, and that answer has been duly approved. Now, Sir, I have no sympathy with the cry that this question should not be submitted to the people. Who are we in this House that we are to arrogate to ourselves to legislate with respect to the people whom we represent, and to say to our electors that they are not to consider the question, that they are blinded by passion, that they are renderend incompetent by their bigotry, that they are not fit to consider the question, and that we will take care to deal with this matter, and that opportunity shall be denied them ? Sir, I have no sympathy with that cry. I am anxious, and shall do what I can, properly and legitimately to enable the people of this country to pronounce on this question. I will do what I am able to enable the people to say whether they want Manitoba coerced, whether they want separate schools established, or whether they are content to allow Manitoba to manage its affairs as it may think best. I am not one of those who fails to consider the position of this country. But fancy the Parliament of England crying out about difficulties in connection with the disestablishment of the Irish Church, or of the proposition made a year ago to disestablish the Welsh Church. Those were religious matters, those were questions which aroused not merely religious, but also to some extent racial feelings. But the Government did not consider it its duty, after it had the mandate from the people, to delay legislation, but furnished with that mandate, Parliament proceeded to execute the will of the people, as we will be prepared to do when the people have had an opportunity of expressing their will in regard to this Bill. In regard to obstruction, let me say just a word. The hon. gentleman has in effect given up the claim, or rather the Finance Minister has given up the claim that there was obstruction committed. It is not possible to maintain the argument held by some supporters of the Government. It is not possible to say from the time this House has had an opportunity of considering this Bill that the discussion has not been perfectly fair and legitimate. But the hon. gentleman has held that obstruction occurred before the House went into committee on this Bill. What was that obstruction ? The Bill was read the second time on March 19, and on the twentieth at midnight I placed in the hands of the Speaker an amendment calling attention to the legal difficulties surrounding the Bill and suggesting that it should be submitted to the Supreme Court. The debate went on from about midnight until three in the morning, and was continued on Tuesday following, when the House adjourned, the discussion occupying one day only. Upon the second amendment, moved by the hon. member for West York (Mr. Wallace), not more than two or three speeches were delivered ; and so all the delay that occurred in going into committee did not occupy two days of the time of the House. It is easy to make charges of obstruction, but I venture to say that a fair statement of the facts will destroy the contention that there has been anything unreasonable in the debate and in the opposition to the Bill. It is quite true we have not been content with allowing the Chairman to call a clause and pronounce it carried and affix his initials thereto. We have investigated the clauses, and we have found them so contradictory, that after two hours' discussion and three Ministers present, they were unable to agree on the meaning of a clause and were ready to accept an amendment from any one, and finally we got it placed in a reasonable shape. The Government say the amendments do not make any practical changes. Then why do the Government accept amendments ? The Controller of Customs came to me with an amendment written out by himself and asked me to move it, it being in the line I have suggested. The discussion proceeded and about four o'clock, the demand was made that the committee should rise, which motion was not assented to by the Government. The people are beginning to understand this matter. All the papers west of the Ottawa River are opposed to the Bill.

Mr. FOSTER. That is a little far fetched.

Mr. McCARTHY. Let the hon. gentleman tell me of one ?

Mr. FOSTER. If the hon. gentleman does not know of any it is not easy to satisfy him.

Mr. McCARTHY. If I do not know, the only way is to tell me, in order that I may become enlightened. I have not heard of one that condemned the course adopted in opposing this Bill. I rose more especially, however, for the purpose of meeting the argument now being reiterated for the third time by the leader of the House, that the Government are not seeking to pass this legislation except under compulsion, owing to the decree of the Privy Council, a statement for which there is no foundation in law.

Mr. CHOQUETTE. I am sure the Minister of Finance did not intend to place in my mouth a statement which I never made, that the Bill would never get into committee. If the hon. gentleman thinks I made such a statement he has been misinformed. I never said anything of the kind, because we have always been anxious to go on with the Bill. But I said in this House last week and I said elsewhere that the Government have never been willing to go on with the Bill. They have pretended to be anxious to go on in committee, but they have been very glad to see motions made and have put up speakers to speak against time. Not more than two or three days ago when the hon. member for North Ontario (Mr. McGillivray) spoke three hours, and I asked the hon. gentleman who is now in the Chair, and who was Chairman of the committee at that time, whether that hon. member was not obstructing. I asked the Chairman twice to call him to order, and he refused to do so ; he let him speak, as hon. gentlemen opposite and the Government were anxious to have him speak. Let me give another example to show that the Government are not anxious to proceed with the Bill and have never been anxious to do so. Two or three hon. members who voted for the second reading immediately afterwards announced that they had voted in the first place to sustain the Government, and in the second place because they had the assurance that they would never be called upon to vote upon the third reading of the Bill.

Some hon. MEMBERS. Names.

Mr. CHOQUETTE. I will not give names.

Mr. DALY. You cannot do it.

Mr. CHOQUETTE. My word must be taken as well as the affirmation of an. hon. gentleman opposite.

Mr. OUIMET. One thing the hon. members will know, and that is to keep their mouths closed when they come near you.

Mr. CHOQUETTE. I will not give names, but I repeat that they said they would never be called upon to vote on the second reading. I am told on reliable authority that one hon. member, who is now far distant was given his congé. He came here from British Columbia, and was told he could return, as he would not be called back and his vote not again required. All these facts show conclusively that the Government were not anxious to go on with the Bill. I think neither the House nor the country will take much stock in the speeches delivered every few hours by the leader of the House. I accuse the Government as regards this measure of hypocrisy, of dishonesty, and of having from the beginning sought to deceive not only the Catholic minority of Manitoba, but the Protestants and the people at large. Having made these statements I will now say a few words in French.

Mr. CHOQUETTE. (Translation.) I do not wish to delay the progress of this measure, but I avail myself of this opportunity to state before the House and the country the exact position which the Liberal members from the province of Quebec occupy with regard to this Bill. We are charged by the Conservative press with improperly obstructing the measure before the House; we are accused of keeping away from the debate that is going on. The Government have appointed spies.

Some hon. MEMBERS. Oh, oh.

Mr. CHOQUETTE. (Translation.) Yes, Mr. Chairman, they have appointed spies to take down the very hour and minute at which the Liberal members go home, either to take their meals or to rest, or even when they go out of the House, to answer the calls of nature. Mr. Chairman, I am bound to say that the Liberal members from Quebec are willing to work, but they want to work like intelligent and rational men. We are here from ten o'clock in the morning till two or three o'clock, and when, owing to the absence of the Ministers, as happened last night, when the hon. Minister of Public Works (Mr. Ouimet) and the Postmaster General (Sir A. P. Caron) were prominent by their absence, we can no longer make any progress with the Bill, and profitably debate the matter, then we act the part of all sensible men and retire for the night. I may say that the French Liberal members evince the utmost interest in the measure, and much more so than the Conservative members who spend their time here writing for the party organs abusive editorials against the Liberal members. Let me review the Conservative members who are present, thus evincing the interest they take in the Bill under discussion. Mr. Chairman, it is but half-past four in the afternoon, and if there is a time when we can work and debate a question like sensible men, it is surely the present time. Now, where are all the Conservative members from the province of Quebec? They are all prominent by their absence. But the Liberal members from Quebec, without a solitary exception, are ready to work and to assist the Government in perfecting this Bill, as we did last night and every night since the Bill is before the committee, provided it be during reasonable hours. But where are the Conservative members from the province of Quebec? How many are there now in the House? I am going to review the list of those hon. members and see how many will answer the call. I accuse the hon. Postmaster General (Sir A. P. Caron) and the hon. Minister of Public Works (Mr. Ouimet) of having absented themselves last night without any excuse or necessity, thus delaying the debate. About midnight, they had left the House and the hon. Minister of Trade and Commerce (Mr. Ives) had to take their place. And we were treated to a truly amusing performance when the hon. Minister of Trade and Commerce actually proposed an amendment which the hon. Minister of Railways and Canals (Mr. Haggart) declared he could not accept. The two Ministers were near coming to blows. They were not in earnest, however; for, like the augurs of old, they could not help smiling and winking at each other. Such is the way our French Canadian Ministers champion the interests of the Manitoba Catholic minority, and those of Catholics throughout the country. That is the way the Postmaster General and the Minister of Public Works discharge their duty towards the minority. The hon. Minister of Public Works who styles himself the champion of Catholic interests as well as his colleague, the Postmaster General are away from the House, instead of being here to protect the interests of those whose self-constituted champions they are. I grant that they may absent themselves for a few moments, but as the French Liberal members are charged with not remaining all the time in their seats, I do not see, at all events, why the hon. gentlemen should not be the first to set the example. At this time of speaking, where is the hon. member for Chicoutimi and Saguenay (Mr. Belley) who, rose in his seat the other day at five o'clock in the morning, to address the House in French, when he knew that nobody here could understand him, and denounced the French Liberal members who were not in their seats; where is he now? Where is the hon. member for Gloucester (Mr. Blanchard)? Where is the hon. member for Bagot (Mr. Dupont)?

I do not accuse him, because I know he was here at two o'clock this morning, but I presume that, like other sensible men, he is gone to take a rest. Where is the hon. member for Megantic (Mr. Fréchette), who would fain have all the members stay here day and night to no purpose? Where is the hon. member for Two Mountains (Mr. Girouard), who can do nothing else but play music? Where is the hon. member for Témiscouata (Mr. Granbois), or rather where was he last night, when he should have been here working along with the rest of us? Where was, last night the hon. member for L'Assomption (Mr. Jeannotte)?

Mr. JEANNOTTE. (Translation.) I was here in my seat.

Mr. CHOQUETTE. (Translation.) You have but just come in.

Mr. JEANNOTTE. (Translation.) No.

Mr. CHOQUETTE. (Translation.) Where is the hon. member for Hochelaga (Mr. Lachapelle), that great champion of Catholic interests? Where is the hon. member for Provencher (Mr. LaRivière)?

Mr. LaRIVIERE. (Translation.) Here I am.

Mr. CHOQUETTE. (Translation.) The hon. member has just taken his seat. He was here, last night, I grant, but where has he been since?

Mr. LaRIVIERE. (Translation.) I spent the night here.

Mr. CHOQUETTE. (Translation.) That great champion of the Catholic minority also manages to absent himself from the committee. Where is the hon. member for Terrebonne (Mr. Leclair), and the hon. member for Montreal East (Mr. Lépine)?

Mr. LECLAIR. (Translation.) Here.

Mr. CHOQUETTE. (Translation.) The hon. member for Terrebonne is here now, but he was not here last night to take part in the debate on the Bill.

Mr. LECLAIR. (Translation.) I was here up to midnight, and this morning, I was back in my seat, at half-past eight.

Mr. LANGELIER. Midnight—that is the right time for honest people to retire.

Mr. CHOQUETTE. (Translation.) Yes, it is the proper hour for well-behaved people to retire for the night. Where is the hon. member for Laprairie (Mr. Pelletier), and (Mr. Pope), that representative of a Catholic constituency? Where is the hon. member for Montmorency (Mr. Turcotte), who spends his time putting masks on the face of his friend, the member for Two Mountains (Mr. Girouard)? Where are they all? I have said enough, Mr. Chairman, to show how unfair are those Conservative organs, who charge us with being recreant to our duty when we are away from the House, at a time when all honest people are taking their rest, at a time when you meet on the street only people whose conduct is no credit to them. I have said enough to show how unfair is the proceeding of those Government spies who take down every absence of the Liberal members in order to make political capital out of that, at the next elections. The other day, as I said a few moments ago, the hon. member for Chicoutimi and Saguenay (Mr. Belley) rose in his seat at five o'clock in the morning, taking advantage of our absence, to accuse us before the House and lead the country to believe that we are recreant to our duty from the fact that we are not here night and day. Why, then, I ask, is the hon. gentleman himself away from the House at such a reasonable hour as half-past four in the afternoon? These are the very men who accuse us of keeping away from the House. What a comedy! The French Liberal members are here, ready to go on with the discussion of the Bill, while most Conservative members are away. We are willing to work like sensible and responsible men, from ten o'clock in the morning until two or even three o'clock of the following day. But we think that after a fair day's work we are entitled to take a rest. Those all-night sittings are but a political contrivance and by no means calculated to further the progress of the Bill now before the House. The best argument that can be urged in support of the contention that we are willing to help the Government in making progress with the Bill is that we want the committee to go on and do business, and that we are in our seats when the time comes for us to work. Another proof that evinces our earnestness and our desire to press the passage of this measure is this : A few days ago I gave notice to the Government that I would bring up a matter of the utmost importance for the French minority, a question involving a principle of justice and fairplay which you, Mr. Chairman (Mr. Joncas), have advocated in the paper of which you are the editor, "L'Evenement," but which you have failed to advocate in this House, a question involving the rights and privileges of the French minority in this country. I refer to the superannuation of Mr. Catellier, the Assistant Secretary of State. I intended to bring up that question before the House, in order to protect the rights and privileges of my fellow-countrymen and to secure to the French minority their rightful share in the public patronage. I intended to enter my protest against the conduct of the Government in taking from us three of the five positions of deputy ministers which we had so far held. But in order not to interfere with the progress of the Remedial Bill, and to avoid doing anything that should take up a single moment of the time of the committee, I consented, at the request of my leader and his friends, to postpone the discussion of that matter. But I avail myself of this opportunity to tell the Government that I shall bring up that matter before the House at the earliest opportunity and that I intend to call them to account for their conduct. I intend to protest against the wrong perpetrated by the Government at the very moment when they would lead us to believe that they are anxious to protect the rights and privileges of the Manitoba minority. While pretending to pose as champions of the rights and privileges of the Catholic minority in Manitoba, they trample under foot the rights and privileges of the French Canadian minority in this country. I shall avail myself at the earliest opportunity to vindicate the rights of my French Canadian compatriots and to call their attention to the treatment they are actually receiving at the hands of the Government. At the very moment when the Government would fool us into believing that they are anxious to protect the Catholic minority in Manitoba, they deprive here our compatriots of their rightful share of the public patronage. That is the reason why I arraign the Government on the ground of insincerity; that is why I charge them with hypocrisy and double-dealing, as evinced by their own conduct.

Mr. FOSTER. I thought my memory was probably correct when I said that the hon. member for Montmagny declared that the Government would not get into committee on the Bill, and so I threw out the suggestion. I find in "Hansard," on 19th March, that several members were speaking at a certain state of the debate, among them being the hon. member for Montmagny (Mr. Choquette) and the hon. member for Provencher (Mr. LaRiviere). I find the following:—

> Mr. CHOQUETTE. It will never get to committee.
>
> Mr. LaRIVIERE. It will unless you prevent it.
>
> Mr. CHOQUETTE. We are willing that it should go to committee.

The hon. gentleman has also stated that Mr. McGillivray spoke three hours, and that he was put up by the Government for the purpose of obstruction. The time the member for North Ontario spoke was one hour and fifty minutes. In the twelve hours, during which Mr. McGillivray spoke one hour and fifty minutes was occupied by him, the hon. member for Ottawa spoke ten minutes, the hon. member for East Lambton (Mr. Moncrieff) spoke seven minutes, and the leader of the House one minute. All the rest of the time was taken up by opponents of the Bill, and during the twelve hours afterwards no speech was delivered by opponents of the Bill.

Mr. CHOQUETTE. I said a moment ago that I had stated that the Bill would not get into committee: but it was only in a certain sense I meant it.

Mr. FOSTER. I will accept the hon. gentleman's statement; it was in Pick-wickian sense.

Mr. CHOQUETTE. The idea was, that the Government would never get into committee owing to the way they were acting. When on the following day I saw that statement in "Hansard," I went to the hon. member for Provencher and said, "you know what I said, that the Government would never go into committee from the way they are acting." At the same time I asked him when he was correcting the matter to have a correction made. He said, yes. I said, "the way the Government is acting, they will surely never get into committee, because they are not acting honestly."

Mr. LaRIVIERE. I desire to offer a word of explanation. It is true the hon. gentleman came to me next day and asked me if when I was correcting proof I would add some words; but I declined adding anything the hon. gentleman never uttered.

Mr. CHOQUETTE. You promised to add them.

Mr. CHARLTON. As no reference has been made in the statement of the leader of the House to the personal remarks he referred to at the opening of his remarks, I presume, on behalf of the Opposition, that there was no intention to question the hon. gentleman's statement made to the House, and I may say for myself individually that if he had added to the testimony a copy of the letter from the letter book of the department it would have been more satisfactory. If the hon. gentleman were present I would suggest that at a future day we should bring down a copy of the letter. The hon. leader of the House indulged in a speech which was temperate in its character, but in which his conclusions were entirely wrong. The leader of the House scouted the idea that there had been any hostile feeling towards Manitoba or any want of courtesy in the action of the Government in relation to Manitoba. I cannot agree with that statement. The remedial order, although he says it was not issued with haste and was duly considered, I venture to say was issued with undue haste. The Government failed to give Manitoba an opportunity properly to present its case when the hon. member for Simcoe (Mr. McCarthy) appeared before the Privy Council as counsel for Manitoba and made the statement that Attorney General Sifton was engaged in leading the legislature in the absence through illness of Mr. Greenway, and that the session was expected to terminate in a few days, and asked a postponement of the hearing until the Attorney General could be present. That does not prove hostility, perhaps, but it proves hasty action. And it appears from the documents, which I shall not cite, that the Government had decided that their deliverance must be promulgated before the prorogation of the Manitoba legislature, in order to give that legislature a chance to act upon it. I think it is manifest from the documents that the remedial order and its character were foregone conclusions, and that it had been decided to issue it in time for the legislature to act upon it. That was the reason why Manitoba's representatives were denied the opportunity to appear before the Privy Council. The hon. gentleman tells us that the report of his commission has scattered to the winds all the statements of the leader of the Opposition as to the necessity of a committee of investigation. That commission having failed to reconcile matters, he says that its record is proof that the statements made by the leader of the Opposition with reference to a commission are delusions. Now, this Government did not proceed to negotiate with the Manitoba government in the spirit indicated by the leader of the Opposition. That hon. gentleman has taken the position that this matter should be proceeded with cautiously, and that we should learn the sentiments of the people of Manitoba and the facts of the case by a full inquiry into the matter; and then we should use every means of conciliation possible to effect a settlement. If remedial legislation became necessary as a last resort, that would be a matter to be considered. I would ask if the statement made by the leader of the House that the commission appointed by his Government fulfilled the requirements made by the leader of the Opposition was a correct one. In no sense was it correct. The sending on of this commission to Manitoba was a perfect parody upon the advice of the leader of the Opposition. It is perfectly correct to say that had this question been taken hold of at the outset as advised by the leader of the Opposition, it would have been settled long ago. But, instead, the Government sought to force their views upon Manitoba, and they have failed. The leader of the House now says that rights granted by law at the time of the union were violated. This statement is incorrect. The decision in the Barrett case shows that no constitutional right was violated by the Act of 1890. Prior to the union they enjoyed the right to establish denominational schools and maintain them at their own expense. That right has not been interfered with. It is true, as the leader of the House says, that this Parliament may make remedial laws, but the Government had no authority to make a remedial order until the case had been carried to the Judicial Committee of the Privy Council; and, as I previously pointed out, the decision went, to a certain extent, by default. The minority were represented by eminent counsel, Mr. Blake and Mr. Ewart. At the eleventh hour English barristers were asked to represent the Manitoba government, and these gentlemen did not understand the local conditions or the intricacies of the law on this subject. The leader of the House to-day took the position that the mandate to remedy these grievances had been issued by the Judicial Committee of the Privy Council. The same statement has been made by the Finance Minister (Mr. Foster) in his tour throughout Ontario. But that statement is wholly without foundation. I shall not read again the quotations on this subject read by the hon. member for North Simcoe, but I shall read one which he did not read. Mr. Blake, at the very end of the case, made this statement:

> Mr. BLAKE. What we ask your lordships is, what the privileges were and how far they have been infringed; and then we propose to ask the Governor General to determine how far he will go. I do not ask your lordship to make any suggestion as to his action, which I conceived from the beginning is political. He is to be instructed as to the law; and then his action and the action of the Parliament will carry the thing out.

It was stated both by Mr. Ewart and Mr. Blake that the action of the Governor General in Council would be political. It was stated by the lords of the Privy Council that it would be political. Therefore the statement of the leader of the House is entirely without foundation. The Governor General in Council could proceed in any way they liked. They could dismiss the case or they could propose to investigate the matter, or they could do as they have done, act hastily and injudiciously and issue such a remedial order as has been issued. Their action has been quite constitutional, but it is not calculated to secure a settlement of the difficulty. The hon. Minister of Finance says this is a question of policy. So it is. And the policy of the Government has been so to treat the question as to make political capital out of it, and to justify their action by making statements that are unfounded, as was the case with the leader of the House and the Minister of Finance to-day. It was stated by the leader of the House that the first intimation given that Manitoba was willing to negotiate was received just before the commission was sent. That was an astounding statement. I do not know whether the hon. gentleman professes to be a well-informed man or not. I do not know whether he has read the reply of Manitoba to the remedial order or not. But that contained the following paragraph:

> We believe that when the remedial order was made, there was not available then to His Excellency, full and accurate information as to the working of our former system of schools.
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> We also believe that there was lacking the means of forming a correct judgment as to the effect upon the province of changes in the direction indicated in the order. Being impressed with this view, we respectfully submit that it is not yet too late to make a full and deliberate investigation of the whole subject. Should such a course be adopted, we shall cheerfully assist in affording the most complete information available. An investigation of such a kind would furnish a substantial basis of fact upon which

conclusions could be formed with a reasonable degree of certainty.

How does the leader of the House reconcile the statement he has made with this reply of the Manitoba government to the first remedial order? Here they invite investigation and negotiation, and deprecate any action until further information is in the possession of this Government. The hon. gentleman further informs us that Manitoba made no objections to either of the remedial orders. This is another astounding statement. The Manitoba government refused to obey either of the remedial orders. Is not the refusal to obey an objection? They spurned these remedial orders and declared they could not and would not obey them for the reasons they gave. As to the misunderstanding, as the hon. gentleman called it, in regard to proceeding with the Bill while the negotiation was in progress, the hon. gentleman says that the proceeding with the Bill on Friday was perfectly proper under the circumstances. It is quite evident from the report that there was a clear understanding that the Remedial Bill should not be proceeded with until Tuesday while the negotiations were in progress. Here is the position of the matter. We were represented at Winnipeg by three commissioners, in a sense ambassadors. We were bound in honour to carry out their stipulations. They made an agreement that the Remedial Bill should be held in abeyance while the negotiations were in progress. The fact that this agreement was broken was called to the attention of our commissioners. They acknowledged the agreement, and said they had apprised their Government of it, and were surprised to find that it was not carried out. This circumstance in itself was enough to prevent an amicable arrangement. It showed disregard of our obligations. It was an act of bad faith—more, it was an act of consummate stupidity. It is said that our commissioners went as far as it was possible in order to settle the question. That depends upon their instructions. I admit that they went as far as their instructions would permit. Do the negotiations in Winnipeg lead us to believe that it was hopeless to work still for the solution of this difficulty? On the contrary, I think there is every reason to go on with the negotiations. The Manitoba commissioners told us that in every city and town outside of St. Boniface and Winnipeg, Roman Catholic children were attending public schools, and that if the people were left to themselves, there would be no desire for a change in the system. This statement was made upon the authority of two members of the Manitoba government. It is fair to presume that the members of the government understand pretty well the state of public opinion in Manitoba. It is a question of fact whether the children outside of St. Boniface and Winnipeg attend the public schools. It is a question of fact whether a spirit of contentment prevails. These facts should be known. Here we are within ten days of the end of the session without time to make an investigation so as to know whether we should proceed or not. We ought to make these investigations, we ought to ascertain whether this condition of things stated here is satisfactory to the Caholic minority. Then, we should take into consideration the proposals of the Manitoba government as to religious instruction in schools. Now, it is useless to suppose that these proposals would not, and could not, have been modified. They embrace a principle, and that principle could have been applied with modifications that would have made it satisfactory. At least, we could have ascertained whether the Roman Catholic minority in Manitoba, the Roman Catholic population in Winnipeg and St. Boniface, would have been satisfied with the concessions the Manitoba government proposed to make with regard to the school system of that province. We are led to understand that substantially the same condition of things exists in Nova Scotia, New Brunswick, Prince Edward Island and the North-west Territories; and, if a condition of things is satisfactory to the Catholics in three provinces and four territories, surely the same condition of things, with modifications to suit the circumstances of the case, could be made satisfactory to the Roman Catholics of Manitoba. The First Minister tells us that he proposes to respect the wishes of the minority, to champion their cause. Well, would it not be well to ascertain what the wishes of the minority are? No man supposes that this Bill is being urged through this House solely with the object of benefiting the Manitoba minority. The Government are accused, and I think justly accused, of moving in this matter for the purpose of obtaining political advantage; the Government are accused of caring very little of what the wishes of the Manitoba minority are. I think they should have adopted the wise and statesmanlike suggestion made by the leader of the Opposition, at the outset of this matter, that an investigation should be had, that we should know the circumstances of the case, that we should see whether arrangements could be made that would be satisfactory to all classes. I say that the wisdom of that suggestion becomes more and more patent every day we proceed in the consideration of this Bill. The proposals of our commissioners were given, but the hon. gentleman did not give the answer of the Manitoba commissioners. I think, however, the hon. gentleman, in giving the proposals made by the Dominion commissioners, should have referred at greater length than he did to the proposals of the Manitoba commissioners. The Manitoba commissioners seemed at the outset to say: We cannot accept your proposal, we cannot establish separate schools in Manitoba. We have had this question referred to the people very recently at the polls, and they have returned an overwhelming verdict against the establishment of separate schools. Now, placed in the position we are in, we cannot go altogether as far as you ask ; but we propose to give you substantially what you ask ; we propose to give to the Catholics of this province religious teaching in schools upon certain conditions. It was then the duty of the Dominion commissioners to have said : Well, this proposition is not sufficient in this respect or in that respect ; it might be modified ; we will consult the minority and see what would be satisfactory to them, and we will ask you to make such modifications as will be satisfactory to them and as may be required by them. We have reason to believe that the Manitoba government would have met them in that spirit, and I believe our commissioners should certainly have made an attempt to carry those negotiations further and to see if this vexed question could not be settled. We should not have presented our ultimatum, as we did, accompanied with the threat to force through the Remedial Bill.

Now, with regard to obstruction, and with regard to the article alluded to by the leader of the House in the Hamilton " Times," I think that warrants me in referring to another article which has reference to this same matter of obstruction. I find this statement made in the Montreal " Witness " of 13th April :

> Twelve of the one hundred and ten clauses of the Remedial Bill have been passed in committee of the whole as a result of the continuous day and night sittings of the House for a whole week. Two weeks of the life of this Parliament are left in which to pass the remaining ninety-eight clauses of the Bill, give it a third reading in the House of Commons, and pass it through all its stages in the Senate, where such a Bill cannot be railroaded through. Of course, the proper passage of the Bill in the time is a sheer impossibility ; there was not time, as the Government knew well enough, to get it through when it was first introduced, after two months of the session had been wasted in waiting the Government's convenience in introducing it. The Government never intended to pass the Bill, and they took good care to introduce it to Parliament at too late a date to make its passage possible. Mr. Angers, who, although he does not bring up his own family on the principle of the Bill, having his son at a Protestant school, seems to have been sincere in his purpose of having the Bill passed, has refused to go back into the Government, because he knew that the Government would not put the Bill through. Mr. Chapleau would not join the Government, because he was satisfied that they would not pass the Bill. " Let them pass the Bill and then we will help them in the fight in this province," he is reported to have said.
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> The passage of the twelve clauses in a week as a result of the all day and night sittings is claimed as a triumph for Sir Charles Tupper's leadership by the Government organs. Had the House sat during the regular hours it is probable that about twenty or thirty of the clauses would have been passed after due consideration. The triumph of Sir Charles Tupper's leadership consists therefore in obstructing the progress of the Bill, while apparently pushing it by a resort to physical endurance in order to the manufacture of political capital in this province. We doubt whether anybody has been deceived but those who wish to be deceived into supposing that the Government has used this special session after the fashion best calculated to secure the passage of the Bill, whose passage would have wrecked them even more completely than its rejection. Sir Charles Tupper's methods of leadership are raw and crude in the extreme. He resorted to physical force under conditions which enabled half a dozen determined men of his own party, reinforced by half their own number of Liberals, to wear out easily the strength of the rest of the Conservative party. What has happened ? With an open bar in the buildings some of the Conservative members, forced to sit up day and night, have become irritable and demoralized, and have brought political ruin upon themselves and further weakness to their party by shameful and quarrelsome conduct in the House. The dissensions among the Conservatives have been embittered and rendered lasting. Sir Charles himself has made the mistake of allowing his temper to run away with him, and he has assailed one day the Conservatives who obstruct the Bill, and the next day the Liberals, who, he had declared the day before, had not obstructed, and in doing this has, of course, himself obstructed and wasted the time of the House, besides provoking obstruction. If such results show a triumph of leadership Sir Charles has won laurels. He has, at all events, afforded a complete contrast to Mr. Laurier's leadership, which the House and the country has noted.

But, with regard to these day and night sittings, it is hardly necessary to say that they are to the utmost extent demoralizing, that they prevent a fair consideration of the measure, and prevent fair progress. The orgies which have resulted from men being kept up all night and day, going down to the bar, and the resulting intemperance and unparliamentary and improper conduct, are talked of from one end of the Dominion to the other. The Government are responsible for this. I have under my hand a memorial addressed to Sir Charles Tupper by the Protestant Ministerial Association of Montreal, which I will read :

> That we hereby put on record our sense of shame and sorrow at the disgraceful conduct of certain members of the House of Commons during the debate in committee on the Remedial Bill as reported in the public press. The presence of intoxicated members in the House, the utterance of blasphemous language, the ridicule and sarcasm with which the Word of God was treated—all speak of a depth of degradation, which crimsons with shame the cheek of every self-respecting citizen of our beloved Dominion, and fills with sorrow and humiliation the heart of every Christian.
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> That while no excuse can exonerate the individual members of the House, who have thus disgraced themselves and humiliated the people whom they represent, yet it is self-evident that the physical and mental strain inseparable from an enforced session of a week's duration without interruption, with the exception of a daily intermission of two hours for dinner, together with an

> open bar for the sale of intoxicants, are the aggravating causes of the unhappy occurrences which to-day hold up our young Dominion to the pity, if not the scorn, of the civilized world, and whereby call upon the leader of the Government in the House, who is a medical doctor, and fully aware of the consequences of such a violation of natural law, to limit the daily sessions of the committee and the House to a period of time compatible with the laws of health, and with the mental conditions essential to the enactment of wise legislation.
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> That we reiterate our protest against the passage of the proposed Remedial Bill for the reasons assigned in our resolutions of March 30. And in thus strongly opposing separate schools in which the doctrines and ritual of a particular church are taught, we refuse to be stigmatized as un-Protestant, un-charitable and un-Christian." Neither do we accept the position assumed by the advocates of remedial legislation that what the Roman Catholic hierarchy of the Dominion are exacting from the Federal Government is simply the privileges guaranteed to the Protestant minority in the province of Quebec. The Protestant dissentient schools of this province are absolutely unsectarian. Will any one say that the schools of the proposed Remedial Bill are unsectarian ? Should the legislature of this province enact the Manitoba law of 1890, or the offer made to the Government commissioners by the representatives of the Manitoba government, we would hail with delight such a change in our school law—a change that would bring together during the hours allotted to the studies connected with a purely secular education, the children of Protestants and Roman Catholics, and thus break down the uncharitable and un-Christian wall which now separates them and which so seriously militates against the conditions of good citizenship ; and a change that would provide for religious instruction by qualified persons and of a character agreeable to the parents of the children concerned. We would respectfully remind those persons who plead for separate schools on the ground of consicence that religious teaching is one thing, and the teaching of the tenets, ritual and usages of a particular church is another thing ; and when the Roman Catholic hierarchy refuse to allow their people to agree with Protestants on a plan of religious exercises embracing the fundamentals of Christianity, and of Christian ethics common to and accepted by Protestants and Roman Catholics alike, the appeal to conscience is not an intelligent one, but is the offspring of bigotry, which is at once uncharitable, un-Christian and unpatriotic.

Now, I read this communication for the purpose of calling the attention of the Government to the opinions that are entertained by the Christian community as to their conduct in prolonging this sesion, and leading directly to these scenes of disorder. The opinions of these clergymen with regard to separate schools, while I felt bound to read the whole communication, are something, perhaps, not pertinent to the matter ; but the portions relating to the result of the day and night sittings are pertinent to the matter, and I recommend them to the consideration of my old temperance friend the Finance Minister.

Now, the leader of the House deprecates taking this question to the polls. Sir, the proper place to take this question is to the polls. The hon. gentleman is attempting to steal a march on public opinion by forcing this Bill through a House that was never elected upon this issue. This House was elected by people who knew nothing of this issue. This is a representative body. The members of this House represent the constituencies of the Dominion, and they are here to carry out the wishes of their constituents. This is a measure of vast importance to Canada. It will have a great influence upon the future of Canada, and it should be thoroughly considered, not by this House, but by the electorate of Canada. The electorate of Canada should consider this question, and should pass an opinion upon it, and give their mandate in each constituency as to the conduct they wish their representatives to take on this question. Whenever a Parliament fresh from the people is sent here by constituencies who have considered this question, then such Parliament will be in a position to deal with this question intelligently and properly. But we are not in that position now. We are within ten days of the close of this session, and thrice ten days would not suffice for a fair consideration of the remaining 100 clauses of this Bill. It is impossible to give it a fair consideration in the time at our disposal, and it is improper to force the Bill through this House. The Government may think that they can steal a march upon the people in regard to this matter, and pluck a verdict from this House. The question is one of the greatest national importance, and should be discussed and considered by the electorate of Canada at the polls. Now, the Secretary of State read to us a telegram from Archbishop Langevin, in which that prelate says that the Remedial Bill is satisfactory to the minority of Manitoba. Well, there is an occasional voice that comes from the minority in Manitoba who does not agree with that statement. For instance, hon. members will remember that a representative of the Irish Catholics in Manitoba appeared before the Privy Council, and stated that the people were satisfied with the public school law. My hon. friend from Huron (Mr. McDonald), the other day, read a letter in the House from a Catholic in Manitoba, who said that the Remedial Bill was oppressive and unjust. He said that under this Bill five families can establish a separate school in a district, it may be a district where there are ten families. It will cost $500 to build a schoolhouse, or $50 to each family, and it will cost $300 a year to maintain a school, or $30 for each family ; and he considers this would be a most burdensome taxation, and would prefer to send his children to the public schools. This committee cannot proceed with too much caution and deliberation in dealing with a measure of such vast importance. If this Bill is passed, the result is almost certain to be an increase of agitation, an increase of bitterness, and it will tend to widen the gap that already exists between the two classes. The passing of this Bill may create so great a feeling of dissatisfaction and bitterness in Manitoba as, possibly, to result in secession. We have no business to confront such a danger, we have no business to invite such a disaster. It is unstatesmanlike and unpatriotic to take action that may result in that way. My hon. friend the Minister of Finance descanted at some length upon the admission made by the leader of the Opposition, when he was illustrating the danger and impropriety of hasty legislation by saying that it was the undoubted intention of those who framed the Manitoba Act, that it should secure separate schools to the minority; and the Minister of Finance based upon that an argument in favour of pursuing the course that the Government has entered upon. It may have been the intention of the framers of the Act to do so, but the question is, what is the character of the law? We may speculate as to what the intention was, but that is not a subject on which to base action. The question is, what does the law require, what is its character, and what our course should be?

The hon. gentleman accuses the leader of the Opposition with having refrained from making any attempt to perfect the Bill, and it has also been intimated that the leader of the Opposition has not been present to engage in the discussion and make suggestions, and has not taken any interest in amending the Bill so as to make it workable. It is true the hon. gentleman has not been here twenty-four hours out of twenty-four hours, but he has been present as long as the Minister of Finance, the leader of the Government, or the Minister of Justice. He has given as much attention to the Bill in committee as any member on the Ministerial benches. My hon. friend the member for Quebec East is not called upon to perfect this crude measure; it would be inconsistent with his position. In his opinion, consideration of the Bill is premature. We have not reached, in his opinion, the stage to consider the Remedial Bill for the purpose of forcing on Manitoba a system of separate schools. His position is that we should commence de novo, and endeavour by consultation and conciliation to bring the parties together. He asserts that this measure is premature, and that no benefit can result from forcing a measure on the minority. The Minister of Finance says this legislation has been brought down by the Government in a spirit of truth and honesty. I wish I could believe that such was the fact, that such intention actuated the Privy Council of Canada when it passed the remedial order, when it gave the member for North Simcoe three or four days to send to Winnipeg and obtain the necessary documents, when the Privy Council refused an adjournment to permit the Attorney General of Manitoba to be present at the hearing, when the Privy Council adopted the remedial order, when the Government called Parliament together on 2nd January for the purpose of holding a session to pass this Remedial Bill. All these facts combine to contradict the statement of the Finance Minister that the action of the Privy Council was taken in truth and honesty. This legislation was introduced for the purpose of securing a political advantage, for the purpose of appealing to religious and racial feelings, and for the purpose of securing the support of one of the great provinces of the Dominion. The Finance Minister claimed that it was necessary that Parliament should take action, that they had a mandate from the Privy Council. On his tour through Ontario, the statement was that the Government was under the necessity of taking the matter up as a question of policy. The Finance Minister said the leader of the Opposition based his whole argument upon the alleged garbled telegram from Mr. Greenway. That is a most disgraceful transaction. If the leader of the House was not warranted in producing that telegram, he should not have done so; if he did so without consulting the sender, he should have given it entire. The telegram, as printed, was calculated to convey a false impression, and the offence was continued by its production in the same form in the correspondence published. With respect to the charge that the Opposition resorted to obstructive tactics before the Bill was introduced, it must be remembered that members on the Government side occupied more time in the Budget debate than members of the Opposition. I spoke to the whip of the Opposition party, intimating that I wished to speak on the Budget, but at his request I refrained from doing so. The Government showed no disposition to close the debate, which ran on without any attempt being made to check it, and I believe it was deliberately done in order to postpone the introduction of the Remedial Bill. The leader of the House has declared it is of great importance that the Remedial Bill should pass this session, and that it is unpatriotic to oppose it. I assert, on the contrary, that it is of great importance to Canada that the Bill shoud not become law, that this hasty legislation should not be passed through the House during the last ten days of this Parliament, that injustice would be done, and more harm than good would result. Let the people of the country express their opinion on it, and when this has been done, we can act intelligently on the question. Let us reverse our steps and ascertain whether the minority of Manitoba have any substantial grievance, what are their wishes, and what will satisfy them. Let us exhaust all methods before we arrive at the conclusion that we must coerce the province. We are doing now what should be done as a last resort. We are commencing with coercion; we have the cart before the horse. I believe this House would not be justified during these last ten days of this Parliament to push forward this Bill, that any such action would mean an attempt to steal a march on public opinion, that the Bill should be withdrawn and an appeal made to the country.

Sir CHARLES TUPPER. I do not rise for the purpose of answering the hon. gentleman, but to refer to one point to which I attach a great deal of importance. The hon. gentleman has drawn the attention of the House to some resolutions arrived at by the Protestant Ministerial Association of Montreal, in which they put on record this statement :

> That we hereby put on record our sense of shame and sorrow at the disgraceful conduct of certain members of the House of Commons during the debate in committee on the Remedial Bill, as reported in the public press. The presence of intoxicated members in the House, the utterance of blasphemous language, the ridicule and sarcasm with which the Word of God was treated—all speak of a depth of degradation which crimsons with shame the cheek of every self-respected citizen of our beloved Dominion, and fills with sorrow and humiliation the heart of every Christian.

That is the point to which I wish to call the attention of the committee. I say there is no one act of hon. gentlemen opposite that I think is more to be deprecated and deplored than the foundation which was given by hon. gentlemen opposite for this statement. I have had the honour of being a member of every Parliament from confederation down to the present day, and I am here to say in the face of this House and the country that I have never, during the whole period since 1867, seen the representatives of Canada in Parliament assembled more controlled by a sense of due decorum. I have never seen less of intoxication or drinking in any Parliament from confederation down to the present day than during the present session. I feel it is a gross wrong to this House, it is a gross wrong to this country and to every hon. member in this House to utter a single word that is calculated to sink the country in the eyes of people outside who do not think of us as being in a state of degradation. I say every word uttered by any hon. gentleman that is unfounded in truth, and calculated to lower the position of Canada, is a word that is to be deprecated in the strongest possible way. I had the pleasure of meeting, on the floor of this House, a distinguished stranger, a man of great ability and experience, Sir Cecil Graham, who for many years was secretary to the late Lord Carnarvon, and that gentleman told me he had visited all the capitals of Europe, and had attended the legislative assemblies ; moreover, that he had just spent three weeks in Washington attending the sittings of the Senate and House of Representatives in the United States, and he had just spent three months in Canada attending the debates in the House of Commons. He said : "I have no hesitation in saying that Canada possesses the second deliberative assembly in the world, there is no Parliament in the world, except that of the United Kingdom, that occupies the high position of the Parliament of Canada." We all deplore the fact that during this session, two hon. members, most amiable gentlemen, and probably there are no two hon. members in this House whose orderly conduct is generally greater and whose self-respect is greater than those two hon. gentlemen to whom I allude, on one or two occasions were seen in this House under the influence of intoxicating drink. But I may say with respect to one of those hon. gentlemen that he had just risen from a severe illness, and I presume a very small amount of stimulant affected him ; but that hon. gentleman, in fact, both hon. members, have been long members of this House. They have, by their conduct, entitled themselves to the respect and good feeling of every hon. member on both sides of the House, and no one can deplore more than I do that either hon. gentlemen fell into that position for a single moment. That is not one per cent of hon. members of this House, and to blacken and brand the character of this House because less than one per cent of its members on one or two occasions unfortunately took too much stimulant, is an act for which no hon. gentleman has any reason to plume himself. I say that the honour and the character of the country ought to demand that hon. gentlemen in their exertions to make party capital should not be led into making extravagant statements of this kind, that have no foundation in truth, or a foundation small and insignificant, but they are broadly stated so as to be accepted by clergymen and others who do not understand the true facts. I hold it is a gross injustice to the present Speaker of this House. The present Speaker has done more than any Speaker who has ever presided over the House of Commons of Canada to restrict within close rules the restaurant in which refreshments are obtained by hon. members. The dignity of this House has never been maintained more thoroughly than by the present Speaker, and I say that the hon. gentleman, having taken the measures he has adopted, they being more strict and effective than any adopted by his predecessors, it is a gross injustice to lead the public, who are ignorant on this subject, to imagine that there is a restaurant in this House that is the scene of disgraceful orgies. I have had occasion, especially during the late sittings, to take refreshment in the restaurant at very late hours, and I have never seen those orgies. I nave never seen a man in that restaurant under the influence of stimulants ; I have seen very little intoxicating drinks taken by any one, and, from my own personal testimony, therefore, I can vindicate the House from the gross and unfounded asperison that has been so generally and broadly cast upon it. I draw the attention of the House to this matter because it is very wrong for any person to mislead those clergymen, who, of course, have the very best possible intentions, but who, with the best possible intentions are branding their country, on false premises, with an obloquy that will extend all over the civilized world. Now, Rev. Dr. Mackay, I think it is, has made, in the pulpit, statements that I am sure he will deplore to the last hour of his life, when he finds how grossly he has been deceived and misled. He has stated that the Government of this country spent $25,000 in connection with the ball which was given recently by His Excellency. I state that the Government has not spent a dollar, but that the entire expenditure was borne by His Excellency. I had not the pleasure of being present, as many hon. gentlemen opposite were, but I am told that the ball was a model of decorum, a model of good taste, and reflected the highest credit possible upon the distinguished lady who organized that historic representation. To charge, in a matter connected with the very head of the Government and the head of society in the Dominion, that there were disgraceful scenes, that vice and immorality were perpetrated in connection, with it, I say is the most monstrous statement that it is possible to conceive. My hon. colleague the Minister of Public Works tells me that not one hour's work was performed on the Sabbath by any person connected with the Public Works Department, and yet this gentleman freely charges this Government with desecrating the Sabbath and spending $25,000 upon this ball, while my hon. friend (Mr. Ouimet) tells me that the putting in of a few planks for a floor which had been paid for by the Governor General, to support the end of the floor, and which required a few hours' work of 4 or 5 workmen, was all that was done by the Public Works Department. It is monstrous to have these false, malicious statements bandied about the country. Such things are demoralizing. Wherever they are believed, they are calculated to lower the character of Canada and Canadians all over the world. I say it is too bad to have any support given to statements that are so destitute of the truth and so calculated to deceive and mislead the people.

Sir RICHARD CARTWRIGHT. With one part of the hon. gentleman's remarks I quite agree, and that is in the statement which he made that, undoubtedly, it was a most unfair and improper thing to charge their Excellencies with having expended public money in the social event that recently aroused such favourable comment, or in insinuating, directly or indirectly, that any impropriety had occurred of the kind referred to. But I am not prepared to exonerate the leader of the House and the Government generally from responsibility for grave impropriety in the conduct of the affairs of this House. There is no doubt that when the Government choose to set all rules of health and reason at defiance, to keep the House for 120 hours, or more, constantly in session, they certainly offer a very considerable premium on immorality and do place very great temptation in the way of their own followers to exceed. It is true that the scenes we have witnessed in this House have not been, I am glad to say, by any means as bad as I recollect witnessing under some of the hon. gentleman's predecessors. There has been a great improvement in the sobriety of this House within the last ten, or fifteen, or twenty years. But, had the leader of the House been in his place, as we were in our places, during the long hours of last week, he would have seen that, if not carried to the extent supposed, there was still very considerable cause, on several occasions, for some of the strictures that have been made.

Some hon. MEMBERS. No, no.

Sir RICHARD CARTWRIGHT. Yes—very considerable cause. I myself have, on several occasions, seen hon. gentlemen in this House very much the worse for liquor. And I say that the Government of Canada, who have kept this House in session day and night for an entire week, are most justly held responsible for it.

Some hon. MEMBERS. No, no.

Sir RICHARD CARTWRIGHT Yes. And while I entirely acquit Mr. Speaker of any responsibility, and while I think that the warning which was given in the early part of the week, did prevent the repetition of certain scenes which took place during the long sitting of thirty nine hours which attended the second reading of this Bill, no thanks for it were due to the Government of the day. Now, there was one part of the resolution of the reverend gentlemen specially addressed to the Secretary of State. They were perfectly right in telling that hon. gentleman that, being himself a medical man, he ought to know that he has been guilty of an act which is wholly and entirely opposed to the rules of health and to the dictates of common sense. It is utterly impossible for us to conduct our business properly while we are kept here for the entire week, no opportunity being given to have this chamber ventilated or put in proper order. The hon. gentleman knows that. He knows that mischievous results are almost sure to follow. He knows that mischievous results have followed. And he talks about this being the second deliberative assembly in the British Empire. I think——

Sir CHARLES TUPPER. In the world.

Sir RICHARD CARTWRIGHT. All the more shame to us, then, for having set such an example to the rest of the world of such stupid, mischievous folly as that for which the hon. leader of the House is directly responsible. He has broken the record; he has disgraced Canada; he and his Government have shamed Canada. There is no doubt that we shall be a by-word for stupidity and folly, from one end of the civilized world to the other. And what has he gained by it ? What he hopes to gain, I suppose, is the paltry advantage of trying to hold my hon. friend (Mr. Laurier) and some of his followers responsible for this Bill not having got through. But, as has been pointed out many times on the floor of this House, if the hon. leader of the House and his colleagues had had any honest desire to put the Bill through, it would have been on the Table of the House on the 2nd January ; it would have been proceeded with as soon as the Address was disposed of. And, what is more, if the hon. gentleman's colleagues—they are perhaps more responsible in this respect than he, as he did not join them until after the 2nd of January—had had any honest desire to put the measure through, they would have at once communicated with the Manitoba government in July or August last and held an autumn session. They knew perfectly well that if they attempted to put through a measure of this kind in a session which they knew—or ought to have known, because any lawyer of the slightest repute could have told them—ended on the 24th April, that it would be possible to block the Bill. But the Bill was not printed until well into the second month of the three. They did not propose the second reading until about the 3rd of March, and they did not introduce it into committee until the first week of April, or thereabouts. They knew that it was utterly impossible for such a measure to have a chance of passing. This has been pointed out again and again. But when these statements are made by hon. gentlemen, it becomes our duty to re-emphasize the point, that, under similar conditions, with a measure in the British Parliament, it is not ten or fifteen days that they devote to the Bill in committee, but a matter of forty or fifty days. They do not bring forward Bills of this magnitude, as these hon. gentlemen have done, at the eleventh hour. They lay them on the Table in printed form, at the earliest date, and they take care that they shall be presented in such time as shall allow full and ample discussion. But, suppose that the hon. gentlemen were honest in this matter, that does not in the least degree exonerate the leader of the House from the charge of bullying and bulldozing this House in attempting to force the Bill through by means which none of his predecessors, far better tacticians and strategists than himself, ever undertook. By his own act he has made it impossible to pass this Bill. If he had proceeded in a discreet and sensible manner, the Bill would have made three or four times the progress it has made. But when the hon. gentleman comes here and dares to tell the Opposition : You must pass that Bill, or you shall be kept sitting in Parliament from Monday afternoon until Saturday night, every man who has the spirit of a man at once resents the threat. Every man who is fit to sit in a free Parliament, must resent such bullying. The hon. gentleman had no right to adopt any such tone to us. The hon. gentleman has acted in the most indiscreet and foolish manner, and he has now brought himself to such a pass that it is utterly impossible for him, except by grace of the Opposition, to conduct any business to a termination. Does the hon. gentleman know that we have only six days left for Government business ? For the hon. gentleman has not got Wednesday yet ; it belongs to us, nominally.

An hon. MEMBER. He will take it.

Sir RICHARD CARTWRIGHT. He will take it, but he will not get any good out of it. He is in the position of the dog in the manger. He cannot use the day himself, and he will not let us have it for any useful purpose. These six days, though sufficient, are barely sufficient to put through the Supplementary Estimates. And I wish to call his attention to this that, when he gets the Supplementary Estimates, he must take concurrence, and that after that he must have another day's sitting to pass the Supply Bill itself. It must be apparent to him that it is utterly impossible for him to get this Manitoba Schools Bill through, and his duty, under these circumstances, is plain and clear. His duty is to cease this absurd pretense, which can deceive nobody, that he and the Government are going to spend all the miserable remnant of time there is, for the purpose of passing this Bill. They know they can do nothing of that kind. They know that the only thing they can do is, perhaps, impede the public service, and fritter away the little time that remains, instead of devoting it to the absolutely necessary business of the House. I may remind the hon. gentleman that it is not possible for him now, under the present circumstances, to make use of Governor General's warrants, after this House rises. The Governor General's warrant can only be used, as the hon. gentleman knows, for the purpose——

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into Committee.

(In the Committee.)

Mr. SPEAKER. I wish to express in the strongest manner possible my protest against the unjustifiable and unfounded aspersions which have been cast upon parliamentary institutions by certain clergymen throughout this country. Although I do not for a single moment, impugn the motives of these reverend gentlemen, although I must assume that in making the statements and remarks they did respecting scenes alleged to have taken place in this Parliament, they were actuated by proper motives and a desire to promote public morality, yet I may be pardoned if I suggest to these reverend gentlemen that truth is quite as essential to the promotion of public morality as sobriety ; and when I point out to you certain statements which have been made by those reverend gentlemen and contrast them with the facts, I think the committee will agree with me that although these gentlemen may not have wilfully misrepresented the facts, they have, at all events, made statements which are not founded on facts. I find in the newspapers during the present week the following statement alleged to have been made by the Rev. Dr. Saunders, pastor of the Dominion Methodist Church in this city, on Sunday evening last, with reference to the proceedings in this House. The reverend gentleman is reported to have said :

> Those scenes—orgies, some one has called them—which have taken place of late in the House of Commons, seemed to be the results of having a bar-room so convenient. They are a disgrace to Parliament, a disgrace to the land, and I trust this is the last session that a bar-room will be tolerated in any house of parliament in the land.

Then the Ministerial Association of Montreal, in the resolutions which they passed at their last monthly meeting, alleged that :

> An open bar for the sale of intoxicants within the precincts of this House is one of the aggravating causes of the unhappy occurrences which to-day hold up our young Dominion to the pity, if not the scorn, of the civilized world—and so on.

Then, again, the Rev. Dr. McKay, to whom reference was made by the hon. leader of this House, made this statement :

> The existence of a bar-room in our House of Commons will not be denied by any one. It is not, however, generally known that it is an unlicensed place, carried on at the expense of the country, and conducted in a way that would disgrace any ordinary bar-room in the land.

Sir, the statement that there is a bar-room in the precincts of this House, carried on at the expense of the country, is well known to every hon. member to be wholly unjustified by the facts. No such institution, if I may so call it, exists within the precincts of this House. It is quite true that there is not a licensed bar-room within the precincts of this House. I may say that some three years ago one of the license commissioners of this city suggested to me that a license should be taken out for the sale of liquor in the restaurant down-stairs, and I promptly refused to allow any such thing to take place. I did so for two reasons. In the first place, if we are to have a restaurant here at all for the accommodation, comfort and convenience of the members of this House, it must, from my point of view, be based on the club system ; that is to say, we are not to be supposed, for a single moment, to permit the sale of refreshments within the precincts of this House to any person but the members who are entitled to have access to the restaurant. And I may say that the rules and regulations, which I shall take the liberty of reading to the committee, which have been laid down for the guidance of the restaurant-keeper, are very stringent. The rules are as follows :—

* * * * * * *

> No strangers are to be admitted unless accompanied by a Member and as guests.
>
> No clerks in the service of the House are to be admitted except those having the rank of chief clerk.
>
> There is to be no bar on the premises, drinks only to be served in the various rooms fixed for that purpose, and on no consideration is wine or liquor to be given or sold to any messenger or servant in the employ of either House.

* * * * * * *

> The restaurant will be opened every day at eight o'clock a.m., and closed at midnight, provided the House does not sit until after that hour, in which case the restaurant will be closed half an hour after adjournment.
>
> Members of the "Hansard" staff and the Press Gallery will be admitted as heretofore. This privilege to be personal.
>
> Certified correct,
>
> HENRY R. SMITH,
> Serjeant-at-Arms.
>
> Ottawa, 14th April, 1896.

So that it will be seen that, under these regulations, the restaurant-keeper is absolutely debarred from selling refreshments of any kind whatsoever to any person except those entitled to have access to the restaurant. Members of the House may, if they choose, take their friends to the restaurant as their guests, but those guests are not allowed to purchase refreshments of any kind from the restaurant-keeper. For two reasons, I refused absolutely to allow the restaurant-keeper here to adopt the suggestion that was made by the license commissioner of this city. The first was that the restaurant in this House should be conducted as a club ; and in the second place, I objected strongly to the public scandal that would be created if a licensed saloon for the sale of liquors were permitted to be carried on within the precincts of this House. Therefore, I say those statements which were made—unwittingly made, no doubt—by those gentlemen are not based on fact and ought to be entirely withdrawn, now that the reverend gentlemen who made them know that the facts are not such as they have stated them to be. I have been a member of this House for twenty-two years, and during the whole of that period I have come to the conclusion that the number of gentlemen who are assembled here together, and who are subjected to the great strain which is being put upon them through long sittings and various other causes, conduct themselves quite as respectably as any assemblage of gentlemen of the same number in any part of this Dominion. I may say with regard to the present session that notwithstanding the great strain put upon members, I have not been able to detect that there has been any greater violation of the rules of sobriety during this session than there was during the previous sessions in which I have had the honour of a seat in this House. And as the gentlemen who sit here represent the people of the Dominion, any reflection that is cast upon the conduct and honour of those gentlemen is, to a very great extent indeed, a reflection upon the whole people. Those reverend gentlemen who have made these misstatements, unwittingly no doubt, still just with as great disaster to the people, whose honour is impugned and whose sobriety is impugned, as if they had been based upon a most complete set of facts, should the moment these facts are made known to them, take the earliest opportunity in their power to dissipate the misrepresentations which they have cast broadcast through the press on the people of this country with reference to the conduct of their representatives within the precincts of this House.

Mr. LAURIER. It may not be out of place that I should also refer to the remarks made by the hon. leader of the House before dinner, and I do so all the more willingly that I am disposed to agree to a large extent in his remarks and those of Mr. Speaker. I especially agree in every word that has been said with regard to the ball which was given at the opening of the session by the Governor General. Everybody who was at this ball knows that the remarks wich have been made in certain quarters, especially by certain reverend gentlemen, were most uncalled for and most unjust. Everybody who was present knows that it was a function, not only of a high aesthetic character, but one against which, from the point of view of morality and sobriety, not the slightest criticism could be offered. It is only fair and due to the character of the gentleman and lady who entertained their guests on that occasion that we should take this opportunity of denying these assertions. With regard to the character of this House, I was particularly pleased to hear that so high a character has been given to it as was given by Sir Cecil Graham. I think everybody in this House can, without undue boasting, say that he belongs to an honourable, an able and respectable body. I am glad to say that, as far as my experience goes, I have observed that the decorum maintained in this House has never been, perhaps, at a higher level than it has been this session. I have been in this House the same number of years as you, Mr. Speaker, have—twenty-two years; and those of us who were here in those former days and are here to-day can render this testimonial to the House of to-day that. without at all disparaging the House of former days, it is, in so far as decorum is concerned, as high if not at a higher level than it was when you, Mr. Speaker, and I entered the House. Concerning the remarks which have been made about the proceedings of this House, we can all agree that the usual decorum of this House was not the same standard last week as it is generally. This has to be acknowledged. I do not say that in any spirit of fault-finding, because it was unavoidable that being forced, as we have been, to sit for six long days without intermission, the decorum should be somewhat lowered from its usual tone. There are, after all, physical laws as well as moral laws, and these physical laws cannot be violated without the result being manifest at once. We have seen that, and I believe that is the utmost we have seen, but that we have seen it is unfortunately to be admitted by every one who looks at this matter impartially.

Mr. FLINT. I would like to make a few remarks in connection with this matter, because my own observation very largely agrees with those of the hon. gentlemen who have spoken. Circumstances may have happened which would not be referred to with pride, and might be referred to with some regret; but from my personal observation, I am prepared to say that many of the reports which have grown as they gained distance from the capital, circulated in the press, are greatly exaggerated. As far as my observation goes, I believe that an equal number of gentlemen cannot be gathered together in this Dominion whose average record could be exceeded for all those high rules of conduct, particularly with reference to the subject of temperance, which we look to be observed by a representative assembly. I have urged here the passage of a measure which is ultra in its character and receives the support of a considerable body in this country; and it has always been a pleasure to me to insist that the impression which some of the friends of the temperance cause seem to entertain, that the tone of the House of Commons is personally of a kind which would be very distasteful to the teetotal element of the country, are greatly exaggerated beyond what the facts would warrant. There have been some occurrences which a large number of the members have regretted, but I do not think it fair to charge upon the whole assembly as such any great responsibility for any such occurrences on the part of a very few persons. I have personally refrained from taking any part in the discussion on the propriety or impropriety of having a restaurant for the sale of liquors in this House, because I did not want it to appear that I was putting myself forward offensively in connection with that matter, owing to my having the honour of promoting a measure connected with the subject of temperance. I believe that if the matter were put fairly before the House, a large majority of the members would approve of still greater restrictions on the sale of intoxicating liquors in the restaurant of this House and would go so far as to support its abolition. If there is a shadow thrown over us as a body, that may be an additional argument for members to agree to restrict or banish altogether the sale of intoxicating liquors in our precincts. I am glad to give my personal testimony that, as far as my observation goes, the remarks made by the Ministerial Association and some clergymen have arisen from a false and exaggerated view of the actual circumstances of the case.

Mr. MACDONALD (Huron). I have now been here nearly ten years, and I am happy to be able to say that there has been very little drinking among the members of this House during that time. I think I can safely say that probably three-fourths of the members do not touch liquor at all, and considering the strain on our physical energies to which we have been submitted and are being submitted through these continuous sittings, there is very little indulgence indeed in intoxicating liquors. I really do not wonder that those who take an occasional drink should go to a little excess under the extreme physical pressure which has been put upon them during the last two weeks. There is a wrong impression abroad that the members of Parliament are a drunken lot. I do not believe you could gather together in any section of the country 215 men, standing such physical strain, who would drink less than the members of this House. But I certainly think it would be to our credit if we would agree to abolish the restaurant altogether, and thus remove the impression abroad that there is more excess committed in the precincts of the House owing to the restaurant than really is the case. Therefore, when we meet again after the session—probably many of the present members may not be present—I think it would be well to take the matter up and abolish the restaurant altogether, rather than that we should rest under the imputation we are now under. These reverend gentlemen were sincere no doubt in passing that resolution, but they gathered the information without seeing, or knowing personally what took place, and from exaggerated accounts which appeared. I take this occasion to express my high regard for the sobriety and the good conduct of my fellow-members in this House.

Some hon. MEMBERS. Hear, hear.

Mr. McMULLEN. I am very glad that the Secretary of State (Sir Charles Tupper) has brought this matter up. I fully endorse every single word he said with regard to the propriety and good conduct of the members of this House. For fifteen years I have had the honour of a seat here, and for thirty years of public life in county councils and other associations, I never had the pleasure of being associated with more sober and better conducted men than the members of this House of Commons. I was very sorry when I noticed the utterances of some clergymen, in the papers, on this question. I may say, on behalf of the Rev. Mr. McKay, of Woodstock, that I know him very well, and I am quite sure that he would not have made these remarks if he did not gather some data upon which he thought he was justified in using the language he did. Some person must surely have misled him, or that reverend gentleman would never have made the statement he did. I earnestly hope that this little occurrence will be a warning, not only to him, but to all others, that they should not cast reflections upon members of Parliament, without making sure, in the first place, that the information upon which they base those imputations is accurate. I can also say on behalf of the servants of this House, on behalf of the "Hansard" staff, and on behalf of the members of the Press Gallery, that they are all gentlemen who behave becomingly and properly, and that they are just entitled to the certificate of good conduct as are the members of this House.

Some hon. MEMBERS. Hear, hear.

Mr. McNEILL. Mr. Chairman, before we proceed to the discussion of the motion now before you, I wish to ask the leader of the House if he will do me the courtesy to reply to a question that I am about to put to him. A letter which I hold in my hand has been addressed by the organizer of the Conservative party in the province of Ontario to Mr. Belyea, a friend of mine, in the North Riding of Bruce, which he has forwarded to me, and given me permission to use. I will read the letter :

Ottawa, 8th April, 1896.

Dear Sir,—As, no doubt, you will have observed in the public papers, a serious difficulty has arisen between the member for your riding and the Government, and present indications are that he will go into permanent opposition to the Administration. I will be glad, therefore, to have your views upon the matter and your opinion of the future of the Conservative party in your riding. I shall return to Toronto by the end of the week.

Mr. WALLACE. Whose signature is to that letter ?

Mr. McNEILL. It is signed by Robert Birmingham. I wish to ask the hon. gentleman who leads the House (Sir Charles Tupper) whether he approves of that letter ?

Sir CHARLES TUPPER. I have no hesitation in saying to the hon. gentleman (Mr. McNeill) that I have no knowledge of any such letter having been sent. I have never given any countenance to anything of the kind, nor has it had my approval in any way whatever. I had no knowledge that anything of the kind had been done.

Mr. McNEILL. I would ask the hon. gentleman to say whether he approves of the letter ?

Some hon. MEMBERS. Order.

An hon. MEMBER. You heard enough.

Mr. McNEILL. The hon. gentleman (Sir Charles Tupper) has informed me that he knew nothing of it, and that it had not his approval before it was written. I want to know whether he approves of it now.

Sir CHARLES TUPPER. I think I may go so far as to say to the hon. gentleman (Mr. McNeill) that I think it would be extremely difficult for him to drift so far away as to join the Opposition, holding the strong views he does on the National Policy. The hon. gentleman can hardly expect me to say more than that.

Mr. McNEILL. The hon. gentleman does not say that he does not approve of the letter.

Some hon. MEMBERS. Question.

Mr. EDGAR. One conclusive reason has been ureged against the passage of this Bill, and that reason has never been answered. I do not say that because this is a moribund Parliament, it cannot legislate under any circumstances. Supposing, Sir, this to be a moribund Parliament, but suppose that it still had a distinct mandate from the people to legislate in a particular way, it might be its duty to legislate in that direction, no matter how moribund it might be. But, what has been pointed out several times, and what has not been answered, is the fact that this Parliament has no mandate from the people to pass a Remedial Bill. In 1891 the reasons given for dissolution had nothing to do with remedial legislation. It was announced that Parliament had dissolved then because it was necessary to get the opinion of the people of Canada on the question of reciprocity with the United States. In the address of the Prime Minister in 1891, you do not find a single allusion, directly or indirectly, to the Manitoba school question. Remember, Sir, that the Manitoba School Act had then been passed for more than a year, and that the time for the disallowance of the Act had lapsed. It apparently was not considered a matter of sufficient importance to mention in the Prime Minister's address in 1891. Therefore, Sir, this Parliament is entirely without a mandate to deal with the question. The Secretary of State has referred to the vast importance of this measure, and it is its very importance which disqualifies this Parliament from dealing with it without a mandate from the people. I want to quote to the leader of the House, and to the Conservative party, an authority on that point, which they will not venture to dispute. In the whole of this century there is not a name in the British Empire which the Conservative party have so delighted to honour, as that of Benjamin Disraeli, Earl of Beaconsfield. In 1868 Mr. Gladstone proposed to deal with the question of the Irish Church, a question parallel to the one we are now considering, a question more or less affecting the religious feelings of a portion of the people of the Kingdom, as this affects the feelings of a portion of the people of the Dominion. In 1868, just as they were beginning to see another election looming up, Mr. Gladstone brought in resolutions on which to found the Bill for the disestablishment of the Irish Church, and Mr. Disraeli then said in the English House of Commons, on the 3rd of April, 1868:

> I deny the moral competence of this House of Commons to enter on a discussion of this question with a view to its settlement. I do not—as the right hon. gentleman the other night stated—I do not resist the motion on the ground that this was what he called a moribund Parliament. Nothing of the kind. Although this might be the last session of the present Parliament, and although when an election takes place for a future Parliament, the appeal may be made to a larger constituency, I do not for a moment bring forward this circumstance as the basis of the argument, that this House was not morally competent to deal with the question. I resisted it precisely for another reason. I said that when a fundamental law of the country was called into question——

As in this case, Mr. Chairman.

> ——though technically and legally this House had a right to do anything within the sphere of the House of Commons, it was not morally competent to decide such a question, if those who elected it had not in the constitutional course of our public life, received some intimation that such a question was to come before it. That is what I said.

Then he adds:

> I appeal to the programme of the Prime Minister of the time, who recommended the dissolution of the Parliament, and explained his policy to the country. There is not the slightest allusion to the state of the Irish Church in that programme.

Now, I could paraphrase these words by saying that in the address of the Prime Minister when the preceding Parliament was dissolved, and when this Parliament was elected, there was not the slightest allusion to the Manitoba school question. I therefore quote this authority, which cannot be repudiated or denied by the Conservative party, as a sufficient reason why this House should pause in attempting to enact legislation on this vastly important point, when the question has never been submitted to the people for consideration. In fact, the contrary is the case. And, in the few elections which have been held since the Remedial Bill was threatened by this Government, Montreal Centre, Cardwell, Jacques Cartier, and even North Ontario; they have shown a distinct majority against the announced policy of this Government.

Sir CHARLES TUPPER. What about Cape Breton and Northumberland?

Mr. EDGAR. In these cases the majorities were the same as before, but in the other cases the majorities were enormously reversed.

Sir ADOLPHE CARON. Wait until you see the next election.

Mr. EDGAR. I admit that the Secretary of State went to Cape Breton, and with all his prestige as the coming Prime Minister, which I suppose will be realized before many days, he carried that county, but not by an increased majority.

Sir CHARLES TUPPER. Yes, an increased majority.

Mr. EDGAR. I think it was less than Mr. McKeen's majority.

Sir CHARLES TUPPER. No, larger.

Mr. LAURIER. There is not much to boast of any way.

Mr. EDGAR. In North Ontario in 1891, the majority in favour of the Government candidate, Mr. Madill, was 254, and in 1895 the Government candidate was in a minority of 337, and both of the candidates who ran against him were distinctly against the Remedial Bill. My hon. friend (Mr. McGillivray) was on the fence and if he came out in the riding the way he voted he would have been defeated.

Mr. McGILLIVRAY. I would like to see you up there.

Mr. EDGAR. I was there.

Mr. HUGHES. What was the majority in 1891 ?

Mr. EDGAR. 254.

Mr. HUGHES. And the majority last time was 800.

Mr. EDGAR. The two candidates opposed to the Government got a majority of the votes, although I admit it was not large enough to go around. I believe that even if the member for North Victoria (Mr. Hughes) had two or three candidates running against him, he might have a chance of being elected next time.

Mr. McGILLIVRAY. Does not the hon. member (Mr. Edgar) know that the Patron candidate in North Ontario, said he would refuse to vote against the Government.

Mr. EDGAR. I know that the Patron candidate and his friend were opposed to the Remedial Bill.

Mr. McGILLIVRAY. You are right in that.

Mr. HUGHES. Except when they were in Mara, and then they supported the Remedial Bill.

Mr. EDGAR. I want to say that the Roman Catholic township of Mara was stronger against the Remedial Bill than any other township in the county.

Mr. HUGHES. I suppose because they thought it was not strong enough.

Mr. EDGAR. Which side was the hon. gentleman on ?

Mr. HUGHES. On the same side that I have always been on, as you will find out if you come into that neighbourhood again.

Mr. EDGAR. I cannot help recalling a little anecdote that was told us by the hon. member for West York (Mr. Wallace) about five o'clock this morning. He applied it to another hon. member of this House, who he said, was on the fence, just as those hon. members who voted against the six months' hoist and against the second reading of the Bill. They are absolutely on the fence ; and he described what that was. He said, a big turkey had got on a fence, and he looked first on one side and then on the other, and at last he jumped down on the side where there was the most corn. That is what we find the hon. gentlemen doing.

Mr. HUGHES. According to the hon. gentleman, my proper course would be to flop on his side, because he claims that his party are going to be in the majority. But I have to tell the hon. gentleman that when he comes into that locality, he will find that people will know where I stand, and the majority will be against him there, just as it was in North Ontario.

Mr. LISTER. Where did you stand in 1883, when you headed the procession in Toronto ?

Mr. EDGAR. I have no doubt that the hon. gentleman's views as to where the corn will be after the next election are not the same as ours. Then, let us take the county of Cardwell. In that county in 1891 there was a Government majority of 248, and in 1895 the Government were at least 751 behind.

Mr. HUGHES. How about your candidate ?

Mr. EDGAR. The two candidates were both against remedial legislation, and Mr. Willoughby was very like the hon. member —on the fence. There was a difference in Cardwell between the position of the Government in 1891 and the position of the Government in 1895 of 999 votes, which were reversed in that small county.

Mr. McGILLIVRAY. Your man lost his deposit.

Mr. EDGAR. Then, in Montreal Centre in 1891 the Government had a majority of 1,214, and in 1895 they were beaten by 336, which makes a difference of 1,550 votes in that constituency. Then in Jacques Cartier in 1891, the Government had 276 majority, and in 1895 they were behind 574, making a difference of 850 votes. In these four ridings there was a change of public opinion represented by 3,990 votes. That was about an average of 1,000 votes a riding. If there ever was a distinct and unqualified condemnation of any policy, there we have it. We have not only the want of a mandate from the people, but we have the actual evidence that the policy when discussed was hostile to the people. Therefore I say that we as a Parliament have no right or justification to proceed with this legislation this session.

Mr. MACDONALD (Huron). Mr. Chairman, I do not intend to speak very long to-night, but I want to speak candidly and seriously. I think I may say that if the Government had taken action three months ago similar to the action they took a couple of weeks ago, an amicable settlement of this whole difficulty would have been accomplished by this time. I want to show by contrast how little difference there is at present between the two parties who are contending against each other. Before the conference took place, there was quite a wide difference on several points ; but the advantage of the conference was that in the discussion of the various questions many concessions were made on both sides, which brought the parties very nearly together, and which indicate that after all we are fighting here over a very small difference ; and I think that if the Remedial Bill were withdrawn, a little more patience exercised, and this conference continued a little longer, an amicable settlement satisfactory to both parties would be brought about. Let me show you the demands which were made by the commissioners representing the Government. They demanded first that separate schools should be established in villages, towns and cities. That, of course, the Greenway government would not grant. Then, the Federal commissioners demanded this concession :

> Provision shall be made by this legislation that schools wherein a majority of children are Catholics should be exempted from the requirements of the regulations as to religious exercises.

The commissioners representing the Manitoba government made a proposition, that would accomplish that end in its entirety, that is, that religious exercises should be conducted after half-past three in the afternoon, according to the wishes and desires of the parents of the children attending the schools. Therefore, the two parties were brought that much closer together on that point. The next point demanded by the Federal commissioners was :

> That text-books be permitted in Catholic schools, such as will not offend the religious views of the minority, and which from an educational standpoint shall be satisfactory to the advisory board.

That was a just demand. I do not believe for one moment that there should be put in any of the schools text books to which the parties taught therefrom would have any conscientious objections. Now, look at the concessions which the Greenway government, through their commissioners were willing to make :

> It will be impracticable to provide by statute that the text-books should be satisfactory to the Roman Catholic minority, but we have no doubt that if other points could be agreed upon, an arrangement could be arrived at on the text-book question which would be mutually satisfactory. We regard this part of the difficulty as comparatively easy of adjustment.

This concession on the part of the Greenway government to meet the demand made by the Dominion Government shows that the differences between the two parties were being closed up. Although the Greenway government were not willing to put it in the form of a statute, they were willing to stake their word and honour that no book should be thrust upon the Catholics contrary to their wish or in opposition to their conscientious convictions. Another demand by the commissioners of the Dominion Government was :

> Catholics to have representation on the advisory board.
>
> Catholics to have representation on the board of examiners appointed to examine teachers for certificates.

Now, see the concession made by the Greenway government in regard to that demand :

> We would have no objection to the Catholic people being represented upon the advisory board and the board of examiners. In point of fact His Grace the late Archbishop was offered a seat on the advisory board. But we see no practical way of embodying such a provision in the statutes. The effect of such a statutory provision would be that the boards would not be legally constituted without Catholic members, and the legal constitution of the board might be disturbed by the resignation of the Catholic members or the refusal of Catholic nominees to accept office. It would also be impossible to give a statutory privilege of representation to one religious denomination without according the same privilege to others.

They point out there the difficulties of giving a statutory provision that Catholics should be represented on the board of examiners and on the advisory board ; but they are willing to pledge their honour and good faith that there will be representation given to the Catholics on those two boards ; and therefore, the demand made by the Dominion Government is, I think, fully and reasonably met. That closes up another breach between the contending parties that existed previous to the conference. Another demand, a new demand, made by the Federal commissioners was for a privilege which the majority did not possess before—the privilege of having a normal school for the education of their teachers in the separate schools ; but the Federal commissioners afterwards agreed to withdraw that demand. Another demand made by the Federal commissioners was :

> The existing system of permits to non-qualified teachers in Catholic schools to be continued for, say, two years, to enable them to qualify, and then to be entirely discontinued.

That was a very reasonable demand, which the Manitoba commissioners saw to be right and just, and in reply they made this concession :

> As to the question of permits, the proposition in the memorandum might be agreed to by the government, to be carried out as a matter of administration.

Surely we can depend upon the Manitoba government, and upon the generosity and good faith of the Manitoba people, to carry out that proposition in the administration of the school law, instead of asking them to place it on the statute-book, thus binding them to something which is not necessary in the practical operation of the school law. Now, what remains in dispute between the two parties ? Simply the question of the establishment of separate schools in towns and cities. That point it was impossible for Mr. Greenway to yield, because, as we all know, he went to the country a few months ago on the very question of national schools as opposed to separate schools. In fact, it was known to the Government here before they sent their commissioners to Manitoba that it would be impossible for Mr. Greenway or for any commissioners he might appoint, to yield that particular point. Now, if anything else can be accomplished, it cannot be accomplished by passing this Remedial Bill, because that would be putting men upon the stubborn side of their nature. But if the Government meet them, as they ought to have done months ago, as one friend meets another, one breach after another will be closed up, the two contending parties will be brought nearer together, and a full and complete reconciliation will certainly before long be brought about. Now, this may not be too late yet. It is impossible to pass this Bill. I suppose the Government see that. They are not making sufficient progress with it to give them any hope of being able to pass it before the end of this session. Therefore I think they should continue the conference with the Manitoba government, and have a commission, if necessary, to investigate all the facts. But the Secretary of State this afternoon said that it was admitted by the action of the Greenway government that no commission was required. It is well known, however, to everybody who has paid any attention to this question, that if a commission had been appointed a year ago, when the leader of the Liberal party demanded it, the whole matter would be by this time entirely settled, and this Remedial Bill, with all its evil consequences, would never have come before Parliament. If the Government would, even at this late hour, pursue a policy of conciliation, and agree to the appointment of a commission to investigate the whole matter, I believe some compromise and settlement would be arrived at. Mr. Greenway has made a very large compromise already ; this Government and the minority may make a still further compromise. Now, the hon. Finance Minister, discussing this question a few days ago, sought to make out that this was not a question of provincial rights. Manitoba has in the past had some sad experience of interference with her provincial rights. Not many years ago that province was struggling against a great monopoly. She was trying to open up avenues of trade by which to send out the products of the country ; and when for that purpose she chartered railways, one after another of her Railway Acts were disallowed by the Federal Government. This was a direct interference with her provincial rights ; and now, when she passes a constitutional Act, establishing what she believes to be the best system of education in the interest of her people, there is another interference on the part of the Federal Government, who gives the people of that province to understand that whatever they do for the prosperity and well-being of the province, this Government seek to interfere with and thwart. Now, if the leader of this Government took the wise stand which Sir John Macdonald took in 1873, when he was asked by the minority in New Brunswick to interfere with the legislation passed in that province in 1871, establishing a national system of schools, I think the whole trouble would blow over in three months, and the minority in Manitoba would see that whatever justice they are asking for would come to them through the magnanimity of the province of Manitoba, and not through the interference of this Government. Sir John Macdonald believed in 1873 that the minority in New Brunswick were enduring a wrong and suffering under a grievance, but he said that was no ground for this Government interfering. It is not the duty of the Federal Government to interfere in provincial legislation, so long as that legislation is within the competence of the legislature that passed it. Therefore, he absolutely refused to interfere, not on the ground that we had no rights, but that it was not good policy for the federal power to interfere in provincial matters, when the local legislature was acting within its competence. Let me read the statement of Sir John Macdonald. Speaking in this House, in 1873, he said :

> It might be, and he did not hesitate to say that from his own point of view it was, in this case, that the minority, the Catholic minority in New Brunswick, suffered a wrong by this legislation, but there might be wrongs not only in questions of education or religion, but in questions of finance, of civil liberty, and in questions of every possible kind. And if the ultimate power of decision as to what is right and what is wrong was to be vested in this Parliament, where was there a vestige of the use of the power of a benefit or advantage of all our

> paraphernalia of provincial governments and provincial legislatures.

That position is just as sound to-day in connection with the Manitoba question, as it was in 1873 with reference to the New Brunswick question. If the law which the Manitoba legislature passed, inflicted a grievance upon the minority, I think the minority would receive far greater consideration at the hands of the majority in that province than it ever can by passing a law here so diametrically opposed to the views and opinions of the majority in that province. Sir John Macdonald went on further to say :

> If they were to deal here authoritatively and to order the Governor-General, the representative of the Queen, to disallow such bills as they thought the local legislatures ought not to pass, they would have wiped off the slate, as with a wet sponge, the influence and authority of the local governments and legislatures, and have centered it all in the Canadian Parliament.

Sir John Macdonald was in favour of legislative union, but he was overruled by his associates who were in favour of federal union, and, speaking on this question, he said that it would be far better to have legislative union than to continually interfere with the legislative powers of the different provinces and in this way confuse the legislation which the provinces had power to pass. Let me give you still further his opinion regarding the policy of interfering with the legislation of the provinces :

> Was this House prepared to assume that new responsibility and to alter in spirit the constitution ?

Now, the spirit of the constitution is this, that certain subjects were given to the legislature of the different provinces with which the Federal Government should not interfere, at least until very serious necessity existed, and in such cases the Federal Government should act with great deliberation. Every means should be exhausted in order to settle questions outside of the federal arena. All such means have not been exhausted in connection with this Manitoba question, and, therefore, it is premature to pass this Remedial Bill and force a system upon Manitoba antagonistic to its own wishes. Sir John Macdonald, speaking further, said :

> It might be that they might keep up the sham of provincial legislatures, but what would they be but a sham if at any time the members of the other provinces, disagreeing with the policy deliberately adopted by the legislature of any one province, could alter that policy.

That principle, laid down by Sir John Macdonald in 1873, is applicable to the present situation. The hon. gentleman went on further to propound the policy upon which he based his statement :

> The provinces had their rights, and the question was not whether this House thought a local legislature was right or wrong.

> But the whole question for this House to consider, whenever such a question as this was brought up, that they should say at once that they had no right to interfere so long as the different provincial legislatures acted within the bounds of the authority which the constitution gave them.

Now, I ask, has not Manitoba acted within the bounds and the powers the constitution gave her ? The law of 1890, which swept away separate schools, has been decided to be constitutional by the highest tribunal known to the British Empire. Therefore, according to Sir John Macdonald's contention, although there is a clause in the constitution which gives an appeal to the minority in this particular case, still this Federal Government is not called upon to interfere until every means of settling the matter outside the federal arena has been exhausted. Sir John Macdonald went on further to say :

> There was the fixed principle, that every provincial legislature should feel that when it was legislating it was legislating in the reality and not in the sham.

Would not Manitoba think, if, after passing a constitutional law, that law was repealed by a Federal Act, that she was legislating in a sham and not in reality at all ? Looking at the whole question from that standpoint, I think that this Government has acted very unwisely from the beginning. Had the Government, when it received the decision of the Privy Council, instead of summoning the Manitoba government here in such a hurry, and at a time when it was impossible for that body to be represented here, as Mr. Greenway was sick, and the Attorney General, Mr. Sifton, was leading the House of Assembly—if the Government, instead of being in such a hurry that they only allowed a week's delay, within which Manitoba was forced to plead before the Governor General in Council, had taken more conciliatory means, we would not have had this question before us to-day. It is said that all the information required had already been obtained. I admit that all the legal points had been brought out before the courts, but there were many other points of which the minority in Manitoba complained, evidence on which was not brought out before the Governor General in Council. One of these was the charge that Mr. Greenway had taken over the lands belonging to the minority without giving them sufficient compensation. That fact was not investigated at all before the Governor General in Council. Another charge was that the schools established by the Act of 1890 were Protestant schools, but no evidence was submitted to the Governor General in Council to show whether that charge was true or not. The matter was hurried through in this way, instead of asking for a conference to look into the whole subject. Such a conference could have investigated the matter with a view to reconciling the differences on both sides, and coming to a friendly settlement. I believe there was far too much asked for in the remedial order. That order demanded that the schools, as they existed previous to 1890, should be restored in their entirety. It demanded that Mr. Greenway should re-establish the power of the minority to build, equip, maintain, and manage their own schools. It demanded that he should restore to the minority the right to a share in the grant for the purposes of education, according to the average attendance in their schools. It demanded also that he should restore to the minority the right to be exempted from taxation to the public schools. That was all they had previous to 1890. Then, after a lot of dillydallying, the Government sent in another remedial order, in which they offered to accept a great deal less. Now, surely it would have been much better to have put the whole business into the hands of commissioners on both sides, who would have held a conference and determined on a basis of agreement. When we look into the history of the whole question, we cannot fail to come to this conclusion. Did not Mr. Greenway's government offer to do what was right and just, when they asked to have a commission appointed to inquire into all the facts ? What objection had the Government here to appointing that commission? No objection, except that they were in possession of all the information they wanted. Well, even if they were, in order to arrive at a conciliatory settlement of this question, would it not have been better to appoint a commission and see if there was not further information that would bear upon this question ? And I believe, if that had been done, this question would not now be in this House and we would not be appealed to, night after night, to stay here for the purpose of passing a Bill, which, if passed, will neither satisfy the minority nor the majority. Then, again, after the second remedial order was sent out and the Manitoba government asked what it was willing to do in the matter of a compromise, this very crude Remedial Bill was drafted. A month or two afterwards the Greenway government again suggested the appointment of a commission, and went so far as to say that, in their opinion, that commission would obtain information with regard to the working of the old and the new law, which would furnish a basis upon which an agreement might be come to. Still this Government turned a deaf ear to those solicitations, and refused absolutely to have any conference. But when public opinion pressed that point upon them so strongly when the leader of the Liberal party pressed so strongly upon them that it was their duty to have an investigation on the question, they sent out at the eleventh hour three commissioners armed with the power of negotiating. These commissioners held a conference with representatives of the Greenway government, and concessions were suggested on both sides, and, I believe, if the conference had been continued a few days longer, and the Remedial Bill shelved while it was going on, a reconciliation would have been arrived at, satisfactory to all parties. But, as the case stands now, this question will be prominent before the people at the next general election, so prominent as to overshadow every other. And, in view of the fact that in a few days this question must come before the people, it would be very unwise to pass any remedial legislation without consulting the people. We should give the people an opportunity of expressing their opinion upon it before we attempt to pass it. At the next election the issue will not be the question of protection or a revenue tariff, not economy in the administration of public affairs, but, I am sorry to say, it will be a sectarian and racial issue, arising out of a question in which we, as a Dominion, have no special interest, but which by our constitution comes under the jurisdiction of the local legislature. I hold that the Government is responsible for this. I hold them responsible for the unsettled condition of the country instead of the peace and harmony which would exist, if this question were not made a prominent one in federal matters. I believe that the Government have made a great mistake, and that they should, before it is too late, try and correct their mistake by withdrawing the Bill, by renewing the conference with Manitoba, and, if they do so, I have no doubt that an amicable settlement will be arrived at which will redound to the credit of all parties concerned, and that we will then be able to contest the next general election on the proper federal issues, and not on any provincial question.

Mr. McCARTHY. I wish to call the attention of the House to a matter of fact which has just been published in Winnipeg. It will be remembered that the hon. member for Montreal West (Sir Donald Smith), in supporting the second reading of the Bill made a point, which I dare say appeared to some hon. members to be not without considerable force. It was this : That at the first session of the first legislature of Manitoba, composed very largely of the gentlemen who had been in council at the time of the negotiations, passed without question the separate school law which has been in force until 1890. The hon. gentleman (Sir Donald Smith) drew the conclusion that, it might reasonably be inferred from that, that those members of the first legislature of the province had understood, prior to the union of Manitoba with the Dominion, that there was to be a system of separate or denominational schools in the new province. The exact words of the hon. member (Sir Donald Smith) as quoted by the "Daily Witness," were as follows :—

> It may not be known to a great many members here that many of those who composed the legislature of Manitoba at that time, were members of this very convention, and in deciding that there should be those schools, they were looking

to what had passed in this convention with it fresh in their minds.

The fact appears to be established by two affidavits which have been published in Winnipeg yesterday, that at the meeting of the first legislature of the province, two school Bills were introduced, one by Mr. Norquay who was afterwards a leading member of the government, and the other by Mr. John Sutherland who is still alive. Both these Bills according to the affidavit made by Mr. Hay, who was also in the House, and who is still alive were for the establishment of nonsectarian schools. That affidavit is corroborated by Mr. Sutherland. I read from the article which is the basis of my information. It is a despatch from Winnipeg on the 13th April, and it says:

> An affidavit by Mr. Hay, which is fully corroborated by John Sutherland's sworn statement published here to-day, gives a straight denial to Sir Donald's statements and to his reasoning. In fact it is proved beyond question that Sir Donald was quite mistaken in his facts and in his deductions. The affidavits declare that no mention was ever made of separate schools in the convention, and when the first legislature met two Acts were introduced, one by the late Mr. Norquay and the other by Mr. John Sutherland, providing for the establishment of a non-denominational system of schools. Just before the prorogation of the legislature Archbishop Taché returned from Rome and the education Bill providing for separate schools was introduced in the House and hurriedly rushed through, no explanations being given. This was the Bill of 1871 under which Catholics claim privileges for which they have fought so bitterly to show there was treachery at the bottom. Mr. Hay, who was leader of the Opposition, swears in his affidavit that on the night before the introduction of the bill he was sent for to go to Government House, and thereupon was offered a seat in the government if he would offer no opposition to the bill. He indignantly declined the offer and opposed the Bill, but it was rushed through with unseemly haste despite his opposition. The bill was never discussed nor were its merits sifted.

We have the only fact upon which any argument can be based: that there was any understanding at the time, that there was to be a system of separate schools; swept away by two gentlemen, Messrs. Sutherland and Hay, who were present at the convention and at the first meeting of the legislature, if their statement are to be relied upon. I do not know whether the hon. member for Montreal West (Sir Donald Smith) was a member of that legislature or not.

Mr. LaRIVIERE. Yes, he was.

Mr. McCARTHY. If so it is quite plain, that according to this, the hon. gentleman's memory was mistaken, although of course I do not impute any desire to the hon. gentleman (Sir Donald Smith) to mislead the House. I think it is important before this discussion closes, that we should have it brought to our notice, that as a matter of fact the intention of those who took part in the convention was to have an undenominational system of schools, and that the separate schools were established at the instance of the Archbishop who returned from Rome before the close of the convention, and who used his influence to bring about that result. I think it is not unimportant that we should have that matter brought to our attention. I do not propose to delay the committee by any further statement in regard to it.

WEDNESDAY, 15th April, 1896.

Mr. MACLEAN (York). I hope the House will bear with me, if, while referring to the debate which occurred this afternoon, I may give an explanation somewhat personal to myself. I am in the same position as is my desk mate, the member for South Simcoe (Mr. Tyrwhitt), who made a statement to the House last week. He said that prior to the general elections of 1891, this question was before the people of Canada in the matter of the veto of the school law of Manitoba. He wired to his leader at Ottawa asking if he was free to pledge himself to his constituents in regard to that question, and Sir John A. Macdonald gave him permission to pledge himself. He and the late member for Cardwell (Mr. White), gave pledges at that time to their constituents, with the concurrence of their leader, in regard to the veto of that provincial law. This question also came up in 1891, in the nomination for the constituency which I have the honour to represent. I then told the convention frankly and squarely that on the school question I intended to stand by Manitoba. I have no hesitation in stating now that it was my stand and declaration at that time on this question, which got me the unanimous nomination of the whole convention, after having beaten four other candidates out.

Mr. LaRIVIERE. Was the pledge given on the school question, or merely on the question of disallowance.

Mr. MACLEAN (York). On the school question generally. Those who had political foresight then, saw that the question was only beginning, and those who have political foresight now, can see that it is only beginning, unless it can be settled by withdrawing it from Parliament.

Mr. McDOUGALL (Cape Breton). Then it was an issue in the last general elections ?

Mr. MACLEAN (York). It was an issue so far as I am concerned.

Mr. FOSTER. The hon. gentleman has mentioned the late member for Cardwell (Mr. White). I think there is no doubt in the least that the late member for Cardwell had no idea in his mind, and made no pledge to his constituents, except on the mere question of disallowance.

Mr. MACLEAN (York). Exactly ; that is the statement made here by the hon. member for South Simcoe (Mr. Tyrwhitt).

Mr. CARROLL. Was this in the general election of 1891 ?

Mr. MACLEAN (York). Yes. When the vacancy occurred in East York in 1892, the question was again up, and I was pledged in the convention to stand by Manitoba on the school question. At the last convention in the riding, a little over a year ago, I again pledged myself, and I think as a good Conservative—I still contend I am a good Conservative—I am bound to keep my pledge and to raise my voice against any coercion of Manitoba. It was argued this afternoon by the leader of the House, with a great deal of ability, that Parliament is bound to settle this question, and that Parliament must discharge the duty in this respect imposed upon them by the constitution and the decision of the courts. I do not profess to be a lawyer, but I think I have some common sense, and the statement of Mr. Christopher Robinson, and the statement of the various judges who have given decisions on the case, make it clear to me that we are not compelled to do anything in this matter, but that we must exercise our judgment in regard to what is best for the welfare of the country.

Mr. McCARTHY. Hear, hear.

Mr. MACLEAN (York). I must also take issue with my leader when he says that the Government is willing to take the responsibility of this measure. The Government must take responsibility for the remedial order which they issued and they will be held responsible for it, but this Parliament, and every individual member must take responsibility for any remedial legislation which is submitted to or passed by this House. Each individual member is responsible, and he cannot delegate his responsibility to the Government or to the Parliament itself. I must also repeat, that to me the constitution is nothing compared with the idea that we are under a system of parliamentary government or responsibility, and that is what must decide the conduct of members more than anything else. Members must make it clear to their constituents that their conduct was right and just in the general interest, and not that it was along the line of what happened to be the written constitution. I may be charged with advocating repudiation of the constitution. I cannot help that. I can only say, that all the progressive measures we know of in British history, and the bulk of the progressive measures we know of in Canadian history, did involve more or less a violation of some constitutional right that previously existed. If it is in the interest of the country generally, I have no hesitation in standing here to-day and saying, that I am in favour of what appears to be in the best interest of a great and free province like Manitoba, and not in the interest of an insignificant minority.

Mr. McDOUGALL (Cape Breton). If this was an issue in the general elections of 1891, as the hon. gentleman says it was, I would like to ask him if it is not quite proper for this Parliament to deal with it ?

Mr. MACLEAN (York). No. This is a question which must be sent to the people directly for settlement, and unless it is so sent it never will be settled. I tell my hon. friend that if the people, by an overwhelming majority, declare they are in favour of some kind of remedial legislation, I will be much better disposed towards it than I am at the present time.

Mr. McDOUGALL (Cape Breton). If they made it an issue in the election of the hon. gentleman, it must have been the same all over Canada ?

Mr. MACLEAN (York). No, not necessarily. The passing of a Bill in this House, or the refusing to pass a Bill in this House, cannot settle this question. It must be sent to the people. It will be an issue in the next election, and members will have to declare whether they voted in this House for remedial legislation or against it. And every candidate will have to declare how he will vote in any subsequent session in regard to it. We know that this question of denominational education will come up in connection with the provinces which have to be erected in the North-west. Within the next five or ten years from four to six provinces will be organized in that country, and the great issue will be, whether or not the dual system of education will be foisted on these new provinces. When that time comes, I hope my position will be that I will leave these provinces free to settle this question for themselves. If this Parliament ever attempts to put in the constitution of these new provinces, a dual system of education, the cause of progressive government will be interfered with in this country. The people see that the passing of this Bill will not settle the present issue, nor the issues yet to arise. The people of Canada must be allowed to say whether it is best in the public interest that Manitoba ought to be coerced in this matter, or that she ought not to be coerced. That will be the issue which will face every candidate in the next elections outside of the province of Quebec. I intend to take my position on that in the forthcoming elections.

Mr. LaRIVIERE. I will have to take my position the other way.

Mr. MACLEAN (York). All right, sir, this is a free country and you can do so. Another reason why this question should be submitted to the people arises out of the changes which took place in the Government more than a year ago. The then Minister of Justice urged the issue of the remedial order, and as was stated in the papers, he did so intending to appeal to the country afterwards, but in this he was borne down by his colleagues. I am rather inclined now to justify his conduct. I think he was right, and that it would have been better after the issue of the remedial order that the question should be sent to the people and not brought before Parliament. I am not going to stand up here and justify obstruction. But I do say, that just as the Government are strong in their insistence in rushing this Bill through Parliament, just so much stronger will be the increase in the obstruction. It seems to be the natural law, that the stronger the insistence, the greater the obstruction. I believe, that if a more reasonable method had been taken to get this measure through, greater progress would have been made. While it is said that not a great many Conservatives from Ontario are in favour of the delay—or obstruction, if you choose to call it so—I am quite convinced that the great bulk of the Conservatives of Ontario do not wish to see this Bill go through at the present session. I think the great bulk of the Conservatives of the maritime provinces, and the great bulk of Conservatives of the North-west feel the same way, and feel that they should have an opportunity of voting on the question. The leader of the House said today that he intended to make a last appeal to us to allow the measure to go through. I hope that appeal will be respected. I will do my share to try and get the Bill into some shape, but if the leader of the House finds it to be against the feelings of the House that this Bill should be passed this session, then I trust that he will accept the situation and withdraw the measure and proceed with other public business. There is no great urgency about this matter. It has been for four years before the public, and it may be before them for years longer. There is always a chance of the question being settled outside of Parliament, and I am still hopeful that Manitoba will do something to remedy the grievance.

We have been told by the hon. member for Montreal West (Sir Donald Smith) that there is still hope of some remedy being obtained from the province of Manitoba itself. At all events, the grievance which the minority of Manitoba are suffering at the present moment is not a grievance of conscience, but simply a grievance of pocket. They will have to pay their school taxes, and will not be able to get any assistance from the school fund for their separate schools. But they are still free to have some sort of private parish or separate schools ; and only in a monetary sense will they have any substantial grievance. And the time will come to them, as it comes to every minority, if they wait for their opportunity, when they will be able to compel the legislature of Manitoba to concede to them their rights. There is a great Protestant majority in the province of Ontario ; but that majority have carefully protected the rights of the Catholics in Ontario. They have even increased their rights and privileges in connection with their schools, and have gone to a great deal of pains and trouble and spent a great deal of public money in perfecting the separate school system of the province. I believe that day will come to the minority in Manitoba. I believe the people of Manitoba are a people of generous character. I believe they have no intention of treating the minority there in an unfair and unfriendly manner ; and the manner in which Manitoba will treat the minority will depend very largely on how Manitoba is treated by this legislature. It takes time to work out these matters. You are not going to cure a trouble of this kind in a year or by mandatory legislation. You must take time and adopt other methods than those which have been attempted. I again wish to urge, what I have urged in this House before, that there are questions before the people of Canada of much greater moment than the one before us. These questions are calling for settlement. I took up one of the Toronto papers this morning, and I read in it Sir Wiliam Van Horne's opinion as to the pressing necessity of this country to-day. He said, in one word, that what we in this country want more than anything else is the settlement of the North-west—an immigration policy for Manitoba and the Territories. I agree entirely with him in that. I think the energies of this House ought to be directed to the settlement of that country. I think the Government ought to come down with a large and comprehensive measure of that kind, and if they do bring down such a measure, I shall be more than delighted to support it. But we have spent this entire session in this fruitless attempt to pass this Remedial Bill. We have discussed it in connection with the Address, on the second reading, and now in committee, and we have made no progress with it whatever. I would like to have seen this session, as I have said, devoted to the industrial development of our country. Instead of that, so far the session has been a fruitless and barren one, because undue prominence has been given to this school question, and not sufficient attention to higher and greater issues. Therefore, I again appeal to the leader of the House, if he finds that the opinion of the House and of the country is in favour of sending this question to the people, and if he finds that there is no prospect of carrying the Bill this session, that he will abandon the system of long sessions which we are now having, withdraw the measure, and send the question to the people for final settlement at the polls.

Mr. DAVIES (P.E.I.) It was my intention to say a few words this afternoon when the hon. leader of the House introduced a discussion on the subject of the power of this Parliament to pass this legislation ; but the debate took another form after dinner. As my hon. friend has spoken on the whole question, I desire to supplement his remarks with a few of my own. The hon. leader of the House labours under a most extraordinary hallucination on the subject of the powers possessed by this Parliament on this matter : and perhaps that hallucination is the only excuse that can be offered for his pressing this extraordinary bantling on the House. I have no doubt the hon. gentleman is sincere in his belief, for this reason, that when he moved the second reading of the Bill, he supported it in a speech in which he took as the main ground for his proposition —reading, as he did again to-night, the sections of the Manitoba Act in support of it—that if and when the Manitoba legislature at any time legislated in the direction of taking away from the Roman Catholic minority the privileges or rights in regard to education which they had acquired through the legislature of that province, that moment, ipso facto, that legislature ceased to have exclusive powers on the subject of education, and those powers were transferred to us. Then, the hon. gentleman said, we stand here in this position, that the Judicial Committee of the Privy Council have determined as a matter of law that by the legislation passed in 1890 the Manitoba legislature did infringe those rights and privileges, and so the exclusive power to legislate has been transferred to us, and we are bound to exercise it. Now, that is a most extraordinary position for any hon. gentleman to take. Of course, the hon. gentleman may be pardoned, not being a legal or constitutional man, and not having, I assume, given very great attention to the subject before he introduced this Bill. But I want to call the hon. gentleman's attention to this fact, that although he was followed in the debate in this House by almost every lawyer of standing on either side of the House, not a man among them could be found to accept the responsibility of the legal position he took as the basis of his whole argument. Not only has he failed to find in the House any lawyer who would risk his reputation in re-asserting the position he took, but outside of the House, in the very voluminous correspondence which has taken place, from Winnipeg to Halifax, I do not think he can find a lawyer, certainly not one of standing, who would accept the responsibility of assuming that position and arguing from it. The hon. gentleman is entirely wrong in his premises, and as a matter of course the conclusion he draws must be false too. From what language does the hon. gentleman argue that the exclusive power has been transferred to this legislature ? The section of the Manitoba Act is very plain. The first part of it confers on the Manitoba legislature the exclusive power of legislating in regard to education ; it adds that that exclusive power must be exercised subject to the following provisions, which he has read several times. What are the provisions which give us the power to act at all ? The section does not give us power to act in the first instance, primarily ; it does not give us a plenary power. It gives us a limited and conditional power. If Manitoba has infringed on the rights of the Catholic minority in respect to education, in so far as it has infringed on those rights, there is created a right of appeal to the Privy Council.

Sir CHARLES TUPPER. Their exclusive right to legislate is infringed.

Mr. DAVIES (P.E.I.) Their exclusive right to legislate remains ; but if they legislate to take away from the Roman Catholic minority any rights they acquired under this section, that legislation is subject to appeal to the Privy Council here.

Mr. McLEOD. The Lord Chancellor says they have the exclusive right subject to a limitation.

Mr. DAVIES (P.E.I.) I say so—subject to the right of appeal to the Privy Council, which involves the right and duty on the part of the Privy Council to inquire into all the facts and circumstances of the case.

Sir CHARLES TUPPER. It will save time, perhaps, if I ask the hon. gentleman a question. Have we the right to legislate now ? If we have, then it follows as a matter of course that the exclusive right to legislate on the part of Manitoba has ceased.

Mr. DAVIES (P.E.I.) It does not follow at all.

Sir CHARLES TUPPER. If Manitoba has the exclusive right to legislate, we have no right at all. If she has the exclusive right, as she had before she withdrew the privileges of the Roman Catholic minority —because her right to legislate exclusively on the subject of education was a right conditional on this, that she should not do as she has done, take away the rights of the minority—therefore, I say that when she did that, and the Judicial Committee of the Privy Council declared that the appeal lay, and that we had the right to restore those rights, then we had a right to legislate ; and we cannot legislate so long as Manitoba has the exclusive right. That appears to me to be a very simple, plain, straightforward proposition.

Mr. DAVIES (P.E.I.). That is a very simple and plain proposition, but it is not the proposition which the hon. gentleman advanced at first.

Sir CHARLES TUPPER. I beg pardon. That is precisely the view I held from the first.

Mr. DAVIES (P.E.I.) The hon. gentleman stated before, and repeated to-day, that when the Manitoba legislature withdrew from the Roman Catholic minority the educational privileges previously conceded to them, by that fact the power of the Manitoba legislature was withdrawn and was vested in this Parliament. Now, the hon. gentleman asks whether this Parliament has a right to legislate. I think it may.

Sir CHARLES TUPPER. Then the Manitoba legislature has not the exclusive right?

Mr. DAVIES (P.E.I.) What has this Parliament to do? The Privy Council may grant or refuse the appeal; there is nothing compulsory upon them. They have to ascertain the facts; they have to ascertain whether there is or is not a substantial grievance which they should take steps to remedy. I am not talking of our technical power to act. I am asking whether you have laid the basis for acting. You did not do that. You made no inquiry. You assumed the statements in the petition to be true. You said: Here are certain rights given to the minority by the statute of 1871, and we find those rights taken away, and therefore we have to restore them. But you did not do the duty the law casts upon you, of inquiring into the facts to ascertain whether there was or was not a substantial grievance on the part of the minority; and if you found that there was, it became your duty to induce the Manitoba legislature to rectify it. Now, the hon. gentleman sees that although you were hearing the appeal, the power of the Manitoba legislature to legislate still existed, and it exists to-day. If the legislature of Manitoba were in session to-day, it would be perfectly competent for them to legislate on this question of education. Now, I want to show the hon. gentleman that if you determine to hear the appeal, it becomes your duty to inquire into the facts.

Mr. McLEOD. This is what the Lord Chancelleor says in his judgment, referring to section 22 of the Manitoba Act. He says it is claimed "that this is inconsistent with the power conferred on the legislature of the province to exclusively make laws in relation to education." The argument is fallacious. The power conferred is not absolute, but limited. It is exercisable only "subject to and according to the following provisions."

Mr. DAVIES (P.E.I.) There is no possible doubt about that. They have the exclusive power to legislate, subject to the conditions. What are the conditions? That the Roman Catholic minority have a right of appeal under the second subsection if their rights and privileges with regard to education have been infringed upon. The first condition was settled by the Privy Council. There is no possible condition of affairs that could bring the first subsection into operation at all. Now, nobody disputed that their power to legislate was subject to appeal, or that if a substantial grievance exists, there is the power on the part of this Parliament, and I would go further and say the duty, to remedy it. Did the hon. gentleman ever hear any body question that? In the few remarks I addressed to the House on the second reading of the Bill, I pointed out that the counsel for the Manitoba government admitted that in his argument before the Privy Council; every body I heard debate the question admitted that; we all admit it. Why go over these grounds? Let us keep to the points on which we differ, and thrash them out. I object to this legislation, because I say that if a wrong has been done, it can be rectified by the provincial parliament better than by this Parliament. That was disputed at one time. The hon. gentleman, in bringing down the Bill, held that the power had been transferred to this Parliament away from the local legislature. That is absolute nonsense. The power has not been transferred; it remains in the local legislature to-day, and this attempt to make the country believe that we have a duty imposed on us which the local legislature cannot carry out is a false proposition. Therefore, I say your duty was clear and distinct, to have ascertained all the facts, and then apply to the Manitoba legislature to rectify the grievance.

Sir CHARLES TUPPER. That was what was done, and they refused.

Mr. DAVIES (P.E.I.) No, there was not a scintilla of inquiry made. The hon. gentleman neither sent a commission to Manitoba to take evidence nor did they hear any evidence before the Privy Council. There was no inquiry whatever. The hon. gentleman said that was done.

Sir CHARLES TUPPER. I said that the remedial order called upon them to remedy the wrong and they refused, and that then the right to legislate devolved upon this Parliament.

Mr. DAVIES (P.E.I.) The hon. gentleman is anticipating. Let me bring his mind to the point I am drawing his attention to. It became the duty of the Privy Council to investigate the facts fully before they made the remedial order.

Sir CHARLES TUPPER. That is a matter of opinion.

Mr. DAVIES (P.E.I.) There ought to be no doubt about it. If you are to pass a remedial order directing what shall be done, it is surely your duty to inquire into the facts.

Sir CHARLES TUPPER. That was all put before the Privy Council by the arguments on both sides.

Mr. DAVIES (P.E.I.) The argument is nothing.

Sir CHARLES TUPPER. The arguments were based on the facts and the Privy Council were satisfied.

Mr. DAVIES (P.E.I.) If there is a point of law in dispute, an argument is a most admirable way of elucidating it. But when it is a question of fact, the argument cannot help you very much as to ascertaining what the facts are.

Sir CHARLES TUPPER. They had what the Judicial Committee of the Privy Council decided upon. Had they not the fact that the law previous to 1890 gave certain rights and privileges which the Act of 1890 took away ?

Mr. DAVIES (P.E.I.) All that the Judicial Committee of the Privy Council decided was the right of appeal on the part of the minority. That was all that was submitted to them. There is a memorandum prepared by the late Sir John Thompson, in which that hon. gentleman and learned jurist stated the doubt whether there was power on the part of the Privy Council here to hear the appeal of the minority. That was the only point which was referred to the Supreme Court: Have we the power to hear this appeal ? The Judicial Committee of the Privy Council were asked : Assuming the facts to be true as stated in the petition, have the Privy Council of Canada the right to hear the appeal ? That was the only point determined by the Judicial Committee of the Privy Council in England. They were not asked to determine any facts. When they determined that this Government had the right to hear the appeal, there was only one way of hearing it, and that was to ascertain the facts--not the strict letter of the law, as it appears in the acts from 1870 to 1890, but what the practical working of these acts was and what the practical working of the Act of 1890 was, so that they might ascertain whether there was a substantial right or privilege taken away which should be restored. And I am the more confirmed in that opinion because I find that this Parliament also has to exercise this discretion. Questions of state policy may interfere and govern our determinations, and we have the right to be informed fully as to what the facts are. We have not been so informed. No such information was brought before the Privy Council here, and we are asked now to legislate without any such inquiry having been made. The Manitoba government intimated a desire to negotiate, when they first replied to the remedial order. They intimated that that order would not have been made had the Government been in possession of the facts, and invited this Government to investigate. Involved in that invitation was the expression of their readiness to discuss with this Government what remedy, if any, should be applied. They practically said : Examine into the facts, and when you have seen what they really are, we will be prepared to discuss what remedy should be applied ; but this Government scouted the invitation, and instead, they brought down to this House this crude and ill-digested measure, as to the meaning of any section of which you cannot get any two persons to agree. The hon. gentleman says there are only two things to investigate, and these are what rights were taken away and what has Manitoba restored. We have to investigate a little more than that. We have to find out what rights were taken away, and whether they were taken away in the public interest. We have to find out whether it is in the interests of the minority that these rights should be restored, and whether the minority desire that they should be restored. We hear it stated that some 32 or 33 school sections of the minority have come under the Manitoba School Act and are perfectly satisfied. We hear it stated that outside of St. Boniface and Winnipeg, the people are thoroughly satisfied. If that be true, do you want to impose a different system upon these people ? I do not know whether it is true or not, but would like an investigation to ascertain the truth, because that would have an important bearing on my mind. We have nothing definite to show on what basis these rights and privileges should be restored, but there is one thing we know and that is that this Parliament should not be asked to restore them except in the last resort, after the legislature of Manitoba has positively refused to act. One ounce of relief by Manitoba will be worth a pound of relief by this Parliament ; and I am satisfied that if the Manitoba government and legislature were properly approached and negotiations entered into with them on a proper basis, an arrangement could be easily come to, which would be satisfactory to the minority and substantially restore to them every right or privilege they ought to have. The hon. gentleman urged us to pass this Bill because the crucial principles of it have been considered. That is not my opinion. We have not touched one of the crucial principles yet. All we have done, in the first ten or twelve sections which we have passed, is to constitute the machinery for carrying out certain substantial provisions contained in the latter part of the Bill, and that machinery I contend, we have not the power to create. I do not think that the administration of the law is a matter which comes within our province at all, but one which belongs solely to the local legislature. The substantial rights which the remedial order sought to give are, first, the right to build, conduct, support and equip separate schools, involving religious teaching in the schools, and that right we have not passed a section relating to. Then there is the right of exemption from taxation for the public schools, and of appropriating their own taxes to the separate schools, and that right has not been dealt with by any of the sections we have passed so far. And lastly, their is the right to share proportionately in the public grant, which we have not yet dealt with. All our time has been taken discussing sections which provide the machinery for the administration of the law, which is a matter exclusively belonging to the Manitoba legislature. But the hon. Minister of Finance argued that the hon. leader of the Opposition has admitted that the intention of the Parliament of Canada. when it passed the Manitoba Act, has been frustrated by the act of the Manitoba legislature. and that, therefore, it becomes our duty to remedy the wrong. That is a most extraordinary proposition. The hon. gentleman knows that the leader of the Opposition had reference to the rights and privileges which it was supposed by himself and many others had been conferred upon the minority under section 1. It was the intention, no doubt, of very many who legislated in this Parliament, that certain privileges should be secured to the Roman Catholic minority by section 1. That intention has been frustrated. The Privy Council have determined that the intention must be gathered from the words of the section, and that the section in itself does not confer any right or privilege. That decision of the committee of the Privy Council is binding upon this House. That Act, which it was supposed conferred these privileges, is an Imperial statute. If the language failed to express what the Parliament of Great Britain intended to do, it cannot be argued that we have the power to supply the deficiency. The hon. gentleman is playing with the House if he asks us to believe that we have the power, directly or indirectly, to interfere with the scope of that section. The Judicial Committee has settled that matter for ever. The hon. Minister of Finance argued that there was some kind of a parliamentary compact to give to the minority of Manitoba privileges and rights which they had before the union, and that it was the intention of the Imperial Parliament to confer those rights, and he said this intention was frustrated by the language of the Imperial Act ; and because the Imperial Parliament did not use language which would confer these rights upon them, this Parliament should step in and do that now.

Mr. McLEOD. I think the argument was this. That it was fairly the intention that these rights should be secured to them, that they were subsequently secured to them by a local act of the Manitoba legislature, that the Act of 1890 took them away, and the case becomes stronger from the fact that it was intended to give these rights before the union, and they were actually given after the union.

Mr. DAVIES (P.E.I.) The hon. Finance Minister took up certain expressions which fell from the hon. leader of the Opposition to the effect that the intention of the Imperial Parliament and this Parliament, when this law was drafted, had been frustrated by the language used. I point out now that the Judicial Committee of the Privy Council determined that the first section of that Act did not and could not confer any right or privilege upon the minority, and any attempt to go behind the judgment of the Privy Council and to ask this Parliament to do what the Privy Council said section 1 does not and could not do, is to ask us to make fools of ourselves. It is an attempt to deceive those who have not studied this question thoroughly and do not understand it. If we had power to do that, there might be something in the argument ; but to ask us to pass the Bill on that ground is merely deceiving the House and the country. Now, with regard to the second section, there is not a man in this House who will contend that it ever was the intention of this Parliament to declare that rights subsequently acquired in Manitoba should be secured to them under that section. The Privy Council certainly determined, contrary to the general belief, that the second section does give the right of appeal against post-union legislation. I am willing to be bound by the judgment of the Privy Council in both cases. If we are bound by it, do not ask us in exercising our powers under subsection 2 to indirectly attempt to extend or alter the provisions of subsection 1. That we have no power to do. If subsection 1 does not carry out what was intended, we have no power to amend it. To do that you must go to the Imperial Parliament. I am willing to do what the Act points out I shall do. So far as the circumstances of the case require, I am willing to legislate when it was shown to me that a substantial grievance has been inflicted on the minority by the post-union legislation of Manitoba, and when I am satisfied that the provincial government refuses to rectify that grievance. I am not at present satisfied on either point. I find controversies and denials as to the facts proceeding from those in authority on both sides. Before we pass this legislation, which, so far as we are concerned, is irrevocable, it remains for us to ascertain what the real facts are ; to satisfy our minds that a substantial grievance exists, and to be perfectly sure that the local government will not rectify it ; and, in the last resort, to do our duty. There is not a gentleman here who doubts in his mind that if that commission had gone to Manitoba six months ago, and had gone under congenial circumstances, with full powers and plenty of time, that an arrangement would not have been come to which would be satisfactory to all parties. You could have done then what it may not be possible to do now on the part of the present government, which is railroading this Bill through the House. It may be done by another Government in whom the Manitoba people have more confidence. I have not a shadow of doubt, that plenipotentiaries going in a proper time, and discussing in a proper spirit the grievances under which these people are said to labour, could come to an arrangement which will be satisfactory to the majority and the minority, and which will withdraw this question from the arena of Dominion politics into which the hon. gentleman (Sir Charles Tupper) has improperly forced it.

Motion (Mr. O'Brien) that the committee rise, negatived.

On section 14,

Mr. WALLACE. What is the intention of the Government as to whether the voting for the election of school trustees under this Bill shall be by ballot or shall be open ?

Mr. DALY. The intention is provided for in the Bill, and is that the law shall be adhered to as it existed prior to 1890. That is, that there should be open voting.

Mr. WALLACE. We are asked to adopt this principle simply because it was in the Act that was rushed through the Manitoba legislature in 1871. We have adopted the system of voting by ballot under most circumstances throughout the Dominion, and the very best results have followed from it.

An hon. MEMBER. You have not it in Ontario, when voting for separate school trustees.

Mr. WALLACE. So much the worse for the separate schools. I know that a large number of separate school supporters in the city of Toronto are anxious to have the ballot in voting for trustees. It is a mistake that we have not it in the province of Ontario. It has been charged here in the city of Ottawa that intimidation has been practised in the election of school trustees, and that the election of Mr. Moffett and others of advanced ideas was rendered more difficult because of the system of open voting. Why should we incorporate this obsolete and discarded system of open voting into this Bill ? I would urge upon the Government to insist on providing for election by ballot for separate school trustees in Manitoba.

Mr. DALY. The hon. gentleman has not a knowledge of the Manitoba law as it exists at the present day, because it is only in cases of elections in cities, towns and villages that the ballot is used in that province. In the case of the election of trustees in rural districts, it is done by open voting. This Bill will apply particularly to the rural districts of Manitoba, and I do not see why we should make the elections different from those of the public schools. The hon. gentleman (Mr. Wallace) took occasion to say that this was an obsolete law, which was rushed through the legislature in 1871. That shows how little knowledge he has of the question. The Bill we are now considering is taken from the consolidation of 1881, and the amendment of 1884, and all the amendments up to 1888, and not from the law of 1871. The hon. member for Winnipeg (Mr. Martin) was in the legislature from 1883 to 1888 as a member of the Opposition, and I do not know that it is upon record that he challenged the construction of any of the clauses of the Bill which have been so much criticised here.

Mr. WALLACE. The main question for us to consider here is, that we should not adopt this antiquated system of open voting for school trustees. Why does the Minister not adopt the ballot system, which experience has shown to be the correct one. Therefore, the very argument the Minister of Interior lays down, and the facts he has stated, furnish to my mind additional proof, if additional proof were required, that we should have voting by ballot in the cities, towns and villages, as we have under the public school system.

Mr. DALY. That was not a grievance complained of by the minority or a privilege of which they have been deprived, and which has to be restored. By inserting that, we would be giving them a right which they did not enjoy before, and thus affecting the legality of the Act we propose to pass.

Mr. WALLACE. We are responsible for something else than restoring rights and privileges, because the judgment of the Privy Council declares that it is not necessary that we should pass a separate school Act at all, in order to comply with their decision.

Mr. MACDONALD (Huron). I agree with the hon. member for West York (Mr. Wallace). We are passing this law with the intention of making it up to date, if it is passed at all. It is now well recognized that the system of open voting has passed away, and that the ballot has taken its place ; and if it is true that this Bill cannot be amended it is better for us to legislate somewhat in advance than to legislate in the past.

Mr. McCARTHY. I think too that it would be better to follow the Manitoba school law in giving the ballot, at least to the extent to which the Manitoba school law gives it,—in cities, towns and villages. If there is anything I am certain of, it is that our functions begin and end with this Act—that we will not have power to deal with the matter later on, at least in the way of amendment. Therefore if this is to be a permanent law—though I am not sure that the Manitoba legislature would not have power to amend it—we should provide for the future as well as for the present, and therefore I do not see why we should not provide the ballot as far as has been suggested. In the province of Ontario there has been a good deal of complaint of undue interference with voters ; and I do not see what objection there is to giving the ballot in this case. I would like to understand what this means in section 14 : " All school meetings after the first."

Mr. DALY. The first is provided for by section 18.

Mr. McCARTHY. What is the object of saying in section 14 that all school meetings after the first shall be called by the board of trustees, when by section 18 it is enacted that a meeting on the first Monday in February in each year shall be called by the board of trustees ?

Mr. DALY. The meeting called under section 18 is the annual meeting of the separate school supporters in rural districts, while section 14 applies to any subsequent meetings of the board of trustees after they have been elected, and it is in accordance with the old law, which worked very satisfactorily.

Mr. McCARTHY. I do not see why that old law was repealed, it must have been so satisfactory. Surely we do not require to pass an Act of Parliament to authorize the board of trustees to call a meeting if the meeting be necessary. They have the power without that.

Mr. McLEOD. It may not be necessary, but I do not see that there is any objection to the clause.

Mr. McCARTHY. These two sections are contradictory. Section 18 says meetings shall be called by the trustees or the superintendent, and section 14 says by the trustees.

Mr. DAVIES (P.E.I.) What is worse still —section 14 prescribes that the Board of Education shall give the form of notice, and section 18 prescribes what the trustees shall put in the notice. They must frame it, not the Board of Education.

Mr. WALLACE. This all shows the utter inadequacy of the Dominion Parliament to provide this machinery. The members of the Government do not seem to have studied this matter at all. I would like to know how the trustees are to proceed under these contradictory provisions. Another important point is this. In the public school system of Manitoba it is provided that the trustees shall be able to read and write. That is not provided for here : and if the Minister cannot solve the contradiction between section 14 and section 18, how could a trustee who would not be able to read and write ?

Mr. OUIMET. I move that clause 14 be struck out of the Bill.

Amendment (Mr. Ouimet) agreed to.

Mr. WALLACE. I wish to call attention to the fact that we have spent a long time trying to get an explanation of this clause.

Mr. CHAIRMAN. It is struck out now.

Mr. WALLACE. We wasted a good deal of time over it because the Minister did not know anything about it.

Mr. MULOCK. We have spent several hours over this clause, and it is now condemned by the Government, who ask to have it struck out. It would save us a good deal of trouble if the Government would let us know before hand what clauses they are going to strike out. What do they propose to do with the next clause 15, for instance ?

Mr. OUIMET. We will hear your opinions about that.

Mr. MULOCK. I would like to know whether aliens are to be allowed to vote without becoming naturalized British subjects ?

Mr. IVES. Yes. They want all the money for the schools they can get.

Mr. LaRIVIERE. If they use the schools, they should pay for them.

Mr. OUIMET. Section 13 of the Public School Act, which provides who shall be electors, contains no provision for excluding aliens.

Mr. DAVIES (P.E.I.) In section 16 you speak of " the Roman Catholic resident freeholders and householders," and in section 15 you say " the Roman Catholic freeholders and householders present." It seems to me that you should either take out the word " resident " in section 16 or put it in section 15.

Mr. OUIMET. I move that after the word " ratepayers " the words " then present, or a majority of them " be inserted.

Amendment agreed to.

Mr. DAVIES (P.E.I.) I do not see why you speak of Roman Catholic freeholders and householders. I think it should be freeholders or householders.

Mr. OUIMET. I move that it be made to read freeholders or householders. Now, I will explain why all the resident freeholders should be present at the first election, perhaps a majority of the people owning real estate in the district might have objections to establishing a school district, and might come in and defeat by their vote the object sought for by the election of trustees. But after the first election, they become ratepayers by their own consent, being supporters of the separate school district.

Mr. MULOCK. I think the word " ratepayer " should be struck out, and the word " householder or freeholder " used right through, because there is a distinct meaning attached to the word " ratepayer " under the municipal law.

Amendment agreed to.

Mr. MULOCK. You should see that the chairman is a qualified elector like those who are present at the meeting.

Mr. LaRIVIERE. He cannot form part of the meeting unless he is one.

Mr. MULOCK. You say so, but I think he could under the wording of the clause. I presume that the chairman should have the qualification necessary, but according to this clause he need not. I propose to amend the clause by adding the words as follows :—

> And shall be a Roman Catholic ratepayer of the full age of 21 years.

Mr. LaRIVIERE. And vaccinated.

Mr. MULOCK. I could add another suggestion, but it might be unparliamentary.

Mr. LANGELIER. I would suggest that the words should be added "shall elect one of themselves."

Mr. MULOCK. I have no objection to that.

Mr. OUIMET. The hon. gentleman knows that in our municipal elections in Quebec it is not necessary that the chairman should be a ratepayer or a qualified elector. He may be a perfect stranger, and in a great many instances it is better he should be a disinterested person. Take the returning officer in an election ; it is not necessary that he should be an elector.

Mr. DAVIES (P.E.I.) And you therefore propose under this clause to give power to the chairman, who may be not a ratepayer to give a casting vote, and thus possibly upset the vote of the meeting altogether.

Mr. SPROULE. It is quite clear from this clause that the chairman may be an outsider, and may not belong to the district at all. I think the suggestion of the member for Quebec should be adopted.

Mr. McLEOD. It seems to me to be absolutely idle to talk about men in a meeting selecting a chairman ten miles away.

Mr. STUBBS. We have some difficulty in this connection in regard to our separate schools in Ontario. This clause is something on the same lines as the law there. We find that the clergyman comes in and he acts as chairman at the meeting and he is not a resident or an elector in the district. If he is allowed to have a casting vote as is the case here, he practically controls the meeting. I would like to see that the chairman of the meeting should be a ratepayer.

Mr. MULOCK. The Minister of Public Works says that the chairman need not be a ratepayer. You give him a casting vote in the case of the election of trustees, provided they are evenly divided, he practically determines the election by that casting vote, although he is not a ratepayer.

Mr. WALLACE. I do not know of any organization where a chairman can be elected outside the body of which he is chairman. We should certainly provide in this case that the chairman should be a ratepayer.

Mr. OUIMET. I object to the amendment. Whatever may be the interpretation to be given to this clause, in my opinion the meeting should be left full liberty in regard to the election of their chairman. According to this law, the heads of five families may call for the organization of a school district. It may happen that amongst those five heads of families, not one may be qualified to be the presiding officer, and you are going to oblige them to choose one of themselves, even if they wish to choose an outsider. I think they should be left free to choose a chairman either from among themselves or an outsider, whoever would be best qualified and most available.

Mr. McCARTHY. As a matter of policy it does not seem to me right that those who have to pay for the school should be presided over by a man who has no interest in the district, and who might possibly have the casting vote. I think we should adopt the amendment moved by the hon. member for Quebec.

Amendment (Mr. Langelier) negatived : Yeas, 16 ; nays, with the vote of the Chairman, 17.

Mr. MULOCK. In the separate school law of Ontario it is provided that the chairman of the board of trustees must be a qualified voter.

Amendment (Mr. Mulock) negatived.

On subsection (a) of section 15 :

> 15. At every schood meeting as authorized and required to be held under this present Act, the Roman Catholic ratepayers, who are supporters of the separate schools within the district, or if it is a first meeting in a new district, then the Roman Catholic freeholders and householders present at such meeting, or a majority of them—
>
> (a.) Shall elect a chairman ; and the chairman of the meeting shall decide all questions of order, subject to an appeal to the meeting, and in case of equality of votes, he shall give the casting vote, but he shall have no vote as chairman, and the chairman shall take the votes in the manner desired by a majority of the electors present, unless a poll be demanded by any electors present, when he shall be the returning officer.

Mr. McCARTHY. My contention is that in cities, towns and villages, the election of trustees should be by ballot, leaving it in the rural sections to be as the ratepayers may determine. That is the law at present in Manitoba. I therefore move in amendment that the following words be added :—

> Provided always that in cities, towns and villages the election of trustees, if a poll is demanded, shall be by ballot as hereinafter provided.

Mr. OUIMET. I cannot accept that. I do not believe very much in voting by ballot. I think the old system of open voting is the best. Every man who enjóys the liberty of a citizen should exercise his franchise in such a manner that it will be known to every one. I do not see any advantage that can come of introducing the ballot in these matters, and it will only complicate the machinery.

Mr. LANGELIER. When this law was passed, there was no ballot in Canada. The ballot was only introduced in 1874, and that law was passed in 1871. As we have adopted the ballot for Dominion elections, and as it has worked well, I think we should adopt it here.

Mr. SPROULE. There is no doubt the ballot system is the best. In Ottawa a very troublesome question arose in connection with the election of trustees, and it was contended that had the voting not been open, trustees would have been elected more in harmony with the advanced views of the present day.

Mr. OUIMET. In that case the only person objected to by the clergy was elected by open voting.

Mr. SPROULE. I take my information from the "Mail and Empire." I think the ballot would be a protection against undue influence and shall therefore vote for the amendment.

Mr. WALLACE. I am surprised that the Minister of Public Works should object to this amendment. I had supposed that the proposal would receive the unanimous and cordial approval of the committee. Twenty-four years ago, we unanimously adopted the ballot Act, when I think the Minister of Public Works was a member of the House. It is now in force for the provincial elections and municipal elections, and it has been adopted for the election of school trustees in cities, towns and villages in Manitoba. We ask that the same system be adopted for separate as for public schools in that province, and I may state that there are stronger reasons why it is necessary in the case of separate schools.

Mr. MULOCK. If we do not adopt the vote by ballot in this case we will announce to the world that we are retrograding instead of progressing in this Parliament. No one can deny that public opinion is strongly in favour of the ballot.

Mr. McLEOD. How is it in the Ontario separate schools ?

Mr. MULOCK. The Ontario School Act was passed before the ballot was introduced.

Mr. SUTHERLAND. It is optional there now.

Mr. MULOCK. We are making a new Act here and we should furnish it with all modern improvements. If we were passing a new Act for Ontario, no doubt we should provide the ballot. I strongly approve of the amendment.

Mr. MARTIN. This illustrates very well the outrageous proposition to take out of the hands of the legislature of Manitoba the important question of education. While the Manitoba government takes a progressive view of this matter, the Parliament of Canada is urged by the Government to go back into the dark ages and insist upon open voting when the arguments are most strongly in favour of the ballot. All along I have taken the position that in non-religious questions like this, the law of the Manitoba legislature with regard to public schools should be incorporated in this Bill, if we are to have a Bill at all. Voting by ballot does not effect the question of the right to separate schools. In the province of Ontario it has been for many years one of the strong arguments of the Conservative party—of which the present Government claim to be the leaders in Canada, although that is disputed —that there should be voting by ballot in separate schools. Sir Oliver Mowat has been charged by the Conservatives as being the mere servant of the Roman Catholic hierarchy because of his refusal to give vote by ballot to the supporters of separate schools. Mr. Meredith, the late leader of the Conservatives, took the strongest ground upon that question, and it is somewhat peculiar to notice that from time to time the Conservative press demands that Mr. Meredith should be called upon to lead the Conservatives of Ontario in the Dominion Parliament. Yet, the views of that gentleman are diametrically opposed to the views of the Government upon this matter. The Conservatives of Ontario have charged that the clergy exercised undue influence on the electors in the elections of school trustees, and that has been a strong reason urged by them why vote by ballot should be introduced in that province. How is that we find the Government here differing so radically from their political allies in the province of Ontario. Strange to say, the members of this House from the province of Ontario supporting the Government, and who also support the Conservative opposition in the province of Ontario, have made that province ring with their denunciations of Sir Oliver Mowat because of his refusal to introduce the ballot into the election of separate school trustees.

Mr. OUIMET. You have approved of him.

Mr. MARTIN. I never did.

Mr. OUIMET. Your followers did then.

Mr. MARTIN. Some of them, I suppose.

Mr. OUIMET. The argument is no stronger on one side than on the other.

Mr. MARTIN. Yes, the argument is stronger, because Sir Oliver Mowat makes a defence on constitutional grounds, which do not exist here. I do not agree with Sir Oliver Mowat in this matter myself. He does not say that he refuses the ballot to the Roman Catholic voters, because the ballot is not a proper thing.

Mr. HUGHES. Is he in favour of a secret ballot ? He does not give it in his provincial elections.

Mr. MARTIN. That is another point in which I differ with Sir Oliver Mowat. I have always held that the ballot in Ontario would be much better with the number done away with. What is the position of the hon. gentleman who has just spoken and others from the province of Ontario ? Will they stultify themselves because the Liberals of Ontario have done so ?

Mr. HUGHES. They are in favour of the ballot.

Mr. MARTIN. They are not showing it just now. They are supporting the government that refuses the ballot to a section of the people of Manitoba, and that Government could not stay in power one day but for the support of those hon. gentlemen. Do not the same arguments which appealed to those hon. gentlemen in favour of giving the ballot to separate school supporters in Ontario apply with equal force to Manitoba? The Conservative party in Ontario argued that the Roman Catholic clergy exercised an undue influence in the election of separate school trustees in that province. For my part, I do not need any argument of that kind. I make no such charge, so far as the province of Manitoba is concerned. I simply say that I am in favour of the broad principle of the ballot, and as it has been adopted in the case of the public schools, I think it should be also adopted in the case of separate schools ; and I do not know on what grounds the Government refuse it, as I have not been able to be here during the whole of the discussion of this Bill in committee. That is one of the unfortunate matters we have to contend with in these long sittings. Surely it is a commentary upon the farce that is being enacted in Parliament, that we have one of the most important questions which the Government are undertaking to settle at this late day of the session, and there is not one member of the Government here to defend their course, except the Minister of Trade and Commerce, who is busily engaged in reading a novel.

Mr. FRASER. I rise to a point of order. I see an hon. member preparing a bed in this House. That sort of thing ought not to be permitted.

Mr. MULOCK. I remember that in the session of 1885, Sir Mackenzie Bowell occupied the seat now occupied by the hon. Minister of Finance, and at an all-night sitting he arranged a bed, as an hon. member is charged with doing now. Sir Mackenzie Bowell had pillows brought in, and his example was followed by other members. Exception was taken to the practice as a breach of decorum, and the Chairman decided that it was a breach of decorum for a member to import any furniture into the Chamber to make a couch for himself. It may not be out of place for the hon. member for North Victoria (Mr. Hughes) to assist in getting this Bill through, but he must not convert this Chamber into a sleeping apartment.

Mr. HUGHES. It is unfair to the hon. member for Hamilton (Mr. Ryckman) that this objection should be urged. The hon. gentleman, in extending his bed along here, has used nothing but the regular furniture, and I submit that although he is the inventor of the Kootenay Cure, he is entitled to take his repose reclining on his own seat.

The CHAIRMAN (Mr. Joncas). As to any hon. member sleeping in the House, that I suppose cannot be prevented ; but lying down in the House is another thing altogether. If any hon. member is permitted to lie down, then every one in the House of Commons would have permission to lie down, and it would not be conducive to the decorum of the House. I would ask the hon. gentleman who is now lying down to take his seat as well as he can. If he is sick, of course that is another matter.

Mr. FRASER. I find that there is a chair imported that does not belong to the Chamber at all. If the committee does not rise now, I think the hon. member should.

Mr. MARTIN. The hon. member has arisen.

Amendment (Mr. McCarthy) negatived : Yeas, 15 ; nays, 27.

On subsection (b),

Mr. STUBBS. I move :

That the committee rise, and report progress, and ask leave to sit again.

It is quite clear to my mind that hon. gentlemen need rest and refreshment so that they may be able to consider this Bill tomorrow.

Mr. WALLACE. I have great pleasure in seconding the motion. We have been working diligently at the Bill since three o'clock Monday, and as it is now nearly four in the morning, and as daylight will soon be here, I think hon. gentlemen should be allowed to go home. That is especially the case since none of the Ministers are present. We had a discussion here on allowing the ballot to be used in elections for separate school trustees in Manitoba. Very strong arguments were used in favour of the ballot, and not one argument against it, and yet the ballot was defeated. When hon. members are too fatigued to be susceptible to argument of that kind it is time that they should go home. We should have the ballot in school trustee elections in Manitoba, because the men who coerced this Parliament into coercing Manitoba would be quite competent to coerce the supporters of the separate schools when they go to vote for separate school trustees. I wish now to refer to a matter which has not received as much attention as it should during the discussion on this measure. The member for Montreal West (Sir Donald Smith) in the historic retrospect which he gave us, declared that there was an unwritten compact for separate schools which would have, amongst the North-west settlers of the Territories of that day, or rather the half-breeds up there, all the force of the strongest bargain that could be made. The Minister of Finance also told us there was a compact, but I deny that. Who has the power to make a compact that would be binding upon this Parliament and upon the legislature of Manitoba for all time to come. There was no power to make such a compact at that time. There was no regular form of government in that country then, and the common law of England prevailed there, and that law gives no specific privileges to the Roman Catholic Church. What right had a few half-breeds settled along the Red River to make a compact that would be binding on all future generations. It is preposterous to suppose that we should acknowledge their right to compel all future generations in Manitoba to be bound by their action. To do such a thing would be to clog the wheels of industry and progress.

(The hon. member proceeded to read bills of rights Nos. 1, 2, 3 and 4.) There is nothing in the bill of rights No. 3, which is the only one that was submitted to the Governor General and the special committee of the Privy Council here, to warrant the claim that there was any compact made which gave the minority in Manitoba the right to separate schools. And the fact that Mr. Norquay, who was for years the Premier of that province, and Mr. Hay, both of whom were intimately connected with the negotiations that then took place, introduced bills into the Manitoba legislature providing, not for separate schools, but for a system of national schools, shows that they did not consider that there was any obligation on the part of the Manitoba legislature to establish a system of separate schools.

Mr. INGRAM. I remember when, in 1874, Mr. Hay made a motion to abolish the French language in the province of Manitoba, although at that time nearly all the members of that legislature spoke French and could not speak English, and although he was thoroughly aware of the compact to retain the official use of the French language, so that not much reliance can be placed on anything that Mr. Hay did. Later on in the session, he brought in a resolution, for the abolition of the Senate, which was the body specially regarded by the minority in Manitoba as the safeguard of their rights.

Mr. WALLACE. The point I was making was that two members of the legislature, Mr. Norquay, who was Premier of that province for fourteen years, a gentleman of the highest ability, who was present when that convention was held, who knew all the negotiations from start to finish, and who knew the desires of the people of Manitoba, and Mr. Hay who had equal opportunities of understanding the whole situation, brought in, each of them, a public school bill and not a bill for the establishment of separate schools. And it was not until Archbishop Taché returned from Rome, towards the close of the first session, and induced some members of the House to introduce a Separate School Bill, and through means which were not proper, according to the evidence placed before us now, carried that Bill through the House, that a separate school system was established in that province. Mr. Hay made an affidavit that he was offered a position in the Cabinet if he would work in favour of establishing separate schools in Manitoba, but he declined the offer and was not made a member of the Government. Well, a system of national schools has been established in that province to-day, and we are here protesting against the passage of any measure which will destroy that system and restore the old state of things. Bill of rights No. 3 was undoubtedly the basis of all the negotiations that took place, and it made no provision for schools of any kind. We have the evidence of Sir John Macdonald that the Governor General refused to have anything to do with bill of rights No. 4—what we call the forged bill—as it emanated from those in rebellion, and it could not possibly have been the basis for any Act of Parliament or for any binding arrangement on the Manitoba government. I have amply proven that there was no contract and no compact, and if there had been a compact it would have been monstrous to suppose that the whole future of that magnificent country was to be wrecked and destroyed by a bargain, which would prevent them enjoying the advantages of laws which would conduce to their prosperity and to the education of their people.

Mr. WELDON. At this hour of the morning, it being twenty minutes past four o'clock, I think the motion that the committee should rise, is quite in order, and I would ask the hon. Minister of Trade and Commerce who now leads the House, if he will agree at this stage to adopt that motion.

Mr. IVES. The Government are so anxious that the Bill should be passed that I cannot consent to adjourn at the present time.

Mr. WELDON. Then I must give some reasons why, in my judgment, the motion should be adopted. The first reason is, that there are present so few members of the committee. Out of 206 members whom it would be possible to have present to-night, there are only thirty-three in the House, and it is impossible, that a Bill of this importance can be discussed by about one-seventh of the number of hon. gentlemen who might be here. (The hon. member proceeded to point out individually the members who were not present.) Now, although some 160 or 170 members of this House are not here taking part in this discussion, is there any greater reason why we should be here ? Evidence has been given that some of those who are absent are ill, and if so, it is because of the strain that has been put upon them. Hon. gentlemen call it obstruction ; but I tell them that after a good day's work was concluded on Monday by a motion to adjourn, those who opposed that motion put themselves in the wrong.

Mr. IVES. I would like to ask the hon. gentleman if he has ever known the Railway Committee to spend a whole day passing two clauses of a Bill, and whether spending the whole of Monday in passing two clauses of this Bill was not obstruction ?

Mr. WELDON. The passing of two clauses on Monday was not obstruction. There are clauses and clauses. At this very time in the British Parliament there is on file an education Bill. That Bill was introduced by Sir John Gorst a few days ago. Last week a motion was made for private days ; this week some further proceedings are to be taken to enlarge the hours for government business ; and the statement has been freely made that the Government propose to take the four months remaining from now till the middle of August for the discussion of the Bill. Moreover, the English Bill is a very much easier Bill than ours. It has only 32 clauses, many of them shorter clauses than those in this Bill, and it has not the scope of ours. Yet in that country, where they have had very much larger experience in legislation than we have had, and where the government have not a small majority, but a powerful majority behind them, the best they expect to do is to get the Bill through by the time of the grouse shooting, that is, on the 12th of August. Most of us are jealous of the reputation of this chamber, and we will put the blame where it lies. The blame for obstruction does not lie at our doors, who after a good day's work asked leave to go home, and to whom leave was not granted, but the blame lies at the door of those who bullied this House at the end of a good day's work, to continue sitting. I would call attention to a most instructive experience of certain communities in the United States in settling what is the best way for Catholics and Protestants to reconcile their differences of opinion with regard to schools. The United States are divided by the Roman Catholic church into some twelve or thirteen ecclesiastical provinces, of one of which St Paul, Minnesota, is the centre. There are in the provinces 83 or 84 dioceses and 3,000 parochial schools, in which Catholic children are taught and of which the church has absolute control. That church has besides some 600 high schools and has colleges and universities to the extent of about one-quarter of the number of such institutions of learning in the United States. There are 730,000 Catholic children attending the parochial schools and about a million and a half attending the national schools, and the existence of this striking disparity in attendance between the two, despite the fact that for fifty years that powerful church had been enjoying its priesthood to induce parents to send their children to these parochial schools, induced the Archbishop of Minnesota to see whether some arrangement could not be made with the state whereby this million and a half of children of Catholic parents, who were attending the public schools, should have some opportunity of getting religious teaching. Many of those children are orphans and of many others the parents were not equal to their duty. Archbishop Ireland thought it would be better to make some provision whereby religion could be taught in those national schools. Stillwater was a town with about 11,000 people, and the suggestion was made that the parochial schools in Stillwater and Fairbault should be taken over by the public school authorities on certain terms and be thrown open to the public school children. The public school books were used in them, the teachers were to have the training and competence of the teachers in the public schools, some provision was made for renting the room, and in this way the parochial schools became public schools, with the provision that at certain times of the day the children should be instructed in their religon, and in the town of Stillwater, the religious pictures which had been hung on the walls of these schools were taken away, much to the annoyance of many Catholics. It is within the knowledge of those who have followed the history of this difficult question that in the year 1885, the famous Roman Catholic Council of Baltimore promulgated certain decrees, enjoining upon the clergy, the duty of urging the people, in the strictest way, to support the Catholic schools, and it was thought that Archbishop Ireland, by the proceeding I have mentioned, had put himself in conflict with the decrees of the Council of Baltimore. The conflict of opinion was so strong that it led to an appeal to Rome, which resulted in a magnificent triumph for Archbishop Ireland. The decision of the propaganda was that the church would tolerate the course adopted by Archbishop Ireland. It was not a course that the church approved of but one which it tolerated. When Cardinal Satolli visited the United States, it was stated generally in the press that one of the purposes of his mission was to strenghten Archbishop Ireland's hands in the working out of that scheme, which he espoused and into the support of which he had thrown tremendous energy. I have been unable to procure in the Library the recent letter of

Pope Leo XIII., to the bishops and clergy of the Catholic Church in America, on this school question, but I find in Vol. 6 of the "Educational Review" for 1893, a summary of that letter, which I shall read to the House :

> The recent letter of Pope Leo XIII. to the bishops and clergy of the Catholic church in America is epoch-making in its effects on the attitude of that church towards education.

Mr. JEANNOTTE. This is simply an expression of opinion by an editor who is not a Catholic.

Mr. WELDON. If this is a fair summary of the letter of His Holiness Pope Leo XIII., it is very important for us to note.

> The supreme authority of the church sustain the position taken by Archbishop Satolli. Stated briefly, the Pope's declaration is, "The public school system is definitely recognized and indorsed, preference is expressed for parochial schools, and wherever it is feasible their establishment is recommended ; wherever the parochial schools can be merged in the public schools, on conditions fair to both parties, the union should be effected.

That seems to strike a fatal blow practically at the whole separate school system. No man need be more Catholic than the Pope, and no one need be more jealous to guard of the conscience of the people than that illustrious pontiff, whom I know to be a most powerful personality and I think to be the most attractive personality of Europe—one of the wisest and most gentle of the men of the old world, who is very much beloved beyond the Catholic communion. His encyclical letters on the labour question show his deep sympathy with the poor. If this is a true statement—and I wish that some hon. members of the Catholic faith would put his hands on that letter so that we might have the text and see whether this is or not a fair summary. I think it is one that should be carefully considered by the House. The editor of the "Review" goes on to say :

> What the ultimate effects of this letter, which must be regarded as expressing the settled policy of the Catholic church, may be, it is impossible to predict. One matter, however, it settles immediately, and beyond peradventure. No priest or dignitary of the church has the right to denounce spiritual pains and penalties against Catholic parents who refuse to send their children to a parochial school.

If that is true, it is important.

> This means of filling the parochial schools is no longer effective ; it is contrary to the expressed will of the head of the church. However repugnant it may be to Americans that a foreign power should undertake to decide the attitude of any American citizens towards an American institution, it is at least satisfactory to reflect that the vast power of the Pope, used as it is with dictatorial authority over the dignitaries of the Catholic Church is yet employed to promote the liberty and well-being of the Catholic laity and to restrain clerical zeal that often transcended the bounds, not only of discretion, but, as now appears, of authority.

My argument is this : If that arrangement was made in the autumn of 1891 in that prairie country lying to the south of Manitoba, where there is simply an invisible line cutting the prairie in two, north and south, —over the north the Queen's flag floats, over the south, the stars and stripes. Over the southern portion of that prairie, Archbishop Ireland rules his Catholic people, and in the northern part of the prairies rules His Grace Archbishop Langevin. I, with all courtesy and with the deepest earnestness, commend to my friends of the Roman Catholic faith, who hear me in this committee, the patient, and the sympathetic consideration, of that solution that has been worked out, and which, if my information is right, has been worked out satisfactorily to the citizens of Faribault and Stillwater. These writers say the system has a magnificent support from the public opinion of those states, and from the press, though somewhat opposed by the more extreme Protestants, and in the early stages somewhat opposed by the Catholics who thought it was not in harmony with decrees of the Baltimore Council. I commend to my friends of the Roman Catholic faith in this chamber, the consideration of that system which has the enormous advantage of being approved of by the Roman Propaganda itself. Above everything, there is that spirit of kindness and consideration, shown no where more strongly than in the utterance of Archbishop Ireland himself, and we only desire that if the Catholic people and the Protestant people of Manitoba would agree upon that settlement which has been agreed upon in the south part of the prairie. If these results had been successfully accomplished in the southern part of the prairie, the state of Minnesota, may we not hope for like results to follow a similar plan in the British province of Manitoba to the north. I make this contribution to the debate bearing in mind everything I said before on this phase of the question. Such a solution seems to me to be a hopeful one, and to be a solution the wide world over where English-speaking people are found of mingled faiths, and I do not know why the fact that the minority in Manitoba is French-speaking should materially alter the problem. We have French-speaking people in my own province, Acadian French. We have a large number in the counties of Gloucester, Kent and Madawaska ; there are a considerable number in Westmoreland, Northumberland and Restigouche, and they are doing very well. I dare say it is true, as the hon. Minister of Marine and Fisheries has said, that the system prevailing there is capable of improvement ; but I make no suggestion in that regard. We have tens of thousands who have taken advantage of the national schools, and who are training up the young men into position of greater usefulness and greater prominence than in the old days, because they are better equipped. We have the statement made by members of the Manitoba legislature that in the old days the children of the French half-breeds made little social industrial or political progress, that they did not rise to positions of power or prominence or in the legislature or in the commercial life in cities, and that appears to show that we are authorized in making a comparison between the school systems existing in Nova Scotia and New Brunswick, where there are a large number of French-speaking people, and the system which has prevailed in Manitoba. I therefore urge that a fair and sympathetic consideration be given for the system which is in operation at Faribault, the Stillwater system.

Mr. JEANNOTTE. The strongest point in regard to the system which has been discussed is, that the dignitaries of the church are in favour of it and have recommended it. If such schools were in operation in Manitoba, would they be attended by the Roman Catholics ? No. The Catholics are subject to the dignitaries of the church. If Bishop Langevin gave permission to parents to send their children to such schools, the Catholics would not say a word, but would accept the situation ; but he has not said so. The church dignitaries exercise this control, and we must submit. The statement made by the hon. gentleman completely proves our case. A bishop in Canada possesses the same powers as Archbishop Ireland, who has admitted that one or two schools attended by Catholic children may be public schools. Bishop Langevin, who possesses the same authority, says : I cannot allow that, and therefore the Catholics cannot send their children to such schools.

Mr. TYRWHITT. I have been much edified by the speech delivered by the hon. member for Albert (Mr. Weldon), who appears to have brought to the consideration of this subject his very best energies, and has contributed much in the course of the debate to enlighten hon. members and the people of the country. (The hon. gentleman then read the correspondence between the Dominion commissioners and representatives of the Manitoba government.)

Mr. DAWSON. It is greatly to be regretted that the request made by the opponents of the Bill that the committee rise and report progress has not been accepted. We have discussed hour after hour many clauses, have amended some, and have dropped others as being utterly useless. The Government should have an opportunity to consider carefully the history of this question. I will therefore read to the committee a pamphlet prepared by themselves entitled : "A summary of the Manitoba school case," which may be found in the last Year-Book at page 317. (The hon. gentleman read the document.) I think that in issuing the remedial order the Government, made a fatal mistake. Common sense ought to have prompted them to enter into negotiations with Manitoba with a view to the settlement by the province of any grievance that might be shown to exist. Had they invited Manitoba to a conference, I am satisfied that the government of the province would have gladly assented, and would have assisted the Dominion Government in arriving at the real facts of the case, and, on the basis of these facts, would have granted such relief to the minority as would best meet the circumstances of the case. However, two days after the report of the committee and without waiting, without a suggestion to Manitoba to act, they issued their remedial order on the 21st March, 1895. That remedial order is as follows.

(The hon. gentleman read the Order in Council, also the proceedings of the Manitoba conference.)

Bullied as they were, insulted as they were, nevertheless the government of Manitoba were ready to go as far as possible in the direction of a settlement of this vexed question. Had the province been approached in a manner suggested years ago by the leader of the Opposition no doubt an arrangement would have been arrived at that would have settled the question to the satisfaction of all parties. It must be manifest that investigation is necessary in order to ascertain what the facts of the case are ; otherwise legislation upon any intelligent basis is impossible. There are many practical difficulties in the way of establishing a school system in any province, but this is especially true of Manitoba. We were told by the hon. member for L'Assomption (Mr. Jeannotte) that the Roman Catholic Church only insisted upon the establishment of separate schools where it was possible to properly maintain them. But I think it can be shown that in many parts in Manitoba the maintenance of these separate schools is a practical impossibility. In proof of this let me read a brief extract from a return brought down in the Manitoba legislature.

(The hon. gentleman read the extract referred to, giving names of 196 school districts in Manitoba wherein the average number of pupils attending school in 1894 was under ten.)

I think the extract I have read abundantly proves the great difficulty of working a separate school system in the province of Manitoba. Now, can this school difficulty be settled in any way short of establishing a system of separate schools ? I do not know. I think it can be. This is a matter for investigation, to be determined by an investigation which ought to be held between the federal authorities and the authorities of Manitoba. We know this, however, that there is not a dual system in the province of Nova Scotia, or in the province of New Brunswick ; yet we have heard hon. members who support this

Bill declare that the school systems in those provinces are satisfactory to the minority. There is no dual system in the colony of New Zealand, there is only one set of schools, yet that system is declared to be satisfactory to the Catholics in that colony. In a recently published interview with the Archbishop of Cashel, of Ireland, who was four years Bishop of New Zealand, he is reported to have declared that the school system of New Zealand was perfectly satisfactory to the Catholics. The conversation was touching religious tolerance in New Zealand, and he said that the greatest harmony prevailed between the Protestants and Catholics. The bishop was asked: What about the school system, which is, after all, the supreme test of toleration? The bishop said: The school question is all right; we have a national school system there, one system of schools, but it is provided by law that religious instruction shall be given in those schools from half-past three o'clock in the afternoon, and that the time shall be divided among the representatives of the different religious denominations having charges in the neighbourhood of the school. He said that this plan worked with perfect satisfaction to the Roman Catholics and the Protestants, and it ensured to the children an adequate religious instruction. Now, what can be perfectly satisfactory in New Zealand, in Nova Scotia, and in New Brunswick, can surely be made satisfactory in Manitoba. There is no question about the enormous practical difficulties of establishing the separate school system in a province so sparsely settled as Manitoba; and if a settlement could be arrived at such as has proved satisfactory in the other provinces, surely we can hope that such a settlement as will be acceptable to the minority in the province of Manitoba can also be arrived at. Mr. Chairman, it is now ten o'clock in the morning and I shall vote in favour of the motion that the committee do rise, report progress, and ask leave to sit again; because those of us who have been here through the weary hours of the night, are very anxious to rise in order that we may get some repose, and if repose is denied us, at least we ought to have the privilege of getting breakfast.

Mr. O'BRIEN. It is not hard to find reasons why this committee should rise, and one of the reasons that I will adduce is the very extraordinary performance we had here yesterday afternoon. We had the Secretary of State, in one of his few and brief appearances in this House, a gentleman who is going to die for his country, or for his Bill, but who has taken the most effectual means of preserving his valuable life, comes in here, issues his mandate, and leaves his subordinates to fight as best they can, and retires then to private life for the remainder of the sitting. Sir, a general in the field who should conduct a campaign upon such principles, would very soon find himself at the head of a very lukewarm and disorganized force. However, if it suits hon. gentlemen to be so led, and so governed and so guided and so generalled, I do not know that we have any reason to complain. If the Secretary of State was justified by the first conclusion at which he arrived, that it was necessary to introduce and pass this Remedial Bill in consonance with the judgment of the Judicial Committee of the Privy Council, then he was justified in coming to the second conclusion, that this Bill should pass in its present form as restoring to the Roman Catholics the position of affairs prior to 1890. Yet amendment after amendment has been suggested by opponents of the Bill, and accepted by the Government, because they arrived at the conclusion that without such the Bill would be useless and unworkable. On one clause which was discussed in the latter part of yesterday, clause 12, there were no less than seven amendments accepted by the Government, and the Secretary of State has thanked the Opposition for suggested amendments, which he admitted greatly improved the Bill. Last night one of the clauses which was said to be necessary to the Bill was dropped altogether, and a previous clause also declared to be essential was abandoned. The Bill has been so amended that the person who drafted it would scarcely be able to recognize it. I think the committee should rise, among other reasons, because further consideration should be given to clause 10, a clause which I might characterize as the worst clause of the worst Bill ever laid before the Canadian Parliament. By that clause any five heads of families in any school district in Manitoba have power to establish a separate school district without consulting those who would be called upon to support the school were it established. If there are fifty Roman Catholic families residing within the boundaries of a school district, and of those families forty-five were in favour of maintaining the system now established and having the children attend the public schools, where they are obtaining an education that is satisfactory, and those families were unwilling further to burden themselves with the necessary expenditure for a separate school, nevertheless five families would have the power to establish a separate school simply by their own petition. So those five families would have the power to establish a school contrary to the wishes of the majority. Influences might be brought to bear on five families in a school district to lead them to petition, they might be under the control of some authority which would compel them to establish a school even if it were not to the advantage of their children. Yet clauses of this important nature have been passed in committee when only a dozen members were present. It is a mockery of legislation to consider a Bill under such conditions. This Bill is announced by the

Secretary of State to be of the utmost importance, and in that view it should be considered by the whole House, and not by a wearied and worn-out portion of it. One lesson the House and the country may learn from the proceedings of last week, and those now going is that it is the worst kind of parliamentary tactics to attempt to force a Bill through this House by physical strength. When we regard the course taken by the Government we may learn a further lesson as a mere question of parliamentary tactics. Had the Government been prepared with the Bill at the beginning of the session, had it been printed and laid before the House and a week or two afforded for consideration, and then had the second reading been moved and carried, even after the length of time which elapsed in the present case, and the House gone into committee on the Bill, and sat reasonable hours and discussed the Bill clause by clause and endeavoured to confine the discussion to the merits of the particular clause under consideration, it would have been absolutely impossible for any portion of this House to have prevented the passage of this Bill during the time at the disposal of the Government. So the Government, as regards tactics, have committed two grievous errors. They allowed two months to elapse before they brought up the Bill for discussion, and then they committed the greater error of endeavouring to force it through the House under the conditions prevailing last week, and during the present portion of this week if they had pursued the course ordinarily pursued, the course which our rules prescribe, and which every consideration for health and good order and decorum would suggest, the Bill at least would have made twice the progress now recorded.

I should like to give expression for a moment or two to a matter very properly brought forward by the leader of the House yesterday, and to add my voice to what has already been said on that subject. The attacks made on hon. gentlemen and on the proceedings of this House during last week by one or two public bodies, and the opinions expressed by those bodies, and published and spread broadcast throughout the country, are of a character which every hon. member ought to resent, and I think we are justified in resenting them in the warmest and most emphatic terms. The charge has been made against members of this House that during the long sittings scenes took place of a very disreputable character, which should bring the blush of shame to the cheek of members, and were a disgrace not only to the House, but to the country. I should like to say from a pretty thorough knowledge of members of this House, and speaking from many years of parliamentary experience, that if you were to take at random 215 gentlemen out of the various classes of the community, the comparison would be in favour of the members of this House. The libel, for I must call it so, although undoubtedly it was based on premises supposed to be correct, but absolutely untrue, is one which this House is bound to refer to and reply to. I am sorry that an opportunity was not given with the Speaker in the Chair to bring up this subject as a question of privilege and allow hon. members the opportunity of expressing their sense of the grave injustice done and the calumnious nature of the statements made with respect to the House; but as no other opportunity has arisen, and as this is a calumny which ought to be refuted at the earliest possible moment, I take this opportunity of saying how bitterly I felt that this imputation should have been cast on hon. members whose conduct did not in the slightest degree warrant any such imputation. It was not to be expected that during a sitting lasting from three o'clock on Monday until twelve midnight Saturday, there should be the same dignity and decorum preserved as generally characterizes the proceedings of this House, and especially as the House was in committee, when there is always more or less latitude in discussion, and not the same strict regard for order in debate. But the libel is of such a character that speaking relatively there is absolutely no foundation for it.

There are many other reasons why the committee should rise. This is Wednesday, April 15th. According to the rules of the House this day is to be devoted to the discussion of public business, and to the consideration of public Bills. Two of these Bills should pass the House this session, if any Bills should pass. One is a Bill introduced by the hon. member for East Grey (Mr. Sproule), relating to conspiracies and combinations in restraint of trade. Everybody knows that we have various combinations in restraint of trade, but it is difficult to pass legislation which will really restrain such combinations. Such legislation has been before the British Parliament, in one form or another, almost constantly for the last three or four hundred years, and most stringent laws have been passed, without effecting any good. One method by which these combinations could largely be done away with is to abolish the high measure of protection which gives a few individuals control of any branch of manufacture.

The CHAIRMAN (Mr. Mara). The hon. gentleman cannot discuss a Bill on the Order paper on the motion now before the Chair.

Sir RICHARD CARTWRIGHT. May I understand you, Mr. Chairman. I presume that your ruling does not preclude the discussion of the importance of a measure as an argument in favour of the committee rising in order to discuss that measure.

The CHAIRMAN (Mr. Mara). The hon. gentleman was discussing the measure itself, which was not in order.

Mr. EDGAR. I think the House would put itself in a false position if an hon. gentleman were prevented from alluding to the measures that were being delayed by reason of this committee sitting, and arguing from that that the committee should rise.

The CHAIRMAN (Mr. Mara). But the hon. gentleman was going further, he was anticipating the debate on the Bill.

Mr. O'BRIEN. I have no wish at all, Mr. Chairman, to do anything but accept your ruling. If I was about to transgress the rules, I am glad you have called me to order. I was giving reasons from the state of the Order paper in favour of the committee rising. One of the Bills awaiting discussion is in relation to combinations and in restraint of trade. I do not think legislation of the kind proposed is likely to be very effective. The only way to accomplish the object, which is one I should like the House to consider, is to do away with the high protection which is the means of bringing these combinations into existence. If the committee were to rise, and this measure were to be discussed, I think the House would come to the conclusion that the revision of the tariff is the best means of accomplishing the object in view. But, of course, as long as we are in committee on the present Bill, we are precluded from discussing matters of this kind. There is another Bill which ought to be passed this session. I shall not consider the details of it, but I think all will agree that it should be passed this session. The measure I refer to is one taking out of the hands of the executive, the power which, I think, I may safely say they have greatly abused, of holding by-elections at their own convenience. I believe that one of the divisions of the city of Quebec was unrepresented for months because the Government supporters could not agree upon a suitable candidate. Sir John Macdonald used to say that he wished to govern the country by the party for the country. Unfortunately, his good intention often failed, and he governed the country by the party for the party. But that has been done much more persistently by his successors in office, until, I think it is not too much to say the Government has departed from every real principle it professed to represent and is now managed entirely in the interests of the few gentlemen who sit upon the Treasury benches. In no way do they accomplish their object more effectively than in their method of dealing with by-elections. There are, I believe, at least four constituencies not represented in this House to-day. This is a condition of things that is discreditable to the Government because they allow it to exist, discreditable to this House because the majority support the Government, and discreditable to the country because the Government has been hitherto supported by a majority of the electors. Another Parliament ought not to be allowed to assemble without measures having been taken to prevent the executive using the powers they now possess, under which the Government candidate in a constituency practically nominates his own returning officer. I have always felt that that was a grave abuse, and was, in the long run, of very little advantage to the candidate himself, because it exposed him to imputations under which no man of high principles cared to rest. After the experience of the few elections I have run, I would rather submit to the possible partial conduct of an official appointed by a provincial authority than be subject any longer to the present system. Another Bill on the Order paper dealing with a subject which ought to be dealt with before the next election is that to give authority to deal summarily with personators. I am sure it was with surprise and regret that members of the House learned that one of the women voters lately enfranchised in Ontario had been guilty of personation. As one who has always opposed the extension of the franchise to women, I cannot but think the prospect of the appearance of the female personator as a factor in political contests is a matter which cannot be ignored by those who favour this change in our law. No doubt the crime was committed in this case through ignorance, because I do not believe that the feminine mind is so constituted that it can understand the enormity of a crime of that kind. I think that legislation should be adopted this session which will give power to deal summarily with personators. I know constituencies in this country in which personation may be carried on very easily, and I should like to see means taken to prevent it. Another reason why the committee should rise—following the example of the leader of the House and going back to first principles—is that the Bill now before the House is a vicious Bill. It is based upon false premises. The leader of the House said some days ago that he was not foolish enough to take his law from the counsel of the other side. But the hon. gentleman is not wise enough to take the advice of the lawyers even on his own side, and makes a speech in direct opposition to the opinion of those lawyers. In order to force this Bill through the House, this hon. gentleman is brought from his agreeable mansion in Cromwell Road to take up his abode in this comparatively small city of Ottawa. But it is only reasonable we should know whom we are to trust, upon this important legal question. It therefore becomes a question whether we are to trust the gentleman who moved the second reading of the Bill, or whether we are to accept the legal opinions of those gentlemen by whom the Bill was drafted. This is another reason why I say this committee ought to rise and go to other business, and allow this Bill to go into the limbo of unfulfilled possibilities. If at any future time this Bill is to be proceeded with, let it be put into the hands of somebody who knows something about it; and when it comes to be discussed in committee, let us have a guarantee, in the first place, that somebody shall be on the Treasury benches who understands the Bill, and who is able to take charge of it. Another reason why the committee should rise, is that this Parliament is not competent to deal with this Bill. Within a fortnight this Parliament will cease to have any legal existence. We know that many of its members are practically no longer responsible to the people; we know that many of them have openly avowed their intention of not again contesting an election; therefore, I say they are not responsible to the people, there is no one by whom they can be called to account. An hon. gentleman sitting in this House who is going to contest a constituency at the coming election, may be held responsible, because his electors can call him to account. But an hon. gentleman sitting here and who intends, as soon as this Parliament is over, to retire from political life, is not a responsible member of Parliament, he has no right to be expressing an opinion and voting upon this Bill; and that is one of the most powerful reasons why this committee should rise and proceed no further with this Bill. Then again the Bill ought not to be proceeded with because it is based upon an unsound principle; it purports to take from a province the power of dealing with a subject which is declared to be within its jurisdiction. It is also a bad Bill, because, in regard to its details, it does not give to those whom it professes to benefit, any practical advantage. No answer whatever has been made in this House by the supporters of this Bill, to the objection which I raised and which other members have raised, that there is not a dollar provided for carrying on the machinery of this Bill. Those gentlemen who are clamorous for this Bill, before we proceed any further, ought to give us some reasonable proposal by which means may be provided for carrying the Bill into effect. They have not attempted to do so. The Bill does not provide even for the rent of a room in which the Board of Education may meet; they would have to meet at a street corner for aught that is provided in this Bill. There is no means provided for paying the services of a secretary and nothing for the payment of a superintendent. Sir, under these circumstances I trust the Government will allow this sitting to close, and let the House get into the important business that yet remains to be done before the session closes.

Sir RICHARD CARTWRIGHT. I am glad to see the Minister of Public Works present for I want to call his attention to a matter which comes under his department, as it has reference to the ventilation of this chamber. Now, I have come in here on several occasions and have found the air in this chamber so foul and so bad that it positively produced a feeling of nausea. If the Government are determined to go on with their present extremely silly course, I suggest to the hon. gentleman that he allow this chamber to be ventilated to some extent between eight and ten o'clock in the morning, as we have it ventilated to some extent between six and eight o'clock in the evening. It can surely do the Government no harm, and may not destroy the effect they are endeavouring to produce upon certain classes of the electors by pretending to be exceedingly anxious to put through this Bill—it can do the Government no harm, I think, if two hours between eight and ten in the morning are allowed for the purpose of getting a little fresh air into this chamber. I think there should be enough sense left in the Government to allow that very small remedial measure to be adopted. Now, there is one other grave objection to these continuous sittings, and that is that whenever any important question or any important amendment is proposed, only about one-third of the House are present to hear it or consider it, and the other two-thirds are physically incapacitated from being present. Under such circumstances it becomes necessary for those arguments and discussions to be repeated for the benefit of those hon. gentlemen who were not present in the first instance. I give a case in point. Here we are discussing a matter of very grave import, the question whether there is really any evidence before this committee that the Catholic minority of Manitoba, as a whole, desires interference on our part. It will be remembered that the government of Manitoba denied that. It will also be remembered that certain persons, professing to speak for the minority, have affirmed it; but it is to be borne in mind that this is a matter in doubt, that no evidence has been given to the committee to show that the minority, speaking collectively and as a whole, do desire this Government to interfere, and there has been strong presumptive evidence to show that if the minority were left alone, the majority of the minority would be quite well content with matters as they are. I was absent from the House when section 10 came up for consideration, for I had already been in attendance fourteen or fifteen hours. Consequently, it will be my duty, if this Bill ever reaches a third reading to cause this section to be discussed before the whole House and the amendments fully debated; and it is well that hon. gentlemen opposite should understand that if they attempt to force the measure through the House in this fashion, to cause important clauses to be considered at an hour when not more than a small fraction of the members can be present, we will take good care that these sections and amendments will be discussed with the Speaker in the Chair, and discussed fully and exhaustively before they pass. That is one of the results which flow from this most ill-advised course which the Government have entered upon, of inducing this House to sit for a hundred hours or more continuously. I am informed that clause 10 was passed substantially as it stands, without amendment. I want to draw the attention of the committee to this fact. There is a very strong presumption, from the discussion which then took place, that those persons who have been alleging that the minority of Manitoba were seriously anxious for the change, are not correct. There is a very strong presumption, to say the least, from the admissions made on the floor of this House, and notably by the hon. member for Provencher (Mr. LaRivière), that those parties who pretend to represent and speak for the minority, are endeavouring to pass a Bill through which a very large number of that minority do not want. A provision which fixes so exceedingly small a minimum as ten children of school age, living within a district of 6 miles square, because that is the effect of living within three miles of where the school site is fixed, is giving altogether unreasonable and absurd power. Ten children practically represent two, three or four families, living within thirty-six square miles, who, of course, would be utterly unable to support a school. It is foolish and absurd to suppose that in such an area you can find three or four families who will be able to support a school in a separate school district. Consider all the incidental expenses that will have to be met, and the fact that the school would not share in the legislative grant, even under this Bill, and let us ask ourselves how it is likely that such a school could be successfully carried on. That alone should be sufficient to show that there was very great cause indeed for altering and amending the whole section.

Sir CHARLES HIBBERT TUPPER. Does not the hon. gentleman think the fact that the clause was in operation from 1881 to 1890, must be some argument in favour of restoring it? So far as we know, there was no complaint.

Sir RICHARD CARTWRIGHT. The answer to that is simply this. As the hon. gentleman must admit, practically a great many of these clauses had proved absolutely dead letters. In the second place, the legislature of Manitoba, familiar with all the geographical conditions of the country, determined to abolish it purely for that reason.

Sir CHARLES HIBBERT TUPPER. Has the hon. gentleman any evidence that the legislature of Manitoba seriously objected to that provision in itself? I think it is not so.

Sir RICHARD CARTWRIGHT. I have this evidence. I have travelled personally over a very large part of Manitoba, not once or twice, but a dozen times, and I have conversed very freely with the settlers. A great many of them are from the county I formerly represented, the county of Huron, and I was perfectly well known to them, and they spoke freely of their hopes and prospects. They complained to me in the bitterest terms of the extreme difficulty they experienced in securing the proper education of their children. There is no doubt we committed almost a fatal mistake by introducing what is known as the checkerboard system of land survey in Manitoba, by which the settler gets possession of one section, and the adjoining section is sold and bought by speculators. The result of the system is that in a township six miles square, containing thirty-six square miles, there are eighteen sections occupied and eighteen vacant. That enormously increases the difficulty of obtaining good schools. That is one reason why I hold it is extremely dangerous and mischievous to allow, as under the proposal here, a very small number of heads of families, five, to be able to constitute themselves into a school district. The reason came out extremely clearly in the discussion which followed. I find the hon. member for Quebec Centre (Mr. Langelier) is reported in "Hansard" to have said:

> According to this clause, whenever five heads of families belonging to the Roman Catholic religion want to have separate schools, their first step will be to present a petition to the municipal council. If the municipal council does not act in three months, the Board of Education shall be at liberty to establish those school districts. The clause does not provide that the five heads of families shall be Roman Catholics, and consequently even Protestants or Jews may present the petition. It would be better to insert the words "Roman Catholic," so as to make it clear. But there is a much more serious objection. Suppose there were fifty heads of Roman Catholic families, and that only five of these were desirous of having separate schools. Those five heads of families would petition for the creation of a school district, and what would be the result? The forty-five other heads of families would be compelled to adopt separate schools unless they took proceedings to separate themselves from them. I do not think these five heads should be allowed to compel the rest of the minority to form part of this system of separate schools, or take steps to get out of the system. We should fix a certain proportion. The majority of the minority should petition, because otherwise they would work an injustice.

Sir CHARLES HIBBERT TUPPER. The hon. member is clearly against separate schools in that argument.

Sir RICHARD CARTWRIGHT. No, the hon. gentleman is in favour of establishing separate schools, when the majority so desire. But the hon. gentleman objected to five heads of families being allowed to establish separate schools; he objected, with very great force, to allowing an insignificant minority to bring in the others.

Sir CHARLES HIBBERT TUPPER. They could not do it, for those people could get out.

Sir RICHARD CARTWRIGHT. They are not as well informed in the law as some hon. members.

Sir CHARLES HIBBERT TUPPER. They will all know how to get rid of taxes.

Sir RICHARD CARTWRIGHT. It is a totally different thing for such people to get out, because they may expose themselves to clerical censure. A much fairer way is not to compel them to come in, but to let them come in if they wish. It became very clear, as the discussion went on, that hon. gentlemen who profess to speak for the minority were exceedingly afraid to grant this power. It was clear, according to the opinions expressed by those members, that there was, in their judgment, very considerable danger that, if the minority were left to their own devices, the great bulk would prefer to stay as they are, perhaps from a desire to avoid paying heavy taxes, or perhaps because thereby they obtained a better education for their children, because the settlers complain strongly of the extreme difficulty found in getting schools established.

Mr. DALY. In regard to what years does the hon. gentleman speak ?

Sir RICHARD CARTWRIGHT. 1882-84-85-86. After 1886, I am not in a position to speak.

Mr. DALY. I think the hon. gentleman has reference to southern Manitoba.

Sir RICHARD CARTWRIGHT. Not alone, by any means.

Mr. DALY. It must be remembered that the population has very largely increased in those years.

Sir RICHARD CARTWRIGHT. That was one section, but it was not by any means the only section.

Mr. CHARLTON. The hon. gentleman said there was nothing to inquire into.

Mr. DALY. The census will give these facts.

Sir RICHARD CARTWRIGHT. I should be glad to know that the population had increased so much. But I am afraid that, even making all allowance after the census returns, the facts are not so favourable as the hon. gentleman says. The difficulty in the way might not be so great as in 1886, and I hope it is not. But the portion of Manitoba that is south of the Canadian Pacific Railway, which, I think, must be about two hundred miles long by a hundred miles wide——

Mr. DALY. My constituency is 172 miles long and 72 miles wide, and covers the whole of what is ordinarily known as Southern Manitoba.

Mr. CHARLTON. It cannot be densely populated.

Mr. DALY. The population is 63,000, and there are 21,000 names on my voters' list.

Sir RICHARD CARTWRIGHT. You would have an average of one head of a family to every one and one-third, or one and one-half square miles. Allowing for the towns, you might say there was one head of a family for every two square miles. Even if that population is homogeneous, having one religion and no strong line of division, it is manifest that the difficulty of obtaining suitable school accommodation and good-sized schools is very great. Speaking from recollection, I think that in some of these schools the average attendance fell as low as seven or eight.

Mr. DALY. In the public schools, at certain seasons, I have no doubt it did.

Sir RICHARD CARTWRIGHT. We do not require to be told, as practical men, that, under these circumstances, it is difficult to keep up schools at all, and I think we should be exceedingly careful how we provide for further division or put power in the hands of a small number of people to compel the erection of separate schools. These people cannot be expected to be familiar with the cost involved in maintaining such a school until they have tried the experiment. Once they have got into the separate school system and have plunged themselves, as they might do by the issue of debentures, into considerable debt, they would find it exceedingly difficult, no matter how inefficient the school might be, to get out of it again. Under this section, it would be possible for five heads of families who may not have children to send to school, to compel all the others to take part in bearing the expenses of a separate school. More than that, the spiritual adviser might take exception to any conduct on their part looking to getting out of the separate schools, and it is not desirable to place them under such conditions. If they choose to go in of their own motion, well and good.

Mr. LaRIVIERE. Will the hon. gentleman allow me to point out that I gave an illustration on the same subject, following immediately after the hon. member for Quebec county. This is what I said :

> I am surprised that the hon. member for Quebec Centre should make such a suggestion. He asks that the majority of the minority should decide. But suppose there were twenty-five Catholic heads of families, and that twelve of these were in favour of separate schools, under the hon. gentleman's contention they would be deprived of their schools. The clause is much more reasonable. Under it those who do not want to form part of the separate school districts have only to notify the municipal clerk, which is a very simple matter, and they will be freed from it.

My contention was, as the hon. member had said, that five might secure the formation of a school district against the preference of the other forty-five, there was a simple way for these people to decline the responsibility. On the other hand, if it was left to the majority of the minority, as suggested by the hon. member for Quebec Centre (Mr. Langelier), the minority might have no schools, even though they applied for them.

Sir RICHARD CARTWRIGHT. I did not understand my hon. friend (Mr. Langelier) to insist upon that. That was only a suggestion. I think that those who do not wish to join should be left out.

Mr. LaRIVIERE. I was answering the contention of the hon. member for Quebec Centre.

Sir RICHARD CARTWRIGHT. Yes ; but the hon. member for Quebec Centre did not insist upon his suggestion, and the hon. member for Provencher (Mr. LaRivière) did not abate his contention that the five should have this power. As I pointed out, these five might not have children.

Mr. LaRIVIERE. How could they be heads of families and not have children ?

Sir RICHARD CARTWRIGHT. They might not have children of school age. I am bound to say, however, that the hon. gentleman's compatriots and co-religionists do not generally fail in that respect. But even in a large family it does not follow that the children will be of school age. But all this goes to show that the gentlemen who are the authorized exponents of the views of the minority, are not at all sure—and that is the point I wish specially to impress upon the committee—that the majority do want this in a great many cases. I can understand that in those cases where the people of one faith are clustered together, they should want to have, and I think they ought to have —I will say that much—reasonable facilities given them to carry on the religious instruction of their children. But that can usually be done without the passing of such a law as this. In point of fact, I understand that the Manitoba government are as anxious as we are to practically concede that. But, where the population is very much scattered or mixed, the difficulty is much greater. By this Act you are going to offer a premium for the establishment of two or three inefficient schools in place of one good one. Everybody knows that in a farm district, and particularly in such a case as this, where many of the people have been kept back by the very low prices of their products, it would be exceedingly difficult, if not impossible, for the minority to maintain an inefficient school. In all this there is evidence that, before we proceed further with this measure, before we do what is alleged to be irrevocable, we ought to have knowledge of the facts. It is in the consideration of such a point as that now before us, that I can understand that an inquiry would be of great value. Local knowledge as to the condition and the working of the system ought to be before us. As the Minister of the Interior has said, local knowledge is imperatively necessary, in order to form an accurate conclusion, and it should be local knowledge up to date. That local knowledge we do not possess.

The accurate knowledge we have not got. There is but one way by which we could obtain it, and that is by causing a careful inquiry to be made. If that careful inquiry has been made, if these things were presented to us, and we were allowed to examine them, if we had any real authentic data to act upon, then I could understand the action of the Government, and the House would be in a position to discuss this Bill with some hope of arriving at a just and impartial decision. But as it is, I feel that we are plunged in a sea of doubt whenever any disputed question arises. We have no secure authority to go to. We have the hon. member for Provencher (Mr. LaRivière) saying one thing, and we have the hon. member for Winnipeg (Mr. Martin) saying directly the opposite. We have other members like myself, having some partial acquaintance with the subject, dealing with it according to the best of our light, but avowedly dealing with it as men who have only a partial knowledge. I submit, under these circumstances, that it is impossible for us to make any useful progress whatever with this measure; and therefore I support the motion that the committee do now rise, and sit again six weeks hence.

Mr. CHARLTON. I was surprised, in coming into the chamber this morning, to find this farce still upon the boards. We have only two Ministers in their seats, and a few moments ago neither of them were here. We are going through the mockery of considering a Bill, the farcical character of which proceeding every member fully realizes. Every member knows that it is utterly impossible to reach the final stage of this Bill. We have still 100 clauses to act upon. After these clauses are acted upon, we have the preamble to discuss, we have the third reading of the Bill, with the amendments that are sure to be moved upon the third reading, and which will provoke a long discussion ; and after all that is done, the Bill has to be taken up in the Senate.

Mr. LaRIVIERE. When the hon. gentleman calls the whole thing a farce, does he include the reading of the scriptures the other day ?

Mr. CHARLTON. The matter then under discussion was as to the character of the religious teaching in the Manitoba schools, and the character of these teachings is to be ascertained by an examination of the prayers and the scriptural selections used in the school. In order to understand their character, it was necessary to read them, and I attempted to do so. That attempt was received by jeers and sneers and cries of " Amen "; and the whole proceeding illustrated the truth of that saying in holy writ that it is not advisable to cast pearls before swine.

This is not the proper place, I am willing to admit now, to attempt to read the Holy Scriptures, or to illustrate anything by Divine truth.

Mr. DALY. It altogether depends upon who reads them.

Mr. CHARLTON. There was nothing in the reading of the selections that was not reverent and respectful; the only thing irreverent in the transaction was the manner in which these selections were received. I only read two of the selections out of the whole number. Now, Mr. Chairman, this farce consists in the determination of the Government to continue the consideration of this question in committee when it is clearly impossible to arrive at any tangible result. The failure of the Bill is foredoomed; it cannot reach its final stages in this House. So far as the Bill has been proceeded with, we discover that it is full of incongruities and crudities, that it requires the most careful consideration, that almost every clause in it requires reconstructing, and there are provisions that require to be eliminated. The whole thing is of a character which requires the most careful and earnest consideration of this House. The time is not at our disposal to give this Bill such consideration. The Government have frittered away the time that they might have employed in considering the Bill, and they are now pressing it on, within a few days of the closing of Parliament for the purpose, if possible, of impressing upon a certain section in this country that they are very earnest in this matter. But the subterfuge is too thin, and the country understands it. A very small fraction of the population of Canada will be deceived by the attitude of the Government in this respect. My hon. friend the Minister of the Interior, in reply to a statement made by my hon. friend the member for South Oxford, said that the impression of the member for South Oxford as to the population of Manitoba, gained by his visit in 1886, were not to be relied upon now, that the increase of population has been so rapid since then that any deductions he might draw from a visit in 1886, would be wide of the mark to-day. Take the constituency of the hon. Minister of the Interior himself. It has an area of about 8,750 square miles, and contained a population, in 1891, of 63,000, or a fraction over seven to the square mile. Now, among those seven there would be two or, at the utmost, three children of school age, and that in the constituency which the hon. gentleman represents to be the most densely populated of the rural parts of Manitoba. In many portions of the province there cannot be more than two children of school age to the square mile. Now, to get thirty children for school purposes, it would require ten sections of the province, or a block of land some seven miles square. Even in his own constituency the population is too sparse to admit of the idea of the division of this school population into two separate schools. The peculiar manner in which the territory of Manitoba and the North-west is divided, renders it very difficult to secure that degree of density of population that is necessary for the maintenance of common schools. I have here a plan of a Manitoba township, and I find that out of thirty-six sections, there are nineteen and three-quarter sections reserved for the Hudson's Bay and Pacific Railway purposes, and for school lands; leaving less than one-half the land, in an average township, available for homestead settlement, necessarily scattering the population, and rendering it difficult to secure a school population necessary for the maintenance of a public school within an area that would permit of the attendance of pupils upon one school. My hon. friend the Minister of the Interior calls into question the correctness of the statement made by the member for South Oxford as to the average attendance at those schools, and he asserted that the average attendance might possibly be as low as ten in some school sections, in the summer season when the attendance was not up to the average; but that statement made by the hon. Minister could scarcely be accepted. Now, I have a statement here as to the average attendance at the public schools in Manitoba for the year 1894, and which gives a list of 196 schools, the average attendance at which, in each case, was less than ten for the year. It is a very striking statement, and I will read it for the information of the committee. (The hon. gentleman reads a list of schools in Manitoba with an attendance of less than ten pupils, and giving the average attendance at each.) There are 194 schools in Manitoba with an average annual attendance of less than ten pupils, going down to a fraction below five. Nothing could show more strongly the position of affairs. Surely we are warranted in saying that if any plan can be adopted that will avoid further dividing the educational system into two school systems, it is commendable.

Mr. DALY. What does the hon. gentleman intend to prove by these figures?

Mr. CHARLTON. I submit that they show that the school population in Manitoba in the school districts is sparse, and every effort should be made to prevent division of the educational system into two systems.

Mr. DALY. Of all the school districts referred to by the hon. gentleman, not one is a Roman Catholic school district or a Roman Catholic community which has come under the Public School Act.

Mr. CHARLTON. The hon. Minister may speak with a local knowledge of the facts, which I do not possess. The return from which I quote is dated 1894. The statement has been made that all Roman Catholics in the province of Manitoba are attending public schools, except Roman Catholics in Winnipeg and St. Boniface, and the presumption is that the Catholic children in that year were attending some of the schools to which I have referred.

Mr. LaRIVIERE. Perhaps the hon. gentleman will be surprised to learn that there are more than twenty-five schools, other than public schools outside of Winnipeg and St. Boniface, which are not under the public school system at all. They are in the parishes of Lorette, Ste. Anne, LaBroquerie, St. Norbert, Ste. Agathe, St. Pierre, St. Malo, St. Jean-Baptiste and St. Joseph. There is one school in St. François-Xavier, within my own constituency, which has come within the public school system. These schools to which I have referred are private Roman Catholic schools. They cannot be called separate schools, because they are not recognized by law, and they are supported by public and private subscriptions.

Mr. CHARLTON. I suppose the hon. gentleman has a local knowledge of the question. His declaration, however, conflicts with the statement made by two members of the Manitoba government.

Mr. LaRIVIERE. That is the report of a paid agent of the local government.

Mr. CHARLTON. That is the report of members of the local government of Manitoba, a report made on their honour as members of the government, and we have that statement offset by the declaration of the member for Provencher.

Mr. DALY. He is just as much entitled to belief as those gentlemen.

Mr. McCARTHY. The weight of evidence is two to one.

Mr. CHARLTON. That is another illustration of the truth of the statement that we should have an investigation before we proceed any further with this proposed legislation. Reference has been made to the fact that while a Catholic not desiring that his children shall attend the public schools can avoid taxation by giving due notice to an official, yet it must be remembered that if a parent desires his children to attend the public schools he is liable to incur the disapprobation of the Roman Catholic priest.

Mr. LaRIVIERE. I have a far better opinion of the people I represent, and I know they will be guided by their own conscience.

Mr. CHARLTON. I should like that permission to be enjoyed by the Roman Catholics without the contingency of any unpleasantness following.

Mr. LaRIVIERE. If the hon. gentleman thinks that members of our church are a flock of sheep, he is quite mistaken. We follow the doctrines and teachings of the church, and that is sufficiently satisfactory.

Mr. CHARLTON. The law should provide that Catholic laymen might send their children to public schools without incurring the disapprobation of their spiritual advisers. A little incident occurred in a city of 12,000 people near the boundary line of the United States which convinces me that Catholics do not attach so much importance to separate schools as their priests do. Among the Catholics in this city was a bank president and an Irishman, who was a leading politician. They had sons who were attending the public schools. The priest insisted they should attend the parochial schools, and summoned them as contumacious members before the bishop. The priest stated the facts of the case, and the politician then explained to the bishop that they were determined to bring up their sons for business callings and the professions, and they were anxious to have them thoroughly educated. They were therefore determined to keep them at the public schools, even though they should be excommunicated. The bishop said the explanation was quite satisfactory, and he sent the parties about their business. (The hon. gentleman then read statistics respecting the attendance at the public and separate schools in Manitoba.) These are some of the reasons assigned for the dissatisfaction in Manitoba with regard to the dual school system which prevailed in the province from 1871 to 1890. The same work devotes a few paragraphs to the changes made by the Act of 1890. (The hon. gentleman read the paragraphs referred to.) Further on the author deals with the question why the Acts of 1890 were passed. (The hon. gentleman read the paragraphs referred to.)

Mr. DALY. I wish to say a word or two in reference to the Roman Catholic school population of Manitoba, in answer to some of the remarks of the hon. gentleman. The last report I can find is printed in French, in the Journals of the legislative assembly. At page 6 of that report I find the following figures are given, showing the school population in the separate schools in the various districts. Before reading that, however, I may say for the information of the hon. member for South Oxford, that his argument as to the scattered nature of the population might apply in the case of the public schools, but not in the case of the separate schools. It is well known that our French Canadian citizens have large families ; they do not live in scattered communities the same as the English-speaking people, but they are generally found living in communities in the older parishes along the river, or on the prairies where they do not occupy, on an average, over 160 acres of land. This is the table to which I refer :

City of Winnipeg....................	**832**
Town of St. Boniface..............	**533**

St. Boniface South	29
do North	15
do West	55
St. Vital	44
do East	16
St. Norbert No. 1	68
do No. 2	112
do No. 3	63
do No. 4	44
do No. 5	30
do No. 6	19
Ile de Chêne	12
Riel	19
Ste. Agathe	61
Provencher	65
St. Jean-Baptiste East	28
do Centre	93
do North	23
do du Lac	30
Youville	32
Gauthier	25
St. Pie	45
St. Joseph	67
Lorette West	38
do Centre	64
do East	63
St. Anne East	51
do West	44
Ste. Anne	151
do Centre	50
St. Raymond	30
Caledonia	12
St. Joachim de la Broquerie	61
St. Pierre Centre	140
do South	38
do North	59
St. Charles	78
St. François-Xavier Centre	56
do East	48
do West	50
St. Hilaire	23
Baie St. Paul West	40
St. Eustache	60
Baie St. Paul East	50
St. Leon East	31
Theobald	21
St. Leon Village	71
Glengarry	10
Selkirk	63
St. Alphonse	66
do South	15
Campeau	20
St. Louis	64
Marion	77
Decorby	59
Hunsvalley	16
Brandon	40
St. Laurent	174
Stony Mountain	20
Martineau	31
Dupont	37
Iberville	15
Total	4,364

Here we have a total Roman Catholic school population of 4,364. If the hon. gentleman will compare these figures with a similar number of public schools in 1888, he will find that in almost every instance there is a larger attendance of Roman Catholic children at their schools than there was of Protestant children at the public schools.

Mr. CHARLTON. Does my hon. friend not believe that the figures he has just quoted furnish a reason for demanding that before any action is taken on this matter, there should be an investigation.

Mr. DALY. No.

Mr. CHARLTON. The position of the Liberal party has been that it is of the highest importance that a thorough investigation upon all these points should first be made. We had it stated by my hon. friend some time ago that there was nothing to investigate. I deny it. There is very much to investigate, and every hour this debate progresses develops some new reason why an investigation into these matters should be held.

Mr. DALY. What I said on that occasion stands good at the present time. I said all the information the hon. gentleman wanted as to facts, could be got in the Library. I got from the Library this report, which I have just read, giving just such information as the hon. gentleman wanted. He had access to it the same as any other member, but he chooses to quote from a partisan pamphlet prepared by Mr. Wade, which cost the province of Manitoba $750, and in which all matters are coloured. I am quoting from public documents published by the government of Manitoba, and the facts are incontrovertible.

Sir RICHARD CARTWRIGHT. I am not disputing the hon. gentleman's facts ; but I would point out that what he is referring to now is more particularly the distribution of the French Catholic population, and I presume does not refer to the Irish Catholic population, scattered among the rest of the population, of whom, presumably, there would be a good many.

Mr. DALY. Very few, indeed. I can say that in my own constituency, from Gretna to the western boundary of the province, running from township 1 to township 6, I only know of one Irish Roman Catholic.

Mr. CHARLTON. The hon. gentleman says we can go to the Library and procure all the information necessary in order to arrive at a conclusion on this subject. The statement made by the hon. gentleman is preposterous. Can we in the Library verify the truth of the statement that outside Winnipeg and St. Boniface the Catholic population are willing to accept the public schools? How can we find out in the Library what is the state of feeling of the Catholic minority of Manitoba on this whole matter ? Can we find out what view they take of the public school law, whether they have become reconciled to the operation of that law after six years' experience ? There are a hundred things that we cannot find out without an investigation, and which are essential to enable us to arrive at a just decision of this question. We want to ascertain the state of public sentiment. We want to verify the assertion made by the members of the Manitoba government that the Roman Catholic population outside of Winnipeg and St. Boniface, are attending the public schools and are satisfied, and that they would not vote for a restoration of the separate school system.

Mr. LaRIVIERE. The hon. member for North Norfolk (Mr. Charlton) has just said that we should not be called upon to go to the Library to get information that we are not possessed of. I must tell the hon. member that all the information that he requires, if he was open to conviction, could be found in the Library, in the official reports of the present government of Manitoba, even since the abolition of Roman Catholic schools. I have in my hand the report made Mr. A. L. Young, the inspector appointed by the Greenway government to visit the so-called French schools, that is to say, the schools that have remained in operation since the abolition of the separate schools. I will read this extract from his report:

> I beg to submit the following report of the schools visited by me during the latter part of the year 1892:—
>
> During the last three months I visited over fifty districts, the majority of these being in the French settlements along the Red, Assiniboine, Seine and Rat Rivers, and formerly under the jurisdiction of the Catholic section of the Board of Education.
>
> The seating accommodation in many of the schools is insufficient; a few are provided with patent desks, but the greater part still use the home-made desks and benches.
>
> As a rule the blackboards used are much too small, and in many cases of poor quality. With only two or three exceptions, all the schools visited by me were well supplied with a sufficient number of good maps.
>
> Five schools are claimed to be conducted according to the Public Schools Act of 1890, in regard to religious exercises. Of these, three are in charge of teachers holding first-class certificates, one is in charge of a teacher having a second-class, and one in charge of a teacher having a third-class certificate; of the total number of teachers seen by me, about 50 per cent hold first-class certificates, 20 per cent hold second-class, and 10 per cent have third-class certificates. About 20 per cent are teaching without certificates, these being young lady graduates of the various convents who have begun teaching since the closing of the St. Boniface Normal School.
>
> Of the schools visited by me six were in charge of male teachers. The salaries paid are in all cases very low.
>
> There is an average enrollment of over thirty pupils to each school, some of the larger schools having from one hundred to one hundred and fifty pupils.
>
> With remarkably few exceptions, English is taught in all the schools. The parents and trustees recognize the desirability of having their children study English, consequently those teachers who have a sufficient knowledge of the English language to teach it successfully are in much greater demand and receive higher wages than those who understand the French language only. As a rule the scholars read and translate English in a very creditable manner.
>
> In St. Anne's Convent, where through the courtesy of the Rev. Father Giroux and the Sisters in charge I was given every opportunity to examine the school work, I found the higher classes remarkably well advanced in English, their pronounciation being exceptionally good.
>
> In regard to French reading, there is room for considerable improvement in expression.

Mind you, this report is made by an English-speaking gentleman, and a Protestant, appointed by the local government since the abolition of our schools:

> A good share of attention is given to arithmetic; this subject, however, could be more successfully taught if the schools were provided with a more liberal supply of blackboards.
>
> Very creditable work is done by many of the more advanced pupils in composition, written translation from French to English, letter writing, &c. As a rule the books used for this purpose are kept extremely neat, and reflect credit on both teachers and pupils.
>
> In teaching geography good use is made of a liberal supply of maps with which the majority of schools are supplied.
>
> A noticeable feature of these schools is the very limited number of boys in the higher divisions.

An extract from Mr. Young's report for 1893 may be added:

> In all districts visited by me, I found a strong desire on the part of all concerned to make the teaching of the English language a prominent feature of the schools. In one district this idea was carried so far that the teacher was forbidden to make any use of the French language. This I consider to be a mistake.

I consider this remark of the gentleman himself, to be a mistake. Now, I would not like to cast any reflection at all on the present schools in Manitoba. But we are taunted with the inefficiency of our schools as they existed prior to their abolition; I would remark that at present our schools are conducted without any grant, and without the school authorities being able to levy taxation for their support. Nevertheless, I have shown by this report that these schools are just as good as can be expected, and, in fact, better than could be expected under the present circumstances. Now, I have extracts from reports of the inspectors of the public schools as they exist to-day. This is what Mr. McCalman, of the eastern inspectoral division, says in his report:

> The irregularity of attendance in the majority of schools is a deplorable fact.
>
> Of the one hundred and forty teachers of the division, nineteen held first-class certificates, seventy-five held second-class certificates, thirty-nine held third-class certificates, and seven held permits.
>
> Twenty-five teachers—about eighteen per cent of the total number—were without any previous experience, or professional training whatever.
>
> In advanced classes too little attention is given to the mechanics of reading, and indistinct articulation, and lack of clearness of enunciation are too common.
>
> Writing does not receive that faithful attention it demands, and results are almost uniformly poor.

In the subject of geography teachers are handicapped by the lack of reference books.

In music, notwithstanding that the subject has formed a part of the course of instruction at the provincial and local normal schools for the past two years, the teaching is somewhat spasmodic.

In Mr. S. E. Lang's report of the North-west inspectoral division there is the following :—

It would perhaps be correct to say that about two-thirds of the teachers are doing work which may be described as fair. Of the remainder about one-half are doing very good work, while the others must be classed as unmistakably poor —very poor in some cases.

The meagre results in arithmetic are probably due to a misapprehension of the nature of the science of number.

It is not surprising to find the advanced work in arithmetic poorly done in many cases when it rests on a weak foundation of elementary training.

In the subjects of history and geography the dependence of some teachers upon the text-books is still painfully apparent.

In this district there were but four teachers holding first-class certificates ; fifty-eight with second-class, and sixty-eight with third ; and eighteen without any certificates at all.

In Mr. Lang's report for 1892-93, which is not a very recent report, but it is one issued since the repeal of the law, he says :

In nearly every school in this division a test was made to discover how many of the pupils above second standard could use correctly the following words :—done, did ; seen, saw ; set, sit. It was found that about ninety per cent of the pupils "done" their exercises ; "seen" the cows ; "set" in their seats ; and were in the habit of "laying" down.

In Mr. Best's report for the south central division of the province, I find the following :—

It is to be regretted that an unfavourable report is due on the state of school yards and school environments.

The supply of apparatus for primary work is deficient, and reference books for advanced classes are not well supplied. The remedy in most cases lies in the hands of the teachers.

The teachers in charge held all grades of certificates, and represented all stages of proficiency, from the very highest standard of moral and professional excellence, down to those who had neither training, experience nor aptitude.

The reading done in the schools is largely unsatisfactory.

In Mr. Rose's report for the south-western division, I observe the following :—

There is a most regrettable indifference on the part of trustees and ratepayers in the matter of caring for school property.

Irregularity of attendance is a most discouraging feature in rural schools. Many children are actually growing up without receiving even the rudiments of a public school education. I visited one school in which there had not been a single pupil for six weeks. The teacher, who was in the habit of visiting the school each morning, was in receipt of a salary of $40 per month.

I do most earnestly trust that the time has now fully come when the practice of allowing persons without professional training, and without experience, to engage in teaching, may with safety be discontinued. * * * * *

In any case, it would be infinitely better that, in the event of a scarcity, the certificates of trained and experienced teachers should be extended, than that girls of sixteen and youths of eighteen, with neither training nor exeperience, and possessing only the scanty scholarship necessary to pass the third class non-professional examination, should be turned loose upon the public to draw their salary, and to waste the "precious morning hours" of the children who are so unfortunate as to be placed under their control. The cases are rare in which the closing of the school would not be preferable to the employment of such teachers.

There is much other information I could bring forward to show that under the pretense of improving the system that previously existed under the good care of the Board of Education, including both sections, no improvement was effected by adopting the Acts of 1890, removing from the statute-book a law that had worked so satisfactorily up to that time. When I use the word satisfactorily, I am only echoing the opinions that were expressed in the legislature, even by the author of the law that removed the old law from the statute-book. The hon. member for Winnipeg (Mr. Martin), in very laudable terms, thanked the Board of Education for the work they had performed in directing the public schools of the province up to the date of their removal from office, and I may say at that time in the legislature there never was a word uttered against the efficiency of either the Catholic or Protestant schools of the province as being the cause of their disestablishment. The only reason, if it could be adduced as a reason, was a political one,—that it was to create an agitation in the public mind and remove some other questions from the public arena in order that the men in power, the men who passed the law, could remain in office.

Mr. PATERSON (Brant). It is impossible that this Bill can now become law. Even if it were passed to-night I do not understand that it would pass the other branch of the legislature before Parliament died by efflux of time, more particularly as the Upper Chamber is supposed to be particularly a judicial body and where questions are discussed on their merits. It is an indignity to that House to suggest that an important measure of this character could be dealt with in two or three days. It has been hinted that obstructive tactics have been resorted to in committee. A sufficient answer to that charge has been given by the Secretary of State on more than one occasion. He has declared that only seven members are now opposed to progress being made in the Bill, and he based his calculations on a late division in committee. Seven hon. members are unable to furnish much obstruction to the Bill or retard its progress. One of those hon. gentlemen has spoken only on one occasion, for about one hour. Another hon. member is in ill-health, and is only able to attend a few hours daily. The other five members have no doubt given considerable attention to the discussion, but looking through the "Hansard," they have not taken up very many hours. So the charge hinted at that there has been obstruction to this measure is answered by the Secretary of State himself, who has proved conclusively by the vote given on a recent occasion that in his judgment only seven members were opposed to the Bill. We have, however, only reached the 14th clause, some of the clauses having been dropped and the others amended, and the Bill contains 112 clauses. So it is obvious that this Bill cannot be successfully amended and carried through during the present session. We have been told by the Secretary of State that within a short time the House will reassemble, that the Government will come here with an overwhelming majority to pass this law, and that being the case it is desirable that we should thoroughly understand its provisions in order to discuss them before the electors. Under these circumstances I should like to obtain some information of the hon. gentleman in charge of the Bill. In clause 7 it is provided the Lieutenant-Governor in Council shall appoint a member of the board to be superintendent of the separate schools. So it is considered that there must be a superintendent appointed. In clause 8 we have the duties of the superintendent set out as follows :

8. In addition to the duties specified in other clauses of this Act, it shall be the duty of the superintendent, and he is hereby empowered :

(a.) To call meetings of the board, and also to call any school meeting required to be held under this Act when the parties who are otherwise invested with the power to do so, either neglect or refuse to exercise it.

(b.) To have, as the executive officer of the board, the general supervision and direction of the schools, and of the inspectors that may from time to time be appointed ; and to have authority to take measures and enforce and carry into effect all the provisions of this Act and the regulations issued under its authority that relate to the schools within their respective jurisdictions.

(c.) To give such explanations of the provisions of this or any other School Act, and of the regulations and decisions of the board, as may be required and to enforce the same ; and

(d.) To prepare during the first term of the school year a report to the Lieutenant-Governor in Council upon all the schools under his supervision for the previous school year, accompanied with full statistical tables, showing among other things, the number of children of school age in each district, as shown by the census returns for that year, the number who have attended school and the average attendance as shown by the semi-annual returns of the different teachers, and such report shall also contain a statement of the receipts and expenditure of all government money furnished to the board for school purposes, a copy of such tables, statements and returns to be presented to the board and to be retained on record by the board.

These onerous duties are entrusted to the superintendent. In addition to those duties another class of business is placed on him. Under clause 84, which deals with borrowing money, his duties include the issuing of debentures, the calling of meetings of ratepayers, the keeping of minutes, preparation of statements, and other matters. All these duties and the carrying into operation of all this machinery devolves upon the superintendent, in addition to all the duties already mentioned. Then we come to clause 94, which provides even additional duties, as follows :—

94. In the case of any rural school district the trustees of which neglect or refuse to levy or ask the council to levy a special rate to meet their debenture indebtedness maturing within the school year, and in the case of any rural school district in which there is not a legally competent school board, the superintendent shall be empowered to act for such school board or school district in requiring the council or councils concerned to levy or collect the sums he shall designate as necessary to meet such indebtedness, and the council or councils shall levy and collect such sum and pay the same over to the creditors upon the order of the said superintendent. And it is further provided that upon the trustees of any rural school district becoming legally incompetent or unable to act from any cause and there not being a sufficient number of ratepayers resident in the district to form a new school board, the superintendent shall thereupon be invested with the powers of the school trustees for such district, and shall be empowered to collect and receive all moneys due the said trustees from any source, to take possession of all their school properties, secure a proper title for all properties they may be entitled to, and in his discretion to dispose of or sell the same ; provided that all moneys received by the superintendent in any way in behalf of such district shall be paid over by him to meet the liabilities of the same that may become due from time to time.

Now, I would like to ask the hon. Minister of the Interior (Mr. Daly) who, no doubt, is following very closely the line of my argument, a question about this superintendent. It is quite evident, taking clause 94 in connection with clause 8 that there will be very important and very arduous duties for this superintendent to perform. In fact the organization and carrying on of this school system will depend mainly upon the superintendent. Now, I find that section 75 provides :

From any sum so appropriated to the Board of Education there shall be paid such sums as may be provided by the Lieutenant-Governor in Council for incidental expenses and salaries of superintendent.

Now, I would like to know if that is the only provision made for the payment of this superintendent ?

Mr. DEPUTY SPEAKER. I would ask the hon. gentleman not to ask questions with regard to special clauses of the Bill until this motion for the committee to rise has been disposed of.

Mr. DALY. The hon. gentleman will remember that this same question arose the other morning when he sought to bring me into a discussion of the clauses already passed and you, Mr. Chairman, ruled that so long as the motion was before you we could not discuss the details of the Bill.

Mr. McCARTHY. Is it not competent for an hon. member to argue on the motion now before you that the measure is defective and therefore the committee ought to rise? That is what the hon. gentleman was doing, as I understand. He was pointing out that there are no ways and means in the Bill to provide for the payment of salaries, and therefore the Bill would not be workable.

Mr. PATERSON (Brant). That was my argument and also that it is impossible in the present state of public business to reach the section of which I ask an explanation. The Secretary of State has said that the country will give the incoming Parliament a mandate to pass this Bill. In that case we may look for a demand among the people for information with regard to the Bill. If the hon. Minister of the Interior (Mr. Daly) declines to give information, the hon. member for Pictou (Sir Charles Hibbert Tupper), who, I believe, is the father of this measure——

Mr. DAVIES (P.E.I.) He repudiates it.

Mr. PATERSON (Brant). It is important that these clauses shall be understood. I leave it to yourself, Mr. Chairman, if it is likely with the progress made whether we are likely to reach clause 75.

Mr. DEPUTY SPEAKER. But why discuss that ? The motion before us is for the committee to rise.

Mr. PATERSON (Brant). But this must come before the people, and I want to understand it. If I cannot get information from those in charge of the Bill, I shall be obliged to turn to my hon. friend from Bothwell (Mr. Mills) and my hon. friend from Queen's (Mr. Davies) who seem to understand it better than those in charge of the Bill. I want to know, if the superintendent upon whom the organization and carrying on of the system depends and whose whole time must be taken up must depend upon the fund referred to in clause 75 for his salary ? Have this Government power to compel the government of Manitoba to grant any money out of the public treasury of the province ? I think that that is a very pertinent question and that I am entitled to an answer.

Mr. DEPUTY SPEAKER. I will not allow a discussion of special clauses of the Bill. The hon. gentleman may speak about the Bill, as much as he wants to. Of course we understand that. But we must not discuss the clause until the motion to rise is disposed of.

Mr. PATERSON (Brant). I submit to your ruling, but I would like to reason with you a little on this point. I wish to point out that it must be evident even to the lay mind that one clause of this Bill depends upon another. The statement of the duties of the superintendent under clause 8 cannot be discussed without considering clause 75, which provides for the payment of this officer. This is always done in committee.

Mr. DEPUTY SPEAKER. When you are discussing the Bill—Yes.

Mr. PATERSON (Brant). I am discussing the Bill.

Mr. DEPUTY SPEAKER. No.

Mr. PATERSON (Brant). The motion before you is to rise and report progress, but on that motion I want to discuss the Bill. I do not want to read a lot of documents that have nothing to do with the Bill, as the hon. member for Provencher (Mr. LaRiviere) did, I want a discussion of the Bill. I have no objection to the motion carrying, but I can neither carry nor withdraw the motion, and there may be other gentlemen who want to speak and who will follow me if I sit down. But even though we cannot get this motion disposed of, we can get information that will help us at a later stage of the discussion. If we could get to understand this matter, then, if peradventure, we reach this clause, perhaps it may be disposed of almost without further discussion. I hold, with all deference to your ruling, that it is unfortunate that the progress of this Bill should be delayed——

Mr. DALY. The hon. gentleman may recollect that the other morning he was in a similar difficulty and I suggested a way out, which was for him to take his seat and allow other gentlemen to speak. In that way we should make progress to some extent. And the hon. gentleman accepted my suggestion.

Mr. PATERSON (Brant). I yielded, as the hon. gentleman says, and I shall do the same now if the hon. gentleman refuses to answer my question. But will the hon. gentleman say that I am not speaking on a most important provision of this Bill.

Mr. DALY. When we reach the clause I shall be ready to discuss it.

Mr. PATERSON (Brant). But I have pointed out that it is most unlikely we shall ever reach it, and it is impossible to discuss the matter before the electorate unless we have this information. We know that latitude is allowed in committee and many things are done by common consent which are not recognized by the strict rules of order. I believe that if the Minister would answer the questions I put that no hon. gentleman would object. Now, take another clause of this Bill which I have not been able to understand, clause 102. That clause reads as follows :—

> Any justice of the peace, assessor, constable, or other officer neglecting or refusing to discharge any duty assigned to him by the provisions of this Act shall be liable to a penalty for each offence of a sum not exceeding fifty dollars.

I would like to ask the hon. member for Queen's (Mr. Davies) or the hon. member for North Simcoe (Mr. McCarthy), does this apply to all officers ?—for instance, to the Lieutenant-Governor in Council, or does it only apply to persons subordinate to him ?

Mr. DEPUTY SPEAKER. We cannot allow any discussion on that clause at present.

Mr. PATERSON (Brant). According to my understanding, a justice of the peace, assessor or constable, being a municipal officer in the province, it was questionable if the jurisdiction of this Parliament would hold good over him. Will the hon. member for North Simcoe tell me ?

Mr. DEPUTY SPEAKER. No, we cannot allow that.

Mr. PATERSON (Brant). Well, if no one else is allowed to answer me, then I would ask yourself, Mr. Chairman, if it be the case that there is any such jurisdiction in this Parliament, if these officers are under the jurisdiction of this Parliament and we can compel them, then I am at a loss to determine just where Dominion jurisdiction comes in and provincial or municipal jurisdiction ceases.

Mr. DALY. Wire your namesake, the Lieutenant-Governor.

Mr. PATERSON (Brant). Then, there is another difficulty. There are five sections of this Act, from 84 to 89, dealing with the question of borrowing money, in which it is made incumbent upon the Lieutenant-Governor in Council to give his sanction before it goes into effect. But clause 90 provides that, if they do not do so, the power shall then be vested in the Lieutenant-Governor in Council to act. That seems to me to imply that we are passing an Act laying a duty upon the Lieutenant-Governor in Council in Manitoba that we have no authority to enforce at all. The serious part is that, in this matter of borrowing money for any school district throughout the province, if the Lieutenant-Governor does not see fit to introduce the matter, this Federal Government voluntarily assumes the duty themselves, voluntarily assumes the duty of administering a separate school district in Manitoba for all time to come. I regret, Mr. Chairman, that you do not allow any of the Ministers to give me light on this subject.

Mr. LANDERKIN. I am sorry the ruling of the Chair will preclude me from going into the minute details of this Bill, as it deserves to be gone into at the hands of every member of this House. I am sorry that the Government, while professing such love for the minority in Manitoba, are not as mindful of the rights of minorities in other portions of the Dominion as they appear to be in reference to those in Manitoba. Now, a few days ago, Mr. Masson was appointed a senior judge in the county of Huron over the head of the junior judge. The junior judge had occupied that position for many years, he belonged to the same religion as the minority in Manitoba, and he was, so far as I can understand, well qualified for the duties of the office. Why, then, was he not permitted to be the senior judge of the county of Huron ? I would like to ask the Government to say why Judge Doyle was not promoted to be the senior judge in the county of Huron, and why was a member taken from this House and placed over his head ? Take another case ; take the county of Bruce, which runs alongside the county of Huron. Some years ago the senior judge was superannuated, after being in office twenty-five years. The junior judge had been in the office a number of years, his religion was not of the type of the minority of Manitoba, and he was promoted to be the senior judge. Now, why was this difference made in these two cases ? Is it because the Government and the Secretary of State "have no confidence in the breed ?" I would just like to ask the Government, and ask their supporters in the House, what was the reason why those judges were treated differently ? The one that belongs to the religion of the minority in Manitoba was kept down ; the other that belonged to the religion of the majoriy, was promoted. Have minorities no rights in any place in Canada except in Manitoba ? Is nothing to be done for the minority anywhere else ? Are they to be made subservient to the majority in every instance where their qualifications entitle them to just as good positions as anybody else ? Are we to be told by the Secretary of State that a man's religion in this country is a bar to his promotion ? I call upon the hon. Minister of Marine to answer me this question—Is a man's religious belief to be a barrier to his promotion ? When a man is a junior judge, and has occupied the position as junior judge for many years, and has shown himself to be well qualified for the place, is that man to be passed over on account of his religion ? These are matters that it is well to consider, these are matters that come within the range of practical politics, these are the fruits whereby you may judge the members on the Treasury benches. They are now pretending to press this Bill through the House, when it is evident that they never intended to do so. But they expect that every member of the minority will fall down on his knees and worship them because they introduced a Bill into this House that they never intended to put through the House. They will go through the country, and where the majority is dominant, they will tell them they did not intend to push this Bill; they will go where the minority is dominant, and say that they did all they could to push this Bill. Now, there is another case to which I will refer. Vice-Chancellor Blake occupied the position of Vice-Chancellor for a number of years, his promotion was passed over and he resigned his position and went back to practice at the bar. Now, that was an innovation, and why was it done? The custom is that the junior judge shall be advanced, in the case of a vacancy, to the position of senior judge. Hon. gentlemen can see the extent of the insincerity of the Government policy, the hand that is guiding this Bill. They can also judge as to what the Government tactics are. The policy of the Government is evidently one of being all things to all men, and they are striving to make the minority believe they are anxious to pass this Remedial Bill, that they are willing to sacrifice everything in order to give the Manitoba minority separate schools. Even the Secretary of State is willing to lay down his life. Let hon. members look at the census of Manitoba and they will find that in a great many townships there are only one or two families belonging to the religious minority. This is especially the case in Marquette, where there are a number of townships with under ten children of school age whose parents are Roman Catholics, and therefore they would be unable to form a school section. How are these going to be provided for? Are you going to leave them to attend godless schools? The impracticability of this measure is obvious in view of the census returns, and it will be impossible to carry it out. Even in some cases the burdens involved in maintaining separate schools would be unbearable, and the Roman Catholics would leave the townships. I am surprised that the Government should have persevered so long in this folly and farce. It is about time that the curtain fell over this Government's action, which was insincere in its conception, which was conceived in fraud, and which was brought down as a sample of policy, brought down not for the purpose of benefiting the minority, but in order to keep the party in power, if possible. It was also done for another purpose, to obscure the Government's record, to divert public attention from their acts. Hon. gentlemen opposite may think they will succeed, but I believe the judgment of the country will see through the fallacy and trickery of this measure. Since the Bill was introduced the Government appointed a commission to negotiate with Manitoba. It is difficult to understand why the commission was appointed, because hon. gentlemen opposite have declared that there was nothing to investigate and that they knew all the facts. Having appointed this commission, they engaged to withhold the Bill, but the Government violated that agreement. The Government have kept this question before the people for six years. They were supposed to take action after the last general elections, but they did nothing. They intend now to use it at the approaching elections, and if they return to power they will again keep it dangling before the eyes of the people for political purposes. The Secretary of State never intended to push this Bill through the House. It is strange that while a school law which is identical to the Manitoba Act is satisfactory to the Catholics of Nova Scotia and New Brunswick, it is desired by the Government to wipe out entirely the Manitoba Act. All maritime province members are agreed that the settlement in the lower provinces is satisfactory to all concerned. Even the Minister of Marine and Fisheries has not proposed any amendment as regards either of the maritime provinces. In regard to the settlement of the Manitoba school question, concessions must come from the government of Manitoba. The Manitoba commissioners, when they met the commissioners from this Government took a long step in order to meet the views of the minority and offered them more privileges by law than are given them either in Nova Scotia or New Brunswick. Had this Government taken this step of negotiating with Manitoba long ago and before passing the remedial order, the question could undoubtedly have been settled. We are prohibited by the ruling of the Chair from inquiring of the Ministers as to the details of these various clauses. It is most important that all these details should be considered with the greatest care, for this legislation is upon a subject new to this Parliament. The Government could hardly have been sincere in expecting to press through this Bill in the short time they allowed for it. Why, in England, Gladstone's Home Rule Bill, which was not on a new subject, but dealt more extensively with a subject which had previously been legislated upon, was under discussion day after day for five months. But this Bill is wholly new. Never in the history of Canada has a measure been passed in this Parliament on the subject of education for any of the provinces. Had time for discussion been allowed, some of the asperities which this Bill was intended to arouse might have been smoothed over. But that would not have suited the policy of the Government. I have studied this Bill rather carefully and I would have been glad if a discussion of the details had been allowed. I think I could have given some valuable information, and I should have been glad to receive information if the Ministers were able to give it. But the Deputy Speaker has ruled that he would not allow this information to be given. That is a type of the eternal fitness of things. For the Deputy Speaker knew that the Ministers have no information. I have no doubt that the Deputy Speaker, by this ruling, has commended himself to the favourable consideration of the Government. I should not be surprised if a remedial order were introduced for the advantage of the Deputy Speaker after his admirable ruling on that point.

The CHAIRMAN (Mr. Joncas). Order.

Mr. LANDERKIN. I hope no information will be given if it is not in order. The Deputy Speaker knew that there was no use going to a goat's house for wool or asking for information from the Ministers, who did not prepare this Bill. He felt an interest in the minority and did not want to see their cause discussed on one side only. There are many men of great ability in the Government, no doubt, if they would apply themselves. But they have very little time to give to the consideration of legislation of this kind, being too much engaged with coming events. We should understand this Bill before we pass it. The course pursued by the leader of the House, apparently with the consent of his colleagues did not commend itself to the judgment of the House or of the country. I am surprised that the hon. Secretary of State should seek to compel the members of this House to sit not only 'de die in diem,' but also 'de nocte in noctem.' There is a spirit of old Britain left in us that resents such an attempt at coercion. The hon. gentleman is very anxious for the interest of the minority in Manitoba, but he has very little consideration for the minority in this House. But the minority in this House do not ask any consideration at his hands. We can paddle our own canoe. We can stand the work of perfecting this Bill day in and day out, and night in and night out. And while the Secretary of State and nearly every member of the Government are sleeping, we are here battling for a perfect Bill for the minority in Manitoba, if it is possible to have one made. As we are not allowed to enter upon the discussion of the details of this Bill, I shall postpone my further remarks to an occasion when such discussion will be in order.

Mr. CHARLTON. I was occupying the attention of the committee a short time ago, but from physical inability to stand longer, I was obliged to cease. I hope to be able to stand this time long enough to finish the line of argument I wish to present. I was about to refer to an event in the history of the Dominion which I think has a special bearing on the question now under discussion. I refer to the debate that took place in this House in May, 1873, upon the motion of the hon. Minister of Marine and Fisheries (Mr. Costigan), on going into Supply, with reference to the New Brunswick school law. This motion will be found in the Votes and Proceedings of 1873, page 312, and is as follows :—

Resolved, That doubts having arisen as to the sufficiency of section 93 of the British North America Act, 1867, to protect the rights, privileges and advantages which the Catholic minority of New Brunswick enjoyed as to their common schools, under the school system in operation where the said Act came into force, the House of Commons of Canada on the 30th day of May, 1872, did resolve : "That this House regrets that the School Act recently passed in New Brunswick is unsatisfactory to a portion of the inhabitants of that province, and hopes that it may be so modified during the next session of the legislature of New Brunswick, as to remove any just grounds of discontent that now exist, and this House deems it expedient that the opinion of the law officers of the Crown in England, and if possible the opinion of the Judicial Committee of the Privy Council, should be obtained as to the right of the New Brunswick legislature to make such changes in the school law as deprived the Roman Catholics of the privileges they enjoyed at the time of the union in respect of religious education in the common schools, with a view of ascertaining whether the case comes within the terms of the 4th subsection of the 93rd clause of the British North America Act, 1867, which authorizes the Parliament of Canada to enact remedial laws for the due execution of the provisions respecting education in the said Act.

"That the law officers of the Crown in England having now in conformity with said resolution given their opinion, but that the Judicial Committee of the Privy Council, through the Lord President of the Council, having declined to interfere, unless the matter was judicially brought before them : it is the opinion of this House, that the parties aggrieved should have an opportunity of bringing the matter judicially before the Privy Council, and that in the meantime it is the duty of the Government to advise His Excellency the Governor General to disallow the several Acts passed during the last session of the New Brunswick legislature to legalize assessments made under the Common School Act of New Brunswick, and in amendment of the said Common School Act."

Now, I wish to read a few extracts from the debate which followed, and as the "Hansard" which contains this debate is a heavy volume, and as I cannot hold it and read standing, I will regard it as a great obligation if the committee will allow me to read it while occupying my seat.

Mr. BORDEN. I move that the hon. gentleman be allowed to sit while reading.

Motion agreed to.

Mr. CHARLTON. The following is the speech of Mr. Costigan.

(The hon. gentleman read the speech referred to.)

Sir John Macdonald was the next member of the House who participated in this debate on the motion of the hon. gentleman from Victoria, N.B. (Mr. Costigan.)

(The hon. gentleman read Sir John Macdonald's speech.)

Now, Mr. Chairman, I have read you the opinions of Sir John A. Macdonald on that occasion, in May, 1873. While expressly stating his sympathy with the minority in

New Brunswick, while expressly stating his approval of the separate school law of Ontario, and while advising the minority in New Brunswick to adopt the same persistent course which had been adopted by the minority in Ontario in order to obtain a separate school law, while expressing his sympathy, and giving this advice to them, he distinctly took the ground that this Government could not interfere with laws passed by a province which were within the limits of the constitutional jurisdiction of the province. He stated that if this course were adopted, it would open the door to the Federal Government to interfere with provincial legislation, that it would invest this Parliament with the function of a court of appeal to pass upon all laws that might be adopted in the provincial legislatures, and to annul those laws. Now, the position taken by that hon. gentleman with regard to the New Brunswick law, was based upon the fact that the law was constitutional, and had been declared to be within the rights of the province. The position is exactly parallel with the case we now have under consideration.

Mr. McALISTER. Will the hon. gentleman tell this House whether the Privy Council decided in the New Brunswick case that the minority had no grievance, that they never had any right by law or by practice previous to the passing of the school law in 1871 ?

Mr. CHARLTON. The question is not pertinent to the line of argument I am adopting. I go no further than to say that Sir John A. Macdonald took the position that whatever might have been the grievances of the minority, whatever might have been their rights, he took the position that if the law were constitutional, this Parliament had no right to interfere with it. Now, the Manitoba school law of 1890 has been declared to be a constitutional law, and therefore the circumstances of the two cases are on all fours. In 1873, Sir John Macdonald refused to interfere with a law that was declared to be within the rights of a province ; we are asked to adopt a contrary course to-day, and to interfere with a law in another province which has also been declared to be constitutional. I will now quote the words used on that occasion by my hon. friend from Three Rivers (Sir Hector Langevin), then Mr. Langevin.

(The hon. member read the speech.)

I am entirely in accord with the views expressed in that debate by the member for Three Rivers (Sir Hector Langevin). The principle he stated was non-interference on the part of the Dominion Government with the rights of local legislatures in the matter of disallowance of laws passed by them within their constitutional powers. This Dominion is practically in the same condition to-day as it was then. Then, however, the affairs of the country were controlled by men who looked at the questions from the point of view of statesmen. Now, unfortunately, we have a class of public men who view questions from the standpoint of mere politicians, and with a view to make political capital out of them, and who fail to view them in the light of the constitutional necessities. It is admitted that this educational law passed by Manitoba was a constitutional law.

(The hon. gentleman then read the report of a speech delivered in the course of the debate by the Hon. Mr. Smith.)

It would be well if this House to-day were governed by similar views to those which controlled the Dominion Government at that time in regard to dealing with the New Brunswick school question. We have made a serious departure from the precedent established in 1873 by the leaders of the Conservative party and the fathers of confederation, and it is matter for sincere regret that we have not men capable of taking a broad-minded and constitutional view of these questions. The people of Manitoba saw good reasons for desiring to modify their school laws. The constitution gave them the right to do so. That modification has not met the approval, I will not say of the minority, but of the ecclesiastics of the Roman Catholic Church of the province, and so we have this question now under discussion. It was perfectly within the competency of this Government to dismiss the appeal made to them a year ago last March. It was distinctly stated by the Judicial Committee that this was purely a political question, and that the Privy Council of Canada would naturally deal with it in a political sense. This interference by the Dominion Government is a dangerous precedent. If they can act as they have done in the Manitoba school question, they can take similar action in regard to the educational system of the lower provinces, and interfere in questions of taxation and other alleged grievances. These are all valid reasons why the committee should rise and no longer proceed with the consideration of the Bill. It is physically impossible to pass this Bill.

Mr. FOSTER. Suppose the hon. gentleman had taken the number of hours he has used in obstructing the Bill for the purpose of perfecting it, could he not have given us very valuable aid ?

Mr. WELSH. Hon. gentlemen opposite have obstructed the Bill by keeping members here twenty-two hours out of twenty-four. This delay is all the fault of the Government.

Mr. CHARLTON. I will answer the Finance Minister. If I had been physically able, I would have devoted a longer time to the consideration of the Bill in its progress through the committee. I have, however, given to it honest, fair and thorough consideration. I have considered it in the aspect and in the light of its general purposes, influence and propriety. I have taken the course I have followed because I believe it is an unjust measure, and that other resources should have been exhausted before it was introduced. I believe the Government have acted wrongly from the beginning to the end, that they have blundered from one step to another throughout. I believe the Bill was an outrage at the start, and that the Government should have accepted the invitation of the Manitoba government to make an investigation, to compare views and endeavour to arrive at a satisfactory solution of the difficulty. The Government refused that offer, and prepared this legislation. At the eleventh hour they sent a delegation to Manitoba, who had better have been kept at home, which was an evidence of weakness, and it presented an ultimatum, that if the province would not agree to legislate in a certain direction, the Government would push through this Bill. The Dominion Government was guilty of bad faith in proceeding with the consideration of this Bill when their commissioners had agreed with the government of Manitoba that its progress should be suspended during negotiations. I have, therefore, not been called upon to spend much time in perfecting the measure which should not have been introduced, and when the Government refused to adjourn at 3 a.m., the manhood in every man impelled him to resent such treatment and to wait until the proper time arrives to take into the consideration the provisions of the Bill. The management of the case by the Government is a monumental demonstration of assinine stupidity. Last week's sitting of 129 hours showed an utter incompetency to consider the Bill fairly; the Government considered they would drive the House as with a slave whip, but they did not drive it an inch. This is my answer to the taunt of the Minister of Finance, who threw out the insinuation that I had spent some time discussing this Bill and obstructing it. The Bill has not been obstructed, it cannot be obstructed, it cannot go alone, it cannot be explained by any Minister. It was drawn by somebody outside of the House, and the Ministers are at a loss to understand it. It was brought in by Ministers who do not understand it, and who, even if they did understand it, did not remain to explain it: and so the poor bantling has been left to stand alone. We have found that it was a senseless mass of crudities and absurdities, and that the greatest disaster that could have befallen the country was to pass such a measure.

Mr. DAVIN. As it is evident to me, as it must be to everybody, that there is an arrangement to go on blockading the Bill, I think it is just as well that something useful should be said. I will not say that the hon. gentleman who has just taken his seat has not given us anything useful. He has read the speeches of two distinguished statesmen, one of whom is no longer with us, the other still here, I am happy to say, and an ornament to this House. But the speeches of Sir John Macdonald and the hon. member for Three Rivers (Sir Hector Langevin), while they deal with a cognate question, do not deal with the question on all fours with that now before us. If you have two problems, in one of which there is a factor which is not present in the other, then, I need hardly tell any one who knows anything of mathematics, you cannot apply any theories to one simply because they help in the solution of the other. I do not say that with the view of combatting the contention of the hon. gentleman (Mr. Charlton) that it is most inconvenient to deal with this question in this House, for I have put on record in this House, and out of it, my conviction that it is almost impossible to deal with a question of this kind in this House. My hon. friend said this was a useless commission.

Mr. CHARLTON. No.

Mr. DAVIN. I have the word here. He said: "It might better have been kept at home."

Mr. CHARLTON. Than to go up there and present an ultimatum—yes.

Mr. DAVIN. If the members of the House will recall the circumstances attending the second reading of the Bill—how the hon. member for Montreal West foreshadowed the commission and made an appeal to the members of this House with the view to aiding him—that we should pass the second reading unanimously, not for the purpose of carrying the Bill through the House, but for the purpose of aiding the machinery that was then being put in motion, and of which he was the principal part. The commission that was appointed made a proposition to the Manitoba government falling far short of the demands of this Bill. I have had letters from the west, from persons opposed to separate schools, who say that, if separate schools were to be brought in at all, they could not well be brought in under less objectionable circumstances than those proposed by the commission who met the commissioners of the Manitoba government. But in response we got a proposition from Mr. Sifton and Mr. Cameron, not proposing separate schools, but proposing a system that I may say, with such knowledge as I may be supposed to have of Manitoba and the North-west, that, except as regards—as suggested by the hon. leader of the Opposition—Winnipeg, and, perhaps, Brandon—would give everything, or nearly everything, that could be established under the proposition of the commissioners who went up to meet them. So the result of that conference is to bring down the difference between those who champion the interests of the minority, and those who represent the Manitoba government to something very small indeed. Under these circumstances, it is very surprising to read in a speech of the leader of the Opposition delivered at Valleyfield, in Beauharnois, a few days ago :

> There is again a division in the Cabinet on the Manitoba school question. If you read the Conservative papers you will see that I am a traitor. I know only too well those boodlers who hide their boodling under the cloak of religion. They say : Do not vote for Laurier, for he is against the Bill. Yes, I am against that insignificant Bill.

That is from the Montreal "Herald," a Liberal paper, of 13th April, and it is reported in the first person, and, apparently, verbatim. I do not think the hon. gentleman can well say that he is misrepresented by it. Now, I say, and I think I can substantiate the statement, that we have had from the hon. gentleman many indications that he does not think the Bill does enough for the minority. My hon. friend (Mr. Charlton) who has just spoken, tells that he has given careful consideration to the Bill, and that he has done his best to have it carefully considered. That is one of the boldest statements I ever heard any hon. member make. Because we know that he has been one of the most powerful obstructors of the measure. I am not now considering whether he is right in obstructing ; I am only dealing with a matter of fact. He has come here and read documents which were already on record and in print.

Mr. CHARLTON. Which one ?

Mr. DAVIN. You read the whole commission.

Mr. CHARLTON. I read the documents officially laid before this House, and these had not been read by any hon. gentleman up to that time.

Mr. DAVIN. I did not say they had not been read. What I said was that they were already on record, as all our printed papers are. If that is not a palpable case of obstruction, I do not know what is. In reference to the obstruction, if those who were opposed to this Bill could have prevented infallibly the passing of the measure, and yet have discussed in a bona fide manner every clause, and, if that had been done, instead of having a mass of incoherent matter piled on "Hansard," we might have had a large volume indeed, but a large volume of valuable disquisition upon the details of the Bill. Now, let me read how this has struck the country in the west. This is from a Liberal paper, and is written on 10th April :

THE NOBLE GAME OF POLITICS.

> The spectacles at Ottawa is not a pleasant one. The House has been in continuous session since three o'clock Monday afternoon, and no progress has been made with the Remedial Bill. So far the policy of obstruction has proved as effective as the bitterest enemies of the measure could wish. At three o'clock on Wednesday morning a motion was made that the committee rise and report, and at this writing it is still under discussion. It would take over two years to pass the Bill at the rate of progress so far made, and at midnight of the 24th the House expires. Whoever or whatever is responsible, the spectacle is a scandalous one, for it is bringing our system of parliamentary government into contempt.
>
> We think the country is quite astute enough to take in the situation. Passing through St. Paul on Wednesday, Mr. Greenway, in an interview explained the failure of the recent school conference by saying that the Dominion commissioners asked more than the province was willing to grant. Everybody fully understands that they asked less than it is proposed to provide in the Remedial Bill. In the House at Ottawa on Wednesday evening, Mr. Laurier said he "pitied his co-religionists in Manitoba if they were to get no more than they could get by the Remedial Bill." Mr. Laurier is leader of the Opposition, and the Opposition are obstructing the passage of the Remedial Bill, on the pretense that it is an outrage on the province. There is a sad lack of sincerity somewhere. We are justified in assuming from Mr. Laurier's words that if he were in power he would give the Manitoba minority more than is being offered them in the Remedial Bill. The Dominion commissioners were satisfied to take less, and the Manitoba government refused a compromise, because they asked too much. If the less of the commissioners was too much, what would the more of Mr. Laurier be ?
>
> The simple and disgraceful fact is that with the obstructionists at least the whole affair is a political game ; they are manœuvring for an advantage in the approaching elections. They care nothing for our school system or for our educational interests, whether pertaining to the minority or majority. They recognize that under the judgment of the Privy Council the minority are entitled to a measure of relief, and that it must be granted them by this Parliament or some other, unless in the meantime the Manitoba legislature removes the grievance. But the question is one with which men's minds can be stirred, and they are using it in that supremest of all causes, the cause of procuring votes that will turn out the ins, and put in the outs. Mr. Laurier complained on Wednesday that Sir Charles Tupper, after absolving him from the charge of obstruction, had recanted, attributing his change of front to the fear that his admission would help Mr. Laurier among the electors of Quebec. That is the secret of all their anxiety. It is not a question as to what is required under the judgment of the Privy Council, or as to what the conditions actually demand in behalf of the minority ; the whole concern is as to how the electors may be influenced.
>
> The Government and their followers are by no means innocent in the matter, but their position compare most favourably with that of the obstructionists. The remedial order was adopted for political effect, an early election being then thought probable. That was a mistake, for instead of passing the order, if a settlement was their object, they should first have approached the Manitoba authorities and ascertained what they were prepared to do under the altered circumstances. But no ; they were playing to the electorate gallery too, and the order was made. However, it can be said of them that they have consistently adhered to the policy of remedial legislation ever since. A sixth session of the present Parliament was called to deal with the

> question, and they are engaged night and day in the endeavour to pass legislation, in obedience to the judgment of the Privy Council.
>
> It would be a relief to a most distressing and disgraceful situation, a gain to Manitoba, and a fitting rebuke to the reckless triflers at Ottawa, if Mr. Greenway would take advantage of his visit east, and even at this late day offer terms of settlement that would snatch the question from the rat pit in which it is now being worried. The spectacle at Ottawa is a positive pain to every moderate man in the country. It suggests doubts whether Canadians are equal to the duties and responsibilities of self-government.

Mr. LISTER. That was written by yourself.

Mr. DAVIN:

> It suggests doubts whether Canadians are equal to the duties and responsibilities of self-government.

I am glad to see hon. gentlemen think I wrote the article, because it is a great compliment to me.

Mr. McMULLEN. What paper is it in ?

Mr. DAVIN. The Winnipeg "Free Press," a Liberal paper. I may say that I never contributed a line to the "Free Press." If I were to pierce behind the veil of the anonymous, I think I have sometimes seen sitting in that corner the distinguished journalist who wrote that article. He is one of the ablest journalists in Canada, and he is a Liberal of the Liberals. Now, in regard to the alleged divisions in the Cabinet, let us suppose that the Liberal party came to power, what sort of a Cabinet would you have ? There is the hon. member for Bothwell (Mr. Mills) piling up a most powerful constitutional argument in favour of remedial legislation ; he would be one Minister. Then we have my hon. friend from North Norfolk (Mr. Charlton), who is strongly against remedial legislation ; he would have a portfolio too. Then you would have the hon. member for Ontario (Mr. Edgar) who is against remedial legislation north by north-east ; it is impossible to say exactly where he is. Then you would have the hon. member for Verchères (Mr. Geoffrion) who would probably be Minister of Justice ; and he has told us in the strongest terms in this House that he wanted a stronger Bill than this. But how on earth could he sit at the same Council table with the hon. member for North Norfolk ? Why, the hon. member for North Norfolk would brain him with one of his crutches. Or would they sit at the opposite side of the table looking daggers at each other ? So my hon. friend the leader of the Opposition has by no means a happy family. But I must say this, that the Government is entitled to the criticism that the members of the Government seemed to have pursued their policy with remarkable unity and with remarkable unanimity. Now, I wish to say with regard to the action taken by the Government in sending a commission to Manitoba, that I consider it was most useful, and will bear the very best of fruits. I wish to call attention for a moment to the proposal made by Mr. Sifton and Mr. Cameron, what is called the alternative proposal, providing for religious instruction in the schools between half-past three and four o'clock in the afternoon, to be given by any Christian clergyman whose charge includes any portion of the school district, or by any person satisfactory to a majority of the trustees who may be authorized by said clergyman to act in his stead. I may say, Mr. Chairman, that under that proposal every possible grievance, every practicable grievance, would be swept away. When you have come so close as that, when the moderate proposals of the commissioners would really extend over a little more ground than that, I think we may fairly hope that the matter will be settled in the one place where it can be satisfactorily settled, and that is on the local ground.

Mr. WELSH. My hon. friend who has just taken his seat has read an extract from a paper saying that this Parliament has put itself into a disgraceful situation. Well, if any disgrace attaches to the members of this House, I want to know to which side it belongs. I do not think the Opposition can be blamed for the two weeks time that was lost by this Government after the House first met in January. There was no Remedial Bill brought before this House until about the first week in March. We attempted to do our duty with that Bill, and then came obstruction. Now, if there has been any obstruction in this House, it is the hon. gentlemen opposite who are responsible for it, they must bear the whole blame. Now, Sir, we all know that almost every Parliament in the world has been troubled of late years by the labour question ; there is a great agitation going on to provide that eight hours a day should be sufficient for a labouring man to work. But this Government have been forcing us to discuss this Bill for twenty-two hours a day out of twenty-four. Now, I have always been in favour of remedying any grievance that may exist in any province. I want justice done to every man, and if there is a grievance existing in Manitoba or elsewhere, I will do my utmost to have it redressed. But we must be careful not to transgress provincial rights. My hon. friend from North Norfolk has read to us the opinion of Sir John A. Macdonald on the New Brunswick school case, in which he declared that it would be an infringement of provincial rights for this Parliament to interfere with the School Act passed by that province. Now, I am going to give you another example. In Prince Edward Island, prior to 1875, we had a free school system, and it worked very satisfactorily for twenty years. Then the late Bishop McIntyre, of Prince Edward Island, began to ask that the Government should establish separate schools in that province. Well, both sides of the legislature, Liberals and Conservatives, refused to abolish the system that had always existed there. However, the bishop pressed the matter, and all the Catholics in the legislature seconded him. The House was prorogued, and a general election was held on the question of free schools or separate schools, and the party in favour of free schools was returned by a majority of two or three to one. Now, let us suppose that the free school system had been overturned and a separate school system established in Prince Edward Island, would not the free school party then have had a grievance, just as the Manitoba minority have now ? Would not the free school party have had just the same right to come to this Parliament and ask for remedial legislation ? I think the logical conclusion is that they would have just as much right to come here and ask for the interference of the Federal Government. I say that when we cross the line of provincial rights, we are treading on dangerous ground. While I am in favour of remedying every grievance that exists on the part of any minority of any province of this Dominion. I am opposed to trespassing on provincial rights. Now, on this school question, let me read to you an extract from a speech delivered in the British Parliament by the Right Hon. John Bright, on 20th April, 1847.

(The hon. gentleman read the extract.)

The argument of this distinguished statesman was not as between Catholics and Protestants, but as between the Church of England and dissenting bodies ; but nevertheless the sentiment expressed should be engraved on the heart of every hon. member in this House. I hope the Government will change their tactics, and no longer obstruct the business by compelling members to sit in this chamber twenty-two hours out of twenty-four. They have run themselves into a corner, and they now find it difficult to get out. We on the Opposition side of the House are quite prepared to work twelve hours out of twenty-four. Even if we attempted to work as the Government desire, it would be beyond human endurance ; we could not pass the Bill, and even if it were pushed through the House it would be an imperfect measure and an utter farce as regards remedial legislation. I think benefit will follow the mission of the Dominion commissioners to Winnipeg, and in my opinion, the Minister of Justice was a most suitable man to be a member of that commission, and if it had been possible to secure a settlement, he would have obtained it. What I complain of is that during two years this question has been played with. The leader of the Opposition was taunted day after day with keeping silence and not announcing his policy ; notwithstanding the fact that at almost every meeting he attended he advised the appointment of a commission and policy of conciliation ; but throughout the Tory press he was called a crank. Yet at the eleventh hour, after the Remedial Bill had been laid on the Table, the Government appointed a commission to proceed to Manitoba to confer with the provincial government. When the commission went to Manitoba the position was like that of two opposing armies. A flag of truce was hung out, and it was agreed that there should be no progress made with the Remedial Bill while the negotiations were in progress ; but while the Dominion commissioners were trying to effect a compromise by conciliation and discussion, the Government of the day had the remedial knife behind their back ready to stab Manitoba at any moment. Such an act was simply disgraceful, and offended the good feeling and taste of every hon. member. I support the motion that the committee rise and report progress. We have sat now forty-eight hours, and we should adjourn until 8.30, when I am sure the Opposition would be prepared to proceed with the business of the House, whether it happened to be the Remedial Bill or the Supplementary Estimates.

Sir RICHARD CARTWRIGHT. The other day the Minister of Justice was exceedingly anxious to ascertain what was the exact clause of the Act passed by the Ontario legislature with respect to counties having 80,000 population or less. I am glad to be able to supply the hon. gentleman with the requisite information. I have here the County Courts Act of 1896, and I think that when I have read the clause to him he will perceive that there is no doubt whatever of one thing, and that is that the Ontario legislature and the Ontario executive are most decidedly of opinion that one judge is ample for the needs of every county having less than 80,000 souls. The clause in question reads :

> In the case of a county or union of counties having a poulation not exceeding 80,000 for which there are, at the ttime of the passing of this Act two judges and hereafter one of them dies, resigns his office or is removed therefrom, there shall thereafter be but one judge of the said county or union of counties, and there shall be no appointment of another judge in the place of the judge so dying.

I think that settles the question as to the intention of the legislature. I admit that it speaks of the case in which there were two judges, and, as there was only one in this county, the hon. gentleman may, if he pleases, take exception to the verbiage, but I submit that there can now be no doubt as to the intention of the legislature of Ontario. And it adds very much to the regret which I think every hon. gentleman who has considered this question must feel at the precipitate appointment which was made of Mr. Masson, of North Grey, to find that he is practically appointed in utter defiance of the legislature of the province in which he is to hold a judgeship.

Mr. FRASER. I regret very much that the duties of the Minister of Justice have been added to. I find it reported that the Minister said that he had recommended Mr. Masson to a judgeship because, after personal conversation with him he had found that gentleman was well qualified for the position. If there must be an examination, I think a board of examiners should be appointed for the purpose. I understand that the examination in this case occupied one hour, an that it was as follows :—

EXAMINATION OF MR. MASSON.

Time, 1 hour.

1. What is the meaning of the terms Plaintiff and Defendant ? Give Examples.
2. What is statute law ? Illustrate with copious references to the "Remedial Bill."
3. How would you open a court ?
4. Give the rule in Shelly's case.
5. Explain "Freebench," giving the necessary words to be used by the widow claiming dower and the necessary accompaniments.
6. Define the duties of
   (a.) A crier.
   (b.) A constable.
   (c.) A janitor.
7. If a case is not ready for trial, what would you do ?
8. Give your answer (at length) to the vile Grit slander that you voted for the Remedial Bill to obtain a judgeship. Prove you never assisted Mr. Meredith in his crusade against separate schools in Ontario.

Make a short affidavit proving that you never read or in any way approved of
   (a.) Facts for Catholic electors.
   (b.) Facts for Protestant electors.
   (c.) The eye opener.

9. At what precise moment does the Ontario statute affecting the fees you expect when appointed to obtain from the Surrogate Court, come into force ? How would you defeat its operations ? Translate the legal maxim "Malus usus abolandus est," and show how it could be explained if any attempt was made by the incoming Liberal Government to apply the maxim to your own case.
10. If appointed, state truthfully :
   (a.) Can we hold the riding you represent ?
   (b.) What have you done to insure it to the Government ?
   (c.) How much will you subscribe and pay for campaign funds ?
11. Will you as revising barrister see that all lists you revise will make it impossible for any Liberal to be elected under such lists ?

This has been handed me as a record of the questions asked, but I think it is too much to expect of the hon. Minister that he shall personally examine candidates. It can only be done in certain cases. We all regret that the hon. Minister has been ill. But we know the cause—that his multifarious duties have been added to by imposing upon him this work of examination of candidates. I trust that if further appointments are to be made, a board of examiners will be appointed. and thus save the health of the Minister.

Mr. DICKEY. I do not know whether we are indebted to the industry of the hon. member for Guysboro' (Mr. Fraser) for this list of questions, or whether he has been using somebody else's humour. But in reply to the hon. member for South Oxford (Sir Richard Cartwright), I beg to say that he will be aware that I had never seen this Act before, and I would ask him if it has passed into law.

Sir RICHARD CARTWRIGHT. I am so informed.

Mr. DICKEY. I was not aware of it, and I have sent for my deputy and shall be glad to take this question up later if there is anything further to be said.

Mr. BORDEN. The hon. member for Assiniboia (Mr. Davin) regretted the degeneracy into which this debate had fallen, he characterized it as an assinine debate, and said he proposed to introduce some common sense into the discussion. We all may have our views as to whether the hon. gentleman is the best witness as to his own ability to introduce common sense into this discussion. But from what we know of him, we are pretty well aware that there is no gentleman who has a higher opinion of the ability of the hon. member for West Assiniboia to do this than the hon. member for West Assiniboia himself. We remember an occasion, some years ago, when the hon. gentleman found it necessary to criticise the occupants of the Treasury benches. We know that he has lucid intervals during which he is able to see imperfections in the members of the Government. But whatever speeches he may make, we know that his vote will be always on their side. We remember how on one occasion he proposed by a physiological operation—I cannot use the hon. gentleman's own language—to instil brains into the heads of the members of the Cabinet. The gem of common sense which the hon. gentleman gave us this afternoon was the proposition that, in view of the fact that a commission was being sent to confer with the Manitoba government and procure settlement of this much vexed school question, this House should have passed the second reading without a division, for the purpose of having an effect—although he did not explain what—upon the province of Manitoba, and so lead to a better result for the negotiations. This was the hon. gentleman's only effort to introduce common sense into the discussion, and I think all the members of the committee will agree that it was not eminently successful. I suppose the object in passing this Bill without a division would be to impress upon the government of Manitoba that this House was unanimously in favour of passing this measure. Nothing could have been more opposed to the facts than such an idea. We know that the second reading was carried by a very small majority, indeed, and surely it would have been improper for hon. gentlemen who were opposed to the measure to vote for it in order to influence the government of Manitoba with whom the Government were about to enter into negotiations.

The hon. gentleman read from what he said was a Liberal newspaper in the North-west with reference to the proceedings in this chamber. That was not a fair statement, because the paper from which he read, the Winnipeg "Free Press" is well known to be the organ of the minority in Manitoba, the organ of the Opposition of the Greenway administration. But I have still greater fault to find with the hon. gentleman with reference to this article. Would you believe it, Mr. Chairman, the hon. gentleman suppressed a portion of the article of which he purported to read the whole. I will read the portion which the hon. gentleman did not read :

> The remedial order was adopted for political effect, an early election being then thought probable. That was a mistake, for instead of passing the order, if a settlement was their object, they should first have approached the Manitoba authorities, and ascertained what they were prepared to do under the altered circumstances. But, no ; they were playing to the electorate gallery too, and the order was made.

This is the very contention made on the floor of this House that the order was issued by the Government with indecent haste, and instead of issuing it at that time it was the duty of the Government to approach Manitoba and see what arrangements could be made. But the organ of the minority, the leading organ opposed to the Manitoba government states that it was a mistake to issue the remdial order, and that the reason why it was issued was that this Government were "playing to the electorate gallery, too."

I sought an opportunity to answer the hon. member for Pictou (Sir Charles Hibbert Tupper) when the question of Mr. Masson's appointment was before the House. But I failed to catch your eye, Mr. Chairman. The hon. member for Pictou used what is called the tu quoque, or "you're another" argument. He seemed to think that it was sufficient answer to the charge that this Government had improperly appointed Mr. Masson to a judgeship to say that Mr. Mackenzie's Government had been guilty of similar acts of wrong-doing. I deny that there ever was a case under Mr. Mackenzie's regime similar to the one under discussion. But the point to which I take special exception in the hon. member for Pictou's speech is that with reference to the Hon. Mr. Ross and the late Hon. Mr. Coffin, who were members of the Administration of Mr. Mackenzie. The hon. member for Pictou, while exonerating the Mackenzie Government from improper motives in making the other appointments, singled out these two gentlemen, Mr. Ross and Mr. Coffin, for the special charge that they had sold themselves to the Liberal Administration. Now, I think the hon. gentleman ought not to have made a charge of that kind against those two gentlemen, especially he should have hesitated to make the charge against the late Mr. Coffin, from the fact that that gentleman is dead, and is unable to defend himself against the aspersions of the hon. gentleman. I think it was unfair to the family of the late Hon. Thomas Coffin that such a charge as that should be made at this time. I think the hon. gentleman should withdraw that charge, and I believe he will do so when he is better acquainted than he seems now to be with the facts. The exact words used by the hon. member for Pictou are these :

> That reminds me that the Liberal Government of 1874-78 came into existence by trafficking in Cabinet positions. They stole from their opponents three or four members of this House. They took Mr. Ross from the Conservative ranks, and when he appeared in the Liberal ranks, he was a full-fledged Minister of the Liberal Cabinet. They dealt with Mr. Coffin in the same way.

Now, with reference to Mr. Coffin and Mr. Ross, I claim to have some knowledge.

Mr. DAVIN. If the hon. gentleman will allow me—I understand he stated that in reading from the "Free Press," I garbled it, that I omitted a sentence. I did not omit a syllable ; you will see by the "Hansard" that I read every line.

Mr. BORDEN. Well, I was listening very closely, and I did not hear the hon. gentleman read one sentence.

Mr. DAVIN. I read every line, Mr. Chairman.

Mr. BORDEN. Then I withdraw the statement, and am sorry I made it. But I did not hear the words. Now, would the hon. member for Pictou say that Sir Albert Smith and the Hon. Isaac Burpee, who were precisely in the same position as Messrs. Ross and Coffin, sold themselves to Mr. Mackenzie for Cabinet positions ? He can scarcely distinguish, I think, between these hon. gentlemen. I must remind the hon. gentleman that at the time to which he refers, the Conservative Government had been convicted of a heinous political crime, the Conservative Government of that day had been proved to have sold a railway charter in order to get funds to corrupt the electorate. That is a matter which had been proved before a royal commission ; and surely then the hon. gentleman can scarcely say, in view of that fact, that all the gentlemen who thought it was their duty, in the interest of public morality, to leave the Conservative party of that day, were men who had to be purchased in order to do that. Now, what are the facts in reference to Messrs. Ross and Coffin ? I am told by those who were here at that time, that so far from Mr. Mackenzie having selected, in the first instance, either one of those gentlemen to enter his Cabinet, there was a meeting held of the opponents of the Government from the province of Nova Scotia, at which it was agreed that Mr.

Ross and Mr. Coffin should be members of the new Cabinet to represent Nova Scotia.

Sir CHARLES HIBBERT TUPPER. Has the hon. gentleman ever seen that correspondence in Nova Scotia with regard to these two gentlemen going into the Cabinet, in which it is stated that they made arrangements to share their salaries with two other gentlemen ?

Mr. BORDEN. No, I can't say that I have.

Mr. WHITE (Shelburne). If the hon. gentleman makes some further inquiries, he will find that two gentlemen in the House did arrange to share the salaries with Mr. Coffin and Ross.

Mr. BORDEN. I was here during those five years, and I never heard that such a thing took place. I do remember now that the hon. gentleman speaks of it, that the charge was made.

Mr. WHITE (Shelburne). The charge was made by the two gentlemen who were paid.

Mr. BORDEN. Who were they?

Sir CHARLES HIBBERT TUPPER. One of them is living, Col. Ray, a former member of this House.

Mr. WHITE (Shelburne). The other one is dead.

Sir RICHARD CARTWRIGHT. Is that the way you manage things in Nova Scotia ?

Mr. BORDEN. As the hon. gentleman has seen fit to slander the memory of dead men, I think it is his duty now, if he has any evidence to support the statement he makes, to give us the whole of it here. I do not believe one word of the statement made by these two hon. gentlemen, that there was any corrupt bargain between Mr. Coffin and Mr. Ross and some other men, that they should share with those men the emoluments of their Cabinet positions. I do not believe it, and I shall require something stronger than the statement which has been made now, to induce me to accept that as a fact. I never heard it before as an accepted fact.

Mr. WHITE (Shelburne). You just said that you had heard of it before.

Mr. BORDEN. The rumour, but I never heard before that Mr. Ray was charged with receiving anything. I was intimate with all of these men, and I must say here at once that I never heard anything that would lead me to believe there was any truth in the statement, or that any serious charge of this kind was ever made. It is to be remembered that Mr. Coffin and Mr. Ross had abundant reason for leaving the Conservative party at that time, in the developments which had taken place in reference to the Pacific scandal. I say further that Mr. Mackenzie had nothing to do with it any more than to get a vote of the members supporting him from Nova Scotia, who agreed that Mr. Ross and Mr. Coffin should be Cabinet members representing Nova Scotia. The hon. member for Pictou knows that neither Mr. Ross nor Mr. Coffin were Conservatives ; those gentlemen had been Liberals.

Sir CHARLES HIBBERT TUPPER. They had been supporting a Conservative Government.

Mr. BORDEN. They supported a coalition Government. I would point out to the member for Pictou that Mr. Howe, who surely was not claimed to be a Conservative, took office under Sir John A. Macdonald sometime previously ; and with him a number of Liberals, including Mr. Coffin, and, I think, Mr. Ross, had given a certain degree of support to the Government of that day after the better terms arrangements had been made, and after Mr. Howe had gone into the Government in order to secure those better terms. They were never ranked in Nova Scotia as Conservatives, or even as Liberal-Conservatives. They appealed to the electorate on all occasions as Liberals. They were opposed to confederation, and in 1872 they were elected as Liberals. Consequently, it is not fair to slander the memory of Mr. Coffin, and to slander Mr. Ross, by such an outrageous charge as that they had sold themselves and deserted the Government for the purpose of securing positions in Mr. Mackenzie's Cabinet.

Now, a good deal has been said with reference to the sincerity of the Government in their apparent attempt to pass this remedial measure. I think it would be interesting at this moment to read to the committee some words uttered by a former member of the Cabinet, a gentleman who last July left the Cabinet on the ground that he did not believe the Government were honest in their intention of passing a Remedial Bill, and who, unlike his two companions who went out at that time and returned, has remained out ever since. I refer to the Hon. Mr. Angers. Shortly after he had severed his connection with the present Cabinet, Mr. Angers, on 11th July, 1895, in his place in the Senate said :

> I say that between this day and the day that Parliament is to meet again such an excitement will grow over the country that if Parliament hesitates to-day it will then be afraid. I believe remedial legislation has received such a blow by the action of the Government that we will never have it, and consequently I could not take upon myself the responsibility of remaining with them.

Well, Sir, these were eminently prophetic words ; every word uttered by the Hon. Mr. Angers then has been verified.

Sir CHARLES HIBBERT TUPPER. Do you believe that they will ever get remedial legislation ? You say that is a correct prophecy ?

Mr. BORDEN. Well, I am not in the witness-box. I might just as well ask the hon. gentleman what he thinks.

Sir CHARLES HIBBERT TUPPER. I think they will get it.

Mr. BORDEN. Let me read to the committee another statement which was made in the newspapers at that time:

> A gentleman high up in the counsels of Sir Adolphe Caron, was heard to say that he has learned from Sir Adolphe's own mouth that it is the purpose of the Government not to force the Manitoba school question to a vote this session. The introduction of a remedial measure will be delayed as long as possible and the discussion will be prolonged until the present Parliament expires. They will then go to the country telling the "Bleus" of Quebec that the obstruction of the Liberals prevented the carrying of remedial legislation, while the Tories of Ontario they will present the other face that no interference with Manitoba was ever intended.

Sir ADOLPHE CARON. I beg the hon. gentleman's pardon. Might I ask him who my well-informed friend is?

Mr. BORDEN. I am not able to give the name.

Sir ADOLPHE CARON. But why should the hon. gentleman say a well-informed friend of mine?

Mr. BORDEN. I am reading from a newspaper.

Sir ADOLPHE CARON. What newspaper?

Mr. BORDEN. This is a telegraphic despatch from Ottawa to one of the maritime province papers, during last session of Parliament, which seems to be prophetic as well as the statement of the Hon. Mr. Angers.

Sir ADOLPHE CARON. It may be prophetic, but it is all an invention.

Mr. BORDEN. "They will then go to the country telling the 'bleus' of Quebec that the obstruction of the Liberals prevented the carrying of remedial legislation." If not that, what are they doing?

Mr. MILLS (Annapolis). What paper are you reading from?

Mr. BORDEN. I am reading from the Halifax "Chronicle."

> This is how they expect to ward off any adverse vote in the House. And they will be aided by the dissatisfied Tories, who, while opposed to remedial legislation, do not want to defeat the Government.

The prophecy of the hon. gentleman's former colleague, Hon. Mr. Angers, cannot be disputed, and is entitled to consideration. Whether the telegraphic report is a matter of such consequence is a matter of opinion, but it will turn out that that report is prophetic. I do not charge the Postmaster General with want of sincerity; I would be inclined to disagree with the statement contained in that article, that he did not want the Bill to pass. But I think that the hon. gentleman has been very unfortunate in his associates, and he has been overconfident in some members of the Cabinet to which he belongs. If the hon. gentleman had remained with Mr. Angers, out of the Cabinet, and if the Minister of Public Works had remained out, those hon. gentlemen would have had a chance of passing the Remedial Bill enormously greater than they have possessed since they capitulated to the Government and returned to the Cabinet. Hon. Mr. Angers remained out. He could not conscientiously return, because he believed that the Government to which he formerly belonged had no honest intention of passing the Bill, and events have abundantly shown the foresight of that hon. gentleman.

There are many reasons why this committee should rise and report progress. If the Government had not continued to pursue this insane policy of sitting here day and night, private business would have been pushed forward to-day, this being private members' day. On the Order paper there are several important questions. There is a motion of which I gave notice a long time ago. There is a motion with respect to borings across the Strait of Northumberland with a view to affecting the approaching elections. There are a number of notices of motion which are of interest and importance. Among the Public Bills and Orders, we have "An Act respecting Interest;" "An Act concerning Drainage on the Property of Railway Companies;" "An Act to amend the Law relating to Conspiracies and Combinations formed in restraint of trade;" "An Act respecting the House of Commons;" "An Act to facilitate Voting by Employees at the Elections of Members of the House of Commons;" "An Act further to amend Chapter 7 of the Revised Statutes of Canada, being the North-west Representation Act;" "An Act further to amend the Dominion Elections Act." Then, there is a notice to resume adjourned debate on the proposed motion of Mr. Jeannotte for the House to go into Committee of the Whole on Bill (No. 21) "An Act further to amend the Bank Act." The hon. member for L'Assomption (Mr. Jeannotte) must have desired this debate to be resumed; yet we find him assisting the Government in their determination to deprive the members of their day, and their last day for pushing forward these Bills. Then, there is consideration of amendments by the Senate to Bill (No. 4) "An Act respecting the liability of Her Majesty and Public Companies for labour used in the construction of Public Works."—(Mr. McLennan.) That hon. gentleman, I regret to say, is assisting the Government in depriving private members, including himself, of this opportunity to push forward Bills. Then, there is on the paper an order for second reading of Bill (No. 13) "An Act to amend the Dairy Products Act."—(Mr. McLennan.) This is an important Bill; yet the hon. gentleman is preventing its progress by supporting the Government in their present action. Then, there is the order for resuming adjourned debate on the proposed motion of Mr. Sproule for the second reading of Bill (No. 11) "An Act respecting Detective Corporations and Mercantile Agencies." I can make an exception in this case, because the hon. member for East Grey (Mr. Sproule) is endeavouring to compel the Government to come down to reasonable methods of doing business and prevent continuous sittings, day and night. Then, there is the second reading of Bill (No. 13) "An Act to determine the length of the working day for Workingmen and Labourers employed on Public Works."—(Mr. Lépine.) I am sorry there is no clause in the Bill to determine the length of the working day of a member of this House. That hon. gentleman, who claims to be the special representative of the workingmen, is assisting the Government in taking away from private members their last day for pushing forward Bills. Then, we have "An Act further to amend the North-west Territories Act;" the second reading of Bill (No. 18) "further to amend the Trade Mark and Design Act."—(Mr. Coatsworth.) No doubt, this is an important Act, demanded by the hon. gentleman's constituents; yet the hon. gentleman is engaged in supporting the Government in its coercive policy and to take away private members' day. Again, there is the second reading of Bill "to amend the North-west Territories Representation Act."—(Mr. Davin.) That hon. gentleman is interested in the development and future prosperity of the North-west and yet he is engaged in supporting the Government in depriving private members of this the only day when this and other measures can be pushed forward and become law. Then, we have the second reading of Bill (No. 24) "An Act to prohibit the importation and immigration of Foreigners and Aliens under contract of agreement to perform labour in Canada." This is a Bill introduced by Mr. Taylor, the Whip of the Conservative party. That hon. gentleman is engaged in the unholy design on the part of the Government of taking away the only day when this Bill could possibly become law. We have next the second reading of Bill (No. 46) "An Act to promote the safety of Railway Employees."—(Mr. Maclean, York.) I must excuse Mr. Maclean from any such intention as I have indicated in some other cases, because he is engaged with many other members in resisting this attempt to coerce Parliament and deprive private members of their rights. Then, there is the second reading of Bill (No. 51) "respecting Insolvency." Again, there is second reading of Bill (No. 55) "An Act further to amend the Dominion Elections Act."—(Sir Charles Hibbert Tupper.) Then, there is "An Act respecting the Assignment and Attachment of the Salaries of Public Employees;" "An Act respecting Debentures of Loan Companies."—(Mr. Tisdale.) That hon. gentleman is engaged in supporting the Government in their course. Then, there is the order to resume adjourned debate on the proposed motion of Mr. Davin:

> That it is necessary to (1) the prosperity and progress of the North-west Territories, important to the stability and progress of the Dominion, and of great moment to the Empire that the North-west Territories shall be treated on a different footing from that of heretofore; (2) That the self-respect of the people of the North-west, not less than the material interests of those vast Territories demands that the Territories shall not be treated on a plane of inferiority; (3) That the climate, soil and conditions generally of the North-west are different from those of other parts of Canada, and a policy specially adapted to its needs and resources is called for in order that the settlers shall be rendered prosperous and immigration policies be made effective.

That is a most interesting motion to be moved by the member for Assiniboia (Mr. Davin); but I regret to say again that that hon. gentleman is supporting this policy of the Government to take away the only opportunity afforded of considering this important matter. So I might go on; but I do not desire to detain the House unnecessarily, as we are approaching the end of the session, and I have given the committee, I think, abundant reasons why it should rise and report progress.

Mr. STUBBS. This committee is still considering the motion I moved thirteen or fourteen hours ago that the committee rise and report progress. I submitted that motion honestly believing that hon. members were not capable of discussing the clauses of the Bill and that they needed sleep and refreshment. This being a very important Bill, as we have learned on the authority of the Secretary of State, it should be discussed with the full intelligence of the House present, and it is not reasonable that a Bill of such gigantic importance should be "railroaded" through the committee when the legal members are compelled to be absent. In moving that the committee rise, I did my duty. The committee has sat twelve or thirteen hours since I moved that resolution. I now ask the Government to allow the committee to rise. The people of this country are getting tired of this Bill being forced through the House against the wishes of the public and in the absence of leading members of the House. It must be intelligently discussed, and I am sorry to say that the hon. gentlemen in charge of the Bill absolutely refuses to give the necessary information when asked by hon. members. It is not reasonable that a new member like myself should be able to give an intelligent vote on provisions of the Bill which I do not understand. My constituents will ask me questions and explanations of the various clauses of the Bill; but I am not capable of giving them. I have failed to get the various clauses explained. When I was elected to represent Cardwell, I thought I was coming to the Dominion Parliament to associate with hon. members who would elevate me intellectually, but I am sorry to have to acknowledge the object of my life has failed to materialize. I am associated with hon. gentlemen from some of whom I expected something better, and the people will resent what I call an insult to the hon. member for Cardwell. I repeat that I have failed to get explanations from the Minister when I asked for them, and so it is impossible for me conscientiously and honestly to vote the clauses of this Bill. I would like to have things explained and I am sorry that this privilege is denied. When we know from following the debates as well as the decisions upon these various cases that the best legal talent give a confusion of opinions upon this Manitoba school question, it becomes all the more necessary that we should have a full discussion of the details of this matter, and I think those having the Bill in charge should be ready to answer questions asked of them. According to the hon. Secretary of State (Sir Charles Tupper), the minority are crying to Heaven for justice. But when the commissioners went to Winnipeg they offered a settlement on a basis which would give the minority much less than is provided for in this Bill. They considered only the interest of the minority in cities, towns and villages. But are the minority of the minority, who are in the rural districts, not to be considered? It may have been the hot shot from my hon. friend from East Grey (Mr. Sproule) and my hon. friend from North Bruce (Mr. McNeill) that brought the coon down a little. But when a commission failed, the coon has gone higher and the old demands are renewed. I think that when the people get the chance to load the gun they will bring the coon down from the highest branch, and when it does come down the "critter" will be found scarcely worth skinning. I gave the other day, as a parallel case to this the report of the commissioners from the Educational Department of Ontario to inquire into the condition of the Ottawa separate schools. That report showed that these schools were not satisfactory. If this is the case with schools like those of Ottawa under the direct control of the Education Department, how can we expect that schools will be satisfactory that are under a board of the minority's own appointment? It must not be forgotten that the complaints about the schools here were not made by Protestants but by gentlemen whose children were attending these separate schools, they were not making the progress that the parents thought desirable. Many hon. gentlemen who are now present were not in the House when I read from this report. I shall not, however, repeat what I read then, but shall proceed with another portion of the report dealing mainly with the instruction in English. The recommendation in favour of the teaching of English in these schools is one which must be endorsed by all. Our country lies alongside that inhabited by sixty or seventy millions of people, the vast majority of whom speak English. It is the duty of the people in every part of the Dominion to see that the children are taught English, that they may not be handicapped in the struggle for life.

(The hon. gentleman read from the report referred to.)

Before this Bill is read a third time, I hope the Government will see their way clear to have a clause inserted, making it compulsory upon those schools, when they are in a French settlement, to use bilingual books, and make it compulsory upon them to have the English language taught to a certain extent each day, say for an hour, or an hour and a half. (The hon. gentleman resumed reading.) I am glad that in this Remedial Bill there is a clause providing that the teacher must be able to teach the English language intelligently. If that clause was amended so as to provide that the English language should be taught an hour each day, the children would be greatly benefited by it. (The hon. gentleman resumed reading.) The committee are doubtless aware of the character of the teaching, and the results obtained, in the separate schools here in Ottawa. You would naturally expect that those who use the separate schools would take an interest in them, and would insist upon their children being well taught. But if the schools have been so neglected here in Ottawa, how can we expect that in the rural districts of Manitoba, outside of the control of any educational committee, who are responsible for the manner in which the money is spent, there will be any better system than has existed in the city of Ottawa. For this reason, I am opposed to this Bill in its present form. (The hon. gentleman resumed his reading of the report.)

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into committee.

(In the Committee.)

Mr. HUGHES. Mr. Chairman, on Saturday last the hon. member for West York (Mr. Wallace), in addressing the House, made reference to a number of Liberal-Conservative members who had not been active in giving pronounced opposition to this Bill in committee. Among others, he referred to some who had been devoting their time to writing anonymous letters to the papers, and mentioned particularly a letter that appeared in the "Mail and Empire," signed

"West York Conservative." I understand that the hon. gentleman has intimated that he referred to me as the writer of that letter, and, with your permission, Mr. Chairman, I would like to ask him if he referred to me.

Mr. WALLACE. I would like to ask the hon. gentleman if he understood himself to be referred to.

Mr. HUGHES. The "Globe," of Monday, has the following :—

> A notable incident occurred last night when Mr. Clark Wallace was addressing the House. He was alluding to the silence of Ministers and members who support the Remedial Bill, and directed his attention to Mr. Sam Hughes, M.P., and said there was one member of the House who was afraid to make attacks on him face to face, but used the columns of the "Mail and Empire" to make his false and malicious attacks, and hid his identity by giving it the untruthful signature "West York Conservative." There was no mistaking the M. P. to whom reference was made, but no defence was forthcoming.

Now, I took the liberty of speaking to the representative of the "Globe," and he gave me distinctly to understand that I was the member referred to, and that the hon. member for West York had given him that information. I would like to know if the hon member for West York had reference to me.

Mr. WALLACE. I am still listening for the hon. member for North Victoria (Mr. Hughes) to make his statement. I do not know by what rules of Parliament the hon. gentleman has the authority to catechise me. If he wants any statement from me, I am quite sure I shall be ready, if the opportunity occurs, to make it.

Mr. HUGHES. Mr. Chairman, that is just about the size of the answer I expected. I took the liberty yesterday as soon as this matter was drawn to my attention, of telegraphing to the editor of the "Mail and Empire," not knowing but that some person had possibly used my name or taken advantage of my frank to send a letter from here ; and I have received the following answer to my telegram :—

> The letter signed "West York Conservative" was not written by you.

I may state that I am not in the habit of writing anonymous letters. I never wrote the letter, never saw it, and had no connection, direct or indirect, with it. When I have anything to say to the hon. member for West York or to any other member of this House, my policy, as he knows, is not to hit behind the back, but to come out in the open, and let him know exactly where I stand.

Mr. SOMERVILLE. Where do you stand on this Bill ?

Mr. LANDERKIN. On both sides.

Mr. HUGHES. The hon. gentleman will have an opportunity of knowing where I stand, possibly before I am through ; and before the elections are over, he will probably have an opportunity of knowing where he stands. Now, Mr. Chairman, no man in this House has regretted as much as I the course pursued during the past six months by the hon. member for West York. Until a few months ago, no man in the whole Dominion of Canada stood higher in my estimation than that hon. member.

Mr. LANDERKIN. That was his misfortune.

Mr. HUGHES. But when I find him in the course of this debate maligning every hon. member of this House who does not choose to follow in his tail, who does not choose to recognize him as a pope in all these matters, then I must certainly refuse to follow that hon. gentleman's lead any further. Speaking of anonymous letters, I want the hon. member to understand that I am not in the habit of writing anonymous letters. I do not recall an instance when it was ever necessary for me to write one, or when I ever wrote one ; but I will take the liberty of referring briefly to a little newspaper correspondence which will show who is possessed of the spirit to write anonymous letters, the hon. member for West York, or other hon. members of this House. Many members will recall the incident that occurred a few evenings ago—I think it was last Saturday evening—when the hon. member for West York, who stood in his place last night and said that he had not attempted, either directly or indirectly, to intimidate any one in this country, braved one of the young journalists of the press gallery in the corridor, and demanded of him why he had dared to insert some correspondence in the manner in which it was inserted. But the hon. member for West York struck a snag. The young newspaper man was not to be bullied, and would not bend to this self-constituted pope. It transpired that the trouble was about some correspondence that appeared in the Toronto "Evening Telegram," of Saturday. I do not know how the hon. gentleman got wind of it so soon, but he knew that this correspondence had appeared in that paper as coming from him. The correspondence, it seems, had been written by the hon. member for West York ; but it had been written in the third person, so as to appear in the paper as coming from the young newspaper reporter himself ; and the young newspaper reporter—who, I presume, as well as nearly all other newspaper correspondents, had been receiving frequent doses of this kind ad nauseam—declined to take the dose any longer. Now, I wish for the edification of the House, to read the correspondence furnished to this newspaper reporter by the hon. member for West York. It was written in the third person, but the reporter would not use it in that way. It was as follows :—

> Clark Wallace said this morning this significant thing in this struggle over the Remedial Bill is the success which has attended the efforts of those Conservatives who have obstructed the measure. They have stopped it in the House, and they will compel its withdrawal on the part of the Government. The Conservatives who stood up in the caucus of the party and objected to the Bill and who stood up in the House and spoke and voted against the Bill are very much on top, and those Conservatives, especially from Ontario, who voted for the Bill, or who votted against its second reading, so as to make a record for themselves, and then aided the Government directly or indirectly to get it through subsequent stages, are trying to square themselves with the public and are beginning to explain their position by speeches in the House.

This, remember, is from the pen of the hon. member for West York, but it was intended to be represented as coming from the pen of this versatile young newspaper reporter.

> The members who voted for the Bill and whose names are mentioned in connection with offices are also feeling very uncomfortable.
>
> The straight Conservatives who opposed the Bill throughout, and who made the big fight at the last stand, included myself, Dr. Sproule, Mr. McNeill, Mr. Maclean, Col. Tyrwhitt and Dr. Weldon. Throughout the week three or more of these six were on continuous duty in the House watching the measure. They were assisted by Mr. McCarthy, Mr. O'Brien and Mr. Stubbs.

The others were the gentlemen who made the attack, and the hon. member for North Simcoe (Mr. McCarthy) and his two followers assisted them.

> The other Conservatives who voted against the second reading were not active in opposing the Bill when in committee. Mr. Cockburn, Mr. Calvin, Mr. Carscallen, Mr. Wilson, Mr. Hodgins, Mr. Rosamond took no further part after voting against the second reading. Mr. Craig and Mr. Bennett voted a couple of times against the Government on the clauses.

Now comes the touch. I do not see my hon. friend from North Ontario (Mr. McGillivray here :

> As for Sam Hughes and Major McGillivray, both of whom voted against the six months' hoist and against the second reading, and who, according to Mr. Hughes, were the only genuine opponents of the Bill, they worked continuously with the Government, doing their best to get the Bill through the various stages of the committee.

These are the views of the "free and independent press" of the country, from the Atlantic to the Pacific, which the hon. member for West York stands up and waves his hands about :

> Mr. Hughes was on the regular Conservative relay, acted practically as whip to carry the Bill, and never once opened his mouth to oppose it, though he had declared in public that if ever the measure got into the House he would fight it at every stage.
>
> Mr. Henderson, of Halton, voted against the second reading, but was a most active worker for the Government when the Bill was in committee.

That is the opinion of the hon. member for West York, written with his own hand.

Mr. LISTER. But it is true.

Mr. HUGHES. If it is true, let the reporters tell it ; but it is as false as the great bulk of the statements which the hon. member for West York has been making throughout the length and breadth of this country.

> The six stalwart Conservatives who fought the Bill throughout were actively and persistently supported by Mr. McCarthy and his followers, Col. O'Brien and Stubbs.

Mark you, these stalwart Conservatives were in the tail of the hon. member for West York, with the hon. member for North Simcoe and poor Stubbs following in the rear. But here is something for the hon. member for North Simcoe :

> Mr. McCarthy never was so active, never so successful in a parliamentary fight. Clarke Wallace and McCarthy were the two big champions of Manitoba, and they have earned well deserved recognition.

And now comes in a little cream for hon. gentlemen opposite :

> Of course, the Liberals, and especially the Liberals of Ontario and the maritime provinces, and "Fighting Joe Martin," of Winnipeg, a host in himself, did a lot of heavy work, and were never off duty.

That should satisfy hon. gentlemen opposite, I am sure. Now, here comes the compliment :

> In this respect Mr. Mulock, Sir Richard Cartwright and Mr. Fraser, of Guysboro', were constantly in the fray.

The rest of the hon. members opposite who have sat here night after night, the hon. member for North Brant (Mr. Somerville), the hon. member for South Grey (Mr. Landerkin), the hon. member for West Elgin (Mr. Casey), the hon. member for West Ontario (Mr. Edgar), the philosopher from Bothwell (Mr. Mills), our good friend from King's, N.S., (Mr. Borden), and other hon. gentlemen who have held the fort here time and again in the good cause, will not, I trust, feel sore. The letter concludes :

> This comparative minority, supported as they were by the great body of public opinion in all the English-speaking provinces, won the day in the greatest parliamentary struggle known to Canada. Ontario saved Manitoba this trip.

Now, Mr. Chairman, I would like to know who is thus far shown to be guilty of anonymous letter-writing. The letter to which the hon. member referred the other night signed "West York Conservative," has never yet been seen by me, nor was I directly or indirectly a party to its preparation, nor did I know of its preparation or its existence. But the hon. gentleman will not deny that he, with his own hands, furnished to the press a report which he wised to appear as that of the young officer of the

"Telegram"; and when the young man refused to father it, he met him in the corridors and threatened to thrash him because he had ventured to exercise his right as a free man. Now, there are other anonymous letters. This House was called upon in the early days of this session to witness a most distressing scene. The Hon. Dr. Montague, Minister of Agriculture, was practically charged by the hon. member for West York with having been guilty of writing anonymous letters to the Prime Minister of Canada. The first letter was written about a year ago. It related to a circumstance that was known to the Prime Minister of Canada and to Dr. Montague, and Dr. Montague knew that the Prime Minister knew the fact long before he went into the Cabinet.

The CHAIRMAN (Mr. Mara). I think the hon. member is going rather too far.

Mr. HUGHES. I am merely defending myself against a charge made by the hon. member for West York, and I am proving that the man who made the charge is guilty of this kind of work.

Some hon. MEMBERS. Go on.

Mr. HUGHES. The Hon. Dr. Montague, I say, was well aware that the circumstances connected with this first letter was known to the Prime Minister long before the date of the letter. Therefore, why should the Hon. Dr. Montague write to the Prime Minister about something he himself well knew that the Prime Minister knew? The thing is absurd on the face of it.

The CHAIRMAN (Mr. Mara). I must call the hon. member to order. That has nothing to do with the Bill before the committee.

Mr. MULOCK. Mr. Chairman, it has a great deal to do with the Bill, I submit. The hon. gentleman is an opponent of the Remedial Bill, and he is taking his part now in a trick of obstruction.

Mr. HUGHES. There is no motion before the Chair in regard to the Bill. The motion is that the committee rise and report progress, and I do not think I am straying very much further from the rules than any hon. gentleman who has addressed the House during the past week. I do not charge the hon. member for West York with being an accomplice in writing that letter; but I presume that it was written by some one who did not know that Dr. Montague and the Prime Minister knew the circumstance to which it referred, and that the charges made in it had been exploded. The second letter was an entirely different affair. The matter to which that letter referred had been brought to the attention of the Prime Minister some time before the date of the letter, and Dr. Montague knew that the charges it made had been disproved, and he had no necessity to write it. But the people of Canada will have an opportunity of comparing the handwriting of that second letter with the handwriting of the hon. member for West York, and I leave them to judge who was the guilty person, the Hon. Dr. Montague or another gentleman in this country. So much for anonymous letter-writing.

Mr. LANDERKIN. Mr. Chairman, I rise to a point of order. The point is this, that in regard to the anonymous letters the hon. member refers to, I understand, proceedings have been taken. They are, therefore, as the lawyers term it, sub judice, and are not to be spoken of by any person outside of the court. I think the point is well taken, Mr. Chairman.

Mr. HUGHES. The point is well taken, and therefore I will not say anything more about those anonymous letters. But, Sir, what has been the prevailing spirit of the hon. member for West York in connection with this whole affair? It is insane hatred and jealousy of the hon. Minister of Agriculture. Let me tell the hon. gentleman that no dearer friend had he ever in Canada than the Hon. Dr. Montague until within these few months. When Dr. Montague was offered a seat in the Cabinet, he refused to accept it, and claimed that the hon. member for West York (Mr. Wallace) should be taken in as his senior, and that he would take a subordinate position in the Government. I do not know what the objection was to the hon. gentleman. Many of us did our best to get him taken into the Cabinet, we stuck to him like men staunch and true, but whatever the objection was, he was not taken.

Mr. LANDERKIN. I rise to a point of order. The hon. gentleman is making known state secrets, and I would like to know the fountain from which he received his information?

The CHAIRMAN (Mr. Mara). A point of order has been taken. The debate is irrelevant. It has no connection whatever with the subject before the committee. I only allowed the hon. member to go on because there appeared to be a wish on both sides to allow him to proceed, but as the point of order has been taken, I must call him to order.

Mr. HUGHES. I bow to your ruling, Mr. Chairman, and shall not dwell any further on that point. We have been charged before this House and the country—those of us who chose not to sacrifice our own judgment in connection with the Remedial Bill to the course adopted—with being improperly controlled. I have a perfect right to defend myself on the floor of this House against any such charge by saying that the source from which that charge has come is in itself corrupt, or I will not say corrupt, because that may be unparliamentary, but is not of a nature to commend itself to the people of this country. There was an election in the county of North Ontario not very long ago. My good friend, Major McGillivray, was the candidate. Let us examine the conduct of our hon. friend from West York (Mr. Wallace) in that connection, and I shall merely speak of his public conduct. I will divulge nothing whatever of what transpired privately. In the first place, he demanded that Major McGillivray should pledge himself against remedial legislation. That, to my certain knowledge, Major McGillivray refused to do. He felt, as I felt, that the Manitoba government were honest in their professions of friendship and anxious to have a fair settlement. I believed then, and I believed until very recently, that the Manitoba government was perfectly honest in its desire to effect a settlement of this unfortunate question. Under that conviction, Major McGillivray refused to deviate from his allegiance to the Conservative party, and he fought out the elections on the lines of that party, paying no attention whatever to the attacks of our good friends of the Opposition with reference to the school question, but simply taking the lines of the old Conservative policy and platform. But the hon. member for West York spoke at Severn Bridge and Bracebridge on behalf of the hon. member for North Ontario (Mr. McGillivray). What was the burden of his speech ? On both occasions, as those of us who read the Toronto "Globe" will remember, his speeches were one continued attack on the hon. leader of the Opposition. He took the position then, which possibly, in the opinion of many, subsequent events have justified, of declining to accept the non-committal denial of the hon. leader of the Opposition to the statement that he had thanked God there were no Orangemen in the ranks of the Liberal party. From first to last, the hon. member for West York made that the key-note of his attacks, and conclusively proved that the hon. leader of the Opposition used the language attributed to him by the newspapers in the province of Quebec. That was the text of his speeches on those two occasions. He called upon the electors of North Ontario to support Major McGillivray in opposition to the candidate of the Opposition. Later on, the hon. member for West York resigned his seat in the Government. I shall not give the causes why he resigned his seat. He knows best, but I will say this, that the reason he resigned his seat was not the fact that the Remedial Bill was before the country. He resigned his seat the day previous to the election in North Ontario. And if ever his friends were horrified, it was when they received a telegram from the city of Toronto on the day previous to that election, stating that the hon. member for West York had resigned his seat in the Government. And the announcement thereof was being telegraphed, not to us but to our opponents, in every hustings in North Ontario. The hon. member for North Simcoe grew six inches taller that night on the platform at Bracebridge, as he read the announcement that the hon. member had resigned. He had bills printed and circulated throughout the riding giving the news. Throughout the southern portion of the riding, thousands of hand bills were distributed, saying that the hon. member for West York had resigned and calling on the electors of that county to rally to the polls the coming morning and defeat Major McGillivray. But to show that the voice and name of the hon. member for North Simcoe (Mr. McCarthy) amounts to nothing in that county and that the voice and name of the hon. member for West York amounts to nothing, when separated from questions of principle, the announcement did not alter two votes in the whole riding. Why did the hon. gentleman not mail his resignation on that day, instead of wiring it to Ottawa as he did ? Why did he think it necessary to wire ? When his bosom friend, the man who had stood by him, possibly second only to myself in all Canada, as a friend, the hon. Finance Minister (Mr. Foster), was within a stone's throw of him in Toronto on that day, why did he not consult him and make to him the announcement that he had resigned from the Government. But no, he chose to wire his resignation to Ottawa, in order that it might be telegraphed throughout the length and breadth of North Ontario and defeat Major McGillivray in the struggle. And the next day, when it was announced that Major McGillivray's majority was 800, he said: although I am knocked out this time, I will get even ; and he wrote a letter congratulating Major McGillivray on his majority. Now, there was another election in the Dominion. The Liberal-Conservative party of this country deemed it expedient and proper that the High Commissioner for Canada in England should take a seat in the Cabinet. He ran an election in Nova Scotia. During that election, the heart of the present Secretary of State was gladdened by a gentleman handing him a letter to the following effect. The letter was not marked private :

> My dear Sir Charles :
>
> The bearer is Mr. Walsh, a staunch Roman Catholic and friend of mine who will be of great use to you down in the country.

This letter gladdened the heart of the hon. leader of this House in his campaign ; but when we find that the hon. gentleman, in another election, the election of the Controller of Inland Revenue (Mr. Prior), sent telegrams to the Orangemen of Victoria to defeat the hon. member for Victoria (Mr. Prior), and when we find that the influence of the hon. gentleman was exerted in the province of Nova Scotia among the Orangemen there, certainly not to support the Government on this question, what can we conclude to be the practice of the hon. gentleman ? Is he the man who can stand out and be in a position to charge another man with being unfair or untrue? At Severn Bridge, at Bracebridge and elsewhere, throughout the length and breadth of Ontario, our good friend has boasted of the famous speech he made in this city on the 12th of July last. I want to tell this House that the part of that speech, which he prides himself with so much gust on having delivered, was never delivered by him. It is almost equal to the Stratford speech of a certain other hon. gentleman. The speech had been prepared, I will not say how. In glancing over it, a number of his friends came to the conclusion that inasmuch as harmony and peace once more reigned among the brethren of the Cabinet, and as it was the intention to proceed along smooth and sunny ways in order to procure a settlement of the Manitoba school question, it would be possibly out of place for the hon. member for West York to use such violent language, as that down in the speech, and that it would be more becoming him and possibly more conducive to his obtaining a place in the Cabinet, if he were also to try the sunny ways of peace. Therefore the paragraph in his speech was marked out; but as the day was raining and it was clear that the rain might obliterate the pencil marks, a pen knife was brought into requisition, and the paragraph cut out so that the hon. gentleman could not possibly read it. But lo and behold you, a few minutes after I left the ground, I saw in the "Evening Journal" a report of the speech in its entirety, without the part which we had cut out being obliterated. Another copy had been furnished to the press, in which the correction was not made, and until this day that correction has not been made.

Hon. members of this House will remember the occasion, a few years ago, when we were divided on the question of a speech delivered by the hon. gentleman at Kingston on Home Rule. Who were the members that stood at his back then? Who were the men who upheld him, the Grand Master of the Orange body of Ontario, by their voice and their vote before the people of this country? They were the French Canadian Roman Catholics, standing shoulder to shoulder with the Protestant Conservatives from other parts of the Dominion, and they were led by the Postmaster General, Sir Adolphe Caron. These were the men who stood shoulder to shoulder by the hon. gentleman on that occasion. And I would like to ask who were the hon. gentlemen who hounded him down on that occasion? The hon. member for Addington (Mr. Dawson) was put up in jumping-jack style to move the resolution censuring the hon. member for West York. That resolution was supported by hon. gentlemen opposite. We can well recollect the speeches made then and on other occasions by hon. gentlemen on that side with reference to the hon. member for West York, when we stood at his back and defended him like men. We can remember the scathing terms in which the hon. member for North Simcoe (Mr. McCarthy) alluded to him in this House, when he and others told the hon. gentleman that he was not fit to earn $5,000 or $500 per annum, but only fit to peddle cheap cottons across the counter in a small country store. We stood to the back of the hon. gentleman, and these are the men who are allied with him to-day in order to defeat the Liberal-Conservative party in this Dominion. There is another point to which I wish to draw attention. The speech which the hon. gentleman made in Kingston was on Home Rule. Looking back to 1882, I find it recorded in "Hansard" that the hon. member for Victoria, N.B. (Mr. Costigan) moved a resolution on Home Rule, in which he asserted, among other things, that the rights of the minority in Ireland should be respected and that the dynamiters and the behind-the-hedge murderers should be liberated. The fifth clause of the resolution was this:

> We desire respectfully to suggest to Your Majesty that Canada and its inhabitants have prospered exceedingly under a Federal system, allowing to each province of the Dominion considerable powers of self-government, and we venture to express a hope that consistent with the integrity and well-being of the Empire, and of the rights and status of the minority are fully protected and secured, sure means may be found of meeting the expressed desire of so many of your Irish subjects in that regard.

The minority in that resolution is the Protestant minority. The next resolution is:

> We would further express a hope that the time has come when Your Majesty's clemency may without injury to the interests of the United Kingdom be extended to those persons, who are now imprisoned in Ireland charged with political offences only, and the inestimable blessing of personal liberty restored to them.

These resolutions will be found on page 1034 of "Hansard" of 1882. On the 20th April, the hon. member for West York spoke as follows (see page 1066 of "Hansard":—

> I have listened with great interest to the discussion which has taken place to-night on this important question. I have listened with great interest to the remarks of the hon. member for Gloucester (Mr. Anglin) and of the other members who have spoken in favour of Home Rule in Ireland, and I have still to learn definitely what these hon. gentlemen mean by Home Rule for Ireland. Are powers to be granted similar to those given to the provinces of the Dominion? I do not think to-day that if Ireland got those local powers it would be any great advantage, unless she also got powers of concurrent legislation. What Ireland requires to-day is what Canada has—a protective policy. No policy could be more beneficial to Ireland than a protective policy. I disagree with the remarks of the hon. member for Gloucester, when he objects to pressing the clause referring to the rights of the minority.

That is, the rights of the Protestant minority.

> That hon. gentleman was anxious a few years ago to have the rights of the minority respected

in his province. By the Act of Confederation the rights of the minority of Quebec were respected, and I am very much surprised that this clause should be objected to. I am not very much in favour of those resolutions, and I believe, with the hon. member for Hastings, they were introduced for political purposes. Though I object to a certain extent to the principles contained in them, and to what I believe to be the motives of the promoters, I agree in great part with what has been said, that Ireland has great grievances, and that they ought to be redressed; and that the English Government are not taking all the steps they should to redress them. If the passage of this resolution would have the effect of inducing Mr. Gladstone to pay more attention to Irish affairs and introduce measures for the relief of Irish grievances, nobody would be more gratified than the people of Canada.

So that our hon. friend was in favour of Home Rule. He was in favour of letting every political prisoner in Ireland at that day free, and he stood up manfully for the rights of the Protestant minority in that country.

I shall not take up the attention of the House any further than to say this. My course on the Remedial Bill, I claim, has been a straightforward one. I am not making any excuse. On the contrary, let me tell hon. gentlemen opposite that when they come to face their electors, it will be they who will require to make explanations as to their having voted for the six months' hoist. They voted that the Bill be not now read a second time, but that it be read the second time this day six months. I voted against reading it this day six months, because I do not want it read the second time at all, either this session or six months later. My course is perfectly consistent, and there is at all events one individual perfectly satisfied with it. I will not play the old man and his ass, but I will satisfy one man first, and I am perfectly satisfied that most of my friends will be satisfied afterwards. There are a thousand and one other reasons why we should vote against the six months' hoist, but this is not the time nor the place to discuss them. So far as the history of this Bill is concerned, it is known to my friends in the Government that for over a year I have worked persistently in the direction that the question should be settled by Manitoba. I am delighted at the stand taken by Sir Donald Smith on this question. My course was the same as his, and I advocated that the question should be settled first by the Manitoba government if they will settle it. But, in case the Manitoba government will not settle it, I would say, as I shall say to the Prime Minister of that province, if I have the honour to meet him in Ottawa: that the course of the Manitoba government undoubtedly seems as though they were playing into the hands of the Opposition in this House. I have given the Manitoba government credit for honesty, and have endeavoured to help them as much as any man could. I have, again and again, endeavoured, as the hon. gentleman (Mr. Wallace) knows, and as the Minister of Finance knows, to have this matter settled by Manitoba. Let us look at the proposals made by the Manitoba government to our commissioners. I heartily endorse their offer of secular schools, but I am well enough posted to know that the great majority of the people of Canada would never consent to that proposition at the present time, although many of the best clergymen of all denominations, Archbishop Ireland, a Roman Catholic, the Rev. Dr. Chambers, a Methodist, and scores of other clergymen in Canada and the states, have come out boldly in favour of secular schools. The other alternative proposal of the Manitoba government is that the religious exercises shall be such as are provided by the statute. That may mean something or it may mean nothing. The next clause in their alternative offer is that these religious exercises shall only be utilized with the consent of the majority of the trustees. Well, Sir, if they have the right to teach religion at all, they should have the privilege of teaching it from half-past three to four o'clock, whether they are in the majority or in the minority. The other night the hon. member for Muskoka (Mr. O'Brien) made a statement which he had the manliness to retract when he was proven wrong. But what is the course of some other hon. members? The hon. member for Grey (Mr. Sproule) made some criticism in regard to my having been offered preferment by this Government. I was never offered preferment by this Government. During the crisis, when the member for West York (Mr. Wallace) was offering to help Sir Mackenzie Bowell to elect his candidates in the various provinces of the Dominion, I did refuse to enter a Ministry—I have been told since it was a Ministry to be led by the hon. member for Albert (Mr. Weldon). In fact, there were so many Ministries in the air at that time that I am not sure which one it was. Can the member for East Grey (Mr. Sproule) or any one else point out where in the British House of Commons any important measure such as this has been met with the six months' hoist on the second reading. The six months' hoist is used for private Bills, and for public Bills that do not threaten the existence of the Government, but the practice in the English House of Commons is to meet such a Bill as this with a motion affirming some principle in opposition to the Bill.

Mr. McNEILL. The Home Rule Bill and the Irish Church Disestablishment Bill, both important measures, were met with the six months' hoist.

Mr. HUGHES. In the whole record of English history there are very few instances in which such a Bill was met by an amendment for the six months' hoist. Above all, such a Bill as we are now considering should not have been met with that motion. I still trust that the government of Manitoba and the Dominion Government will meet and settle this important question. As the Ministers know, I have offered serious opposition to this Bill, and offered far more opposition to it than the hon. member for West York (Mr. Wallace) did. I leave it to the Minister of Finance and to the Minister of Justice, if they have not almost hated the sight of me, so often have I gone around to see them in connection with some of the provisions of this measure. But, if it was the intention of the Government to put the Bill through, I wanted to see it as perfect as possible. I have not stood up in the House and attempted to advertise myself as have some others. I have not, as a member of the Orange Society in this country, sought to influence any man in this House by improper motives or proper motives it may be. I have not written letters to them in order to influence them, and in order that they might write back to others. I have not attempted to build up a party within a party in order to try and burst the Conservative party, or to hold the balance of power, so that I might dictate to that party.

Mr. WALLACE. I shall trespass upon the time of the House for a few moments while I pay a little attention, although not very much to the statements which were made by the hon. gentleman (Mr. Hughes), to try and set himself right before his constituents and the public. He said that he had done more to oppose this Bill than had the member for West York, or any other member of the House. I am sure, Mr. Chairman, that will be news to every hon. member present. The hon. gentleman (Mr. Hughes) tells us that he did not write the letter to the "Mail and Empire" signed "West York Conservative." If he denies it, I suppose we are obliged to accept his statement, but if you take the trouble to read that letter, you will find that it is exactly similar to his speech to-night. Is it not a wonderful thing how great minds sometimes run in the same channel? In order to relieve the hon. gentleman's mind about the interview that appeared in the Toronto "Telegram," and which he has asserted I wrote every line of, I may say that I did not write a single line of it. If I did I would not have made such complimentary references to myself. I have never found it necessary to do so. Not one line of it was written by me.

Mr. HUGHES. May I ask, did he (Mr. Wallace) give it to the reporter?

Mr. WALLACE. The hon. gentleman is a good hand at asking questions, but it will take him all his time to answer a few questions which I propose to put to him to-night. The hon. gentleman (Mr. Hughes) started out with a great flourish of trumpets, to convict me of some wrong-doing in reference to a resolution of this House in 1882, but he did not succeed. He told the House that I was in favour of Home Rule, and in favour of freeing the political prisoners. I challenge him for the slightest tittle of evidence to prove that statement. I always favoured a system of local government in Ireland that would not interfere with the integrity of the British Empire. But I strongly opposed Gladstone's Home Rule scheme, because the open and avowed intention was to disintegrate the Empire, to separate Ireland from England, and as Mr. Parnell himself stated: to remove the last vestige of connection between the two kingdoms. I am heartily in favour of the system of county councils and local councils which they are now introducing in the British Parliament, because they give a system of local control which we have in Canada, and which has produced the most satisfactory results. Sir, I appeal to the members of the House to corroborate my refutation of the charge of the hon. member (Mr. Hughes) that I have attempted to interfere with any man's liberty in this House. I have repeatedly stated that each individual member of Parliament is responsible to his own constituents and to his own conscience, and to those alone. I am not shirking that responsibility, nor will the electors of North Victoria allow the hon. gentleman (Mr. Hughes) to shirk it. When he professes at one time to be an opponent of remedial legislation, and at another time he sits here day and night to promote it in every possible way, he will find that his constituents will size him up at his true value. I will let it go at that. The hon. gentleman (Mr. Hughes) has referred to certain anonymous letters which have been mentioned in this House earlier in the session. You, Sir, ruled him out of order in that reference, and he was very glad to get out himself, because the further he went on the worse he made it appear for his bosom friends of to-day.

Mr. HUGHES. Not much.

Mr. WALLACE. Well, the hon. gentleman seems to know all about it. Now, let us look at the position of the hon. gentleman himself. He told his constituents, through his own newspaper, that he was offered a seat in the Cabinet, and that he spurned such an offer because he would not barter his independence for any office that might be given him. The hon. gentleman (Mr. Hughes) is the Ottawa correspondent and editor of the Lindsay "Warder," his own paper, and I have it now in my hand. I may say that in this one article in the Lindsay "Warder," his own name is mentioned ninety-seven times.

Some hon. MEMBERS. Oh.

Mr. WALLACE. Yes, it is a conspicuous example of the hon. gentleman's extreme modesty. He says:

> Mr. Hughes believes in consistency. He opposed Sir Mackenzie Bowell's policy of remedial legislation before the crisis, during the crisis and since the crisis.

Where is he now ?

> During the crisis though very strong influences were brought to bear on Mr. Hughes to induce him to give up his principles upon the school question for personal preferment, he promptly refused to listen to any such proposals.

Was it the Government that made these proposals or was it somebody else. I would like to ask the hon. gentleman if the Government made these proposals to him, and what were they ?

Mr. HUGHES. I shall take the liberty to answer. It was not made by the Government nor was it made by the hon. gentleman (Mr. Wallace), who was very active in inducing other hon. gentlemen to enter the Cabinet at that time, and pledging them his support. It was made by a gentleman who was authorized, I believe, by the hon. member who was to select his Ontario colleagues in the Government.

Mr. WALLACE. If it were not unparliamentary, I would say : that is very like a whale. Who was the gentleman authorized to form a Government and who at the same time asked the hon. member to sacrifice his principles. It could not be any of the gentlemen who think as I do on this question, because at that time he was professing to have the same principles as we have.

Mr. HUGHES. The hon. gentleman (Mr. Wallace) at that time was willing to assist in electing remedial legislation candidates, and I was not.

Mr. WALLACE. The hon. gentleman who makes such a statement about me, says what is not true. I challenge a particle of proof to show that I ever did anything that would compromise the position I consistently have taken right through. The hon. gentleman has made that insinuation, and so has the "West York Conservative" in the "Mail and Empire," almost word for word. There is no truth in it. Now, we will again refer to Mr. Hughes. He says :

> During the crisis, though very strong influences were brought to bear on Mr. Hughes to induce him to give up his principles on the school question for personal preferment, he promptly refused to listen to any such proposals.

What has become of him now, where is he now ? Can any one tell ? Does he know himself ? Has he given up his principles and not got any preferment ? I will trouble the House with his further statement, made when he was called to time, no doubt, about this article. Some people said he was to get a position in the Militia Department, and some people that he was to get other positions, but he promptly declined all of these. Now, we will take his own statement about the matter. Here is the last issue of this Lindsay "Warder," and he says :

> During the crisis in January last when the seven Protestant Ministers left the Government, leaving Sir Mackenzie Bowell and other ultra remedial legislationists in the Cabinet, many attempts were made by anti-remedial legislationists to reconstruct the Ministry by filling the places of those resigned. In those attempts several who had been opposed to remedial legislation and are now back again against the measure, were found striving for positions in Sir Mackenzie Bowell's ultra remedial legislationist Cabinet, and for some days it seemed likely it would be reconstructed.

That is just what the "West York Conservative" said in the Toronto "Mail" :

> Every one was amazed to know that the gentleman referred to should seem capable of dropping their principles for office so easily.

Now, he has told us to-night that he was asked to step in some other Cabinet, and not that of Sir Mackenzie Bowell. I would like to have some explanation. It does not take more than an hour or two to explain why he made the statement to-night that it was some other government, or some other people who were forming a government, who asked him to go into it.

Mr. HUGHES. I will tell the hon. gentleman now. I will give it to him straight now.

Mr. WALLACE. Wait till I get through. In the Victoria "Warder" of the 10th of April, which is not yet a week old, the hon. gentleman says :

> At that time the member for North Victoria was twice approached by representative men to step into the Cabinet under Sir Mackenzie Bowell.

Now, what did he tell this House a moment ago ? That it was the Government of Sir Mackenzie Bowell that he was asked to join ? Not a bit of it ; but another Government, which, it was supposed, was being formed at that time. The article goes on :

> And on one occasion he was assured the position of Minister of Militia would be his if he would but accept office.

Now, Mr. Chairman, this was in the beginning of January, at the time the seven members of the Government had resigned their positions, and when it was supposed that the Premier was attempting to find colleagues. He looked all around this House, and he said : "There is only one man who can bring us to victory, and I must look to him ; that is, the member for North Victoria." He asked him to accept the office of Minister of Militia ; but, Mr. Chairman, with that virtuous indignation which always characterizes that hon. gentleman, with that fine regard for principles which nobody thinks he has, but for which he always professes to be a champion, he says : "No, I cannot sacrifice my principles for office." Sir Mackenzie Bowell was, no doubt, breaking his heart at that time because the hon. gentleman would not accept office; and the reason he was breaking his heart was because just at that time, when Sir Mackenzie Bowell was dying to have the hon. member come into his Cabinet, in the Victoria "Warder" of 10th January, he spoke of Sir Mackenzie Bowell in this way:

> Whether Sir Mackenzie Bowell plays the man and the patriot and sends for Sir Charles Tupper, senior, to form a Cabinet, or performs the part of a poltroon and a coward by seeking to wreck the party, is merely a question of a day or two at the farthest.

Well, he did not do either; but you must realize, Mr. Chairman, how anxious the Premier of this country, Sir Mackenzie Bowell, was to have the hon. gentleman in his Cabinet, after he had referred to him as a poltroon and a coward, which, if he had been such, would have made him unworthy not only to be the Premier of this country, but to hold any position in the gift of the people. Therefore, when we read in the "Warder" that Sir Mackenzie Bowell was just worrying himself to death to get the hon. member for North Victoria into the Cabinet, we must realize how exact and truthful the statements made by the hon. member in the Victoria "Warder" were. That statement made in this paper I will characterize, if he will permit me, as one utterly devoid of truth; because I am sure every hon. member of this House, except the hon. member for North Victoria, will endorse what I say, that Sir Mackenzie Bowell, after reading that article, would not go to the man who called him a poltroon and a coward, and beg him to enter his Cabinet, and would not feel that the salvation of the country depended on his acquiescing; and when he refused to agree to go into the Cabinet, when he refused to save his country, why was it, Mr. Chairman? Because it was going to be at a sacrifice of principle; and yet we now find this hon. gentleman, who refused to sacrifice his principles, sitting up all night, and every night, sacrificing his principles, and getting no reward that we can see. Is there some reward awaiting the hon. member, or is that a trick, or is it simply subserviency and a desire to act as a—perhaps I had better not use the word; it would not be quite parliamentary.

Mr. HUGHES. I have done enough for you.

Mr. WALLACE. I never asked the hon. member to sacrifice a principle for me, and never will. If the hon. member can mention an instance when I asked him to sacrifice a principle for me, I ask him to do it now. He does not do it, and therefore it is a slander. Where does this wiseacre, who deals in Cabinet secrets ad libitum, who tells us what the Cabinet are pledged to do, what they are not pledged to do, and all about them—where does he get the knowledge of all this? He says the Premier all along knew this or knew that; this was the course the Government were to take here, and that was the course they were to take there. How did he know all these things? Was he a member of the Cabinet without portfolio? Was he sacrificing his principles in some way not yet disclosed to this House? It is very interesting to read the "Warder" to find out what the country is coming to—to get an accurate diagnosis of coming political events. I am sure all the daily newspapers which want to get an accurate knowledge of the political events that never happened, and never will happen, will be anxiously going over the columns of the Victoria "Warder" to get the information. He tells us some interesting things about the present condition of affairs. He tells us this:

> The controlling influences in the Cabinet are now along the right lines, and North Victoria's member feels much more honoured in being a trusted supporter of such leaders as Sir Charles Tupper, Bart., Hon. John Haggart, Hon. Geo. Foster, Hon. Dr. Montague, Hon. John F. Wood, Hon. A. R. Dickey, et cetera.

Who are the "etceteras"? I look around, and I see the smiling face of the hon. Minister of Public Works, the hon. Postmaster General, and other members of the Cabinet, to whom he refers in this rather disrespectful way. He says:

> The gentlemen named are as much opposed to separate schools per se as are any men in Canada.

Now, we must have that matter thoroughly investigated, and find out whether we are to include the "etceteras" in this sweeping charge. That is another Cabinet secret of the "Warder." Who gave authority to let that out? It is the one member of the Cabinet without portfolio who discloses Cabinet secrets. I think we shall have to have an explanation. I gave the members of the Government credit for being in favour of separate schools, for which they have introduced a Bill in this House, and have been pressing it to a conclusion pretty vigorously for the last few weeks. I gave them credit for sincerity and integrity, and on the statement of the hon. member for North Victoria, the member of the Cabinet without portfolio who divulges their secrets, I will refuse to believe that the gentlemen named here, are as much opposed to separate schools, per se, as any men in Canada. Then he says of them.

> But like the sheriff with the condemned one——

I object to such a parallel, Mr. Chairman.

> —they are merely executing the judgment of the highest court in the Empire.

I would like to ask the hon. member for North Victoria, if they are only executing the judgment of the highest court in the Empire, why he did not assist them, and come out openly and vote for the Bill? The House and the country will demand why he opposed the judgment of the highest court of the Empire, if that is a judgment, and he says it is, and he does not want to vote against it; but he did vote against it. I could take up your time reading the apologies he made to the Government for voting against them on this question.

Now, Mr. Chairman, in another paragraph of this precious editorial, he says:

> As one who has firmly stood by Manitoba against his own friends and against the constitution, the member for North Victoria regrets the failure of his friends in Manitoba to act and grant a fair settlement.

Why, the hon. gentleman said that the province of Manitoba had made a fair, reasonable and proper proposal, and that their offer should have been accepted. Does he think that the province of Manitoba should have gone further in making concessions? If so, let him name the further concession he would ask them to make. Let him give this House the advantage of his opinion in that respect, because hitherto he has not done so, either in the columns of his paper or in his speeches in this House. Why, Mr. Chairman, this was said in that interview:

> Some men are busy explaining how and why they voted. Since the vote was taken on this question, at least three columns of the Victoria "Warder," of which Samuel Hughes is the editor and proprietor, have been devoted in each issue explaining how he voted and why he voted that way.

Sir, if he had voted right, he would not need to explain at all; a proper vote would explain itself. If he had voted in the way he had pledged himself to vote, and in the way his constituents understood he would vote—

Mr. HUGHES. I never pledged myself to vote any way.

Mr. WALLACE. What is the necessity for these long and laboured articles, which mean nothing? The hon. member, I will admit, used to say he was opposed to remedial legislation; but later on he became an astute statesman; he would not give things away; but he gave his friends away, apparently, and he gave himself away. He said the course of the hon. member for North Victoria was clear and straight. Of course, every one knows it was straight; it was not crooked; but he would not tell them what that course was. He left them in doubt; but like his colleague, the hon. member for North Ontario (Mr. McGillivray), he had a previous record, and that was that he was opposed to separate schools and remedial legislation. Now, I think the House must excuse me, though I have lots of interesting matter here about the hon. member for North Victoria. I am sure it would entertain the House for some time. We have been devoting ourselves to this abstruse Remedial Bill, and the House would enjoy a little recreation, a little alternation of treatment. But I think I have taken up time enough. However, before I sit down, I wish to refer to another matter. The hon. member has made some lengthy explanations in the "Warder" about the six months' hoist. He has one article of more than a column on "How to Attack the Principle of the Remedial Bill," and then he quotes from great authorities just as much as is necessary to answer his purpose, and leaves out the rest. For instance, he says:

> The proper course for those opposed to the principles of the Bill is clearly laid down by Dr. Bourinot and Sir Thomas Erskine May.

Well, Dr. Erskine May and the doctor who runs the Victoria "Warder," do not exactly agree, because I find that Dr. Erskine May says one thing, and the hon. member leaves it out. He says in his paper:

> The postponement of a Bill in this manner is regarded as the most courteous method of dismissing a Bill from further consideration, as the House has already ordered that the Bill shall be read a second time; and the amendment, instead of reversing that order, merely appoints a more distant day for the second reading.

That is what the hon. member quotes in his paper; but he left out the next sentence, which completely changes the position of affairs: I will read it to the House:

> The acceptance of the House of such an amendment being tantamount to the rejection of a Bill, if the session extends beyond the period of postponement, a Bill which has been ordered to be read a second time upon that day three months, is not replaced upon the notice paper of the House.

Now, Mr. Chairman, the motion was that the Bill get the six months' hoist from the 20th of March, six months from which date would be the 20th of September. It was known to every member of this House that the existence of this Parliament terminated not later than the 24th day of April. If the Bill were to be read six months after the 20th of March, it would not be reached by this House, and therefore never reached at all, but if it were brought up again, it would have to be brought up as a new measure in the Parliament succeeding this.

Mr. HUGHES. I would like to ask the hon. member, in case the Bill had been defeated on the motion to read it the second time, could it have been restored to the Order paper next day?

Mr. EDGAR. The Chignecto Bill was.

Mr. WALLACE. Any Bill can be restored to the Order paper if it is defeated on the second reading. That is the rule of the House. Any member of this House, whether a member of the Government or a private member, could move to restore the Remedial Bill to the Order paper the next day, and it would be restored if the majority of the House so voted.

Mr. EDGAR. That was done this session in the case of the Chignecto Railway.

Mr. HUGHES. That was not a Government motion.

Mr. WALLACE. Any motion can be made a want of confidence motion by the Government.

An hon. MEMBER. He is only a Minister without portfolio.

Mr. WALLACE. The Minister without portfolio is not yet Minister of Justice or even Minister of Militia. Somebody says he never will be. I do not think we should depress his hopes in that way. I do not see why he should not have a chance of airing himself as a prospective Minister, regardless whether he sacrifices his principles or not, because these loud-mouthed professions of principle, when heard from the hon. gentleman on the 10th July, entirely disappeared before the 10th April the same year. The rule with reference to the second reading, as laid down in May's Parliamentary Procedure, is as follows: —

> It is also competent to a member who desires to place on record any special reasons for not agreeing to a second reading of a Bill, to move, as an amendment to the question, a resolution embodying some principle diverse to the principle of the Bill.

Then the author goes on to give the number of ways in which amendments may be made. The hon. gentleman, in his editorial, made the statement that these are the only ways in which to kill a Bill. We are informed by the highest authority that the effective way to kill a Bill is to move the six months' hoist, or a hoist to any period later than the session.

Mr. HUGHES. The only way to attack the principle of a Bill, and the best one to kill the Bill.

Mr. WALLACE. The most effective way to attack the principle of a Bill is to kill it. I shall not take up any further time on this very interesting subject. I shall not defend myself from any of those charges which the hon. gentleman has made any further than the references I have already made. I do not find it necessary to defend myself, and I think I never shall, from the hon. member for North Victoria.

Mr. HUGHES. There is one question the hon. gentleman asked me, and then declined to allow me to answer when I accepted his challenge. It is this. The hon. gentleman who approached me with regard to this Cabinet, which was being formed at the time, told me that the hon. member for West York telegraphed the Prime Minister that he would assist him to elect his candidates in any riding of Ontario.

Mr. WALLACE. I telegraphed the First Minister that I would help him to elect his candidates. Why, I was here during the whole time. After the resignation took place, on Sunday night, I was in Ottawa on Monday morning, and did not leave Ottawa for many weeks afterwards, and therefore could not have telegraphed the First Minister, and did not telegraph.

Mr. HUGHES. Did the hon. gentleman telegraph the first Minister on Sunday from Woodbridge.

Mr. WALLACE. There is another sample question? Did I telegraph him from Woodbridge on the Sunday?

Mr. HUGHES. Yes, you did.

Mr. WALLACE. I am not going to satisfy the hon. gentleman by answering the question, for this reason. I want him to make a statement, and I will tell him whether it is true or whether it is unfounded like the majority of his statements.

Mr. HUGHES. I say that the hon. gentleman telegraphed the Prime Minister from Woodbridge, and moreover that he communicated to the reporter of the Toronto "Telegram" an interview containing the statement I have just read.

Mr. WALLACE. Now the hon. gentleman starts off again. He has stated to this House at least six times that with my own hand I wrote this interview.

Mr. HUGHES. I did not say you wrote it. You dictated it. You wrote a letter to the reporter inclosing the type-written article.

Mr. WALLACE. I neither wrote nor dictated a line or a word of it, but I will say this, that outside representations made about myself I am disposed to think it was a very fair and a very accurate presentation of the case.

Mr. McNEILL. I think it is important that it should be distinctly understood what the ordinary practice is with regard to the killing of a Bill. I have not got Dr. Bourinot's work on parliamentary procedure in my hand at present, but I know that he lays it down very distinctly that the way to kill a Bill for the session is to move the six months' hoist. I have May's "Parliamentary Practice," which says:

> The ordinary practice, however, is to move an amendment to the question by leaving out the word "now" and adding "three months," "six months," or any other term beyond the probable duration of the session.

Mr. SEMPLE. I desire to offer a few remarks before this motion is carried. I was never more impressed with the truth of the adage that those who live in glass houses should not throw stones than I have been during this debate, when I heard two hon. members referring to personal matters and abusing each other. I do not think the charge of obstruction comes with good grace from the other side of the House, considering the delay which the Government took in bringing down the Bill. The hon. Secretary of State declared that this Bill was of so much importance he would lay down his life in order to carry it into law, and I was amused at the cartoon in one of the papers the other evening representing the hon. gentleman laying in his bed at ease with one hand stretched out. His mind seemed to be composed, and to an observer it would seem as if the gate of heaven was very near his soul. We do not, for one moment, wish the decease of the hon. gentleman, because it would be too great a sacrifice for so distinguished a member of this House to lay down his life for anybody. We desire that he should have a long life and that the only thing that should happen him would be to retire from the cares of office and leave them to younger and abler men. There has been no session in which less has been done in the beginning and more attempted to be done at the close. Let me call the attention of the House to some proceedings which took place in the beginning of the session, as narrated in the "Journal" newspaper, published in this city.

(The hon. gentleman read an article from the "Journal.")

Now let me read the speech of the hon. First Minister delivered in the Senate on the occasion of this trouble.

(The hon. gentleman read the speech of Sir Mackenzie Bowell in the Senate.)

The reason for the delay in bringing down this Bill is very clearly explained. The Government could not do any business until they had settled their family quarrels. Some hon. gentlemen have reflected on the member for West York (Mr. Wallace) on account of the stand he has taken on this matter. That hon. gentleman has relinquished an office of $5,000 a year. That is an example which is worthy of being copied by some other hon. members. It is an example that is sustained by British precedent. Three Cabinet Minister went on strike last summer, but the emoluments of office were more than they could relinquish, and so they went back. This session seven members of the Cabinet went on strike, but they came back rather than give up their $7,000 a year. I say that the member for West York did what was perfectly right and honourable. If any Minister cannot support the Government he should go out in an honourable way and not be wriggling and wiggling, and going against his conscience for gold and patronage. If other men in this country would follow the example of the member for West York (Mr. Wallace) this country would be better governed than it is to-day. We believe on this side of the House that the difficulty on this school question could be settled in a satisfactory way. There is no man entitled to higher respect in this country than the hon. member for Montreal West (Sir Donald Smith), and I venture to say that had he with others been appointed as commissioners to the Manitoba government last summer, the question would have been amicably settled before this.

(The hon. gentleman read an article from the "Evening Star" of April 14th, containing the affidavit of Mr. Hay to the effect that the Separate School Act was hurriedly passed through the Manitoba legislature in 1871.)

From this statement, Mr. Chairman, we can see that the Manitoba School Act of 1871 was smuggled through the legislature and it is no wonder that it would prove unsatisfactory.

(The hon. gentleman then proceeded to read the history of the New Brunswick school law.)

This enables us to understand the state of affairs that existed at that time, and to understand the action of the Government of Sir John Macdonald. I have no doubt that a grievance did exist; but the Government did not interfere, although they had just as much right to interfere in that case as in the case of Manitoba. When we read the report of the commissioners who recently met in Winnipeg, we can see that there was very little difference between them, and that they were not far from a settlement. It appears also from an interview with Mr. Ewart, the trusted counsel of the minority, that even in sections where the people were all Roman Catholics, there would have been very little trouble in arranging matters. After all, so far as we can gather, the whole difficulty seemed to be in Winnipeg. When a settlement is so near, I think it is vain to press a measure of this kind; and if the Bill is withdrawn, and a further attempt is made, I have no doubt that an arrangement satisfactory to all parties will be arrived at. In this Dominion there should be no feeling of hostility between the people of different classes. The people of one denomination have as good a right to enjoy their religious privileges as the people of another; but the great difficulty in Manitoba is the principle of separate schools. The people of Manitoba are willing to grant almost everything demanded; but their position is equal rights to all, and special privileges to none, and they have been fortified in that position by the voice of the people in three different elections. The statement of the Manitoba commissioners says:

> At present in every city, town and village in the province, outside of Winnipeg and St. Boniface, the Roman Catholic children attend the public schools. Not a word of complaint is heard. Absolute contentment and satisfaction prevails. The children have the advantage of efficient instruction, and numbers of them are qualifying themselves to become teachers in the public schools. We do not hesitate to say that not only is there no desire to separate, but if left to themselves, the Roman Catholic people in the cities, towns and villages outside of Winnipeg and St. Boniface would not consent to a change in the direction indicated.

In their final reply they state:

> The point of difficulty in arriving at a basis of settlement seems to be very clearly defined. You maintain that, in the words of your Memoran-

> dum, the Roman Catholics "certainly have important legal rights in connection with separate schools," and that your idea of the object of the conference is to give to those rights in the most unobjectionable way, through the action of the legislature of the province.

The Government organ of the Manitoba government has said that equal rights to all denomination, special privileges to none, is the key note of the position taken by the local government commissioners during the conference ; and where that is the case, the interests of the minority can safely be left. We can safely trust this matter to the people of Manitoba, relying upon their sense of justice and fair play to right any wrongs that exist, with due respect for the feelings of the minority. The hon. leader of the Opposition has proposed a commission to inquire into all the facts, and I consider that it is more important to have a commission of inquiry on this than one upon the liquor traffic, as the operations of that traffic are well known. On that subject I must say that this House, considering the number of its members, is a very sober assembly ; and it is very sad when we see any of them transgressing the rules of courtesy. It was only on account of the unfortunate long night sittings that were held in this House that the other morning between ten and eleven o'clock one member came into the House in an improper condition, and raised his hand against another member, and used language which should not be used in any assembly —words which were heard by the reporters in the gallery and were scattered broadcast throughout the country. I am sure that we must all feel the effects of such an unfortunate occurrence, and I have no doubt that the hon. gentleman who was guilty of it feels ashamed of it to-day, because he is often in his place, and I have not seen him there during the last few days ; so that I suppose he is on the stool of repentance.

> While the lamp holds out to burn,
> The vilest sinner may return.

Mr. FLINT. Before the motion is put, I wish to make a few remarks in referring to one or two phases of this question. We have reached a stage in this measure when it does appear as if the quantity of work before the committee is so great, and the varieties of opinion so numerous that it would be almost impossible for us to consider the main sections of the Bill within the short time at our disposal. It is, therefore, fitting that we should review the course pursued by the Government. It is not necessary to attribute to the Government as a whole a deliberate intention to so arrange the debates upon this subject that the measure must necessarily fail to pass, but if we were to assume, for the sake of argument, that a large section of the Administration was anxious to hold the Government up to the world as favouring the views of a large section of the people, and yet, at the same time, not very anxious to place upon the statute-book a law which would subject them to ridicule and ignominy for all future time, as an unworkable law, considerable argument might be adduced in favour of such a view. It has been demonstrated in this House that, assuming, as most of us do, that remedial legislation is within our jurisdiction, and that there is either a technical or legal, or a substantial grievance which affects the Roman Catholic minority in Manitoba, and assuming that the Government are necessarily bound to remove this grievance, no one can deny that grievous blunders have been made, which can only be attributed in great degree to design. There has scarcely been any attempt on the part of the supporters of the Government to defend its course. It was known that the session was called for the express purpose of passing a measure which was bound to undergo severe criticism and try to the utmost the mental and physical energies of the House, and which was bound to meet with most vigorous opposition, and yet, in the face of this knowledge, the Government deliberately delayed the presentation of the measure to Parliament, and placed it in the power of those opposed to the principle of remedial legislation to prevent its becoming law. It is perfectly useless for hon. gentlemen opposite to complain of what they are pleased to term obstruction, and what, viewed in a proper parliamentary light, cannot be fairly open to that charge. Obstruction on the part of those who are opposed, not only to the principle of the Bill, but to all interference with the Manitoba legislature, is a course which it is perfectly justifiable for them to take. I admit it is an extreme course, but it is one which has been taken by the Parliament of Great Britain and by hon. gentlemen opposite when in opposition, and it is a course which hon. gentlemen opposite, experienced public men, ought to have foreseen as one likely to be taken, to a very great degree, by those opposed to the principle of this measure. The principle of this measure is not objected to by a very large majority of members on both sides, because it is admitted that the day might come when, the proper steps having been taken, we would all be in accord to pass a Remedial Act. That day would come when there had been a fair and reasonable opportunity given for a full consideration of the question in the light of all the circumstances of the case. The legislature and the government of every province, having full jurisdiction over educational affairs, cannot be dealt with in the same way as a private corporation may be, by the courts when that corporation transcends its legal powers. There is no lack of dignity in a court issuing to a corporation its mandamus ; but in the case of a provincial legislature, the question has to be considered from an altogether different standpoint. Let us see the position of this Parliament with reference to the judicial decision of the Privy Council. It will not be necessary for me to quote that decision, as it has been frequently quoted in this House. The question which first arose before the Judicial Committee of the Privy Council is this: Is the present school law of Manitoba a constitutional and valid enactment? That question was answered in the affirmative. The second question which arose, after quite a long series of appeals, was whether this Parliament had the right to pass legislation of a remedial character in order to remove the alleged grievance inflicted by this Manitoba school law of 1890, which had been declared constitutional. The Judicial Committee of the Privy Council decided that jurisdiction lay in this Parliament, but that this Parliament was perfectly free to act only so far as the actual circumstances of the case demanded. Here arose at once a controversy between the hon. leader of the Opposition and his followers and the Government. The question was as to the circumstances under which remedial legislation should be applied and the amount of information available and required to legislate according to these circumstances. The Opposition have insisted that there should be an investigation in order to ascertain the facts and circumstances in a formal and official manner. It is true that the facts are largely available by different methods of research among a large number of different depositories of information, but even the recorded sources of information do not cover the whole ground, and there is a wide area left for investigation in the shape of personal examination of the residents of the locality, legal, lay and clerical, who may be acquainted with the facts and circumstances that do not appear in any official record. This information, if gathered together by a competent and impartial tribunal, would have been of great value to us. It would have smoothed away many of the difficulties which have beset this committee. It would have done much to enlighten the whole country as to the best means of remedying the grievance. This point of view has been presented with great ability by the leader of the Opposition and his supporters, but it was rejected by the Government, and we have been allowed to drift into this prolonged, and what is likely to prove an abortive discussion, largely in consequence of the refusal of the Government to grant this inquiry. This appears to be one of the errors of the Government which has led to the present situation. There was another preliminary mistake which has done much to place us in the position in which we now find ourselves. The power is vested in the Government of reviewing the legislation of any province, if that legislation is deemed to be unwise in the interests of the whole Dominion. If that legislation is deemed to controvert any wise principle of policy on the part of the Government, it is in the power of the Government to advise His Excellency the Governor General to disallow the Act. This power has been exercised freely since confederation, and hon. gentlemen opposite have claimed that it was more frequently exercised by the Liberal party, when in power, than by the Conservative party. Here was an opportunity for testing at once, upon the passage of the Manitoba Act of 1890, the position which the legislature of that province assumed with regard to education. It has been held, and very properly held, that if the legislation of 1890 in Manitoba was unconstitutional, it could be so declared by the courts. But if the law was constitutional, then the power of disallowance was the only way available to the Administration of the day to bring to the test the questions which arose in connection with the rights and privileges of the minority. That this question was brought to the attention of the Administration is well known, because as soon as the Bill was adopted by the Manitoba legislature, Archbishop Taché, the Archbishop of St. Boniface, drew the attention of the Government to the perilous position in which it put the minority, and the Government were asked to disallow the Act. There might have been a strong argument against disallowance had there been no provision in the constitution which invited the Dominion to interfere with reference to the subject of education in Manitoba. There was in the Manitoba Act a distinct provision that this Parliament was interested in the solution of educational difficulties in Manitoba, and this furnished a strong excuse for the Government of the day exercising the power of disallowance and bringing that question to the test of practical administration. But had this Government exercised then the power of disallowance, had the state of the case been given to the whole country, had the argument been then gone into between the Government of Canada and the Government of Manitoba, as to the history of education in that province, as to the various compacts and agreements, and the claims of the Roman Catholic minority, almost every hon. gentleman who has looked into the subject will agree that the question would have been settled long ago. At any rate, it would have been brought before the attention of the public, the legal and constitutional aspects of it would have been discussed between the two governments, and a modus vivendi would have been reached long since. The Government did not take that course, and that was, perhaps, the initial mistake made by it.

The next error of judgment was the procedure of this Government after the decision of the Privy Council of England. This Government, instead of negotiating amicably with Manitoba, then issued quasi judicial orders which have led up to the present unfortunate position. No one who has carefully surveyed the situation can come to any other conclusion, than that had the Dominion Government—supported, as it was, by the decision of the Privy Council and by the opinions of their lordships started at that point, in the spirit that moved the hon. member for Montreal West (Sir Donald Smith) and appointed a commission similar to that they appointed a few days ago, when there would be no occasion for undue haste ; had they done that, there would have been such a spirit of conciliation manifested, and such an ample discussion on this question in all its phases, that long ere this, the people of Manitoba would have instructed their government to pass such remedial legislation in their own legislature as would have given to the minority all the rights which they could reasonably claim ? Had this been done, we would not now be entering on an election campaign on an issue which must be prejudicial to the best interests of the country. The cause of the failure has been, first, because of the failure of this Government to disallow the Manitoba School Act, and next, because of its failure to proceed in a proper manner when the decision of the Privy Council was known. I trust that it will be a lesson to statesmen in the future, that when questions of this gravity arise, they will not wait until the closing hours of a dying Parliament, to bring forward legislation which must arouse controversy, and must inevitably prevent the solution of a question, in the settlement of which we are all so deeply interested.

Motion (Mr. Stubbs) that the committee rise, report progress and ask leave to sit again, negatived.

Mr. CHAIRMAN. The question is now on paragraph 2 of clause 15. Shall this clause be adopted ?

Sir CHARLES TUPPER. Mr. Chairman, I feel obliged, at this stage of the session, and in the face of the persistent obstruction which is offered to this measure, to move that you leave the Chair, Sir, and report progress, and ask leave to sit again. I propose, for a moment to express my very great regret that in the face of the continued obstruction to this important measure which the Government have been so sincerely anxious to bring to a conclusion—at this advanced period of the session, and in view of the very few remaining days we have at our disposal, it seems to have become absolutely necessary for us to go, to-morrow, into Supply, for the purpose of providing appropriations for the absolute necessities of the country. The short period remaining would make it very unfortunate if the consideration of the necessary supply for carrying on the public business, was not undertaken in sufficient time to enable it to be provided for. Under these circumstances, I propose that the committee should now rise, and that you should report progress and ask leave to sit again. To-morrow we must go into supply for the purpose of providing for the absolute necessities of the public service.

I need not say, Sir, how deeply I regret, that owing to the continued and persistent obstruction which has been presented to this measure—in consequence of the advantage taken of the limited character of this session—it has not been in our power to do more. I may say further, that a number of very important features of this Bill have received the sanction of the committee. The Bill itself has received the sanction of a very satisfactory majority in this House, and the efforts at obstruction have been condemned by an overwhelming majority of the members. But, as I said before, under the peculiar circumstances with which we are brought face to face this session, we have not been able to make the progress which we had reason to anticipate, and to have had the satisfaction of finding this Bill enacted into law. I do not say that we shall not be able to proceed with the Bill further, the moment that the necessary supplies have been obtained, but, in the meantime, the matter is therefore left open. I express my deep regret that we have not been able to carry this measure to its fruition, and especially that we have not been able to consider some important questions arising in connection with it, and to which the attention of the committee has, on several occasions, been drawn. I deeply regret that there has not been an opportunity of having the opinion of this Parliament taken upon some of these points. There was, for instance, the amendment put upon the notice paper by the hon. member for Bagot (Mr. Dupont) ; an amendment which we have not been able to reach because we are a long way from section 74 of the Bill. That amendment says that the following words should be added to the end of the 74th section :—

> If the legislature of Manitoba does not annually grant such appropriation to separate schools, the Governor General in Council shall from the net revenue accruing from the school fund realize from the sale of the school lands in Manitoba and, attributed for the support of schools and the maintenance of education in Manitoba, grant any pay to the Board of Education in each year during which such appropriation is not made to the separate schools, a proportionate sum to that voted or granted by the legislature of Manitoba to public schools or for educational purposes ; and the "Act respecting Public Lands," chapter 54 of the Revised Stutess of Canada, is hereby amended accordingly.

This is a very important principle which has been advocated by the hon. member for Bagot (Mr. Dupont), and one that I regret the House has not had an opportunity of passing upon, as I think it is very important it should do. I will only say now, Mr. Chairman, that under the circumstances, I will move : That the committee rise, that you, Sir, report progress and ask leave to sit again.

Mr. McCARTHY. I rise to a point of order. I submit that this motion is not in order. We have just disposed of a similar motion, and this motion cannot be put again in that way. The only motion that can be put is that you now leave the Chair.

Mr. DEPUTY SPEAKER. There was an intermediate proceeding between this motion and the motion of the hon. member for Cardwell (Mr. Stubbs), which was negatived. I put the question, for the adoption of paragraph (b) of section 15, after the motion of the hon. member (Mr. Stubbs) was negatived. The motion of the hon. gentleman (Sir Charles Tupper) is therefore perfectly in order.

Mr. McCARTHY. Very well. I did not catch that.

Mr. LAURIER. The remarks which have been just made by the hon. gentleman (Sir Charles Tupper) certainly call for some observations from me. The leader of the House says that he regrets very much that this Bill could not proceed further, and that the hon. member for Bagot (Mr. Dupont) had not an opportunity of moving the amendment to section 74, which he has given notice of. In that amendment, the hon. gentleman (Mr. Dupont) asked the Government to make an appropriation for the separate schools of the minority in Manitoba. But the leader of the House, while he expresses regret for that, failed to express what would be his opinion on that amendment. I understand, further, that he expresses no opinion at all upon it, because two members of his Cabinet have already told us that it would not be possible to accede to that amendment. Both the Minister of Justice and the Minister of Public Works, in the course of the debate, have already stated the reasons why this provision had not been made in the Bill.

Mr. DICKEY. The hon. gentleman (Mr. Laurier) will pardon me. He is mistaken about me.

Mr. LAURIER. I am not mistaken this far. The hon. Minister stated that there was great doubt as to the constitutionality of making such a provision.

Mr. DICKEY. That, I think, had reference to our obliging the Manitoba legislature to make provision to provide for this itself.

Some hon. **MEMBERS.** Hear, hear.

Mr. LAURIER. Is the hon. Minister prepared to say that this Government would do it ?

Mr. DICKEY. Oh, no, certainly not. I was simply meeting the mistaken statement of the hon. gentleman.

Mr. LAURIER. Perhaps I did not put the ideas of the hon. gentleman (Mr. Dickey) exactly as he put them ; but the result is the same.

Mr. DICKEY. Oh, no, absolutely different.

Mr. LAURIER. He has all along entertained the opinion, that it would not be competent for this Government to make an appropriation, at least at present. That is the view I understand the hon. getleman took a few days ago. Now, Sir, with regard to this question. The hon. gentleman (Sir Charles Tupper) says that for the present he withdraws the Bill.

Sir CHARLES TUPPER. No, I did not.

Mr. LAURIER. He withdraws the Bill from committee.

Sir CHARLES TUPPER. I beg the hon. gentleman's pardon. I said that I merely suspend proceeding with the Bill in order to get the necessary supplies for the absolute necessities of the public service. I leave the question open, to resume this Bill the moment supplies are obtained. We are in a position, then, to proceed with this Bill up to the last hours of the session.

Mr. LAURIER. I must take the hon. gentleman's statement as he gives it, but I certainly understand yet that this is a way of covering his retreat. At all events, I protest against the assertion of the hon. gentleman (Sir Charles Tupper), that if he does not proceed further with this measure at the present time, it is due to the obstruction with which this Bill has been met.

Sir CHARLES TUPPER. We have had nine hours of persistent obstruction now.

Mr. LAURIER. You have had nine hours' talk on the motion to adjourn this committee, a motion which was made at two o'clock in the morning, and at a very reasonable time to adjourn.

Mr. WALLACE. I think it was about four o'clock this morning, when the motion was made.

Mr. LAURIER. That is still worse.

An hon. **MEMBER.** It was three o'clock.

Mr. LAURIER. It matters not whether it was four o'clock or two o'clock. The motion was made at a time when the Government should have acceded to it, because it was perfectly fair and reasonable. If, since that time there has been talk upon this motion, the hon. gentleman (Sir Charles Tupper) must understand that the bullying methods with which he has sought to deal with the House will not be assented to. We want to discuss, fairly, every question that comes before this House. We want to give it every attention ; but if the hon. gentleman thinks that he will carry this measure, or any other measure, by preventing fair discussion upon it, let me tell him that he is much mistaken. The hon. gentleman paid us the compliment the other day, that of saying that in his opinion, and in the opinion of an eminent authority, we were the second legislative chamber in the world. The first chamber is well known. The first representative assembly of the world is the great British Parliament, and such conduct as we witnessed last week and this week, has never been seen in the British Parliament.

Sir CHARLES TUPPER. Hear, hear.

Mr. LAURIER. Yes, Sir——

Sir CHARLES TUPPER. We admit that.

Mr. LAURIER. Certainly, the hon. gentleman must admit it. Let me tell the hon. gentleman that the best evidence that there has been no obstruction to this Bill.

Some hon. MEMBERS. Oh, oh.

Mr. LAURIER. The best evidence that there has been nothing but a fair discussion is, that almost every clause of the fourteen which have been adopted have been amended by the committee, and that the amendments have been accepted by the Government. Yesterday the hon. gentleman (Sir Charles Tupper) read to this House a telegram from His Grace the Archbishop of St. Boniface, stating that he would accept the whole Bill. Well, Sir, what took place when we went into committee upon section 14. Why, the very first gentleman to offer an amendment to that clause was the Minister of Public Works. That took place yesterday. Whose fault is it, if to-day the Bill is not proceeded with ? Who is responsible for the present condition of things ? Where is the Government ? Where is their majority ? Where are the men who are responsible to the country at large ? Sir, they are on the Treasury benches opposite. Whose fault is it, if the hon. gentlemen who sit on the Treasury benches have waited for five years before taking up this question ? Whose fault is it, that they issued an Order in Council which was drastic and violent in its tone, and which instead of inviting conciliation on the part of Manitoba, almost forced Manitoba to hostile action ? Whose fault is it, if, when we met in session last year, which we were told was called to deal with this question, after the ordinary business of the House had been discharged ; whose fault is it that the question was never brought up then ? Whose fault was it if the Government were wrangling between rival factions ? Whose fault was it, if they forced the only man who apparently was endowed with courage and conviction on this question (Mr. Angers) to withdraw from the Cabinet ? Whose fault was it, that they said, on the 8th of July last, that they would invite negotiation with Manitoba, and that they allowed six months to pass without any negotiation taking place ? Whose fault was it, that on the 2nd of January we met here to deal with this question, and that we found the Cabinet again divided into rival sections —one portion out of the Cabinet and the other portion in—and the two factions launching charges at the heads of each other : one calling the others, imbeciles, and the other faction calling the other, traitors. Whose fault was it that, after they had patched up their differences, and they were apparently once more a sort of united family, whose fault was it that the Bill was not introduced ? Whose fault was it, that instead of introducing the Bill, the Budget debate was proceeded with ? Whose fault was it that six weeks of this session elapsed before the Bill was introduced ? Whose fault was it, that the Bill was only introduced for discussion when we came to the dying days of the session, and when it was known that the life of this Parliament would end on the 24th of this month. Sir, it was not the fault of anybody but the hon. gentlemen who sit on the Treasury benches. Now they say that they have to withdraw this Bill from the committee at the present time.

Some hon. MEMBERS. Oh, no.

Mr. LAURIER. Now they say they are not to proceed with this Bill.

Some hon. MEMBERS. No, no.

Mr. LAURIER. Now they say that if they do not proceed with this Bill it is due to obstruction ? Sir, that is a statement which, for my part, I am willing to leave to the impartial electors of this country.

Mr. LaRIVIERE. Whose fault is it, that this Bill was not passed this session ? Is it not the fault of the leader of the Opposition who moved the six months' hoist ? Whose fault is it that the debate on this Bill was kept so long ? Is it not the fault of those who voted for the six months' hoist— the contingent on the right side of the House aided by a large majority of those on the left side ?

Mr. MILLS (Annapolis). They will get left, too.

Mr. LaRIVIERE. Now, it is contended that this Bill was not a proper Bill—that it was not properly drafted. What have we seen in this committee ? We have seen a lot of unnecessary amendments.

Mr. SOMERVILLE. Accepted by the Government.

Mr. LaRIVIERE. A lot of unnecessary amendments brought in and discussed for hours ; and for the sake of peace and harmony, and in order to expedite the work, the Government condescended to accept some of those amendments. But I defy any impartial man to compare the wording of those amendments with the clauses they were supposed to amend, and find any difference in them, so far as the value of the legislation is concerned. The amendments were merely changes of words of no consequence ; but the Government, in order to expedite the business, accepted them, and I myself have been compelled to accept them, in order to arrive at the end of this Bill. And when we are told that it should have been brought down before, as I believe it should have been. I must say that, even if the Bill had been brought under the consideration of the present House six months ago, the obstruction which it has met during the short time, or during the long time I may say, that it has been under consideration, would have lasted even longer than it has. How can we expect any sincerity on the part of men whose fault it is that this Bill is not passed, when their first motion was to destroy the Bill by the six months' hoist ? Well, Sir, in the name of the minority I represent, I protest against the obstruction that has been given to this Bill. If there had been a sincere desire on the part of the members of this House who oppose this legislation, to help the minority, the Bill would have been on the statute-book before this. But, Sir, I think it is unbecoming on the part of the leader of the Opposition to protest to-day that it is the fault of the Government that the Bill was not passed, when we know that the first step he took was a radical step, for the purpose of destroying the measure before we had it under our consideration. Now, Sir, it is contended by those gentlemen that they want to come to the rescue of the minority, it is contended that they wish to restore to the minority those rights that they have lost by the legislation of 1890 ; and, instead of coming and helping to pass a Bill which the minority have accepted they obstruct the measure at all its stages. I must say to my friends from the province of Quebec who have voted against this Bill and in favour of the six months' hoist, that not only have the minority in Manitoba, without exception, both Conservatives and Liberals, approved of the Bill, as it has been stated and published, and the Archbishop of St. Boniface, as we all well know, taking a great interest in the welfare of the minority under his charge, has expressed openly his opinion ; and that opinion I must say, has been shared by the whole episcopacy of the Roman Catholic Church of Canada. Some one having told me one day in March that there was a rumour that some of the bishops were either indifferent or opposed to this legislation, I wired to the Archbishop of St. Boniface, who was in constant communication with his brethren in the episcopacy, and asked him if there was any ground for that rumour. His answer was :

> No bishop at variance with me. All are most friendly. Catholics opposing Bill betray Catholic minority.

Now, there is a saying that one may be more Catholic than the Pope. There is also a saying that one need not be called upon to do more than those who are directly interested require, and on this occasion these expressions of tender wishes for the welfare of the minority, on the part of men who oppose this Bill, are not true expressions—are not from the bottom of their hearts. These gentlemen are not expressing their real sentiments in the matter, and their action is a direct contradiction to their saying. I must, therefore, Sir, express my regret that this House has come to the determination to suspend the consideration of this Bill. While, as I have said before, I regret that this legislation was not attempted on a former occasion, as I took occasion to protest, yet, even then, when I asked the Government not to put the measure off until another session, I never had such a support from the left side of the House as I could consider sufficient to warrant me in protesting any further. Moreover, I must say that I have always found that there was no sincere desire on the part of those who pretended to be the friends of the minority of Manitoba, and who voted to destroy the one Bill that could have saved them in their present position.

Mr. DUPONT. (Translation.) It afforded me genuine pleasure to hear the hon. leader of the House (Sir Charles Tupper) declare that had the Government been able to put this Bill through the committee they would have been glad to have the sense of the House taken upon the amendment to the clause 74 put by me upon the notice paper. The hon. leader of the Opposition has just given expression to doubts as to the constitutionality of this amendment. I may tell the hon. leader of the Opposition that had the committee been able to reach this amendment I would have been ready to meet all objections urged against it so to satisfy the House that they were groundless, from a constitutional standpoint. I think my hon. friend, the leader of the Opposition, could not have helped admitting that my position, in moving the amendment, was perfectly consistent with the constitution of the country, and that in so doing, I aimed solely at restoring to the minority the full enjoyment of the rights which had been taken away from them. As to the statement just made by the leader of the Opposition, as to a certain number of hon. gentlemen having refrained from obstructing the measure before us, I regret to say that the country in general will not share in that opinion, and that during the approaching electoral contest, it will be admitted by the overwhelming majority of his most devoted followers among the electors, and in the press of the country, and at public meetings, that the business of the House has been systematically obstructed and that much time has been wasted in the most factious and flagrant obstruction. Mr. Chairman, were we to size up the lawyers in this House and their value as jurisconsults, from the outrageous opposition offered by them to this Bill, on good ground might we apply to them the unmerciful terms used at the opening of this century by the great philosopher, de Bonald, when speaking of the lawyers of the Lower Empire, he used those scathing words : " When a civilization is worm-eaten, lawyers gather there. While at Byzantium they kept quibbling about an adverb, the Turks were silently moving forward in the dark ; they were not men of words, but men of deeds." Mr. Chairman, while we keep arguing here about an adverb, and, as remarked by the hon. member for Provencher (Mr. LaRivière) while a lot of unnecessary amendments were brought in, which were changes of words of no consequence, solely introduced with a view to impeding the progress of the measure before us ; the demon of strife is going about and through this country, blowing the winds of strife, and arousing national and religious animosities. We are about reaching a most unenviable state of things, and I have no hesitation in saying that those who have taken part in the outrageous obstruction offered to this Bill, a measure calculated to restore peace and harmony in our country, those hon. gentlemen, I say, have assumed a great responsibility before the country and will be still more unmercifully arraigned by the historians who will later on record this melancholy phasis of the history of Canada. Confederation was brought about in order to put a stop to our racial and creed wrangles ; and the hon. gentlemen, when trying to fan the embers of the fire of discord and to resuscitate those creed and racial disputes, quelled since 1867, are destroying in us much as they can the structure raised by the fathers of confederation. I wish to state here, Mr. Chairman, that the hon. member for North Simcoe (Mr. McCarthy) and his followers, who advocate the same political and social tenets, do so, they say, with a view to consolidating the union of the Canadian people. It is with that end in view that they wish to rob the minority of the rights granted them by the constitution. Now, let the hon. member for North Simcoe and the hon. gentlemen who share in his political views remember that in no country was national unity, as we learn from history, brought about by persecution. Nowhere was national unity accomplished, except through the different elements composng the nation being granted the most complete freedom. So it was with France in the past. That the kings of France constantly respected the customs and usages of the nation is a well known fact to every student of history. And so again was national unity brought about in Great Britain. How did Great Britain succeed in building up that immense colonial Empire which makes her the most powerful nation in the world ? It was solely by granting her colonies all the liberties compatible with their political growth. In order to bring about a consummation so devotedly to be wished for, national unity, there is no other way open to us but respecting the rights of minorities and dealing with them in a liberal spirit, so as to make them forget that they are the minority in their respective provinces. Such is the only way to bring about national unity. Let the hon. member for North Simcoe and his followers remember if they sincerely wish to reach that end, that there is no other way of bringing about national unity and building up a nation here, but by teaching the majority how to respect the rights of the minorities. And I venture to tell the hon. member that no worse evil could befall Canada than such a policy as the one he is bent upon implementing in our midst ; because persecution provokes resistance, and should the French Canadians realize that their compatriots are being persecuted at the hands of the English majority in this country, they will retaliate by refusing to learn the language of the majority or use it as little as they can. In the province of Quebec—and it is a fact well-known to every hon. member in this House—the French Canadians have put forth considerable exertions to master the English language. And why so ? Because of the good understanding and the friendship that prevail between the French majority and the English minority in that province. Upon certain occasions, it would have proved an easy task for the French majority to molest the English minority ; but, on account of the friendly intercourse prevailing between the elements and the mutual esteem they profess for each other, the French Canadians have learnt the English language and have drawn closer the bonds of friendship which unite them to their fellow-countrymen of a different origin. Were I an adept of Chauvinism, like the hon. member for North Simcoe, I would tell him : Go on with your anti-French campaign ; you could never find a surer way of maintaining in its integrity and promoting the development of a French nationality in all its different branches throughout the Dominion. Such will be the outcome of that anti-national and anti-patriotic policy which is now advocated by a group of citizens in this country. I do not wish to call in question the earnestness of the hon. member for North Simcoe (Mr. McCarthy), but I doubt very much whether that policy is not made subservient to some selfish interests. It strikes me, as it should also dawn upon every intelligent citizen, that by persecuting the minority, you are striving to estrange the French Canadains from the end which you seek to accomplish, thereby thwarting and checking the progress of that national unity. I declare that national unity is not to be reached save through respect of the liberties and rights of the different elements of our people.

Mr. McCARTHY. Judging by the speech which the hon. member for Bagot (Mr. Dupont) has just made, I understand that, to some extent at all events, he has made an appeal on behalf of the minority as represented in the Dominion and not merely the minority in the province of Manitoba. Now, we have been dealing here with the question of the rights of the minority of the province of Manitoba ; and whether these people who compose that minority are French or Irish or English, they are entitled to equal treatment on the floor of this House, and they are not entitled, whether French, English or Irish, to any more than fair treatment on the floor of this Parliament. For my part I do not deny to the French Canadians of this country their rights, but I do not admit that they have more than the rights of the other people of this country, whether English, Irish or Scotch. And I am prepared to take the responsibility of defending the rights of those who sent me here and who happen to be of a different nationality from the hon. gentleman, and I think their rights, although they happen to be those of the majority, are equally to be respected as those of the minority whose Bill we have been dealing with. I rise more especially, as this will be the only opportunity afforded of offering my congratulations to the hon. the leader of the House on the step he has at last taken. Hitherto it has been my misfortune to differ with the hon. leader of the House in the different motions he has made and arguments he has presented, and my only regret to-night, when at length he has seen that this House is not to be coerced by means which are a disgrace to this committee and would be a disgrace to any free assembly, is that the hon. gentleman has not done it with better grace. We are now celebrating the obsequies of this Bill.

Mr. IVES. And of those who oppose it.

Mr. McCARTHY. We are now dealing with this Bill for the last time, and the hon. gentleman might just as well have said so instead of pretending that on some future occasion this House would be called upon again to deal with it. Judging by the want of that strain of defiance in the hon. gentleman's tone to which we have listened so often, I venture to say that we are listening to the last we shall hear on this Bill, either in this Parliament or the next. The courage has gone out from the hon. gentleman. We hear no more promise of remedial legislation in the next Parliament, with a great majority at his back to carry it. He has realized that this country will not interfere with the province of Manitoba in its educational affairs, and I am glad to feel that we have heard the last, not merely here to-night but in the Parliament of Canada, of remedial legislation for the province of Manitoba. I have to congratulate my hon. friends who belong to the party to which I still claim to belong.

Some hon. MEMBERS. No.

Mr. McCARTHY. Yes; I claim to be as good a Conservative as the hon. gentleman who followed the leader who is destroying the Conservative party in this country.

Some hon. MEMBERS. Never.

Mr. McCARTHY. I claim that I represent, in the attitude that I am taking on this measure, not merely a few but the great majority of the Conservatives of this country.

Some hon. MEMBERS. Wait until you know.

Mr. McCARTHY. I do not require to wait, I do know, and I say, on behalf of those gentlemen, and more especially on behalf of my hon. friend from West York (Mr. Wallace) who has in this struggle put forth efforts which will always redound to his credit, and my hon. friends here to the right of me, that we are, I believe, more truly representing the Conservative party than gentlemen on the Treasury benches.

Some hon. MEMBER. No.

Mr. McCARTHY. We have witnessed another circumstance to which I cannot help at this moment drawing the attention of the committee. We have seen two hon. gentlemen ignominiously read out on the floor of this Parliament because they ventured to differ on this question, as truly representing their constituents, from the views of the leader of this House. But again we have seen that hon. gentleman listened to the arguments of my hon. friend from West York (Mr. Wallace) and of my hon. friend from Albert (Mr. Weldon), and did not dare to read them out of the party. He did not dare even to answer their arguments. He did not dare to say a single word, although they obstructed. If we obstructed, if the hon. member for North Bruce (Mr. McNeill) and the hon. member for East Grey (Mr. Sproule) obstructed the Bill, surely these other hon. gentlemen did also. But their sins have not been punished, because the hon. gentleman realized that he had been going too far and that this kind of dragooning will not be tolerated in a free country.

Mr. FOSTER. I wish to call to the attention of the hon. leader of the Opposition one remark that was made by the hon. member for North Simcoe (Mr. McCarthy), and to ask him to give it his most careful consideration. If any one has boasted in this House, during this session, it has been the hon. gentleman who has just taken his seat. If there is any one thing he has boasted of, it is, as he says and believes, that to-night he is celebrating the obsequies of the Bill at present before the House and the fate of any Remedial Bill that may be brought before it. If there is one gentleman in this House whose joining hands with him contributed to what the hon. gentleman thinks is a funeral—but in which he may be very much mistaken—it is the hon. gentleman who leads the Opposition.

Some hon. MEMBERS. No.

Mr. OUIMET. I beg to say a few words in reply to an assertion made by the hon. leader of the Opposition. That hon. gentleman has said that the Minister of Justice and myself had expressed the opinion that we were opposed to the amendment of the hon. member for Bagot (Mr. Dupont). I have to repeat what I said at the time, when I was asked how we were going to provide the moneys to support the separate schools of Manitoba ; I answered that, so far as the legislative grant was concerned, in my humble opinion we had no constitutional right to dictate to the legislature of Manitoba how they should vote the moneys of the people of the province and also how they should distribute them for the purpose of education or any other purpose. I further added that, so far as the school lands fund was concerned, it was certainly within the power of this Parliament to dispose of that fund in order to come to the relief of the minority. And I further stated that it would be in the judgment of this House to consider whether we should do it now, and by so doing affirm in advance that the government of Manitoba would disregard the law, or whether we should await their refusal to carry out the law. I said that the only question that could be raised was the question of opportunity, as to whether we should do it this year, and assume that the government of Manitoba would resist the law if passed. Because the government of Manitoba have declared that they would never consent to the enforcement of this Act, it does not absolutely follow that once the Act is on the statute-book they would refuse to carry it out. The situation then would be altogether different. So long as this Act is not on the statute-book, no one is bound to obey it, but once it is on the statute-book, no one would assert that the Government of her Majesty in the province of Manitoba would refuse to enforce a law which would have the sanction of Her Majesty, through her representative the Governor General.

I wish to add my reply to the challenge of the hon. gentleman when he said that he was willing to submit to the impartial judgment of the electors of the Dominion. We are just as ready as he to ask for that verdict and are just as confident in the results. Every one knows how we are going to the people. On this side we are a united party.

Some hon. MEMBERS. Hear, hear.

Mr. OUIMET. The vote that was given in support of the Remedial Bill shows that we are united in that legislation. The efforts that we have made to put this Bill through the committee and have it enacted into law show that we have a united programme, which will be the programme of every supporter of this Government. I am sure the country will be with us. How are the Opposition ? They are not united either against or for the re-establishment of separate schools in Manitoba.

An hon. MEMBER. We will show you.

Mr. OUIMET. I am sure, and the country will be with me when I state it, that the declarations of hon. gentlemen opposite are never to be taken in earnest. You can never nail them to any policy or any proposition concerning the government of this country. The people know that, and the judgment of the people will certainly be very largely influenced by their strong belief that hon. gentlemen opposite are never to be found tomorrow where they are to-day. They are never sure of professing the next day the same doctrines which they advocated the day before. We know that shifting has always been their policy and will continue to be their policy. After all, this legislation had to be tried before the people at the next elections. Supposing this law had been enacted and the people had declared against it, what would be left of it next session ? It would be wiped out from the statute-book at the first occasion by the party then in power. The country knows that this will be one of the issues before it, together with the fiscal policy, and this will be one of the foremost issues before the electors. If the verdict of the people is to be that minorities have no rights, that they must be refused even those which have been granted them by the constitution, then I would rather sit on the Opposition side for the rest of my life than support any party which would carry out such a policy. The Conservative party is united everywhere in its respect for the constitution. We respected the constitution yesterday, we respect it to-day, and we shall respect it to-morrow. We are the party of equal rights to every one. We are the party which upholds the maintenance of every rights that is in the constitution. And against it we have a party which believes in nothing. I do not believe that the hon. leader of the Opposition believes in anything except in adopting any and every means to secure power which so long he has been unable to grasp. He has twisted his course in every possible way to gain that end, and it is well known that his motion for the six months' hoist had been decided upon even before the Bill had been laid on the Table, before it was known what it would be, before it was known how far it would go, and before it was known whether the Bill would be acceptable to the minority or not ? The object of the Opposition, supported by a fraction of the members on this side of the House, was to defeat this Bill, and the only question with them was, as to whether the six months' hoist would rope in hon. gentlemen on this side of the House or not. Sir, has the leader of the Opposition ever done anything to help the minority in Manitoba ? We staked our political existence on this question, but has he ever said anything that would lead us to believe that he would do something for that minority ? Sir, I am glad that I am with the Conservative party, because I see that the members of that party are the only ones who are prepared to restore to the Manitoba minority the rights which they are entitled to under the constitution. It is true that that is only a small minority in Manitoba, but it is equally true that it is entitled to justice. Sir, as the member for Bagot (Mr. Dupont) has said, this discussion may have an effect very contrary to that which the hon. member (Mr. McCarthy) expected from his policy of obstruction. If the policy of that hon. gentleman (Mr. McCarthy) were carried out, and if it were successful, it would result in for ever separating the French nationality and the Catholic minority from the majority in this country, and it would prevent in the future, that national unification which everybody hopes for. Sir, the policy of the member for North Simcoe (Mr. McCarthy) would stop the whole process of the nationalization of the people of Canada. Mr. Chairman, I have this to say in conclusion : We are going to the elections. So far as I am concerned, and I hope so far as the whole of the Conservative party is concerned, happen what may, these principles of equal rights and fair play for all, will be for ever. I trust, the principles of the Conservative party. And, Sir, I believe that when the Conservative party of Canada abandons these principles, that party will be, what the hon. member for Simcoe (Mr. McCarthy) has made the great Conservative party in the legislature of Ontario, a party of a baker's dozen. Sir, we hold these principles dear to our hearts ; dearer than our positions on the Treasury benches. These principles will prevail, and the country will endorse them, and when the people do endorse them, it will be for the benefit of the whole Dominion of Canada.

Mr. DAVIN. I think it is exceedingly desirable that at this the last stage of this important measure, we should speak what is the sentiment of the North-west Territories in regard to it. Now, my hon. friend (Mr. Ouimet), has stated that the Conservative party will adopt as their banner in the forthcoming election, this Bill which we have been discussing for some time in the House. He says that we shall adopt that Bill as the banner under which we fight. Well, Sir, it would be very inconvenient if that should be the banner under which the Conservative party is to fight, for I shall not be found fighting under that banner. When the second reading of the Bill was before us, an important appeal, which I confess touched me closely, was made to us by my hon. friend from Montreal West (Sir Donald Smith). The speech of that hon. gentleman affected the intellectual standpoint in which I regarded this Bill. But, Sir, I never for one moment wavered in the conviction that I expressed in April, 1895, when first the remedial order was issued, that this House cannot deal with the question satisfactorily. I stated that the principle of appeal and the principle of remedial legislation was in the constitution, but I then added also : That we should leave to Manitoba the settlement of the question because of the insuperable difficulties of dealing with it. Now, a great authority has told us, that the Sabbath was made for man and not man for the Sabbath ; and, Sir, the constitution under which we work was made for the people of Canada and not the people of Canada for that constitution. If there be in that constitution,—as this session proves and as subsequent sessions will prove if we have this measure before us—if there be in that constitution a doctrine in regard to the relation between the Federal power and the provinces that cannot possibly be introduced into action without the gravest evils, then, Sir, it is of course for a sensible people like the people of Canada, to take the course which is in the best interest of the country as a whole. Mr. Chairman, I lay down this proposition : That the remedy for any grievance must have a proportion to the magnitude of the grievance. I say, that if the application of the remedy provided by the constitution be of such a character, as to entail grave evils and far-reaching consequences of the gravest sort wholly uncommensurate with the character of the grievances to be remedied ; then it is much better for the Parliament of Canada and for the people of Canada, to pause and say : We will not apply to the evils, a remedy which will so completely outbalance the character of the grievances sought to be remedied. Now, Sir, what is the grievance complained of in this case ? I stated here—and the leader of the Opposition stated it, and no man can possibly deny it—that the difference between the proposals made by the commissioners when they went up to Winnipeg, and the proposals made by Mr. Greenway's colleagues, is simply the use of the phrase, separate schools. It is complained in that regard that in the city of Winnipeg the majority of the trustees would undoubtedly be Protestant. Can any one suppose for one minute that in regard to these two things, this country should be cleaved in two ; that the passions, racial and religious, should be set on flame, and that we should have a speech such as fell to-night from the Minister of Public Works—a speech which might be made if the liberties of some portion of the people of Canada were at stake, instead of a grievance largely sentimental and technical. When we talk of any portion of the population suffering a grievance, what we mean by it is this : that a portion of the people suffer under a disability. There is no such claim made in this case whatever. The grievance in this case is brought down to a very small matter. I think I speak for the people of Canada as well as for the people of the North-west when I say, that the people of the North-west would never stand silently by, and the people of Manitoba would never tamely submit to this Parliament legislating in the terms of this Bill and forcing it upon that province.

Mr. MULOCK. The people of the North-west did stand silently by.

Mr. DAVIN. Let me refer to what my hon. friend the Minister of Public Works said about the moneys that would be required, and to the regret he expressed, that we had not reached the 74th clause, and when he spoke as to what might be done about the motion of the hon. member for Bagot (Mr. Dupont). Sir, if the amendment of the hon. member (Mr. Dupont) had been placed before this committee, and had been carried into law, do you suppose there is any power in Canada which could enforce it, and the people stand silently by ? What would happen if you were to carry out this Bill in its entirety, and if the Manitoba government did, what undoubtedly the Manitoba government would do. If the government of Manitoba said : We will have nothing to do with that ; what could you do ? Forsooth, you could fall back upon the means of providing money for carrying out your schools system in Manitoba. And, if you did that what would it entail ? Do you suppose that public money could be spent without the people whose money you were spending having an account of how it was spent ? And what does that imply ? It implies a Dominion Department of Education for the sake of one province in the Dominion. Do you suppose that the people of the Dominion would tolerate that ? Do you suppose that the people of Manitoba would submit to that, and do you suppose that the gravest evils would not be the result ? Let there be no mistake about this : If the Conservative party goes to the electors of Canada under the banner of this Bill, you will have a very large portion of the members of this House returned against carrying out the provisions of this Bill. The result would be that you will have, say some eighty Liberals.

An hon. MEMBER. One hundred and twenty.

Mr. DAVIN. I am not discussing that point. What I wish to point out is, that instead of having two political parties as we have hitherto had—and which is the only means of carrying on parliamentary government successfully and smoothly—you will have three parties in the House, and you will have one party united, and the other party—calling itself by what name you like—disunited. As a consequence of that, time and again we shall see important business blocked and no progress made. Is it to be supposed for a moment that for a grievance which I say is largely sentimental——

Mr. BELLEY. No, no.

Mr. DAVIN. Yes, I say largely sentimental and largely technical, and I know what I am talking about. Again I lay down the proposition, that under the proposals made by Mr. Sifton and Mr. Cameron, every grievance in this connection that exists at present in Manitoba, would be removed, with the single exception probably of the circumstances connected with the city of Winnipeg. Does any one suppose that a detail like that cannot be easily arranged for ? Is it possible for any sensible man, is it possible for any statesman, is it possible for men who have any important issues to deal with to entertain the proposition for one minute, that you can erect for the people of Canada, a vast superstructure of policy on so narrow a foundation as the grievance that exists at the present time in Manitoba ? If you do, Sir, what does it mean ? As I said before, it means that for a comparatively small matter you are exciting passions, and swelling floods of animosity, and widening angers, and difficulties, out of all proportion to the cause ; and you are imperilling the prosperity of the country and the safety, and the goodness of feeling that ought to exist between the people of the country. I have been sitting in this House, and I have been amused at times, but there has been no moment, however amused I have been, that I have not felt sad to see this second Parliament in the world, come down to the position that we have occasionally come down to. And all for what? Suppose we meet next July or next August, and suppose we have again a Bill like this ; do you think you will not have a repetition of what has taken place this session, and do you suppose if you have a session, of three, or four, or five months, that you can carry a Bill like this ? I disapprove of the whole line of the character of the discussion on this Bill. I studied this Bill. I knew something of the educational condition of Manitoba, and I say : I have no doubt whatever that the Department of Justice did its best to give you a Bill, but I do say, that there is no evidence in the Bill that a capable draughtsman had placed before himself a principle to carry out. We have got a number of clauses which do not hang symmetrically together. It is, as if you had a piece of Gothic architecture, and a piece of Corinthian, and a piece of Roman architecture mixed up together in a building. There is no united or symmetrical idea whatever in the Bill. There is no evidence whatever that a capable draughtsman had charge of it. I am not condemning a certain kind of obstruction. I say that when an hon. gentleman does what the hon. member for West York (Mr. Wallace) said he would do and stands up in this House, and announces that by every constitutional means he would oppose this Bill, then, Sir, I contend that every possible means of obstruction is plainly within his right. Now, suppose you had a session of five months to deal with this measure. If you go into these clauses as they should be gone into; if you discuss them as they should be discussed; the result will be, that after a wise and just discussion, and after a discussion that would be inevitable looking at the state of things, five months, or six months, or seven months might elapse, and yet you could not pass a measure such as this. And when you have done it, what have you done? In the language of South, you have spun out your political five months into one pitiful controverted conclusion, that would lead you to all sorts of litigation and bickerings, and in the end you would accomplish no sort of good. On the second reading I was greatly influenced by the hon. member for Bothwell's speech (Mr. Mills); I was greatly influenced by the appeal of my hon. friend from Montreal West (Sir Donald Smith); but I was also influenced by this consideration, that I had acted for twenty years with the gentlemen who compose the Conservative party; and, as I sat here with my late poor friend. Mr. Amyot, by my side, and counted seventeen men on that side who voted against the second reading, and there were three men on this side—Mr. Carscallen, Mr. Rosamond and Mr. Calvin who were certain to vote the same way—making twenty in all, or a difference of forty in the majority, I thought that the Government were beaten; and I turned round and said——

Mr. MULOCK. Party before principle.

Mr. DAVIN. No; I said that I had acted with those gentlemen for twenty years, and under these circumstances the man would be dastard who would not stand up and break the wave that came to sweep them away; and I rose and did it. I was greatly influenced by that. I do not say I was wholly influenced by that, for I was not. In all crises like this, one is influenced by several motives. The hon. member for South Oxford (Sir Richard Cartwright) laughs at that; but if some of his friends had acted on the same principle, if they had introduced a little chivalry into their action on the occasion of the fate of a former leader of the Opposition in this House, it would have been better. But we have come to the end of this matter, and I certainly cannot allow this question to pass from Parliament without saying what my opinion is—that it is not in the interest of the country or in the best interests of statesmanship, it is not in the best interests of the Conservative party, it is not called for by any grievance commensurate with the remedy applied, that we should produce a Bill of this sort which cannot be implemented, which mocks translation into action; and if you translate it into action you can only do it by forging into the constitution a principle ruinous to the very ends you are immediately aiming at and inimical if not disastrous to Canada itself.

Mr. MARTIN. Mr. Chairman, time brings everything to those who can afford to wait. I have had occasion to call the attention of this House—it was unnecessary to call the attention of the western country to the fact that the hon. member for Assiniboia (Mr. Davin) took a most peculiar course in politics. His course is peculiar to himself, I think, and different from that of every other member of this House. It has been in the past his universal practice to speak in favour of a measure and vote against it, or to vote for it and speak against it. He has not failed to carry out that policy on this very important matter, although for a time I feared that he was not going to keep up his record in that respect. We are, however, confronted in the west with somewhat of a difficulty in the hon. gentleman's case. He tells us that if the policy of the Government is to be remedial legislation he will not be found supporting the Conservative party. The policy of the Conservative party is to be remedial legislation; there can be no doubt about that. The leader of the House in the presence of the Premier has so announced to-night. Then, I would like to inquire, where is the hon. member for West Assiniboia going to be in the elections. I do not know whether the hon. member for North Simcoe (Mr. McCarthy) will accept him into his fold. The hon. member says he does not want to go there. I can assure the hon. member that the Liberal party will not accept him into their fold, and he does not want to go there. Then, where is he going to be? A fourth party by himself?

Mr. SPROULE. No, his constituents will leave him at home.

Mr. MARTIN. The hon. member for Provencher (Mr. LaRivière) spoke to-night on behalf of the minority in Manitoba, and undertook to say that he was speaking not only for Conservatives but for Liberals. Without stopping to dispute that statement, I think I can fairly say—and the speech to-night of the hon. member for Western Assiniboia is proof, if proof were needed that my statement is true,—that on this question, by my vote and my voice in this House, I have represented the majority in Manitoba, both Conservatives and Liberals. It is a matter of great regret to Manitoba, and I believe it is a matter of great regret to the North-west Territories, and also to British Columbia, that upon this question the six members solid from British Columbia, the four members solid from the Territories, and four out of five members from the province of Manitoba, have voted in favour of a coercive policy towards the province of Manitoba. I believe, however, that these hon. gentlemen did not in that vote represent the views of their constituents. We have not had the benefit of any remarks from any of those hon. gentlemen, except the hon. member for Western Assiniboia and the hon. Minister of the Interior (Mr. Daly). The hon. member for Western Assiniboia has to-night given us his real ideas.

His previous speeches were merely for the occasion; but now that the matter is over, now that the funeral ceremonies of the Bill are being performed, the hon. gentleman tells us what his real feelings are, and in my opinion he expresses the views of his constituency; and that constituency does not differ in its views on this question from the other constituencies in the Territories, and the different constituencies in Manitoba, and also, I have reason to believe, every constituency in the province of British Columbia. I say, then, that the people of the west have been misrepresented in this matter. I am sorry indeed that we have not had the benefit of any reasons from any hon. member west of Lake Superior, except those to whom I have referred, and also myself—and I may add the Controller of Inland Revenue (Mr. Prior), representing the city of Victoria; and the reason which I understood him to give for supporting this Bill was that the lodge of the Sons of England in Victoria to which he belongs had passed a resolution in favour of the Bill. It is perhaps a little idle for me to make prophecies and boasts as to what the coming elections will result in. The hon. Minister of Public Works has indulged in some boasts of that kind, and during his remarks has ventured to say that in the face of all the facts, the Conservative party go into this fight a united body. I shall not attempt to deal with that statement; but I wish to say that so far as the western part of Canada is concerned, with which I am familiar, the Liberal party certainly do go into this contest a thoroughly united body; and I believe that is true, not only of the western part of Canada, but of the whole of Canada. We have had at the head of the Liberal party in Canada a number of great and distinguished men. We had for many years the Hon. George Brown; we had the Hon. Alexander Mackenzie; we had the Hon. Edward Blake; and I have listened to the highest praise of those great statesmen from hon. gentlemen opposite. But while I have the very highest opinion of those distinguished statesmen, who have led the Liberal forces in Canada in years past, to-day the Liberal party are fighting under the banner of a chieftain who is equal to all of them.

An hon. MEMBER. Put together.

Mr. MARTIN. No, I do not say put together; but I say he is the equal of any of those distinguished gentlemen, and he leads a more united Liberal party than they ever had the good fortune to lead in Canada. There has been some discussion by the hon. Minister of Public Works as to Canadian unity—as to the question of French and English in Canada. I believe, Mr. Chairman, that it is allotted to the Liberal party of Canada to cap the climax by the thorough unification of the two great races in Canada, by placing at the head of public affairs for the first time in its history the most distinguished French Canadian, and the most distinguished Canadian that Canada to-day possesses.

Mr. MACDOWALL. Mr. Chairman, I should not have troubled the committee had not the hon. member for Western Assiniboia (Mr. Davin) assumed to speak for the whole North-west Territories with regard to the propriety of the Bill that has been before the House. So far as my constituency is concerned, and I speak for no other, I may say that I was elected on a distinct pledge given in 1891 that I would support no scheme that would tend in any way towards the abolition of separate schools in that western country during the life of this Parliament; and, Sir, it is my firm belief that the people of Saskatchewan, when appealed to at the next general elections, will not have any cause, on account of this Bill, to desert the Secretary of State, and the other Ministers who now hold the Treasury benches. I believe that the people of Saskatchewan, whether Roman Catholic or Protestant, believe in the great future of the country; and they believe that future is to be maintained, and the greatness of that country is to be built up only by observing honourably the compacts that have been made between the different nationalities that compose it, and by granting that measure of British freedom that it has always been the boast of every one from the British isles that those who live in the realms of Great Britain should be possessed of. In England to-day we have an exemplification of this. The very question we are discussing now, the question of religious teaching in the schools, is there an exciting question. We know that about twenty years ago Mr. Gladstone brought in his educational Bill, and abolished all sorts of religious teaching in the country.

Mr. McCARTHY. Oh, no.

Mr. MACDOWALL. He created the board schools, in which there was no religious teaching; but now the feeling in England in favour of religious teaching in the schools has grown to such an extent that the present government have brought in a measure to permit of such teaching in the schools. On the subject of education, if I speak my own opinion, I think it would be better that the state should confine itself to elementary training, and that those who wish to get higher education should provide it for themselves. But things have gone further, and we must accept things as they are. I think that when the people of Saskatchewan are appealed to they will recollect that the hon. member for Montreal West (Sir Donald Smith) and the fathers of confederation who were in authority when Manitoba became part of the Dominion, acknowledged that a compact was made with the Roman Catholic population of Manitoba that their just rights should be maintained, and I believe the people of my constituency will support the Government which gives freedom to the people in this regard. Sir, the hon. member for Western Assiniboia says he considers that the course pursued by the Government in this matter has been unstatesmanlike. If the hon. member wished to express an opinion as to the statesmanship displayed on this question, I think he should have said that it was the government of Manitoba who had acted in an unstatesmanlike manner, because they were willing, for the sake of their party in the province and in the Dominion, to throw away one of the dearest privileges the province possesses, and perhaps for ever lose it from the provincial government—the right of regulating schools. I have only one other remark to make, and that is with regard to what dropped from the hon. member from Winnipeg. He says the Territories will record the fact that four members have supported this measure. Sir, it will be a very short time before this question will be decided. The hon. gentleman can leave it until the elections come off. In two months time he will know; but I venture to say that of the four members that will be returned from the North-west Territories, all will be supporters of the present Government. I do not think the mere fact of the hon. member for Winnipeg (Mr. Martin) or the hon. member for East Grey (Mr. Sproule) stating that we who represent the North-west Territories in this Parliament have misrepresented them, is to be taken as any evidence of the fact. When four supporters of the Government are returned at the general election, we shall have practical evidence that the hon. gentlemen were wrong in their assumptions.

Mr. CRAIG. I regret that I am compelled to rise and take up the time of the House, but I feel bound to do so after the remarks made by the hon. Minister of Public Works (Mr. Ouimet). I am a Conservative. I do not know that I am the same kind of Conservative as the hon. member for North Simcoe. I am a Conservative because I believe in the National Policy and moderate protection, and I am sincere in that belief, and the more I have studied the fiscal question, the more strongly am I a Conservative. I had hoped that the hon. member for North Simcoe had come to that view.

Mr. McCARTHY. No, no.

Mr. CRAIG. Because he claimed to be a Conservative, and how he can prove it in any other way I cannot tell. I sympathize with the Conservative party, but I regret that the hon. Minister of Public Works made the statement—and I do not know that he considered it carefully before he made it—that the great question before the country at the coming elections would be the question of this remedial legislation. I should regret exceedingly if this was the case, because I am opposed to remedial legislation. I have taken that ground. I am the nominee of the Conservative party at present, and my constituents will endorse the stand I have taken. Therefore, in that respect, I could not run as a member of the Conservative party, but I hope that is a mistake. I hope that the Conservative party will go to the country on the ground of its fiscal policy, and the general policy of the Government. That is the ground that I am going to the country on, and while the hon. member for North Simcoe claims to be a Conservative, let me tell him something more. My opponent is a McCarthyite, whom the hon. member for North Simcoe has encouraged to oppose me. That hon. gentleman paid a visit to the constituency to help him. He is a McCarthyite, and nominally a Patron, and he says he accepts the platform of the leader of the Opposition. If that is the kind of Conservative that the hon. member for North Simcoe is, I am not that kind. It could not be that the hon. member for North Simcoe set up a candidate to oppose me because I agree with him on the Manitoba school question. We are perfectly agreed on the question of Manitoba school legislation, and, therefore, the only reason he is in opposition to me is because of my adhesion to the Conservative party on the fiscal policy. Both candidates take the same position, as far as Manitoba is concerned, and I only mention this fact because the hon. member for North Simcoe said he was a Conservative. I have only risen to state my position, so that there might be no misunderstanding on the part of the Government. In running as a Conservative candidate, I do so opposing remedial legislation to the utmost, and if elected, I shall oppose it if again introduced into this House.

Mr. WELDON. I wish to correct my hon. friend from Saskatchewan (Mr. Macdowall) in his statement concerning religious teaching in the board schools. I have the figures here. In February of last year there were 2,392 schools, known as board schools, in England and Wales, of which in 2,301 religious teaching was given and religious exercises were held. If the hon. gentleman's prophecy with reference to the state of feeling in his territory is as accurate as his statement with regard to the board schools, it does not speak much for his prophecy. There were 1,704,130 children in those board schools; and out of the 2,392 there were only 91 from which religious teachings and exercises were excluded. I wish to make one remark further, and that is to call the attention of the committee to the remarkable statement contained in the letter of Archbishop Langevin, which was read yesterday in the House, and which has appeared in all the papers, namely, that he accepts the settlement embodied in the Remedial Bill as a satisfactory and final settlement. I wish to emphasize those words. Therefore, I understand that His Grace the Archbishop of St. Boniface accepts all that is stated in section 74 of the Bill as final, so that the hon. member for Bagot (Mr. Dupont) may no longer expect, even if this Administration should carry this country on the School Bill, that there will be any attempt to implement the provisions of section 74 by a draft on the Federal treasury or the school lands.

Mr. MACDOWALL. I was referring more particularly to the board schools of Scotland. It is known that in very many of them that religious instruction has been excluded and that the denominational schools will, in this new Bill, receive a certain amount of support.

Mr. WELDON. The hon. member referred to the schools affected by the Education Bill now before the English Parliament. This Bill does not refer to the schools of Scotland.

Mr. WALLACE. I shall not occupy the time of the House but for a few minutes. With reference to the remark of the hon. member for North Simcoe, that we are celebrating the obsequies of this Remedial Bill, I am rejoiced to say that we are. I am rejoiced to be present at that interesting ceremony, and I hope that in this case there will be no resurrection. The hon. Minister of Trade and Commerce (Mr. Ives) interjected a remark while the hon. member for North Simcoe was speaking, that it would be also the funeral ceremony of those who were opposed to the Bill. I am not so sure about that, nor am I sure that the hon. Minister is in the position to give an opinion that is worth anything. He may be able to express an opinion as to views of people in his own province, but I am quite positive that he is not expressing the opinion of the people of North Ontario. The hon. Minister of Public Works said that the Government and its supporters were a united party. Well, I feel inclined to dispute that assertion. The Conservative party are not a united party on this question, neither in this House nor out of it—more particularly out of it than in it. I should say, perhaps, that they are more united out of it than in it. But they are united against the Bill. What are the facts known to this House? When an expression of opinion was sought for last year as to those who were opposed to the principle of remedial legislation, the statement was made—and made, I believe, with authority—that 38 or 40 members of the Conservative party were opposed to this legislation. That, I assume, represented fairly the opinion of the Conservative party in this House. We know that influence—I am not going to say now whether proper or improper, though on that I have my opinion—were brought to bear, and as a result only half the number voted against the Bill. But it is a well-known fact that as many more who voted in support of the Bill and against the six months' hoist, did so with reluctance. There is no use disguising that fact, because it is known to all the members on this side of the House. I wish to protest against the statement of the hon. Minister of Public Works that the policy of the Conservative party is to be remedial legislation. No, Sir, that is not their policy. He said they would make it an issue, but though the Government may, the party is larger than the Government, and the party has never endorsed that principle. They have never given their adhesion to it. Why, the Conservatives in Ontario, in past years, adopted a different policy in local affairs, where this same principle and question, though on a minor scale, was in issue, and, therefore, there is no authority for saying that the Conservative party is going to make this remedial legislation an issue at the elections. As for myself, and the constituents I represent, and for which I received the nomination of the Conservative party some time ago, I consulted the party at a mass meeting, and I can say for the West Riding of York that they did not endorse the policy of remedial legislation, but, on the contrary, condemned it and passed a resolution to that effect. So that when the Minister of Trade and Commerce speaks of this being a funeral ceremony for the opponents of remedial legislation, when the election comes on, he is speaking of a matter on which he is not well qualified to speak. At any rate, those who are opposed to the Bill have repeatedly asked that the House be dissolved and the verdict of the people taken. We were anxious to do that—and people do not usually rush to their own destruction if they know it—because we were confident that verdict would be one of approval. I must express my satisfaction and relief at knowing that we will now be able to take up the ordinary business of the country, and I must express my regret that we are so near the end of the session as not to be able to give that attention to the business of the country which its importance deserved.

Mr. TISDALE. I would not press myself upon the attention of the committee for even one moment, were it not necessary that I should correct some assertions of the hon. member for West York, as to the policy of the Conservative party in local affairs in Ontario. I totally repudiate, on behalf of the local members of the province of Ontario, and of the Conservative party of that province, that we have ever expressed any opinion upon a matter of this sort. Though I may not be as learned a man as the hon. member for North Simcoe, who took occasion to inform this House last night of his great range of knowledge, though I am only one of the rank and file I have always been a Conservative, I have followed the party in its large lines on policy, both local and Dominion, and I think I am as well qualified to give an opinion in the matter as either the hon. member for West York or the hon. member for North Simcoe. This is the first time that a question of this kind has been raised in the province of Ontario. The other issues raised there were not as to whether the minority should have rights which the constitution guaranteed them, but whether the rights of the minority should be extended by local legislation. The two questions are as distinct as the sun and the moon. It is every man's independent right to differ from his party, but I have yet to learn that it is a principle recognized in England or in this country by either of the great parties, that when a gentleman separates himself from his party on any one question, he is warranted in joining the Opposition in obstructing the measure to which he is opposed. An hon. gentleman goes far beyond his right to differ with his party on any particular question when he joins the party opposite in obstruction. I wish to say to the hon. member for North Simcoe that, humble as I am, and although my knowledge may be much less than his, I have never in any way, directly or indirectly, profited one cent by my connection with the Conservative party. I believe I know something of the sentiment of the people in this country, and I believe that the great Protestant element of the Conservative party is fair enough to give the minority the rights guaranteed to them by the constitution. I represent an old riding where my father (and he came to this country because of his adhesion to British principles) was born, and out of 7,000 votes in that constituency there are less than 180 Catholics. I invite both the hon. member for West York and the hon. member for North Simcoe to come into that county and see whether they can get these fair-minded, honest, straightforward Conservatives to go against granting this minority the rights which the constitution gives them. I would probably not have said one word, but these gentlemen have taunted me for being silent. Do you think that their taunts will deceive the honest sentiment of either Conservatives or Reformers. When we stand up and speak they charge us with obstructing, and when they do not they taunt us with being silent. These gentlemen claim that they voice the sentiment of the great Conservative party of the province of Ontario, these gentlemen who have joined with certain elements of the great Reform party —mind you, only certain elements. I repudiate their assumption of the right to speak for the Conservative party. I tell you this is a matter above party. You may play with it on either side as you please, but I believe, as a Canadian, as a man brought up to respect the great, free institutions of Britain, that the people will say that it is not a party question. Shame on the party that dares to palter with such a matter. While taking pride, as a native-born Canadian, in the honour of representing in my native county in this great representative chamber, I would rather, a thousand times, be defeated than to join in any party tactics and attempt to gain a seat through disregard of great constitutional principles. I want to say further to these gentlemen and the Protestants of Ontario, that whatever we deal out to the minority of Manitoba we must expect to be dealt out to our Protestant brethren in Quebec. I have always had an unbounded faith in confederation, and I believe that if the compacts of confederation are carried out, and if lessons of toleration prevail so that people can live together in harmony, whatever their religion, or whatever language they may speak, then, Sir, we will grow into a great nation. Sir, I may say in conclusion, that while possibly I feel that at many times I may not have lived up to so high a religious standard as I should, yet, so far as I understand the religious principles taught by Christ they are broad enough to embrace all men who repent and believe without distinction as to the manner of teaching or the names of the churches in which they are taught.

Mr. SPROULE. The hon. gentleman (Mr. Tisdale) has given us an example of the righteous indignation he can work himself up to on an important occasion. It is not the first time he has attempted to lecture this House in regard to its duties. In my estimation he always appears to assume to himself the right to say what this House of Commons should do, or what it should not do, and then tells us what he knows it ought to do. He told us that if hon. gentlemen did not speak on this question, they were upbraided for holding their tongues. No person upbraided him, because he has been attending to his duties elsewhere for the last fortnight, and he therefore could not speak on the Bill. What part did he take in perfecting this measure? He undertook to-night to castigate the independent members of this House who differ from their party on this question, and. he said that consequently they must differ from the Government on all other measures. This is an unjustifiable assumption, but it is on a par with what he has said in the past, and what he may say in the future—although I have some doubts that when his constituents come to deal with him he will have an opportunity of speaking here in the future. I regard it as my right in this House, to either agree or disagree with my party on this or any other question, when my conscience tells me I should disagree with them. Upon other questions than this I do not disagree with my party, but upon this I expressed my opinion as I had a right to do, and what my constituents sent me here to do. I have at least as good a right to act as I did, as the hon. gentleman (Mr. Tisdale) had to act as he did. I shall continue to do in this House what my judgment tells me is right, and I shall do it not only in the interests of my constituents, but in the interests of the country whether it accords with the policy of my party or whether it does not. As to whether hon. gentlemen who oppose the Government on this question are Conservatives or not, that depends upon what you consider to be true Conservative principles. As I understand the policy of the Conservative party, and as I have announced it for the last fifteen years in the country, I believe myself to be in accord with Conservative principles. I gave the Government notice long ago that I was not in accord with them on this question, and I exercised my right to oppose them on this measure. When I go back to my constituents I will not go back believing that this is the sole and important issue which the Conservative party places before the country. If the expressions given vent to by the Minister of Public Works are to be relied on, then, if the Conservative party make this question the important plank of its platform many Conservatives now in this House will not grace the next Parliament with their presence.

Mr. McNEILL. I wish to say, with all courtesy and in all kindness to the Minister of Public Works, that when he speaks as though we, who have been opposing this Bill, are acting in a manner which we believe to be contrary to what the constitution requires, we utterly repudiate any such statement or insinuation. We hold that we are acting entirely in accordance with the constitution in the course that we are taking. I say further, that when Mr. Ouimet says, or insinuates, or implies, that we desire in any degree to deprive the minority in Manitoba of their just rights or privileges, he says, or insinuates something which is also altogether incorrect.

Mr. LaRIVIERE. Oh, no.

Mr. McNEILL. I say so. We desire that the minority in Manitoba should have their rights and privileges accorded to them, and we say that we believe that by kindly means, that by approaching the government of Manitoba in the manner in which the government of a free British province should be approached, the minority of Manitoba will obtain their rights and privileges in the best possible manner. We say furthermore, that the government of Manitoba have lately made a most reasonable and a most liberal offer to this Government. We say that they have made an offer, far more liberal than the terms given to the Catholics under the Nova Scotia law, which has been described by the leader of th's House as a monument of school legislation such as any legislature in the world might well take example by. And we say, it is very unfair under these circumstances, to accuse us of narrowness or bigotry, or a desire to deprive the minority of their just rights. I say further to the hon. gentleman (Mr. Tisdale) who has just addressed the House, that I am not surprised from the manner and the tone in which he addresses members of the party to which he has the honour to belong, and to which I have the honour to belong; I am not at all surprised that he is one of those who think, that the best way to secure the privileges of the minority in Manitoba is by a policy of coercion.

Mr. MACLEAN (York). As a Conservative who is divergent from his party on only one question, I must protest against the banner which was fashioned for the Conservative party by the Minister of Public Works tonight. Before that banner is put in the front of the Conservative ranks, I say that the Conservative party ought to be consulted in regard to it, that I protest to-night against such a banner being held out before the whole party. An opportunity must be given to Conservatives to declare where they are on this question. If we are ever to attain that national unification referred to by the hon. member for Bagot (Mr. Dupont), it will not be by passing such a Bill as this, but by adopting other means which will be found for a settlement of this question. It is the duty of each one, who like myself has been consistent in his attitude, to say, that he protests against such a banner being put forward without an opportunity being given to the Conservatives to say, where they stand in regard to it. What I said before in this House comes true to-night: that no party in this country, whether Liberal or Conservative, can stand the strain of such a measure as this Remedial Bill. The hon. member for Assiniboia (Mr. Davin) spoke the truth when he said that the grievance which it was proposed to remedy was much smaller than the magnitude for evil of the remedy proposed. That is a sound opinion. There must be some other remedy found for this grievance, and if it requires time to get that remedy, time must be taken. But, Sir, no such thing as the coercion of Manitoba will ever remedy it. I again ask the Conservative party to take time before they go further in this matter. I ask the leaders of that party here, to consult their followers as to what banner we shall fight under in the approaching election.

Mr. LISTER. Before the committee rises, I desire to make a few remarks with regard to the statement of the hon. member for South Norfolk (Mr. Tisdale). I am sure that every person present will be glad to hear the utterances of that hon. gentleman in the direction of extreme toleration to all classes of the community. My hon. friend says, that the question involved in the Bill before the House has never been discussed in the province of Ontario. Why, Sir, the hon. gentleman cannot be ignorant of the fact, that for the last twelve or fourteen years the war waged against the Ontario government was a war of religion. He must know that in the elections of 1886, the elections of 1891, and the elections of 1893, the whole charge against Sir Oliver Mowat and his colleagues, was, that they were the mere servants of the Roman Catholic hierarchy;

that they had yielded to the Catholic clergy of Ontario, and that for these reasons they should be turned out of power. Surely the hon. gentleman (Mr. Tisdale) knows that the former leader of the Conservative party in Ontario, the present Chief Justice Meredith, and later Mr. Marter, went to the country upon the question of the Catholic schools of Ontario. It was broadly stated upon every platform, that the people who had been a party to the compact permitting Catholic schools in Ontario, had power to undo the compact, and they urged it should be done.

Mr. BENNETT. Nonsense.

Mr. MACLEAN (York). No.

Some hon. MEMBERS. Never.

Mr. LISTER. Yes, Sir; and hon. gentlemen here who represent constituencies from the province of Ontario were the supporters of the hon. members who supported the opposition in the local legislature in the three elections, when the question was the abolition of separate schools.

An hon. MEMBER. Rot.

Mr. MACLEAN (York). Do you refer to Meredith's platform ?

Mr. LISTER. Yes, Sir.

Mr. MACLEAN (York). No.

Mr. LISTER. Yes, and they charged that Mr. Mowat ought to be turned out of power because he had made the separate school law workable, and had granted to the Catholics rights which they should not possess, but which were necessary if the separate school laws of the province were to continue in force. And, hon. gentlemen know, that hundreds of thousands of copies of a circular, which I hold in my hand, were scattered all through the province of Ontario, denouncing Catholics, denouncing their clergy, denouncing their religion, denouncing their convents, and denouncing everything else connected with them.

Some hon. MEMBERS. No, no.

Mr. TISDALE. It is the first time that I ever saw that.

Mr. MACLEAN (York). Does the hon. gentleman say that Mr. Meredith circulated that pamphlet ?

Mr. LISTER. These circulars were sent all through the province of Ontario. "An eye-opener for the Ontario electors." Let any man read this paper who wishes to appreciate to a small extent the bitterness of the contest which was waged against the Liberal party of Ontario. People were brought into constituencies who had never been heard of before, as ex-priests, and ex-nuns, arousing some of the electorate of the province to a degree that it is impossible to give expression to, and hon. gentlemen on the Conservative benches in this House were found going to the polls and voting for the candidate supporting these people. I am pleased to hear my hon. friend from North Norfolk (Mr. Tisdale) say to-night that intolerance was to be deprecated. I join hands with him heartily, because I know the terrible condition which this kind of politics, and this kind of intolerance has brought into the province of Ontario. The policy of Sir Oliver Mowat was a just policy. In three elections he appealed to the people upon the justness of his policy, and he was returned by the majority of the people of his province. Mr. Marter went to the city of London during the very last election, and he raised the religious cry upon the public platform. He was defeated in London, and afterwards, he openly in the House abandoned any further war against the Catholic schools of the province of Ontario.

Mr. SUTHERLAND. Who did he support in London ?

Mr. LISTER. He supported Mr. Essory, the P. P. A. candidate. Go throughout the constituencies in Ontario, and you will find the candidates of the P. P. A. organization supported by the Conservative leaders of that province. But, Sir, it pleases these hon. gentlemen now to be liberal in their ideas, to become tolerant in their expressions, and to say, what we have attempted to deny to the minority in Ontario for the purpose of trying to turn Mowat out of power: we are willing to give to the minority in Manitoba for the purpose of retaining ourselves in power in the Dominion. These gentlemen turn round now and say: We are the friends of the Roman Catholic minority in the province of Manitoba. Sir, the people of this country will understand who their true friends are. They will understand that the men who have stood by them for fifteen years are not going to betray them now. The leader of the House sat in his seat silently when the Minister of Public Works announced that this firebrand is to be thrown into the next election, as the issue upon which the Conservative party is to go to the country. There was not a word of contradiction from him to the statement of the Minister of Public Works. The Minister of Finance also sits silently in his seat and does not dare to repudiate the statement of the Minister of Public Works. These gentlemen will go to the country, and when it suits them they will be prepared to raise that as an issue, or if it does not suit them they will be prepared to leave it alone. These hon. gentlemen opposite will say that they are opposed to remedial legislation in constituencies where it is clear that the electors are opposed to that legislation. Sir, if there is anybody to blame for the grievances under which the Manitoba minority labour, it is the Conservative party. If they were so careful of the rights of the minority, they had the clear right in 1891 to prevent the Manitoba School Act of 1890 from becoming law. Why did they not disallow that Bill as they had a constitutional right to do? If it were wrong then it is wrong to-day. If it were disallowed then the Manitoba minority would have no grievance to-day. But, Sir, the Conservative Government did not veto that Act. The elections were coming on and they had not the moral courage to deal with it. They trifled with the question then, and they have trifled with it from that time up to the present. They said, next, let us see what the Supreme Court will say, and they probably knew what the Supreme Court would say. Then they go on litigating the question. They promised the minority that they would introduce this legislation last year, but when they met the House in session their Ministry became disrupted, and they broke faith with the minority, and they did not introduce the legislation as promised. Three of them went out of office; and one of them remains out, no doubt because he had no confidence in the men with whom he was associated. The other two Ministers crawl back again, and give an exhibition which any person in this House who witnessed it will never forget when they stood up like school boys and read their apoligies for the way they had acted. The Government, in order to get them back, promised that they would call a special session to pass this legislation. Six months passed away, and when Parliament met the Act was not drafted at all. I believe it never saw the inside of the office of the Minister of Justice. When Parliament met and had an opportunity to pass the law, they quarrelled among themselves. Seven of them conspired and went out. The Prime Minister denounced them as a nest of traitors, and they denounced him as an imbecile. They remained out ten days, and then went back again; but the Bill was not introduced until the 3rd of March, two months after Parliament met—a Parliament called specially to pass this legislation. They knew then, as they know now, that Parliament would expire on the 24th of this month, and that it was within the power of half a dozen determined men to burk the passage of this Bill. They knew that the hon. member for West York (Mr. Wallace), with his ability and determination, and the hon. member for North Simcoe (Mr. McCarthy) and those associated with him, had stated publicly that this Bill would not become law. And are the statements which are going about true?—that this Government would say to their Protestant friends, "It is not going to become law; don't be alarmed;" and that they would say to their Catholic friends, "We are ready to die for the Bill." Have the people of Canada confidence in the band of men who are pretending to govern Canada to-day? No; they are acting this session in accordance with their whole career. We have the leader of this House coming from the old country, saying that he has come to see about the Atlantic cable and the fast line; and he comes with a determination to turn my old friend the Prime Minister out of his position. The conspiracy had been hatched before the leader of this House left England; and when he came to Canada, the excuse he gave was the merest pretense. It was so transparent that there is no man living in Canada to-day but believes that he came to turn Sir Mackenzie Bowell out of power. The conspiracy was well hatched; and when it was ripe, he comes to Canada with an appointment to meet the Prime Minister. While he was talking with him about the fast line and the Atlantic cable, the seven bolters sent in their resignations. All honour to the Prime Minister; instead of shaking in his boots, he at once accepted their resignations. And, then where were the boys? Why, Sir, we saw them running through the lobby of this House, one after another, so anxious were they to get back, and so fearful that they never would get there. If the Prime Minister had had the backbone that he had twenty years ago, they never would have got there. But influences were brought to bear upon the Prime Minister, and ultimately he let the boys come back again into the Government.

Mr. LANDERKIN. The worst thing he ever did.

Mr. LISTER. Within a few days more he will cease to be Prime Minister.

Mr. LANDERKIN. Not he.

Mr. LISTER. And they will kick him off like an old boot. Make a good bargain before you go out, Sir Mackenzie Bowell. Don't let them get the better of you. And the great Sir Charles, the leader of this House, is to be the Prime Minister of this country; and the party in the House think it is a wonderful scheme to carry Canada. But let me tell the hon. gentlemen that Canada knows the circumstances perfectly well. Let me tell them—and I have some knowledge of the situation—that they would have been infinitely stronger in the country with Sir Mackenzie Bowell than they will be with Sir Charles Tupper. Sir, whether rightly or wrongly, the people of this country are afraid of Sir Charles Tupper. They have good reason to be afraid of Sir Charles Tupper. What has taken place to-night is only what every person in this country expected—that the Government have not and never had any intention of passing the Remedial Bill. They are playing and trifling with the Catholic minority of Canada. Return them to power again, and they will snap their fingers at them and treat them as they have done in the past; and five years hence will never see this grievance redressed. The reasonable and proper policy in this matter was the policy propunded by the leader of the Opposition—a policy that appeals to the good sense of every citizen of this country; a policy which this Government, after all their bungling, had to adopt, namely, the appointment of a commission to see if they could obtain a settlement of the question. Instead of doing, as suggested by my hon. friend from Montreal West (Sir Donald A. Smith)—instead of negotiating with a sovereign province having a power as great as their own, they have treated the government of Manitoba as the merest vassals; they have ordered them in a peremptory way to do certain things, or certain things will be done to them. After resisting the proposal of my honoured leader, they at last, when it was too late, accepted it, and sent their commissioners to the province of Manitoba. What a farce it was when you come to consider it. Why, Sir, those gentlemen were only there two or three days. They were received in a friendly spirit by the government of Manitoba: we have their own admission as to that: and we have every reason to believe, from the report made by them, that if what was done at last had been done at first, this Bill need never have been put before this House. We found that there was a disposition on the part of the Manitoba government to negotiate, and we believe that if longer time had been given, if that wise and prudent course had been first taken, no necessity would have existed for the introduction of this Bill at all; but this unhappy question would have been settled amicably between the two parties to the satisfaction of all the people of Manitoba and of Canada. Sir, the majority of the people of the country do not wish to deprive any minority of any right they have under the law; but we recognize that education being a part of the right of the province of Manitoba, it would be well, if it is possible, for Manitoba to settle that question herself. I believe she will settle it to the satisfaction of her own people, and the people of the whole Dominion. We believe that the policy propounded by the leader of the Opposition would have met with this happy result, and if our honoured leader, the greatest political personality in Canada to-day, is returned to power, as we believe he will be, we know that he will be able to settle this agitating question to the satisfaction of all classes and every portion of this Dominion.

Mr. HASLAM. I wish emphatically to deny the statement made by the hon. member for Winnipeg (Mr. Martin), that the members for British Columbia do not represent the wishes of their constituencies. So far as I am concerned, I have every reason to believe that I do represent the feelings of my constituency. From the very first I have taken the same stand on this question. I have never been asked my views upon it, but I have stated that I would cast my vote in favour of remedial legislation. I have not a constituent, who does not know that; and for twelve months I have not had one objection in any shape or form to the position I have taken. The last statement I made to my constituents on that question was to the Orangemen of the town I live in on the 30th of April, 1895. I made a statement in writing over my own hand, and the last paragraph in it ran thus: "I sincerely hoped, for the honour of the Protestants of Canada, that this question would not come before Parliament, but if it did, I was bound to cast my vote in such a way as would grant to the Roman Catholic minority in Manitoba the same rights as the Protestant minority in Quebec now enjoy." The letter was read and discussed in the lodge, and I have had a very kind letter from the secretary, thanking me for the trouble I had taken to explain the question. I have heard nothing since.

Mr. LANDERKIN. What was the explanation?

Mr. HASLAM. I have the explanation, and I will read it. I think the hon. member for Winnipeg has more genuine——

An hon. MEMBER. Gall.

Mr. HASLAM. Yes, I suppose that is the most appropriate word—of any man who ever has had a seat in this House. The explanation is as follows:—

Ottawa, 30th April, 1895.

Messrs. D. McLenan, Kenneth McInnes,
David McKinnell and T. C. Bannerman,
Committee, L.O.L., No. 1576.

Gentlemen,—In reply to yours of the 22nd inst., asking my views on the Manitoba school question, I may say I am opposed to separate schools in any country, but my own opinion is of no consequence in this matter, as the conditions and circumstances surrounding the case leave no room for the exercise of the ballot according to the personal conviction of myself or any other member who tries to get a clear understanding of the case. I will try to place the question before you in as brief a form as possible; even then it may tire you, but there is no other method open to me. I must begin with the first steps towards confederation.

When the fathers of confederation attempted to bring about a union of the provinces, this very question of separate schools was the greatest difficulty to be overcome. Strange to say, the right to have separate schools was the contention of the Protestant party. So determined were they on this point that the fathers of confederation had to make special provisions, not only for the granting of this concession, but also for the perpetuation of it.

The party contending for this privilege were so jealous of any possibility of any future infringement of their rights in this and other points at issue, that they insisted on their contentions being embodied in the original contract of confederation, and that, too, in a way that the Parliament of Canada could not by future legislation, limit or destroy the privileges so obtained.

To satisfy the demands of the contending factions, it was necessary to enter into the scheme in a manner protected by all the safeguards admissable and advisable by law and experience. A contract was drawn up; the contracting parties were the Dominion of Canada first, the majority in each province second, and the minority in each province third. The agreement of contract was the British North America Act. This Act was formulated by the then parties to the contract, so as to protect their several interests.

To prevent any future attempt to make a change in this Act or agreement, it was made law by the Parliament of Great Britain, thus preventing any legislative body in the Dominion of Canada from having power to make the slightest change in the agreement. The Parliament of Great Britain will not make a change until requested by the three contracting parties ; even then, I am not sure a change would be made. With these facts before us, I cannot see how any province in the Dominion can be prevented from having separate schools, if the minority ask for them.

In the case of Manitoba, there was a doubt in the minds of some of the legal fraternity as to whether the minority in that province could claim the protection of the British North America Act, from the fact that the province had no established form of government previous to confederation. To settle this doubt, the minority in this province took the course provided for in the British North America Act, that is, it appealed to the Governor General. His Excellency's advisory board (the Privy Council of Canada) recommended,—and I think properly, too—that the appeal be taken to the Privy Council of England.

I have not heard any one question the decision of that honourable body ; yet, they decided that the appeal was well taken ; in fact, that the rights of the minority were infringed on, that they were clearly entitled to separate schools, if they wanted them.

The Opposition to the Dominion Government politically have, in a number of instances, found fault with the Government for allowing the appeal to be taken to the Privy Council of England. In my opinion, any other course could not be taken. If the Dominion Government attempted to decide, it would look very much like a judge sitting in court on the bench, hearing the argument when his own case is being tried.

So far, the Dominion Government have contented themselves with notifying the provincial government of Manitoba, as representing the majority in that province, of the decision of the Privy Council of England. What action that body will take remains to be seen. I cannot see how any honourable body can, for a moment, think of any course but that of carrying out the contract they have willingly entered into.

It must be remembered the Protestants and Roman Catholics were about evenly divided when they entered into confederation, in Manitoba. There was no coercion—it was a voluntary action, and as such, each of the contracting parties must in honour abide by the contract they have entered into. Suppose the majority of the people of Manitoba were allowed to break faith with the minority without any action being taken by the Dominion Government, is there any reason why the majority in Quebec would not do the same ? Can a law be made for the Protestant minority in Quebec, and another for the Roman Catholic minority in Manitoba ? Or, putting it in another light, are we to expect the Roman Catholic majority in Quebec to honourably and honestly carry out the contract they have entered into, while the Protestant majority in Manitoba publicly proclaim their unwillingness to do the same ?

I sincerely hope, for the honour of the Protestants of Canada on this question, a vote will not be necessary ; but if it is, I am in honour bound to cast my vote in such a way as will grant to the Roman Catholic minority in Manitoba the same rights and privileges that the Protestant minority of Quebec now enjoy.

I am, yours respectfully,
A. HASLAM.

Mr. PATERSON (Brant). That will do.

Mr. HASLAM. I dare say it will. I had no intention of making this statement were it not for the charges made and repeated by hon. members opposed to this Bill, that every member who supported it did so because he had been bought body and soul by the Government. I do think that there is one statement that ought to be put on the "Hansard," and that is this, that the opponents of this Bill, while on the floor of the House, were not drunk. That ought to be put in "Hansard" for the simple reason that when future generations come to read the debates on this question, it will be very hard to convince them that these hon. gentlemen were sober.

Mr. LANDERKIN. What was the answer to the letter ?

Mr. HASLAM. It was satisfactory to me. We hear member after member opposing this Bill, getting up on the floor of the House and condemning the Government for its insincerity, for its lack of purpose, for its determination to fool the Roman Catholic people all over the Dominion, and then, before they get off their feet, they turn round and accuse the Government of using its power to purchase the votes of members to induce them to vote in favour of the measure. I would like to know whether any person who reads these debates, can come to any other conclusion than that the hon. members who make such contradictory statements were really not in their right mind. It is rather hard to understand how an hon. member can accuse the Government of insincerity and double dealing and lack of purpose and then turn round and accuse them of trying to purchase votes in order to secure the passage of the measure which they are charged with not being really desirous to pass.

Mr. McGILLIVRAY. I do not wish to permit this debate to close without joining issue with the hon. member for Lambton who appears to have got into some quarrel with the P.P.A.'s in his county.

Mr. LANDERKIN. Tell us what you think of Margaret L. Sheppard.

Mr. McGILLIVRAY. I wish, Mr. Chairman, you would keep that man quiet. I do not known whether "buffoonery" is a proper term to use in Parliament, but when other members wish to discuss questions seriously, he seems to think of nothing but playing the buffoon. The hon. member for West Lambton (Mr. Lister) exhibited a green paper over there to-night. It is the second copy I have ever seen.

Some hon. MEMBERS. Oh, oh.

Mr. McGILLIVRAY. Hon. gentlemen may say, oh, but I repeat that is the second one I have ever seen. The first was in the hands of Hon. S. H. Blake, who was going along a line of railway to take an apartment in one of the Victoria's in the interest of the Liberal party. I never saw such a document, and I was in plenty ridings in that county. And yet this man gets up from Lambton and ventures to say to the people of this country that that was the literature which Conservative speakers used in the late contest in the province of Ontario.

An hon. MEMBER. What about Margaret L. Sheppard ?

Mr. McGILLIVRAY. I have heard the name but I have not the pleasure of her acquaintance, but I am told the hon. member for West Lambton has. I am told that they were cheek by jowl on the same platform in that county.

Mr. McMULLEN. No.

Mr. McGILLIVRAY. The hon. gentleman says no, but I know whereof I am speaking.

Mr. McMULLEN. No, you do not, you were not there.

Mr. McGILLIVRAY. No, nor was the hon. gentleman, but I have the word of the hon. member for West Lambton himself that she was upon a platform there, and that is more than the hon. member for Wellington can say. I never mentioned the name of Margaret L. Sheppard in any speech in this House, but it has always been brought up by the other side. It was brought up by the hon. member for Wellington to-night and by the hon. member for West Lambton the other night.

Mr. LANDERKIN. The hon. member for West Lambton will be here in a moment.

Mr. SUTHERLAND. She was in Lambton supporting the Conservative party in the last election, and in North Ontario too.

Mr. McGILLIVRAY. I wish to tell the hon. member for West Lambton and the hon. member for North Oxford that no one knows better than themselves that the campaign of the Liberal-Conservative party in the province of Ontario last time, and the three last times spoken of to-night, were never on the lines laid down by the hon. member for Lambton.

Mr. SUTHERLAND. She was in Oxford opposing Sir Oliver Mowat.

Mr. McGILLIVRAY. When I was interrupted by the hon. gentleman, I was saying that the lines laid down by the hon. member for West Lambton to-night as the lines on which we ran those contests were not the true ones. Now, I challenge him and hon. members of this House to prove their statement that the Conservative party advocated the doing away of separate schools in Ontario. It is very well to charge the leader of the Opposition then, now a most respected judge in the province of Ontario, with having carried the flag of intolerance throughout the country, but what was the policy of Mr. Meredith in that contest ? All he advocated was that the separate schools should be put upon the same basis as the public schools, that they should have the same class of inspectors, the same certified teachers, and that we should have the ballot in the separate school elections the same as in the case of the public schools, and that no man should be put upon the trustee board of a high school simply because he was a Roman Catholic.

Mr. MULOCK. You voted for the Bill. These things are in section 74.

Mr. McGILLIVRAY. The hon. gentleman knows that what he is stating is entirely incorrect. I voted against all those views.

Mr. MULOCK. Will the hon. gentleman allow me to ask a question ?

Some hon. MEMBERS. Order.

Mr. MULOCK. I rise to a point of order. The hon. gentleman denied that he favoured the adoption of clause 4.

Mr. DEPUTY SPEAKER. That is not a point of order.

Mr. MULOCK. My point of order is that he has misstated his action in the committee.

Mr. DEPUTY SPEAKER. That is not a point of order.

Mr. LISTER. I desire to ask the hon. gentleman whether he said, while I was out of the House, that Margaret L. Sheppard and I appeared upon the same platform, cheek by jowl or in any other way.

Mr. McGILLIVRAY. What I did say was this, that I had never mentioned the name of Margaret L. Sheppard in any speech until it first came from the other side. In the first instance it was mentioned by the hon. member for West Lambton (Mr. Lister) and to-night by the hon. member for North Wellington (Mr. McMullen). I said that what appeared to be troubling the hon. member for West Lambton was the fact that while Margaret L. Sheppard was not in North Ontario in that contest, she was in West Huron, cheek by jowl with the hon. member for West Huron. That is my statement. And then the hon. member for Wellington contradicted me, and I said that my knowledge that she was there came from the hon. member for West Lambton himself.

Mr. LISTER. If the hon. gentleman said that I was on the same platform cheek by jowl——

Mr. McGILLIVRAY. I did not mention any platform at all.

Mr. MULOCK. You did say the same platform.

Mr. LISTER. I want to say to the hon. gentleman that I was never on the platform with her, that I never saw her, that I know she was in West Lambton supporting Mr. Gurd, whom Mr. Moncrieff wanted to have elected. She was in North Ontario.

Mr. McGILLIVRAY. She was not.

Mr. LISTER. She was in Muskoka which was a part of North Ontario and she was in Bracebridge.

Mr. McGILLIVRAY. That is in Muskoka.

Mr. LISTER. That is part of North Ontario, and more than that, the hon. gentleman was supporting the man whom she was supporting. And more than that, Mr. Spence, the assistant Conservative organizer, was in the town at the same time working with her, and was chief of the P.P.A.

Mr. McGILLIVRAY. In regard to the hon. gentleman's second speech, let me say that the woman in question never was in North Ontario during that contest nor in any county so far as I know. Bracebridge, as everyone knows, is in Muskoka for local purposes.

Some hon. MEMBERS. Explain.

Mr. McGILLIVRAY. When he says that she and I supported the same candidate, all I have to say is that if she was ever in Muskoka, I never saw her, and more than that, I had not a vote in Muskoka. I do not intend to delay the House, but I was just going to say that the hon. member for West Lambton would never dare to say to Mr. Meredith, were he off the bench, what he had dared to say of him now he is on the bench.

Mr. LISTER. What did I say ?

Mr. McGILLIVRAY. The hon. gentleman slandered him in the worst possible way, for no one knows better than he that on every platform Mr. Meredith said it was impossible to do away with the separate schools of Ontario, that all he wanted was to make the separate schools as nearly allied to the public schools as possible, and I ask hon. members of this House, even those who are now opposing the Government most strongly, if that were not the position taken by Mr. Meredith. As to the statement of the hon. member for North York (Mr. Mulock), I do not know what he was speaking about when he spoke of clause 4. I was not in the House when that clause was being discussed nor when a single vote was taken in committee. I was in the House when the vote was taken as to whether we would take Saturdays or not, and I voted that the Government should take Saturdays. The only vote I have given since I voted against the second reading of the Bill was one to take Saturdays for the purposes of the Government. But in taking that view, I had the authority before me that last year the same thing was done and two Saturdays were taken. The year before the same thing was done.

Mr. LISTER. You wabbled before and you wabble again.

Mr. McGILLIVRAY. I wish the hon. gentleman would keep his mouth from wabbling. Three years ago the same thing was done and two Saturdays were taken. If that was voting for coercion, then I voted for it, but I do not look at it in that light. All I have to say in conclusion is that I voted against the second reading of the Bill. There was no clause in the Bill that would satisfy me, and if the Bill came to a third reading I would vote against it again.

Mr. MULOCK. The hon. gentleman states that he was extremely anxious to secure certain principles in connection with the working of the separate school system in Ontario.

Mr. McGILLIVRAY. Hear, hear.

Mr. MULOCK. Yes, "hear, hear." And those principles were embraced in clause 4 of this Bill.

Mr. McGILLIVRAY. Hear hear.

Mr. MULOCK. And the hon. gentleman wholly abstained from assisting in the consideration of clause 4. When it was before the committee he absolutely abstained from rendering the slightest assistance in order to place on the statute-book those principles that were so dear to him.

Mr. McGILLIVRAY. I happened to be a thousand miles away.

Mr. MULOCK. This clause was before the committee for days.

Mr. McGILLIVRAY. Several days, I believe.

Mr. MULOCK. Clause 4 was carried by the votes of the colleagues of the hon. gentleman, and by those of his party who were absent, or who divided themselves into relays in order to pass it. Clause 4 confirms these things which the hon. gentleman says he campaigned against in Ontario. What is the use of his saying, or the use of the hon. member for North Victoria (Mr. Hughes) saying, or the use of the member for East Durham (Mr. Craig), saying that they voted against the Bill on the second reading, when all the rest of their action was designed to make the Bill a possibility and when they did everything they could do, except on one solitary vote, to make this Bill a law. It is the most utter and transparent hypocrisy for these hon. gentlemen to say they are against the Bill.

Motion agreed to, and committee rose and reported progress.

Sir CHARLES TUPPER moved the adjournment of the House.

Mr. MULOCK. The Government laid on the Table this session reports and returns in respect to the Kingston Military College.

Those are not the ordinary returns submitted on an order of the House, but are under the control of the Government. When I applied to see them, I was answered that they had been sent by order of the Government to be printed at the Bureau. I wish to know when members of this House will have an opportunity of seeing them.

Sir CHARLES TUPPER. The hon. member (Mr. Davies) moved that they be printed and I seconded the motion. I think I have seen a printed copy of these papers, and I presume that they will be immediately distributed.

Motion agreed to; and House adjourned at 2.30 (Thursday.)

HOUSE OF COMMONS.

THURSDAY, 16th April, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS.

Bill (No. 100) respecting the Behring Sea Claims Convention (from the Senate).—(Sir Charles Tupper.)

Bill (No. 86) respecting the Revision of the Statutes (from the Senate).—(Mr. Dickey.)

Bill (No. 99) further to amend the law respecting Building Societies and Loan and Savings Companies carrying on business in the province of Ontario (from the Senate).—Mr. Coatsworth.)

Bill (No. 96) respecting the inspection of Steamboats and the examination and licensing of Engineers employed on them (from the Senate).—(Mr. Costigan.)

Bill (No. 101) to amend the Act respecting Wrecks, Casualties and Salvage (from the Senate).—(Mr. Costigan.)

Bill (No. 98) to amend the Act respecting the Protection of Navigable Waters (from the Senate).—(Mr. Costigan.)

Bill (No. 97) further to amend the Civil Service Act (from the Senate).—(Mr. Foster.)

CRIMINAL CODE AMENDMENT.

Mr. DICKEY moved for leave to introduce Bill (No. 102) further to amend the Criminal Code, 1892.

Sir RICHARD CARTWRIGHT. Explain.

Mr. DICKEY. The Bill proposes to make several amendments, none of them of very great importance, with perhaps one exception. Section 179, which deals with the sale of obscene books, is to be amended by including manufacture. It is found that that difficulty, which was not foreseen when the criminal law was drafted, has been springing up, and needs treatment. It is also proposed in section 180 to deal with the transmission of obscene or immoral books through the mails. The section of the Post Office Act which dealt with that subject was repealed, and was replaced by a section in the criminal law which overlooked that class of books, and was confined to seditious books. Section 183, with which the name of the hon. member for North Norfolk (Mr. Charlton) was connected, is repealed, and it is re-enacted so as to include women and girls employed in shops or stores. These large departmental stores are a comparatively modern development, and it is felt that protection is as much needed there as anywhere. Section 197 it is proposed to amend by carrying out the provisions of section 204, which allows betting on legal racecourses. It appears that this difficulty has arisen—that, while betting was lawful during the race meeting, the booth where it was carried on was illegal under section 197. It is proposed to remove that anomaly, without extending the privilege of betting. The next amendment is more important. It refers to section 204a, dealing with horse-racing. A complaint has been made that in some sections of the country racing is held continuously during almost the whole summer, with the result that it becomes not legitimate racing, but a mere gambling arrangement. It is represented that great evils have grown up in connection with this practice, and I have endeavoured to strike at that sort of practice without further limiting the permission to carry on legitimate horse-racing.

Mr. MACLEAN (York). How many days is it intended to give for each meeting?

Mr. DICKEY. Ten days, continuously.

Mr. MACLEAN (York). What interval between each meeting?

Mr. DICKEY. Forty days.

Mr. LISTER. How many days in the year.

Mr. DICKEY. Twenty days in the year, ten days in the spring, and ten days in the fall, roughly speaking. Section 295 dealt with the distribution of work by lottery. That subsection " c " was put in to meet the case of legitimate enterprises. It was very strongly pressed upon the House when the Bill was before it, and it was put in against the judgment of many hon. members, as being liable to lead to abuse. That fear has been realized, it has been abused; and after trying the best way I could to make some provision that would allow legitimate operations of that kind to be carrid on, without running the risk of abuse, I found that it was impossible to recommend the continuance of that concession any longer, and I have recommended the repeal of that subsection. Section 306 is amended. That section defines stealing as the taking of property into one's possession that has been unlawfully seized. A case has arisen in the North-west Territories where a private person, under a bill of sale, seized properties which it turned out afterwards were not his, but the lawful owner re-took them, and endeavoured under this section to prosecute. The original meaning of the Act was, of course, that this was a seizure by a public officer; and the section is amended to make that more clear by adding the words "by any peace officer or public officer." Section 31a deals with the question of cattle in the North-west Territories. The House will remember that the question of saw-logs, which are a peculiar class of property when they have no individual mark of identity, was dealt with by a clause in the Act, and the mark on the saw-logs was made prima facie evidence of property. The same principle is applied to the ranching herds in the North-west Territories. Section 520 is amended to meet a case that has arisen in practice, which I can scarcely understand as arising under the terms of the Act, but in order to remove all difficulties, it is proposed to add to section 526 the words "provided that nothing in this section shall be construed to apply to combinations of workingmen or employees." Section 703 is simply aiding prosecutions against gambling houses by making certain Acts prima facie evidence. Section 707 is carrying out the provisions with regard to the case of cattle in the North-west Territories; and section 801 is simply a matter of procedure.

Mr. CHARLTON. I wish to call the attention of the Minister of Justice to a practice that prevails now to some extent, and which I believe is not met by this section 179, which prohibits the sale of any obscene books or other printed matter. The practice which has been brought to my attention, and to which I call the attention of the Minister, is that of putting obscene cards or photographs in boxes of cigarettes and cigars. These, of course, go with the boxes, and these obscene photographs and prints are also presented to the patrons of cigar stands and tobacco stands, who are even called into a room in the rear and presented with this objectionable kind of prints. Now, the law hardly covers this case; it should prohibit not only the sale but the presenting, or dealing with, or handling any of this class of literature. I call the attention of the Minister of Justice to this defect in the law.

Mr. DICKEY. My attention was drawn to that. I was not able to find any prints that I could clearly say were immoral. Besides that, I think probably it would be covered by the section which applies to sale, in cases where the cigarettes are sold.

Mr. CHARLTON. They are presented, aside from the sale.

Mr. DICKEY. The matter was brought to my attention, but I was not able to find that any practice existed of sufficient importance to warrant me in dealing with it. It is a very difficult subject to deal with, because the moment you touch the mere giving, presenting, or handling anything, you go into private houses and meddle with private affairs; so that the subject is a very difficult one to handle. I would be very glad indeed to meet any practical case that the hon. gentleman can make out when the Bill is going through committee, if it ever gets that far.

Mr. CHARLTON. I may mention that I received a communication from Hamilton, in which it was stated that the circulation of this kind of prints among the school children of that city, was very extensive, and that the effects were most demoralizing and deplorable. I subsequently received a package of these articles, and they are certainly most objectionable. I will take occasion to call the further attention of the Minister to this subject.

Mr. MILLS (Bothwell). I would like to ask the hon. gentleman whether he has undertaken in this Bill to define what he means by immoral literature. Three or four years ago works were seized that were passing through the post office, that could not come, according to the general designation, under that class. Nevertheless, this law puts large power into the hands of postmasters, who are not always very conversant with the meaning of the law. I think about fifty years ago there were instances where Paine's Age of Reason was seized. That may be regarded as a skeptical book; it rather comes under the head of philosophy than under the head of immoral literature. It is certainly going a long way to seize agnostic works, and works of that sort, under this designation; and if the hon. gentleman would undertake to distinguish between that class of literature and immoral literature, he would perhaps be doing an essential service.

Mr. DICKEY. That would be a pretty hard thing to do.

Mr. CHARLTON. I guess the hon. gentleman is all right.

Motion agreed to, and Bill read the first time.

PENITENTIARY ACTS AMENDMENTS.

Mr. DICKEY moved for leave to introduce Bill (No. 103) further to amend the Penitentiary Act. He said: This is a Bill for the purpose of enabling the Governor in Council to alter the territory for which penitentiaries are established. For instance, in the western part of Ontario it is much more convenient to take prisoners to the Stony Mountain Penitentiary in Manitoba, than to Kingston. That is the immediate difficulty that it is intended to meet, although the power is general. There are one or two other sections merely to carry out that view.

Mr. DAVIES (P.E.I.) You say that power is general; how is it taken?

Mr. DICKEY. The portion of Canada for which a penitentiary is assigned shall be subject to alterations from time to time by proclamation under the great seal; now it is fixed by statute. The only other substantial provision is that giving power to the Governor in Council to transfer prisoners from one penitentiary to another. In the case of a vacancy occurring in the wardenship, the inspector has found it very desirable that power should be taken to transfer an experienced warden from one penitentiary to another. Unfortunately they have no power to do that at present; and this is intended to supply it.

Mr. DAVIES (P.E.I.) What does the hon. gentleman mean by power of transferring warden? Does he mean promotion from one penitentiary to another?

Mr. DICKEY. Yes. The Bill provides that the transfer shall not effect the emoluments or perquisites of any officer. It will be a purely internal matter. For instance, where there is a vacancy at Stony Mountain, we may move a man from St. Vincent de Paul, and have the vacancy there.

Motion agreed to, and Bill read the first time.

CHEESE MANUFACTURED IN PRINCE EDWARD ISLAND.

Mr. RIDER asked:

How much cheese of each kind, white and coloured, was made under Dairy Commissioner in Prince Edward Island, on Government account, in the months of June, July, August, September, October and November, 1895?

Was the Government mark, with date and place of manufacture, stamped on each cheese?

Was the make, in whole or in part, sold or offered for sale during the season of making; and what was the price realized or offered on each month's make?

Were competing bids for purchase of the cheese publicly asked for during making season?

Were any offers received for its purchase, in whole or in part? If for a portion only, for how much, and what were the figures offered?

How much of the above make was put into cold storage in Montreal? What was the amount of freight paid? When was it put into cold storage, where stored, and upon what terms?

Mr. DICKEY.

Has the whole, or any part of the lot been since disposed of? How much, to whom sold, date and place of delivery, and at what price? Were bids publicly solicited before selling?

How much, if any, remains unsold of each kind? Have any offers been made for the balance, and what are they?

Mr. FOSTER. The quantities of cheese made in dairy stations in Prince Edward Island, under the charge of the dairy commissioner, were:

	Boxes.
In May	89
June	5,117
July	7,302
August	5,566
September	5,068
October	2,140
November	308
Total	25,590

Of these, 22,644 boxes were shipped to Montreal; 693 boxes are on hand at Charlottetown; 2,253 were sold to patrons and locally. Of the cheese shipped to Montreal, 17,211 boxes were white, 5,433 boxes were coloured; 22,644 in all. Of the cheese on hand at Charlottetown, 14 boxes are white, 679 are coloured. Figures designating the date of manufacture were put on each cheese. There was no Government mark, or brand, of the place of manufacture on the cheese. The most of the 2,253 boxes sold to patrons and locally were sold during the season of manufacture. Bids for the cheese were not asked for publicly. No offers in writing were received; negotiations were conducted verbally; and a written contract was made with the firm which offered the highest price. 12,132 boxes were put in cold storage in Montreal, and 10,512 boxes were put in cool storage after November. On 17th August, 5,255 boxes were put in cold storage in the Montreal Cold Storage and Freezing Company's warehouse; on 14th September, 1,630; 28th September, 1,201. On 31st August, 4,046 boxes were put in cold storage in Fraser's cold storage warehouse. The terms were 3½ cents per box per month for cold storage, and 1 cent per box per month after November. The whole lot has been disposed of as follows:—22,238 boxes to Messrs. Hodgson Bros.; 250 boxes to J. C. & G. D. Warrington; 151 boxes to the Montreal Cold Storage and Freezing Company; 5 boxes to be paid for by steamship companies, as lost.

THE OFFICE OF ADJUTANT GENERAL.

Mr. LANDERKIN asked:

1. Is the office of Adjutant General of the Militia of Canada vacant?
2. If so, when did it become vacant?
3. Was Colonel Powell retired against his desire?
4. Has General Gascoigne recommended any person for the office?
5. If so, whom?

6. Has the service suffered in any way by reason of the delay in making the appointment?
7. Who is the Acting Adjutant General?

Mr. DICKEY. 1. Yes. 2. On 1st January, 1896. 3. Colonel Powell did not consent to his superannuation. 4 and 5. Recommendation to Council for any appointments in the department are made by the Minister in charge of the department, and not by the General. Lieutenant-Colonel Aylmer was recommended by the Minister. 6. The staff of the department, with some extra work, have fully carried out the requirements of the service. 7. Lieutenant-Colonel Hon. M. Aylmer.

COMPLAINT AGAINST CAPTAIN DIXON.

Mr. LANDERKIN asked:

Has General Gascoigne reached a decision upon the complaint of the commanding officer of the 63rd Battalion against Captain Dixon and the investigation held by Deputy Adjutant General Maunsell? If so, what is that decision?

Mr. DICKEY. General Gascoigne has reached a decision upon the complaint referred to, but as it has not been dealt with by the Minister. I am not able to give it to the hon. gentleman.

THE ST. LOUIS AWARD.

Mr. LANDERKIN asked:

Is it the intention of the Government to apply for leave to appeal to the Judicial Committee of the Privy Council from the judgment of the Supreme Court of Canada reversing the judgment of the Exchequer Court, and awarding Mr. St. Louis 60,000 odd dollars?

Mr. DICKEY. Yes.

MAILS BETWEEN KESWICK AND ROACH'S POINT.

Mr. CHARLTON asked:

Did Allan Jones, post office inspector, Barrie, or any other person in the service of the Government, receive any offer for carrying the mails between Keswick and Roach's Point on the expiry of the existing contract? If so, what were the terms of such offer, and when was it received?

Sir ADOLPHE CARON. Allan Jones, post office inspector, Barrie, received an offer from Lewis Wheeler of $116 on 21st February last, and when Mr. Wheeler was told authority had been given to renew the contract from 1st July with James Cake, he replied on the 13th ultimo, reducing his offer to $75.

RAPIDE PLAT AND SOULANGES CANALS.

Mr. CAMERON (Huron) asked:

1. Has any assignment of the interest of W. J. Poupore in the contracts referred to by the Minister of Railways and Canals on the 24th of February, 1896, (page 2176 of "Hansard") and which relate to Rapide Plat (Morrisburg) Canal and the Soulanges Canal, been served upon or left with the Minister of Railways and Canals, or in or at his department, or has said Minister any knowledge of any such assignment, and if so, to what party or parties, or firms or partnerships, was such assignment made, what was the consideration received for same, and has any assignments of said contracts or of the interests of said W. J. Poupore therein been accepted or approved of by the Crown or Government, or by the Minister of Railways and Canals; and if so, what security was exacted by them for the due performance of said contract or contracts so assigned, or in which said W. J. Poupore so assigned his interests?

2. What was the estimated amount of the tender of said W. J. Poupore, or the firm of which he was a member, for the construction of the said sections of the Rapide Plat (Morrisburg) Canal and works in connection therewith accepted by the Crown or the Department of Railways and Canals, or by the Minister thereof; what sums of money have already been paid W. J. Poupore or said firm in connection with the same; what further amounts have as yet been claimed therefor, and what still remains to be done to complete said works, and what is the estimated cost of what still remains to be done to complete said works?

3. What was the estimated amount of the tender originally accepted by the Crown or by the Department of Railways and Canals, or Minister thereof, for those sections of Soulanges Canal now being constructed or built by the firm of Poupore & Fraser; how much has already been paid on account thereof; what further sums have as yet been claimed for same; what will be required to complete said works; and to whom have the sums of money already disbursed in connection with the same been paid, and if to more than one person or firm, what sums have been paid to each respectively?

4. What was the estimated amount of the tender of Mr. Poupore and Company originally accepted by the Crown and by the Department of Public Works, and the Minister thereof, for the construction of the lock and dam at Rivière du Lièvre, referred to by the Minister of Public Works on the 24th of February, 1896, at page 2176 of "Hansard"?

5. Has the Crown or the Government of Canada, the Department of Railways and Canals, or the Minister thereof, since the month of April, 1895, called for tenders, or asked any person or persons, firm or firms of contractors for tenders for any works in connection with said Rapide Plat Canal at Morrisburg or in the vicinity thereof; and if so, for what work or works was such tenders asked, who tendered for same, and when did they so tender, and what tender for same was made by the firm of Poupore & Fraser, and if more than one was received from said firm what were the respective amounts and date thereof?

Mr. HAGGART. Mr. J. W. Poupore has filed an assignment of his interest in the contracts for sections Nos. 1 and 3 of the Rapide Plat Canal, and for section No. 11 of the Soulanges Canal in the department. No action has been taken thereon. The estimated amount of the tenders of W. J. Poupore, or the firm of which he is a member, for sections Nos. 1 and 3 of the Rapide Plat Canal amounted to :

For Section No. 1	$573,710
do No. 3	269,676
Amount paid on Section No. 1 ..	598,610
do do No. 3 ..	186,890

The only further amounts for which claim has been made is $4,000 on section No. 3. The estimated cost to complete section No. 1 is $173,000, and section No. 3 is $85,000. The estimated amount of tender originally accepted for section No. 11 of Soulanges Canal, of which Messrs Poupore & Fraser are the contractors, is $254,937. The amount paid :

To George Goodwin	$42,020
Thomas Feeney	53,780
Poupore & Fraser	79,760
Total	$175,560

The further sum claimed is $6,188 ; the estimated cost to complete is $95,000.

R. L. TUPPER, OFFICIAL INSPECTOR.

Mr. McCARTHY asked :

1. Whether complaints have been made respecting the granting of licenses to a company called the "Manitoba Fish Company" for violations of the law and fishery regulations by the said company, and impugning the conduct of R. L. Tupper, fishery inspector for Selkirk, Man. ?

2. Did the department issue or cause to be issued a commission to Mr. F. E. Elliott to examine into the said charges ?

3. Has the said commissioner made his report, and if so, when was the report received ?

4. What are the findings of the commissioner ?

5. Is it the fact that the chief stockholders in the Manitoba Fish Company are foreigners or American citizens ?

6. Is it the fact that settlers' licenses have been granted to the employees of the Manitoba Fish Company ?

Mr. COSTIGAN. 1. Yes. 2. A commission was issued to Mr. F. C. Elliott. 3. Yes, 2nd April. 4. As the inspector was neither present nor represented during the inquiry, it is proposed to give him an opportunity of making his defence before announcing the findings. 5. Such has been alleged, but the department has no positive information on the subject. 6. No settlers' licenses have been granted to persons as employees of the company.

Mr. McCARTHY asked :

1. Whether Mr. R. L. Tupper, inspector of fisheries at Selkirk, Man., has made any return since the 1st of March, 1895, when the Auditor General, by letter of that date, draws attention to the fact that he has not made returns since April, 1894 ; and if so, for what month or months have such returns been made ?

2. Has any schedule, since that referred to in the letter of the Auditor General, of fishing licenses issued up to 30th June, 1894, been furnished ; and if so, up to what period, and how many licenses does the schedule show have been issued, distinguishing between settlers' and commercial licenses ?

3. What sum of money, up to 1st July, 1895, has the inspector failed to account for, according to the schedule which he had been furnished up to date ?

4. Has the sum of $594.31, for which the Auditor General found the said inspector in arrear, been accounted for ? If not, why not ?

5. Why have these returns not been examined and audited in the department as pointed out by the Auditor General ?

6. Is it the fact that the Auditor General's letter of the 1st March, 1895, containing various charges against the inspector referred to, has remained unanswered ?

Mr. COSTIGAN. 1. Full returns have been made. 2. License book to 31st December, 1895, returned, showing the issue of 306 settlers and sixteen commercial licenses. 3. None. 4. Yes. 5. The returns can only be audited on the receipt of the license book. 6. The personal explanations were given the Audit Office, which appeared to obviate the necessity for further action.

NIAGARA CENTRAL RAILWAY.

Mr. McMULLEN asked :

1. Has any application been made to the Government or any member thereof for a subsidy to the Niagara Central Railway, which railway was bonussed to the full amount the Parliament of Canada grants to railways, namely, $3,200 per mile ?

2. Has the Government any intention to bonus the Niagara Central Railway for the purpose of filling up the decayed trestle work and making the road safe for ordinary traffic ?

3. Has this part of the railway, for which this bonus is being or about to be applied for, the same part or length that was bonussed by Parliament a few years ago ?

4. Has the Government or the Minister of Railways had this road inspected, and if so, when and by whom, and was the report of such a nature, and the condition of the trestle work such as to warrant the Government in permitting this road to be operated with due regard to the safety of human life ?

Mr. HAGGART. Application has been made by the St. Catharines and Niagara Central Railway Company for a subsidy for their line from St. Catharines to Niagara Falls, $48,000, $43,000 to replace perishable structures with permanent ones and $5,000 for one and one-quarter miles additional to reach bridges at Niagara Falls. This is asked in lieu of the subsidy of $108,000 granted by 57-58 Victoria from St. Catharines to Hamilton.

YAMASKA LOCK.

Mr. MIGNAULT asked :

1. What was the amount of tolls collected at the Yamaska Lock, in each of the years 1894 and 1895 ?

2. What has been the outlay for managing and working the Yamaska Lock in 1894 and in 1895 ?

3. How much money was expended for repairs to the dam and lock at Yamaska during the years 1894 and 1895 ?

Mr. OUIMET. I beg to give the following figures :—

	1894.	1895.
Dues collected	$222 49	$357 78
Cost of repairs...........	291 54	407 80
Cost of administration .	708 14	629 30

DEPUTY MINISTER OF MARINE AND FISHERIES.

Mr. DAVIES (P.E.I.) asked :

1. Has John Russell, of St. John, N.B., been promised, with the authority of the Government or any of its members, the appointment of Deputy Minister of Marine and Fisheries when it becomes vacant ?

2. Has the Government decided to superannuate the present incumbent ?

3. Is it the intention of the Government to appoint Mr. Russell to the position ?

Mr. COSTIGAN. I have no information that the position of Deputy Minister of Marine and Fisheries was ever promised to John Russell. In regard to the retirement of the present Deputy Minister, I may say that the matter has not yet been considered by the Government. As to the appointment of Mr. Russell as Deputy Minister, that is not under consideration.

R. LA TOUCHE TUPPER.

Mr. MARTIN asked :

1. Whether any charges have been made against R. La Touche Tupper, overseer of fisheries in Manitoba ?

2. Has any commission been issued to inquire into these charges ? If so, who is the commissioner, and what is the nature of the charges made ?

Mr. COSTIGAN. 1. Yes. 2. Yes. 3. Fred. C. Elliott, barrister, Selkirk. 4. Irregularities in the granting of fishery licenses in Lake Winnipeg, and the management of the Government fish hatchery at Selkirk.

APPOINTMENTS AND SUPERANNUATIONS.

Mr. SOMERVILLE asked :

Have N. B. Colcock, J. N. Young and W. H. Breakall, of Brockville, been appointed or promised offices in the service of the Government ? Has S. J. Boyd of the Inland Revenue Department at Brockville, been removed to some other locality, and if so, where, and who is to take his position at Brockville ? Have James Clark and C. H. French been appointed to positions in the service of the Government ? Has Henry B. Small been superannuated ? If so, when and why ? Who has been appointed to fill the vacancy caused by his superannuation, and at what salary ? What superannuation allowance has been granted to Mr. Small ?

Mr. WOOD. 1. Mr. N. B. Colcock has been appointed preventive officer in the Customs service. 2. Mr. Young has not been appointed, whilst Mr. W. H. Breakall was appointed to temporary work for a period of three months.

Mr. PRIOR. 1. S. J. Boyd has not been removed from Brockville. 2. James Clark has been in the service of the Government since October, 1895. C. H. French is not in the service of the Government.

Mr. FOSTER. Mr. Small has been superannuated. On 1st March, 1896—for age, economy and efficiency. A. L. Jarvis, at $1,800 a year. Superannuation allowance, $1,264.60.

SCHOOLS OF INFANTRY.

Mr. McGILLIVRAY asked :

What is the maximum number of non-commissioned officers and men who may be admitted to the schools of infantry at regimental depots ?

Is there any regulation whereby a minimum number from each battalion would have preference over a major number applying from other corps, and if not, has the advisability of such regulation been considered ?

Mr. DICKEY. 1. Twenty N. C. O.'s and men at each course of instruction. 2. No. It is not advisable to restrict any corps as to numbers, as it sometimes happens that a corps makes no application for the admission of N. C. O.'s and men, and this would prevent the completion of the authorized quota.

THE LATE MR. DENISON, M.P.

Sir CHARLES TUPPER. Before the Orders of the Day are called, the melancholy duty devolves upon me of calling the attention of the House to the loss of another of its members by death. Lieut.-Col. F. C. Denison was descended from a very old family. One hundred years ago his great-grandfather, a captain of the West York Regiment in England, was one of the pioneer settlers in Toronto. The family has been distinguished from that time for their devotion to military duty. His grandfather, Lieut.-Col. George Taylor Denison, served in the war of 1812, and took an active and conspicuous part during the rebellion of 1837. In 1884 Lord Wolseley was called upon to take charge of the Soudan expedition, and with that judgment and skill for which his lordship has always been noted, his attention was drawn to his experience in Canada of the French-Canadian voyageurs in the passing of rapids. Lieut.-Col. Denison, whose death we are now called upon to deplore, was charged with the duty of organizing the corps of Canadian voyageurs to assist in the arduous and very important duty of surmounting the difficulties of the navigation of the Nile. How admirably that duty was performed may be learned from the volume of Major-General Brackenbury on the Nile expedition, in which he placed upon record the very remarkable fact that owing to the presence of the Canadian voyageurs, the ascent of the Nile had been attended with much less difficulty, been accomplished in a much shorter time, and involved a much smaller loss of life. And he placed upon record the still more remarkable statement that but for the presence of the Canadian voyageurs on that occasion, the descent of the Nile would have been impossible. Lieut-Col Denison distinguished himself in a military capacity on that occasion, took part in several actions, and finally became the victim of a severe endemic fever, which quite possibly laid the foundation of his subsequent bad health and decease. The Imperial Government showed its sense of the great services performed by Lieut.-Col. Denison on that occasion by awarding him a decoration, and the honours thus so well earned attracted great attention to the very valuable and admirable manner in which he had discharged his duties. It was my good fortune to have the pleasure of meeting Col. Denison when he was in command, a few years ago, of the Bisley team, and I am able to say that no gentleman who has been entrusted with the discharge of that important duty has acquitted himself in a more satisfactory and admirable manner. Hon. gentlemen in this House have had an opportunity of knowing him in his capacity as a representative of the people much better than myself. It was, however, my good fortune to have the pleasure of sitting with him here, as a fellow-member, in 1887 and 1888, and he paid a very short visit to Parliament during the present session. I have had the opportunity of seeing and knowing that hon. gentleman sufficiently in his capacity as member of Parliament to know that he gained the respect and confidence of gentlemen on both sides of the House for the manner in which he discharged his duties. I am quite sure that every member of this House will join with me in deploring, in the most sincere manner, the untimely death of a gentleman who, in every position of life, earned the confidence and respect of all who knew him.

Mr. LAURIER. It is also to me a melancholy duty, and if the event admitted of such an expression, I should also say a melancholy pleasure, to add my testimony to the words spoken just now by the hon. leader of the House of our late colleague, Col. Denison. Col. Denison came from a military race and was himself a good soldier, as he proved on many an occasion. It was his privilege to show his military qualities in very different quarters—in the forests and prairies of the North-west and in the classic land of the Pharaohs. As a member of this House, it is true to say of him that while he had opponents he had no enemies. He was a man of few words and strong convictions, one of those who seldom took part in the debates in the House, but who, whenever he did, spoke with a conviction that carried weight and authority. He carried weight and authority through his very sincere character, and through the amenities of his manner, and I can assure the House that on this side as well as the other his loss will be mourned by all. The loss of such a man is always to be mourned, and to be mourned all the more that we are engaged in conflict, sometimes very bitter conflict, in which it is always satisfactory to know that in dealing with men of the character of Col. Denison, you can always rely that whatever they do is done from the very bottom of their hearts and consciences in this respect, Col. Denison's life will give an example to all those who had the privilege of being associated with him in his parliamentary career.

Mr. COCKBURN. As an intimate friend of the late Col. Denison, and as one closely associated with him in the representation of the city of Toronto, it may not be out of place that I should ask for a moment the time of the House to add a few simple words of my own to the tributes of praise which has been so eloquently given by the two gentlemen who have preceded me. I am sure that I but express the unanimous opinion, not only of those gentlemen who belong to the Liberal-Conservative party, to which party Lieut-Col. Denison belonged, but the opinion of every member of this House, when I say that Col. Denison was but a short time in this House before he won the respect of all, and that he commanded and retained that respect and esteem until the hour of his death. He was indeed, as was remarked by the eloquent leader of the Opposition, a man of firm, strong convictions and character, and being a man of that stamp he wished to see his convictions carried into practical exemplification. But at the same time, he was a man of that liberality of sentiment that he was quite prepared, while ready to enforce his own views, to acknowledge the sincerity and honesty of the views of those who might differ from him. He was indeed, as has been eloquently remarked, an example for us to follow. In his private life he was a most loving father, and I am sure that it will be many a day before we can fill his place with a man of as high character as that of Col. Denison, not only in all the private relations of life, but also in the discharge of his public duties. I cannot trust myself to say more. My heart is full on such an occasion, and I can only say that in his death and in his life we have an example which should tend to mitigate, to some extent, the severities of political warfare we have witnessed during the last six or seven weeks.

Mr. COATSWORTH. I cannot expect to add anything to the well-merited eulogiums which have been paid to my late colleague, Col. Denison. Those eulogiums will find a very sympathetic response in the hearts of the people of the city of Toronto, where Col. Denison was best known, and where he was respected and beloved. I may add that, as a citizen, as a soldier, and as a member of Parliament, Col. Denison has always been known for his patriotism, his courage, his devotion, and his conscientious discharge of his public duties. When his friends, and when the people of Toronto generally, read the very high testimony that has been paid to his memory in this House, not only by his political confreres, but by the hon. the leader of the Opposition, who has rendered such a graceful tribute to his memory, they will feel honoured at having the deceased gentleman for a representative. I have had the honour of being acquainted with Col. Denison for a number of years, and I have been intimately acquainted with him as a colleague in the representation of Toronto for the last five years. I can heartily endorse all that has been said about his high character. I do not know that there is a member in this House who was more fully impressed with the idea of the conscientious discharge of his duties to the people. Day and night he was in his seat in the House, and at the committees he was always present. Not only will his family feel the bereavement of his death, but the people of the city which he had the honour to represent will equally feel their loss. This House regrets the departure of one, who, to the utmost of his ability discharged the high duties confided to him.

INQUIRY FOR RETURNS.

Mr. MARTIN. I wish to inquire about three returns which have been ordered by the House and which have not been brought down. First, the correspondence with regard to the cost of the North-west Territories exhibition, ordered three months ago, and which is necessary in considering the Supplementary Estimates. Second, the census of the North-west Territories, taken by the North-west Mounted Police, ordered two months ago, and which is important with regard to the Bill introduced by the Minister of the Interior; and thirdly, a return ordered on the 17th February last, for the cost of land conveyance of mails in British Columbia since confederation.

Mr. DALY. The North-west census return was brought down weeks and weeks ago.

Mr. MARTIN. I have not been able to find it in Mr. Polkinghorne's office.

Mr. FOSTER. I am just writing a note to inquire about the expenditure in connection with the North-west exhibition.

Sir ADOLPHE CARON. I shall ascertain, and let the hon. gentleman know tomorrow, with reference to his question on the British Columbia mails. I am under the impression that the Deputy Minister told me it would take a long time to prepare.

DOMINION ELECTIONS ACT.

Mr. McCARTHY. When the Bill in my name with reference to the Dominion Elections Act was up for second reading, the Minister of Justice said he would examine it and would possibly put it on the Government Orders. Since that, the Bill was referred to a select committee who have reported it, and, as it is a Bill which is required in view of the approaching elections, I trust the Government will see that they will facilitate its passage.

Sir CHARLES TUPPER. The question will be considered, and the Government will be able to state to-morrow what action they propose to take upon it.

THE ARMENIAN OUTRAGES.

Mr. CHARLTON. Before the Orders of the Day are called, I would ask the leader of the House, whether he will take over in the name of the Government, the motion with regard to the Armenian outrages. I apprehend there will be no debate upon it, and I believe it to be desirable that we should pass this resolution.

Sir CHARLES TUPPER. I would be very glad, indeed, to endeavour to comply with the hon. gentleman's request, if the House, by common consent, would accept the resolution. As I have already stated, the Government have great sympathy with the resolution of the hon. gentleman, and if it were taken by common consent, I have no objection at all to the Government placing it in a position to be considered.

Mr. CHARLTON. For myself, I would not propose to speak to it, and I think none of my friends would do so. I simply wish the resolution placed upon record, and I think it highly desirable that it should be done.

SUPPLY—THE SOULANGES CANAL CONTRACTS.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Mr. DAVIES (P.E.I.) Mr. Speaker, some two or three weeks ago, I moved for the correspondence and papers in connection with the contracts for sections 4, 5, 6, 7 and

12 of the Soulanges Canal. These papers were brought down, and they involve questions of very great importance. I propose before the House goes into Supply, to call the attention of the House and of the country to some facts in connection therewith. Of late years, we have got into a system in Canada with respect to the voting of money for the construction of public works, and with respect to the expenditure of that money, which is calculated to very seriously injure the best interests of the country. It has become a common thing for Ministers to propose a vote for the construction of a large public work, and to let the House vote the money under the assurance that the greatest care has been taken in the preparation of the estimate, and that the amount appropriated will approximately, at any rate, be what is required. However, experience has shown us that either through gross carelessness on the part of the officers charged with the preparation of the estimates, or gross carelessness, and sometimes criminal carelessness in the carrying out of the works, the amount voted by the House forms but a small proportion of the actual cost which the country has afterwards to pay. I have ventured the assertion that the repeated incidents of this kind that have occurred of late years have grown to the magnitude of a public scandal. Not a week has gone by since, in answer to questions put by hon. members on this side of the House, official statements were given by the Government of the estimates and expenditures in connection with five or six of these large public works; and I would just ask the House for a moment to pause with me while I read the official report of those estimates and expenditures. I do it to draw the attention of the House, if I can, to the grave importance of the point I am endeavouring to accentuate, in the hopes that when I come to submit the facts which I have drawn from these papers, they will get more than ordinary attention. We had the construction of the Little Rapids Locks, for which the estimate was $45,000, while the expenditure reached the enormous sum of $255,000. We had the Galops Canal, for which the contract price was $312,000, and the sum of $629,630 was actually paid. We had the St. Charles Branch Railway, for which the estimated cost of the expropriated lands necessary for the construction of the work was $228,800, and the actual amount expended, $909,336. The estimated cost of the railway works built on that land was $327,000, and the actual amount expended was $822,272; so that the total estimate of land damages and works together amounted to $566,000, while the actual expenditure reached the enormous sum of $1,732,238. We had the Langevin Block, in the city of Ottawa, right under the shadow of the Parliament buildings, the estimated cost of which was put at $440,000, and the actual cost of which has reached $727,000.

Mr. MULOCK. Seven hundred and seventy-two thousand.

Mr. DAVIES (P.E.I.) My hon. friend reminds me that the total cost was $772,000, but that embraces $52,000 for fitting the building up, and I exclude that altogether, because it was not in the original estimate. I confine myself to the cost of the building itself, and the excuse offered from time to time to Parliament is, I believe, that that was caused by the fact that the specifications did not contain an estimate for the roof at all. And in addition to the actual cost of $727,000, we have an outstanding claim against the Government, and still unpaid, of $295,000. Then, we had the Curran Bridge, the estimated cost of which was $223,000, and for which we actually paid $405,000, and we have an outstanding claim still to meet of $79,000. I have said that these official facts and figures, which have been given to this House within the last week or two, justify my statement that the appropriation and expenditure of public money for the construction of public works have grown in the last few years to the gravity of a huge public scandal. This Parliament spent its first session in investigating the alleged frauds in connection with the construction of the Quebec Harbour Works, the Lévis Docks and the Esquimault Docks; and it was proven conclusively in evidence that many hundreds of thousands of dollars were permitted to be stolen from the public exchequer and passed over to the contractors, and disbursed by them—some portions in debauching the electors, and others for their own private purposes. The result of this was that the Canadian name of which we had been previously so proud was dragged in the dust; and our good name and good fame became a public scandal and almost a public disgrace. It therefore behooves us to watch carefully the contracts which are now being carried out; and it having been brought to my knowledge that there was a possibility—nay, a probability—of a very grave scandal, indeed, in connection with the construction of sections 4, 5, 6, 7 and 12 of the Soulanges Canal, I thought it my duty to move for the papers in this House, and to have them brought down, in order that the matter might be fairly laid before the House, and that such explanations as the Government deemed necessary might be placed beside the statements I propose to make. The contract, as I have said, was to build sections 4, 5, 6 and 7 of the canal. It was entered into on the 9th day of May, 1893, and it was to be completed by the 31st day of October, 1894. I need hardly say to the House—for that is a matter of every-day occurrence—that the contract was not completed according to its terms, nor was any effort made, so far as I have been able to gather from the papers, to compel the contractor to perform his contract according to the terms.

Mr. LISTER. Who was the contractor ?

Mr. DAVIES (P.E.I.) The contractor is a Mr. George Goodwin, of the city of Ottawa; I do not know anything about the gentleman, except by name. The contract was for the excavation and the construction of those sections of the canal. A part of the contract required him to excavate the canal, and to dispose of the material which he got in the manner described by the contract. at some 20 cents per yard. The contract also provided that in places where the level of the water for the canal was higher than the adjoining banks, there should be built water-tight embankments to prevent the water overflowing the adjoining land ; and that for that portion of the excavation which was placed on the water-tight embankments. the contractors should be paid, besides the 20 cents for excavation, an additional sum of 15 cents per yard. The contract also provided that the surplus excavation taken from the bed of the canal should be disposed of in the manner pointed out by the engineer in charge, and the engineer in charge. following the strict lines of the contract. directed the contractor to place the surplus material, after he had built up the water-tight embankments. on the outside of the water-tight embankments. The manner in which they were to be built. and the manner in which the excavated material was to be united with the land on which it was placed. were all definitely provided for in the contract. In the first place, the top soil was to be removed, the land was to be mucked and ploughed up, and a good union made between the subsoil and the excavation placed upon it. The breadth of this was to be fixed by the engineer, the slopes of the water-tight embankment were to be fixed by the engineer, and the breadth of the top surface, so that everything seemed. on the face of the contract, to be clearly and accurately defined. I merely wish to state generally what the claim made on behalf of the contractor. and which the Government are about to concede—which, in point of fact, they have conceded—is. The contractor claims not only that he shall be paid 20 cents for the excavation out of the canal. and not only 15 cents for that portion of the excavation which went to form the water-tight embankment. but also 15 cents per yard for that special portion of the excavation not required in the water-tight embankment and which was placed by the engineer on the back or other side of this embankment. In other words that in addition to being paid an extra 15 cents for that portion of the excavation which was to be permitted to be put into the water-tight embankment, he was to be paid the same for that portion put behind it. You will find that the contract does not permit him to put in the water-tight embankment any sod, roots. or material of that kind. He was to be permitted simply to put in the soil itself, and the soil was to have all these things taken ont of it. But the top soil which he took out from the space to be covered by the water-tight embankment and also the sand and porous material which he took up from the bottom of the canal, were parts of the surface which were thrown over into the embankment behind the water-tight embankment. The amount of the claim which the contractor makes for the payment of 15 cents for that material. represents, on his own contract, the sum of $210,000, while the similar contracts all along the canal containing similar provisions, will, if similar claims are made and yielded to,—and of course if they are yielded to in this case they must be in the others—involve an expenditure, as stated by the engineer of from $500,000 to $750,000. I call the attention of the committee to the fact that this is not a mere trumpery trivial matter, but a matter, the decision of which necessarily involves an expenditure of Government money of not less than half a million dollars, and which, in the opinion of the engineer in charge and his assistants, will probably represent three-quarters of a million dollars. Therefore we are justified in devoting ourselves carefully to the consideration of the contract and the facts with it to see whether or not there is any foundation for this claim at all. I regret that the duty which I am about to discharge will involve my reading a portion of those papers. I wish generally to call the attention of the committee, so that they may understand the trend of my argument as I go along, to certain broad facts in connection with this scheme. The first one is that the engineer in charge of the work, Mr. Monro, a skilled engineer of great repute in this country, I am told, although he is personally unknown to me, a man, I am told of unblemished character and standing very high in his profession ;—denounced the claim of the contractor, to use his own language,—as preposterous. The assistant engineers of the chief engineer in charge, Messrs. Allison, Coutlee and McNaughton, each submitted a report against the validity of the claim. The chief engineer of railways, after considering the contract itself and the report of the engineer in chief who had charge, and the report of the several sub-engineers, reported against the validity of the claim, and said he had no doubt whatever. The whole matter was referred. at the instance of Mr. Goodwin, the contractor. to the Department of Justice in 1894. At that time the late Sir John Thompson was Minister of Justice. In March, 1894, at the instance of Mr. Goodwin, the claim he was preferring against the Railway Department and all the papers were referred to the Department of Justice for its legal opinion. and Sir John Thompson—I presume it was he—the opinion is given as that of the Minister of Justice—reported, after considering the matter. adversely to the claim. Sir, the contractor was not satisfied with the report of the engineer in charge of the work, backed up by the sub-engineers, endorsed by the chief engineer, and reviewed and endorsed by the Minister of Justice and his deputy, Mr. Newcombe, but he pressed again and again upon the department the reconsideration of his claim. He asked to have the special engineers examined. They were examined and cross-examined by himself, and he had the examination and the cross-examination of the sub-engineers referred to the Department of Justice, at that time presided over by the hon. member for Pictou (Sir Charles Hibbert Tupper). That hon. gentleman wrote to the Department of Railways stating that the Department of Justice would only decide the law after the facts had been finally determined by the Department of Railways, and the fact which the hon. gentleman specially wished to know was whether the material in the back embankment, lying behind the water-tight embankment, could be said to be a part of the water-tight embankment. There were two answers given to that. One was given by a gentleman who signed himself the acting law clerk of the Railway Department, Mr. Doull. He reported that it was not part of the water-tight embankment, and he said I report this, as a juror, after examining the evidence taken and the cross-examination. The matter went from the acting law clerk to the department to Mr. Schreiber, the chief engineer, and he united his verdict with that of the acting law clerk, by saying that it did not form part of the embankment. So that we had in addition to all these things which I have recited, winding up with the opinion of Sir John Thompson, the fact determined by the Department of Railways that this excavated material, for which the claim was made, was not a part of the water-tight embankment. Now, if that fact was truly found, of course, there was not a shadow of a claim under the contract at all. Now, what have we upon the other side? The hon. member for Pictou (Sir Charles Hibbert Tupper), the ex-Minister of Justice, resigned his position as such, on the 7th January last. On the 15th January my hon. friend (Mr. Dickey) was appointed Minister of Justice. And in the meantime the hon. Minister of Public Works (Mr. Ouimet) was acting Minister of Justice.

Mr. OUIMET. The hon. gentleman makes a mistake; I was not acting as Minister of Justice.

Sir CHARLES HIBBERT TUPPER. The hon. Minister of the Interior (Mr. Daly) was acting Minister.

Mr. DAVIES (P.E.I.) For the purpose of my argument, it is just the same. Between the 7th and the 15th January some member of the Ministry was acting as Minister of Justice.

Sir CHARLES HIBBERT TUPPER. Your point is that I was out.

Mr. DAVIES (P.E.I.) The hon. gentleman (Sir Charles Hibbert Tupper) was out on the 7th, and the present Minister was not sworn in until the 15th, and between those dates there was an acting Minister of Justice. After the hon. member for Cumberland (Mr. Dickey) was sworn in as Minister of Justice——

Mr. DICKEY. After?

Mr. DAVIES (P.E.I.) Yes; on the 15th January, the Deputy Minister writes to the department, saying that the ex-Minister of Justice, before going out, had verbally told him that the claim should be allowed. And upon that verbal opinion of the ex-Minister, reported second-hand by the Deputy Minister, and signed by the deputy and not by the Minister, this department was asked and assented to the proposition—assented, mind you, to the proposition—that it should reverse the reiterated opinion of the chief engineer, the opinion solemnly given from time to time by the sub-engineers the reasoned opinion of Sir John Thompson in March, 1894, and the opinion of Mr. Schreiber, the chief engineer of railways and canals, and scatter them all to the winds. I contend, Sir, and I say it respectfully, that the Department of Railways and Canals was not justified in accepting a short note from the Deputy Minister, saying that the ex-Minister, before he had gone out, had verbally intimated to him that he had a certain opinion on this matter—a casual opinion. I do not care whether it was a casual opinion or one he had thought out. There was no reasoned opinion, no opinion signed by the ex-Minister. It was reported to the department that the ex-Minister had ceased to be Minister, and, if they had desired to reverse the reasoned opinion given by Sir John Thompson and his deputy, and concurred in by all the experts in the department and on the canal, the least they could have done was to get a reasoned opinion from the out-going Minister, assented to by the responsible Minister of the department of that day. But, Sir, I have stated generally that, so far as the papers show, no opinion whatever has been given by the present Minister of Justice, nor is there any opinion found here signed by the ex-Minister, nor was there any opinion given, as far as I can judge, from the acting Minister of Justice, from the 7th to the 15th January. Now, before I go into the papers more in detail, I conclude my general summary of the subject by saying that the Auditor General was instructed by the Department of Railways to reverse the decisions and judgments of these responsible people and pay off this $220,000. He refused. He submitted the case to independent counsel in Toronto, Mr. Lash, ex-Minister of Justice.

Mr. McCARTHY. You say the Department of Railways directed the Auditor General to allow that amount?

Mr. DAVIES (P.E.I.) The Deputy Minister of Justice sends this short note I speak of to the Department of Railways and Canals. The Department of Railways and Canals, upon that, make up fresh measurements and certified them, and sent them to the Auditor General, saying that these additional measurements were made up and sent pursuant to the opinion of the Minister of Justice.

Mr. McCARTHY. And not certified by the engineer ?

Mr. DAVIES (P.E.I.) No.

Sir CHARLES HIBBERT TUPPER. They are signed by the chief engineer.

Mr. DAVIES (P.E.I.) As chief engineer of the work, but only conditionally, and because he was ordered by the chief engineer of the department. I understand my hon. friend (Mr. McCarthy) to ask whether the engineer in charge under the contract certified. He has certified, but conditionally as I have said, and the only certificate to the Auditor General is one from the Department of Railways, sending in a new and additional estimate said to be sent in pursuance of the opinion of the Minister of Justice. Then the Auditor General asked for the papers, and received them. He forwarded all the papers to independent counsel, and I may tell the hon. Minister that the Auditor General's Act authorizes the Auditor General to employ independent counsel in matters of this kind in order that the interest of the public may be safeguarded. Well, Sir, he got an opinion from Mr. Lash, which, before I sit down, I shall have the honour of reading—a carefully reasoned opinion, agreeing with that of Sir John Thompson, with that of Mr. Schreiber, with that of Mr. Monro, the chief engineer, with that of everybody else except that of my hon. friend (Sir Charles Hibbert Tupper), who is reported by Mr. Newcombe as having expressed himself as wholly of a contrary opinion.

Sir CHARLES HIBBERT TUPPER. Hear, hear. But perhaps the hon. gentleman will misunderstand that "Hear, hear." I do not agree with the way the hon. gentleman has put that, that Mr. Newcombe reported that I held a contrary opinion to that of Sir John Thompson.

Mr. DAVIES (P.E.I.) Not in those words.

Sir CHARLES HIBBERT TUPPER. But he expressed my opinion, undoubtedly. I shall argue that there was no contrary opinion.

Mr. DAVIES (P.E.I.) I shall read the opinion, and the House will have to judge between us. Now, having given that outline, sufficiently definite and lucid, I hope, to enable the House to understand the papers, I propose to ask the attention of such hon. members as will favour me while I call attention to the more prominent facts to be found in these papers. I will first call attention to the contract and the specification attached to it. My quotation from these papers will be very short. The contract provides—4th section :

> The several parts of this contract shall be taken together to explain one another and make the whole consistent, and the specification is made part of the contract.

The specification in paragraph 5 provides as follows :—

> There will be only two classes of excavations recognized or paid for, viz. : Earth or solid rock.
>
> No allowance whatever beyond the prices tendered for excavation will be made for haul. The surplus material arising from the prism set on section No. 7t, shall, after making up the banks on that section, be carried forward to widen the embankments of sections to the eastward ; and the surplus on section No. 6 shall be dealt with in the same manner, so that all the excavations rising from the sections embraced in this contract west of lock No. 5 will be disposed of in making the embankments on each side of the summit level between stations 180 and 460 ; filling around the various structures, &c. This distribution of material to be made as will be directed by the chief engineer without entitling the contractor to any extra allowance whatever. The attention of parties tendering is specially drawn to this section of the specification.

Now, I call the attention of the House to this section referring to excavations generally, and the disposition of the excavated material generally. Now I come down to section 11, which specially relates to the water-tight embankment. I call special attention to it, because it is upon its meaning and terms that the validity of the claim largely depends.

Mr. McCARTHY. I thought the hon. gentleman was reading from the specifications of the contract.

Mr. DAVIES (P.E.I.) The contract provided that the specifications should be part of it. This is section 11 :

> Wherever the surface level of the water in the canal is higher than the ground alongside, water-tight banks shall be made when so directed. In these cases the top soil must be removed for such width and depth as may be considered necessary to form the embankment seats. The material arising from this mucking to be deposited where pointed out. It will be paid for as ordinary earth excavation. The seats shall also be well roughed up with plough so as to make good bond with the first layer of earth forming the base of the embankment. Puddle walls or cut-offs to be made where required—the puddle to be prepared and laid on as specified hereafter.
>
> When the bank seats are properly prepared, inspected and approved—and not till then—the banks shall be carried up in layers of selected material of about eight inches in thickness, well spread—the lumps broken—watered—trodden down, or otherwise compacted, and carefully shaped to the heights and slopes given by the engineer.

> Only such portions of the embankments as shall be laid out by the engineer and made up in strict accordance with the foregoing specification, will be paid for as earth in water-tight banks.

Now, the hon. gentleman will see that this specification carefully and specially provides for the class of material which should be used in the water-tight embankment; it specially provides as to the foundations on which the water-tight embankments were to be built. They were to be prepared of such width and depth that there might be a proper union between the sub-soil and the excavated material put upon it. One would not imagine that, upon an ordinary reading of this section, there could arise the possibility of doubt, but the contractor says: Not only am I to be paid for the water-tight embankment which I build as a superstructure upon that foundation so prepared, but I am to be paid extra for the very stuff which I take out and which cannot be used as a water-tight embankment, and which I throw over to the back of it—the waste material; I am to be paid for the surplus of excavated material which I take out of the canal, which is not required for the water-tight embankment, and which I also throw over. Now, there is the whole claim, $210,000, 20 cents a yard for excavation, 15 cents additional for the water-tight embankment and the spoil bank in its rear. The dispute is about the 15 cents. The 20 cents was to cover everything excavated, except the portion put in the water-tight embankment.

Mr. MULOCK. He claims 15 cents for the rejected material.

Mr. DAVIES (P.E.I.) That is not a proper term, the surplus material not required for the water-tight embankment.

Mr. McCARTHY. The waste.

Mr. DAVIES (P.E.I.) It could be put alongside the water-tight embankment, or it could be put anywhere else.

Mr. GILLMOR. He claims 35 cents for what he argeed to do for 20 cents.

Mr. DAVIES (P.E.I.) Yes, he claims that. Now, that is all I deem it necessary to read to the House from the contract, excepting the schedules of prices in the contract. Those two schedules are 4 and 5, and are found on page 26 of the papers: "Earth excavation by cubic yard, 20 cents; earth in water-tight embankments, 15 cents." So that it would appear at first sight, and appears to me, after a very lengthy examination into the whole matter, that there could not be any reasonable doubt about it. I do not mean to say the hon. gentleman may not show that there is a reasonable doubt, but, so far as I have gone, I cannot find any room for reasonable doubt. Now, let me go on and read that part of it. The contractor entered upon his contract, and he was not proceeding very well, and the engineer called the attention time and again of the Department of Railways to the fact that the contractor was scamping his work, doing the easy part, and leaving the heavy part undone, with the intention of throwing the heavy part upon the Government afterwards. Now, on 3rd November, 1893, Mr. Monro writes:

> Mr. George Goodwin has a very large force engaged in doing all the easy work on sections Nos. 4 and 5. This is what is usually termed "skinning the job." The excavation taken out to date is about 230,000 cubic yards, which probably costs a little more than half the contract prices. That is to say, he is rushing through the inexpensive part of these sections which were grouped together to get an average price and ensure the hauling forward of the material at the west end. The masonry is untouched also, and the long hauls avoided. Of course it will follow that whatever profit can be squeezed out will go into Goodwin's pockets, and when the work has to be relet it will cost more to the Government than if it had been let to a reliable man at fair all round prices. You will see at a glance that some of the masonry prices are absurdly low, and as there is not in my mind the least chance of the contractor finishing the work, it is manifestly unfair that he should be permitted to continue his present tactics. However, the season will soon close down now and the matter must be settled one way or another. Your attention is particularly drawn to this part of my report.

Now, he followed that up on 15th November by another letter to the chief engineer:

> Sections 4, 5, 6 and 7, Goodwin has now the principal part of his force of scrapers engaged on section 5 (east end) and he continues to do the easy part of the work of this contract as previously intimated. I do not think it is at all fair that this should be permitted and a reduction will be made in the excavation price in the next progress estimate, because this price was intended to cover the cost of the excavation and completion of the earth work of these sections as a whole, including, of course, these portions of 5, 6 and 7 where the hauls are long and the material is heavy blue clay, which will be obviously much more expensive to remove than that which he is at present scraping out. This seems to be the only equitable course to follow in such a peculiar case. The diminished rate should be made to correspond with the relative value of the work done.

That is the report of the engineer. I may remark that a portion of these papers related to the claim made in respect to blue clay, and it was rejected by the department, and I do not propose to take it into the discussion. We are keeping to the one point only. Now, Mr. Speaker, that was the report made by the engineer, and on this I wish to say nothing more than a passing remark, that I cannot find in the papers that this very proper discharge of his duty by the chief engineer was taken any notice of at all in the department. If it was, the papers brought down failed to show that any notice was taken by the department of this skimming and scamping by the contractor. I call the attention of the House to the report made by Mr. Schreiber, on November 27th, 1893, in which he said :

> With respect to the material to form water-tight embankments, this work is being carried on and is being paid for in accordance with the terms of contract, which I can see no reason to disturb.
>
> With respect to the lock and bridge masonry to which he refers, for which his price is $12 per cubic yard, I may explain this is all face cut stone Ashlar, and what Mr. Goodwin proposes is that instead of the backing being of concrete, he shall be allowed to build it of masonry and receive $12 per cubic yard. Such a course, it appears to me, would be an unsafe one, establishing a precedent difficult to contend with in the future, and whilst I cannot recommend the acceptance of any of his propositions, I am strongly of opinion that in his present feeble state of health, he will not be able to give the work the necessary attention to enable it to be carried through to completion satisfactory and in a reasonable time, and for that reason, I firmly believe that it would be in the public interest, if possible, to relieve him of his contract.

That was the report made by Mr. Schreiber to the secretary on a memorandum submitted by Mr. Goodwin. He concurs in the opinion that the engineer is right in the measurement he allowed in measurements for surplus material thrown at the back of the water-tight embankment. The contractor has drawn up a long memorial to the department, in which he made several propositions, among them, 1, to be allowed to resign the contract ; 2, to be paid increased prices if the contract was carried out. This was not done for some reason. I call the attention of the House to the fact that in that letter of Mr. Schreiber he gives his adhesion to the construction of the contract placed upon it by Engineer Monro. On December 4, Mr. Monro further reports as follows :—

> Copy No. 2781.
>
> Engineer's Office,
> Coteau Landing, P.Q., 4th Dec., 1893.
>
> Sir :
>
> In the progress report addressed to you on the 15th ult., I state that Mr. Goodwin continues to do the easy part of the work of his contract for sections 4, 5, 6 and 7, and that a " reduction will be made in the excavation price in the next progress estimate, because this price was intended to cover " the earth work of these sections as a whole, including, of course, those portions of 5, 6 and 7 where the hauls are long and the material is heavy blue clay, &c., &c.
>
> On this point I beg to refer to paragraph 7, page 2, of the specification for these sections, to which the attention of parties tendering is specially drawn.
>
> As the contractor has expressed to me his intention of not proceeding further with this work until some " understanding " is arrived at, I deem it proper to ask for your instructions in this matter before sending a progress estimate for the month of November.
>
> I am, Sir,
> Your obedient servant,
> (Sd.) THOMAS MONRO,
> M. Inst. C. E.
>
> To Collingwood Schreiber, Esq.,
> Chief Engineer, Canals,
> Ottawa, Ont.

On December 6 he follows up with a further letter, as follows :—

> Coteau Landing, 6th Dec., 1893.
>
> Sir :
>
> Sections 4, 5, 6 and 7.
>
> As stated in my last report it was my intention (in view of the facts) to reduce the price of the earth work as returned in the October estimate. This so far consists of the cheapest portion of the excavation—all the long hauls and heavy clay being avoided. The contractor does not, I believe, intend to go on with the work until some understanding is arrived at. He evidently seems to think his contract of no effect. He should, in my opinion, be summarily dealt with and an example be given through him that agreements of this nature cannot be thrown aside with impunity. As instructed by you I have returned, subject to revision hereafter the excavation referred to at its full price pending some arrangement for pushing on the work and by which the specification will be properly carried out.
>
> I am, Sir,
> Your obedient servant,
> (Sd.) THOMAS MONRO,
> M. Inst. C. E.
>
> To Collingwood Schreiber, Esq.,
> Chief Engineer, Canals,
> Ottawa, Ont.

So we see that up to the end of December the contractor was not only skimming and scamping the work, but he was trying to get out of the contract. On February 16th, the next step was taken by the department, and it was to make a reference to the Department of Justice. On page 2 of that communication is the following :—

> Mr. Goodwin claims that " as the specification stated that all the excavation would be used in making up the embankments " he expected, when he tendered for the work, that he would be paid for the whole of it at both rates, viz. : 20 cents per yard for the excavation and 15 cents per yard for the embankments. He has deposited for embankments above the surface level of the water in the canal a quantity of material in excess of the amount which, in the opinion of the engineer, is required to form water-tight embankments, and his claim is that he should be paid for all such surplus material deposited. He says, " so long as the material from the excavation is disposed of as directed, no matter how wide the embankment may be made, the full width should be paid for."
>
> Mr. Goodwin's contestation is that clause 7 of the specification bears out his claim. This clause reads as follows :—" No allowance whatever beyond the prices tendered for excavation will be made for haul. The surplus material arising from the prism, &c., on section No. 7, shall, after making up the banks on that section, be carried forward to widen the embankments

> of sections to the eastward ; and the surplus on section No. 6 shall be dealt with in the same manner, so that all the excavations arising from the sections embraced in this contract west of Lock No. 5, will be disposed of in making the embankments on each side of the summit level between stations 180 and 460 ; filling around the various structures, &c. This distribution of material to be made as will be directed by the engineer without entitling the contractor to any extra allowance whatever. The attention of parties tendering is specially drawn to this section of the specification.
>
> It appears to the department that under the wording of the above section the contractor is required to deposit for filling and widening purposes, but without "extra allowance," the material excavated, but that under the clauses relating to water-tight embankments a portion of such material, if laid down in a manner prescribed, may be entitled to the special rate of 15 cents.
>
> Be pleased to advise whether the contract wording coincides with Mr. Goodwin's interpretation, or with that of the department.

I call attention to the fact that the Department of Justice, at the time presided over by Sir John Thompson, gave an opinion based on these statements of the Department of Railways. Mr. Schreiber, at that time, appears to have changed his opinion. He previously had agreed with Engineer Monro

Sir CHARLES HIBBERT TUPPER. Is that letter signed by the secretary of the department ?

Mr. DAVIES (P.E.I.) The phrase is, "it appears to the department." Mr. Schreiber had previously given his own opinion that the contention could not be sustained. What was the opinion of the Department of Justice on this subject ? It was given on 28th February, 1894. The reply acknowledged the receipt of the communication ; it then recites the contractor's claim and the sections of the contract and specification, which I have already read. After these quotations the letter goes on to say :

> If I correctly apprehend the facts of the case it would appear that the engineer has found it necessary to have water-tight embankments and has so directed—that he has laid out such embankments under the terms of the specifications quoted, and that as to the embankment built upon the site located by the engineer there is no objection to pay Mr. Goodwin the specified prices of 20 cents per cubic yard for earth excavation, and 15 cents additional per cubic yard for earth excavation, and 15 cents additional per cubic yard for earth in water-tight embankments. Mr. Goodwin has, however, deposited behind the water-tight embankments so constructed additional material which is not required as part of the water-tight embankment and he claims that inasmuch as he so deposited the additional material under the directions of the engineer he is entitled to be paid therefor, not only the 20 cents for excavation but the additional 15 cents for earth in water-tight embankments. The Minister of Justice is of opinion that the specifications do not admit of the construction contended for by Mr. Goodwin. It is stipulated that the earth excavation shall be formed into embankments, and that the rate of payment allowed for each earth excavation shall cover the cost, not only of excavation but also of hauling and forming into embankments. These are ordinary embankments. Water-tight banks are clearly distinguished in the specification from ordinary embankments, and it is stipulated that only such portions of the embankments as shall be laid out by the engineer and made up in strict accordance with the specification relating to water-tight banks shall be paid for as earth in water-tight banks. The material in question not forming any portion of the embankment laid out and made up under the direction of the engineer as a water-tight bank therefore cannot be brought under the item of earth in water-tight embankments for the purpose of entitling the contractor to the extra 15 cents compensation.

So, Sir, we arrive down to the 20th of February, 1894, with the reasoned opinion given by Sir John Thompson, after considering the facts carefully, that there was no ground whatever for the contractor's contention. One would suppose that that would close the matter, but it did not. There is a persistence on the part of the contractor, which, I suppose, is the result of a very long experience with the department, and he knows that if he wants to get a claim he must keep at it, and that one opinion, or two opinions, or three opinions, or the combined opinion of the chief engineer and the consulting engineer and the Minister of Justice won't stand in the way, if he pegs at it long enough, until he gets the ear of somebody in the long run.

Sir RICHARD CARTWRIGHT. Perhaps it depends a little on the time. Political exigencies may come in.

Mr. DAVIES (P.E.I.) Now, the following spring, we have Mr. Schreiber's letter to Mr. Goodwin, dated the 17th April, 1894, some six months after the engineer had reported, and two months, at least, after the opinion of the Minister of Justice. He says:

> Ottawa, 17th April, 1894.
>
> G. Goodwin, Esq.,
> Ottawa.
>
> Dear Sir :
>
> The superintending engineer reports under date of the 16th instant that the manner in which the works on sections 4, 5, 6 and 7 of the Soulanges Canal have been conducted and carried on in the past, has been most unsatisfactory ; it appears you have been doing the cream of the work, leaving the most costly work undone, as it is absolutely necessary, now that the working season has opened up, that the work should be vigorously prosecuted, I hereby call upon you to at once proceed vigorously with the work in such a manner that the easy and the more costly work be carried on simultaneously, otherwise the interest of the Government will have to be protected in the monthly progress estimates.
>
> I shall be glad to hear from you upon receipt of this communication that you are arranging for an immediate prosecution of the work on the lines suggested.
>
> Yours truly,
> (Sd.) COLLINGWOOD SCHREIBER,
> Chief Engineer.

That is all the notice Mr. Schreiber appears to have taken of the report of the engineer, and then we find Mr. Goodwin wrote back asking for a consideration of his case, and the Deputy Minister of Justice writes asking if, in his opinion, he has correctly stated the facts upon which the opinion previously given had been delivered. I had better read that letter, because, in my judgment, it is important. It is as follows:—

15th April, 1895.

Sir :

With regard to Mr. George Goodwin's claim under his contract for the construction of certain sections of the Soulanges Canal for payment of earth and water-tight banks, I have the honour to inform you that Mr. Goodwin has submitted for the consideration of the Minister an elaborate memorandum (pp. 131—169) putting forward his view of the case, with the statement of his facts and reasons. I observe that by my letter to you of the 28th February last, which at my request has been returned to me for reconsideration, I stated my understanding of the facts as follows :—" It would appear that the engineer had found it necessary to have water-tight embankments and has so directed ; that he has laid out such embankments under the terms of the specification (No. 11 water-tight banks) and that as to the embankment built upon the site located by the engineer there is no objection to pay Mr. Goodwin the specified prices of 20 cents per cubic yard for earth excavation, and 15 cents additional per cubic yard for earth in water-tight embankments. Mr. Goodwin has, however, deposited behind the water-tight embankments, so constructed, additional material which is not required as part of the water-tight embankments."

I understand further that although this additional material, in respect of which Mr. Goodwin claims, was deposited where it is under the direction of the engineer, yet it does not cover any portion of the site laid out by the engineer for water-tight embankments, nor has the material in question been built up as a water-tight embankment under the direction of the engineer in accordance with specification No. 11.

Before dealing with Mr. Goodwin's memorandum, I would like to be informed by your department, whether my understanding of the facts as stated above, is correct, and such as your department is prepared to substantiate, as a matter of fact. If the above statement is not exactly in accordance with the facts, will you be good enough to inform me as to what correction should be made.

Awaiting a reply at your early convenience.

I remain,
Your obedient servant,
(Sd.) E. L. NEWCOMBE,
D.M.J.

That was in the month of April, 1895. Mr. Newcombe, the Deputy Minister of Justice, has consented to reopen the case, has received a long memorandum from the contractor, and has asked from the Department of Railways whether, in respect to the facts on which his opinion has been previously based, they concur in the statement he therein makes. Well, Sir, we have the opinion of the department in reply to that, given on the 8th of April. It is as follows :—

8th April, 1895.

Sir :

I have the honour, by direction, to acknowledge the receipt of your letter of the 5th instant, stating your understanding of the facts in regard to the claim of Mr. George Goodwin under his contract for the construction of certain sections of the Soulanges Canal for payment of earth in water-tight banks.

In reply I have to inform you that you have stated the case very correctly and to suggest that should you desire it, the superintending engineer, who has charge of the work on the ground, might be summoned to Ottawa, and explain the matter verbally to you.

Be pleased to advise this department if you wish to consult Mr. Monro in connection with this claim.

I have the honour to be, Sir,
Your obedient servant,
JOHN H. BALDERSON,
Secretary.

E. L. Newcombe, Esq.,
Deputy Minister, Dept. of Justice.

So that the Department of Justice, which based its opinion upon an assumed state of facts, is told that the facts as they assumed them are correctly stated. What took place then ? The suggested examination was made, and Mr. Schreiber, on the 30th August, writes the following letter.

Sir CHARLES HIBBERT TUPPER. Does the hon. gentleman intend to convey that Mr. Newcombe was not consulted after that suggestion.

Mr. DAVIES (P.E.I.) That may be, but I can find nothing in the papers to show it.

Sir CHARLES HIBBERT TUPPER. As a matter of fact, he was.

Mr. DAVIES (P.E.I.) I can find nothing in the papers to show that. Before I come to the examination of the engineers, I wish to call the attention of the House to a letter written by Mr. Schreiber to the Minister of Railways on the 13th of August, 1895 :—

According to my reading of the contract, he is only entitled to be paid for that part of the canal bank which was laid out by the engineer, under the specification, for water-tight banks, the full amount of work so done has been returned in the progress estimates.

So that you have the Department of Justice told that they correctly appreciated all the facts upon which they based their judgment ; you have the chief engineer writing to the Minister of Railways and Canals that he fully concurs in the view taken by the chief engineer of the work, that there is nothing at all in the claim that this man Goodwin makes ; and you have the examinations of the assistant engineers under Mr. Monro which were held at the instance of Mr. Goodwin.

Mr. LISTER. Was Mr. Monro examined ?

Mr. DAVIES (P.E.I.) He does not appear himself to have been examined, because he had given his report.

Sir CHARLES HIBBERT TUPPER. He was at the examination.

Mr. DAVIES (P.E.I.) He was at the examination, and put some questions; and the examination was taken in the presence of Mr. Goodwin, who cross-examined the witnesses.

Mr. MULOCK. When was that examination?

Mr. DAVIES (P.E.I.) On September 11th, 1895. Mr. C. R. Coutlee is examined on page 101, as follows :—

Q. How did you lay out this water-tight embankment?—A. A line was laid at 101 feet from the centre, then the canal prism and bank seat were stripped of sod and vegetable mould, and that was carried to the rear of the line 101 feet north and south—then slope stakes were set on the stripped ground for the cutting. That portion between the sloped stakes and the lines 101 feet from the centre was the part designated as water-tight.

Q. Did you put in the stake at the rear of this water-tight bank?—A. Yes.

Q. Was there any bank in the rear of what you call the water-tight bank?—A. Yes.

Q. What was the distance from the centre line of the canal to the rear slope-take of that bank? —A. That was variable, of course.

Q. What was the top of the bank?—A. The front crest of the whole bank as built would be 98 feet from the centre line and the rear crests, respectively, 128 and 148 feet, south and north of the centre line of canal.

Q. That would give the width of the top of the bank?—A. Yes.

Q. Were there any preparations made for the seat of this bank and water-tight embankment?—A. Yes; the sod was stripped from this water-tight bank seat, and after being approved of, either by himself or the chief engineer, the bank seat was roughed by ploughing.

Q. What did you do with the material taken out of the seat of the bank?—A. It was placed in the rear of the line of 101 feet south or north of the centre.

Q. What instructions did you give to the contractor with regard to the stakes—or his agent on the ground?—A. That the ground was to be stripped between these two lines of stakes 101 feet north and south of the centre, and that this bank seat was to be left open for inspection, and when inspected to be roughed by ploughing, and that up on this bank seat, only the best material from the cutting was to be placed, and carried up so as to be of the width of five feet, at high-water mark, on Lake St. Francis.

Q. Did you give these instructions to the contractor himself, or his agent on the ground?—A. To his agent on the ground, Mr. Dawson.

So that you have Mr. Coutlee saying that, in pursuance of the terms of the specifications, he expressly staked out the width of the water-tight embankment, had it ploughed up, had the top sod taken off, and had it roughed, so that there would be a proper union of the material to be placed on it; and everything was done to place beyond the possibility of doubt that it was anything but a proper water-tight embankment for which the foundation had been prepared. There was no possibility of believing that the refuse thrown at the back of a water-tight embankment was a part of the embankment itself.

Mr. HAGGART. The hon. gentleman does not want to misrepresent the facts. The whole embankment is laid out backward and forward, and it is sloped both ways.

Mr. DAVIES (P.E.I.) I thought I had stated that clearly. I am pointing out that there could be no possibility of doubt, from what Mr. Coutlee stated, that the express width of the proposed water-tight embankment for which the foundation had been prepared, had been marked out and staked, so that the contractor could make no mistake about it. Then, on page 105, he says :

Q. Do you consider that the embankments are water-tight when finished up in the way that they have been done so far as the work has progressed—that they hold the water?—A. In my opinion the forward portion of the bank is water-tight, but the joint with the rear portion is not water-tight.

Q. You state that the front portion of the embankment is tight—that means that the whole bank is tight?—A. The front portion of the bank is tight.

Then Mr. McNaughton was examined; and any one who wishes to understand the case I would advise to read his evidence on page 107, where he gives a nice sketch, showing how this water-tight embankment was to be built and staked out, thus conveying a better idea of the facts than is done by mere question and answer. He is examined as follows :—

Q. Will you explain how you laid out the water-tight embankments?—A. A certain portion of the bank, 112 feet from the centre line, was mucked and this material was thrown in the rear of the banks.

Q. Was there any other portion of the bank besides the water-tight bank to form the canal bank at this point?—A. The canal banks were laid out 50 feet wide on the top on one side and 30 feet on the other.

Q. Will you explain how the water-tight bank was built? What was the preparation for it and the manner of carrying it out?—A. This portion of the bank was mucked, that is, the sod and vegetable matter were removed.

Q. You were going to state what preparations were made for the forming of the water-tight banks?—A. That portion of the banks 112 feet from the centre line was mucked, and all the vegetable matter was removed, and the material was thrown in the rear of the embankments. Afterwards this space that was mucked was roughed up with the plough, and then the bank was built up with scrapers.

Q. What did you do with the muck that was taken out of the seat of this bank?—A. It was thrown in the rear of the 30 and 50 feet embankments.

So that hon. gentlemen will see that the refuse which was not thought fit to form part of the water-tight embankment was thrown to the rear, and it forms a part of the rear embankment, for which the contractor is claiming the same price as for the water-tight embankment.

Sir CHARLES HIBBERT TUPPER. What was the width of the top of the water-tight embankment ?

Mr. DAVIES (P.E.I.) Five feet.

Sir CHARLES HIBBERT TUPPER. Has the hon. gentleman any evidence where the width of five feet is given ?

Mr. DAVIES (P.E.I.) Not further than the evidence given by Mr. McNaughton and his colleagues.

Sir CHARLES HIBBERT TUPPER. If the hon. gentleman has any evidence bearing on that, will he read it ?

Mr. DAVIES (P.E.I.) I cannot read any more than I have given. Mr. McNaughton put in the following sketch, and that sketch will show that the water-tight portion was 5 feet wide at the top and that the whole water-tight embankment and the poriton thrown in the rear of it is 50 feet wide at the top in some places and at other places 30 feet. The water-tight embankment is not a variable width but is but 5 feet all along. The other is variable depending on the quantity of spoiled material thrown over.

Mr. HAGGART. The hon. gentleman is mistaken.

Mr. DAVIES (P.E.I.) I am not, I am reading from the evidence.

Mr. HAGGART. You read it all about the slopes of the stakes being different in width. That is on account of the irregularity of the grade. You do not understand it.

Mr. DAVIES (P.E.I.) I understand it thoroughly. I have enough practical and technical knowledge to understand this evidence, and it is so plain you cannot go astray. I suppose the engineer understood it, and he has stated it so plainly that there can be no mistake about it.

Sir CHARLES HIBBERT TUPPER. The bank on the top is on one side 30 feet and on the other side 50 feet.

Mr. DAVIES (P.E.I.) The width of the bank cannot have the slightest effect on the construction of the contract. I had better read :

> Were all the embankments of 50 feet in width on it ? Both embankments, 50 and 30 feet wide—were they made in accordance with this specification ? This specification described water-tight banks. I ask whether these embankments, 30 and 50 feet wide, were made up as water-tight embankments in accordance with the specification ?—A. No.

There is the evidence of the other engineers on which I cannot lay my hands and which coincides with what I have read.

On the 17th September, 1895, the then Minister of Justice (Sir Charles Hibbert Tupper) writes to Mr. Haggart inclosing the evidence of the engineers, parts of which I have read, informing the Railway Department that he cannot undertake to enter into a dispute between the engineers and Mr. Goodwin. He said :

> The duty of reporting upon the facts in a matter of this kind seems to me to devolve upon your chief engineer, and I would venture to suggest that your chief engineer should satisfy himself as to the conclusions, and upon communicating this conclusion to my department, no time will be lost in giving an opinion as to their legal effect.

Then Sir Charles Hibbert Tupper writes another letter on the same day :

> My dear Haggart :
>
> Referring to my letter of this date on the subject of Mr. Goodwin's claim, I would like to add that while I refer to the chief engineer, you will understand, I hope, I do not mean chief engineer as distinguished from yourself ; of course the head of the department or his responsible officer will suit that purpose.
>
> The question of fact in dispute upon which I would like to know your decision arose upon a statement made by Mr. Monro, one of your engineers, to the effect that portions of the embankment were not laid out by the engineer, nor made up in accodance with the specifications with regard to earth in water-tight banks.
>
> What I desire to be informed is :
>
> First. Whether these portions of the embankments with respect to which disputes arose were laid out by the engineer.
>
> Second. Whether these portions were made up in accordance with the specifications with regard to earth in water-tight banks.
>
> Third. Whether these portions were made up as required and directed by the engineer in charge.

With regard to the first question there never was a shadow of doubt, so far as I can see, from the papers at all. The engineer in charge not only laid out the water-tight embankment but the size of the other embankment—how far they were to go out. And the hon. gentleman has sent to him a letter from Mr. Doull, the acting law clerk, in which, on the crucial question, he said :

> Whether these portions were made up in accordance with the specifications with regard to earth in water-tight banks ?
>
> My answer is they were not. The top soil was not removed to form the embankment seat. These portions were not well ploughed so as to make good bond with the first layer of earth forming the base of the embankment. Nor were these portions laid out by the engineer and made up in strict accordance with the specification.

So that the hon. gentleman had the reply there that they were not. On the 2nd October, Mr. Schreiber follows that up with the following letter, also containing a sketch explanatory of the matter :—

> To the first question I say : The portions of the embankment in respect to which the dispute has arisen, were laid out by the engineer in the following manner.

Here Mr. Schreiber gave a sketch :

To the second I say :

These portions were not made up in accordance with the specification with regard to earth in water-tight banks. They were made up as follows :—

The muck or surface earth was taken from the seat of the portion marked on sketch as water-tight bank, and cast into the rear portion of the canal bank, the remaining portion required to make up the canal bank, was the same class of material as that used to form what is shown as water-tight bank on sketch, and according to the statements of the engineers in immediate charge of those sections, there was only a slight difference made in forming each part of the embankment, except as regards the mucking and roughing up the seat of the portion shown on sketch as water-tight bank, and the using of the vegetables and other porous matter in the rear portion of the canal bank.

So that Mr. Schreiber reports that the vegetable and porous matter was not used or allowed to be used in the water-tight portion and that the base or foundation of the water-tight portion was mucked and prepared to receive the water-tight clay upon it and the other was not—the only distinction which one would suppose would exist between a water-tight embankment and a portion not water-tight. I call attention for the moment to these facts. The department is answered, they got their information, and everything is in favour of the opinion they had previously given, and on the 4th September, 1895, Mr. Monro makes a report to Mr. Schreiber on this contract. I shall have to ask the House to bear with me while I read that report :

Soulanges Canal, Engineer's Office,
4th September, 1895.

Sir,—I beg to reply to your letter of the 27th ult., as follows :—

I presume that the following extract from page 2 of the specification empowers me to discriminate as to what portion of the canal embankment on section numbers 4, 5, 6 and 7 shall be made and paid for as water-tight bank. Namely :

Water-tight banks, wherever the surface level of the water in the canal is higher than the ground alongside, water-tight banks shall be made when so directed. In these cases the top sill must be removed for such width and depth as may be considered necessary to form the embankment seats. The material arising from this mucking to be deposited where pointed out. It will be paid for as ordinary earth excavation. The seats shall also be well roughed up with a plough so as to make good bond with the first layer of earth forming the base of the embankment. Puddle walls or cut-offs to be made where required—the puddle to be prepared and laid as specified hereafter.

When the bank seats are properly prepared, inspected and approved—and not till then—the bank shall be carried up in layers of selected material, of about eight inches in thickness, well spread—the lumps broken—watered—trodden down or otherwise compacted, and carefully shaped to the heights and slopes given by the engineer.

Only such portions of the embankments as shall be laid out by the engineer, and made up in strict accordance with the foregoing specification, will be paid for as "earth and water-tight banks."

After reading it over and over again, I have not been able to see where the doubt comes in.

Mr. LISTER. There is no doubt.

Mr. DAVIES (P.E.I.) Let us get the answer. I have no wish to prejudge the case. But so far I have been unable to see where the doubt comes. Mr. Monro goes on :

Acting under this behalf I gave my assistants instructions which were varied to suit the conditions of each case ; the embankment dimensions being as described in their replies to my query on this subject hereto appended.

From these it will be seen :

1st. Only part of the inner sides of the embankments next to the canal prism were laid out for water-tight banks.

2nd. Only over the portion intended as seats for water-tight embankment was the surface soil, &c., removed. This obviously limited the extent of water-tight embankment as it is clear that no bank could hold water if built on a permeable stratum or foundation.

3rd. The vegetable soil, sand, roots, &c., which were removed from the front of the embankments in order to afford a water-tight seat for those portions which I considered necessary to be water-tight, was thrown into the rear of the embankments, which are therefore more or less spoil-banks. The subjoined sketches show this.

It is, I understand, claimed by the contractor for sections 4, 5 and 7 that the additional price of 15 cents per cubic yard which under the specification applies only to the water-tight portions of the embankments ordered by me and so executed should be paid for all embankments on the sections whether water-tight or not. The money effects of this would be roughly as follows :—

Cost of excavation under the contract, say, 2,000,000 yards at 20c.	$400,000
Cost of excavation under the contract, say, 600,000 water-tight at 15c.	90,000
Total	490,000
If paid for as claimed then, say, 20,000,000 at 35c.	$700,000
Difference in favour of Goodwin, say..	210,000

Sir CHARLES HIBBERT TUPPER. In that calculation he takes all the banks, whether water-tight or not, aside from this particular question, where the bank was run along above the margin of the canal.

Mr. DAVIES (P.E.I.) He is showing what the difference is between the claim made and the claim Mr. Goodwin would be entitled to make.

Sir CHARLES HIBBERT TUPPER. He says : "For all embankments, whether water-tight or not."

Mr. DAVIES (P.E.I.) He goes on to say :

That is to say, the Government would have to pay the contractor $210,000 for alleged work which was neither necessary to be done—nor was it done—or ordered to be done.

> If such a preposterous demand as this were entertained on these sections there would be no reason why other contractors should not be similarly dealt with. This would result in the canal costing from one-half to three-quarters of a million dollars more than my estimate for earth excavation, whilst in my humble opinion not a shadow of valid excuse could be given for such a course.
>
> In this connection let me draw your attention again to the fact that the work on sections 4, 5, 6 and 7 is almost at a standstill, whilst the contractor for these sections is practically a defaulter on section 12 of this canal, which has been abandoned by him since the fall of 1893.

This is one of the most terrible indictments ever drawn against a contractor, but the contractor appears to have been taken under the shelter of the department from time to time. Now, we have attached to this, and I have to read these also in order to make the claim complete, the statements of the engineers under Mr. Monro. The first is Mr. Allison, of Coteau Landing. He gives a sketch of the water-tight embankment, and spoil-banks at the back, and goes on :

> Where there was a surplus of good material, the mucking was laid out to clear the 1 to 1 back slope. In building the banks, the water-tight part was built up in thin layers of the best material. The back part included the mucked material from the east of the water-tight bank, &c., the surface material from the canal excavation. It was made up in heavy or shallow dumps.
>
> East of the River Rough, on section 10 (and for a short distance on section 9) it was necessary owing to scarcity of material, to build up the water-tight portion first ; and a back slope of 1½ to 1 was used to prevent danger of slides until the rear portions should be built. The mucking was taken out to the slope stakes for this 1½ to 1 slope ; but only that material placed in front of the 1 to 1 slope has been returned as water-tight bank, because the contractor was permitted to put lumpy and otherwise doubtful material close to the back of the bank.

The next is Mr. Coutlee, who says :

> I have the honour to state in reply to your memorandum of 31st August, that the area over which water-tight bank was ordered to be built on sections 1 and 2, 3 and 4, extended from the edge of the cutting to a line 101 feet from canal centre. This area was cleaned of surface soil which was deposited on the sod in rear of water-tight bank seat.
>
> This seat was generally left uncovered for your personal inspection and when approved it was roughed up by ploughing. Only material free from sods, roots, &c., was allowed to be laid over this seat, and particular care was taken with the bonding of the first layers with the natural ground. Objectionable material was ordered to be deposited in the rear portions of the spoil-banks. Stakes defining the rear limit of the water-tight bank seat, were set out and marked “ bank seat.” Verbal instructions regarding the top width and height of water-tight banks were frequently given to managers and foremen on the work, and no instances occurred of special pains being taken with banks, by misunderstandings, in rear of the line laid down, nor was the sod or top soil ever removed in rear of this line, nor was roughing up by ploughing ever resorted to outside of the rear of the water-tight bank seat.

Mr. McNaughton gives a similar sketch and says :

> The general method was to first muck those portions of the embankment seat where it was intended that water-tight embankments should be made. The material arising from this was thrown into the rear of the banks and the surface soil was not removed, there being no intention of making the rear of those banks water-tight.

Sir CHARLES HIBBERT TUPPER. I would like to ask the hon. gentleman, apart from this question, whether he thinks the banks were water-tight or not ?

Mr. DAVIES (PE.I.) I should judge, from the evidence—one witness says——

Sir CHARLES HIBBERT TUPPER. But what is the hon. gentleman's own opinion ?

Mr. DAVIES (P.E.I.) One witness says the spoil bank part of the embankment is not. The hon. gentleman did not pay attion while I was reading. At the junction of the spoil-bank with the water-tight bank, if I may distinguish the two, it is not water-tight.

Sir CHARLES HIBBERT TUPPER. But the front is water-tight.

Mr. DAVIES (P.E.I.) The next thing we have is a letter which I would almost denominate the unfortunate letter which was written on 15th January, 1896, by the Deputy Minister of Justice. There is nothing here to show that the Minister of Justice had formed any opinion. He left no record in his department, he signed no opinion, he assigned no reasons, but the Deputy Minister of Justice writes this memorandum :—

> Sir,—Referring to your letter of 4th October last inclosing additional correspondence, and the report of your chief engineer with regard to contractor Goodwin's claim as to payments of construction of water-tight embankments on the Soulanges Canal, I have the honour to state that Sir Charles Hibbert Tupper, while Minister of Justice, gave the matter very careful consideration, and heard Mr. Goodwin in support of his claim. The Minister came to the conclusion that the claim was one which should be allowed by your department, but he resigned his office before the advice could be communicated to you. He desired me, however, to inform you that he had reached the conclusion which I have stated.

Now, I submit that if the ex-Minister of Justice reached that conclusion adverse to the conclusion which his predecessor had reached, adverse to the opinion given by the engineer in charge of the work, adverse to the scientific technical opinions held and expressed by the three assistant engineers, adverse to the very strong opinion which the chief engineer of the Department of Railways and Canals had given two or three times, and if the ex-Minister gave an adverse opinion, which, if acted upon, would involve an expenditure of $750,000, I say it was his bounden duty to submit that adverse opinion in writing, and, above all things, to give the reasons in that opinion on which he had reached his conclusion. I say that it is trifling with the taxpayers of this country, and trifling with this House, if a reasoned opinion such as this which had been come to by the Department of Justice and communicated to the Department of Railways, backed up by all the scientific men I have mentioned, can be reversed without any reasons being given and communicated by the deputy to the Department of Railways, unsigned by the Minister, and without a single reason being advanced in support of it. Sir, I cannot understand that conduct at all. But what do we find? We find the department hastily acting upon this second-hand verbal opinion. The deputy takes good care not to say that he has changed his opinion. He had given his opinion before, he does not change it, he does not say he did. He says: I am directed by the gentleman who has resigned his office, to say that he had formed an opinion, but without giving any reasons. But the Department of Railways were not slow to act upon this changed opinion, there is no loss of time then. Then, we find three days after that opinion was communicated to the department, the department acting promptly and quickly, so that that man might get his hard-earned money. On January 18th, the department writes, through its secretary, to Mr. Schreiber:

> I inclose herewith two copies of your report of 2nd October last, in the matter of Mr. George Goodwin's claim in re water-tight on sections Nos. 4, 5, 6 and 7 on the Soulanges Canal, together with two copies of a letter from the Deputy Minister of Justice, dated 15th January instant, from which you will see that Sir Charles Hibbert Tupper, when Minister of Justice, examined into this claim and came to the conclusion that Mr. Goodwin's claim should be allowed. I am, therefore, to instruct you to act in accordance with that conclusion.
>
> (Sd.) JOHN H. BALDERSON.

Instanter, no other opinions admitted, no further examination required, the chief engineers, the assistant engineers, everybody to be overruled, and the $210,000 of public money to be paid over to meet this claim. Then we find the estimates to which I have referred, and signed subject to condition. Mr. Thomas Monro signs: "Signed by me subject to the conditions stated in my letter of 26th February, 1896." Mr. Schreiber certifies also under similar conditions. They are merely signing mechanically, and obeying as subordinates what they are ordered to do.

Mr. HAGGART. The hon. gentleman knows that under the contract, the chief engineer is the sole judge of the quality and quantity.

Mr. DAVIES (P.E.I.) The chief engineer has given his judgment adversely to what the department now contends it should be.

Mr. HAGGART. Do you mean to say that I overruled the chief engineer, or ever said a word to him on the subject?

Mr. DAVIES (P.E.I.) I do not know whether you personally did. I say the department did. I do not know who does the work.

Mr. HAGGART. You know the department does the work under a contract.

Mr. DAVIES (P.E.I.) I know that the chief engineer certified that under the contract they were not entitled to this, and I know he was overruled, and when the Auditor General applied to him and asked him how he could make such a certificate, he says he was informed that he was not to exercise his own judgment when that judgment was adverse to the opinion of the Minister of Justice.

Mr. HAGGART. Informed by whom? Now tell the whole of it.

Mr. DAVIES (P.E.I.) I am going to read it. I do not understand the nature of the interruptions which the hon. gentleman is making.

Mr. HAGGART. I beg the hon. gentleman's pardon, if I misunderstood him. I understood him to say, or insinuate, that I had overruled the engineer and ordered him to make this report.

Mr. DAVIES (P.E.I.) I did not use the hon. gentleman's name at all. I am speaking of what the department did. I read a letter from the department, written by the secretary, instructing Mr. Schreiber to carry out the new opinions alleged to have been held by the ex-Minister of Justice, and when Mr. Schreiber comes to sign the estimates, in order that the money may be paid out by the Auditor General, he does not sign as expressing his own opinion, but says expressly that he signs it under order of the Minister of Justice, and according to the opinions of the Minister of Justice, "Collingwood Schreiber certifies as regards item 5 in accordance with the opinion of the Deputy Minister of Justice." Mr. Schreiber could not do anything else. He had put himself on record that this claim was an outrageous claim which could not be defended or justified. He says here: I sign simply as a matter of form in accordance with the direction of the Minister of Justice; and Mr. Monro signs, "but subject to the conditions contained in my letter of 26th February." This letter is not brought down, but of course I assume it will be brought down before this debate closes.

Mr. MULOCK. Will you read the letter of the secretary of the department to Mr. Schreiber?

Mr. DAVIES (P.E.I.) I have read that. The latter part says: "I am therefore to instruct you to act in accordance with your conclusion." That is the conclusion that

Mr. Goodwin's claim should be allowed. I say, therefore, that the Minister of Justice gave his opinion, and the Department of Railways ordered Mr. Schreiber to act upon that opinion.

Mr. MULOCK. Who authorized him to write that letter ?

Mr. DAVIES (P.E.I.) I do not wish to be drawn away from my argument. I say Mr. Monro's name has been obtained to that certificate, and he says : I signed it subject to the condition expressed in my letter of 26th February. Mr. Speaker, we must have that letter, and we must have it before this debate closes. It would be an outrageous thing to have Mr. Monro going upon record as certifying himself to be a rogue, because he would certify that if he had signed without an explanation to Mr. Schreiber that he had said in his previous letter that the claim was a preposterous one, which should never be allowed.

Sir CHARLES HIBBERT TUPPER. Does the hon. gentleman contend that under the circumstances the chief engineer should pay no attention to the opinion of the Department of Justice ?

Mr. DAVIES (P.E.I.) I am coming to that point in a moment. There is some interesting correspondence upon this very point. The Auditor General quotes for the chief engineer of railways the section of the Act which constitutes him the judge as to the prices and quantities of work, and he tells the chief engineer that he cannot shelter himself behind the opinion of the Minister of Justice, that the duty and onus is cast by law on him to certify to prices and quantities and he must certify to them.

It being Six o'clock the Speaker left the Chair.

After Recess.

Mr. DAVIES (P.E.I.) I had reached the stage of this history when following the letter written by the Deputy Minister of Justice to the Department of Railways and Canals. I called attention to the fact that the secretary of the department had written to Mr. Schreiber, chief engineer, referring to Sir Charles Hibbert Tupper's letter, and saying that he was therefore to instruct Mr. Schreiber to act in accordance with that conclusion. The Minister of Railways rather checked me at the moment for assuming that when his secretary wrote that he was instructed to notify Mr. Schreiber to that effect, he, the Minister, was the person who gave him the instructions. I cannot think I was wrong in making that assumption. Surely the Minister will acknowledge on reflection that I was right ; surely that letter signed J. H. Balderson, Secretary, in which he said " I am therefore to instruct you to act in accordance with that conclusion," was a letter written by the direction, or at all events, with the authority and knowledge of the Minister. If the hon. gentleman wishes to repudiate personal liability or knowledge as regards that letter and that authority, I shall be very happy to accept the repudiation ; but if the hon. gentleman does not repudiate it, surely I am within my right in saying that when the communication was made by the Deputy Minister to the Railway Department, the head of that department, Hon. John Haggart, Minister, authorized this secretary to instruct the commissioner to act upon it, and I produced the secretary's letter in vindication of that statement. I ask the hon. Minister, am I right in assuming that such is the fact ; did the hon. gentleman authorize it or not ? Will the hon. gentleman answer that question ? Did the hon. gentleman authorize his secretary to write the letter of January 18th.

Mr. HAGGART. I never saw the letter. When a letter is signed as a matter of form, I am responsible.

Mr. DAVIES (P.E.I.) The hon. gentleman does not know. If that letter was written on a matter of that kind without authority, that secretary should be dismissed instantly. Here is a letter involving a possible expenditure of $750,000, written instructing the chief commissioner to take action for the payment of that money, when the secretary knew it was in direct violation of the chief engineer's opinion, of his reiterated opinion, of chief engineer Monro's decided opinion, spoke and reiterated several times, against the opinions of all the assistant engineers on the canal, against the opinion of Sir John Thompson, and if the secretary without instructions wrote authorizing such payments of money he should be dismissed without a moment's hesitation. I am inclined to think that the hon. Minister on reflection will come to the opinion that he must have instructed his secretary in that regard. And just here I ask the hon. gentleman, because it is impossible for me to go on properly without it, if he will produce the letter written by Mr. Monro, to which I called attention just before adjournment. That letter, dated 26th February, was the communication to which Mr. Monro referred at the foot of the new estimates which he signed from the instructions he got from the department, when he said. " Signed by me subject to the conditions stated in my letter of 26th February, 1896—Thomas Monro." If the hon. gentleman will lay that letter on the Table, it will enable the House to understand and appreciate the point to which Mr. Monro raises objection, the claim which he called a preposterous claim, more clearly than hon. members can do without it. I will now draw my history to a close, unless I can get that letter so as to be able to make a few comments on it, and if I cannot obtain it before I resume my seat, some hon. members who will follow me will have an opportunity of commenting on it. I desire now to call the attention of the House and the country to the action taken by the officials after the secretary of the department instructed Mr. Schreiber, after Mr. Schreiber acted on that instruction, after Mr. Monro's qualified and conditional signature was obtained to the amended estimates, and the documents had been sent on to the Auditor General. I have come to the conclusion from reading the report that we may thank heaven we have an Auditor General, and moreover we may thank heaven he has the courage of his convictions: that he understands he is not a mere machine but has certain responsibilities and duties under the Audit Act, that he understands he is an independent officer and is held strictly to account by the House for the discharge of his duties, and I am glad to see from the papers I have before me that this gentleman was prepared to assume and did assume the full responsibility for taking independent action in this matter. Sir, what took place? We find here a letter of 29th February, 1896, written by Mr. McDougall to the Deputy Minister of Railways and Canals, Mr. Schreiber, which is as follows:—

> Let me acknowledge receipt yesterday of your application No. 345 for $73,260 in favour of George Goodwin, on sections 4, 5, 6 and 7 of the Soulanges Canal, as follows:—
>
> No. 5, earth in water-tight embankments
>
> | | |
> |---|---|
> | 542.607 yards at 15c. | $81,390 |
> | Less 10 per cent drawback | 8,130 |
> | Payment now requested | $73,260 |
>
> The item of 542.607 yards is marked "classification in accordance with decision of Minister of Justice (see letter of January 15th, 1896.—T. M."
>
> The certificates on the summary are "signed by me subject to condition stated in my letter of February 26th, 1896.—Thomas Monro," and certified as regards item No. 5, in accordance with the letter of Deputy Minister of Justice, dated January 15th, 1896.—Collingwood Schreiber.
>
> Please send me copies of the correspondence affecting this point; a copy of Mr. Goodwin's contract, which I have not yet received; and a diagram in elucidation of Mr. Goodwin's claim.

Then followed certain correspondence between Mr. McDougall and Mr. Schreiber, with the details of which I need not trouble the House. I proceed to the action taken by the Auditor General in the premises. That officer is authorized by the Audit Act to employ counsel in matters of doubt, and to obtain the legal opinion of that counsel as to how he ought to act, and whether he ought to pay or not the claims put before him. He obtained that opinion from a gentleman peculiarly qualified in matters of this kind to give an opinion—a gentleman who for a great many years filled the position of Deputy Minister of Justice with acceptance and with great credit to himself. I find here the opinion of Mr. Lash, of Toronto, formerly Deputy Minister of Justice, dated the 17th March, and addressed to the Auditor General in the following words. I need not quote a certain part of that opinion which I have already referred to.

> In re Goodwin contract. In places where the surface level of the water was higher than the ground alongside the engineer fixed the width and depth of the top soil to be removed. Both width and depth varied, the width from 101 to 112 feet from the centre line of the canal, and the depth from less than one foot to several feet. The material arising from the removing of the top soil, called "mucking," was deposited in rear of the space from which it was removed. The space mucked was roughed with the plough and the bank was carried up in layers as directed by section 11 of the specifications. The total width of the base of the canal bank as finished covered the space in rear of the mucked part on which the soil removed in mucking was deposited, and although (except the absence of mucking) there was only a slight difference between the mode of forming the part carried up from the mucked space and the part in rear, yet the material used in the rear part included vegetable and other porous matter, which were not used in the other part. The contractor claims payment for the entire quantity in the whole bank at the rate of 15 cents per yard, contending that it is "earth in water-tight embankments" within the meaning of item 5 in the list of prices. The engineer in charge denies the claim, except as regards that part of the embankment carried up from the mucked space, contending that the remaining part is covered by item 4 in the list of prices, and is included in the 20 cents per yard allowed for earth excavation. The difference in money between the two contentions is large, amounting on this contract alone to over $200,000, and on the whole canal to between $500,000 and $750,000. I am asked for an opinion as to the proper construction of the contract with regard to the question involved. I have had the advantage of perusing copies of two communications from the contractor to the Deputy Minister of Railways and Canals, dated 22nd March, 1895, and 12th September, 1895, setting out fully the contractor's contentions, and containing lengthy arguments on his behalf. The importance of the case calls for a critical examination of the contract and for an explanation of the reasons for the opinion which I have formed. The specifications are declared to be part of the contract, and it is provided by clause 4 that the several parts of the contract shall be taken together to explain each other and to make the whole consistent. Items 4 and 5 in the price list and sections 6 and 11 of the specifications must be read and considered together. The contractor contends that section 6 cannot be properly admitted as a factor in the consideration of "the question at issue, because (he argues) it is inconsistent with item 5 of the price list and with section 11 of the specifications, and as one must be disregarded and as section 6 is the general clause and section 11 the special clause, the latter must prevail and the former be excluded." Not only does clause 4 of the contract require that the several parts shall be taken together to explain each other and to make the whole consistent, but the law relating to the construction of contracts "makes it the duty of any one construing this contract to adopt a construction which will give effect to each part and to avoid a construction which would exclude a part. Sections 6 and 11, properly understood, are not inconsistent. Section 6, it is true, is the general clause, and section 11 is the special, but instead of the

special including the general, it is to be treated as an exception to it only, leaving to the general clause in all other respects its full application.

Under item 4 of the price list, and section 6 of the specifications, the price for earth excavation, viz., 20 cents per yard, covers the whole embankment formed with earth so excavated, and it is only under item 5 of the price list and section 11 of the specifications that any additional payment can be claimed for such earth in the embankment. The question, therefore, is : For how much of this earth does section 11 provide payment ?

The section contains a clear definition of what is meant by "earth in water-tight banks." Its concluding words are, "Only such portions of the embankment as shall be laid out by the engineer, and made up in strict accordance with the foregoing specifications, will be paid for as earth in water-tight banks." The section is dealing only with such portions of the general embankment as are to be made water-tight. This is the key to its construction, and, bearing this in his mind, its construction is not defective.

In these cases the top soil must be removed from such "width and depth as may be considered necessary to form the embankment seat." What are the embankment seats he referred to ? Clearly the seats of a portion to be made water-tight.

Further, the seat shall also be roughed up with "a plough so as to make good bond with the first layer of earth," forming the base of the embankment. What base is here referred to ? Clearly the base of a portion of the embankment to be made water-tight.

Further, "When the bank seats are properly prepared, inspected and approved, and not till then, the bank shall be carried out in layer of selected material." This can only refer to the portions resting on the prepared seats.

The removal of the top soil, in some cases to the depth of several feet, was not a mere matter of form ; it was evidently an essential part of the formation of the water-tight portion of the bank, as no bank would be water-tight if built on porous base or foundation. In this connection it will be proper to notice an argument submitted by the contractor in support of his contention that the base of the whole embankment for its whole width should be considered as the prepared seats referred to in section 11. He quotes the clause in the contract which gives the engineer power "to make any change which he may deem expedient in the dimensions, character, nature, location or position of the work," and he argues, as I understand him, that under this power, the engineer might dispense of the whole of either the mucking of roughing up with a plough, and that, having directed only a portion of the surface to be mucked, &c., he had, in effect, to dispense with the mucking of the remainder, and that consequently the whole base of the embankment, mucked and unmucked, must be considered as "properly prepared, inspected and approved," so as to entitle a contractor to claim that the whole bank carried up from the base contains "earth in water-tight embankments," to be paid for at 15 cents per yard. This argument disregards the concluding words of section 11, that only such portions shall be paid for as "earth in water-tight embankments" as are made up in the way described, viz., the top soil first to be removed so as to form the seats ; then the seats to be roughed up with a plough so as to make a good bond with the first layer of selected material ; then the layers of selected material to be put on in the manner described. But, irrespective of this, I would point out that by directing only a portion of the surface to be mucked, the engineer is dispensing with nothing. It is only by virtue of his direction that the mucking is to be done, and where his direction ends the duty. To avoid the force of this answer to his argument, the contractor is driven to contend that important words should be eliminated and disregarded. He says that the words "when so directed" refers only to the time when the formation of the banks may be proceeded with, viz., after the foundations have been inspected and approved, and that consequently they "may be considered as eliminated." Such a construction would be directly opposed to the well-known rule of law above-mentioned, to say nothing of the fact that preparation of the foundation is the first step in the formation of the water-tight embankment, and that this first step cannot be taken without the direction of the engineer.

For the foregoing reasons, I am clearly of opinion that the contractor's claim for 15 cents per yard for the whole quantity of earth in the embankments in the cases referred to cannot be supported.

I return the papers.

And I am, yours truly,
(Sd.) Z. A. LASH,

There is a carefully prepared, reasoned opinion ; and I think it would puzzle any gentleman who attempts to differ from Mr. Lash to dispute the premises he lays down in these quotations from the contract and the specifications, or to dispute the conclusion that the water-tight embankment was specially marked out to be mucked, and that what he calls the waste embankment adjoining the water-tight embankment does not come within the clause of the specifications which calls for the payment of 15 cents extra. I do not know that any opinion of mine would add any weight to that given by the late Sir John Thompson and Mr. Lash, covered as it was by the opinion of the engineers on the canal and the opinion of the chief engineer of the department. But I have gone over this matter very carefully ; and, although I had not the advantage of having any reasoned opinion on the other side to look at, I am absolutely in unison with the conclusion the Department of Justice first reached, which was endorsed by Mr. Lash, and with the reasoning by which that conclusion was reached ; and I want here to call the attention of the House to the prominent fact that the money could not have been paid without the signature of the chief engineer of the canal. The signature of the chief engineer of the canal was put conditionally to the new estimate : it was the subject to the conditions specified in his letter ; and unless we see what those conditions were and what the letter is, we cannot attach the slightest weight to the signature which that officer was compelled to put, as a matter of form, to an estimate which he did not approve of, and which was made up in a manner entirely at variance with the way he thought it should be made up. I say I will leave the comments on that letter to be made by those who will read it; but it is perfectly plain, reading the pronounced opinion given by Mr. Monro, that this claim is a preposterous claim, that when he was compelled to sign the estimate afterwards, and sign it conditionally, he only did in obedience to the pressure of the officers above him, which the hon. Minister at the head of the department is bound to-night to explain, if he can. Until he explains it satisfactorily, he must stand before this country personally responsible for this attempt to take three-quarters of a million dollars from the public treasury. He may be able to explain it; I will wait to see whether he can; but the papers, so far as they go—I say it advisedly—disclose a scheme for the withdrawal of public money from the public treasury and its transfer to the pockets of a contractor, which, in my humble opinion, neither the contract, the specifications, nor the professional opinions taken thereunder justify; and I decline to accept the verbal opinion which Sir Charles Hibbert Tupper is said to have given to the Deputy Minister, which is not reasoned, which does not appear as a sufficient authority to overturn the great mass of opinion, professional and otherwise, which I have read to the House this afternoon and to-night.

Sir CHARLES HIBBERT TUPPER. Mr. Speaker, I am at a loss to understand thoroughly the reason for the applause that greeted the hon. gentleman when he sat down, or indeed the reason for the applause which greeted him when half-way through his speech, unless it be that he shows considerable physical energy after a long and exhausting sitting of this chamber; because the hon. gentleman pretended, at the outset of his observations, to desire to call the attention of the House to certain important facts; and, not concluding with a motion, I fancy the hon. gentleman's intention at that time was simply to direct particular observation to the very important question of the proposed allowance of a large claim, as he puts it, of a contractor in this country. Now, the hon. gentleman wound up his statement with an insinuation of most serious character; and I shall have to call your attention, Mr. Speaker, to the liberty he has taken all through this pretended statement with the papers and documents that have been in his possession for some time. I do not know that I can credit the hon. gentleman entirely with a burning desire to put a fair and candid statement before the country; because if the facts are all as he has put them, and the conclusion is so certain as he thinks it is in regard to the application of the law, why should he smell scandal, and open up with an allusion to the scandals of by-gone days, and in fact, invoke a discussion on the several questions as to over-expenditure on public works, canals in particular?

The hon. gentleman would have made a more forcible statement if he had kept to what he said, on one or two occasions, was his real intention, and that was to call the attention of this House directly to certain important facts. But the hon. gentleman made a grievous mistake in another particular. From his argument one would suppose that, in a hurry, acting on an ill-considered opinion of mine, the Railway Department was in such a position that this large amount of money would soon be paid out of the public treasury, and that the Auditor General had simply called the attention of Parliament to this case in the ordinary way, and it only required a statement of fact to be made in order that hon. gentlemen might express their opinions. But I want to call your attention, Mr. Speaker, to this fact, that the money has not been paid.

Mr. McMULLEN. Thanks to the Auditor General.

Sir CHARLES HIBBERT TUPPER. Whether the hon. gentleman thinks the Auditor General is to be thanked or not, under the statute there are certain duties which devolve upon the Auditor General. I propose to show that, in my capacity as Minister of Justice, I did my duty to the best of my ability, and just as well relatively as the Auditor General has attempted to do his; and he is entitled to no particular credit for doing his duty, and I fancy would be the last man to ask the eulogium which the hon. gentleman has paid him in this single particular during this session. But his duty having been performed, the fact remains that this decision about which the hon. gentleman complained so much,—the decision reached by me when Minister of Justice and communicated, after I had ceased to be Minister of Justice, to the Railway Department —is not the final opinion or the final action of the Government in the case, because, under the law, the Auditor General having availed himself of the privilege given him by statute of consulting private counsel, and challenged the correctness of the conclusion at which I arrived, it is the duty, under the statute, of the Government, before anything further is done with regard to the admission of this claim, to obtain that which the hon. member for Queen's seems to long so much for, the opinion of an actual Minister of Justice when in office. The case, after going to the Treasury Board in due course with Mr. Lash's opinion and the Auditor's objection, will be submitted again to the Department of Justice. The present incumbent will be called upon to advise the Treasury Board, and the Treasury Board will be bound to take his opinion, whether it agrees with that of Mr. Lash or his predecessor. So that I think, in a calm, dispassionate statement, much of the hon. gentleman's argument might have been eliminated, and he could have saved a great deal of time in coming directly to the question, which, after all, is the question he desires to discuss in the main, and that is whether this claim of the contractor Goodwin was a claim that should have been allowed within the meaning of "water-tight embankment" in the contract between Mr. Goodwin and the Crown, because that after all is the main question before the House and that was before me. The question is somewhat involved. Any hon. gentleman must admit that, under the circumstances and under the practice that has hitherto obtained, if the hon. gentleman had no idea of a coming campaign and was not hard up for campaign literature, I am making no unusual claim when I say that I was entitled, as a gentleman directly responsible to Parliament and the country, to the ordinary courtesy of a notice of this discussion.

Mr. DAVIES (P.E.I.) I had written a notice to the hon. gentleman and showed it to my leader, which I intended to send across to the hon. gentleman this morning, but my leader told me that he had notified the hon. gentleman.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman will believe me when I say that the first intimation I got was from the hon. member for Bothwell (Mr. Mills) of whom I casually asked this afternoon what was to come up, and he very kindly replied that he thought it was something connected with the Soulanges Canal.

Mr. DAVIES (P.E.I.) I had written a note to the hon. gentleman.

Mr. MILLS (Bothwell). I told him I did not know whether it was that or something else.

Sir CHARLES HIBBERT TUPPER. And the hon. gentleman from Queen's was only going to give me notice this morning.

Mr. DAVIES (P.E.I.) I only knew that I was to bring it on myself at noon to-day.

Sir CHARLES HIBBERT TUPPER. But evidently the hon. gentleman has pondered over the papers for some time, as I give him credit for having followed carefully the voluminous correspondence. If the hon. gentleman be serious in the conclusion at which he arrives, has it not been the regular course to have these papers in the possession of hon. gentlemen to whose judgment the appeal is made. Other questions not half so important have been printed and distributed during the session, so that hon. gentlemen who wish to pay attention to the facts and argument may easily do so.

Mr. MULOCK. The hon. gentleman said that we were to have the papers before us. Can he tell us why this letter of the 25th February, 1896, has not been produced, in obedience to the order of the House.

Sir CHARLES HIBBERT TUPPER. I must decline to answer questions of that kind. They are not in line with my argument. The hon. gentleman is endeavouring to break in on the line of my argument by an observation which has no application whatever to the larger portion of the argument which the hon. member for Queen's made this afternoon, and which I was endeavouring to answer. No resolution was to be moved on this occasion, and therefore would it have been strange for the hon. member for Queen's to have asked me to make the opening statement? The statement made by him, followed as it has been by a strained and a most unfair argument, reflecting not only on my ability but on my integrity, the insinuation running through it all, the observation made and which was cheered by hon. gentlemen opposite, that there was a campaign fund—such insolent observations as were made across the floor of this House, while the hon. gentleman proceeded to outline his statements of fact, warrant me in saying that, under the circumstances, if the hon. gentleman wishes to treat the House, the country and myself fairly, he would have asked me to explain these papers which had been brought down. At the outset I desire, with regard to this so-called statement of facts, to challenge the accuracy of the hon. gentleman. He has all through his argument begged the question. The question is what is a water-tight bank within the meaning of that contract. Time and again he endeavoured to point out that I was of the opinion that all the spoiled material and all the muck and surface material that was thrown outside of the water-tight bank ought to be all allowed. Nothing of the sort. I claim that I have not given the opinion at any time, nor entertained it, that the material outside the water-tight bank should be paid for as earth within the water-tight bank. We must deal with these words "water-tight embankment," but the hon. gentleman, in a large part of his argument, begged the question by charging me incorrectly with entertaining the opinion that the material outside the water-tight bank should be classed as material in the water-tight bank.

Mr. DAVIES (P.E.I.) The only basis I had upon which to form an opinion of what the hon. gentleman's opinion was was the letter of the Deputy Minister of Justice, in which he said that the hon. Minister's opinion was that Goodwin's claim should be allowed.

Sir CHARLES HIBBERT TUPPER. And so I was, and so I am of the opinion at the present moment, notwithstanding the hon. gentleman's argument this afternoon. The hon. gentleman's argument is based upon a version of facts that I challenge, and in settlement of that difference between us, I appeal with confidence to the record which was in his hands, and from which it will be my duty, I am sorry to say, to quote at some length in order that the facts may be laid before the House. I challenge the following statements seriatim: First, that the engineer directed the surplus of water-tight bank to be placed outside; second, that the whole of the top sod of the water-tight bank was ordered to be removed; third, that the Government conceded 15 cents a yard for the material outside the water bank; fourth, that the sides were thrown over and behind the water-tight banks and paid for as earth and water-tight-bank; fifth, that Sir John Thompson reported adversely to the claim allowed by me; sixth, that the claim is for earth and not for water-tight bank; seventh, that I reached a conclusion adverse to that of my predecessor in office.

So there is a great difference between the hon. gentleman and myself, and I only wish it were possible by simple reference to without quotations from the papers which have been brought down, but which are not printed, that a fair judgment could be reached between him and me. I am sure the hon. gentleman will admit that it is a happy thing that my successor in the Department of Justice will have the advantage, if it be any advantage, of the views the hon. gentleman has expressed and of the version of the facts which he has laid before us this afternoon before this intended robbery—as he regards it—of the public treasury has taken place.

Before I enter into the facts and give my statement of the reasons that led me to the conclusion that has been so much discussed, I desire to take issue with the hon. gentleman respecting the effect of the construction of this contract in the opinions of Mr. Monro and his two assistants, or of his two thousand assistants, if he had them, or of the chief engineer of the Department of Railways and Canals. He is the first gentleman of the bar in this House, certainly within my parliamentary experience, who has bearded a Minister of Justice because that Minister, in reaching a conclusion on a matter of law, did not pay regard to the interpretation placed upon a contract by engineers, no matter how eminent. It is not the duty of engineers to give opinions on these matters. It was not the duty of Mr. Monro to give opinions of that character, and Mr. Monro betrays, at any rate, a very strong feeling in this matter, it seems to me, by using such extraordinary language as he does in some of his letters. But I submit that no matter how strong his opinion may be or the opinion of any other layman, they are at best but poor guides to the Department of Justice in reaching a conclusion in the interpretation of a contract. Now, the hon. gentleman has stated that the estimates in a matter of this kind ought to be approximately correct, and he finds fault because there has been an excess of expenditure over the estimates in connection with certain works, and will be, perhaps, in this case—though the papers did not disclose, as far as I recollect, the approximate estimate of this work or how the expenditure will come out in view of this decision. But I ask him, can he indicate any canal ever built in Canada—and we have expended over $50,000,000 on canals—that was built approximately within the original estimate. On the contrary, I believe the records show a very large excess of expenditure in works of this character, and from necessity. In the time of Mr. Mackenzie and even subsequently, Mr. Page, the hon. gentleman will recollect, used to act as arbitrator on claims of contractors in connection with contracts that he himself had prepared, and on many occasions awarded large sums above and beyond either the contract sum or the estimate in connection with the contract. So these preliminary statements of the hon. gentleman only suggest suspicion. No fair argument can be founded upon them. Then the hon. gentleman refers to the letter written by the Deputy Minister of Justice on the 15th January, and stating expressly that I, when Minister of Justice, had reached the conclusion that this claim ought to be allowed. Let me state to the hon. gentleman—and he can take so much of what I say that it is not supported by the records here for what it is worth, but I think it is a reasonable statement—that it seems to me that a certain course must have been invariably pursued by gentlemen who have occupied the position of head of any department under the Crown. Whether you go from one department to another, or whether you leave a department and the Government, there must be matters with which you have made yourself familiar and which have involved a great deal of labour, but which are still unfinished. It occurred to me, and I still think it reasonable, that it is the duty of the incumbent to wind up as many of these matters as he can. This record shows that for many months the claim of Goodwin had been before me, that there had been these references to the Railways Department for further information, information that had never been before my predecessor, and information that had great weight with me in reaching the conclusion that I did reach. Months had been occupied by the investigation of these papers, and it was the only matter of any importance, I believe, that was not wound up by me when I left the Department of Justice, that could fairly be laid at my door as my duty. And, having had the claim before me, having finally heard all there was to be said on the matter, having investigated all the papers very carefully, right or wrong, I came to a certain conclusion. I intimated that conclusion to my deputy, when I was Minister of Justice, and told him I intended to so report. Now, these references of the hon. gentleman this afternoon to the absence of a reasoned opinion are, I think, wholly beside the mark. My opinion, as Minister of Justice, as the opinion of a judge, as the opinion of many of my predecessors, might be either an opinion with reasons or an opinion without reasons.

Mr. LAURIER. We would prefer the former.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman (Mr. Laurier) is kind enough to say that he prefers the first. But I can appeal to the records of the department, safely, I believe, for proof of my statement, when I say that there are as many opinions of my predecessors, including all the eminent men who have filled that office, without reasons as they are with reasons. Certainly there is nothing in connection with the duties of the Minister of Justice that even makes it indirectly his duty to give reasons for its conclusions. The responsibility is, of course, with the Government for the conclusions that he reaches, but the absence of those reasons is a mere matter of convenience or otherwise to those who examine into the subject. Again, as to the Minister signing opinions, it is the exception for a Minister to do anything of the kind. I can appeal to the leader of the Opposition, who has had Cabinet experience, I can appeal to his colleagues sitting around him, whatever the practice was in Prince Edward Island, when I say that it is an exceptional thing for the Minister of Justice, or the Minister of any other department, to sign officially a departmentl document. The practice is for the Deputy Minister to sign; that practice has always obtained. It is the duty of the deputy to sign as conveying the opinion of the Minister of the department. Sometimes in ordinary and trivial matters he conveys his own opinion as the deputy head of the department. In a matter of any importance where the Minister must be consulted, his opinion is conveyed by the Deputy Minister of Justice, who puts in words to the effect that "the Minister directs that this opinion should be expressed," &c. Therefore, the hon. gentleman was arguing without a knowledge of the practice that obtains in the departments here, and has obtained ever since these departments have been constituted. Then I come down to the question which the hon. gentleman has raised. When Mr. Goodwin's claim was first put in, as the memorandum of the 16th November, 1893, will show, he raised a question in regard to embankments generally, and claimed the two prices for the embankments, whether water-tight or otherwise, even along that canal, where there is a portion of the bank which is above the water level, and is not required to be water-tight. Speaking with general reference to his claim, it was practically this, that as the whole bank had to be water-tight, and was shown on the plan before the tenderers to be below the level of the water, that the earth put in these banks above the canal should generally be allowed as earth in a water-tight embankment. On February 11th, 1894, the Railway Department so put the question to the Department of Justice, as I think I can show by reference to that letter, where it states :

> Mr. Goodwin claims that his specifications state that all the excavation would be used in making up the embankment he expected when he tendered for the work that he would be paid for the whole of it at both rates.

The hon. gentleman who brought this question up will follow me, I am sure, in regard to the point of this observation. It is to show the question that was dealt with by Sir John Thompson as distinguished from the question which came before me. I intend to point out in these papers that I understood that the question dealt with by him was entirely different from the question dealt with by me. In the letter of 28th February, being the opinion to which the hon. gentleman made reference, intimating the view of the Justice Department at the time, there is this observation :

> I understand that the contractor makes two claims which are denied by your department ; first, with regard to the payment for excavation deposited in an embankment of the canal.

The facts recited in that letter involved, as they were finally presented to me, the very difficulty with which I had to deal, and with which Mr. Newcombe, the deputy, had not to deal. Now, what were the facts recited in the letter of 28th February, 1894, which the hon. gentleman says intimated the opinion of the Department of Justice of that date, and which was contrary to mine ? The recital is to this effect :

> That only such portion of the embankment as shall be laid out by the engineer and made up in strict accordance with the foregoing specifications, will be paid for as earth and water-tight banks.

After having stated the claim of the contractor, that the water-tight bank was practically the whole bank :

> If I correctly apprehend the facts of the case, it would appear that the engineer found it necessary to have water-tight banks, and has laid out such embankments under the terms of the specifications quoted."

Now, I must interpolate here this observation. The Department of Justice, according to the recital I have read, understood that the engineer had laid out the banks under the terms of the specification, distinguishing clearly between water-tight embankments and ordinary embankments. The department goes on to say :

> Upon the statement by the engineer, there is no objection to pay Goodwin the specified price of 20 cents per cubic yard for earth excavation and 15 cents additional per cubic yard for earth in water-tight embankments. Mr. Goodwin has, however, deposited behind the water-tight embankment so constructed additional material

> which is not required as part of the water-tight embankment.

The hon. gentleman makes his argument by adopting a recital, the correctness of which I dispute, a recital that the contractor had made a claim which did not apply specifically to water-tight embankments only, and then evidence had been taken in regard to what water-tight embankments were. The Department of Justice, going on those grounds, came, according to that letter, to a different conclusion from mine, and as the facts are recited there I do not see speaking off-hand, how I could reach a different conclusion. But it is in regard to the very recital of facts there, that the whole difficulty has arisen, as I think I will be able to show. I will read again :

> Mr. Goodwin has, however, deposited behind the water-tight embankments so constructed, additional material not required as part of the water-tight embankment.

Now, in order to make the distinction clearly, I would point out the difficulty that there is involved here, as I think can be seen when I say that the Minister of Justice at that time understood that the question raised was : You build a water-tight bank, and you have more earth than you need for the bank. You throw it away behind the bank ; you spoil it, you waste it. It is not part of the bank, it has nothing to do with the bank as your recital states. The hon. gentleman said it had. We may differ in regard to a good deal of this subject, but surely not as to that.

Mr. DAVIES (P.E.I.) It has nothing to do with the question as to a water-tight bank.

Sir CHARLES HIBBERT TUPPER. I am elaborating this statement that Mr. Goodwin had deposited behind the water-tight bank additional material not required as part of the water-tight bank, that the facts were of such a character that only one answer could be given. I have no quarrel with the decision of February 28, 1894. I do not pretend that I am infallible on this matter any more than the hon. member for Queen's (Mr. Davies). He entertains a strong opinion, as I do ; but many able men in the Department of Justice have found their opinions could not carry a Government case through a court of law, and we must discharge our duty to the best of our ability and submit to free criticism and judgment. There is no doubt that in that recital the facts were not as clearly stated as the facts were after an examination, which had not taken place at that date—after the contractor had been permitted to point out that this decision was based upon a state of facts by no means admitted. Even Mr. Lash, at this late date, as will be seen from his opinions, was discussing the entire quantity in the bank. There is no such claim as that which Mr. Lash evidently supposed was being pressed against the Government. The claim is only for the earth in the water-tight portion of the bank. I will refer to another letter, part of which I do not think was read. I have been informed casually that the letter of February 28th does not appear to have been sent at the time it bears date. Nothing may turn on that, because it was sent in August, 1894, during Sir John Thompson's time. On April 5th, 1895, there is a letter written by Mr. Newcombe, who says :

> I observe by your letter of 24th February, returned to me for consideration——

Those words indicate, what was the fact, that the papers were sent in due course of business to my department to deal with ; and I may state, and the Minister of Railways and my colleagues will bear out the statement, that there has grown up a habit within the last few years, one which I do not altogether approve, of references being made, for instance, by a deputy, who visits the department with the whole file of papers in the office, instead of adopting the usual, and I think more regular course, of sending a covering letter which marks the transmission of papers from one department to another. The object of the Deputy Minister is no doubt to hasten the transaction of public business. In this case, there does not seem to have been a covering letter sent, and the only reference to papers coming back to me, on which I can lay my hands, is a letter of April 5th, which says :

> I observe from my letter to you of 25th February, which at my request has been returned to me for reconsideration——

The deputy goes on to say, referring to this difference of fact :

> Mr. Goodwin has, however, deposited behind the water-tight bank he has constructed additional material not required as part of the water-tight bank.

Quoting the very phrase of the letter of February 28th, 1894. He adds :

> I understand further, that although this additional material, in respect to which Mr. Goodwin makes a claim, was deposited where it is under the direction of the engineers, yet it does not cover any portion of the site laid out by the engineers for the water-tight embankment, nor has material been placed there as for a water-tight embankment, under the direction of the engineers and in accordance with the specification, clause 11.

I think the real point at issue is misunderstood. The correspondence proceeded, and the hon. member for Queen's made several references to it. However, Mr. Newcombe asked again as to the facts :

> Before dealing with Mr. Goodwin's memorandum I should like to know from your department whether the facts are such as your department is prepared to substantiate as matters of fact. If the statement is not exactly in accordance with the facts, will you be good enough to inform me as to what correction could be made.

There is no doubt the chief engineer, Mr. Monro, and the other engineers, all held the opinion that this case did not admit of any question; what they thought was, that the really water-tight portion of an embankment, laid out according to the instructions of the engineers, was the only portion for which a contractor could be paid. I have every respect for those engineers, and I possess no qualification to enable me to discredit their opinion as engineers; but neither as Minister of Justice nor as a member of the legal profession will I be influenced in the slightest degree as to what portion of the bank under that specification should be paid for. I give hon. gentlemen opposite all the benefit of these laymen's interpretation and opinion as regards the question of law. They were against my other view, and hon. gentlemen opposite may increase the value of their opinions by additional lay opinions, but I do not think that could be seriously argued in a court of law, or before members of the bar. The Railway Department, no doubt the chief engineer directing the letters carrying the business along, stated the facts were as received by the Department of Justice, and that department was referred to Mr. Monro. My deputy saw Mr. Monro, and Mr. Monro, it appeared, still had the same strong opinions that he had held throughout the case, and he simply left us where we were in regard to this matter. As to the water-tight bank, the engineers were water-tight also, and would not yield in any respect as regards their opinion given, as it was always, in a general way. Mr. Goodwin wrote to the Minister of Railways:

> I have learned incidentally that the officers of the Department of Railways and Canals have not made such a statement of the facts in relation to this matter as does justice to my case. I submit that a clear distinction should be made between statements put forward as facts and statements put forward in the nature of an interpretation or argument. I prepared a statement in support of my claim. Your department accompanied this with observations and along with these observations of the department it appears that Mr. Monro, engineer of the works, has verbally informed the Justice Department, among other things, viz.:
>
> That portions of the embankment in respect of which the dispute arises were not laid out by the engineer, nor made up in accordance with the specifications with regard to earth in water-tight banks. This involves, as you will see, a question of fact, and a question of interpretation, viz.:
>
> As to whether the embankments were laid out by the engineer and to the dimensions to which they were formed is a question of fact.

With all humility I have no hesitation in agreeing with that statement, namely, that: This is a question of interpretation of a contract, and it is not a question of fact.

> As to whether the embankments were made up in accordance with the specifications with regard to earth in water-tight banks is a question of interpretation. I may remark that of the many statements which I have put forward as facts in the presentment of this case, the department has not given a direct denial to any one of them. That the engineer laid out the embankments to the dimensions to which they have been formed, i.e., that is to say, so far as the work has progressed, the embankments have been made up within the lines given by the engineer, is a question of fact which I have already put forward in a previous memorandum, and now assert in the most positive manner. I regard this as a fact which should be corroborated by your department before the Justice Department gives a final opinion on the claim. Mr. Monro has informally denied this fact, and by coupling it with a question of interpretation. In asking your department to corroborate my statement with regard to that question of fact, I will not use the term "water-tight embankments," as that term does not seem to be regarded by your department as applicable to embankments considered as a whole. I will, therefore, use the term "embankments."

I do not think the rest of this letter has any bearing upon the course of my argument. But, perhaps, in making my statement, so that it may be understood in reading, I will have to read a letter of mine, which will indicate, in connection with what I have said, the difficulties that I appreciated and felt were involved in this case. I wrote to Mr. Haggart, on the 17th September, 1895, as follows:—

> Referring to my letter of this date on the subject of Mr. Goodwin's claim, I would like to add that while I refer to the chief engineer, you will understand, I hope, I do not mean chief engineer as distinguished from yourself. Of course the head of the department or his responsible officer will suit that purpose. The question of fact in dispute upon which I would like to know your decision arose upon a statement made by Mr. Monro, one of your engineers, to the effect that portions of the embankment were not laid out by the engineer, nor made up in accordance with the specifications with regard to earth in water-tight banks. What I desire to be informed is:—
>
> First,—Whether these portions of the embankment in respect to which the dispute arose were laid out by the engineer.
>
> Second,—Whether these portions were made up in accordance with the specifications with regard to earth in water-tight banks.
>
> Third.—Whether these portions were made up as required and directed by the engineer in charge.

The House will observe that I was only dealing with the question which relates to the banks where the water level was above the side of the canal. No other portion of the bank was concerned at that time. If the papers do not make it clear, I refer to the chief engineer, who saw me personally on this subject, as is usual, to explain from time to time what the question in dispute really was, so far as anything was necessary that was not made clear by the papers in the department. Then we come to Mr. Munro's statement. The hon. gentleman (Mr. Davies) has referred to Mr. Monro as an authority of the greatest importance. I have no doubt of his standing as an engineer. I do not question it in the slightest degree; but I say that he could assist me in this matter, chiefly by giving facts, and not by giving his opinion as to the construction of any part of the contract. The hon. gentleman (Mr. Davies) mentions as a matter of importance that Mr. Monro—he refers to his instructions given to his assistants, and his assistants refer to the instructions received, and as to what they understood. It cannot surely be contended that, if Mr. Monro and his assistants had in their minds a clear idea and understanding as to what was to be paid for as earth in water-tight banks, that that settles the question. That evidence could not be given in a court of law. We could not, in endeavouring to protect the Crown, give as evidence these conversations and these understandings that the Government engineers entertained. I do not doubt in the slightest that Mr. Monro, when he drew the contract, intended just what he says now; but it is not the first case, nor the hundredth case, where the engineer has failed to have incorporated in the specifications of the contract his exact intention. He would not be heard before a court of justice to say what he intended. The court looks at the specification and the contract together, and gives a decision accordingly. No construction, or interpretation, or understanding by the engineer, no matter how eminent he may be, would be worth a straw in a court of justice. Referring to this oft-quoted section of the specification:

> 11. Water-tight banks.—Wherever the surface level of the water in the canal is higher than the ground alongside, water-tight banks shall be made when so directed. In these cases the top soil must be removed, for such width and depth as may be considered necessary, to form the embankment seats. The material arising from this mucking to be deposited where pointed out. It will be paid for as ordinary earth excavation. The seats shall also be well roughed up with a plough so as to make good bond with the first layer of earth forming the base of the embankment. Puddle walls or cut-offs to be made where required—the puddle to be prepared and laid as specified hereafter.
>
> When the bank seats are properly prepared, inspected and approved—and not till then—the bank shall be carried up in layers, of selected material, of about eight inches in thickness, well spread, the lumps broken, watered, trodden down or otherwise.

I want to call the attention of the House to a point not made clear by the hon. gentleman (Mr. Davies): That the width of the top of the bank on each side of the canal never varies; the top surface being 50 feet on one side and 30 on the other. The base or bottom work did vary in accordance with the natural formation of the country along which the bank went. All those matters were for the engineers. They fixed these widths and distances, and they vary, but you have along that bank on each side one compact bank, with a fifty-feet top, sloped according to the directions of the engineers, and built up under their instructions. On the other side you have a bank 30 feet in width on top and sloped accordingly. The contention I supported was that, wherever that bank was above the water level of the canal, that whole compact bank, undivided in any part, but built between the stakes laid out by the Government engineer, raised and compacted as directed, that is, earth and water-tight bank that is water-tight in fact in every part of it. There is no dispute, and there cannot be any dispute on that question. And the only earth that is not in the water-tight bank is the earth running along the canal at the margin of the canal, where the water is not above the level of the canal. That is the distinction, and that is the idea running through that whole contract. It was uniform, as I have shown, in regard to the width of the top all along. Where it was not required to be water-tight, the payment was to be of one character, the bank was to be built in a certain way, and not half so carefully as the other. But, in the other case, not only was the width of the top given to the engineers, but the slopes were fixed, and there was one compact, harmonious whole there. Contrast that statement, which I make on the authority of the papers, with the argument of the hon. gentleman (Mr. Davies) to-day. He put before the minds of the members of this House that there were two distinct bodies of earth. There was a nice, narrow, compact, carefully made bank, and away behind it a lot of waste material thrown at the back; whereas, as a matter of fact, there is but one bank, and the distinction I make as to the water-tight bank and the made-earth bank is not so much to be found in the margain of the canal, so to speak, as in the length of it; the ordinary earth excavation going to the ordinary earth at one place, and the water-tight bank being where, according to the reason of the thing, a water-tight bank was required. Let us continue the quotation from Mr. Monro. He says:

> From these it will be seen—
>
> 1st. Only a part of the inner sides of the embankments next to the canal prism were laid out for water-tight banks.

The understanding he has all through is that only a portion of this ordinary and regular bank, which I call water-tight, should be considered as water-tight and paid for as such, because, with the rest of the bank made up as it was, that was all he required himself, as he now says, for that purpose; and I say that intention of his cannot control the language of the contract to which I will refer later on:

> 2nd. Only over the portions intended as seats for water-tight embankments was the surface, soil, &c., removed. This obviously limited the extent of water-tight embankment as it is clear that no bank could hold water if built on a permeable stratum or foundation.

And Mr. Lash—and I say it with all deference—falls into the same error as Mr. Monro in regard to that. Mr. Lash takes as one of the tests whether the embankment was water-tight or not, whether a part of the surface was removed, sod taken off, and the earth roughed up by the plough. That is his test; but suppose that no earth was removed, and the contractor came across a bit of land which had been prepared already by the previous owner—the sod skimmed off, and there was the water above the margin of the bank. The bank in every part had to be carried up, and compacted, and made so as to keep the water out. If Mr. Monro's and Mr. Lash's idea be correct, that is not a water-tight bank, because forsooth one thing had not to be done that he expected. It had to be made water-tight; in fact it was water-tight, but because of this omission in connection with the basis of the bank, the contractor has to do that work, and yet to be told that he has not made a water-tight bank in the eye of the law. I think that is an illustration which will bear application all through the discussion and the criticism of this contract. Now, I have referred to the prevailing idea of Mr. Monro, so as to give the hon. gentleman the full benefit of it, and I think I have shown that his test is not a correct one. I want now to refer to the plan adopted for laying out this embankment. I want to show what the actual facts are in reference to the directions given in regard to the construction of this bank. This is the chief engineer's report transferred to me:

> The muck or surface earth was taken from the seat of the portion marked on sketch as water-tight bank, and cast into the rear portion of the canal bank, the remaining portion required to make up the canal bank, was the same class of material, as that used to form what is shown as water-tight bank on sketch, and according to the statements of the engineers in immediate charge of those sections, there was only a slight difference made in forming each part of the embankment, except as regards the mucking and roughing up the seat of the portion shown on sketch as water-tight bank, and the using of the vegetables and other porous matter in the rear portion of the canal bank.

It is of great advantage in the discussion of a question of this kind, what I think is denied both to the hon. gentleman and myself, to have the exhibition of a plan. But I might make a desperate attempt to show in a sense where this dispute is, as it could be shown by the plan. For instance, on the plans exhibited at the time of the tenders, there is not any mark for the bank above the water level other than the 30-foot surface and 50-foot surface on the opposite sides of the canal. There are the slopes as now constructed, with the whole bank sloped down regularly on both sides. But the little sketches made by the engineers show, inside of those single lines on the original plan, a little segment running 5 feet only at the top, and then an imaginary line drawn inside of the slope of the one bank to a certain point much nearer the margin of the canal than the outer end of the whole bank, built as it was originally intended. I think it is perhaps as well to bear that in mind, as I go on, to see how these banks were laid out, in fact, after those plans were made and the tenders were put in upon them. I may point out, and I take all the responsibility of doing it, that I had due regard to this in dealing with the Crown case—that this evidence, which in my opinion favoured the contractor, was brought out without the assistance of counsel, and from the mouths of our own engineers, whose honour I do not in the slightest degree impeach, but who had from the first the strongest views against him, as even their own evidence will show: and the admissions made by them in the hands of this contractor—no trained counsel—carried to my mind perhaps more weight with regard to the question than would otherwise have been the case; because I inferred that if these statements were obtained in that manner, in litigation, should we resist a claim of that kind, the contractor's case could be made fifty times stronger. But let us see how the banks were laid out. The examination of one of the engineers referred to by the hon. gentleman, Mr. McNaughton, appears quoted in a letter from the acting law clerk of the department, dated 20th September, 1895:

> Q. In the cross sections of the canal bank how many stakes did you put in and where?—A. A cutting stake was put in the face of the prism and there was a stake at the back of the canal banks.

That is the distance to which the hon. gentleman will not allow the contractor to go at all in his claim as to what constitutes the bank:

> To conform to the width of 30 and 50 feet on the top, these slope stakes are at every station.

The claimant asked that the whole bank should be considered, but after the whole thing is constructed under the direction of the engineer, the contractor is told his claim is to be whittled down to such portion of the bank as the engineer thinks would be water-tight, without any of the rest being considered at all. We are asked to believe that, although that was all required and done, only a very small proportion indeed was required for the embankment at all, and that all the rest which the engineers required the contractor to do was so much spoiled material. Then Mr. Doull quotes the question to Mr. McNaughton:

> In laying out the base of the embankment for the total width of the embankment, did you lay it out at such width as to afford a slope of figure 2 horizontal to 1, vertical both for the front and rear part of the canal embankment so that it would diminish to 50 feet in width on the top on the north side?—A. Certainly.

The hon. member for Queen's has a great deal to say as to the way in which this whole bank was conducted, as to the extent of roughing up with the plough, and mucking. But the contractor was at the mercy of the engineer. Clause 5, to which the hon. gentleman did not refer at all, gave the engineer absolute power to vary the contract, either with regard to quality or the material to be used, or the character of the work. With that clause this engineer is asked whether these portions—now we are speaking of what the hon. gentleman calls the bank in the rear—whether these portions were made up as required and directed by the engineer in charge :

> Q. Were the banks, as a whole, carried up as you required them to be built ?—A. Yes.
>
> Q. On the whole were the banks made up to the dimensions ordered, are they within the given line ?—A. They are within the given lines that are finished.
>
> Q. Were the embankments made up according to your directions ?—A. Yes.

That is the answer as to how the banks are made up. A great deal is said about the spoiled parts of the banks, and the porous and vegetable matter, but all this was not before Sir John Thompson. Not a line of Mr. McNaughton's evidence was in his possession. He was simply asked to interpret with regard to water-tight banks and ordinary banks. None of this information, which I have been dwelling on, was before him at any time. But as to the material of one portion of these banks, the muck or surface earth was taken from the side of the portion marked on the sketch as water-tight bank. But I submit, without fear, from a legal point of view, and that is the only point of view from which I had to regard this subject, the evidence is not material and does not bear on the meaning of that contract. But as to the material of one portion of these banks :

> The muck or surface earth was taken from the seat of the portion marked on sketch as water-tight bank, and cast into the rear portion of the canal bank, the remaining portions required to make up the canal bank was the same class of material as that used to form what is shown as water-tight bank on sketch, and according to the statements of the engineers in immediate charge of these sections, there was only a slight difference made in forming each part of the embankment, except as regards the mucking and roughing up the seat of the portion shown on sketch as water-tight bank, and the using of the vegetables and other porous matter in the rear portion of the canal bank.

Now, I have a further reference from the chief engineer on that question of fact as to how those banks were made up. Now, then, I come to the section itself, and I think that does not involve such plain sailing as the hon. gentlemen opposite seem to think. I do not think section 11 is so clear that the hon. gentleman could only smell a scandal in the mind of a man who would hold an opinion different from his. First of all, I would premise this, that my construction of that contract is that the contract, read from end to end, and the different clauses on this subject read together mean what the original plan would indicate was intended, that water-tight banks should be alongside of that portion of the canal where the water was above the margin of the canal, and the embankments into which excavation should go were along that portion of the margin of the canal above water level altogether of the canal. And if you start with that idea, and I think it the correct one, many of the difficulties conjured up to-day disappear entirely, and you have a rational and reasonable interpretation of this contract. The one portion that I refer to did undoubtedly require a water-tight bank the other portion did not call for anything of the kind. What does this section ? It draws a distinction. There is a section relating to ordinary embankments where the price is 20 cents. Then we come to the water-tight banks where the price is 20 cents and 15 cents :

> Wherever the surface level of the water in the canal is higher than the ground alongside, water-tight banks shall be made when so directed. In these cases the top soil must be removed for such width and depth as may be considered necessary to form the embankment seats.

The hon. gentleman put a construction upon that which I venture to say no court of law has yet put. For instance, "in these cases the top soil must be removed," and because that is found there, unless you actually and, in fact, remove the top soil, you disturb the whole meaning of water-tight banks. That is the argument of the hon. member for Queen's. As top soil no water-tight bank !

That is the way in which he makes this thing look, as far as his statement can carry, like a hideous job. Now, I call attention to these words "over such width and depth as may be considered to form the embankment seats." And again the hon. gentleman places a monstrous construction, as it seems to me, on these words, and he controls the whole of it by saying that settles the extent of the embankment seat. Reading it without a pause, you get some construction of that character out of it. But the rational construction, the construction that I think is sound in law is that the top soil, where it is necessary, is to be removed to the width and depth directed by the engineer expressly, and the whole is done in order to form the embankment seat. There is another thing there that shows that only such portion as is top-soiled is to be the embankment seat. It was never intended, and it would be ridiculous to assume, that only where you found top soil—and it was only where you could find it that it could be removed—should be the embankment seat for water-tight bank. It says further : "the material arising from this muck to be deposited where pointed out." Well, it was deposited where pointed out. It was deposited under the direction of the engineers at the back of the bank with the fifty-foot top, the one bank formed symetrically according to the directions of the engineers who laid it out. But we are told that the minute there is a bit of that found in any portion of this uniform bank, it destroys the character of the bank and makes it ordinary embankment, though it is part of the water-tight bank. The hon. gentleman says the moment you find a piece of muck there the whole bank drops from 20 cents plus 15 cents down to 20 cents. It goes on: "The seats shall also be well roughed up with the plough to make a good bond with the first layer of earth forming the base of the embankment." And the hon. gentleman says that they only roughed up a little of all this bank, and therefore you can only go the distance of the roughing up.

Mr. DAVIES (P.E.I.) They roughed up what the engineer pointed out.

Sir CHARLES HIBBERT TUPPER. Because, in the engineer's opinion, that was all that was necessary to form the basis of the embankment; but this does not limit the embankment. Surely the hon. gentleman will see that in a work of that kind that the roughing up was done under the direction of the engineer. And, if the hon. gentleman's narrow construction be right, the measurement of the bank would be a terribly difficult problem, because, wherever the plough did not go, there would be no water-tight bank. I say that construction is extraordinary and could not be sustained. Then, it goes on to say that the object of that is only to make a good bond with the layer of earth. That is the reason of it, and where you have the earth bonded and the bank formed, surely the business of the ploughing is not going to determine the character of the bank. Then further, "Pudle walls, or cut-offs, to be made where required—the puddle to be prepared and laid as specified hereafter." That is part of the same clause. Now I will call attention to this: "When the bank seats are properly prepared, inspected and proved"—and we reached that stage—we find that the claimant in this case, according to the engineer, did the work on that bank of fifty-feet top, and the bank with the 30-foot top under the instructions properly prepared, and this part of the work was inspected and approved. And what happened? I read from the clause relating to water-tight banks: "The bank shall be carried up in layers." Is there a dispute that the bank was carried up in layers? The part the hon. gentleman refers to is imaginary. The part he refers to was not carried up in the way the House would be led to believe, but it was carried up and made a complete mass, a water-tight bank and other material added to it, so that you could distinguish one from the other. This clause says that the bank shall be carried up in layers of selected material—and I ask your attention to this because the hon. gentleman argues that if there was any material like the working up in the rear portion of the bank that destroyed its character as water-tight bank. I ask attention to the last word of the clause that controlled that "carried up in layers of selected material of about eight inches thickness, well spread—the lumps broken—watered—trodden down"—and now mark these words "or otherwise compacted and carefully shaped to the heights and slopes given by the engineer." Well, all that was done by this contractor. They gave a slope for the 50 foot top—not the five foot top—as well as for the 30 foot top on the other side. The shape was for the large top, not the small top, and the slopes and the heights covering the banks as a whole where the water-tight bank was required and at a place where all the argument in this House cannot show was not actually and in fact a water-tight bank. Then to read the other part. "Only such portions"—and this part is the foundation for much of the hon. gentleman's argument—of the embankment as shall be laid out by the engineer and made up in strict accordance with the foregoing specifications will be paid for as earth in water-tight banks." By that clause they cut out this imaginary part of the bank. I say the part of the clause read in with the contract relates to a portion of the bank longitudinally that was not required by the engineer to be made in such a way with such a face or such slopes or water-tight. I have already referred, and shall not do more, to the fact that the engineer is given the power to change the dimensions and character of the work. Mr. Lash, it is fair to mention, attaches no importance to the clause, practically throws it out as of no value. I do not rely upon it. I did not rely upon it when forming my conclusion, but I think it would be considered to have some bearing upon the construction of clause 11 of the specification. Now, in the specification, the construction of which, after all, taken in with the evidence and cross examination of the engineers, is the important matter. It refers to soil removed from water-tight bank being paid for as ordinary earth embankment. The hon. gentleman dwelt upon that. Now, I contend in that case that it all depends upon how the removal took place. Whether the contractor put that along side the water-tight bank in one direction, or lower down the canal in another, he could have no claim for the haulage. He was getting his 20 cents, that is the bargain he made, and he gave the Government the right to use that stuff where they pleased. The width and depth of the removal did not constitute the limit of the seat. No one says it but the hon. member for Queen's. There are no apt words intimating that the width and depth control the seat. That is to be according to the discretion of the engineer. In one place it is obvious that the depth would be to a certain extent and the width the same; but they vary according to circumstances; the width and depth are clearly at the discretion of the engineer. Now, I think I have gone over a large part of the reasons which influenced me in coming to that conclusion. I was not in the slightest degree influenced by the calculations as to how much it was going to cost the Crown. That was no part of my duty. Whether it was to cost $2,000, or $200,000, or $270,000, mattered not to me, nor should it matter to any Minister of Justice. No Minister of Justice ever gave more anxious consideration than I did to this case. I never pretended to be infallible, I have confessed in this House my own poor estimate of my ability for that office. But I do say this, that the ablest men that have filled the position, have lived to find that they made a mistake; and men in my profession have made mistakes outside the department as well. I do claim, however, that my opinion in this case was given, not only after a careful and anxious consideration upon material never before my predecessors, but upon evidence of the strongest character; and, having reached that conclusion, the mere fact that I left office on 7th January, as the hon. gentleman says, did not seem to me a sufficient reason why I should shove the whole of this matter upon my successor in office. The state ran no great danger after all. The hon. gentleman has incidentally referred to the fact of the Auditor General's duties, and of the assistance he has at his command. My opinion has been met by a counter opinion. I have shown in one particular wherein I think Mr. Lash has not appreciated the facts that were before me. But those opinions will undergo in due course another sifting and examination, and upon my successor will fall the responsibility of dealing with this matter. He will have the benefit of the discussion in this House, he will have the benefit of all that can be said here in regard to the subject, and I do not mean in the slightest degree to depreciate that. But in the circumstances, I conceive that I had a duty to perform; I performed it to the best of my ability, and I submit to the judgment of this House in regard to it. One word in relation to the practice that obtains between the departments. I am sure the member for Queen's will not be supported by the member for Bothwell in regard to the responsibility of the Minister of Railways and Canals after the Minister of Justice has given an opinion. No matter who fills the office of Minister of Justice, the opinion or advice of that department is an absolute protection under our form of government, as the opinion of the law officers of the Crown in England is to any department. The responsibility of the Railway Department in Canada ends, so far as the interpretation of a contract goes, after they have put all the material they have in their possession, before the Department of Justice. If there be a mistake here, it is wholly mine, it wholly rests upon myself, except that constitutionally the Government remain responsible for any action that may have been taken. But the Railway Department, in this matter, did all that they should do in referring to the Department of Justice the contract, with the material, and every other information I desired. When that opinion was sent back, matters, I think, very little. In regard to what conversation took place between the secretary of the department and the Minister, and his conveying the opinion of the Department of Justice to the chief engineer, the chief engineer qualified his certificate by directing particular attention to the fact that he and the Minister of Justice differed about it. But he submitted the opinion of the Department of Justice, and so drew the particular attention of the Auditor General to it. I think the subject is a very proper one for the House to consider. Those other matters of detail only tend to perplex and confuse the minds of both laymen and professional men who want to look into the subject. So far as the question involves a large amount of money, the real question is confined, it seems to me, to section 11 of that contract.

Mr. McNEILL. I would like to ask my hon. friend one question. Is the case that my hon. friend is making out, in what I thought was a very candid statement, that the whole bank of fifty and thirty feet was a water-tight bank?

Sir CHARLES HIBBERT TUPPER. Wherever the water was above the base of the canal.

Mr. EDGAR. The hon. member for Pictou (Sir Charles Hibbert Tupper) was good enough before he sat down, to tell us that this was quite a proper question for us to bring up in this House. I am sure we are all very much obliged to him for giving us a sort of ex-post facto permission to bring it up and consider it. I think, whether we had that permission or not, that it is one of the most important questions that has ever been brought up in this House, both as regards the extraordinary persistence with which the claim has been pursued from year to year, and with reference to the extent of the claim. I would like to ask the Minister of Railways whether the letter from Mr. Monro of 26th February last, that was suppressed in the correspondence, has been procured yet.

Mr. HAGGART. I have got the letter.

Sir CHARLES HIBBERT TUPPER. "Suppressed" is hardly a fair term.

Mr. EDGAR. What term shall I use?

Sir CHARLES HIBBERT TUPPER. Omitted.

Mr. EDGAR. I would like the hon. gentleman to be kind enough to send it across. Another thing on which the ex-Minister of Justice thinks he should be congratulated, is the fact that the whole of this case will come in review before the present Minister of Justice.

Sir CHARLES HIBBERT TUPPER. I do not think I said that. What I said was that I congratulated every one that the Minister of Justice would have the advantage of this discussion.

Mr. EDGAR. The hon. gentleman, I understood, thought it was a good thing for the country, even if he had made a mistake in his legal opinion, that we would have the benefit of a revision of it by the present Minister of Justice. If that be the case, and according to the particulars it would seem so now, who is entitled to the credit for that but the Auditor General, and the opinion he obtained from Mr. Lash. We are told that under those circumstances the money has not been paid over, under what I must still think is a very ill-considered and incorrect opinion given by the ex-Minister of Justice. I certainly think it was a most extraordinary circumstance that two weeks after the Minister of Justice had resigned his office, when he had ceased responsibility for discharging the duties, and while there was an acting Minister in the department, the Deputy Minister should have been induced by some one to send that opinion out of the department.

Sir CHARLES HIBBERT TUPPER. I do not wish to conceal anything. It was sent at my special request. I called at the Department of Justice and saw my old deputy, and I told him that was the only matter unsettled ; I reminded him about conveying my opinion before I left the department, and I said I would be obliged to him if he would intimate that opinion to the department concerned. There was a letter sent. Before I ceased to be Minister of Justice, after giving consideration to this claim, I thought it was one that should be allowed.

Mr. EDGAR. I think that was a most improper and unconstitutional proceeding on the part of a private member of this House, who had ceased to be a responsible Minister of the Crown, to go to a public office and advise the Deputy Minister, when there was an acting Minister of Justice, to go and give the opinion of the ex-Minister of Justice to another department on a case of this importance. It was a glaringly improper and unconstitutional proceeding, I venture to say, for any ex-Minister to take. Has the ex-Minister now given up going to the Department of Justice and expressing his opinions ? If he did not give it up for a week, he may be acting in that way yet. The Minister of Railways had no right to act on that opinion.

Sir CHARLES HIBBERT TUPPER. It was exactly what I stated. Attention should be called to the fact that it was the opinion of the Minister of Justice who dealt with the case, and whose opinion was recorded by him before he left the department.

Mr. EDGAR. It was the opinion of a past Minister of Justice. That was the impropriety of it. There was no written opinion —it was a report of a verbal opinion of an ex-Minister of Justice. The Minister of Railways was so anxious to have this opinion carried out, one which was to reverse all the opinions of his engineers, and reverse the opinion of Sir John Thompson, that he took that scrap of paper, which had no legal authority, and ordered his chief engineer to make out a certificate under it ; and it was done. That is the position in which the Ministers find themselves on this question. The Minister of Justice complained of want of notice to-day in regard to this amendment. Only on 15th January, the hon. gentleman knew so much about it that he had to go into a Minister's office and order a letter to be sent to another department. He cannot have forgotten all about the facts, and he must be familiar with them, and so I do not think he has much reason to complain of want of notice under these circumstances. The facts are within his own knowledge. The ex-Minister of Justice proceeded to state, and to state correctly, that the question is as to what are water-tight embankments. I am sure he occupied a very unfortunate position on this question. One would imagine there must have been a conspiracy against the then Minister. All the officials of the Railway Department, all the four engineers entirely disagree with the hon. gentleman as to what are water-tight embankments. The late Sir John Thompson also entirely disagreed with the hon. gentleman on that same point.

Sir CHARLES HIBBERT TUPPER. No.

Mr. EDGAR. I contend he did, and I think I shall have no difficulty in showing it. The Deputy Minister of Justice from his correspondence throughout this case apparently disagreed also with the ex-Minister who has spoken to-night. I should like to know whether in the interpretation of simple words in an engineering contract, a contract similar in character to what is drawn up and worked by the engineers during their whole lives, the uniform opinion of a number of the Government's own engineers, experts at the business, as to the practical interpretation of those sections which they are to work out themselves, does not amount to anything ? How are they to tell the contractors what they are to do, if they do not understand the meaning of the sections ? They do tell the contractors what to do, and they are experts in the matter. No attempt has been made by the hon. gentleman to depreciate the skill, honesty or experience of the Government engineers.

Sir CHARLES HIBBERT TUPPER. Certainly not.

Mr. EDGAR. The hon. gentleman has not done so. I therefore say that those engineers before the House and the country are entitled to the highest consideration, and their opinions, unless under the most extraordinary and singular circumstances, should not be overruled. Now, what are the clauses in this contract which are of importance ? The question is simply as to how much should be paid on this contract for a certain quantity of earth excavated. The contractor's ordinary excavation was paid at 20 cents a yard ; and I want to point out to the House that under this contract the contractor was to haul that earth as excavated from the canal and to form banks with it, and in some cases to take it long distances, without being entitled to receive one single cent more per yard for it. It was only in the special case where he had the right to utilize a portion of that excavation in the making of a water-tight embankment that he was allowed 15 cents more per yard for it. That is the simple position of the case. Let us see what the specification says. It reads :

> The price tendered for earth excavation must cover the entire cost of excavating, hauling and forming it into embankments, all kinds of material found in the pits for locks, weirs, or other structures, and in the prism of the canal or side works wherever excavation is necessary.

Is not that as clear as the English language can be, that they were to get 20 cents for excavation, including hauling and formation of embankments. Section 7 has a special significance, and it is an illustration of what they were to do for that 20 cents. The provision is made in section 7, that they were not only to use that excavation, and haul it for banking up the section they were building at the time, but they were even to take it away and bank it on other sections of the canal without charging anything more. It says :

> No allowance whatever beyond the price tendered for excavation will be made for haul, and the surplus material arising on section 7, shall be taken up to section 6, and so on.

It goes on to say :

> This distribution of material to be made as will be directed by the engineer, without entitling the contractor to any extra allowance whatever. The attention of parties tendering is specially drawn to this section of the specification.

Sir CHARLES HIBBERT TUPPER. That is not disputed.

Mr. EDGAR. It could not possibly be disputed, because it is in the specification.

Sir CHARLES HIBBERT TUPPER. It has nothing to do with the question.

Mr. EDGAR. I think it has a great deal to do with the question. Section 11, which refers to the water-tight embankment is very clear and simple too, and you have to read it in connection with the other sections of the contract which I have referred to. It says :

> Wherever the surface level of the water in the canal is higher than the ground alongside, water-tight banks shall be made when so directed. In these cases the top soil must be removed for such width and depth as may be considered necessary to form embankment seats.

That is, the water-tight embankment seats :

> The material arising from this mucking to be deposited where pointed out. It will be paid for as ordinary earth excavation. The seats shall also be well roughed up with a plough so to make good bond with the first layer of earth forming the base of the embankment.

That is, the water-tight embankment :

> When the bank seats are properly prepared, inspected and improved—and not till then—the bank shall be carried up in layers of selected material of about eight inches in thickness, well spread, the lumps broken—watered—trodden down or otherwise compacted, and carefully shaped to the heights and slopes given by the engineer.

Given by the engineer for what ? Why, of course, for the water-tight embankment. That is what they are talking about. Then there is this special provision at the end of section 11 :

> Only such portions of the embankments as shall be laid out by the engineer, and made up in strict accordance with the foregoing specification,

That is from the seat to the top :

> Will be paid for as earth in water-tight banks.

Can any English speak plainer than that ? And that has been uniformly interpreted, contrary to the view of the ex-Minister of Justice, by the Deputy Minister, Mr. Schreiber, by Mr. Monro, the chief engineer of the work, by Mr. Allison, assistant engineer on one section, by Mr. Coutlee, assistant engineer on another, and by Mr. McNaughton, assistant engineer on another section. They have no sketches of the way the thing is done, and as to what they mean, and they are all the same. Here is a sketch on page 107, which shows the complete embankment of the canal, and the portion of that next the water of the canal is called here "water-tight portion." And, underneath that is shown the "mucked portion," that is the seat of the water-tight embankment as shown there. On the other side it is exactly the same, and that is of course the water-tight embankment. They all tell us that the excavation was put in the nearest place it could be put. It was put on what they call the spoil bank, behind the water-tight embankments. I would refer to the letter which the Minister of Justice has brought before the House, as I believe it will throw some light upon this point. That is the letter which was referred to by the hon. member for Queen's (Mr. Davies) as the letter of the 26th February, 1896, that Mr. Monro wrote when he signed this certificate, and containing the conditions on which he signed that certificate. I will read that letter to the House as it is important it should be known :

> Soulanges Canal Engineer's Office,
> Coteau Landing, 26th Feb., 1896.
>
> To Collingwood Schreiber, Esq.,
> Chief Engineer of Canals.
>
> Sir,—I have your letter of the 20th February with copies of correspondence respecting claim

> of George Goodwin, contractor, with reference to the embankment of sections 4, 5, 6 and 7 of Soulanges Canal. There is no precise statement of this claim in my possession, but I understand the decision has been given by the late hon. Minister of Justice, to the effect, that all the embankment on these sections must be paid for as water-tight throughout, and that this decision must govern the preparation of the progress estimates. The last of these was up to the 30th November, 1895. These show a total earth excavation of 1,103,713 cubic yards; water-tight banks, 450,733 yards. Should the whole be paid for as if made into water-tight embankments, the estimate would be as follows: Excavation as above, 1,103,713 cubic yards. As all this went into the banks, the amount of the lattter would be, with 10 per cent deduction for shrinkage, 993,240 cubic yards. As a matter of fact the balance of 542,607 now returned as water-tight is spoil bank, made up partly of sand, sod, loam, and other pervious materials, standing upon the unmucked surface of the natural ground. It was merely designed to back up the water-tight lining of the inside slope of the prism which was put in as specified. It was not intended to be water-tight, nor was it ordered to be made water-tight, nor has it been made water-tight. The question appears to me to be one of fact only, and I must reaffirm my previous reports on the subject. I have prepared the estimate as directed by you, but it is on the distinct understanding that my responsibility does not attach further than to a mere statement of quantities.

In the face of such a letter as that from the engineer in charge, how could the Minister of Railways have pressed on the Auditor General for the payment of these amounts? The public will not be able to understand what influences could have been brought to bear upon the hon. gentleman to go against the direct refusal of a trusted officer of his own department in that respect. Now, the hon. member for Pictou (Sir Charles Hibbert Tupper) has assumed in the most jaunty way that the late Sir John Thompson knew nothing at all about these things when he gave his opinion. Why, Sir, the opinion of the 28th of February, 1894, written by Mr. Newcombe, shows that it was a well-considered expression of opinion. It is a long statement of the case, covering five pages of typewritten foolscap—is this ill-considered and valueless opinion of Sir John Thompson. Why, Sir, it was not based on mere hearsay. It was based on a prior report of Mr. Schreiber on the subject, dated the 27th November, 1893. In this report, which is addressed to the secretary of Department of Railways and Canals, Mr. Schreiber says, practically, to his chief:

> Mr. Goodwin's communication of the 16th instant, in relation to the works on sections 4, 5, 6 and 7 of the Soulanges Canal which he is carrying on under contract, having been referred to me, I have the honour to report that, with respect to the material to form water-tight embankments this work is being carried on and is being paid for in accordance with the terms of contract which I can see no reason to disturb.

That is Mr. Schreiber's opinion before Sir John Thompson's attention was called to it. Why, Sir, among the papers there are dozens of pages containing this elaborate communication and argument of Mr. Goodwin in favour of this change being made. That, of course, was before Sir John Thompson's opinion; because, in the first place, Mr. Newcombe's letter giving Sir John Thompson's opinion refers to Mr. Schreiber's letter of the 16th instant, and Mr. Schreiber's letter of the 16th instant refers to Mr. Goodwin's communication. Therefore, the whole matter was before Sir John Thompson: and is it to be supposed that, reading these specifications, which were also before him, he was not sufficiently advised as to what should or should not be allowed? He had Mr. Goodwin's whole claim here. It would take me half the night to read it. How can it be said that with all this before him he had not the case before him? But, Sir, what new light was thrown on the merits of this case after Sir John Thompson's opinion, and up to the 15th of January last? Everything I can find in the paper is entirely against the opinion given by the hon. ex-Minister of Justice. We have evidence piled on evidence in these papers to show that after Sir John Thompson had given his opinion, the more the matter was probed, the more strong and clear it became that he had been perfectly right in the position he took. For instance, take the engineers. I have told you what Mr. Schreiber said. Let us take the opinion of some of the other engineers on the matter. Remember, this is the new matter wh'ch Sir John Thompson did not know about, but which the hon. member for Pictou knew about, and which altered his opinion so very materially. Now, here we have, on the 4th of September, 1895, a letter from Mr. Monro, whose more recent letter I read a little while ago. He addresses Mr. Schreiber, and quotes the whole of section 11 about the water-tight banks. Then he says:

> Acting under this behalf I gave my assistants instructions which were varied to suit the conditions of each case; the embankment dimensions being as described in their replies to my query on this subject, hereto appended.
>
> From these it will be seen—
>
> 1st. Only a part of the inner sides of the embankments next to the canal prism were laid out for water-tight banks.
>
> 2nd. Only over the portions intended as seats for water-tight embankment was the surface, soil, &c., removed. This obviously limited the extent of water-tight embankment as it is clear that no bank could hold water if built on a permeable stratum or foundation.

This is some of the new information which the hon. member for Pictou is going upon to form his revised opinion. Mr. Monro goes on:

> 3rd. The vegetable soil, sand, roots, &c., which were removed from the front part of the embankments in order to afford a water-tight seat for those portions which I considered necessary to be water-tight, was thrown into the rear of the embankments, which are therefore more or

> less spoil banks. The subjoined sketches show this.

That spoiled bank, that waste material, that part of the bank without any foundation, with a permeable soil, the ex-Minister of Justice tells us to-night, is, in his opinion a water-tight embankment, and should be paid for just the same as the rest of the water-tight embankments. Now, there is no use of piling evidence upon evidence. All these reports of engineers are just the same. But in this letter the engineer gives some information as to the cost to the country of reversing his opinion, which I think should have made the guardians of the public treasury pause before they tried again to get this persistent contractor satisfied by having this extraordinary claim allowed. Mr. Monro says the money for all this would be roughly as follows :—

Cost of excavation under the contract, say 2,000,000 yards at 20 cts..........	$400,000
600,000 water-tight at 15 cts............	90,000
Total	490,000
If paid for as claimed then, say 2,000-000 at 35 cts.	700,000
Difference in favour of Goodwin, say..	$210,000

> That is to say the Government would have to pay the contractor $210,000 for alleged work, which was neither necessary to be done, nor ordered to be done. If such preposterous demands as this were entertained on these sections, there would be no reason why other contractors should not be similarly dealt with. This would result in the canal costing from one-half to three-quarters of a million of dollars more than my estimate for earth excavation, whilst in my humble opinion not a shadow of valid excuse could be given for such a course.

Then he goes on to give his idea about the merits of this claim. He says :

> In this connection let me draw your attention again to the fact that the work on sections 4, 5, 6 and 7 is almost at a standstill, while the contractor for these sections is practically defaulting on section 12 of the canal which has been abandoned by him since the fall of 1893.

It is almost useless to quote any more engineers' opinions, because they are all on the same line. And this is the new information on which the ex-Minister of Justice changed his opinion. What is the hon. gentleman's theory about this business which he explained so long to the House ? Undoubtedly a portion of this embankment, much the smaller portion of it, is water-tight—sufficiently water-tight to keep the water of the canal in its place. The hon. member for Pictou (Sir Charles Hibbert Tupper) claims that because the front of that is water-tight, the whole is water-tight, although the engineers expressly say that it is not, and was never intended to be water-tight, and that no money has ever been expended to make it water-tight. Yet the ex-Minister of Justice makes this extraordinary contention. Let me show its absurdity by an illustration. If you take a bushel basket and put inside of it a patent pail, and pour water into that patent pail, the water does not go out of the pail or through the basket, and therefore the basket is water-tight. But, if you were to dip the basket into the river, or if you had water flowing in on the other side, you would soon find your theory upset.

Mr. McNEILL. Would the hon. gentleman tell us shortly what is the case the contractor makes out for himself ?

Mr. EDGAR. I suppose that he was so much in default that he wanted money. He takes section 11, which refers to water-tight embankment, and which says :

> Only such portions of the embankment as shall be laid out by the engineer and made up in strict accordance with the foregoing specification will be paid for as "earth in water-tight embankments."

And he argues that that means that if any of these banks were laid out by the engineers, as they were, they would be all water-tight embankments.

Mr. McNEILL. Whether the whole is constructed in layers or not ?

Mr. EDGAR. Yes, as long as they are laid out by the engineer, they will be water-tight. That is the view that the ex-Minister of Justice took. In a letter to the Minister of Railways on the 17th September, he asks for answers to three questions :

> What I desire to be informed is, first, whether these portions of the embankments with respect to which disputes arose were laid out by the engineer ?

The portions about which disputes arose, were the portions in rear of the water-tight embankments. Of course, the answer was that they were.

> 2. Whether these portions were made up in accordance with the specifications with regard to earth and water-tight banks.

Of course they were not.

> 3. Whether these portions were made out as required and directed by the engineer in charge ?

These portions outside of the bank ; of course they were, but they were not made up in water-tight compartments, and it is on that that the hon. gentleman goes. He has adopted the construction of the latter part of section 11 which was contended for by the contractor, on the answers to those questions, and he says that those points were not before Sir John Thompson. Does anybody accuse Sir John Thompson, or Mr. Newcombe, of being so semi-idiotic as not to know that if banks were made there of any kind, they were laid out by the engineers ? That could not have been in dispute, so that the wonderful new information referred to by the Minister of Justice was not really information at all. But the argument he rested upon was that because the inside portion was water-tight, it is all water-tight. That is the whole of his argument, from beginning to end. Now, the whole story of this contractor is extraordinary. As long ago as the 3rd November, 1893, the engineer, Mr. Monro, made a report on the subject in which he severely criticises this favourite contractor Goodwin. Reporting to Mr. Schreiber on the date mentioned, he says :—

> Mr. George Goodwin has a very large force engaged in doing all the easy work on sections Nos. 4 and 5. That is what is usually termed "skinning the job." The excavation taken out to date is about 230,000 cubic yards which probably costs a little more than half the contract prices. That is to say he is rushing through the inexpensive part of these sections which were grouped together to get an average price and ensure the hauling forward of the material at the west end. The masonry is untouched also, and the long hauls avoided. Of course it will follow that whatever profit can be squeezed out will go into Goodwin's pockets, and when the work has to be relet it will cost more to the Government than if it had been let to a reliable man at fair all-round prices. You will see at a glance that some of the masonry prices are absurdly low, and as there is not in my mind the least chance of the contractor finishing the work, it is manifestly unfair that he should be permitted to continue his present tactics. However, the season will soon close down now and the matter must be settled one way or another. Your attention is particularly drawn to this part of my report.

Then on the 16th November, 1893, Goodwin puts in this claim that we are considering. He evidently thought that something must be done and, as Mr. Monro says in another place on the 4th December :

> As the contractor has expressed to me his intention of not proceeding further with this work until some understanding is arrived at, I deemed it proper to ask your instructions.

And so on. He was trying to come to an understanding, and because he was so much in default that he was afraid of being turned off his work he wanted to arrive at an understanding with the Department of Railways on this question. It was considered, reported upon and decided against him, and he could not get his understanding satisfactorily considered. The decision against him was given in February, 1894. But he lost little time in making a strike for an understanding,—on the 12th March, 1895. The answer he received from Mr. Schreiber was that he was to go on with his work, and then, as he did not go on with his work, on the 17th April he was told again to go on with his work or his contract would be forfeited. But that did not disconcert Mr. Goodwin, for on the 22nd March, 1895, he sends in a tremendously long statement reaching from page 131 to 169 in these papers setting out these grievances. And then again on the 12th September, 1895, he makes an extraordinary admission. He applies for relief, and he says "the question of facts may now be regarded as settled." On the 17th September, 1895, it appears the then Minister of Justice, the hon. member for Pictou (Sir Charles Hibbert Tupper) thought the facts were not settled and asked these three famous questions and called for new information as to the facts whereas the contractor himself in his letter of a week earlier says "the question may now be regarded as settled ; the question of interpretation or argument now remains to be considered." And the contractor kept on pressing and pushing his claims ; although they were rejected by every engineer and by the Department of Justice until, when, under the most extraordinary circumstances, the ex-Minister of Justice allowed them. I think the House and the country ought to be deeply grateful to the Auditor General for having taken the stand he has taken and having used his statutory power to obtain the opinion of eminent counsel, Mr. Lash, upon this question. That opinion, as we naturally might expect, entirely supports the opinion of Sir John Thompson and is absolutely contradictory of the opinion of the hon. member for Pictou. Well, that, I understand will come in due course before the Treasury board, and whether the Treasury board will take the responsibility, with these facts before them of supporting the unsupported opinion of the hon. member for Pictou, we shall see. However, the matter has to come before the present Minister of Justice and I shall be surprised if his conclusion are not more in accordance with those of Sir John Thompson. But when this assault was made by such an unworthy contractor upon the treasury of the country, if there was a doubt, surely the least that could have been done was to say : Let this man bring his claim in court and recover from the Government if there is law in his favour. No ; they were eager to lose this $210,000, and between $300,000 and $400,000 more to the other contractors on the same canal, and they took this side wind of opinion, this unconstitutional interference of the hon. member for Pictou, with the affairs of the Department of Justice as an excuse for ordering the chief engineer to report this certificate, and Mr. Monro also had to give his certificate to get that money out. I am glad to say that we have at last got that letter from Mr. Monro which shows the protest he made at the last moment against being forced, as he was by his superior officers to act. After what has been shown, I hope the country will not be called upon to pay this excessive demand.

Mr. HAGGART. I wish to say a word in reply to the charge that has been partly brought against my department. The hon. member for Queen's (Mr. Davies) prefaced his remarks by citing a number of cases in which the expenditure upon public works was largely in excess of the estimate and declared that these increases had become a scandal and it was time public attention was drawn to the matter.

He instanced the case of the St. Charles Branch, and particularly the Galops Canal, in which there was an estimated cost of $312,000 and an expenditure of $629,000. All I can tell the hon. member for Queen's is that since I have been at the head of the department, the cost of any work under my control and under the chief engineer of my department, has been as near the estimate as the works of any railway manager, or of any other railway department in the world. I defy the hon. gentleman to mention any case, except one, where the expenditure was largely in excess of the estimate. When he says that the estimates of the Galops Canal was $312,000 and the expenditure $629,000, he forgot to tell you that the estimates, the tenders and the advertisements for the contract, were prepared by the Hon. Mr. Mackenzie and Mr. Page, and there was no interference with them until I was called upon to make the payments of the balance of $627,000. I was so doubtful of the quantities and the estimates that I refused to pay the balance, and the party recovered the amount in the Exchequer Court.

Mr. DAVIES (P.E.I.) Were not the plans changed ?

Mr. HAGGART. There was not a change in the plans, nor a change in the specifications. Let me mention that in Great Britain, where their engineers are exceedingly careful in making estimates, I find, according to the Annual Registrar, that the estimate for the Manchester Canal was £5,750,000, and the cost £14,998,000. And so in nearly every other work. There are always some things which an engineer cannot calculate upon, and sometimes the expenditure is largely in excess, and sometimes only slightly in excess. The hon. gentleman makes charges against this Government as to their management of public works and contracts. He forgets to tell you that from 1874 to 1878 they let $3,000,000 worth of contracts without any tenders at all, and over $4,000,000 worth of contracts with out any estimates. They did not let the contracts to the lowest tenderers, and the excess of the expenditures over estimates is much greater than such public works conducted by my department. Now, as to this particular charge which the hon. gentleman has made to-day. There was a contractor on the Soulanges Canal who thought he had a claim against the department for a different classification from that which he was getting from the engineer. The engineer in charge who drew up the specifications, insisted upon one style of classification being made. The contractor appealed from the chief engineer to the Minister of Justice, and the Minister of Justice, in the first instance, agreed with the department.

Mr. McCARTHY. Can the hon. gentleman say the nature of the appeal he made to the Department of Justice ?

Mr. HAGGART. He simply wrote a letter to my department, stating that the work was wrongly classified, and asking my department to get the opinion of the Minister of Justice on the classification. He did not appeal on any clause in the contract. Let me draw your attention to the clause in the contract to show how little responsibility rests upon my department with reference to these matters :

> The engineer shall be the sole judge of the works and material in respect to both of quality and quantity, and his decision on all questions in dispute with regard to work or material, shall be final.

The provision used to be that he had the power of interpreting the meaning or intention of a contract, and the plan and specifications. Those are the powers of the engineer. Now, what is the practice of the department ? Since I have been at the head of the department, neither myself nor the Minister of Public Works ever saw an estimate of what quantity the chief engineer certified to. The chief engineer is the only judge as to quantity, and I would have no right to tell my chief engineer that the quantity was wrong, and that he should make such and such quantities and such and such classification. I never attempted to do it, because I know the chief engineer, who is the deputy of my department, would not be guided by me in that respect for one moment. Then as to the interpretation of the contract, what are his duties ? Where he has any doubt about it, he has obtained the opinions of Sir John Thompson and of Sir Alexander Campbell, as to what his duties are. The very fact of his sending over to the Department of Justice and asking their opinions on a particular subject shows that he has doubts upon it, and has to get their opinion. His instructions are that when he gets an opinion from that department, it is sufficient justification for him to work upon it, and to make certificates in accordance with it. The hon. member for Queen's states that, notwithstanding these letters that were sent to me by Mr. Monro, I caused no inquiry to be made as to the progress of the work, and the scamping of the work. The moment I received those letters, I sent the chief engineer down there to report, and he reported that the work was being conducted in accordance with the specifications.

Mr. DAVIES (P.E.I.) That is not in the papers.

Mr. HAGGART. The Deputy Minister reported to me, and drew my attention to the clause in the contract which says that he was perfectly justified in constructing the work in the manner he did, that he was to use so much material out of the prism and excavation for the canal, as would build up the banks fifty feet broad on top on one side, and thirty feet on the other. The clause is this :

> The surplus material arising from prism, &c., on section No. 7, shall, after making up the banks on that section, be carried to widen the embankments of sections to the eastward ; and the surplus on section No. 6 shall be dealt with in the same manner——

It was left in the bottom for the purpose of being carried onward to make the embankments to the eastward.

> —so that all the excavation arising from the sections embraced in this contract west of lock No. 5, will be disposed of in making the embankment on each side of the summit level between stations 180 and 460.

The chief engineer reported to me that the work was being carried on in accordance with the specifications. It is true that the contract was not rushed forward as rapidly, perhaps, as might be, but that was partly owing to the fact that the Minister of Finance would not grant me sufficient sums for the purpose of pushing on the work as rapidly as I would like ; because he said he wished the contractors would proceed slowly in order not to make the expenditure on capital account larger than he wanted it to be. Now, it is true that the two engineers, in making their certificates for the Auditor General, drew his attention to the letter which the hon. member for Ontario (Mr. Edgar) read a moment ago. The chief engineer virtually stated to the Auditor General that his certificate was in accordance with the instructions of the Minister of Justice, but was not in accordance with his own opinion on the subject. The chief engineer knew perfectly well what course would be pursued. He was aware that the duty of the Auditor General was to pay the amount or to get advice on the subject—which he did—and if the Railway Department was not satisfied, an appeal would be made to the Treasury Board, which would inquire into the whole matter, and obtain another opinion from the Department of Justice. Such cases very often occur. The certificate given by Mr. Monro has the following condition attached : "Signed by me, subject to the conditions stated in my letter, dated 26th February, 1896." The certificate given by Mr. Collingwood Schreiber is signed by him—"certified as regards item 5, in accordance with the letter of the Department of Justice, dated 15th January, 1896." There is, then, no charge of laxity made against the department in this respect. The fact of the matter is this. The Minister at the head of the Department of Railways and Canals never sees a certificate and never knows of a payment made. An hon. gentleman opposite has stated that I had imposed my will on the department, and had practically compelled the chief engineer to sign that certificate. That gentleman never consulted me in regard to the certificate. I never imposed my will on him. He told me that the opinion which he had obtained from the Department of Justice when Sir John Thompson and Sir Alexander Campbell were the Ministers, was to the effect to be guided in all matters involving legal interpretation of contracts by the Minister of Justice. Hon. gentleman opposite may challenge the Minister of Justice as regards his opinion on this question.

Mr. LISTER. He never gave an opinion.

Mr. HAGGART. The Deputy Minister is the only one who sends over an opinion of the department, and it is signed by him. He stated that the Minister of Justice had given a decision before he left the department, and he communicated that decision to my department.

Mr. LISTER. It was a verbal decision.

Mr. HAGGART. It is never in writing.

Mr. LISTER. Sir John Thompson's opinion was in writing.

Mr. HAGGART. It was conveyed by the department.

Mr. LISTER. There was a minute in the department.

Mr. HAGGART. No minute was transferred to our department. All communications from the Minister of Justice are by letter from the deputy, expressing the opinion of the department on the subject. In regard to the interpretation of this contract in question, lawyers may differ on it. There are three clauses which bear on it. Clause 1 contains the following provisions :—

> The canal will be generally 100 feet wide at bottom, with slopes in excavation of 2 to 1 throughout. The embankments forming the sides shall be of such top widths as will be directed, and be carried up to the height of 161 feet above datum on the summit level. Below lock No. 5, the top bank shall be 143 feet above datum, or such other height as may be directed.

Clause 7 is as follows :—

> No allowance whatever beyond the prices tendered for excavation will be made for haul. The surplus material arising from the prism, &c., on section 7 shall, after making up the banks on that section, be carried forward to widen the embankments of sections to the eastward ; and the surplus of section 6 shall be dealt with in the same manner, so that all the excavation arising from the section embracing this contract west of lock 5 will be disposed of in making the embankment on each side of the summit level stations 118 and 460 ; filling around the various structures. This distribution of material to be made as will be directed by the engineer without entitling the contractor to any extra allowances whatever. The attention of parties tendering is specially drawn to this section of the specification.

Clause 11 says :

> Wherever the surface level of the water in the canal is higher than the ground alongside, water-tight banks shall be made when so directed. In these cases the top soil must be removed for such widths and depths as may be considered necesary to form the embankment seat. The material arising from this mucking to be deposited

> where pointed out. It will be paid for as ordinary earth excavation. The seats shall also be well roughed up with plough so as to make good bond with the layer of earth forming the base of the embankment. Puddle walls or cut-offs to be made where required—the puddle to be prepared and laid on as specified hereafter. When the bank seats are properly prepared, inspected and approved—and not till then—the banks shall be carried up in layers of selected material of about eight inches in thickness, well spread, the lumps broken, watered, trodden down or otherwise compacted and carefully shaped to the heights and slopes given by the engineer. Only such portions of the embankments as shall be laid out by the engineers and made up in strict accordance with the foregoing specification will be paid for as earth in water-tight banks.

The whole question arises on these clauses of the specification. The contractor contended that he was entitled to the whole prism as bank, that it was made the same way, that the slopes were laid out by the engineers, that the banks were made perfectly level at the top, with a slope of two to one on each side.

Mr. LISTER. What otherwise would have been done with the spoil ?

Mr. HAGGART. It was not necessary to make it into banks, which involved a great deal more expense, as they were made with a slope of two to one. A large quantity of spoil might have been deposited at a particular place. I am not contending for the interpretation of the Minister of Justice, as given against my engineers. I was inclined to the opinion of the engineers ; but, on lookink over the specification, I came to the conclusion that there is great doubt in regard to it, and as to whether a court of law might not hold the Minitser of Justice's interpretation of the clauses of the specification to be correct. All I know is that I stuck by my department : that the engineer in charge of the works reported that the contractor was not entitled to his claim, as did the chief engineer, and until the Minister of Justice stated that he was entitled to it under the contract. Then the chief engineer reported to the Auditor General, and he regarded his report in such a way that there was nothing for the Auditor General to do but to employ counsel to find out what his duty was, whether the interpretation of the Minister of Justice was correct, and then there was the further protection of an appeal from the Auditor General to the Treasury Board, in maintaining the opinion given by the Minister of Justice on the subject. So far as I am concerned, I never see a certificate as to the quantity of the work, and never know anything as to the classification of the work. Under the contract that is vested in the deputy head of the department. He has charge of it, and I suppose that, ministerially, I am responsible for it. If the deputy goes wrong continuously, I suppose there is a ministerial responsibility upon the head of the department ; but, under the contract, the deputy measures and classifies in nearly every contract, and up to this contract, I believe, the legal part of it was vested in him as to the interpretation of the contract. Now, I am informed the interpretation of the specifications and the contract rests with the Department of Justice, and on that legal interpretation my department acts As I said before, I never see a quantity ; I never have had a conversation with my deputy directing him in any manner as to the classification that shall be made, or as to the quantity of work he shall return. The only conversation I have with him would be purely ministerial, as to the amount of the security required and as to the return of the deposit. But, as to the mechanical part of the contract, I have nothing to do with reference to it. Notwithstanding my ministerial responsibility, I say that the chief engineer is the sole judge in reference to these matters, and he is made so by the contract. I have inquired into this matter thoroughly, and I can say that I fully endorse the action of my chief engineer in reference to it. He was careful in all his transactions throughout this affair, and he acted in strict accordance with his duty as deputy head of the department.

Mr. McCARTHY. I am somewhat surprised at the argument which the Minister of Railways has put forward in his own defence. His argument is that he is not personally responsible, but that, under some arrangement which I have not yet been able to understand, the Department of Justice becomes answerable for the legal construction of the contract, and the certificates which the engineer in chief has directed in this case to be made, rests upon that legal construction. It is not very difficult for any person who is at all familiar with these contracts, to understand the facts which have been stated, and about which there appears to be no dispute. There is not much difficulty in arriving at a conclusion as to where the blame in this case rests. The contract provides in the 8th clause the engineer shall be the sole judge of work, material, quantity, &c., and his decision on all questions in dispute on these matters shall be final, and no additional work or changes shall be deemed to be executed unless the same are executed to the satisfaction of the engineer. The hon. gentleman (Mr. Haggart) has pointed out that, by reason of some alterations, the words which we find here are eliminated, and that up to this time it has been within the power and the duty of the engineer to determine matters of fact, as well as interpret the contracts. The latter duty, it appears, has been taken away from him. Why that was done we are not called upon to inquire now. We find that, all that is left to the engineer is to determine the question of fact, and that his determination of the question of fact is final and conclusive. The first thing the House ought to make up its mind to is: Is the dispute on a question of fact, or a question of the interpretation of the contract. If it is a question of fact, then the decision of the engineer is final. If it is a question of the interpretation of a contract, then it appears to me that the contractor has a right to present his claim, and the department has a right to present their view, and a court of law would determine as to the proper interpretation of the documents. Now, Sir, the facts are not very much in dispute, nor are the specifications which are to regulate the issue here between the contractor and the department. In the first place, the specifications say that the price tendered for earth excavation must cover the entire cost of excavating and hauling and forming into embankments, &c. Another section provides that the distribution of material is to be made as is directed by the chief engineer, without entitling the contractor to any extra allowance whatever, and the attention of parties tendering is specially drawn to this part of the specification. If that stood alone, what does it mean? It means that all the material taken out in the excavation of this work is to be disposed of in the manner pointed out under this provision, and it stipulates in the plainest possible terms that for distributing the excavation, and at the places and in the manner specified under the direction of the engineer, no additional price is to be allowed. There is no question of interpretation there. There is nothing to send to the department about. No engineer requires a lawyer to tell him what that means; no man who reads it requires any instruction on that point. Well, what more do we find in this contract?

> Wherever the surface level of water in the canal is higher than the ground alongside, water-tight banks shall be made when so directed. In these cases the top soil must be removed for such width and depth as may be considered necessary to form the embankment seats.

In other words, you have to cut down the top until you get solid ground so as to form a base on which to make this embankment.

> The material arising from this mucking to be deposited where pointed out. It will be paid for as ordinary earth excavation.

There is no difficulty about that. We have first got the material which is excavated in making the canal, the raceway, and so on. That has to be excavated and distributed, and is paid for at one price, which I understand is 20 cents per cubic yard. Then it goes on to say:

> The seats shall also be well roughed up with a plough, so as to make good bond with the first layer of earth forming the base of the embankment. Puddle walls or cut-offs to be made where required—the puddle to be prepared and laid as specified hereafter.
>
> When the bank seats are properly prepared, inspected and approved—and not till then—the bank shall be carried up in layers of selected material, of about eight inches in thickness, well spread, the lumps broken, watered, trodden down or otherwise compacted and carefully shaped to the heights and slopes given by the engineer.
>
> Only such portions of the embankments as shall be laid out by the engineer, and made up in strict accordance with the foregoing specification, will be paid for as "earth in water-tight banks."

Now, what is there to interpret in all this? Has any engineer, from beginning to end, ever expressed the slightest difficulty of interpretation? No, Sir; we are told here that every engineer of the department, from the subordinate engineers on the ground, fortified by the opinion of Mr. Monro, who was in charge of them, endorsed by the chief engineer here—all agreed without a shadow of doubt, that the portion of this work which was to be paid for as extra was that which was properly within what was called the water-tight embankment; and to prevent any shadow of doubt, if there could be any about it, we are told that the matter was referred to the Department of Justice to satisfy the importunity of this contractor; and the late Sir John Thompson came to the conclusion that there was no claim and could be no claim on the part of this contractor beyond what had been certified by the engineer. But what I want to direct the attention of the House to is that this was a plain and simple matter of fact. Was this a water-tight embankment that the engineer certified to? Did he certify to all that could be called a water-tight embankment, or was there anything beyond that? It is a matter of fact, and on a matter of fact the engineer is the sole judge, and his decision is final. I need not remind the Minister of Railways—I hope I need not remind any gentleman of my profession, who has had any experience of contracts—that the decision of the engineer is so necessary that until his certificate is obtained, the contractor has no right to recover one solitary cent. That will be found later in the contract, if I am not mistaken. Now, what is the pretext on which this monstrous claim—I do not think the language is too strong founded. The engineers have remained of the same opinion, but the late Minister of Justice expressed a verbal opinion before he left office, that the legal construction and interpretation of this contract required the department to pay, not merely for the work which the engineer said, in point of fact was done, but for work which the engineers still say has not been done. Mr. Monro, acting on the directions he received from the department, signs the formal certificate, but he does it under protest. It is just as a man employing a contractor insists on the engineer certifying to his getting 50 per cent more than he is entitled to. That is the position this matter is in. The Government here, representing the country, and being the employer, are insisting on the engineer, who is placed in authority between the employer and the contractor, certifying that the contractor is entitled to be paid, whatever the percentage is in this case, amounting to $210,000 more than the engineer says he is entitled to. Well, Sir, that may be done, but I think the country will be puzzled to know how it can be done. We have engineer after engineer saying that the contractor is not entitled to it; we have the department shirking the responsibility: we have the Minister standing up in the House and saying that he is not to blame. God knows, he says, I never was told of it or heard of it; and he adds, with equal truth, I never do see these things or know anything about them. I think we can believe that; but he is allowing a gentleman in the Department of Justice, by a verbal statement, to control the action of his officers, under some standing order, which is not in the contract. By what right, I would like to know, does Mr. Schreiber send and ask the Department of Justice to interpret this contract? There is nothing in the contract requiring that. The Minister says he did not tell him; he is not responsible: he did not know of it. Who, in the name of common sense, is responsible? Where is the term of the contract that says the Department of Railways and Canals is to take the ipse dixit of a gentleman who, ten days before, was at the head of the Department of Justice, but who, at the time this document was signed, had no more responsibility than any other man in Canada. I deny that there ever was a question of interpretation of the contract. I say that the contract is so plain and clear that no person can doubt its meaning. The dispute arises, not on the interpretation of the contract, but on a question of fact as to which the engineer's decision is absolute and final. I am glad that this money has not yet been paid, and hope that this discussion may be in time to save its payment. But what is the position? The hon. Ministers tell us this: A certificate was made by Mr. Monro at the direction of the chief engineer of his department. The chief engineer ordered Mr. Monro to do that, under a standing regulation of the department, according to which, in matters of interpretation, he is to be guided by the Department of Justice, and without his knowledge and without any responsibility on his part. And then he says all that is candidly told to the Auditor General. In other words, that was not concealed from the Auditor General. No, we are bound to acknowledge that these engineers throughout acted in the most honourable and straightforward way. Mr. Monro deserves the thanks of this House and the country. In the position in which he was placed, it took a pretty bold man to stand up and defy, as he did, the evident wishes of the department; and while he was putting his hand to the document, he placed clearly before the department and everybody the fact that he was doing it mechanically and not because he was certifying that the work was really done. That goes to the Attorney General. Then the hon. Minister tells us that if his department wish to appeal, it could do so to the Treasury Board. Appeal from what? From the Auditor General's decision, given on the opinion of an independent lawyer, that this country is not responsible for that money. The department is going to appeal to the Treasury Board to see who is responsible. It is the Treasury Board that seeks to make the country pay the claim. The generosity of the department is unbounded. It is not content with paying its honest debt, but when its own engineers say that the claim is not one which ought to be entertained, when the Auditor General, taking independent advice, says it is a claim which has no foundation in justice, or necessity or honesty, the department is going to appeal to the Treasury Board, and then the Minister of Justice may be consulted again. This is going back to the origin of the trouble. There was a change in the personnel, but if there had not been a change, the hon. member for Pictou (Sir Charles Hibbert Tupper), who is the cause of the trouble, would have guided the Treasury Board and overruled the Auditor General, and so the money would have been paid out. I understand the Minister, who surely is responsible if any one is, to say that he believed in the certificates of his engineers, that he thought those engineers were right, and that at this moment he thinks his engineers were right. If the engineers were all of the one opinion and if the hon. member for Pictou was of another opinion, and if the Auditor General and his advisers were of the opinion of the engineers, what would one think was the proper thing to do? Surely it is a case for the courts. Surely before this money is to be paid out, the Government will ask the Exchequer Court to determine which is right and which is wrong. Are they going against the interests of the country, to overrule the Auditor General and insist, by this farce of going before the Treasury Board and taking the opinion of the Minister of Justice, in overruling the Auditor General and paying out this money which, as I understand, would involve, in the end, something in the neighbourhood of three-quarters of a million dollars, when the simple easy expedient is open of asking the Exchequer Court whether Mr. Goodwin is entitled to anything more than the engineers have certified to. I was interested not long ago in a case where a dispute arose between a contractor and the engineer. What did the Government do? They sent it to the Exchequer Court. By a simple order made by the hon. Minister himself, the Exchequer Court is served with jurisdiction to determine the question. I trust that this discussion is not too late to prevent the performance of what does, on the face of it, appear a most suspicious transaction; and if the hon. Minister thinks there is still a possible claim on the part of Mr. Goodwin, let the matter be referred to the Exchequer Court.

Mr. DICKEY. I desire to say only a few words on this question, chiefly from the departmental standpoint, and in doing so of course I wish to avoid any expression of opinion whatever on the merits of the construction of the contract. First, because I have no opinion, not having had the opportunity of looking at the contract carefully enough to form an opinion, but chiefly because possibly I have to deal with this matter myself. I think that the hon. member for Simcoe has somewhat misapprehended the position of the Department of Justice with reference to the Government. All large companies have a solicitor, and there is only one way of acting with reference to the solicitor of a large institution, and that is to trust him altogether or else employ somebody else to watch him. The Department of Justice stands to the several departments of the Government somewhat in that relation. In the administration of every department of the Government, questions connected with the interpretation of documents and various other questions of law are continually arising, and I understand the invariable practice to be that when a difficulty occurs as to which some authoritative decision is required, the authority, so far as the department is concerned, is the Department of Justice, which acts as solicitor for the Government. It is difficult to conceive how business could be carried on upon any other system. Either each department should have a solicitor and depend upon him or each department should engage a solicitor outside at heavy expense, or a department of the Government, such as the Department of Justice, presided over by a member of the profession, should be charged with the responsibility of determining the various legal difficulties which arise from time to time. I do not for that reason see why the hon. member for Simcoe finds such fault with the position taken by the hon. Minister of Railways. Assuming for one instant that there is actually a legal difficulty in the construction of that contract,——

Mr. McCARTHY. That is the reason I found fault, because the engineer never pretended there was any difficulty.

Mr. DICKEY. I understand the hon. gentleman to agree if there were a legal difficulty, the only way to settle it is to refer it to the legal branch of the Government.

Mr. McCARTHY. Undoubtedly on questions of law.

Mr. DICKEY. With reference to the particular question on hand, and without expressing the slightest opinion with regard to the proper interpretation of the contract, I wish to say only a very few words. The hon. Minister of Railways has been thoroughly consistent in his action in this matter. His officers, from the first, told him that there was no question about the proper interpretation of this contract. They told him that the contractor was entirely wrong. The hon. Minister of Railways took that view and seems to express that view to-day. In answer to a question some time ago, he very frankly told the House that he had formed the opinion that the contractors were wrong, but that the Department of Justice had overruled him. So far as the Department of Railways is concerned, I think the House will be perfectly satisfied that that department has been standing off this claim to the utmost of its ability, from first to last, and is doing so at the present time. But the claim was referred to the Minister of Justice, and it seems to me that this attack, if it be an attack at all, is directed against the hon. member for Pictou (Sir Charles Hibbert Tupper) and against him alone. And what is it for? At the utmost, it is an attack upon him for making a mistake in his construction of a contract—for delivering bad laws to the Department of Railways. I desire to offer no opinion as to that, but I wish to protest, as one who is, for a short time, perhaps, in the Department of Justice, against the proposition that a Minister of Justice who honestly considers a claim and gives the best interpretation that he can, is to be judged in this House as prima facie guilty of fraud and wrong-doing because his opinion turns out to be not well-founded in law. The hon. gentleman may be entirely wrong in the law he has delivered. He may be entirely correct. But I am satisfied that no hon. gentleman who knows him, who has listened to this frank, reasoned statement to-day, can doubt that he felt himself forced to the conclusion that the interpretation that he placed upon the contract was correct. The hon. member for North Simcoe (Mr. McCarthy), for whose opinion on these matters I have great deference, takes a strong view to the contrary. But I can appeal to him from his experience in his practice, to acknowledge frankly that questions that have appeared perfectly plain have turned out after discussion and investigation not to be so plain. The hon. member for Simcoe has heard this discussed to-day. I do not think he heard the statement of the hon. member for Pictou, as I think he was absent from the House at the time. The hon. member for Pictou made, at any rate, a perfectly intelligible statement and supported it by arguments that seemed sufficient, to his mind. I rise to protest against the assumption that assuming his conclusions are wrong, therefore he should be held up as guilty of fraud or of anything more than a mistake in law. The hon. member for Pictou was for a long time head of the Marine and Fisheries Department, and I have heard with pleasure from hon. gentlemen on the other side of the House, and I have read in the newspapers of the country, from time to time—last December was one occasion that

I recollect—frank acknowledgment of the ability which he brought to bear in the administration of the affairs of his department of his thorough uprightness as an administrator and his entire disregard of political considerations, sometimes much to the displeasure of his political friends. If one thing can be said of the hon. member, it is that in his administration of the Marine and Fisheries Department, he not only gave the attention that a man would give to his own business, mastering all its details, but he administered it fairly, honestly, and without regard to political considerations. That spirit the hon. member carried into the Justice Department, administering the affairs of that department as he had done the affairs of the Department of Marine and Fisheries. I protest, so far as he is concerned, against imputing to him wrongful motives, even assuming that he has in this particular instance made a mistake with regard to the law. With respect to the future conduct of this matter, I dare say it will come before me to advise the Treasury Board. Of one thing this House may be certain and that is that where one Minister of Justice before me has expressed an opinion, and another has expressed what may be considered different opinion, I will be very slow to express any opinion that would oblige the country to pay this sum without reference to the courts. Of course, I bind myself to nothing, but that is a conclusion that any one would naturally come to in view of the varying decisions of the Ministers of Justice who have preceded me. I do not propose to discuss the matter on its merits or to labour the matter further, but I think it fair to make these few remarks, partly from a departmental standpoint, and partly with regard to the well-known character of the hon. member for Pictou.

Sir RICHARD CARTWRIGHT. I would like to ask the Minister of Railways (Mr. Haggart) a question. I would like to know if he can inform us what quantity Mr. Goodwin excavated altogether.

Mr. HAGGART. About 2,000,000 cubic yards.

Sir RICHARD CARTWRIGHT. Then, as I understand it, on the contention supported by the late Minister of Justice, we should be called upon to pay 35 cents for every single yard excavated. As well as I can follow the discussion, that appeared to be the result. And it did seem to me, looking at it from a non-legal standpoint, that this was utterly contradictory of the express terms of the contract. That contract stated explicitly that we would pay 20 cents per yard for the excavation which was not employed in a certain way. Now, it seems that we are called upon to pay for the entire excavation at 35 cents per yard, very nearly double what the engineers appear to have considered adequate not only for excavating, but for hauling and depositing the material.

Mr. HAGGART. That is only the partial excavation of the prism, and what was taken out was used to make the embankment. The rest may be far in excess of what is required to make the embankment, even though it is thirty to fifty feet on top for the entire length.

Sir RICHARD CARTWRIGHT. That may be ; but I understand that, for what he has done so far, the decision is that he is to be paid 35 cents per cubic yard. I merely rose to ask that question, because it struck me that it had an important bearing upon the whole subject. It was perfectly clear that 600,000 yards were allowed for at 35 cents. There remained a balance of 1,400,000 yards in dispute. The engineers were ready to allow 20 cents, but Mr. Goodwin claimed 15 cents additional, or $210,000 in all. So that for every yard he has excavated, according to Mr. Monro's letter, he claims 35 cents. I desire to add to what the hon. member for North Simcoe has said, that as a matter of business, it is my strong opinion, based on the practice that has prevailed in the department, as a rule, and which ought always to prevail, that in a case like this, where there are two Ministers of Justice, apparently, giving opposite opinions, and where there is a lawyer of eminence well conversant with the whole details, who is opposed to the contention of the late Minister of Justice, if there ever was a case that ought to be taken before the courts, it ought to be this one. If this claim is granted it is sure to afford a precedent for a whole class of similar cases. If this payment is made of $70,000, or whatever it be, there is not the slightest doubt that a swarm of claims will at once spring up based upon this one, and we will escape cheaply if we do not have to pay $750,000 before this matter is ended, that is, if this present payment is conceded, and the Auditor General is overruled. If this is done without an opinion of the courts of law being obtained, a grave responsibility would rest on the Minister of Justice and on the department. Now I would like to have heard a definite statement from the Minister of Justice on that point. I think the Government might well have assured the House that, after the presentation of facts that has now been made, nothing would be paid without an appeal to the courts. It appears to me that this is their simple duty, and I am perfectly certain that this House and the country at large will expect of them to do so in their own interest. I think they ought not to allow this debate to close without expressing a distinct opinion on that subject.

Mr. DICKEY. I could not very well pledge myself to take the case to the courts, as I may come to the conclusion that this claim should not be allowed at all.

Mr. GIBSON moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

Mr. DICKEY moved the adjournment of the House.

Motion agreed to, and House adjourned at 12.10 a.m. (Friday).

HOUSE OF COMMONS.

FRIDAY, 17th April, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

THE ARMENIAN OUTRAGES.

Mr. CHARLTON. I ask leave to present the motion I have in my hand, which meets the approval of the hon. leader of the House, and which he is anxious should be presented, on the understanding that the time of the House is not to be used in discussing it. I beg to move, therefore :

> That this House expresses its deep sympathy with the sufferings of the Christian population in Asiatic Turkey, and trusts that further endeavours will be made to alleviate their lot, and that, for this purpose, concurrent action by the Christian powers, including the United States of America, may be secured.

Sir CHARLES TUPPER. I have much pleasure in seconding this motion. The hon. gentleman was good enough to confer with me with reference to the terms of the motion, and I at once assured him of the deep sympathy of the Government. I am gratified to find that in addition to the Christian powers in Europe who have taken such measures as they were able to take to relieve the Armenians from the great suffering they have experienced, reference is also made to the United States of America, whom, I am sure, we will be glad to see associating with the powers of Europe in this very important action.

Motion agreed to.

FIRST READING.

Bill (No. 104) to amend the Act respecting the representation of the North-west Territories of Canada (from the Senate).—(Mr. Daly.)

PRIVATE BILLS.

Mr. TISDALE moved that Bill (No. 31) to incorporate the Hudson's Bay and Pacific Railway Company and Bill (No. 85) to incorporate the Montreal and Province Line Railway Company be placed on the Orders of this day among the private Bills for consideration in Committee of the Whole, in accordance with the recommendation contained in the eleventh report of the Select Standing Committee on Railways and Canals.

Motion agreed to.

ADDITIONAL SUPERIOR COURT JUDGE FOR QUEBEC.

Mr. DICKEY moved that on Monday next the House resolve itself into committee to consider the following resolution :—

> That it is expedient to amend the Act respecting the judges of provincial courts by providing for the salary of an additional judge of the Superior Court of the province of Quebec, at a salary of $4,000 per annum.

Motion agreed to.

DOMINION ELECTIONS ACT AMENDMENT BILL.

Mr. McCARTHY. Before the Orders of the Day are called, I would like to call the attention of the Minister of Justice to Bill (No. 14) to amend the Dominion Elections Act, as amended by select committee. Yesterday the hon. gentleman who leads the House promised that an answer should be given to-day whether the Government would or would not either put the Bill on the Government Orders or give facilities for further consideration. It has been amended after careful consideration by select committee, and probably it would not take more than half an hour to consider it here.

Mr. DICKEY. It is because I disagree with the hon. gentleman as to the time it would take in discussion here that I am not able to assent to his proposition. The time at the disposal of the House now is barely enough for the actual necessary work of the session ; and, while the main features of the hon. gentleman's Bill commend themselves to me personally, there is in it an element for controversy that, it seems to me, would exhaust a good deal of time. I regret, therefore, that I could not ask the House to put it on their Government Orders, in view of the state of the Government Order paper itself.

VOTERS' LISTS OF 1896.

Mr. DICKEY moved second reading of Bill (No. 87) respecting the voters' lists of 1896.

Mr. CHARLTON. Explain.

Mr. DICKEY. It is to do away with the revision of the lists for this year.

Mr. LAURIER. Why do you not make it permanent, instead of doing it every year ?

Mr. DICKEY. We will consider that.

Motion agreed to, Bill read the second time, and House resolved itself into committee.

(In the Committee.)

Mr. McMULLEN. There is a point in connection with this Bill to which I would like to call the attention of the Minister of Justice. These lists upon which the general election will be held were perfected in 1894, and they will be two years old before the general election takes place. After the general election, I presume, in all probability, there may be some protest and some members unseated. Now, there will not be time to revise the lists before the by-elections in these constituencies will have to take place. Therefore, it will be three years from the time the lists were revised before these by-elections will be held. There should be some provision for perfecting these lists in some way before the electors are called upon, perhaps next September, or from then until next December, to record their votes in these by-elections. There cannot be a revision until a year from next month, but some provision might be made for the elections that I refer to that are to be held in the meantime.

Mr. DICKEY. I think the case is open to the remark that the hon. gentleman has made. I do not know how far it would be right for this House to presume that any member in it is going to be unseated for bribery and corruption and to legislate on that basis.

Mr. MILLS (Bothwell). You do legislate on that basis.

Mr. DICKEY. But Parliament will meet, I assume, very shortly after the elections, and I dare say there will be time to make some provision. I do not think it would be right for the House now to take action on the presumption that there would be any large number of counties opened after the general election.

Mr. McMULLEN. I do not say there will be, but there may be ; and, judging from the past three elections, we have every reason to suppose that there will be a certain number of constituencies in which irregularities occur and the members lose their seats. I wish to secure to the electorate the full exercise of their franchise, and the hon. the Minister of Justice can readily understand that holding an election on a list three years old, many citizens are certain to be disfranchised.

Mr. CASEY. There is another point to which I would like to call attention. It is very proper, I suppose, to avoid the unnecessary expense of a total revision every year. But, on the other hand, the fact remains that at the best, as my hon. friend from North Wellington (Mr. McMullen) has pointed out, the list will be a very old list before the general election comes on, and still older for the by-elections. Therefore, I urge on the hon. Minister the propriety of adding to such a Bill as this, a system of registration of voters who have become qualified since the making of the list, similar to that in force in the provincial elections in the province of Ontario. We all know that, in towns especially, the personnel of the electorate changes rapidly, and that a difference of two years in time will make a difference of a very considerable percentage in the voters' list. A large number of men come of age every year, and come into the enjoyment of income sufficient to qualify them to vote, and it is really too bad that they should not have the right to go upon the voters' list even at the last moment. I need not explain to the House or to the hon. Minister the system in use in Ontario. It is familiar to all the Ontario members, at any rate, and other members must have seen descriptions of it and how it is worked. I think it can be said that the system has worked well in Ontario, and has made the lists used at the elections much more representative up to date of the actual electorate in the country than could have been done under any other system. I would ask the hon. Minister to consider, before this Bill gets through committee, whether he could not add a provision of that kind. I would like to know whether he has considered it, and if so, what he thinks of it.

Mr. DICKEY. The Ontario system is not in use in all the provinces of the Dominion, and the people are not accustomed to it. While it might work in Ontario, I am quite sure that it would not work without experience, and a great deal of machinery, in other parts of the country. Therefore, I do not think it would be practicable at all to put a rider of that sort on this Bill. I do not see how it could be worked out.

Mr. CASEY. The people outside of Ontario are not accustomed to it, but neither were the people of Ontario accustomed to it until recently. Yet the system has worked well from the first. I take it for granted that the people of the rest of the Dominion, and the officials outside of Ontario, are quite intelligent enough to make the system a success in every province. I do not see any objection to making it a rider to this Bill In fact, it would be particularly appropriate.

Mr. IVES. I was going to ask if the hon. gentleman proposes to strike off the names of electors that had ceased to be qualified, as well as to add new names.

Mr. CASEY. That would be a fair arrangement; only that would amount to a form of revision. There is a method of detecting unqualified voters, to a certain extent, by the oath ; there is no means now of obtaining the franchise for those who do not happen to be on the list.

Mr. CHARLTON. The Minister of Justice raised the objection to the proposition made by the hon. member for Elgin (Mr. Casey) that we should make use of the provincial lists, that the system in the different provinces vary, that while that system as worked smoothly enough in some of the provinces, it would require a good deal of machinery and would be difficult to apply the principle. Now, the principle was applied and worked smoothly enough for the first eighteen years of confederation ; and when the Franchise Act was passed in 1885 there certainly was no public demand for a change in the law ; there were no petitions before Parliament asking that any such change should be made ; nobody had discovered at that time that eighteen years' experience had developed any difficulty in the application and use of the provincial lists. When the law was introduced here, it was introduced by the Government for several reasons assigned, and one of these reasons was that it was necessary to establish a uniform franchise throughout the Dominion, and that in adopting provincial franchises we would have a system that varied in different provinces. But before the Bill had been perfected, the Government had adopted this principle, had adopted universal suffrage in Prince Edward Island and British Columbia, had adopted a suffrage based upon personal property in Nova Scotia and New Brunswick, and had established a system under which the qualifications were certainly as varied as they had been before under the provincial franchises. Now, experience proves the operation of this Bill has been cumbersome and very expensive. It costs members who desire to attend to the revision of the lists in their riding large sums of money to do this work efficiently. I suppose the average cost to members throughout the Dominion, in attending to the revision of the lists, is probably not less than $500, and probably the average is $750 of expense to each member, that is, if he wishes to see that the lists are properly revised ; and this is an onerous burden. Then again, people have to look after two lists. A voter has to see that his name has been placed on the provincial list for provincial purposes, and he has to see again that his name is upon the Dominion list for Dominion purposes ; and the fact that two lists are in existence begets confusion and creates trouble.

Now, Sir, although I am sometimes accused of borrowing examples from the United States, I think it is worth our while to look at the experience of that country with regard to this very matter. Of course, the first federal system was established in the United States, and after ten years' experience under the articles of federation, a constitutional convention was called for the purpose of framing a constitution for the thirteen states. Now, the suffrage question was debated by that constitutional convention for a long time, and several propositions were made with regard to the suffrage that should be established for national purposes for voting for members of Congress and President of the United States. One proposition was that there should be a uniform suffrage established by the government of the United States, a uniform basis of qualification throughout the entire thirteen states, and the states that might afterwards be admitted, and that this suffrage should require voters' lists made expressly for the purpose of national elections. Another proposition was that the states should provide for the mode of elections of Congressmen in each state and for the mode of casting votes for Presidents. A third proposition was that the suffrage in existence in the different states should be adopted ; and after the most exhaustive discussion, the decision arrived at by the constitutional convention was that the most popular form of suffrage in each state should be adopted ; and the constitution reads that the suffrage in use in the states for the lowest branch of the state legislature should be used ; and if there was any difference in the qualification, the lowest form of qualification should be the qualification of such states for the election of members of Congress and Presidents of the United States.

Mr. DICKEY. The hon. gentleman knows they have changed that since on account of the supposed misconduct of some of the states.

Mr. CHARLTON. No, they cannot change it, they have not altered the constitutional provision. They have made laws in some states with regard to the proper carrying out of the provision where ballot-box stuffing had prevailed, and there had been armed intervention at the polls ; but the law has been in force since 1784. Now, the experience of the United States for 112 years under this system has proved that it works without friction, that it works to the perfect satisfaction of all classes ; and there has never been in that country the slightest demand for any change in that suffrage.

Now, under the state laws by which this suffrage is provided, there are provisions for registration. Of course their elections come differently from what they do here. Here we have elections when the House is dissolved by the Crown ; there the elections are held at stated intervals by provision of statute, so that it is known when the revisions must be made. But under the provisions of the law the revisions are made and the names are added to the voters' lists for a period within six days of an election, so that there is no possibility of men who are entitled to the suffrage, if they will attend to their privileges and rights, being debarred from them. Here, on the contrary, we have a law and we suspend its operations from time to time. It has been so unpopular in its working that it has been necessary for the Government to do that. The revision of these lists every year would have created so much dissatisfaction, would have been so expensive, as to have led to the repeal of this law. But we go on suspending the revision of the lists, sometimes for one, and sometimes for three years: but we have never held an election in this country on a recent list since this law was passed. The last election was held on a list two years old. There was no citizen of Canada under the age of twenty-three years who had voted in that election, and we are sitting here now as a Parliament elected on a list eight years old. All these things are anomalous. This is a system that does not work properly, it does not work in the interest of the public, it is expensive; it is worse than expensive, and it is not as advantageous as the one which it replaced. It was said in the United States when this question was debated, that it would be desirable to have a uniform franchise and a uniform qualification. But that was set aside, and in some states there was a freehold franchise, in other states there was a property franchise on personal property, in other states there was universal suffrage; and gradually the franchise in the various states came nearer and nearer to the same level, until finally universal suffrage prevailed in nearly all the states. Now, I contend that no good reason has been developed in the experience of the eleven years since we adopted this law, that would warrant us in saying that it ought to continue. On the contrary, abundant reasons have developed in practice for leading us to the conclusion that the sooner this measure is wiped from the statute-books, the better. The local lists prepared for local purposes in the various states are prepared by the representatives of the people; they are prepared by the municipal officers, in Ontario at least. The assessor assesses the taxpayers in the towns, and from that assessment roll they are placed upon the voters' lists. When the township council meet for the purpose of revision, those who are improperly placed on the lists may be appealed against, and those who are not placed upon the list may be appealed for; and when the work of revision is done, there is an appeal to the county judge. That is exactly the system that prevails in England. When we adopted this system in 1885, it was stated that we were doing it because we wanted to have a system conformable to the English system. They had revising barristers there, and we wanted revising barristers here, we wanted a system conformable to the English system. But we have got a system which is the exact antipodes of the English system. The English voters' lists are made by the overseers of the poor. The overseers of the poor are municipal officers, elected by the people. The revision is made by the overseers of the poor, and the final revision is made by the revising barristers in the same way as the final revision is made in Ontario by the county judge, after the municipal officers have done their work. Now, the revising barrister in England is a purely judicial officer. He is appointed, not by the Government, but by the courts, and he holds his office for a limited period: his appointment is temporary and his functions purely judicial. In Canada the reverse is the case. The revising officer is appointed and holds office during the pleasure of the Government, he is a servant of the Government and after he has completed his work he remains a Government official. He is practically a czar, he cannot be reached by public opinion or public protest; no amount of misconduct would succeed in securing his dismissal from office unless the Government chose to do so. After the preparation of the lists they are sent to the Government printing office here, where they are printed under the supervision of the Government, and the lists in many cases are stuffed; the greatest outrages and frauds have been perpetrated after the final revision of the lists by the revising barrister, and after they have been sent to Ottawa names have been put on the list which had not been put there by the revising officer, and names left off that were put there by the revising officer. I received a letter from one of my own committeemen, in which he stated that in his own polling division in the township of Windham there were twelve names on the list which had been struck off by the revising officer, and they got back in some way or other. This whole system is cumbrous, expensive, and is altogether an absurd system under the circumstances of the country. If we return to the provincial lists used before this law was passed in 1885, we would save half a million dollars on every revision, and avoid a vast amount of expense and trouble for the candidate to Parliament and to the public generally. For this reason I urge on the Minister of Justice, who has recently assumed that position, and who appears to be actuated by a sincere desire to discharge the duties of his office fairly and impartially and in the interest of the country, to give fair consideration to these objections. He must know that a list of this kind works very grave injustice in nearly all the by-elections. We have a list practically two years old for the general elections, and for the by-elections the list will be three years old. This disfranchises a very large portion of those properly entitled to vote: it is an unjust law, an expensive law, a cumbrous and absurd law, and no one who understands thoroughly the working of the law will be prepared to deny that such is the case, and I urge on the Finance Minister the propriety of making this suspension of the revision perpetual.

Sir RICHARD CARTWRIGHT. I am myself somewhat of the opinion that it is a great deal more than likely that the Parliament which succeeds this one is likely to deal with this question by briefly disposing of the Act respecting voters' lists altogether and bringing back the provincial lists. But passing over that question, which is within the realms of the future, I want to call the attention of the Minister of Justice to a certain case which I mentioned the other evening and which bears rather considerably, I think, on the point as to whether it is not possible to attain the end in some way and accept for the time being my hon. friend's suggestion with respect to those particular elections which will probably be held after the next Parliament has been elected. I pointed out that in the case of a single county, where the elections had been held on the lists of 1891, the next revision, after an interval of three years, showed there was a change of 1,700 votes in a total nominal vote of very little over 5,000, and an actual recorded vote of, I think, 3,700. There were virtually 1,000 names struck off and 800 names added, to the best of my recollection. The total change in the list during those three years, found by actual count, for all the particulars were obtained as to the numbers in each separate polling division, amounted to 1,700. Looking at that fact it does appear that there is very great force in the objection taken by my hon. friends, and that as it may be difficult to amend the Act so as to make provision otherwise, it ought to be arranged in this fashion, that failing to have the lists revised in 1890, in the case of those particular elections which may occur within a given period, say before 1st March of next year, the provincial voters' lists, if of later date, shall be used. As a matter of fact, the provincial voters' list does include the vast majority of persons entitled to vote, and the anomaly and unfairness of having an election on a voters' list which is three years old, will thereby be avoided. The change is very great in my own province. I am not prepared to speak so much for other provinces—but I may remark that this example to which I have referred is taken from a rural constituency, the great bulk of the population being farmers, and it is well known that the change of population is greater in towns and cities than it is in the rural constituencies. If the hon. gentleman chose to accept that arrangement and use the Ontario lists, which are made every year, as I think is the case with the other provinces, he would not be abandoning a principle. It is our duty, strictly speaking, to provide that every year the voters' lists shall be revised. The expense and inconvenience are, however, so great that we rather have shirked the duty ; but we know there will be a very great number of elections disputed and a large percentage of by-elections will be held in 1897. I think when we are dispensing with the necessity of revising the lists now, although in strictness we should have the work carried out, but it would be very inconvenient to do so, we should make reasonable provision for seeing that the great bulk of the electors shall fairly be represented. That can be done with a minimum of inconvenience by adopting the suggestion I make, and if a revision occurred at a later period no practical mischief could result, and the Parliament which succeeds this will have a full opportunity of discussing the question.

Mr. O'BRIEN. A remark has been made by the member for North Norfolk (Mr. Charlton) of which notice should be taken. The hon. gentleman has stated that twelve names which had been struck off a voters' list, I presume at the last revision by the judge, were found upon the list when it was finally published. That is a very serious imputation to cast upon two officials of the Government of very high standing, the revising officer and the Queen's Printer. I should be exceedingly sorry to have any imputation thrown on the Queen's Printer, in whose hands these lists are kept ; and I should be exceedingly sorry that such an imputation should lie against the county judge who acted as such revising officer. A charge of this character should not be preferred unless there is some evidence laid before the House, and if made, it is the duty of the Government to investigate it. No man's political position will be safe if it is considered possible that any number of names finally disposed of at the last revision before the Court of Revision could be dealt with by anybody at a subsequent period. The hon. gentleman has made a charge of a very serious character, and it should be either refuted or established, and a charge which reflects so seriously on the position of the Queen's Printer should not be passed over, but it should be investigated by the Minister of Justice. I say it should be thoroughly investigated and disproved or established, involving as it does a serious charge against two prominent officials, the revising officer, and an official of high standing here, the Queen's Printer.

Sir CHARLES TUPPER. Mr. Chairman, I think the House will agree with me that so grave a charge as that ought not to be made in this House by any person without some ground being given for it. It is absolutely contrary to all fair dealing that any such insinuation or statement should be made. This amounts to a charge of the grossest malfeasance of office, and no such charge should be made by any hon. gentleman, unless he is prepared to give some satisfactory reason for making it, and then it should demand the most prompt investigation.

Mr. CHARLTON. I may say that when I received the letter referred to, I wrote to the gentleman who sent it, asking him to give the names in order that I might investigate the matter. I have no more at present than the statement of the gentleman, that twelve names were on the list that were struck off by the revising barrister, last revision. This matter has been discussed before in the presence of the hon. leader of the House, and I have made the same charge.

Sir CHARLES TUPPER. I never heard of it before.

Mr. CHARLTON. I made the same charge when Sir John Thompson was leading the House, in reference to a polling district in South Norfolk, in which case I was informed that names not on the list were put on, and names which should be on the list were struck off. I have heard this report from various districts at various times. I do not know that I am warranted in saying that it was done in the printing office, or that the authorities at Ottawa are responsible for it. I can imagine that it might occur in this way : The revising barrister completes his investigation, and leaves his clerk to make out the lists, and it is possible perhaps that those clerks might be tampered with.

Mr. DICKEY. Or make mistakes.

Mr. CHARLTON. I do not know how it occurred. I do not wish to be understood as placing the responsibility on any one in particular, but I believe that such cases have occurred. This is a cumbersome system ; the revision is not carried out in the broad light of day, as is the case with the provincial lists which are prepared before the township councils. The whole system of the Franchise Act leaves it open for these things to occur. In the matter of the provincial lists, men responsible to the people are engaged in the revision, and the ratepayers see that the proper names are on the list. The lists are prepared by the township councils and the final revision made by a judicial officer, who has no connection with the provincial government at all. Under the very nature of the system provided for in our Franchise Act, these things are liable to occur, and they warrant me in the statement that the sooner we get rid of that law the better.

Mr. EDGAR. In my own riding, I know of just such cases having occurred, but I do not blame the Queen's Printer at all. I know perfectly well that I attended the revision in several places in my riding. In the town of Uxbridge I had struck off about seventy voters, and they were marked by the judge in his book as having been struck off. I took them down, name for name, in my note-book, and so did another person who was present. I paid no more attention to the correction of that list, but, when it was finally printed, more than thirty of those names were reinstated, some way or another. I certainly do not blame the Queen's Printer, nor do I blame the revising officer for it. I inquired from the latter gentleman, and I found that his books had been accessible to others, and I have no doubt that his pencil marks were deliberately erased by some one. It was very skilfully done. There were three polling divisions in Uxbridge, but the names were not all tampered with in the same polling place. They were divided pretty equally over the three polling divisions, and even then they were not consecutively arranged by the person who reinstated them, so that they could not be dropped by accident in the printing office. They were distributed nicely over each polling district, in order that the thing might be noticed as little as possible. I do not know whether I was not to blame myself, to some extent, because there is a provision in the law that the candidate, or his representative, can make a final correction of the proofs. I must candidly admit that if that had been carefully attended to, this thing might have been discovered in time. It shows, however, that there is a looseness about the system, and an opportunity for frauds of that kind being perpetrated.

Mr. MARA. The work of preparing the voters' lists could, I think, be simplified and the expense lessened, if the provincial lists were taken in the first place as the basis.

Mr. CHARLTON. Why not take them as the lists ?

Mr. MARA. No ; take them as the basis, and then supply machinery for adding names not on the provincial lists, either by the appointment of a revising barrister or some other person. Then, in an off year, when there is not a complete revision of the lists, you could allow names to be added by a supplementary list. That is the practice followed in British Columbia, and it has been found to work very well. There is not a complete revision of the list every year, but there is an opportunity afforded new comers who are qualified to vote, to get their names on. This list is added to the original list, which is filed in the Supreme Court.

Mr. LaRIVIERE. My hon. friend is considering the matter from the standpoint of his own province, but his suggestion would not work at all in the province of Manitoba. There the provincial lists are only prepared at such time as they are required for provincial elections, and in the case of a federal election we might find that they were four years old. On the other hand, the qualification of voters is quite different. We have in Manitoba one man one vote, while the qualification in federal elections is based on property or revenue. The adoption of the provincial lists in Manitoba would be perfectly valueless to us. They have in Manitoba a similar system to what we have here, except that the revision is not entrusted to the county court judges, but is placed in charge of local barristers selected by the Government, and I have heard a good many complaints as to the partiality of some of those gentlemen. The Dominion lists, on the other hand, are prepared by the county court judges, who are well qualified to discharge the duty, and I do not think there has been the least complaint about them.

Mr. DICKEY. It seems to me that this discussion is taking a very wide range, in dealing with the principles of the Franchise Act. I know it is a very popular amusement in this House to debate the Franchise Act, but that has been pretty thoroughly done during the last few years, and I trust that the committee will not proceed further in that line just now. The practical suggestion before the House is the one supported by the hon. member for South Oxford (Sir Richard Cartwright) ; that is, to make provision for constituencies vacated after the next election. That is, after all, a practical question, to be settled on the balance of convenience ; and looking to the difficulties of making any proper provisions just now—taking, for instance, the question of persons disfranchised under the local lists in the various provinces and other considerations of that kind, and the amount of detail that would be required in a provision to meet the case—it seems to me that the general convenience would be better served by leaving the next Parliament, which will meet probably very soon after the 1st of July, to deal with any case that requires treatment.

Mr. LAURIER. And abolish the Act altogether.

Mr. DICKEY. Well, possibly, under certain very unlikely contingencies. I think that is the more practical thing to do, for we should not in this Parliament, as the hon. member for South Oxford has so often before remarked, deal with matters that can be better dealt with in a new Parliament.

Sir RICHARD CARTWRIGHT. If the hon. gentleman had come to that wholesome frame of mind a little time ago, it would have been better for all parties.

Mr. DICKEY. My conversion has been slow.

Sir RICHARD CARTWRIGHT. I hope it has been thorough, and I may remind him of his conversion before the House rises. I am not speaking without good warrant when I say that the changes have been enormous. I have referred to the revision of 1891, after the general election in the constituency of West Durham. I stated that the total changes had amounted to 1,700. I find that I was mistaken. They amounted to very nearly 2,600, after barely three years ; 842 Reformers were struck of the whole list, and 926 Conservatives ; 489 Reformers were added, and 413 Conservatives ; so that there was a change in that case of very nearly half. I presume that there must have been some rather extraordinary circumstance in that case, but these are very carefully prepared figures, giving each ward in detail. Now, there would be very grave objection to making no provision for the taking of a new election where the changes are as great as those I have mentioned ; and I suppose that similar changes have taken place elsewhere, though perhaps not to so great an extent.

Mr. DICKEY. Is it not a question of when that provision is to be made ? I suggest that it should be left to the next Parliament.

Sir RICHARD CARTWRIGHT. There is perhaps something in the suggestion of the hon. gentleman. On the understanding that the hon. gentleman will carry out that newly formed belief of his, I may be disposed myself to concur.

Mr. O'BRIEN. I do not wish to prolong the discussion ; but in reference to the subject on which I have already spoken, the statement made by the hon. member for West Ontario (Mr. Edgar) does not appear to place the matter at all on a more satisfactory footing. From his statement it would appear that the lists may be tampered with while in the possession of the revising officers. That certainly should not be. Somebody ought to be responsible for the safe-keeping of those lists ; and some executive action should be taken by which the revising officers shall be made to understand that on any future occasion they shall be held responsible for any lists in their possession. Either they or the Queen's Printer ought to be held responsible for the safe-keeping of the lists afer the final revision has been completed.

Mr. MULOCK. I agree with the provision of this Bill as far as it goes. It does not go far enough, in my opinion. It only suspends the revision for one year. I think that is a movement in the right direction. It would have been perfect if it suspended the revision for ever. The remarks made by my hon. friend from North Norfolk (Mr. Charlton) and my hon. friend from West Ontario (Mr. Edgar) go to show how disappointing this measure is and inasmuch as it is a principle upon which we are all committed one way or other, having more than once had mandates from our constituents upon the subject, we are thoroughly in a position to-day to deal with it. It is not like another measure on which Parliament was deliberating a short time ago, when we did not think it would be proper for us to legislate in advance of knowing the sense of the people. On this question, I think there is practical unanimity throughout the whole country in favour of the abolition of the Franchise Act and a return to the provincial lists.

Some hon. MEMBERS. No.

Mr. MULOCK. While one or two may say "No," I think the people are substantially in favour of repeal. Such, I think, is the sentiment of my riding, regardless of party. Those who on each side take part in the work of revising the lists, all agree in private conversation that it has become a nuisance—and worse than a nuisance—an expense to both sides, and of no advantage to any, unless to those engaged in the work. There are a few hundred dollars a year spent in each riding to put the Act into force. That money goes into the hands of printers, revisers and their clerks, with a few outside of them, and to that extent the Act may have some supporters ; but in addition to the direct charge on the treasury, we have the enormous charge on all of those interested in the business. Both sides are obliged to appoint clerks and to take other steps to see that the lists are made correct, and this costs time and money. I am within the mark when I say that the revision in ordinary ridings has cost at times to one side alone nearly $2,000. I do not know what the average would be, but I think I am within the mark in saying that it would be perhaps $500 to each side every time there is a revision. If so, $1,000, at least, of actual outlay is incurred, to say nothing of the waste of time, outside of the expense incurred by the Government itself. Thus, taking the constituencies as numbering 215, we have a cost of about $300,000 to the Government and $200,000 more, at least, paid out by private persons ; so that there is half a million dollars, at least, thrown away whenever a revision takes place. The fact that it becomes necessary so frequently to suspend the revision speaks eloquently in favour of the objections to the Act. You find no redeeming circumstance in connection with it. We have complaints as to how it can be used to defeat the very judgments of the revising officers. The law is supposed, in the abstract, to meet all cases ; but the very point referred to by the hon. member for West Ontario was sought to be guarded against by a recent amendment. It was found, when the last amendment to this Act was before Parliament, that in the interval between the lists leaving the revising officer and the printing by the Queen's Printer, and their being subsequently signed by the revising officer, very material changes took place. It is not necessary to attribute those changes to fraud. It is quite sufficient, and in most cases the proper explanation, to attribute them to mistakes. Any one who has taken part in the revision knows that there is a great deal of detail. Memoranda have to be kept as to the allowance and disallowance of objections, a record is kept of the decisions, perhaps not as accurate and methodical as is necessary ; and so, when the roll is prepared by the clerks, they may, in the very best faith, commit many errors. Very often, even if the lists leave the clerk's hand in perfect shape to go to the Queen's Printer and be sent back to be signed by the revising officer, in the interval, more mistakes may creep in. In order to avoid such mistakes, Parliament provided that the roll should be exhibited for a certain period of time in the office of the revising barrister, so that any errors might be pointed out and corrected. But, notwithstanding that precaution, errors are still creeping in. The law provides penalties for wilful violation, but there is no way of holding persons liable for errors which occur in good faith, so that I doubt if we can improve the machinery so as to secure a more faithful observance of the letter of the law. That being so, it is quite clear that we have arrived at a condition of things when it is impossible to make use of this law in such a way as to have a perfect list, and we are ex-necessitate forced to the conclusion that this system should be abandoned and that we should resort to another, which is conceded to be a better one, the system of adopting the local voters' lists. That has many reasons to recommend it, of which economy is not the least. The circumstances of our country are not such that we can, for no value, spend half a million dollars every time we revise these lists. Moreover, the revision has proved so cumbersome and expensive that the lists are never revised up to date, and elections take place on the old lists. It is recognized in Great Britain that when there is any material change in the list of voters, Parliament should at once go to the country. For example, a short time ago, under the Gladstone Government, the franchise was enlarged, and Parliament, being a representative institution, did not think proper to remain any longer in session, but dissolved at once so as to allow the newly-added electors to have a voice in saying who should make the laws of the country. If that be sound principle, should we not see that we have a system of voters' lists which will represent the electorate to the latest possible date, so that when a dissolution takes place, Parliament will be elected by the electorate of that date, and not by a small section of it. I think I am within the mark when I say that inasmuch as when this approaching election takes place, two years will have elapsed since the last revision, at least one-fifth of the electors will be disfranchised. In two ways we will not obtain the will of the people at the approaching election. In the first place, there will be a larger number upon the list today who are not entitled to vote, and whose names would be struck off if we had a revision. Under the Franchise Act, however, these people will be entitled to vote, because that Act provides that every person whose name is on the last revised list is entitled to vote, no matter if subsequently he may have lost the franchise. In the second place, there is a very large number of persons who, within the last two years, have acquired the qualification, but who have not had the opportunity of having their names added to the lists. So that the Act wholly defeats the spirit of our institutions, inasmuch as it results in the election of a House that does not represent the voice of the people. It appears, therefore, to me that the present is a most opportune time to revert to the old system, and we can do so in a simple way, and in a very short time. Every one is familiar with the present system, and has practically condemned it, and every one is familiar with the provincial system, so that it would only require a little united effort on the part of hon. members in order to at once abolish this old institution and replace it by a new and a better one. On behalf of the unfortunate taxpayers, overburdened to-day with public taxes, our appeal to the Government should be successful. There are many worthy directions in which a half of million dollars could be expended rather than on a worthless institution such as the Dominion franchise lists. We have people in the corridors to-day asking for aid for most meritorious objects, and who are denied it on the ground that there is no money. For example, I understand that delegates are in attendance in the lobbies asking for subsidies to a Dominion exhibition, towards bringing out British associations, and so on, and that there is going to be very little assistance given them because so much public money has to be wasted in putting in force the Dominion Franchise Act and other unnecessary and useless enterprises. I could point out many directions in which this money might be better expended ; I can point out none in which it would be worse. So that under all circumstances, now that the committee is seized of the matter, we should give a coup de grâce to this institution and adopt one that would do justice to all.

Mr. CAMERON (Huron). It appears to me that the solution of the whole difficulty lies in the suggestion made by my hon. friend from North York (Mr. Mulock). If the Minister of Justice would just assume a little courage, and deal with this question by repealing the Franchise Act, it would obviate the necessity of the constant appeals made to Parliament for the purpose of suspending its operation. I look upon the Franchise Act as one of the many mischievous measures that have been pressed through Parliament within the last ten or fifteen years, exceeded in unfairness by no Bill except the Gerrymander Act—and that Act will always stand in the history of Canada as the worst and most unfair Act that ever was passed in Parliament. Except the gerrymander, I do not know of any statute that is more unfair, nor do I know any that is more expensive to both political parties, than this Franchise Act. And now the hon. Minister proposes to suspend its operation for another year. I do not know what the consequences of the suspension will be in other counties, but I know what they will be in West Huron. Let me tell the hon. gentleman that in one municipality of four polling subdivisions there has been no revision for six years, and, if this Bill is carried, the next election will be held on a voters' list six years old. It is true that a court of revision was called, but the revising officer, whose duty it was to attend, did not attend the court. The result is that in the last election they voted on a list five years old, and in a general election they will vote on a list, as I have stated, six years old. The presence on that list of names that ought not to be there, and the absence of names that ought to be there, may effect the result of the election. In part of another township there was no revision in 1895. Now, the Franchise Act is unfair in many other ways ; it leaves entirely too much in the hands of the revising officer. Let me give the Minister of Justice, who has the reputation of being a fair man, one or two instances. In the town in which I live there are several men who have been property owners and voters for thirty years, whose names are not upon the voters' list. Where did that fraud occur ? It must have occurred either with the revising officer or in the printing establishment here. I can conceive of no other way in which it could have occurred. Within a radius of a hundred yards of the house in which I live, there are several men whose names have been left off the voters' list. There are a score of names which, at the court of revision, were directed to be put on the voters' list, but they were not to be found when polling day came. There were scores of names ordered to be stricken off the voters' list that appeared on polling day. I need not tell the hon. gentleman that these names ordered to be stricken off and not stricken off, were not those of Liberals, and that the names that were put on improperly were not those of Liberals. The effect of the last revision of the voters' lists in West Huron has been to deprive the Liberals of very nearly the number of my majority, at all events of a very large number. Now, if the hon. Minister wants to be fair to all parties, let him repeal the Franchise Act, and do what his predecessor, the late Sir John Thompson was inclined to do—adopt the local list. Those lists are cheaper, they are fairer, and they are much less trouble to the candidates than those we use. The time to do this is now. A very short and simple Bill, as short and as simple as the one now before us, will accomplish the whole purpose, and I am satisfied I am within the mark when I say that 80 per cent of the voters within this wide Dominion will be pleased with the change. Let the hon. Minister signalize his advent to the distinguished position he occupies by repealing entirely the Franchise Act and adopting the system his predecessor was inclined to adopt. As long as this Franchise Act remains upon the statute-book, it will be an enormous expense to both political parties, and it will never give satisfaction to either political party. Why, I have heard the strongest Conservatives, who were candidates, declaring that the Franchise Act was one of the worries of their lives—that the expense, the labour and the time consumed in looking after the voters' list were a grievous burden to them. Apart altogether from the expense borne by the Government in paying revising officers, in paying clerks and in printing, the expense entailed upon those who aspire to positions in Parliament is almost beyond calculation. I say again, Mr. Chairman, if the hon. gentleman wants to distinguish himself as Minister of Justice let him repeal the Franchise Act, and cap that by repealing the Gerrymander Act.

Mr. CASEY. I thought that the hon. Minister of Justice probably understood the nature of the Ontario Act to which I referred, but I judge from his answer that he scarcely realizes how simple its provisions are. It applies in the case of the provincial lists to manhood voters--that is those who have no property qualification. I should propose in the case of the Dominion lists that registration should affect those classes of voters whose qualifications can be established without the investigations required in the making up of the ordinary lists or revising of the same, for instance, the sons of farmers and property owners, and income voters. The provisions of the Ontario Act are made to apply tentatively only to the cities, and it might, perhaps, be wise to apply the system with the same limitation in the Dominion, at least to the cities and towns over a certain population.

Under the Ontario system the boards of registrars who make these amendments to the list are composed of certain persons ex-officio, judges, police magistrates, masters in chancery, and so on, according to the size of the city and the consequent probable number of names to be added. These ex-officio registrars may appoint others to assist them as they may be required to do the work. It will be seen that the whole system of registration is put beyond the control of the Government of the day, and vested in official hands, because there the whole board is either ex-officio or appointed by men other than the politicians concerned. Then, immediately after dissolution of the provincial chamber, or after a by-election, if that by-election occurs more than a year after the last registration has taken place, notice is served on this board of registrars by the clerk of the legislative assembly, who discharges the functions there of the Clerk of the Crown in Chancery here, and then the board sets to work. The provision of the law is that within six days after dissolution, or issue of the writ, as the case may be, this board of registrars shall begin to sit, and shall hold four sessions on consecutive days, and during certain hours. Then there is a provision for a board of appeal from the decision of the board of registrars, and the results are finally certified by the registrars to the clerk of the peace.

It will be easily seen that this is a simple and non-partisan machinery, capable of being applied at once to any city or large town in Canada. It also offers to the young men who have come of age and begun to earn incomes since the last registration took place, a very ready way of getting their names upon the list. They simply have to appear and swear to their qualifications, and, of course, are liable to penalties for perjury if they describe themselves wrongly. All that has to be established in the case of the Ontario voters' list, is their age and citizenship. In the case of the Dominion voters, it would be their name, age and relationship to a property owner, such as would qualify them under the law, or the possession of sufficient income, etc. This process would not involve the notices and the lengthy proceedings involved in annually revising a list. It would involve very little expense, and it would bring the lists down to date. Now, we all know that especially in cities that is a very important matter. Why, in a town of some 3,000 inhabitants in my own riding, at the last revision of the voters' list, we were compelled to strike off about 500 names, and add about 300, on a list which originally comprised only about a thousand names; a change of 800 names was made on a list of a thousand, in a case where the list had not been revised for three years. How much more imperfectly it must represent the voting population after six or seven years. Now, if that is the case in a small town, what must be the case in a large city, where the labouring population, especially, changes very rapidly? I think there is an extremely strong case for adding such a provision as this.

My hon. friend the Minister of Trade and Commerce suggests that there ought to be a provision for striking off names. Well, if we went into questions of qualification that would require notice to the parties, and all that sort of thing, and proof of loss of qualification, it would take too much time. It would be difficult to go into such proceedings as that on a hurried registration of this kind, immediately preceding an election. But the Ontario statute, though it does not provide for that, does provide in another form for an amendment of the list, by assessment commissioners in cities, to this extent, that they are to knock off the names of all who have lost their qualification by death since the last registration; and this provides that a certificate of the proper officer to the death of such a person, is sufficient evidence on which to strike his name off the list. Therefore, if these two plans were adopted we would have the list amended; first, in the direction of adding all the names who have become qualified as income voters, or as property owners' sons ; and, secondly, by striking off the names of those who have died since the last registration. I need not urge how important this last step is. It is well known that whoever else may vote at a city election, all the dead men are sure to vote ! The live men may be absent, or may be paid not to vote, or may lose the franchise in many ways ; but the dead men are sure to poll their votes. Therefore, I consider an amendment in this direction quite as important as the other, and I would strongly urge on the Minister, even at this late date, to take the Ontario Act, and with the necessary change of machinery, substituting certain Dominion officials for certain provincial officials who are directed in the Ontario statutes to take action, he could, before the close of this House, a week hence, have this very important addition made to the Bill. There are some suggestions about postponing changes to the meeting of next Parliament. Now, in my opinion, this is just the time, before the elections come on, that such a change should be made. When we have a Franchise Act so oppressive and costly that we cannot afford to put it in operation every year, we have most especial need of this supplementary revision, and I hope the Minister will take that into consideration.

Mr. McMULLEN. There is one point that has been overlooked that I think might be brought to the attention of the Minister of Justice. I have in my hand a copy of a municipal voters' list. I find that there is a column for each different kind of voters. There is, first, the name ; then there is the column for jurors ; then, a column that denotes their qualification ; then a column that sets out the municipal voters : and those who vote on a manhood franchise is also designated. Now, an additional column denoting those who may vote at a Dominion election, could be very easily added to the present municipal voters' list, and an addition of that column, and providing that each municipality at the revision shall adjust the names of the electors properly qualified to vote on the Dominion list, would cover the whole ground. Then the municipal officials would have to give public notice of the day of revision, and those interested, or their representatives, both Conservatives and Reformers, would have full notice to attend. I believe there are no men who are better capable, from personal knowledge, of completing an accurate voters' list for the townships than the reeves and the members of the township council. They generally live in different sections of the townships, and are well acquainted, as a rule, with the residents, and they are better able to say who should vote than any other men you can possibly get. Now, if that addition was made to the present voters' list in Ontario, at least, in my opinion, it would cover the whole ground. Now, I would not, for a moment, cast any reflection upon the revising barrister who has charge of the work in my riding. I believe he started out with an honest intention to make a proper and perfect list, and that he did everything in his power for that purpose. He did his work fairly well, and with a great deal of care. But, after all, it is impossible but that errors will creep in ; men that should be on are not on, and men, in some cases, are off that should be on. Now, with regard to the unfortunate condition, that of young men coming of age, I think it is a low estimate to say that one young man in every twenty of the population comes of age each year. I believe one out of twenty of our population is a young man, twenty-one years of age, and the Minister of Justice will realize that this class becomes a very important addition to the voters' list. One out of every twenty means, in our whole population, 250,000 young men that come to years of maturity in Canada every year. We may say that there are 250,000 young men come of age in 1894, after the revision, and 250,000 more came of age in 1895, and, up to the date of the election in 1896, that will be disfranchised. Now, that is a very serious consideration. I admit that even under the municipal system a certain percentage would be disfranchised. You cannot possibly get any system that is absolutely perfect ; but I do believe that by adding a column to the municipal voters' list in which would be recorded the name of every elector entitled to vote at the Dominion election, would be the nearest thing to perfection that you could possibly get. I commend, in a certain sense, the Government for suspending the revision for one, two or three years, because it is a very expensive thing, both to the country, and to members of Parliament to have a revision every year. Any man who proposes to become a candidate would have to devote his whole time to it the year round. If he is going to attend to the revision of the voters' list and perform the duties devolving upon him as representative, he might cancel every other engagement of life and devote himself to that business exclusively. I think the whole trouble could be avoided by the change I have suggested, and I respectfully suggest this amendment to the Minister of Justice, and hope that something in that direction will be done, and that the country, as well as the candidates for Parliament will be relieved of the enormous expense, annoyance and trouble to which they are subjected in trying to make a voters' list for their ridings.

Mr. CHARLTON. I should like to put this matter in another light in order to impress on the Minister of Justice the injustice of the procedure under this Act. I would ask him what he would think if a Bill were introduced here providing that no Canadian citizen under twenty-three years should have a vote, extending the age from twenty-one to twenty-three. Would that be a Bill which would meet his approval and the approval of the House and the country? Yet that in practice is the effect of the Dominion Franchise Act. At the elections of 1891, we had a list which practically provided that no citizen of Canada should vote who was under twenty-three years of age. The elections of 1896 will be held on a list perfected in 1894, and under that list all citizens under twenty-three will be debarred from voting. In case of by-elections the limit is raised even higher still. By-elections have occurred between the last general elections and the present time, when no one could vote who was under twenty-six years of age. After presenting this view, I am satisfied the hon. gentleman would never consent to enact a law prohibiting men from voting if they were under twenty-three years. It is unmistakable that under the operation of this law citizens will be debarred from voting until they have considerably passed twenty-one years. Still the revision in almost every case occurs many months, or one or two years before the elections. That has been the character of the operation of the Act, and it will continue to be so. It provides a voters' list which can be acted upon anywhere from one to three or four years subsequently to its preparation, so that even young men under twenty-four years of age will be disfranchised. It is a ridiculous, unjust and unnecessary system. All these outrageous provisions are secured at great public cost. The direct cost of a revision is a quarter of a million dollars, added to that is the printing of the lists in the Government printing office and all incidental expenses; and this money is all paid in order that we may inflict an outrage on the voters of the Dominion, to put into operation a law which has practically the effect I have pointed out. The provincial voters' lists are prepared annually. It would be impossible to have a general election held on those lists where any one over twenty-two years of age would be debarred from voting. In Ontario the assessment is made in the winter. The assessors' rolls are completed sometimes in February or March. Then they are submitted to the township council, and on that list the names of persons entitled to the provincial franchise and the municipal franchise are set out. Then the time for holding a court of revision is fixed—the date is known. It does not require any legal machinery to be put into motion to have names placed on the list, but a person whose name is not on the list makes application, and he has his name placed there. If some person's name is on the list which should not be there, a ratepayer comes up and protests against it, and in a most informal manner the circumstances are inquired into and substantial justice is done. Then if any ratepayer in the township holds that the court of revision, consisting of the township council, has failed to do justice, he can appeal to the judge of the county, and there is a final revision made. The list is ready in June, and so it is impossible to hold an election where young men would be excluded if they are more than a few months over twenty-one years. The provincial lists are preferable; they are prepared regularly, the Dominion Government can avail themselves of them without expense, and they are inevitably better lists because they are prepared by local officers and an effort made to do justice. The applicant does not require to send notice in a registered letter or to comply with any legal form; he comes and presents his case before the township council, and it is settled according to justice. It is astonishing that so absurd a law as the Dominion Franchise Act, should be allowed to remain on the statute-book.

Mr. BENNETT. I desire to ask the hon. gentleman a question. The hon. gentleman has said that the provincial lists are to be preferred by reason of this fact, that if a man's name happens to be on the list and some person objects to that name, it is not necessary to serve the individual with any notice or intimation, but the council can act behind his back and remove the name. That is a form of argument which may appeal to the hon. gentleman's sense of honesty, but it is manifestly unfair that a man's name should be removed simply by the interference of some one who applies to have that name removed.

Mr. CHARLTON. I made no such statement, and no such inference can be drawn from any statement I made. I said the proceedings were inexpensive, informal and simple; that a man could apply to have his name placed on the lists, or make application to have a name struck off, but I did not say that the council would proceed to act on it without proof being furnished. I have asserted that the proceedings are more informal, less expensive and more direct than the procedure under this Act before the revising officer. Under the provincial system the whole machinery is more simple and less expensive, and the lists are prepared in accordance with the desire of the people that every one who has a right to vote shall have his name placed on the list. The system of preparing lists in the Dominion is claimed to be substantially the system in England, which we professed to copy when we passed the Franchise law, but which is in no essential respect a copy of the English Act or similar to that law. While the municipal councils make the lists in Ontario, the overseers of the poor who are municipal officers elected by the people, make the lists in England. While the county court judge in Ontario revises the lists as the last court of resort, the revising barrister in England revises the work of the overseers of the poor, and he is simply a judicial officer appointed by the courts, and holding office for a limited term. For all the reasons that have been urged, and in the light of all experience that has been acquired, I assert here that this is an absurd and an unjust and an expensive measure, and the sooner it is repealed the better for the country, and the sooner will be met the wishes of the great mass of the electors of Canada.

Mr. FLINT. This is a very good opportunity for expressing an opinion as to the Franchise Act, and as to the future conduct of Parliament in regard to it. There is no other Act on our statute-books which is more generally condemned by men of all parties and by the country at large. Experience has taught us that the Act is cumbersome, expensive, unfair, and open to almost every objection which an Act of Parliament can be open to. It imposes upon candidates, or their friends, of all political parties, a personal expense and responsibility from which they ought to be freed. It is a well-known fact that in many constituencies hon. members here have been put to great private personal expense in looking after the revision. If they are lay men they feel bound to employ legal advice in order to ascertain the proper procedure under the Act, and they are also compelled to employ agents and assistants in order to present their qualified supporters before the revising officer. It seems to me that any reasonable system of revision should exempt men in public life from all the trouble and expense which this Act entails. There are no complaints in the local legislatures as to the operation of the local franchise Acts in this regard. There is the safeguard that the local revisers are leading men in the community, men of responsibility, who revise in company with their neighbours, and any gross attempt at perverting their duty would immediately lower them in public esteem. There is, in fact, scarcely any charge against the local revisers in any province that they have acted in a violent partisan manner. I am happy to say that with very few exceptions there have been no charges made against the Dominion revising officers. However, in some way or other, it has occurred that in the interval between the lists leaving the hands of the revising officers and their final publication, a large number of names have been tampered with, and great irregularities have occurred. In the case of the addition of one or two names surreptitiously, it is almost impossible, without expensive legal proceedings, to ascertain where the fault lies, and men are inclined to put up with the fraud rather than resort to the expense and trouble necessary to punish those who are guilty. But, Sir, there is a more serious charge against the Franchise Act than that with regard to the private expense entailed on those interested in elections. It has entailed enormous public expense on the country. The predictions made by the opponents of this Franchise Act have been fully verified by experience, and we know that the first revision cost the country over half a million dollars. The Government, in view of increased expenditures and deficits accruing year after year, became extremely anxious that this enormous expense should be reduced, and to a certain degree they succeeded in that, by cutting down the salaries of the officers and the cost of printing. Still, the expense is enormous. All parties agree that the proper working of a Franchise Act should involve its being revised annually, in order that when a constituency becomes vacant, those persons who are entitled to vote should have an opportunity of pronouncing their opinion on the political issues existing at the time. The expense of this Act, so far as the Government is concerned, has been the great bugbear ; and they have from time to time postponed the revising of the lists on this account. We are to-day on the verge of an election in which those who contest the constituencies will be endeavouring to influence voters, a large majority of whom, although on the lists, are not in a position to vote, having either died or left the country, while an immense number of others who ought to vote and assist in moulding the opinion of the next Parliament will be unable to exercise the right of the franchise. Many young men who have come of age since 1894 will find themselves unable to vote. Under a properly regulated Franchise Act, such a scandal, because it is a scandal, would be impossible. In a general election, not a sudden one, from an unexpected dissolution of Parliament, but an election foreseen, which comes from a dissolution of Parliament by effluxion of time, we find tens of thousands, if not hundreds of thousands, of voters unable to exercise the right of the franchise, while the names of thousands of others who have either passed away or left the country, will be on the lists, a subject of embarrassment and danger to those who are endeavouring to conduct the elections honestly. Where large numbers of men have removed from the country altogether, greater opportunities are opened up for corrupt combinations of men for purposes of personating. All these objections combine against the further continuance of this Act on the statute-book. So far were these evils felt by the late Prime Minister that in 1894, he laid on the Table of this House a Bill designed to remedy them. That Bill was received with such favour that I had a strong hope that the Government would again introduce it, and ask the assent of Parliament to it ; and I believe that with some unimportant amendments, which might have been made to it on the suggestion of this side of the House, it would have passed through Parliament almost unanimously. I trust that one of the first acts of the next Parliament, whatever party may be in power, will be to remove this Act from the statute-book, and relegate the preparation of the voters' lists to the various organs for that purpose in the different provinces. While this Parliament may to some extent determine who should be granted the franchise and the general principles on which the franchise should be conducted, a great means of corruption and unfairness, and a source of expense, would be removed for ever. It is a matter of surprise that Parliament has put up so long with this combination of expense and injury to the cause of political morality. The truest interests of the country will be promoted by its repeal.

Mr. FORBES. I want to ask the Minister of Justice, in the event of his having control over such legislation as this in the next Parliament, if there is any possibility of his adopting the suggestion made by Sir John Thompson some few years ago, when he introduced a Bill to substitute for the present cumbrous system, those systems which are in force in the various provinces of the Dominion. If it should be held out to this House, and through this House to the country, that there was a possibility of the present objectionable statute being wiped off the statute-book, possibly a great deal of the feeling which exists to-day might die an early death ; and I should think it would be rather to the interest of the Government, and also to the interest of the hon. Minister of Justice, if he could lead us to hope that in the event of his being honoured with a seat in the Cabinet after the next election, he will, immediately on the assembling of the new Parliament, bring in a Bill, not merely to suspend the vicious operation of this Act for twelve months, but to repeal it altogether, and, following in the footsteps of his worthy predecessor, Sir John Thompson, substitute the systems in force in the various provinces. If we could hope for that, I think we might bear with the Act for the little time it may have to live between now and the coming elections. The suspension of the operation of the Act for one year is, of course, necessary, in view of the fact that it is impossible to have a revision before the elections come on. It will be necessary to have the lists revised immediately after the elections, because, as we can readily foresee, there will be a large number of members returned to this House as supporters of hon. gentlemen opposite by the aid of human devices with which hon. gentlemen opposite are familiar ; and it will be necessary that the causes which led to their return, against the well-known views of their constituencies, should be inquired into by the courts. In view of that, it would be wise and almost essential, that the present electorate should have a voice in the selection of their representatives. If the hon. Minister of Justice himself should be so fortunate as to be returned to support the present Government, for he knows very well that the gentleman running against him, is backed up by a very large number of the best people in the county of Cumberland, that distinguished county will feel not that it is slighted by having the Minister of Justice as its representative ; but some of his followers in that county, as of yore, will certainly have violated the Act, and his seat will rest on a frail substructure, which will be liable to be smashed from under him by the courts of law, and he may find himself without a seat, if he does not do like the coon did to Davy Crocket and as he did before, resign before the gun is fired at him. If in such a case the hon. Minister could find his county without a representative, surely he would not want to go back for election upon a list three years old ? Probably his by-election could not come on until January, March or April, 1897, in which case he would find himself running on a list of September, 1894, and that based to a great extent on a municipal list of the spring of that year. We would have him running on a list three years old, and I know that he would like to thoroughly represent the electorate of the country. When you recollect that there will be in that county thousands of young men who have grown into manhood in the interval, and who are well qualified to record their opinion on the issues of the day, but who by an Act of six or seven lines, passed in 1896, are precluded from exercising the right of a citizen, he must see that to pass this Bill in its present shape would be an insult and a reflection on the standing of the young men of that county. If he would provide that there shall be no revision during the next six months, instead of during the present year, that would be sufficient, because there must be a meeting of Parliament within the next six months, and it will be wise to leave it open for the Governor General in Council to direct that in the fall a revision should take place, so that thousands of young men well qualified to-day to vote should be put on the lists. It would be wise for the hon. Minister to reflect seriously before deciding to force this Bill through in its present shape. The hon. Secretary of State referred to some remarks made by the hon. member for North Norfolk (Mr. Charlton) with reference to the way in which the provisions of the Franchise Act are abused. The hon. member for North Norfolk said that many names were struck from the list after they had passed, or while they were passing through, the hands of the revising barrister, and before they came back from the printing office. It is well known that in scores of instances those lists have been tampered with to the detriment of the Liberal party. After the lists left the revising barrister and were sent to Ottawa, they were tampered with. Between the first time the court sat and the last time the several lists reached the hands of the revising barrister for distribution, the greatest outrages were perpetrated.

Many names were struck off which were put on by the court, and others added which had been struck out.

Mr. SMITH (Ontario). Where was that done ?

Mr. FORBES. In Nova Scotia, in my county.

Mr. CAMERON (Huron). In mine too, I could prove.

Mr. SMITH (Ontario). Give the names.

Mr. FORBES. I could give scores of names. I have no doubt that the hon. member for Ontario (Mr. Smith) himself—I will not say himself personally, but some zealous friend in his behalf—had thus secured undue advantage for his benefit. There is enough human nature in the Tory party of Ontario to take advantage of every opportunity afforded them to score a victory. I have several cases in my mind's eye in Nova Scotia, where, after the revising barrister had met the two counsels representing the parties and had agreed to rectify the lists, the lists were tampered with, while these parties went out to lunch. Names which it was agreed should be struck off were added, and names which it was agreed to add were struck off. It was not at the time suspected that any party to the sitting had been deliberately guilty of fraud, but after the third sitting, when they got through the alphabetical list, the representative of the Liberal party asked permission to check over his list with that which the revising barrister was sending to the Printing Bureau for the first printing. In doing so, he discovered some eighteen or twenty names in this one polling section which had been added or struck off improperly. It was agreed that if the representative of the Liberal party would not make the thing public, such a thing would not occur again. The revising barrister apologized, and said it was done by somebody else while he was at dinner. What was the surprise of the agent of the Liberal party when he found, when the lists came back some two or three weeks later, that these very names which had been struck off were still there, in violation of the first contract. That is a case in which the blunder, as the revising barrister called it, happened at Ottawa. He said he would correct and send them forward, and afterwards he said he had corrected them and sent them forward, and they came back in that mangled condition. It caused the agent of the Liberal party trouble, annoyance and expense to follow this thing up to prove that these lists had been tampered with between the time they were revised between the parties and the last time they came back from Ottawa. They were changed and restored to a fair condition. Now, there is no use telling us who have been through the mill of these revisions, that opportunities are not afforded to the revising officers to tamper with these lists. There is no use telling us that these opportunities are not taken advantage of. I will not say that this is done by the friends of one party entirely. I dare say the agents of the Liberal party do take advantage of it. But there is not a case in Canada to-day that I know of, of a revising officer who is such an over-zealous friend of the Liberal party that he will lend himself to these irregularities for the sake of that party. There are times when it has happened that a very clever agent on behalf of the Liberal party may have induced the revising officer, probably without full warrant of reason, to do things which otherwise that revising officer might not have done. But there are numerous cases on record where the revising officer has lent himself body and soul to assist the Government party in stuffing these lists and in crowding off Liberal names, and so filling the lists with the names of persons pledged to the support of the Conservative party, so that the opponents of the Government are not given a chance to score a victory. It is such things as that that aroused in the public mind the belief that the Electoral Franchise Act is unfair. And as long as the Government persists in appointing partisan revising officers, who place their party ends above reason and conscience and justice, and who lend themselves to unscrupulous acts, the people of this country will take every opportunity to condemn the Franchise Act and to condemn the Government for allowing it to remain upon the statute-book. Sir John Thompson saw that difficulty. Wise statesman that he was, honest statesman that he was, he saw that this Act was leading to the subverting of public opinion, it was leading to the lowering of the moral tone of the officials appointed by this Government and was being used by the emissaries of this Government as a means to entrench the Government in power. It was because of these things that Sir John Thompson desired to repeal the Act and adopt the local franchises of the several provinces as the law of the Dominion. Thus he gave voice, and argument, and reason in favour of the principles that the Liberal party have said for many years should be adopted—the principle of establishing the local franchises as the franchise of the elections for this Parliament. The point upon which the Government for so many years opposed this principle so vigorously and declared so loudly that the Liberal party were wrong, was that this Parliament ought to make a franchise for its own elections. But that has been answered by the ablest jurist the Conservative party have ever had in this Parliament since confederation, and I think it would well become the present occupants of the Treasury benches, if they would follow the course pointed out by that great man, and, by a short and simple Act of this Parliament, declare that the Franchise Act and all amendments thereof shall be repealed and the Franchise Acts of the several provinces shall form and be the electoral franchise system for the election of members for this House.

Mr. IVES. Oh, oh.

Mr. FORBES. I am glad I have the support of the hon. Minister of Trade and Commerce.

Mr. IVES. Especially as regards the adoption of the local lists of Nova Scotia. Of course, they are perfectly fair. Nobody is disfranchised there.

Mr. FORBES. Nobody who did not want to be disfranchised or ought not to be disfranchised. Every citizen who desires to vote can get his name upon the list. The lists are made up fairly. The servants of the Government here, who are controlled directly by the agents of the Dominion Government, who hold threats over them and bring pressure to bear upon them to vote any particular way, have not their names upon the lists. But nineteen out of twenty of them who were on the list, have desired to be deprived of their franchise. The Government railway employees and the customhouse employees whose names have been upon the Dominion lists, have been coerced to support the Government candidates. And when the local elections came on, the attempt was made to coerce them in the same way to vote against the provincial government, because it happened to be a Liberal government, even against their own wishes in many cases. And nineteen out of twenty of them asked to be disfranchised, so that they might be free from the technical influences which this Government exercised upon them in the local elections. You cannot find a more thoroughly representative list of electors than the list of Nova Scotia. It is carefully prepared, made up with very little expense to the several municipalities. The means of proving qualification are the simplest possible, and no man, on establishing his claim, has been refused the right to have his name upon the voters' list. No man's name has been struck off for partisan purposes. These lists are not made up and revised by partisan judges or by representatives of partisan councils. I know that in the county I have the honour to represent, and the same is true of other counties, to my own knowledge, the assessors who make up these lists are chosen from both parties, that is, each party has a representative upon the board of assessors, and no element of partisan politics influences the assessors. To say that the operation of the local Act in Nova Scotia is not fair to the citizens of the province is to say what is not warranted by the facts. I have known of no case of the charge that men have been left off the list in that province which has been sustained by the fact. Besides, the franchise in the province of Nova Scotia is broader than it is in the Dominion elections.

The qualification of the electors in Nova Scotia is broader than it is in the other provinces. In Prince Edward Island it is broader still, and in the province of Manitoba it is also broader. So I think if the Government were to accept the local franchises of the several provinces they would get a stronger electorate and fairer representation of the voice of the people. They would get a fairer opportunity of ascertaining the sentiments of the people on any public question if they were to adopt the electoral lists of the provinces instead of adhering to this ancient, unworkable, unpopular, costly, and, I was almost going to say, iniquitous Act we have to-day. I think it is the duty of the Government to see that no election should be run in this country except upon the latest possible lists. If the elections are held in the month of May or June this summer, we will have lists nearly two years old.

Mr. SMITH (Ontario). How much older than the local lists ?

Mr. FORBES. About eighteen months older.

Mr. SMITH (Ontario). You would have to use the list of 1895 for this election.

Mr. FORBES. Not in all cases.

Mr. SMITH (Ontario). You would certainly have to this year.

Mr. FORBES. I am looking more especially to the case of Nova Scotia. The lists there are being made up now, and in several weeks they will be completed ; full electoral lists of that province will be completed and ready for use ; so that when the elections take place on 18th June, as we are told they will by the Government papers this morning, we will have lists not eighteen days old on which to run the elections. You could not get better lists if this Government were to exhaust all their ingenuity in devising federal machinery for the purpose. I do not know what would happen in Ontario, but I do know that the local lists must have been made up in 1895 in Ontario.

Mr. SMITH (Ontario). They were finished in the fall of 1895.

Mr. FORBES. That would make them fourteen months newer than the list on which we are going to run our elections this year. Therefore, according to my hon. friend's contention, it is the bounden duty of the Government to amend this section which the Minister is trying to put through the House, and add a provision that in the prospective election the several electoral lists last prepared in the provinces of this Dominion, shall be the lists upon which the elections shall be held. How simple that would be. What a representation that would give of the popular voice on these great questions which are before the electorate. You would know then without a shadow of doubt the opinion of the electorate upon the

Remedial Bill which we have discussed so long in this House. I am sure the Government would not want to submit another Bill without first obtaining the voice of the people upon the question; and if the policy of the Government on this question should meet with the approval of the electorate, and a majority of members should be sent back to support the Secretary of State, the godfather of the Bill, then he would feel safe in going forward and submitting another Bill. What would be better than for the Government to take the local lists and make them the basis upon which to hold this election ? I think the Minister of Justice and the Government are making a constitutional mistake, I think they are practically violating the constitution of our country. There is no doubt that under our form of constitutional government the Ministers in charge of the affairs of the country are responsible to the people. True, it is said that they may only appeal to the people once in every five years. Now, why is it that they do not desire to get the latest view of the people upon the public questions of the day ? Why is it that they are afraid of the voice of the people ? Why does the Government do everything it can to prevent the people from expressing their views ? We have pleaded time and again that the important matters of legislation which have been submitted to Parliament this session should remain in abeyance until after the people had spoken upon them. We reiterate that plea now in respect to all the important questions which will be submitted at the next election, and we ask that the entire electorate shall have an opportunity of expressing their views, which can only be done by appealing to an electorate based upon the local lists. I think if the Minister of Justice will look at this matter from the standpoint of a constitutional lawyer, he would say to his colleagues in the Government: It is most unfair that we should debar so many of the electors of our country from taking part in this election, and I feel disposed to ask Parliament to suspend the operation of this Act for one year, and to accept the local franchises of the several provinces. I think if the Minister of Justice was to take that bold stand, he would be commended by all the people of the Dominion. He has mapped out for himself in Parliament a course which shows that he is not willing to violate the constitution and to run counter to the sentiments of the electorate. If he would adopt the suggestion I now make to him he would add one more laurel to his wreath. Let him ask that the Bill stand over, and that the Government accept this amendment and give to all the electors of the country an opportunity of expressing their views upon these important questions.

Bill reported, and read the third time, and passed.

MONTREAL TURNPIKE TRUST.

Mr. FOSTER moved that the House resolve itself into committee to consider a certain proposed resolution (page 2229) respecting the Montreal Turnpike Trust.

Mr. LAURIER. Perhaps the hon. gentleman will now make his explanation in regard to this resolution.

Mr. FOSTER. Without going into the early history of the matter, suffice it to say, that by an award of the commissioners given a few months since, the Montreal Turnpike Trust bonds, which by the award of the commissioners in 1870 had been made an indebtedness to Quebec, was given the Dominion, so that we became sole creditors of that company. The total amount of the bonds that are now out—more have been issued—is to the value of between $187,000 and $200,000. Of these bonds, the Dominion Government owns the value of $187,000, practically they own all the bonds, having got them on two investments, one the investment made by the old province of Canada on Indian funds account, and the other a purchase by the Government in 1871, I think, from the Union Bank. However, at present the matter stands in this way, that the bonds outstanding are of the value of $187,000 held by the Dominion Government, and we are practically sole creditors. Interest has been paid on these bonds, upon the Indian fund investment ones to 1871, and upon the Union Bank purchase, I think, up to 1881. Since that time no interest has been paid, and the accrued interest and the principal standing in our books at the present time amount to about $310,000. The total accrued interest, together with the principal, would come to over $400,000; but some time since we ceased debiting these accounts for arrears of interest from year to year, so in our books the indebtedness stands at $310,000. After looking the whole matter over, and talking it over with the trustees of the Turnpike Trust Company, and having a conference as well with the Quebec government, we came to the conclusion that it was necessary, in order that we might realize as much as possible from this asset of the Dominion, to put it on a basis which would give the Turnpike Trust Company some fair grounds for redeeming its bonds and at the same time paying its interest. The Turnpike Trust Company have at the present time about fifty miles of road under its charge. It had more, but certain portions of the road they formerly possessed have been commuted as to their tolls by the municipality of Montreal, and instead of paying tolls they are allowed interest upon a capital sum, and the amount fixed for the basis of commutation in the case of Montreal has been the rate of $4,000 per mile. We adopt that same basis of commutation, and ask in this Bill for power to allow the Montreal Turnpike Trust Company to issue bonds on that basis; that is to say, that practically we will cancel all indebtedness; issue 200 bonds of the value of $1,000 each, on the basis of $4,000 for each mile, there being fifty miles; and pay interest at the rate of 3½ per cent, a condition being attached that all surplus funds over and above what are necessary to pay expenses, $7,000 interest on the bonds, shall be used in redeeming outstanding bonds. Taking the history of this company, taking the increased outlay, which of course in different years varies very much; looking also at the fact that electric railways are now running and others are being projected which will diminish to a certain extent the income of the trust, the calculation is arrived at that there will be probably, unless the revenue falls away more than is expected, the sum of from $8,000 to $10,000 of surplus each year. $7,000 of that sum will be necessary to pay interest on the bonds, and the rest of the surplus will go for the redemption of the bonds this year. We think this arrangement would place the trust on a basis upon which the company will be able to pay us the interest each year, that we will be able to cancel a certain number of its bonds, and that each year, by calling in bonds and saving the interest thereon, we will put the bonds in a position of appreciation, so that the trust will be placed on a basis of solvency, and ultimately we will get the face value of the bonds, $200,000, and accrued interest in the meantime. I have looked into the matter as carefully as possible, as have also the officers of my department, and we have come to the conclusion that this is the best basis on which to place it. The Quebec government have a joint interest in the trust in a certain way—the province has always had the appointment of a certain number of trustees. It has signified its assent to this arrangement, and promised concurrent legislation, which is necessary so far as that province is concerned. That is briefly a statement of the case. Any further explanations necessary will be given on the Bill when the clauses of the Bill are considered in committee, or at the present time, as hon. gentlemen opposite wish.

Resolution considered in committee and reported.

It being Six o'clock, the Speaker left the Chair.

After Recess.

MANITOBA AND NELSON VALLEY RAILWAY COMPANY.

House again resolved itself into committee on Bill (No. 65) to incorporate the Manitoba and Nelson Valley Railway Company.

Mr. FOSTER.

(In the Committee.)

Mr. MACDOWALL. I beg to move, Mr. Chairman:

> That section three be reconsidered and that subsection two thereof be struck out, and that the following, being the clause reported by the Railway Committee, be substituted therefor:—
>
> The powers granted for the construction and operation of a line between Portage la Prairie and Gladstone shall not go into effect if the Manitoba and North-western Railway Company gives this company reasonable and proper running arrangements for its trains and traffic between Gladstone and Portage la Prairie; and, in event of there being a disagreement between the said companies as to what are reasonable and proper arrangements, the question in dispute and the price, terms and details of such arrangements and the agreement to be entered into between the parties shall be settled by the Governor in Council upon the application of either party, and his determination thereon shall be final and binding upon both companies.

Notice of this amendment was given on the 6th day of April, and it is in the Votes and Proceedings of that day. When the Bill came up before the Railway Committee, the Manitoba and North-western Railway Company objected to its line being paralleled from Portage la Prairie to Gladstone, and the clause was put in which is in the Notice paper of the 6th April. This was assented to by the promoters of the Bill, and owing to the routine proceedings not being forwarded to Toronto, the solicitors of the Manitoba and North-western Company had no notice that any change was intended. The substituted clause which was moved by the mover of the Bill, gives the Manitoba and North-western Company no protection at all, simply permitting the Governor in Council, if they choose, to suspend the construction between Portage la Prairie and Gladstone. It remains there as a constant menace to the Manitoba and North-western Railway Company. I hope, Mr. Chairman, there will be no objection to this motion. The Manitoba and North-western Railway Company has already completed between two and three hundred miles through this country, and if this Bill were carried, as it stands now, it would do them very great damage in their desire to complete the railway. I therefore hope that the committee will agree to reconsider this section 3, and adopt the amendment which was agreed to by the Railway Committee.

Mr. FLINT. What is the nature of the amendment?

Mr. MACDOWALL. The Manitoba and North-western Railway Company and the Canadian Pacific Railway occupy a certain narrow territory west of Portage la Prairie, and those two roads are ample for that territory. This road is proposed to parallel these lines for fifty-two miles, and there is really only traffic for the two lines. It is proposed to have running powers over the Manitoba and North-western for the fifty-two miles, and if any difference arises between the two companies as to that, the Railway Committee of the Privy Council shall have power to adjudicate between them. That seems to be fair.

Mr. FRASER. Does the hon. gentleman mean that we can give running power over another road by an Act of Parliament, without the consent of the other road ?

Mr. MACDOWALL. Failing an agreement between the two companies, the Railway Committee of the Privy Council shall have power to arrange the terms.

Mr. FRASER. I am very doubtful if we can do that.

Mr. MACDOWALL. This amendment was agreed to by the Railway Committee of the House, and then the Manitoba and Nelson Valley Railway Company proposed an amendment in the face of the one adopted by the Railway Committee. The Manitoba and North-western now seek to have the amendment which was adopted by the Railway Committee incorporated in the Bill.

Mr. CASEY. Why was not this amendment inserted in the Bill by the Railway Committee ?

Mr. TISDALE. The amendment was adopted by the Railway Committee and subsequently, when the Bill came into Committee of the Whole, the present amended clause was substituted for this one. What the hon. gentleman asks, is to strike out the amendment adopted by the Committee of the Whole, and to insert the amendment adopted by the Railway Committee. Both parties were before the Railway Committee.

Mr. CASEY. I do not know that it is within the power of the House, after having passed this Bill through Committee of the Whole, and made certain amendments, to reverse that process now, and strike out the words that we, in our wisdom, saw fit to put in, and reinstate the words that we, in our wisdom, saw fit to strike out. I would like to have the opinion of the leaders of the House on that point of order, and your ruling, Mr. Chairman.

Mr. DEPUTY SPEAKER. What has been already adopted in committee on this Bill we cannot now undo without the unanimous consent of the committee. The only way to make the change would be, on the motion for the third reading of the Bill, to move to go back into committee for the purpose.

Mr. FLINT. I would be disposed to favour the views of the promoters of the Bill as far as possible ; but I think the explanation has not been very clear as to what the effect would be of passing the Bill just as it is, except that it would compel this company to parallel two existing lines of railway, which of course is not desirable. If the effect of this amendment would be to prevent that, I think the committee might possibly strain a point and allow the amendment to be substituted.

Mr. TISDALE. I think the point of order should be disposed of before we discuss the merits.

Mr. CASEY. Your ruling, Mr. Chairman, is that if anybody objects, we cannot go on. For my part, I wish to hear full reasons for the change. If these are satisfactory, I will not object. If they are not satisfactory, I shall be inclined to insist on the point of order. I want to get the reasons why the promoters of the Bill ask the committee to reverse its judgment.

Mr. MACDOWALL. Mr. Chairman, as you have ruled that I cannot move this now, I beg leave to give notice that I will do so on the third reading of the Bill.

Amendment withdrawn.

On section 6,

Mr. SUTHERLAND. At the last moment I have received a very important communication in reference to this Bill, complaining very bitterly of the change that has been made without notice to the parties interested, especially the Manitoba North-western Company, since the Bill left the Railway Committee.

Sir CHARLES TUPPER. The hon. gentleman will see that the matter is disposed of for the present by the ruling of the Chair that the change can only be made on the motion for the third reading of the Bill. That will give time to consider the objections that have been made.

Mr. CASEY. I understood you to rule, Mr. Chairman, that the change can be made now by unanimous consent.

Mr. DEPUTY SPEAKER. But there is not unanimous consent. The amendment has been withdrawn, and there is no use discussing it now.

Mr. SUTHERLAND. Even if the hon. gentleman has withdrawn the amendment, it is the privilege of any member of this committee to take exception to this clause, if he chooses to do so. I have not had time to examine into the objections made by interested parties, though they seem to be worthy of consideration. We know that the owners of that road have invested a large amount of Canadian capital in it, and I think it would be very unfair to pass legislation in the way we are doing without giving them notice.

Mr. DALY. The ordinary notice was given.

Mr. SUTHERLAND. The letter which I have just received and opened since this committee has been in session, states most emphatically that they attended the Railway Committee while this Bill was passing through that committee, and that certain amendment which they thought affected their interests were made at the last moment without notice to them, and they ask that before the Bill be passed, they should be heard by Parliament. That is only fair and right. The letter, which I shall be pleased to hand to the members of the Government, has impressed me, on hurriedly reading it, that the objection is well taken. I understood the hon. member for South Norfolk to say that he had received some notice of this objection, and if so, I think the Minister of Railways ought to take it into consideration, and explain to the committee his views with regard to it. I am perfectly willing to say frankly that I am not prepared at the moment to say whether the objection is well taken, or what amendments should be made; but I do claim that in the face of these important statements we should not proceed with this Bill hurriedly, but should give an opportunity to the parties to be heard, unless the Minister has had the matter under his consideration, and can explain it to the satisfaction of the House.

Mr. HAGGART. The fullest possible notice has been given; it has been given here this evening; and the proposed amendment of this clause can be brought up on the third reading stage when we can have a full discussion as to whether the one clause or the other should be adopted.

Mr. SUTHERLAND. In a matter of this kind, which was discussed at great length before the Railway Committee——

Mr. DALY. It was not discussed at all.

Mr. SUTHERLAND. Well, it was consented to by the Minister acting for the Government.

Mr. DALY. The amendment before the House was put on the Order paper in the ordinary way, and the gentlemen got the same notice that anybody else got, that this amendment was to be moved in committee. No advantage was taken of them, and if there is any objection to the amendment, it can be considered on the third reading.

Mr. MACDOWALL. They did not receive notice, and therefore I have brought up this motion to-day. As the Chairman has ruled that it is out of order, I give notice that when the Bill comes up for the third reading, I will move it, and endeavour to get the amendment of the Railway Committee approved of.

Mr. McMULLEN. Are these lines already constructed or in course of construction?

Mr. DALY. No.

Mr. TISDALE. The whole discussion has been properly ruled by the Chairman to be out of order; but if the hon. gentleman will allow me, I will state the facts as I understand them. The Manitoba North-western Company, who are asking to have this amendment changed, have their road constructed. The other road is not constructed. It is a road running about 600 miles north and it will parallel the Manitoba North-western for a distance of 40 or 50 miles. When the Bill was before the Railway Committee, it was made a condition that the company should not have power to construct at all, provided they could make an arrangement with the Manitoba North-western for satisfactory running powers, which was to be decided by Order in Council. Subsequently the wording of this clause, I understand, was not considered satisfactory to the promoters of the other road, and they asked the Committee of the Whole to change the wording of the clause, which was done. So far as my feelings go, I think it is only fair for the Manitoba and North-western Company that the fullest discussion should be had before this amendment is made, because it is one of the few roads in the North-west, the promoters of which have put their money into it. As the point of order has now been raised and there will be the fullest possible opportunity for discussion at the third reading, I suggest that we suspend discussion until it is in order at the third reading. At that time, unless I be satisfied by reasons adduced that the decision of the Railway Committee was not a good one, and that the amendment put in by the Committee of the Whole was a better one, I propose to uphold the decision of the Railway Committee.

Mr. MILLS (Bothwell). Were both companies represented before the Railway Committee, and did they give their assent to the amendment?

Mr. TISDALE. Both companies were represented, and the Railway Committee came to a decision, after hearing both.

Mr. SUTHERLAND. A gentleman, whose name I have no objection to giving, if necessary, and whose name would satisfy the House that he would not make a statement which is not reliable, protests against this amendment as a breach of faith, and that sufficient notice was not given of it. It may be possible that notice was given, according to the rules of the House, that the amendment was intended to be made in Committee of the Whole, but no hon. gentleman will say that that was a fair notice to the parties interested, especially when no opposition was expected to the Bill as it left the Railway Committee. I agree with the chairman of the Railway Committee. I am not in a position at present to take exception to the amendment, except from the strong statement made to me by this gentleman who claims it is a breach of faith. He says that they appeared before the Railway Committee, and that the solicitors of this company, with the consent of the Minister of Railways and the Railway Committee, did agree to a certain amendment which was adopted by that committee, and that without any notice to them, it was changed in Committee of the Whole, and that the wording of the amendment is such as to undo completely the agreement that was entered into between them with the consent of the Minister of Railways and the Railway Comittee.

Mr. HAGGART. Does he say that the Minister of Railways was a party ?

Mr. SUTHERLAND. It reads here that the Minister of Railways consented. Of course, the hon. Minister was present. We all consented. The Railway Committee consented to the agreement come to between the solicitors. I appeal to the House to say that when legislation is before the committee, and the solicitors, in good faith, have come to an arrangement with which the committee is satisfied, this House, as a rule, is satisfied, if no public interest is interfered with. If the Government of this House, however, considered it desirable or necessary to change the decision come to by the Railway Committee, the parties are at least entitled to notice. This is a breach of faith, and the proper procedure now is for this committee to rise, report progress and ask leave to sit again.

Sir CHARLES TUPPER. There is no necessity for that, because all that is necessary is to proceed with the Bill, and on the third reading this matter can be reversed, if it is the wish of the House, after full examination, to do so. The hon. gentleman would defeat his own object, because then we would not have the opportunity which would afterwards be given, on the third reading, to move to substitute the clause as it came from the committee.

Mr. SUTHERLAND. With that understanding, I shall make no objection now. I have no desire to oppose the Bill, but I only rose, in view of the strong statement made to me, that this amendment was a breach of faith.

Mr. MACDOWALL. Of all the members of this House, I am the most concerned in this amendment being carried. I know that no one in the North-west desires in any way to burk the remainder of the Bill. They merely wish to have this amendment, and this can be fully discussed and carried on the third reading.

Mr. CASEY. The House may not choose to go into committee when the Bill comes up for third reading.

Mr. FOSTER. He cannot make it now, that is his only chance.

Mr. CASEY. It is only in committee that a full discussion of such a question can be had, and it would be better to leave the Bill in committee until it can be so discussed.

Section 6 agreed to.

On section 8,

Mr. FORBES. On what ground does this railway, which is being constructed through the prairie lands of the North-west ask this Parliament to allow it to issue bonds or debentures to the extent of $20,000 per mile ? This is greatly in excess of anything the company can require, and when these debentures are placed upon the market, with the stamp and approval of Parliament, investors are induced to purchase them, who otherwise might not do so. This is largely in excess of the requirements of the road.

Mr. DALY. It is exactly the same as any other road.

Mr. FORBES. Not for any road in the country I come from.

Mr. DALY. We are not talking of your country.

Mr. FORBES. I am speaking of what is right and fair. Whoever heard of a man getting the full value of his property returned by way of mortgage ? The cost of this road cannot be more than $25,000 per mile.

Mr. FRASER. I think we should get over this kind of nonsense about how much we will permit companies to lend. For myself, I believe that it is not a question for us at all, but for the investors themselves. If any man wants to lend $5,000 or $10,000 or $100,000 let him do it.

Mr. DICKEY. Free trade.

Mr. FRASER. Decidedly. And I am glad to know that the hon. Minister is a convert to that sound doctrine. I hear a good deal about Parliament restricting this man and that man, as though the men who invest money were simpletons.

Mr. GIBSON. Some of them are.

Mr. FRASER. Then they are all the more likely to be deceived if a definite figure is mentioned for such bonds as these, making it look as though the investment of this amount had received the imprimatur of Parliament. But there is no man going to invest a dollar in a railway company without seeing what that railway is like. Again and again this question has come up and I wonder that my vigorous words and better sense have not had more effect. I know that the level-headed men in this House agree with me that the House has nothing to do with this kind of thing.

Mr. McMULLEN. I have strongly urged before now that it was folly to grant charters to parallel existing lines. There is no way by which the construction of railways can be frustrated so well as by granting charters indiscriminately. No doubt, this line will be looking for a land grant. We have already granted to railways about 44,000,000 acres of the arable land of the North-west, of which 25,000,000 went to the Canadian Pacific Railway. Now, with regard to the very serious amendment that is going to be made to this Bill——

Mr. DEPUTY SPEAKER. We are not on that. The hon. gentleman is speaking on the preamble of the Bill, which is already carried. An amendment has been taken up. We are at clause 8.

Mr. McMULLEN. I was coming to that point. I am sure that the members of the Railway Committee, and I think I may safely say the chairman of that committee is against allowing the issue of bonds far beyond the cost of constructing a road. I have had some experience in railways, and I know that, in a level country, you can build a road complete with rails and stations and a sufficient quantity of rolling stock, for $5,000 a mile less than the figure here given. I do not quite agree with my respected friend (Mr. Fraser) on this subject. Where you are constructing a line through a difficult country it may be necessary to grant very extensive bonding powers, but granting powers for $20,000 a mile for a road presenting no engineering difficulties is unwise. My hon. friend says that if the English investors are foolish enough to put their money in it let them do it. But we know very well that the money for these enterprises must come from England, and we should do all that is necessary to maintain the credit of our country and of our public enterprises. To allow parties to sell bonds for more than cost of a work may result in injury to the credit not only of our railways but of all our incorporated companies.

Mr. CASEY. It is not often I have to disagree with my hon. friend from Guysboro' (Mr. Fraser), especially where a question of free trade is involved. But when it comes to free trade in railway bonds, I cannot go the whole way with him. It is all very well to say that English investors are sharp enough to look after themselves. But when English investors see an Act of this Parliament authorizing the bonding of a road for $20,000 a mile, then, accustomed as they are to the careful and business-like methods of railway legislation in the old country, they come to the conclusion that this House and its Railway Committee have satisfied themselves that there is some relation between the amount of bonds and the value of the work.

Mr. MILLS (Bothwell). That is because the Act mentions a sum.

Mr. CASEY. As my hon. friend from Bothwell (Mr. Mills) suggests, the Bill would be less likely to deceive investors in England if it named no limit at all. If the English investors were left to themselves, they would themselves place the limit upon the investment, but when they see an amount stated, they take it for granted that we have done our duty as legislators and that this is a safe amount to loan. We all know that it does not cost anything approaching this sum to build and equip a road through that prairie country. I should say that $5,000 a mile for construction through that northern country, which is approximately the district traversed by this road, is about the correct figure. The hon. member for Alberta will know that better than I do, and he will agree with me, I think, in that. I believe I am putting it at an outside figure. For us to authorize this company to issue $20,000 bonds per mile for such a road, is, I think, improper on our part. It is useless to argue that we have been in the habit of acting in this careless manner before? That is quite true, but I think it is time we stopped. Our railway legislation as a general thing has been too careless. We have been accustomed to take it for granted that when the solicitors on both sides have agreed, as has been mentioned once or twice, and when the Minister of Railways did not make any objection, everything was all right. I think we should have a more careful system of legislation. Now, I move, in pursuance of the views I have expressed, that the words "twenty thousand" be struck out of this clause, and the words "twelve thousand" be inserted in lieu thereof. Of course that is not an exact valuation of the road, but I think it is coming much nearer to it than the amount now mentioned in the section.

Mr. DEPUTY SPEAKER. The hon. gentleman cannot move that now because no notice has been given of it.

Mr. GIBSON. I understood you to rule that the committee should confine themselves entirely to the clause now under discussion. If we pass that clause as it stands, we shall authorize the company to raise bonds and debentures to the extent of $20,000 a mile. Well, any hon. member who has not had an opportunity of visiting the North-west Territories and Manitoba, will feel inclined to think that $20,000 was a very modest sum for which the road might be bonded. But after visiting that country and looking at the level prairie over which the road is intended to run, without a stream to cross, without a public highway to cross, without an overhead bridge to build, and no grade to contend against, with a 20-foot trestle sufficient to cross the widest stream —when you consider all these things, you will think that $20,000 is too high a figure to put in this section, even if we allow the standard weight of rails at 100 tons to the mile, and allowing the most fancy prices for steel rails at $30 a ton, you have $3,000 a mile. Then allowing 1,760 yards to the mile, and ties 2 feet apart, at 50 cents each you arrive at $1,320 a mile. Adding the cost of the rails and the cost of the ties, you can only bring up the cost of this railway to $4,320 per mile. The grade is not heavy, I say as a practical man that the cost of grading will not be $500 to $750 per mile. They will simply have to put in the plough and turn a furrow to divert the water from the track, and take the loose earth thrown up by the plough and pack it between the ties, and the result is that that railway can be built for from $5,000 to $6,000 per mile; and yet this company asks this House to give them bonding powers to the extent of $20,000. It simply means that the promoters of this road can put into their pockets $10,000 a mile, if they should succeed in floating bonds in England at par. The worst feature of this scheme is that immediately after this clause we are now discussing, wherein they ask for legislation to enable them to float bonds to the extent of $20,000 per mile, they ask this House, in clause 9, to give them power to enter into an agreement with the Manitoba and North-western, the Winnipeg and Great Northern, the Manitoba Railway, and the Canal Company. Here you see in a moment that this is simply a scheme got up by the promoters of this road to put into their pockets $10,000 a mile if they succeed in getting this Parliament to give them this power to bond the road for $20,000 per mile. I am safe in saying that the road will not cost more than $6,000 or $7,000 a mile, or $8,000 at the most, when all equipped, so that you have a margin of $12,000 a mile; and allowing $2,000 for floating debentures, the promoters will have a clear margin of $10,000 a mile. They admit that they are asking this legislation to enable them to transfer their interests to other roads not at present in existence. Any one who has visited that country is aware that nature has provided the most easy means of building railways all over the North-west Territories and Manitoba; and when we consider that even in the eastern provinces railway promoters are content with a margin of $20,000 per mile, you will see the extraordinary nature of this proposed legislation where we are asked to empower the promoters of this railway to go to the money markets of Europe and to pledge the good faith of Canada to the extent of $20,000 a mile in bonds and debentures. I say, Mr. Chairman, it is time we should stop and think, and that we should not pledge the credit of Canada to every wild-cat scheme that comes before this House. I endorse every word that has been spoken by the hon. member for Elgin (Mr. Casey), and I think that $12,000 a mile is ample for all purposes of this railway. I enter my protest as a member of this House against this Bill empowering this company to pledge the faith of Canada to floating bonds to the extent of $20,000 a mile.

Mr. CASEY. I now give notice that I shall move this amendment on the third reading of the Bill.

Mr. CAMPBELL. I also wish to enter my protest against this Bill. In my opinion this is a most absurd and ridiculous clause, and ought not to be passed into legislation. The hon. member for Lincoln (Mr. Gibson), who has a practical knowledge of the subject, estimates that the road will not cost more than $6,000 or $7,000 a mile; yet it is proposed to give the company bonding powers to the extent of $20,000 per mile. The committee has already passed the clause under which the capital of this company to build this road, 600 miles in length, is to be only $2,000,000 with $200,000 paid up. So the position is this: The road is proposed to be 600 miles in length, the paid-up capital will be $200,000, and the company ask bonding powers to the extent of $20,000 per mile, or $12,000,000. The scheme is so absurd that it cannot be defended for a moment, and such a wild-cat scheme should not be submitted to the House. It is one of the most outrageous pieces of legislation ever proposed. Not only does this company propose to build 600 miles of railroad, but they want also power to build steamers, telegraph lines, public warehouses, and in fact almost everything. No doubt, if this Bill goes through, the company will subsequently apply for a railway subsidy of $3,000 or $4,000 per mile. Then the company can go to England and float their bonds, pointing to the fact that the Canadian Parliament has given them bonding powers to the extent of $12,000,000. In this way investors living in the old country are led to place money in schemes that do not earn dividends. The result of this system is that the prospects of meritorious schemes are injured. The committee should hesitate before it proceeds further with the consideration of this Bill, in regard to which notice of important amendments has already been given. The Bill should be referred back to the Railway Committee, and an opportunity given for all parties to be heard. I am thoroughly opposed to the whole scheme, and the Bill should not be further pressed.

Mr. FRASER. The hon. member for Kent (Mr. Campbell), no doubt, feels he is doing great service to the English money-lenders. I am sure that those investors must feel safe when they have an hon. gentleman rising in Parliament in order to protect them from being robbed of their money. It would be much better, however, that we should pass on to the next clause, which is really an important one. I give notice that on the third reading I shall move an amendment to section 9, which allows two-thirds of the shareholders to decide important issues. I remember a case in point. There was the New Glasgow Iron and Coal Company, and the New Glasgow Steel Company, and it was resolved to amalgamate the companies. Amalgamation was supported by 98½ per cent of the shareholders, there being 1½ per cent hostile. The question was fought in both Houses, that the right of amalgamation should not be given, even if there was a fraction, equal only to about 1 per cent of the shareholders opposed. Yet under this Bill it is proposed to give two-thirds of the shareholders the right to carry an amalgamation scheme.

Mr. CASEY. I shall require very full explanations of this Bill.

Mr. DALY. This Bill is being talked out, and the people interested will understand it.

The time for Private Bills having expired, the committee rose.

MONTREAL TURNPIKE TRUST.

House again resolved itself into committee on resolution (page 2229) respecting the Montreal Turnpike Trust.

(In the Committee.)

Sir RICHARD CARTWRIGHT. Is this a private corporation, or a semi-municipal corporation, or what is it ? Who are the trustees ?

Mr. FOSTER. There are five trustees, two of whom are appointed by the Quebec government, and three by this Government. The trustees for the present year are Mr. Richard White, president ; Mr. A. Lamarche, vice-president ; Mr. Doran, Mr. Deguire and Mr. Lapointe.

Sir RICHARD CARTWRIGHT. How was this trust created, and how did we come to be mixed up with it ? The hon. gentleman told us that we become liable for this, under some decision of the arbitrators, but if I understood him aright, he said the investment had been made on account of some Indian funds.

Mr. FOSTER. Both are right.

Sir RICHARD CARTWRIGHT. What was the nominal rate of interest ?

Mr. FOSTER. Six per cent.

Sir RICHARD CARTWRIGHT. Did we lend $200,000 to this trust ?

Mr. FOSTER. No. This was a trust created by Lower Canada in 1841 by legislation in that year, and there was also legislation with regard to it in succeeding years. The persons incorporated were empowered to issue debentures at a certain interest. If by reason of the tolls not being sufficient to pay the expenditure, arrears of interest accrued, the government of Lower Canada was in a certain way responsible. They had the power to pay these arrears of interest. The trust was created by the Parliament of Lower Canada, and when the provinces were united it became a subject of further legislation. The government was empowered to invest in those debentures—not this Government, but the government of Lower Canada, and afterwards the government of United Canada. They did invest on account of Indian funds, a sum which, in the end, became lowered to $67,200. That became ours at confederation. $120,000 were also held by the Union Bank, and I think in 1871 that was taken over by this Government, so that the Government became the possessors in these ways of $67,200 and $120,000 of bonds, making $187,200. It was supposed that these were guaranteed by the Quebec government ; by the government of Lower Canada in the first instance. The award of the first commissioners in 1870 made the provincial government liable for these. Quebec, however, traversed that claim, and the whole case was argued before the present arbitrators, and last year a decision was given absolving the provincial government from liability, and making us the creditors of that trust fund ; so that we have to look to the trust fund to-day for the $187,000. The accrued arrears added to that principal, amount at present to about $410,000. These bonds bear 6 per cent interest. They have been in arrears in one case since 1871, and in the other case since 1881. In consequence of the development of electric railways, it has been practically impossible for the trust to discharge the interest at 6 per cent, and make repairs and meet their expenditures. The basis upon which we propose to put this is the same as that taken for commutation by the municipality of Montreal, on the basis of $4,000 per mile of their road. That, on the fifty miles of road, makes $200,000. I am asking power to replace the present debentures by debentures for $200,000 at 3½ per cent, and so put it on what I think will be a solvent basis.

Sir RICHARD CARTWRIGHT. It does not appear that the security is worth one solitary cent. They have been in arrears of interest on one part since 1871, and on the other part since 1881. If it has been honestly administered, what is the use of talking to us about 3½ per cent, or any other per cent ? What chance have we of getting any interest out of it, if for fifteen years not one copper has been paid ? Apparently, this belongs to us now. How do the Quebec government come to appoint two commissioners?

Mr. FOSTER. They have now no interest, so far as holding the bonds is concerned.

Sir RICHARD CARTWRIGHT. Then, why not take it and make the best we can out of it ?

Mr. FOSTER. That will not commend itself to the judgment of the hon. gentleman as being the best thing to do.

Sir RICHARD CARTWRIGHT. I do not think anything could be worse than what we now propose to do ? Supposing this trust to be honestly administered, of which, of course, we have no evidence, pro or con, it has not paid one copper of interest for fifteen years. I suppose the reason they did not pay any interest was because the expenditure they incurred was so great as to absorb all the tolls. What good is there in our nominally throwing off $200,000 and taking $200,000 worth of bonds, which there is no sort of presumption can be made to pay anything at all ?

Mr. FOSTER. There are two reasons which I think the House will consider sufficient. In the first place, we had nothing to do with the management of this road until the award of the arbitrators made these bonds practically our property. Therefore, we owning practically all the stock, have the appointment of all the trustees. We have appointed three trustees, and we have got the management down to a good business basis ; and the result of the last year's business has led us to suppose that our calculation will be about correct.

Sir RICHARD CARTWRIGHT. Have you any balance sheet ?

Mr. FOSTER. Yes.

Sir RICHARD CARTWRIGHT. Then lay it on the Table ; we would like to see it.

Mr. FOSTER. Of course, as I stated this afternoon, the expenditures have varied from year to year, according to the amount of repairs that have been put upon the road. The revenues compared with the expenditure for a series of years, taking into account the present conditions of the road, leave it a fair matter of conclusion that, with prudent management, the expenditures may be made, the tolls collected, and from $8,000 to $10,000 of surplus obtained each year. Seven thousand dollars of that would pay the interest upon the bonds, and the policy of the Government is to devote the surplus, whatever it may be above the $7,000, to the retirement of bonds. In that way the bonded indebtedness becomes yearly less, and consequently the burden of interest on the trust becomes yearly less. I do not think there is any ground for doubt, though of course you cannot tell what may happen, that if placed on this basis, and properly managed, as it will be under our direct supervision, the asset, which has been perfectly useless to us for a number of years, will realize that amount of interest on the $200,000 of bonds while they run, and the ultimate payment of the bonds themselves.

Sir RICHARD CARTWRIGHT. Can the hon. gentleman inform us why no interest was available during all that period ?

Mr. FOSTER. Simply because the expenses took up the whole of the revenue.

Sir RICHARD CARTWRIGHT. Under the same management ?

Mr. FOSTER. There is an entirely different system. The trustees, for a long period, were practically unlimited, but we have brought them down to a limited number, and are taking the greatest care in the appointment of them.

Sir RICHARD CARTWRIGHT. How long has Mr. White been president ?

Mr. FOSTER. Two or three years, I think.

Sir RICHARD CARTWRIGHT. Who was his predecessor ?

Mr. FOSTER. I do not know.

Mr. CASEY. Does the Minister consider the assets of this trust good value for the present amount of our claim ?

Mr. FOSTER. No, I do not think they are, otherwise I should have asked that bonds be issued to the amount of our claim. But it is, to my mind, perfectly impossible for them to pay interest and keep the road up, if our full claim of $410,000 is insisted upon. It is possible, I believe, if it be put down at this reasonable amount, that we may get the interest on the bonds.

Mr. CASEY. Has the hon. Minister had a valuation of the assets by any competent parties?

Mr. FOSTER. There can be no valuation except the tolls.

Mr. CASEY. Has he had any valuation of them?

Mr. FOSTER. The yearly statement shows the amount of the tolls.

Mr. CASEY. The Government are practically the sole owners at present, and I do not see what they are to gain by taking $200,000 of bonds at 3½ per cent, instead of leaving our whole claim as it is. We are entitled to all the earnings over and above the expenses ; then, why not let the management go on and pay the Government whatever profits there may be ? It seems to me we would then get all that the road is capable of earning. By diminishing our claim one-half, and taking only 3½ per cent, we are debarring ourselves of this property in the future if it becomes more valuable.

Mr. OUIMET. The property does not increase in value. On the contrary, it decreases on account of the electric tramways covering the whole island, either now or in the near future.

Sir RICHARD CARTWRIGHT. It does not appear to me that we are getting any sort of consideration. Are we to make good to the Indians the value of their interest ?

Mr. FOSTER. No, it was simply an asset that came over to us at confederation.

Sir RICHARD CARTWRIGHT. It is an asset for which we are, I suppose, to account to the province of Quebec.

Mr. FOSTER. That has been accounted for, I suppose. This is our part of it.

Sir RICHARD CARTWRIGHT. I doubt that. I fancy this may result in our paying money out. The receipts amounted, in 1895, to $52,000, and the disbursements were as follows: Labour, stone-breaking, stone purchase, coal oil, winter contracts and petty accounts, $30,788. That may or may not be a correct statement. The road may be well-managed or it may be ill-managed. This is a case in which, if the road has come recently into our hands, our own engineers ought to have examined and reported upon it, and we should take a year of actual experiment to see how it works. We cannot be any worse, and we may make a considerable saving. I notice an item of general expenses, amounting to $6,390.68. What is that? Then, there is an issue of debentures of some $20,000. What they were for does not appear.

Mr. FOSTER. You have there the items, and, if we look at the items, we will probably get at the general expense.

Sir RICHARD CARTWRIGHT. Your general expense is $6,390.

Mr. FOSTER. That would be the expense of engineers, &c.

Sir RICHARD CARTWRIGHT. Have you any detail of that?

Mr. FOSTER. No.

Sir RICHARD CARTWRIGHT. The point I make is this. The hon. gentleman tells us that we have a claim of $400,000. He proposes to take $200,000, and does not get one particle additional security by releasing the other $200,000. And he proposes to make the interest 3½ per cent. That may be all well and good, or it may not. There appears to be some subsequent creditors to ourselves. I see debentures issued. Is there a number of creditors behind us? We are the first mortgagees of this road; are there second mortgagees?

Mr. FOSTER. We hold practically all the debentures.

Sir RICHARD CARTWRIGHT. Here are $10,000 issued in 1893. Has the hon. gentleman been buying those debentures?

Mr. FOSTER. No. That was in 1893, but you do not find any in 1895.

Sir RICHARD CARTWRIGHT. I see, in 1895, under the head of disbursements, $2,800 paid, and $3,200 in 1894, and $19,800 paid in 1895.

Mr. FOSTER. Those debentures are issued in the one year and then paid out of the receipts in the other. As I understand it now, the turnpike trust is practically free from debt other than the $187,000 debentures which we hold.

Sir RICHARD CARTWRIGHT. It would appear that what ought to have gone into our pocket as interest, has gone to pay second mortgagees. Our claim was the first. Very considerable sums have been paid out to subsequent mortgagees. That is not right. The first mortgagees should have been paid.

Mr. FOSTER. Take 1893, for instance. If the receipts were not sufficient to make the necessary repairs, for repairs had to be made in order to run the road and collect the tolls, advances were required, and those debentures covered the advances.

Sir RICHARD CARTWRIGHT. That is a mighty ingenious hypothesis which the hon. gentleman has made without looking at the facts. In 1893 the receipts were $58,000, and the total expenditure about $43,000, so that it would not have applied in that particular case. I do not greatly believe in this haphazard way of doing business. I think that the Government, in this matter, having a large claim of $400,000, should have an investigation made by competent authorities, as to what this property is really worth, and also what it could be worked for.

Mr. FOSTER. What recourse has the Government?

Sir RICHARD CARTWRIGHT. It could take these 50 miles and have them run in a business-like fashion, if it is good for anything. These 50 miles, with a revenue of $52,000, may be a good property or a bad one, and it is quite clear we are going to abandon our claim and are not going to get anything from it. If there is anything to be made, we are to have $200,000 at 3½ per cent; where the rest of the money, supposing there is a surplus, is to go, I do not see. It does not go into our pockets, that is clear.

Mr. FOSTER. Whatever surplus there is will redeem the bond.

Sir RICHARD CARTWRIGHT. Our bonds? To whom will the property belong, then?

Mr. FOSTER. That is a long way distant. The Government has the appointment of the trustees.

Sir RICHARD CARTWRIGHT. We are the owners; I do not see the fun of issuing bonds to ourselves. If we are not the owners, but are going to be the owners in the long run, who will benefit ultimately by this arrangement, if it prove to succeed?

Mr. FOSTER. It is the turnpike trust, managed by trustees, and we appoint the trustees.

Sir RICHARD CARTWRIGHT. Is it to be our property?

Mr. FOSTER. It would seem to belong to us, as far as the management is concerned.

Sir RICHARD CARTWRIGHT. That is not as clear and definite an answer as we should expect. Who is to be the ultimate beneficiary in the matter ?

Mr. OUIMET. The public of the island of Montreal. This was a Government commission, just like the harbour commission, and for many years it was administered by trustees appointed by the Government. I am not in a position to say whether it was the negligence of the Government of the time or not, but the result of the administration was an accumulation of indebtedness larger than the original capital advanced, which was $187,000. Every cent taken out of the people who travel on these roads, is so much taxation taken out of the people of Montreal and the surrounding country.

Sir RICHARD CARTWRIGHT. I see that very clearly.

Mr. OUIMET. If the Government at the time did not see that this turnpike trust was properly managed and paid its interest, as it went along, the Government would be the parties to suffer for it.

Sir RICHARD CARTWRIGHT. Not the innocent inhabitants of the island of Montreal.

Mr. OUIMET. I do not think that would be fair. This is a very practical arrangement, which will enable the original capital to be reimbursed with reasonable interest at 3½ per cent. The money will cost the Government only 3¼ per cent. These trustees will be appointed by the Government, and the property will be public property. Whenever the indebtedness is paid off, the people who belong to the island of Montreal will be relieved of the tax in order that these people should have to pay nothing less than is necessary to keep up this service. These toll-gates are a nuisance. In every civilized country they have been taken away.

Sir RICHARD CARTWRIGHT. What I wanted to know was who were to benefit ultimately by this arrangement. The hon. gentleman tells me, the inhabitants of the island of Montreal.

Mr. OUIMET. I hope so.

Sir RICHARD CARTWRIGHT. Well, I have the greatest desire to see the people of the island of Montreal profit, but I might respectfully suggest that there are other places besides, that would like similarly comfortable arrangements.

Mr. OUIMET. But after this is settled the property will be public property. The turnpike trust is a Government commission, and these roads are public property. They were supposed to be the property of the local government up to last year, when the division of assets between the Dominion and provincial governments was made, but now this property has reverted to the Dominion Government. That is the reason why we have to deal with it, and I think it is much wiser to bring it down to a business footing and really try to get back what we can. We shall get back more than the capital invested, and I should say that after this is paid and the property is free, I should think that those who are entrusted with the conduct of affairs of the country at that time will see that a fair arrangement is made for the Government as well as for the public. In the meantime we shall have paid off not only this indebtedness, but also the interest at the reduced rate.

Mr. O'BRIEN. What amount was charged to the Dominion Government at the division as the value of this property ?

Sir RICHARD CARTWRIGHT. About $300,000, I think the Minister said, but the sum due is about $400,000. In one sense or other this owes us, say, about $400,000 to-day.

Mr. FOSTER. With the principal and arrears of interest—yes. I think the common-sense way of looking at it is simply this :—There was a trust which was managed by trustees appointed by the provincial government. There comes a time when the Government has the bonds of that trust to the amount of $200,000. The Dominion supposes that Quebec is at the back of that as guarantee and charges that against the Quebec government, believing that the Quebec government will ultimately be liable for it. That opinion was based upon the award given by the arbitrators in 1870. That award, however, has been reversed, Quebec having taken exception to that liability. The award now given is final and the Quebec government is absolved from liability in that respect. So now we have no one to look to but the Montreal trust. For these bonds, part of which we hold from 1871, and part from 1881, we have received no interest. It came to be practically impossible for us to enforce our claim. The management of the trust paid out everything that was received in expenses and repairs on the road. Their balance sheet from year to year showed that everything that was taken in was paid out.

Mr. CASEY. There was a surplus of $15,000 last year.

Mr. FOSTER. But their balance sheet on the whole from year to year showed that everything was paid out.

Mr. CASEY. I beg the hon. gentleman's pardon. One balance sheet showed the surplus of $15,000.

Mr. FOSTER. But I am taking an average of years. The time comes when the concern gets into our hands as sole creditors, and we have the appointment of trustees. We have appointed trustees, reducing the number to a workable board. I do not know, but I think under the old management there were some 20 trustees. During the last year we have reduced this, I think, to five, and we have put the whole affair under good management. Now, the whole question is whether we shall insist upon the arrears of interest which will bring the claim up to a total of $410,000——

Mr. MILLS (Bothwell). Will not the city of Montreal take it all ?

Mr. FOSTER. That may be. They have not made any such proposition. If we take the basis of commutation which the city has made with the company for certain parts of the road, we find it was $4,000 per mile. Put it on that basis. There is a fair chance that the trustees appointed by the Dominion Government can work that out, paying 3½ per cent interest. I do not think that they could do it with the whole indebtedness and at the rate of 6 per cent. You must recollect that as the years go by there is increasing desire to get rid of tolls and toll-gates and toll roads. There is also the extension of electric travel which, of course, diminishes the tolls. Taking all these things into consideration, if on this basis we can get back the face of our bonds and a fair interest, it is certainly better than leaving matters as they are. I do not think we can push matters to the extreme with any hope that the trustees can work out the indebtedness. On the basis here proposed there is a chance for them to work out the indebtedness. It is a practical question whether we shall take this and realize upon our asset or whether we should leave it in the old form.

Mr. CASEY. The Minister says he thinks the view he takes is the common-sense view. It seems to me that the phrase is scarcely applicable. He tells us that he does not know exactly how things stand. He thinks there were formerly twenty trustees and that now there are six. But he is perfectly sure that the management at the present time is good. He says that the Government own the whole property of the trust and are entitled to every cent the property earns. But he says the trust could not pay us the amount of our claim. Now, whether they could pay us the whole of our claim or not, they could at least pay us as much as could be made out of the property. Yet the hon. Minister proposes to be content with half our claim and with 3½ per cent interest and to give up our position as sole owners. We are to take bonds under the Act 59 Vic., chap. 65 of the legislature of Quebec, which appears to be an Act to authorize the trust to issue bonds. But it does not appear that we are to be the only bondholders.

Mr. FOSTER. If the hon. gentleman refers to that I say that the power to issue bonds is limited to $200,000 and the Act was passed with a view to carrying out this arrangement.

Mr. CASEY. Then that is cleared up, and we shall be the only bondholders. If we have the road under good management under the Government's own trustees, why not leave it as it is, and take what it is able to pay ? Why not get everything there is in it, instead of going through the form of reducing our claim to $200,000, and going through the form of assenting to 3½ per cent interest ? We do not know that they can pay even as much as 3½ per cent interest. They have not been paying anything for years past. Why ? Because, the Finance Minister says they have been paying everything out. But it appears that in the only year the record of which we have before us, they made $15,000. Where did that go to ?

Mr. FOSTER. It went into the road.

Mr. CASEY. The trust say it did not. They say they had that surplus over expenditures of all kinds. It must have gone into somebody's pockets. It did not go into the road, or that would have appeared in the accounts.

Mr. OUIMET. It went into the bank.

Mr. CASEY. No doubt, but not without somebody's name attached to it. It would be deposited, I suppose, to the credit of the Turnpike Trust. The Minister of Finance, does not even know himself—well, he gave one name, but he does not know the number of the trustees, and cannot tell us what has become of that $15,000 profit made in one year, and why the Government did not call upon the trust to pay that over with the interest they owed to this Government. Now, what does it matter whether the interest is 6 per cent or 3 per cent? We should have had that $15,000 paid over to this Government in that particular year. The Minister of Finance says that on the average year they made no profit, but he gives no figures to back that assertion. The only account he lays before the House shows a profit of $15,000 in one year ; and yet he says on the average year there was no profit. I cannot accept that statement on the face of the evidence laid before the House. There have been other years when there have been $15,000, or some other amount of profit made, and whether that has been put into the bank or into the hat, we do not know. We know there are very convenient places always for surpluses of this kind to slip into about election times.

Mr. FOSTER. Now you are getting on to familiar ground.

Mr. CASEY. Yes, very familiar ground, indeed. We are accustomed to that sort of thing, and we cannot avoid a suspicion of that kind in a case of this sort, and the Minister knows well that the House and the country will feel that suspicion. Now, on the whole, I think it would have been much better to take the line the Minister of Public Works has taken, and to say that it was proposed to make this arrangement as a present to the people of Montreal.

Mr. OUIMET. It is not a present. I said that this road had not been properly managed, and you can see that by the results. If it has not been properly managed, are the people of the city of Montreal to pay for that back expenditure? The people of Montreal agree to take more than the original indebtedness and to pay the interest off and repay the capital.

Mr. MILLS (Bothwell). They ought to have it, then.

Mr. OUIMET. It is a public road.

Mr. CASEY. The Minister of Public Works has said in effect that this will be a present to the people of Montreal. When the Minister of Finance was asked to whom the benefit would accrue, he could not tell, but the Minister of Public Works told for him that the benefit would accrue to the people of Montreal, by a reduction on the tolls, I suppose.

Mr. OUIMET. This must not be considered as a revenue-bearing property. This road was originally for the public, and was the property of the general public. The Government took hold of it and managed it for the public, and the result was a deficit. Now that the property is better managed, it is in a position to make a return.

Mr. CASEY. The Minister stated distinctly that if there was any reduction in the cost of managing that road, or any reduction in interest payable upon these bonds, the benefit would accrue to the people of Montreal. He said that every dollar that that trust earned came out of the people of Montreal in the shape of tolls. That is perfectly true. Every dollar that a toll road earns comes out of the people who pay the tolls. He says it is not a question of a revenue-earning concern. It is a revenue-earning concern; it is a profit-earning asset, and the Government has invested in the bonds of that revenue-earning property to the amount of $187,000, largely the property of our wards, the Indians, to whom we must account for that money so invested. It is our absolute duty, without regarding the people of Montreal, in the first instance, to see that we get what that investment calls for. It is not our duty, as trustees of the Indian's money, as trustees of the money of the people of Canada, to buy up toll roads for the relief of the people of Montreal.

The Minister of Public Works says we are getting tired of toll-gates. So we are; but how are toll-gates abolished throughout the country? Does the Government buy them, or does the district buy them up? The city of Montreal bought up the tolls on part of those roads, at the rate of $4,000 a mile, and that is a perfectly legitimate transaction. The city council of Montreal takes the money of the people and buys up, at $4,000 a mile, the turnpike trust interest in certain miles of that road. Now it is proposed that this House shall, to a certain extent, repeat that operation with the people's money. I will tell you what is done elsewhere, where toll roads have been abolished. In my own county, there is a toll road, and a negotiation was set on foot to purchase that road by the county of Elgin. What is the course that is to be pursued? An inquiry has to be set on foot, before a commission, into the management of that road from the time it started, in order to put a value upon the road as a revenue-bearing property. Those who manage the road have got to give an account of how much they spent in repairing it, and how much they put in their own pockets, and so on.

Now, in this case, before we make any bargain with that turnpike trust—which is not a public trust, or it could not give bonds, it is a property vested in certain incorporated persons as a turnpike trust, who give bonds and who have the handling of the moneys received and disburse any profits arising from this transaction—I say we should make these people give an account of their stewardship during all the years they controlled that road, and we should ascertain the value of the road as a revenue-paying property, and then decide whether we could reduce our claim against them or not. In the first place, it is our duty to get all that claim if we can; in the second place, to get as much as we can; in the third place, before we make any reduction of our claim, to ascertain what the value of the turnpike is as a revenue-paying property. In one year it was $15,000, or over 3 per cent on this $400,000. Now, I say that this is a proposal either to relieve the people of Montreal of tolls, or else to relieve the individuals who compose the turnpike trust, of the interest. If that property is entirely ours, if we have the power of appointing trustees, we can appoint efficient men, we can have them do the work on a business basis, and we can make all that there is to be got out of it.

The whole transaction has been brought so suspiciously before the House, the explanations come out in such a roundabout way, imperfect ones in the first place, from the Minister of Finance, others which showed the real drift of the transactions coming from the Minister of Public Works, that this House cannot be satisfied that this is an honest attempt at legislation. I believe it is an attempt to make a present of half of this claim, either to the residents of a certain neighbourhood, or to put it in such a shape that individuals may make a large profit—of course, a political profit is the end in view for those gentlemen who organize it. It is a nice thing to say to the people of Montreal: We have relieved you to the extent of $200,000; but I do not think that is a use to which we can honestly agree to allow our public money to be put.

Sir RICHARD CARTWRIGHT. I would point out to the Minister of Finance that, according to the statement now in the hands of the member for Simcoe, the net profits for last year were put at $13,000, being roughly about 3 per cent on $400,000. Now, I would have no objection in the world to taking a less sum than $400,000, but it does appear to me that before we conclude this matter, it would be far better to sell this for what it was fairly worth to the people of Montreal, or of the island of Montreal, and let them paddle their own canoe, and manage this according to the best of their ability. It does not appear to me that we are doing any good to ourselves. Hon. gentlemen tell us that we are really controlling the Montreal Turnpike Trust, and have the appointment of the trustees, or the majority of them. Why the Quebec legislature should have the appointment of two, if they own none of the bonds, I do not exactly see. Still, as we have a majority, it does not much matter. But we are virtually making arrangements with ourselves, we make arrangements with men whom we ourselves appoint. The thing virtually amounts to this, that of the $12,000 a year, we expect to receive $7,000, and then to apply $5,000 in liquidation of this claim. Well, that is all very well, but it practically amounts to this, that at the end of twenty or twenty-five years, we will have taken, practically, about ten shillings in the pound on our claim, and I suppose that the people of Montreal will have the road free. I suppose that is the upshot of it. That does not seem prima facie an arrangement we ought to carry out until we have made further experiment with respect to the property; and we should obtain some additional security, such as debentures of the city of Montreal, which the city can well afford to give to the Government. That would be a business-like arrangement of the matter. In the present instance, we are really dealing with our own funds.

Mr. McCARTHY. Suppose there is a surplus over and above the payment of interest on the debentures, who is to receive it ?

Mr. FOSTER. It will be devoted each year towards retiring bonds.

Sir RICHARD CARTWRIGHT. That we own.

Mr. FOSTER. Yes.

Mr. McCARTHY. When they are paid, who will get the surplus ?

Mr. FOSTER. When they are paid off, which may be a long time, the Government will receive it.

Mr. OUIMET. Twenty years hence the Government will still appoint the trustees. It will be a matter of arrangement.

Sir RICHARD CARTWRIGHT. I guess the arrangement will be such that the inhabitants of the region, if the debt is paid off, will get free tolls.

Mr. OUIMET. That cannot be, because the cost of maintenance is $40,000 a year, and the revenue is only $52,000.

Sir RICHARD CARTWRIGHT. We will not get the benefit.

Mr. McCARTHY. Is this an incorporated company or a corporation ?

Mr. OUIMET. It is a public corporation in the same sense as the Montreal Harbour Commission or Trust.

Mr. McCARTHY. I think the better way would have been to have realized the asset.

Mr. FOSTER. This arrangement will place us in a position so that we can realize something from it.

Sir RICHARD CARTWRIGHT. I do not think so.

Mr. OUIMET. The arrangement made by the municipality was on the basis of $4,000 a mile, and we have taken the same basis as a basis for settlement.

Mr. MILLS (Bothwell). With whom ?

Mr. OUIMET. With the turnpike trust. Suppose the city of Montreal bought it, you could only ask for $4,000 a mile.

Mr. MILLS (Bothwell). Would not that be a very much more satisfactory way of dealing with it ?

Mr. FOSTER. We cannot force Montreal to buy.

Sir RICHARD CARTWRIGHT. What on earth is the good to us. We are entitled to $12,000 a year, which is the surplus. Why should we not take it ?

Mr. FOSTER. Under this arrangement we get everything the road earns. We put it under fair management, and as directly as possible under our own control. The interest on the bonds is to be paid, and any surplus above payment of interest goes towards clearing off the face of the indebtedness. But it is perfectly hopeless to pay interest on $410,000 at 6 per cent, and endeavour to make the road pay.

Sir RICHARD CARTWRIGHT. Here is a surplus of $12,000 a year, which is sufficient to pay 3 per cent on $400,000. Why should we not have that surplus ?

Mr. FOSTER. That amount is for the year 1895.

Sir RICHARD CARTWRIGHT. I am taking the president and secretary's own statement.

Mr. FOSTER. Who said you were not ? I am not asking the hon. gentleman to take my statement. No doubt the year 1895 shows a surplus of $10,000 or $15,000. If you take different years you will find that some years show a surplus and other years a deficit. During some years a large proportion of the roads have to be repaired at great cost. No money will be put into anybody's pocket or go into anybody's hat. The surplus varies. If you take the history of the trust for some years, it will show during some years large deficits and during other years surpluses. Under the arrangement proposed, whatever the surplus it goes to the Government; that is, it retires bonds, and thus diminishes the trust's indebtedness to the Government.

Sir RICHARD CARTWRIGHT. What good is that? What advantage is that to us? We are entitled to the whole of the surplus, and why should we not require the payment of it. The hon. gentleman proposes to take $200,000 in lieu of $400,000, and there is no apparent reason why we should do it when the road is earning $12,000 or $13,000 a year. That is enough to pay 3 per cent on $300,000 and leave a surplus. The hon. gentleman does not get one copper's worth of additional security by this arrangement. I could understand an arrangement with a solvent party like the city of Montreal, which might offer us its bonds to the value of $200,000, and I would approve such an arrangement, because we could then get out of this business. But I do not approve of striking out by a stroke of the pen $200,000 which belongs to the whole population of Canada, until, at all events, we have tried what this road is really worth, and know more about it than we have learned to-night.

Mr. IVES. It is like the case of a merchant or banker writing off one-half of an asset. This road is the property of Canada. This asset, as stated by the Finance Minister of Canada, is placed at $410,000, and he proposes to enter it at $200,000, and to issue bonds representing that amount. But every dollar earned will come to the Government, and when all the liability is paid off, the road will be in possession of the Dominion. This is a common course followed by business men; it is writing off a debt at 50 cents on the dollar. If the assets show a further sum, we keep it.

Sir RICHARD CARTWRIGHT. It is not the same thing, and I will prove it is not the same thing.

Mr. McCARTHY. I find that during three years the surplus was a good deal more than the Finance Minister seems to think. The average was $10,000 or $11,000 annually.

Sir RICHARD CARTWRIGHT. That is the statement of the secretary-treasurer; he considers the surplus nearly $12,000 a year.

Mr. FOSTER. That was at the end of 1895. At the present time, owing to the heavy repairs which have taken place since, there is a deficit.

Sir RICHARD CARTWRIGHT. I do not object to making a very liberal bargain with the people of Montreal, who are really interested. I will read the last sentence of the report of the secretary-treasurer, which says:

> I have to repeat the belief expressed in former reports, that with care, the roads will be able to realize between $10,000 and $12,000 to a certainty, over expenses on each coming year's transactions.

That is his opinion.

Mr. FOSTER. If it does that, we will get every cent it realizes.

Sir RICHARD CARTWRIGHT. No, because you are going to apply it as a sinking fund to extinguish your debt.

Mr. FOSTER. When the principal is paid off, it is still the property of the Dominion.

Mr. McCARTHY. If these debentures are paid off, then all payments cease.

Mr. FOSTER. But we still have the right to the property.

Mr. McCARTHY. The hon. gentleman has not read the debenture. The moment the bonds are paid the claim of the Dominion ceases. If it is a bad asset, an arrangement might be entered into; but, if it is able to earn $10,000 a year, there is no reason in the world why the $10,000 should not go in the payment of interest. It seems to me that what we propose is not the business transaction that was spoken of by the Minister of Trade and Commerce.

Mr. FOSTER. It would redeem three bonds a year. There is a good deal of contingency as to how long it would take to wipe out the bonds, especially in view of the possibility of these toll-rates continuing to decrease.

Mr. McCARTHY. That is the very reason why you should not do this. We are taking all the chances of these contingencies. We have not got any interest for years, and, without any rhyme or reason we are reducing a claim upon a property which is earning enough to be capitalized at $300,000, and we are reducing that without improving our security one way or the other.

Mr. FOSTER. We will give them a more hopeful chance by putting it on a paying basis.

Mr. MILLS (Bothwell). If the property is absolutely the property of the Dominion, why not apply the excess earnings to interest upon any money that may be invested? Why should any portion of it go towards the reduction of the claim of the Government on a property that is absolutely insolvent? The hon. gentleman has not given any reason why the claim should be extinguished at all.

Mr. FOSTER. This arrangement does not preclude us from accepting an offer from the city of Montreal. In fact, it really appreciates the bonds.

Mr. MILLS (Bothwell). The hon. gentleman is dealing with this property as if it were not the property of the Dominion, but the property on which the Dominion had a lien, and he proposes to adopt a system by which that lien will be extinguished. If the Government has simply a lien upon the property, that would be a rational proceeding, but that is not what the hon. gentleman said.

Mr. IVES. It is difficult to understand how the Government can lose anything whatever under this arrangement. It is analogous to the case of a banker writing off 50 per cent of a debt that he has not made anything out of. Every dollar which is received from this trust is paid to the Dominion. The interest on these bonds is paid, and then whatever is left over each year is applied to the redemption of the bonds, and if the time should ever happily come when these bonds are paid, then the property is still the property of the Government to be sold to the city of Montreal or to anybody else. This property was first managed by the province of Quebec, with a large board, the members of which, I presume, received fees, and perhaps it was not so economically managed as under the present board. If this would be the loss of a cent to the Government in any possible way, there would be some reason for the criticism of hon. gentlemen opposite. If the bonds of the Montreal Harbour Trust were to be paid off by the receipts of the harbour, the harbour would still remain ours, and would continue to be managed by the board. It is exactly the same in this case. The Montreal Harbour might then turn their earnings into the consolidated revenue fund, or the Government might reduce the fees and charges and make it a free port for shipping. The same with this trust. The Government, when these bonds are paid off, may reduce the tolls and sell the property to the city of Montreal or keep up the tolls. The property remains in the control of the Government. Not one single sixpence is given up, or presented to anybody, or lost. It is simply a question of good or bad management. The whole thing is analogous to the case of writing down a claim which is not worth its face.

Mr. MILLS (Bothwell). I do not think the hon. gentleman's analogy is a good one. In the first place, according to the statement made by the secretary, the property is worth more than the hon. gentleman and the Government propose to fix the value at. The hon. gentleman is assuming to deal with this property as if the Government had a lien upon it. If the Government were to receive back what they estimate as the present cash value of the property, and to receive interest on the money they have invested in it, when that cash value is repaid to the Government by a sinking fund, and when the interest is paid from year to year, surely the city of Montreal can well say to the Government, "You have got back all the money you have invested in these properties, they are local and municipal in their character, and you have really no further claim on those roads." That is possible, and the Government are facilitating that contention.

Mr. FLINT. Is the Dominion Government of Canada the only creditor of the turnpike trust, or are there other creditors holding bonds ? Are all the obligations cut down pro rata ?

Mr. FOSTER. We hold all the bonds.

Sir RICHARD CARTWRIGHT. Are there no other debts ?

Mr. FOSTER. There may be some running debts, but I think at the present time they are all cleared off. There is no other bonded indebtedness. The whole objection of hon. gentlemen opposite seems to be that we are taking off the accrued interest. They owe us now accrued interest and principal to the amount of $400,000. The bonds amount to $187,000 at 6 per cent, and we are taking bonds for $200,000 at 3½ per cent. We get a little larger amount of bonds, and the Quebec government authorizes this trust, which it created, to issue bonds to the amount of $200,000 at 3½ per cent to replace the $187,000 at 6 per cent. Is any liability for arrears of interest taken off by the substitution of 3½ per cent bonds for 6 per cent bonds ?

Sir RICHARD CARTWRIGHT. I should say it was under this clause.

Mr. FOSTER. I do not think it would be. The Bill which I propose to put before the House provides that the Minister of Finance and the Receiver General may make arrangements with the trustees of the Montreal Turnpike Road for the redemption and cancellation of the debentures of the trust, that is, the $187,000 of 6 per cent bonds now held by the Government of Canada, and for replacing them with debentures issued under the Act of Quebec, which was passed last year. It seems to me that simply substitutes bonds at 3½ per cent to the amount of $200,000 for bonds at 6 per cent to the amount of $187,000, with the idea of getting this trust down to a business basis. Suppose we go on, and suppose the revenues allowed the trustees to pay the interest of 3½ per cent on $200,000, and redeem a certain number of the bonds and at a long distance in the future they arrive at a point when they would have cancelled all the bonds, then, is not the arrear of interest which remains still an indebtedness ?

Sir RICHARD CARTWRIGHT. I should say not, and it is quite clear that Mr. White does not so understand it.

Mr. MILLS (Bothwell). Was this trust created by the Quebec legislature ?

Mr. FOSTER. It was by Lower Canada.

Mr. MILLS (Bothwell). Of course, I suppose that the whole of that proceeding was ultra vires, because the property did not belong to the province ?

Mr. FOSTER. It was the property of Lower Canada in 1840.

Mr. MILLS (Bothwell). I understood the hon. gentleman to say that it was held that this was the property of the Dominion.

Sir RICHARD CARTWRIGHT. Mr. White states :

> An arrangement has been made with the Finance Department of the Dominion Government, by which they have agreed to have introduced at the present session of the Dominion Parliament, an Act to authorize the acceptance of an agreement made with them and for which the authority has been taken from the local legislature by the trust. A copy of the Act with the form of debenture is printed herewith, and it is intended that as soon as the Dominion Government are in a position to close the arrangement, to pay the interest for 1895, say, $7,000 and redeem $5,000 of the principal debt.

It is quite clear from Mr. White's statement that he considers that the arrear of $229,000 of interest would lapse absolutely.

Mr. FOSTER. I do not think it would legally.

Mr. MILLS (Bothwell). When was the trust created by the provincial legislature ?

Mr. FOSTER. In 1840. There was also legislation in under the United Provinces, I understand.

Mr. MILLS (Bothwell). Legislation by the province since 1867 would not be legal if the property was in the Dominion.

Mr. McMULLEN. Why make this reduction at all ? Why not take the bonds to the full amount due the country ? I am afraid that the Finance Minister is setting a bad example. If this is going to result in throwing off arrears of interest, the next thing will be that we shall be hearing from that notable bridge we talked of some time ago. It will be said that it was prudent to abandon the interest in the case of the Montreal Turnpike Road, the same thing should be done in other cases. I look on this measure as an encouragement to debtors not to pay interest. If the value is really in the propriety, why should we abandon any part of our claim ?

Resolution reported.

OCEAN STEAMSHIP SERVICE—FRANCE AND BELGIUM.

House resolved itself into committee to consider a certain proposed resolution (page 2230) respecting ocean steamship service.

((In the Committee.)

Sir RICHARD CARTWRIGHT. Will the hon. Minister of Trade and Commerce (Mr. Ives) be kind enough to explain what ports in Canada and France and Belgium will be touched, what is the size of the steamships, and what are the prospects of trade ?

Mr. IVES. In view of the French Treaty and of the fact that a very considerable trade has already sprung up, and that the prospects are growing better all the time, and in view of the provisions of the French tariff, which imposes a surtaxe on Canadian goods, unless sent direct to France, the Government have thought it wise to propose this measure, by means of which they expect to secure a fortnightly direct service between Canada and Bologne, or Havre, and thence to Antwerp. The vessels are to have a carrying capacity of 2,500 tons. They are to be fitted with cold storage for the carrying of perishable products which require artificial temperature. They are to be fitted for the carrying of a small number of first-class passengers and a larger number of second-class passengers. Their minimum speed is to be 10½ knots per hour, and the vessels are to be in all respects first-class, and are to carry the mails direct. The Canadian port in summer is to be Montreal, and in winter St. John and Halifax.

Mr. MILLS (Bothwell). In what does the growing trade of which the hon. gentleman speaks, consist ?

Mr. IVES. The greatest development has taken place in lumber and fish products—dried fish. I am not able to give the exact statistics, but the trade has increased very materially. Lumber, particularly in the maritime provinces and the province of Quebec, has increased in export. Last year there were large contracts made in the maritime provinces and the province of Quebec for delivery as soon as the treaty came into force, and these deliveries are being made largely from the Miramichi River and the River St. Lawrence. Then, the export of dried fish from the maritime provinces has considerably increased, and there has been a large increase in the export of lumber and codfish and haddock.

Sir RICHARD CARTWRIGHT. What kind of articles does the hon. gentleman expect to export to France by means of cold storage ?

Mr. IVES. Fresh meat, butter and cheese, particularly cheese and fresh meat.

Sir RICHARD CARTWRIGHT. It strikes me that France and Belgium are in the habit of exporting these identical articles to England.

Mr. IVES. The cheese which France exports is very expensive and used by wealthy people, but the French buy very largely

Canadian cheese, which is consumed by the poorer classes.

Mr. LAURIER. I have but little doubt if proper conditions are followed and a good class of steamers are subsidized, we may expect a tangible result from such a line as this. The efforts we have made up to the present have not been very favourable. We subsidized a line a few years ago, and the result was nothing but disappointment, but I believe that was due not so much to lack of capacity for trade between Canada and France as to the inferior character of the steamers. If there is a possibility of increasing trade between Canada and France, there are many good reasons to believe that by this scheme we may increase it. I can bear testimony to the fact that the export of lumber has largely increased, and I believe there is also a prospect for another trade, which at present is threatened, to some extent, in Canada, the export of live cattle. Our live cattle are not scheduled in France.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman know what the tax is ?

Mr. LAURIER. I do not, but I know that last year France imported from Italy and Algeria no less han 174,638 heads of cattle. If we had to compete in the French market with Italy and Algeria, we ought to find a field there for our live cattle. One of the lines of trade between France and Canada last year was the export of cattle to France. About 900 head of cattle was exported, which, if not much in itself, gives us hope for the future I hardly think we can compete with the French people in these lines, because they are large exporters of them. But in fish and lumber and live cattle, we may build up a considerable trade. I think it is worth while to try the experiment, and if the Government get a good class of steamers, well fitted for the purpose, the line may develop results that may be very gratifying. I would like to know from the Minister if any engagement has been made with any particular line. I think I am correct in saying that tenders were asked for some few months ago. I should like to know if any tenders were put in and accepted, and if any negotiations were entered into, and if entered into, were they completed.

Mr. IVES. Nothing was completed, because the Government had not had the power to enter into an arrangement.

Mr. LAURIER. The Government have not always been so careful.

Mr. IVES. We are improving. Besides that, the Minister of Trade and Commerce (Mr. Ives) is a new beginner and would not like to take the responsibility of making a hard and fast arrangement without having the authority of Parliament.

Sir RICHARD CARTWRIGHT. I should like to know, incidentally, as it is a point of some interest, whether the practical intention of this subsidy we are voting is to supersede the arrangement which was proposed of having a French port for the fast Atlantic service ?

Mr. IVES. Yes ; part of the Bill I propose introducing is a section repealing the part of the fast line subsidy by striking out the words "connecting with a port or ports of France." So when we ask for tenders for the fast line, tenderers will be free from that obligation, and we hope to get the advantage of the subsidy we are asking for now in the form of a reduced sum for the fast line service.

Sir RICHARD CARTWRIGHT. Which is to be the terminal point in France ?

Mr. IVES. That has not been settled, but probably Boulogne, as the great railway company that makes it terminus there has taken considerable interest in the company that have been negotiating to undertake the service.

Sir RICHARD CARTWRIGHT. Like my hon. friend (Mr. Laurier), I should be glad to see our trade with France increased. And certainly there is need for it, for I observe that within the last fifteen years it has fallen from $800,000 to $335,000.

Mr. IVES. I think the current year's figures will show much better.

Sir RICHARD CARTWRIGHT. I shall be glad to see it. Our trade with Belgium has been very irregular. Does the hon. Minister of Trade and Commerce know why the trade with France has decreased ? In 1894 it was $544,000, and in 1895 it was $335,000. In the case of Belgium, for some reason, it fell from $708,000 in 1894 to barely $251,000 in 1895. Can the hon. gentleman tell why these decreases have taken place ?

Mr. IVES. I suppose the hon. gentleman is reading from the Trade and Navigation Returns. These figures are the direct trade returns, and are made up from the export entries. A great deal of the trade with France is done by means of German steamers, the "Hansa," and others, that go to Antwerp. Then a great deal is credited to the export to Great Britain or Belgium.

Sir RICHARD CARTWRIGHT. Undoubtedly Great Britain is the great entrepot. Still, this is rather an indefinite way to get at the figures of such a trade. Can the hon. Minister give any reason for the statement he makes ? Has he had facts put before him by his agents in France or elsewhere that our trade goes through England ? I do not see why it should. It seems to me that transhipment and middlemen's charges would be prohibitory.

Mr. IVES. Formerly when the exports showed a larger trade, a very considerable part of the trade was by direct shipments by sailing vessels. Latterly, since steam vessels have driven sailing vessels almost entirely off the water, and as neary every ship sailing from our ports with Canadian exports goes to Great Britain, that fact, I think, accounts for the apparent decrease of exports to France. I do not think there is any real decrease.

Mr. McMULLEN. It appears to me that in the financial condition of the country, it is a very serious proposal to make that we should pay $50,000 a year in addition to the obligations we have already undertaken. Before we hastily decide to authorize the Minister of Trade and Commerce to enter into an engagement of this kind, we ought to know more definitely what we hope to gain by it. I notice that our trade with France is only $3,000,000 in all. Unless there is something we hope to open up a market for, we should hesitate about spending this money. The leader of the Opposition made reference to the cattle trade opening up with France. That would be a most desirable thing, seeing that our cattle trade with England is in a very unsatisfactory condition. I notice that notwithstanding the efforts made to prevent the Bill coming law, evidently it is the intention of the British Parliament to permanently exclude our cattle. Can the Minister of Trade and Commerce hold out hopes of trade with France? Have any inquiries been made with regard to the probability of opening up an outlet for our cattle in that country ? What is about the price realized in France, as compared with that realized in England ? What are the regulations regarding the disposal of cattle in France, compared with those in England ? I can understand that a line of this kind may not be expected to carry live cattle. But I would like to know if it is likely to increase trade.

Sir CHARLES TUPPER. I may say with reference to this matter, that there has long been a very strong desire on the part of this House to have direct trade with France. Any person who takes the trouble to look at the importations into France of articles that Canada could supply, will see that there is an immense field provided we had direct trade, and especially under the operation of the existing treaty, which enables many of the products of Canada to be admitted into France upon much better terms than from many other countries. That has already been shown in reference to lumber and wood, and there is a very large field for wood pulp as well. Now, when a fast line service was contemplated, the House was very desirous that there should be direct communication made by means of that service with France. It was one of the points we had in view. We were reluctantly compelled to abandon that, because we found that it would greatly increase the difficulty of having a fast line service between the United Kingdom and this country. In order to meet that difficulty this resolution is proposed, providing a subsidy for a fast line of steamers between the United Kingdom and Canada, and freed from the obligation of going to France, and the Government felt it was only right, under these circumstances, that we should provide——

Sir RICHARD CARTWRIGHT. Will the hon. gentleman pardon me—I thought that stipulation was part of our Act.

Sir CHARLES TUPPER. It is, and the object of getting this resolution is to amend that Act so as to avoid the necessity of the fast line service making France a terminus. That is the object I am just dealing with. I say, therefore, it would simply carry out the policy which has long prevailed in this House of having direct communication, and finding we are not able to have it in that way, it is proposed to have this line of direct communication with France and with Belgium. The hon. gentleman who has just taken his seat has called attention, as the leader of the Opposition has done, to the fact that while our cattle are scheduled in the United Kingdom, they are allowed to be admitted in to France, and I have reason to believe that, although the exclusion was put in force in regard to Belgium, at a very early day that restriction will also be removed, so that we will be able to send live cattle both into France and Belgium. I have the very highest authority for saying that the French authorities, whose attention has been drawn closely to this question, have made careful examination, and are quite satisfied that there is no danger of pleuro-pneumonia being introduced into France by cattle brought from Canada. So I think, under these circumstances, seeing that there is a large import of live cattle into France annually, and that the trade is open to us, it is very desirable we should take advantage of all opportunities by having a direct line of steam communication between Canada and France, and thus avoid the 'surtaxe d'entrepot,' which has been a great hindrance to trade between Canada and France. By removing that, I think we have every reason to believe that we shall have greatly increased trade with France, and also with Belgium. Hon. gentlemen opposite have mentioned that as France is a large exporter of cheese, there is not much reason to anticipate that Canada would be able to do a very large trade with France in cheese. But it has already been pointed out by the Minister of Trade and Commerce that the cheese that France exports is very expensive, whereas there is an enormous import into France every year of an inferior description of cheese.

Mr. MILLS (Bothwell). Such as we make in Canada ?

Sir CHARLES TUPPER. No, but such as we can make in Canada without the slightest difficulty. I have no doubt whatever that under this direct line of communication, attention will be drawn to the fact that an inferior description of cheese is now largely imported into France from Switzerland ; and I drew the attention of this Government to the fact that I thought there was a very great opening for the introduction of cheese made in Canada of the same character as that which is so largely imported into France. The more I have examined the subject, the more confident I am that by means of a direct line of steam communication with France and Belgium, we shall greatly increase our trade with France in a large number of articles that Canada produces, and for which there is a great demand in France, and of which there is a large import every year.

Sir RICHARD CARTWRIGHT. The Minister of Trade and Commerce said, I think, a little while ago that there was a large importation of cattle from Algeria and Italy.

Mr. IVES. If the hon. gentleman will allow the resolution to go through, I will be prepared, on the next stage, to furnish the particulars of the imports into France, so as to be able to answer any questions concerning the imports of cattle and such articles as we are likely to export to them.

Mr. MILLS (Bothwell). And what we are exporting at the present time ?

Mr. McMILLAN. Will this line of steamers carry passengers and also cattle ?

Mr. IVES. The main object of the line is to carry freight. The carrying of passengers will be quite a secondary consideration.

Mr. LAURIER. I gave the figures as to cattle with a view to developing a trade which does not exist, but which might be established. If France imports cattle from Italy, knowing the condition of Italy, there appears to be no reason why we should not be a successful competitor in that trade. France also imported from Italy and Algeria 1,198,987 head of sheep. This is another branch in which we could compete successfully with any European country. I mention these facts by way of illustration of the possibilities of trade. I have no doubts as to being able to develop a trade in cheese. The French are a peculiar people ; they have their own diet, and I do not think it will be easy to change their habits. They do not import a very large quantity of cheese, and what they do import is from Switzerland. But there are two branches of trade which are susceptible of development, lumber and all articles connected with lumber, and live cattle and sheep.

Resolution reported.

Sir CHARLES. TUPPER.

WAYS AND MEANS—THE TARIFF.

Mr. FOSTER. I move that the House resolve itself into Committee of Ways and means.

Sir RICHARD CARTWRIGHT. I should like a statement of what the hon. gentleman proposes to do.

Mr. FOSTER. I have received quite a large number of representations during the course of the year with respect to tariff changes. Some of them are of a very great deal of importance, all are of some importance. Whilst I have had some opportunity of looking over them, I scarcely think it possible at this stage of the present Parliament, and this stage of the session to propose anything that is very drastic, but there is one item which I think there will be no disposition to oppose on either side of the House. The House will remember that three years ago I think we adopted a policy, for the sake of stimulating mining enterprise in different parts of the country, especially in the newer parts, of allowing such mining machinery—and last year we added smelting machinery—as is not manufactured in Canada to come in free. That arrangement expires on 1st July, and it is represented, and I think the representations are true, that it is of importance that this privilege should be extended. So I ask the House to go into Committee of Ways and Means to provide for the extension of that freedom of entry for that kind of machinery for one year from 1st July, 1896.

Sir RICHARD CARTWRIGHT. I think there is no objection to that proposition, so far as I am concerned ; I certainly will raise none. I would go a good deal further in the same direction.

Motion agreed to, and House resolved itself into committee.

(In the Committee.)

Mr. FOSTER moved the following resolution :—

> That it is expedient to amend the Act 57-58 Victoria, Chapter 33, intituled : " An Act to consolidate and amend the Acts respecting the Duties of Customs " :—
>
> By providing for an extension to July 1st, 1897, of the time which " Mining and Smelting Machinery which is at the time of its importation of a class or kind not manufactured in Canada " —as expressed in item 643 of Schedule B to the said Act—may be imported into Canada free of Customs duty.

Sir RICHARD CARTWRIGHT. I have no objection to allow this privilege to be extended to all mining and smelting machinery. The committee had better pass it through without the exception, for I think, Mr. Chairman (Mr. Mara), it will be more acceptable to you and your constituents.

Resolution reported.

SUPPLY—THE SOULANGES CANAL CONTRACTS.

House resumed adjourned debate on the proposed motion of Mr. Foster :

That Mr. Speaker do now leave the Chair for the House to go into Committee of Supply.

Mr. GIBSON. The subject that has been discussed for some time passed is so simple in its nature and character that it almost appears to me that the defence put up by the late Minister of Justice and by members of the Government, more particularly by the Minister of Railways and Canals, was one that could not be borne out by the facts. The work is so simple in its nature that to my mind as a practical contractor, the idea of an extra or a claim being set up by the contractor who has this work under the Government is so indefensible that it seems to me to have been almost a waste of time and energy on the part of the ex-Minister of Justice who spoke last evening, and while I had not the pleasure of hearing his defence, I have had the opportunity of reading his speech. This piece of work is one of the most simple in its nature that has been undertaken by the Government for many years. There is nothing in the contract under which the work was performed on that section in question which involves anything that would lead to a difference of opinion as to whether the report and estimates supplied by the resident or chief engineer, or whatever name may be given the official by the Government, should be questioned in any particular whatever. During the past ten years I have had something to do with works of that nature, and I want to say right here and now that the gentleman who appended his name to the specification under which the contract was let, and who had the supervision of the work, is the only man in my opinion, who could read and fairly interpret what the meaning of the specifications was, notwithstanding the opinion of the ex-Minister of Justice to the contrary. No man in this country is better able to deal with the subject than Mr. Monro who acted as chief engineer on that part of the section of the public work in question. Mr. Monro is not a novice at this class of work, and while he may differ and differ honestly, and while I believe the ex-Minister of Justice may differ from him honestly, the hon. gentleman should give Mr. Monro credit for technical and special knowledge in connection with public works not exceeded by any man in the Dominion. I can take the ex-Minister of Justice back to 1854, when the present chief engineer of the Soulanges Canal, Mr. Monro, was the assistant of Mr. Keefer, who laid out the water works in the city of Hamilton, and from 1854 up to the present day, Mr. Monro has been an acknowledged authority on hydraulic engineering. There is no better evidence of that, than the fact that Mr. Monro was selected by the Government to go to England and report upon the Manchester Ship Canal. I am proud to know that Mr. Monro is to-day the accredited representative of the Dominion of Canada on the Deep Waterways Commission. I will say this, Mr. Speaker, that in 1870, when the construction of the new Welland Canal was in contemplation, Mr. Monro was the man who was selected by Mr. Page to locate the line of that canal. His services were retained to the country, and under his supervision that portion of the canal from the summit level on lock 24, or beyond that to Allanburg,—I am not exactly sure where his section ended—at all events from Lake Ontario level up to Lake Erie level, Mr. Monro was the engineer under Mr. Page to carry on to a successful completion the Welland Canal. I defy the Minister of Railways and Canals, or the ex-Minister of Justice, to stand up in this House, and contradict the statement I make : that during the whole time the Welland Canal work was being carried on, from its inception to its completion, the report of Mr. Monro was never contradicted either by the contractors or by the chief engineer, Mr. Page. Mr. Monro to-day, and Mr. Thompson are without exception the best hydraulic engineers that I know of in this country. I have nothing to say against the ability of Mr. Schreiber other than this, that Mr. Schreiber is entirely a railway engineer. As far as my practical knowledge goes, and as far as I know of his work and of his worth, Mr. Schreiber has few equals and no superiors as a railway engineer. But, why should the Minister of Railways and Canals, or why should this Government demand the services of Mr. Schreiber in the triple capacity, of Deputy Minister, chief engineer of railways, and chief engineer of canals, when we know that these three offices were at one time held by three very eminent men. Mr. Trudeau was the deputy to the Minister of Railways and Canals, and I am glad to be able to say, that during the long time that that gentleman occupied a position in the public service of our country, not a stain ever rested on his character. I need not remind you, Mr. Speaker, of the services rendered to the country by Mr. Page. You, Sir, have had more parliamentary experience than I, and as I heard you say the other night you have been for 22 years in this House. Mr. Page was for 40 years or more in the service of Canada, and during the whole of that time, there never was a charge against him as chief engineer of Canals, or never an accusation against him of wrong-doing. I had some experience working under him, and there never was a contractor on the line of the Welland Canal, from Port Dalhousie, from the level of Lake Ontario, to the sumit level of Lake Erie at Port Colborne, who was not willing to leave his case to the decision of Mr. Page, if the contract or specifications did not cover any portion of the work which they undertook.

Thank God, during the whole of the forty years that Mr. Page was chief engineer of canals, the fair fame of Canada was never tarnished by boodling, either by contractors or engineers. Mr. Monro, acting under Mr. Page, had charge of the lower portion of the Welland Canal, and he was ably seconded by Mr. Thompson, who superintended the work from Beaver's Dam to Lake Erie level. Neither of these gentlemen have ever been charged in this House with doing aught that was wrong. I am sorry to say, that Mr. Thompson, who was given a prominent position upon the Sault Canal, was sent back to St. Catharines, because no doubt it was found convenient by the Minister of Railways and Canals, to move that gentleman from the Sault and put him on the Welland Canal again. You have dual management on the Welland Canal at the present time. The old superintendent is still retained, and Mr. Thompson holds the position of consulting and chief engineer. The superintendent still draws his salary, while Mr. Thompson presides over the canal. You have a double set of officers on the Welland Canal, because perhaps it was found convenient by the Government that Mr. Thompson should be moved from the Sault Canal. Now, Mr. Speaker, it seems to me, and I have some practical experience, that of all the pieces of work that have been let by the Dominion Government for many years, I do not know of any work that is easier of construction than the Soulanges Canal. If you, Mr. Speaker, had the papers that are under my hand, at your disposal, you would feel that the class of work on that canal is so simple in its nature that I am almost taken aback to think that the ex-Minister of Justice needed half an hour or an hour to discuss it. I had not the pleasure of hearing the speech of the ex-Minister of Justice, but I was astonished when I read it, to see that he thought it necessary to devote so much time in defence of this piece of work. This work was simply a piece of excavation for the purpose of raising an embankment to keep the water at a certain level. Necessarily, of course, an embankment had to be erected of such a size as to keep within bounds the weight of water required for canal purposes, as well as the displacement of water by the vessels passing up and down the canal. The engineers—and I have no reason to doubt their ability—very properly specified that the banks at the top of the slopes should be thirty feet on one side and fifty feet on the other side. Some hon. gentlemen in the House might ask why this difference ? If the canal had been simply a straight cutting, without any deviations, it would not have been necessary ; but the zigzag shape in which this canal is built in making the various turns that are necessary, requires on the convex side of the canal an embankment much stronger than the one on the opposite side. Naturally, then, the engineers provided for a fifty-foot embankment on the top of the slope, with a batter on the inside, with a slope of two to one on the inside, and one to one on the outside ; and on the other side, an embankment of thirty feet, with the same slope. Having had a little experience in matters of this kind, I was astonished to find our good friend the ex-Minister of Justice supposing that the contractors who had this work under contract should have any claim on the Government for an extra in connection with it. I have not seen the work ; I have only seen the plans and specifications ; but, having some slight knowledge of canal building, I have not known a plainer piece of work during the six sessions that I have had the honour of a seat in this House. The plans and specifications were made by Mr. Monro, who is, without doubt, an authority as to the requirements of those embankments. Mr. Monro made the contract ; and, with all due respect to my hon. friend the ex-Minister of Justice, there is no man in this country who knew better what he wanted in making this contract than the gentleman who drew the specifications. I am bound to assume that he is a far better judge of what those specifications meant than any lawyer in this House or in this country ; and if the ex-Minister of Justice had been properly advised, he would have stood by Mr. Monro's contention. This surplus material of muck, boulders, loose earth, and debris of every description, that was taken out of the prism of the canal, was simply dumped behind the embankment, because it was not required. The Government engineer in charge had it in his power to ask the contractor to remove that to any place he liked without entitling him to any claim for extras ; because it is provided in the specifications. There was no need for this extra work behind that embankment, and the material was put there, not for the purpose of helping the Government, but for the convenience of the contractor. Many men would like to be paid for the sawdust, and the rubbish and the bark contained in a tree ; but you know, Mr. Speaker, that you are only paid for the lumber or the square timber you produce. But here we have the ex-Minister of Justice submiting to this House, an argument to show that these contractors were not only entitled to 20 cents for excavating the prism of the canal, and 15 cents for raising the banks, but likewise to 15 cents for putting rubbish behind the banks, which they were obliged, if the engineer insisted, to take half-a-mile away to spoil ground. It seems to me that the ex-Minister of Justice never gave the question his serious consideration ; for he has too good a head upon him to pass a claim of that kind, especially in view of the fact that Sir John Thompson had decided against the contractor. I will stake my reputation that there is not a practical man in the Dominion of Canada who will say that these men were entitled to 15 cents a yard for that work. Two classes of excavation are recognized and paid for, namely, earth and solid rock. I could quite understand that if traprock or gneiss or other special excavation had been necessary, there might have been some grounds for a claim, but in this case it has not been shown, either by the speech of the ex-Minister of Justice (Sir Charles Hibbert Tupper) or the report of the engineers, that there was a difficult piece of work met with. Further than that the contract provides that:

> The price tendered for earth excavation must cover the entire cost of excavating, hauling and forming into embankments all kinds of materials found in the pits for lock, weirs, or other structures, and in the prism of the canal, raceways, side ponds or wherever excavation is necessary; except solid stratified quarry rock.

Is there in the contract any plea set up by the contractor for solid quarry work? So far, I have failed to find anything of the kind, and I am bound to assume if that has not been discussed, that nothing of the kind has been done. In section 7 the contract says in the margin:

> No allowance whatever beyond the price tendered for excavation will be made for hauling.

I ask the ex-Minister of Justice how he reconciles with that his decision that these men were entitled to a water-tight embankment by putting over the muck and dirt and superfluous material behind that embankment? How can he call that a water-tight embankment? He cannot do it, nor can any other living man. It is simply the spoil or waste put in there for the convenience of the contractor. The hon. gentleman smiles, but he knows that this portion is not water-tight. The other is where the care is taken, where the mucking is done and ploughing and the layers are laid and every care exercised that it should be impervious from water percolating through it; and when that is done, the superfluous stuff is simply dumped over the back. And the ex-Minister of Justice thinks they should be entitled to 15 cents per cubic yard for that superfluous material put behind that piece of work. What need was there for its being put behind that embankment? It might just as well have been put a mile away. That embankment which was made by order of the engineer, was sufficient to contain the water; and yet the ex-Minister of Justice holds that because that superfluous stuff was thrown behind, these contractors are entitled to 15 cents a yard for it. The country has to thank Mr. Monro and the Auditor General for having saved in this one section alone, $210,000. If the decision of the ex-Minister of Justice had been carried out, three-quarters of a million dollars would have been wasted on this canal. The ex-Minister of Justice knows he could not compel the engineer to make a report of that kind, and he knew that Mr. Monro would not make a report of that kind. I have this to say, that the whole Department of Railways and Canals is a screaming farce in his respect, that the men who are in charge of the work are not allowed to give their opinion, but their opinions are set aside, and the matter is sent to the Department of Justice to twist it, so as to suit themselves from a legal standpoint, and instead of standing by the country they stand by the contractors.

Sir CHARLES HIBBERT TUPPER. I must remind the hon. gentleman that the last statement is hardly fair to the Department of Railways. So far from the officers not being allowed to give their opinion, a large part of the hon. gentleman's opening remarks went to show that the engineers gave an opinion adverse to the claims.

Mr. GIBSON. The hon. gentleman simply confirms my argument that these men have taken, without exception, the course that they knew of their own knowledge what should be done and paid for, but the Department of Justice took the other course, and recommended against the engineers and against the chief engineer, and these men had to humiliate themselves and sign a certificate that, according to the opinion of hte ex-Minister of Justice, they were obliged to sign. Is that not correct?

Sir CHARLES HIBBERT TUPPER. Yes.

Mr. GIBSON. Is not that a nice state of affairs? Let me tell the ex-Minister of Justice—and I do not want to be hard on him, I want to give him credit for being honest—I have some experience of contracts, and I will say this, that there is not an engineer on a railway or any public undertaking in the whole Dominion whom the solicitor of the corporation will not stand by. But in this case, the solicitor of the corporation, the custodian of the people's funds, goes aganst the engineer and stands by the contractor. The engineer on a railway reports that my claim has no foundation in fact. What do we find? We have to go to law to establish our claim. Why did not the ex-Minister of Justice, instead of recommending the payment of $210,000 for work that is absolutely unnecessary on this canal, tell the contractor to go to the courts and establish his claim. Thank God, as somebody has said in this House, that the Auditor General and Mr. Monro intervened, and Mr. Schreiber. As I said before, Mr. Schreiber is overworked. He occupies the positions of Deputy Minister and chief engineer of Railways and Canals, which positions were formerly held by three men; and every member of this House who attends the Railway Committee knows that there is no more assiduous officer in the employ of the Government. But it is too much to expect of any one man to occupy a position that was formerly filled by three different men.

Mr. Page was the man who occupied the position of chief engineer of canals. He was asked at one time to become Deputy Minister of Canals. Scotchman-like, he told the Minister that he would be jiggered if he would be a deputy for anybody. There is this to say about Mr. Page, that in all his public experience the contractors always considered themselves safe in his hands; and when he was removed from the position of chief engineer and empowered by the Government to act as arbitrator, there was not a contractor in the whole Dominion who was not willing to leave his case in Mr. Page's hands.

Sir CHARLES HIBBERT TUPPER. Hear, hear, and get something by it.

Sir CHARLES TUPPER. Hear, hear.

Mr. GIBSON. Yes; and I am prepared to give testimony that I have done work under him. And I am not afraid to say that in the forty years Mr. Page was chief engineer of canals, the stain of dishonour never rested upon his name. And if Mr. Page had been living to-day, and had been chief engineer of Soulanges Canal, on which my good friend Mr. Monro has been doing his work, the opinion of the ex-Minister of Justice would never have been taken, because Mr. Page would at once have decided that the contractor was not entitled to a dollar of this claim. And Mr. Monro who prepared the specifications had a schooling of forty years under Mr. Page, and next to him is one of the ablest and also one of the most fearless engineers in the service of the Government. I am glad to know that in this Dominion there are men in the public service who are not afraid of the Minister, or of any one who stands over them, who are fearless in the discharge of their duties, and who will not put their names to documents that will bring them into disgrace. Fie upon the men who consider that the decisions of those responsible for our public works and who have the practical and technical knowledge of many years is to be set aside when the Government requires to befriend a contractor who may have taken a contract under price. And the contractor may appeal to the Department of Justice, and justice will be done to the contractor, but no justice will be done to the country, for the contractor is the first consideration. Last night the Minister of Railways and Canals stood up in this House to speak on this subject. I do not wish to do him an injustice, and I will quote his own words. He was questioned by the hon. member for North Simcoe (Mr. McCarthy) as to whether he could, of his own knowledge, say how this work was being prosecuted and if he knew of the recommendation made either by Mr. Monro or Mr. Schreiber, or as to whether the decision had been adversely commented upon by the Department of Justice. He said:

> I never see a quantity; I never have a conversation with my deputy directing him in any manner as to the classification that shall be made or as to the quantity of work he shall return.

I would like to ask what we have responsible Ministers for? What do we pay the Minister of Railways and Canals $8,000 a year for? Is it simply to stand over his deputy and never ask him a question? Is it possible, it is reasonable that in a work of this kind where a matter of $210,000 is in dispute, the deputy never dared to tell the Minister, or the Minister never had the curiosity or did not take the interest in his department to know how the question was to be settled. And he says:

> I never asked my deputy and my deputy never told me.

Why, he ought to be ashamed to say that he is the Minister of Railways and Canals, and to think that a matter of $210,000 is in dispute, and he should have nothing to say about it. And not only $210,000, but if that amount is paid, we find that Mr. Monro reports that if that principle is applied along the whole length of the canal there will be a total of some $750,000 to pay to the contractors. Three-quarters of a million dollars and yet the Minister has not the curiosity to ask his deputy how the contract is proceeding, or how the settlement is going to be made. He said further:

> The only conversation I have with him would be purely Ministerial.

I cannot understand exactly what that means. And I do not know that even the ex-Minister of Justice would understand that, because I am bound to say that when he was the honoured head of the department, nothing took place in that department that he did not see the bottom of. He did not leave it to his deputy, and never took his deputy's word without looking into the matter himself. He says further:

> But as to the mechanical part of the contract I have nothing to do with reference to it. Notwithstanding my Ministerial responsibility, I say that the chief engineer is the sole judge in reference to these matters and he is made so by the contract.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman will remember that that was Mr. Mackenzie's opinion with regard to technical matters—he held his chief engineer responsible.

Mr. GIBSON. If I remember right—it is a matter of history now—Mr. Mackenzie shielded himself behind the report of Mr. Page, and said that any man or any Minister might well stand behind Mr. Page, because when Mr. Page made a report it was a report that any Minister could stand or fall by. I will ask the ex-Minister of Justice if there are not some engineers in the public service that dare not do a thing against the Minister's advice? They are afraid. And we have the evidence now that Mr. Monro dared do such a thing. And so did Mr. Schreiber. There are men in the public service afraid of the Minister. I thank the ex-Minister of Justice for bringing my attention to what was done in Mr. Mackenzie's time. He left the department to his chief engineer, and properly so, but for forty long years the work of this country was done by Mr. Page and to-day his name is honoured and revered by men who have worked under him, knowing that scandal never rested upon his name. But in the Department of Public Works and in the Department of Railways and Canals there is no public work completed within the last ten or twelve years that has not cost from 50 to 100 per cent more than it ought to have cost, and every one of them has been attended with disgrace, fraud and scandal. And yet the Minister says : I did not know anything about it ; I was not there ; I left it to my deputy. Take the Curran Bridge, which it was estimated by a gentleman who was in the gallery to-night, Mr. Hannaford, for many years the honoured chief of the Grand Trunk, would cost $170,000. And yet that work cost $490,000. And we were told by the Minister of Railways and Canals that the money never would be paid. We were told by the Minister of Railways and Canals that the money was not all paid, but whatever portion of it was paid was paid in his absence, by the Premier, Sir Mackenzie Bowell. His duty was, in leaving the department, to leave instructions behind him that the sums of money that had been already paid for the construction of the Wellington Street bridges, were of such a nature that no more should be paid without his warrant. He left no instructions of that kind. Pressure was brought to bear upon the acting First Minister, in the absence of the Minister of Railways and Canals, and we find that nearly $490,000 were paid for a work that could have been well done for $170,000. Then, we are told in this House that the claims of this gentleman, Mr. St. Louis, are very nearly half a million dollars. He went to the Exchequer Court and got judgment against the Government for the full amount, because the Government had no evidence as to the number of men employed, or the amount of work done, or the amount of material used. The men in the employ of the Government were servants of the contractor. He appealed to the Exchequer Court and got judgment against the Government for $65,000 and $15,000 interest; so that we are $15,000 worse off than if the Minister had paid over the $490,000. Is that something that the Government of this country should be proud of ? I should think not. The Minister of Railways said the other night that no public work can be done for the estimate of the engineer. Well, I will tell him of a public work of far more importance than this we are discussing to-night, the Sarnia Tunnel, that was built under the St. Claire River by Mr. Hobson, the engineer of the Grand Trunk Railway Company ; and when that work was finished, there was nearly $200,000 to spare under his estimate. The hon. gentleman says that under the Mackenzie regime every public work that was estimated for, cost more than the estimate. I defy the hon. ex-Minister of Justice and the Secretary of State to get up now and mention a single case, when Mr. Mackenzie was in power, or the hon. gentleman and his colleagues were in power, where the Government came to this House and asked for an additional grant to meet an under-estimate made by Mr. Page. I want him now to get up and mention a single job where Mr. Page was short in his estimate. Mr. Page always provided for money enough to carry on any work he had undertaken ; and no engineer who has any regard for his reputation, and who had carefully considered the plans and specifications, would come to this House and ask for half a million, when the job actually cost a million.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman is a practical man, and understands the building of canals, and I would ask him to state any one canal in our whole system that has ever been built within the estimate.

Mr. GIBSON. I will tell the hon. gentleman, and he has got means of getting information that I have not got. But I will challenge him now to produce in this House an instance of any piece of work that ever overran the estimates made by Mr. Page in canal building in this country for forty years. I say that no engineer who regards his reputation as worth anything, would ever think of asking $500,000 for a job that was going to cost $750,000.

Sir CHARLES TUPPER. If the hon. gentleman will allow me to interrupt him, I will undertake to produce a great number of cases in which the estimates made by Mr. Page were overrun in the construction of public works in this country. I will at a future time meet the hon. gentleman's statement that distinguished engineers never make such mistakes. Let me draw his attention to a fact that I have no doubt is within his own knowledge, in relation to the construction of the Manchester Ship Canal, a very important work constructed by private capitalists in England. The hon. gentleman, I think, will admit that if there is any place in the world where engineering has been brought to the highest perfection, it is in the United Kingdom. Well, Sir, I hold in my hand a statement of the amount for which that contract, which was let to distinguished contractors, perhaps the ablest and most distinguished contractors in the United Kingdom. The original contract price for the Manchester Ship Canal was £5,750,000, and the cost of that work, under the direction of the ablest engineer that the United Kingdom could produce, was £14,948,-

552. I could not give the hon. gentleman more conclusive evidence of the failure of the argument he has been trying to make.

Mr. GIBSON. I heard this last night in the speech of the Minister of Railways and Canals, when he was trying to make an argument like that which the Secretary of State has just tried to make.

Sir CHARLES TUPPER. I was not in the House, and did not hear the speech of the Minister of Railways and Canals.

Mr. GIBSON. The Minister of Railways said that, according to the "Annual Register," the estimate for the Manchester Ship Canal was £1,500,000, and the cost was £5,750,000.

Sir CHARLES TUPPER. I have given the hon. gentleman the correct figures. I asked Mr. Schreiber to get me the correct statement of the cost of that work, and these are the figures he furnished to me, and I think they are a complete answer to the hon. gentleman's statement, that distinguished engineers never make under-estimates of any important work they are carrying on.

Mr. GIBSON. I quite agree with the Secretary of State. There are circumstances in every piece of work, there are unforeseen difficulties that no man can possibly expect to occur. But where careful borings are made, and careful surveys are taken, and the nature of the soil and the nature of the country are taken into account, they rarely make mistakes. These things are usually provided for by men who understand their business. It is a matter of common history that the Manchester Ship Canal, in exceeding the estimate, out-Heroded Herod, so to speak, and exceeded the expectations of the most sanguine people who took an interest in that work; in other words, it went beyond their contemplation altogether. But there were some circumstances in connection with that work that I need not here mention, because I am bound to assume that the hon. gentlemen who occupy seats in this House are aware of the history of the Manchester Ship Canal. Mr. Monro was sent to England to make a special report on the Manchester Ship Canal, and this fact alone shows the high opinion in which he was held by the department and the chief engineer. I know nothing personally of the cost of constructing the Manchester ship canal, and if the construction of our public works is kept within reasonable amounts as estimated by engineers, it is all the more creditable for the engineers, as showing that they are more far-seeing than those in England. The Secretary of State has intimated that the work on that canal cost a great deal more than was estimated. But there is the fact that when railway construction began in England the cost of putting a Bill through the House of Commons in some cases reached £20,000 a mile, and I refer the hon. gentleman to Whittaker's Almanac in confirmation of that statement. We all know how that in this country we have a ready way of doing business. A corporation make an application to Parliament to erect a bridge. The Bill goes before a committee, it receives its second and third reading and passes this House probably in six or seven weeks. The Secretary of State knows that in England in many cases an ordinary high level bridge that may have been built in the 14th, 15th, 16th, 17th or 18th century requires to be widened for the convenience of the public of the present day. It is necessary to make application to the Imperial Parliament for liberty to make the bridge wide enough for the purposes of the highway. What occurs? It may take the life of a Parliament before this concession is granted But in this country such a Bill can be passed through this Parliament or through a local legislature in as many days as it sometimes takes years in England. The Manchester ship canal has cost more than was contemplated by the engineers, no doubt; but that is not a reason why the Government should pay Mr. Goodwin $200,000 to which he is not entitled. The Auditor General, Mr. Monro and Mr. Schreiber, the latter two refusing to agree to the payment except under special conditions, have saved the country $210,000, and these services should be recognized. The Minister of Railways and Canals should be ashamed of the statement he made the other night that he left the management of his department to his deputy. No man has a right to depute his responsibility to his deputy or to his secretary.

Sir CHARLES HIBBERT TUPPER. I wish to confirm a statement I made in regard to Mr. Mackenzie and his subordinates. In his evidence given before the Canadian Railway Commission, he stated:

> I always depended upon Mr. Fleming and upon the best information from his subordinates, and he was always allowed most perfect liberty and authority in conducting the surveys, which were wholly upon his responsibility—we, of course, having the political responsibility, as usual.

These are almost the words used by the Minister of Railways last night.

Mr. GIBSON. But if Mr. Fleming's advice had been taken, the Canadian Pacific Railway would have been put through on the line of Selkirk, Rapid City, Edmonton, through the Rocky Mountains and across to the Narrows at Vancouver Island. But the Minister of Railways, who was then Sir Charles Tupper, opposed the advice of Mr. Fleming.

Sir CHARLES HIBBERT TUPPER. I find that five contracts let by Mr. Mackenzie were estimated to cost $3,587,096, and they actually cost $5,391,926.

Mr. GIBSON. I have not a record of all the work done by Mr. Mackenzie's Government at my fingers' end.

Sir CHARLES HIBBERT TUPPER. This shows the amount which the expenditure exceeded the estimate.

Mr. GIBSON. There is no doubt of it.

Mr. MILLS (Bothwell). The hon. gentleman is confusing engineers' estimates with contracts.

Sir CHARLES HIBBERT TUPPER. I refer the hon. gentleman to the report of the Canadian Pacific Railway Commission.

Mr. MILLS (Bothwell). That is another matter altogether.

Mr. GIBSON. Were there not changes made in the specification ?

Sir CHARLES HIBBERT TUPPER. That is a point on which the hon. gentleman relies.

Mr. GIBSON. It is most unfair reasoning.

Sir CHARLES HIBBERT TUPPER. It is the hon. gentleman's reasoning, not mine.

Mr. GIBSON. I am not a lawyer, but I have practical knowledge as to what contracts should be. The ex-Minister of Justice has not shown that he can justify himself before the House and the country as to giving a decision in favour of the contractors, and recommending payments for a water-tight embankment when it was only spoil embankment. Sir John Thompson gave this matter some consideration, he was in accord with Mr. Monro and Mr. Schreiber at the conclusion at which they arrived. Now, the ex-Minister of Justice appears to have come to a conclusion entirely different from that arrived at by Sir John Thompson.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman was not here last night. I said the very opposite of that, and gave some reasons, at any rate, in support of my argument, that there was no difference of opinion between Sir John Thompson and myself.

Mr. GIBSON. Then how did the hon. gentleman recommend the payment of this money, when Sir John Thompson recommended to the contrary ?

Sir CHARLES HIBBERT TUPPER. Because the facts stated to Sir John Thompson and the facts stated to me were different.

Mr. GIBSON. Ah. The hon. gentleman (Sir Charles Hibbert Tupper) should have been careful enough to have taken into his consideration the evidence supplied to Sir John Thompson..

Sir CHARLES HIBBERT TUPPER. I took that, and more.

Mr. GIBSON. In all fairness to the chief engineer, to Mr. Monro, the resident engineer, and the man who drafted the specifications and knew the import of this work, I think the opinion of these men should, at least, have some consideration at his hands. The question is simply whether the ex-Minister of Justice should allow $210,000 to be paid to Mr. Goodwin the contractor, when the engineers, men who had forty years' experience in work of this kind, say under their own signature, that this man had no claim whatever in law, and no claim as that work was practically carried out. The ex-Minister of Justice should have been very careful in this matter before he established a precedent that would apply to all the contractors on the canal, and which would incur an expenditure on the country of three-quarters of a million of dollars ; and a precedent that would last for all time to come —or rather so long as this Government is in power, which I hope will not be for all time to come. So far as I have read the papers, and so far as I can judge from the argument of the ex-Minister of Justice in reading his speech, I can say from my practical knowledge and experience, having been all my life on public works—and twenty-seven years on public works in this country —the hon. gentleman (Sir Charles Hibbert Tupper) was not justified in the conclusion he came to, in recommending to the Minister of Railways and Canals the payment of this $210,000. I was glad last night to hear the present Minister of Justice say that if the matter came before him, so far as he was concerned—I think he said without prejudice to the case—according to the opinion he held last night, the contractors had no claim and he would not pay the money. In my opinion this is a trumped-up case. Perhaps I should not blame the Minister of Justice for it, but it is a case trumped up by the contractors to extort $210,000 from the people of this country. By establishing this precedent, not only would this contractor benefit, but the other contractors on the canal would also reap the advantage, and the country would suffer to the extent of $750,000. We were told by the Secretary of State, and by the Minister of Railways and Canals last night, that public works cannot be carried on under the estimate. I say right here, that the principal reason why engineers cannot estimate properly, and why public works cannot be carried out under the estimate, is because the Government goes out of its way to find excuses for paying men large sums of money that they are not entitled to.

Mr. CAMPBELL. I have listened with a good deal of attention to this debate——

Sir CHARLES TUPPER. Might I ask the hon. gentleman to adjourn the debate. I want to make a motion, with the consent of the House, that when the House adjourns to-night it shall stand adjourned until three o'clock to-morrow, instead of ten o'clock.

Sir RICHARD CARTWRIGHT. That is perfectly reasonable.

Mr. CAMPBELL moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

Sir CHARLES TUPPER moved :

That when the House adjourns this day it do stand adjourned until Saturday at 3 o'clock p.m.

Motion agreed to.

Sir CHARLES TUPPER moved the adjournment of the House.

Motion agreed to, and House adjourned at 12.30 a.m. (Saturday).

HOUSE OF COMMONS.

SATURDAY, 18th April, 1896.

The **SPEAKER** took the Chair at Three o'clock.

PRAYERS.

THE CONDITION OF THE MILITIA.

Mr. MULOCK. I desire to call the attention of the House to a matter of very great public importance, and will put myself in order by concluding with the usual motion. I take this means of bringing this matter to the attention of the House, because no other means is afforded me. In former sessions, I have endeavoured to bring to the serious consideration of the Government, similar matters, with a view to the correction of abuses and removal of grievances ; but, up to this moment, I regret to say, nothing has been done in the direction sought. I intend to invite the attention of the House to the condition of the militia of Canada generally, and to certain features of it in particular. In the first place, I venture to say that the people of Canada have, with the greatest willingness, contributed large sums of money, year after year, for the improvement of the militia system. The growing expenditure has been acquiesced in without complaint, and the only requirement on the part of the public appears to be that they shall get good value for their money. The people of Canada are essentially a patriotic people. There is a widespread military spirit in every part of the country. There is no disposition on the part of any public man to impose upon the administration of this department, a penurious or cheese-paring policy, and, if the representatives of the people are moved by a generous spirit, it is because, in that respect, they voice the sentiments of the country. But the country is entitled to efficiency in this, as in every branch of the public service, so far as the means at the disposal of the Government will admit, and it is entitled to wise economy in the expenditure of the people's taxes. And it is because this branch of the public service has failed, I submit in a large degree to fulfil these conditions that there is to-day a feeling, and a well-founded feeling, that the country is not getting full value for the money that is so freely poured out, and so cheerfully placed at the disposal of the Government. But a few short years ago the entire expenditure on our entire militia system was not half a million dollars. It has grown year by year until we find in the Public Accounts for the fiscal year closing the 30th June last charges of about $1,600,000 on account of the militia. That is a large sum of money, Mr. Speaker ; it represents a very large proportion of the public expenditure. And there is a feeling abroad that a very considerable portion of that money is not wisely expended, that it is wasted, that it is used for political purposes to pay the beneficiaries of political appointments at the expense of the militia of Canada. Take, for instance, our permanent corps. Every one will admit the importance of the maintenance of the permanent corps within reasonable limits. But we must remember that there is but a limited amount of money, and there are other demands than those of the permanent corps. There is great expenditure upon permanent corps, permanent staff, officials, high and low, while the service is scamped where it ought not to be. What has become of the system of annual drill which was said at one time to be a sine qua non of efficiency ? Where are the camps that were at one time annual, but have now become biennial? I might go into greater details on these important points, but I do not want to take up many minutes in the consideration of the subject, so I pass on as rapidly as I can. But more particularly do I wish to call the attention of the House to certain incidents in connection with the system which are certainly calculated to cause discouragement and distrust in the great volunteer army of Canada. Our soldiers are not working for a living as are the men of a regular army. We have a volunteer system, a system of citizen soldiery, where each man, from the highest to the lowest, makes great personal sacrifices in order to promote the efficiency of the service. And, Sir, if there is one feature in connection with the volunteer service more essential to its success than another, it is that each man, whatever his position, shall feel that he will receive justice at the hands of the governing body in regard to every matter concerning him in his military capacity. Sir, this is not the first time I have been obliged, on the floor of Parliament, to call attention to what I regard as an abuse of power. Two years ago it was my privilege to call the attention of this House to what was then recognized as a gross act of unfairness on the part of the Administration. I refer to the treatment meted out to Colonel Lazier of, I think, the Argyle Regiment, Belleville. What occurred on that occasion will be within the memory of every hon. gentleman. Colonel Lazier, who had been, if I remember well, twenty years at the head of his regiment, was summarily cashiered by an arbitrary order—cashiered in disgrace because it was stated that he had been short in his public accounts, and had, in other respects, brought his regiment into an inefficient condition. Here was a military man, a man of high professional position, a man at that time occupying a judicial position, that of Master in Chancery, a man who, in every respect, enjoyed and deservedly enjoyed the confidence of the community. He was summarily dismissed and his dismissal read out in general orders throughout the land. What justification was there for that act ? I will not trouble the House with details ; sufficient to say that the matter was brought up in Parliament and it was shown that Colonel Lazier had been dismissed without inquiry, without court martial, without the right of fair trial to which every British soldier is entitled ; dismissed arbitrarily and tyrannically. And but that there was a power of public opinion behind him, he would now be living under a cloud in his own country. But the case was brought up on the floor of this House. Military men and civilians, irrespective of party, moved by a sense of justice, demanded an investigation, which had been refused, and the result was that in the succeeding session, the Minister of Militia, who on that occasion, when the matter was under discussion on the floor of the House, had justified his arbitrary act, and said that he would have absolute discipline in his ranks and absolute fidelity, and charged that Col. Lazier had been shortcoming in both these respects, and further that he had been shortcoming in his accounts—that hon. gentleman, to-day the Lieutenant-Governor of the province of Manitoba was obliged, before he left office, to place on record a statement that his administrative act in the dismissal of Col. Lazier was unwarranted, and that the charges upon which he had delivered that judgment were baseless. That officer, instead of living under disgrace, instead of standing before his officers and fellow-soldiers having the status of a cashiered servant, unworthy of wearing Her Majesty's military uniform, was reinstated in office, and given an honourable discharge. Well, this is not the first incident, nor the only incident, I could mention if time admitted. Some years ago Lieut. Browning, of the Governor General's Body Guards, was similarly treated. Under the then Minister of Militia, the present Postmaster General, an order was made calling upon him to send in his resignation on or before a certain Thursday, or he would be dismissed and gazetted out the following Saturday. I was in this House at the time and laid his case before Parliament, and it was my privilege to say a few words on his behalf. The opinion of this House was against such a tyrannical act, and the then Premier, Sir John A. Macdonald, stood up in the House and stated that he would take the authority out of the hands of the Minister of Militia, because the Minister of Militia was misusing his power. He said on the floor of Parliament : Before I will allow that order to go into effect, I will give Lieut. Browning a fair trial. No member of the militia of Canada shall have judgment delivered against him untried. Sir, it is the privilege of every citizen, be he filling a civil or a military position, it is his right as a British subject to have a fair trial. I will refer to another case, an eminent case, and this is one reason among many that impelled me to take this course now, for this is the last opportunity there will be to appeal to Parliament and to ask that the powers that be shall stay an arbitrary hand, and do justice towards a worthy citizen. Sir, we have in the city of Toronto a regiment known as the Queen's Own. This regiment has been in commission now for over a third of a century ; it has on all occasions acquitted itself with credit, and has won deservedly the approbation of the country. In times of trouble and in times of peace the Queen's Own, from its inauguration up to the present moment, has deservedly enjoyed the confidence of the country. Sir, the Queen's Own stands to-day among the foremost regiments of Canada for efficiency. It is full of men fired with military spirit, commanded by officers of unblemished reputation and absolute efficiency. At the head of that regiment to-day is a gentleman, Lieut.-Col. Hamilton, who has risen from the humblest position in the ranks to be the lieut.-colonel of that regiment. For many years he has acted as lieut.-colonel in that regiment ; for many years, under his administration, that regiment has continued to enjoy the confidence of the public and the confidence and respect of the military profession of Canada. Under the management of Lieut.-Col. Hamilton no one will say that the Queen's Own has deteriorated in character. Sir, as a citizen of Toronto, knowing something of the standing of the Queen's Own, I venture to say that you will not find one citizen in the whole city of Toronto, with a population of 200,000, who will not refer with pride to the status of the Queen's Own to-day. Is that not to be attributed, to some extent, to the command ? The subalterns, the field officers below the colonel, exercise, of course, great influence, but the chief responsibility rests upon the man who is in command of the regiment. Now, for all the years that Lieut-Col. Hamilton has been colonel of this regiment, not one citizen of Canada has ever dared to say that it has deteriorated in efficiency, or that the morale of the regiment is not all that it ever was, or that it ought to be. Mr. Speaker, I am not going to enter into controversial facts, I am not going to prejudge facts; but let me state briefly the particular emergency through which this crisis arises. As I understand it—an inquiry, of course, may disclose facts differently—but as I understand it, at this moment the Government have called upon Lieut.-Col. Hamilton to send in his resignation, threatening him with dismissal unless he does so. Sir, will it be believed by any man here that they threatened to dismiss him without an inquiry, without assigning valid reasons, and after he has himself made a statement that certain of his officers have not been conducting themselves as they ought? I understand that Lieut.-Col. Hamilton had occasion to make a report reflecting upon the action of some of his officers, and here I call the attention of the leader of the House to this material point. Lieut.-Col. Hamilton, as I understand it, stated to the Government, through proper channels, for the information of the responsible authorities, that certain of his officials entered into a conspiracy against him for the purpose of rendering his administration an impossibility, and thereby compelling him to resign his command; and that communication, so sent, instead of being dealt with as it ought to have been, instead of the proper authorities inquiring into that charge, turned round and notified Lieut.-Col. Hamilton that they proposed to dismiss him. Now, did anybody ever hear of a more unjust procedure? When the colonel, upon whom devolves the responsibility for the maintenance of discipline in the regiment, makes certain charges against his subalterns, instead of the charges being investigated, instead of a proper inquiry being had to prove or disprove them, the authorities say: We dismiss you, Col. Hamilton.

Sir CHARLES HIBBERT TUPPER. On what ground?

Mr. MULOCK. On no grounds. We call on you to send in your resignation or we will dismiss you. I do not care what the grounds are. Whatever the grounds are, it is the very foundation principle of the whole system that a man should have a fair trial. If a policeman arrests a man engaged in the most unlawful act, he cannot execute lynch law upon him. The man is entitled to a fair trial; and yet this arbitrary Government have, not only in 1894, but in 1896, endeavoured to apply lynch law in the militia affairs of Canada. Sir, the Government are going to destroy the Canadian militia by such conduct. If every man who volunteers, who makes his sacrifice cheerfully, loyally and patriotically for the welfare of his country feels that he is serving under an ungrateful administration, or under an administration that does not appreciate the rights of each member of the force who, I ask, is going to serve in such an administration? And so, Sir, it fills me with indignation to think that such arbitrary and unjust treatment should be administered to any man who is so largely making sacrifices for the benefit of his country.

Mr. LISTER. During thirty years.

Mr. MULOCK. I have the statement here, but I will not go into details.

Sir CHARLES HIBBERT TUPPER. Do you know his age?

An hon. MEMBER. Forty-eight.

Mr. MULOCK. I can give all the information, for I have the details under my hand, but I do not wish to prolong the debate, and I am not going into the merits, one way or the other, but I take this point, that before an officer of the service can be dismissed in disgrace, he is entitled to a trial. Let hon. members of this House and the people of Canada understand that; let the members of the militia service understand whether they hold office at the arbitrary and irresponsible will of some Minister, or are they to be treated as gentlemen and as persons having rights, because it is not the first time it has happened, and it is not the first time the Government have had to publicly apologize. Let it now be settled once for all whether the service has rights or not. I repeat that I am not going into the merits. One story is good until another is told; but as in the army, a soldier is entitled to a court martial, to an inquiry, so the Queen's regulations run in Canada and apply to the Canadian service. If they do not, it is not too soon to make them. A similar trouble, I understand, crept into a regiment in Montreal, commanded by Colonel Strathy. There was some friction between Colonel Strathy and some of his officers. Yesterday I see two of his majors resigned. We know nothing about the circumstances, nor why their resignations were handed in, but certainly there was trouble, and it did not result in the Government calling on Colonel Strathy to resign or be dismissed.

I now pass away from that branch of the subject, as I wish to refer to another matter. Here I make another complaint against the Government. Two years ago I brought to the attention of the Government another branch of the militia system, the Kingston Military College. I tried to point out to the Government wherein it was necessary to reorganize that body, and although I have endeavoured to induce the Government to put that institution on the lines sanctioned by the constitution, yet they have refused to do so. Do not understand me as seeking the destruction of the Kingston Military College ; what I desire is that the college shall be placed upon a sound basis, and administered according to the constitution and according to the conditions of the country. What do I mean by that ? I submit, Mr. Speaker, that it is no part of the duty of the Dominion Government to embark in the ordinary business of civil education. Under the Confederation Act education is a subject assigned exclusively to the provinces, and the Dominion Government is only entitled to deal with that branch of education which is necessary in connection with some subject exclusively assigned to the Dominion. Inasmuch as militia and defence is a subject exclusively within the jurisdiction of the Dominion Parliament, I conceive that it is perfectly constitutional for the Dominion Parliament to expend public money for the promotion of military education, and there is where the line should be drawn. Instead of drawing the line there, the Military College at Kingston has been turned into an ordinary collegiate institute, or little university for teaching ordinary subjects necessary to qualify young men for civil avocations. If hon. members turn to the official prospectus issued by the college from time to time, they will find that the management make this statement, that this college—I am now only paraphrasing the prospectus—not only imparts a technical education qualifying men for militia appointments, but also educates them to fill the ordinary avocations of life, such as professional and business life. If hon. members turn to the Queen's regulations they will find it officially stated in a recent issue that graduates are educated for the learned professions, and so on, in Canada. I draw the line there, and I say that branch of expenditure on civil education, not being part of a military education, as unconstitutional ; it is a mere duplication and involves an unnecessary expense. For example, we have at Kingston public schools, a collegiate institute, and a university, all engaged in doing excellent work. In that same city, or a little distance away, we have a military college. This military college has a staff of professors and instructors, a large number of whom are engaged in the same kind of work that is done in the public institutions to which I have alluded, the Collegiate Institute and Queen's University. What possible justification is there for the duplication of a staff of professors for the purposes of educating young men civilly ? If there were no such facilities in Canada, perhaps you might, from the very necessity of the situation, justify that departure ; but can it be said that in any part of Canada to-day men cannot obtain all the education necessary in order to enable them to receive a fair military education ? No one will for one moment make the statement that to-day it is necessary to have a second collegiate institute at the city of Kingston ; and that is what you have got in the Kingston Military College. The result of this is unnecessary expenditure. What next ? An unnecessary expenditure is one thing, but this condition is bringing down public opinion on the college, it is making the college unpopular, whereas it should be made popular. It is doing an injury to the militia spirit in Canada, and is calculated to make the people in time deal out more reluctantly than they do to-day the public taxes for the maintenance of the militia sytsem. My point, therefore, is that the Kingston Military College must be reorganized. Let it do the work which alone constitutionally this Dominion Government has a right to embark in, imparting military education, and in doing that reorganize entirely the principle on which the college is now being administered. At present it is nothing but a rich man's college. It costs the parents of a boy $1,600 to put him through the college, $400 each year for a four years' course. That is an expense which practically removes the facilities of the college from the great masses of people. Very few pupils attend it. The way in which it is administered has placed it beyond the reach of the people, and only the favoured and fortunate few are able to take advantage of it, and that at an enormous expense to the country. To-day, there are, I understand, fifty-seven students or cadets, all told, an average of something like fifteen a year. Fifteen students a year at this college, because the system of administration places the college beyond the reach of the masses of the people. In that way it is failing to do the limited good it otherwise might do. Let me show you how this results. Two years ago, when I brought the matter before the House, there were fifty-six students, and a staff of thirty-six persons, but to-day there are thirty-seven of a staff all told for the education of these students. From the Auditor General's Report, I find that up to the 30th June, last year, the superior staff of that college consisted of fifteen professors and their assistants, whose salaries amounted to $28,981. There were also twenty-one of a subordinate staff, composed of servants, and sergeants and gunners, and so on, costing $8,104. The two staffs, aggregating thirty-seven persons, cost, in salaries, $37,085. Let me briefly point out, Mr. Speaker, the way in which the money is wasted to secure the students. This college costs the country anually, $60,000 or $70,000, and it costs each student $400 a year besides, or about $25,000 to the students alone. This institution maintained at that expense, succeeds in attracting, each year, fifteen students from all Canada, and on page 52 of the Auditor General's Report, I have a statement as to where some of the money goes. I find that in order to gather in those fifteen students per annum, the Government is obliged to advertise in 107 newspapers in Canada, and the Auditor General's Report sets forth the money paid for these advertisements.

An hon. MEMBER. Are they good Conservative papers ?

Mr. MULOCK. I expect so, but I would not blame the Government for not giving their advertisements to Liberal papers. However that may be, for each one of these students —assuming that every mother's son of them would not have gone there except for the advertisements—it cost $123 on account of advertising alone. As the probabilities are that none of them went to the college because of the advertisements, you can well understand what a waste of money there is under that one item. I may say that a number of the professors would not be on the staff if the scheme were carried out according to the spirit of the law. For example, if this institution were to confine its labours to imparting a military education, would we have professors of French, English literature, chemistry, geology and mineralogy, drawing, painting, civil engineering, and so on. I submit not. Well, Mr. Speaker, the graduates of that college have taken some interest in it. Speaking here on a previous occasion, I pressed upon the Government to organize a board of visitors, which is provided for under the Act, and allow that board of visitors to investigate and make a report as to whether any reforms were or were not necessary. That board met and there was a majority and a minority report from it. The majority report recommended, among other things, that the head of that college should not be a permanent officer, but should be in office for a limited period only. I am sorry that the Government have not seen fit to lay upon the Table everything submitted by that board. When I asked the Government to submit the report at first, it was submitted in a partial condition. I received information from a reliable source (from graduates who had learned the nature of the report) that the full report had not been laid upon the Table. That was an oversight, I am sure. The present Minister of Justice stated so, and I accept frankly and unreservedly anything he says ; so that in commenting upon that omission, the hon. gentleman will give me credit for sincerity when I say that I attribute that omission wholly to accident. However, it had the effect of delaying the matter in Parliament. I was told yesterday by a graduate—this I am not able to prove at present—I was told by a graduate of the college who called upon me, that the Government had not yet laid upon the Table the full report. How is that ? He told me that in connection with the official report, which I now have in my hand, there was another report, and that attached to the report submitted by the board was a large amount of evidence. I submit that that evidence should have been laid upon the Table. Upon what was this report based ? I am told that the evidence would have warranted inferences and conclusions more prejudicial to certain persons connected with the college. I am told that the evidence warrants and demands more radical conclusions than are set forth in the majority report. I submit that in view of that, it would have been fair to the House, if the whole of the evidence had been laid before us ; and if there were any further recommendations, even if they were of a semi-private character, they should not be private from the public, and they should be placed before Parliament. But let us take the report as we find it. There is a growing feeling in the country that the college is not up to the times. We have at the head of it, a gentleman who was, no doubt, distinguished in his day, but, according to the report of the majority, military education is a progressive science, whilst persons high up in the service, and up in years are calculated to be satisfied with the existing condition of affairs. As a result, the mildest inference one can draw from the report of the majority, is that the head of the college is not, to-day, up to the times ; and that the college must suffer until a younger and more vigorous person is placed in command. It is a delicate subject. I hesitate to express any opinion upon that point further than to refer to the recommendation of the commissioners, which ought either to be acted upon or disapproved. At present it stands confronting the public, and those who joined in that report are men of known standing, who certainly would not, either from ignorance or from any improper motive, join in a recommendation that was not in itself fair and just. The commissioners who made that recommendation were Col. Powell, acting Adjutant General of Canada ; Lieut.-Col. Duchesnay, Deputy Adjutant General of No. 7, Quebec District ; Lieut.-Col. H. Smith, of the London district, and Captain Duncan Macpherson. There was a minority report presented by Mr. Sandford Fleming, who was one of the commissioners. In his report, which is dated the 18th of November, 1895, Mr. Fleming expresses himself as follows :—

> If I understand the purpose for which the Royal Military College at Kingston has been established, it is with the primary object to provide the means of imparting a military education, the final object being to assure the presence in the community in after years, of a number of thoroughly educated military men, who although engaged in civil life would be available for service in any critical emergency.
>
> While the importance of this object must be to the fullest extent admitted, we must equally consider the advisability of attaining it in the best manner with due regard to cost.
>
> My examination of the college and the system followed satisfied me that neither of these re-

> sults are obtained. It may easily be seen that the institution is over-manned. From the information laid before us there are now in residence 57 cadets, while the staff under pay, of officials, professors, assistants, subordinates and servants reaches the total number of 37 ; and the number does not include the caterer's department, which being under contract is entirely distinct. The work of the college conducted on this costly scale has furnished the results which I will briefly submit.
>
> During the past five years the military college has turned out on an average 13 3-5 per cent graduates per annum. Without taking into account the outlay incurred in erecting and equipping buildings, or interest on capital invested, this result has been attained at a cost for each graduate of (say) $5,510. Of this total sum, the graduate himself has paid (say) $1,450 ; the part borne by the Dominion in the current outlay has been $3,700.

And in reading this I am reminded of the result of my investigations, which I laid before the House two years ago. Admitting that this college was established for the purpose of providing military men with an education to fit them to enter the Canadian service alone, and bearing in mind that the Government had ignored that object, I think there had been, at the time I speak of, only eleven graduates of this college placed in positions where their qualifications could be of advantage to the whole service of Canada. The result was that up to that time it had cost Canada between $90,000 and $100,000 for each graduate who was placed as an instructor in connection with the militia of Canada. In case my recommendations should have any weight, would you superannuate under the ordinary system, as you did Lieut.-Col. Powell ? Would you give them a bonus ? Or, how would you thin out the staff, so as to bring the expenditure within justifiable limits. These are matters for consideration ; but certainly the difficulty of thinning out the staff must not stand in the way of bringing it within proper limits, and thus saving the college from public indignation. Allow me to read a little more from Mr. Fleming's report :

> The education imparted is not confined to a military training ; the cadets are admitted to the institution with an imperfect civil education and professors and lecturers are required to teach them the branches of ordinary education commonly taught at the schools and colleges of the country. As a consequence of this system four years are necessary to complete the education of the cadet ; the length of the term involved under the elaborate combination of professors, officials and others, greatly increase the expense to the cadet himself, as well as to the Dominion.
>
> This is not the course followed at the great military schools of England. At Sandhurst, where young men are trained for the cavalry and infantry, the length of term is one year and a half. At Woolwich, the school for the engineer and artillery, the highest branches of the military profession, the period is two years.
>
> Conceiving that experience has demonstrated the wisdom and expediency of limiting the period of military training to one and a half and two years at these famous schools, I had difficulty in understanding the necessity for prolonging the term to four years in Canada. The explanation of my colleagues on the board was, that the circumstances are peculiar in Canada, and any departure from the present system is not advisable. The board asked the three highest officers of the college an expression of opinion, on the principle of having cadets a shorter term in residence at the college and requiring them to complete their civil education before entering. None of the answers furnished were in favour of changing from the present system.
>
> Notwithstanding these adverse views, the impression I had first formed remains unchanged. I am unable to see sufficient reason why we cannot with propriety follow the example of the mother country and take means to render it unnecessary for cadets to remain longer than two years at the Royal Military College. The means which naturally suggest themselves are to convert the institution into a purely military college, and, as in England, leave the ordinary schools and colleges of the country to educate those who are to be cadets, in English, French, mathematics, physics, chemistry and natural science. That is to say, candidates for cadetship should be proficient in these branches of study before they are admitted to the military college.
>
> When this institution was first established there may have been greater reason for the course then adopted, which is still followed, but that time is past.

I think Mr. Fleming is in error as to the course followed at that time. When the college was established, it was intended that the education should be confined wholly to a military education ; and Mr. Mackenzie, speaking in Parliament at the time, said that it would only be necessary to have a couple of professors, that the college would be established in some military town where it would be possible to get the advantage of the permanent corps, and where there would be facilities for the students to receive a civil education, and that in that way the expense would be comparatively trifling. But unfortunately those economic days have long since gone by. Mr. Fleming goes on to say :

> I think I am quite correct in saying that in Canada, to-day, a better civil education can be had outside than inside the military college, and at far less cost.

When Mr. Fleming says that, he says a great deal ; and he is by no means a mean authority. Himself a man of learning, connected with an institution of learning, and one who has taken much interest in the education of the youth of the country, he speaks with authority. He goes on :

> It appears to me that the change suggested would confer many and great advantages, and would result in a very great reduction of expense, not to the Government only, but to the cadets themselves. As one direct effect, it would admit of families availing themselves of the privileges of the college who are now debarred by the question of cost. I do not think

it an exaggerated view when I express the expectation that the reductions of expense added to other inducements which I shall presently refer to would lead to a great increase in the number desiring to become cadets.

> As the whole matter presents itself to my mind, the facts and principles connected with them, may thus be summarized :
>
> 1. That a good civil education is the essential groundwork of complete military education, as it is of all professional educations, and that it should accordingly precede technical studies.
>
> 2. At the Royal Military College at Kingston an attempt is made to impart a civil education as well as a military education.
>
> 3. At the Military College a civil education is obtained at an excessive and unnecessary cost.
>
> 4. Civil education is not one of the constitutional functions of the general government.
>
> 5. There is now in all, or nearly all, the provinces of the Dominion, ample provision for imparting to the youth of the country the best civil education.
>
> 6. Military education at the English schools is limited at Sandhurst to one and a half years, at Woolwich to two years.

Then he goes on to draw other deductions, for instance, in subsection C :

> The Military College at Kingston should be a military college and nothing else. So constituted, the course of instruction need not exceed two years.

Suppose, for a moment, that the course of instruction was limited to one and a half or two years, how it would at once popularize the college. The length of time would not be prohibitory, while the expense would be comparatively light. Instead of there being but fifty-seven candidates, you would probably have several times that number. You would duplicate the advantages at only a fraction of the present cost, and I think that this is a good axiom, that the higher the cost, the less use you will get out of the college. The more elaborate and the more expensive the system, the less public good will result. So that, if you bring it down to a popular basis, in the way I am suggesting, you will at once increase the numbers of those who will take advantage of the college and in that way benefit the public. There is one point that members of the House have frequently dwelt upon, and in which I do not altogether agree. This view is not limited to one side of the House alone. I think my hon. friend from Kingston entertained it, and so do some others on the other side. It is said that the graduates of this college have the best claim upon civil appointments, and should be appointed whenever there are vacancies, provided that their technical education would specially adapt them for those positions. I do not agree in that proposition. It is not necessary for us to maintain a college in order to qualify men to fill civil appointments. The qualifications for civil appointments can be acquired in the various educational institutions throughout Canada, so that I do not justify the maintenance of this college because of the requirements of the Civil Service at all. The college can only be justified by the requirements of the militia. The outcome of the teaching of the college must be felt on the militia of Canada for good, or else the college must go. I lay down that proposition. If these men are to get the benefit of this luxurious education in Kingston largely at the public expense, and are to have besides first claims on all the civil appointments in Canada, and be entitled to superannuation at an early age, certainly they will be the favoured children of Canada. So that I dissent altogether from the doctrine that this college can be maintained for the purpose of preparing officials to obtain civil appointments in the gift of the Crown. There are a number of other matters in connection with the service to which I would like to refer but will not. The case of Colonel Hamilton I hoped to have had occasion to bring to the attention of Parliament on a former occasion, and to have been able this session to discuss it fully, and if it comes up at this late hour, it is because of the state of the Order paper and the early demise of Parliament. I am sorry to have dwelt so long upon the subject, but in the meantime, while the Government may not be able to give me any pledge with regard to the reforming of the Kingston Military College, because that may be the task of an incoming Government, yet so far as Colonel Hamilton is concerned, he having been called upon to send in his resignation or be dismissed, I ask the Government, in view of what I have argued and of former mistakes, to stay their hand and do justice to an officer in the proper military way by giving him the advantage of a fair trial.

Mr. DICKEY. I am sorry that I was not able to be in the House when the hon. gentleman was addressing himself particularly to the matter of Colonel Hamilton, but notes of his points have been put in my hands and I have been able from his subsequent remarks to learn pretty well the line of argument which he took. I am not able, I regret to say, to give the hon. gentleman very much information with regard to this particular case. It is one that has happened recently, and as no notice of this motion was given to me, and I believe none was given to the hon. Minister of Militia——

Mr. MULOCK. I did not give notice of it because it was only this morning that it was brought very prominently to my attention by a person closely connected with the threatened danger.

Mr. DICKEY. I am not challenging the hon. gentleman's motives, but simply noting a fact which, the House will see, very much limits the information which the hon. gentleman is likely to get by a discussion of this question. I have been able, however, to see the hon. Minister of Militia since the hon. gentleman was speaking, and I am informed that there was trouble in the regiment commanded by Colonel Hamilton, that an investigation was held by the Deputy Adjutant General of the district, Colonel Otter, that Colonel Otter made certain recommendations to the general officer commanding, on which the general officer commanding arrived at the conclusion that the best interests of the service required that Colonel Hamilton should resign the command of the Queen's Own Rifles, and that he placed that alternative very clearly before Colonel Hamilton, saying that it meant either the disruption of the regiment or his resignation. I am not able to say at all whose fault it is, I am not able to say whether it was due to the mismanagement of Colonel Hamilton or whether it was anything in the nature of a combination against Colonel Hamilton among the officers and men. I know nothing whatever of the circumstances. But, as I understand it, the case was investigated by the Deputy Adjutant General and the fact was that the regiment could not longer exist under the command that it then had, and for these reasons Lieut.-Col. Hamilton was asked to hand in his resignation. The hon. gentleman has referred to the case of the Royal Scots of Montreal. It seems to me that this is a most unfortunate way of conducting a discussion unless the hon. gentleman is prepared to state the two cases are on all fours with each other. I know nothing of the case either, except what I have seen in the newspapers. All that I can say is that the same officer dealt with both cases. This was the general officer commanding, who, so far as I am aware, knew nothing of either of these commanding officers, and who has no local prejudices, no party prejudices, no personal feelings of any kind, who is an officer of the very highest record in England, and who is actuated by one single idea and that is to do what is best for the majority of the militia of Canada. And, therefore, I can say to the hon. member for North York, without personal knowledge of the circumstances, that the fact that the matter was dealt with entirely by General Gascoigne, gives me very great confidence that full investigation would satisfy any person really wishing to get at the facts that nothing but fair-play and a sincere desire to promote the best interests of the militia had actuated the General in his course.

Mr. MULOCK. May I ask the hon. gentleman a question ?

Mr. DICKEY. Certainly.

Mr. MULOCK. Does the hon. Minister happen to know whether Lieut.-Col. Hamilton was allowed to be present at the investigation ?

Mr. DICKEY. I do not know anything about it, I am only speaking from information I received that Col. Otter held an investigation.

Mr. MULOCK. I am not sure, but I understand that the investigation was without his knowledge or that he was allowed to take any part in it.

Mr. DICKEY. I am not able, I regret to say, to speak as to that.

Mr. MULOCK. I do not speak definitely on that point.

Mr. DICKEY. I regret that I am not able to give the hon. gentleman any more definite information, for the reason I have stated. Now, with regard to the Military College, I submit that while the hon. gentleman has been very persistent year after year in dealing with this subject, and while the Government must certainly be aware about his views of the reports that were laid upon the Table, the discussion is really premature. These reports were delivered to the Government in the middle of a term of the college, when the professorial staff was engaged in the work of instructing the students. It would have been fatal to the interests of the college for the Government to take precipitate action with regard to any of the recommendations contained in either of the reports. The action to be taken must certainly be delayed until the current school year is completed and the students go to their several homes. The hon. gentleman has spoken of another report still which was delivered by the visitors to the department. The hon. gentleman is quite correct. The report was given to me, and it did contain evidence such as he describes. But it was not handed to me as a report of the visitors ; it was handed to me by the Adjutant General as a confidential memorandum for the confidential information of the Minister, not in any sense as the report of the visitors of the college. I am not quite sure whether it was given with the consent of all the visitors. It may be signed by all. My impression is that it was handed to me by Col. Powell himself——

Mr. MULOCK. I am informed that it was part of the report, that all were fastened together and handed into the department, but Col. Powell separated them.

Mr. DICKEY. The hon. gentleman's information is quite incorrect as to the shape in which it reached me——

Mr. MULOCK. I am not speaking of how it reached you, but of how it reached the department.

Mr. DICKEY. It came from Col. Powell entirely separate from the report and as a confidential memorandum dealing with the personal characteristics of the several profesors of the college and one thing or another like that of a highly confidential character; and, viewing it in that light, I would not make it known without the distinct order of the House. Therefore, though there is such a report, I did not feel it to be my duty to bring it down.

I do not know that any good purpose would be served by my discussing the questions the hon. gentleman has raised. The hon. gentleman has referred to the minority report made by Mr. Fleming. Now, Mr. Fleming left the visitors before they had concluded their investigation and their deliberation, as I think appears by his letter, and made up a separate report without consultation with his confreres. There is really only one idea in the report of Mr. Fleming, and that idea is one which the hon. gentleman from North York seems to have adopted, namely, that the Military College should not give what has been called secular education——

Mr. MULOCK. I said civil education.

Mr. DICKEY. Civil education—as distinct from military education. Mr. Fleming elaborates that theme. He plays various melodies, but the theme is always the same.

Mr. WALLACE. I would like to ask the hon. Minister if the question of religious education arises in this connection ?

Mr. DICKEY. No ; the hon. gentleman may feel quite sure that there is no religion in the schools and therefore he may make his mind easy.

Mr. MARTIN. It seems to be a godless school.

Mr. DICKEY. Yes. Mr. Fleming makes the point I have referred to, and presses it home and argues it in various aspects. That is a view which was entirely dissented from by the rest of the board of visitors. That is a view from which, so far as I have been able to form any opinion, I absolutely and entirely dissent. I dissent if only for one reason : The men that have been turned out of this college have made a record for themselves in the British service that is unique. Since they began going into the British service, some sixteen or seventeen years ago, there has never been one cadet of the Royal Military College who has, as they say in the army, gone to the bad. There is not one single man of them who has been a failure. And I think that when you say that after sixteen years' experience of men who are gathered from all parts of Canada to attend that school, you pay the highest possible compliment to the type of education that is imparted to them there. Not only have they not gone to the bad, which I am told by officers of the army is a remarkable thing, taking the average of the army, but they have proved themselves, from a professional standpoint, the superiors by far of the men who come out of Sandhurst, Woolwich and other English institutions. In technical and military knowledge, in military spirit and in every other respect they have shown themselves the superiors of the English-educated youths. I do not refer only to conspicuous examples. There are conspicuous examples, but these perhaps you might attribute to the personal qualities of the men. Some of these men who went out were born soldiers, and not made so ; but wherever you take the trouble to follow them, whether you go to India, or whether you go to the coast of Africa, or wherever you go, you find that these Canadian boys that when from the Royal Military College, are climbing up hand over hand ahead of competitors who were educated at Sandhurst and Woolwich. Now, what is the reason of that ? That surely is a very relevant question. I venture to make this statement, that if application were made to the Commander in Chief in England today for a thoroughly efficient and reliable young man to do a delicate duty, requiring training and the qualities that go to make up a good military officer, the chances are largely that, passing by the enormous bulk of men in the British service, he would put his finger upon a Canadian who was educated in the Royal Military College at Kingston, to undertake that work. That has been done over and over again. Now, the question arises, What is the reason of that ? It cannot be because the man was born in Canada ; it must be a question of education and bringing up. In Sandhurst and Woolwich the course is a year and a half and two years, and the education is purely a technical and military education. Now, what is the education given at the Royal Military College ? It is a combined civil and military education. But I want to point out this fact, that of that combined education, the civil part is all looking towards the military part, and in aid of the military part ; the two go hand-in-hand. When a cadet goes into the college he is given an education in hand drill, and put in shape physically, and goes through a regular routine of gymnastics and all that sort of thing. Then begins his military and civil education combined, one branch goes on with the other. The hon. gentleman must realize, and the House must realize, that the conditions of warfare have entirely changed in recent years. I suppose that fifty years ago a knowledge of chemistry would have been practically useless to a soldier. To-day war is really a mathematical science, it is no longer what it used to be. It is conducted with scientific weapons, produced by experts upon regular scientific deductions and calculations ; and the whole conduct, particularly of artillery, is purely a question of high mathematical training. Then the subject of explosives comes in, requiring a knowledge of chemistry, a knowledge of topographical surveys, and a special knowledge of the surface of the country is required. Therefore I say that the civil education is almost entirely ancillary to the military education. The hon. gentleman suggests that we should have a two years' course.

Mr. MULOCK. I did not say a one or two years' course, but I said a reduced course.

Mr. DICKEY. Mr. Fleming takes that view, but Mr. Fleming says, and says quite properly, that in order to make a good soldier nowadays, you must have a thoroughly educated man, and I think Mr. Fleming points to Queen's University as a very proper place where cadets could be educated. What does that mean ? It means that the men who go into the Royal Military College, if they are to be thoroughly educated, would have to be graduates. If they are going to be properly educated men they must have been two or three years at a university, and what is the result of that ? The result of that is that you would enormously reduce, in my opinion, the number of men who would go to that college, because it would come to be a question of getting an education anyway ; they would have to go to some expense in getting an education. Now, there are very few families in this Dominion, at least, who, after their sons have graduated from a college, can afford to send them to the Military College again to get a purely military education, without prospects of certain employment, and merely in order to perfect themselves in that particular branch. It is a common thing in this country for people to put their sons through a college course, and then give them a course in medicine, or a course in law. But a man who is educated in that way comes out of a medical college, or comes out of his legal training, with a profession which he can immediately turn into money, he can set himself up in practice and make a living for himself. But the hon. gentleman proposes that a man shall take a year longer, or perhaps two years longer, to get his military and civil education combined, and at the end of that time he would have no better chance for employment than he had when he came out from a university with his B.A. Therefore, it seems to me that a judicious admixture of civil education with a military education is an absolute necessity in order to turn out the highest class of men. In support of that I can only appeal to results, I can only appeal to the men who have been turned out, and who are competent to take high positions in the British service. I ask the House to be very slow to adopt offhand a proposition which does not meet with the approval of four out of five of the members of the board of visitors, and which, so far as I know, is approved by none of the educationalists belonging to the college. Their opinion, no doubt, would be subject to suspicion, because their employment might depend upon the continuation of this system. But at any rate, for what it is worth, there is the opinion. Now, the hon. gentleman says that the expense is too large, that the staff is too large. The hon. gentleman and the House will understand that it takes as large a staff to put sixty men through a given course of training in a number of branches, as it does to put 120 men through. It is like any other business, the moment you enlarge it, you reduce the average expense. The real cause of the great cost of this college is the small number of cadets that attend it. The staff that is employed there could handle, probably, five or six, and for aught I know, ten times the number of cadets that they handle now. That is, they could give them an education in a general sort of way without any more assistance.

Sir RICHARD CARTWRIGHT. Has the hon. gentleman any comparative statement showing the experience at Sandhurst, Woolwich or West Point ?

Mr. DICKEY. Well, the difference is this, that at Sandhurst, Woolwich and West Point, they have a large and wealthy population to draw from, and the average expenditure is much smaller there because a much greater number of students attend those institutions. If we had fifty or sixty millions of people to draw from, doubtless we would have ten times as many students.

Sir RICHARD CARTWRIGHT. I do not want to interrupt the hon. gentleman, but he seems to have given some attention to this point, having been Minister of Militia himself, and I thought he might have obtained some information concerning the expenditure at West Point which, I may remark, is the nearest in point of organization to ours ; in fact, I think our system was organized, to a considerable degree, on the West Point model. Speaking subject to correction, a comparison between West Point and Kingston Military College might not by any means be very disadvantageous to us. I am not at all certain as to that point, but it would be interesting to obtain the information.

Mr. DICKEY. I was referring more particularly to the English military colleges. I had the figures from West Point when I was in the Militia Department, and I do not know that they are unfavourable to us, but I am not in a position to give an opinion on the point. I am drawing attention to this fact, that we cannot altogether depend upon the average of figures for each student without knowing all the conditions of the problem. The real question which the hon. gentleman intends to raise, is this, not the average cost of the education of each student, which is really irrelevant, but as to whether the staff of instructors is too large, whether there is too much organization for the education of the students. On that point I have no knowledge myself, except that when Minister of Militia, I pressed that view strongly upon the commandant and the authorities at the college, and I was not able, during the time I was Minister, to make that personal investigation I should like to have made; but I was satisfied, from the representations they made to me, that the staff, with the exception of one or two instances, in the lower grades, for instance, men such as drill instructors, where there might be small economy effected, was not too large and there was not a professor or instructor who could be spared. In that connection, I should like to refer the hon. gentleman to the majority report of the visitors, which says:

> The cadets admitted each year are placed in the same class, and although the professorial and instructional staff is required at the present strength, they can perform similar functions for classes of the maximum of 26 without detriment to efficiency.

So, in the opinion of the board of vicitors, the present staff, so far as professors and instructors are concerned, is not too large for the duties it has to perform.

Mr. MULOCK. What sources of information did the visitors possess on which they arrived at their conclusions, except the advice of the professors and their own knowledge? None of them were university men.

Mr. DICKEY. They went there with instructions from me as Minister of Militia to exhaust every source of information available inside the college walls, and I believe they fully carried out that instruction. They heard every class of opinion that was represented there, and one of the visitors was Mr. Macpherson, one of the first graduates, a man who has always kept up his connection with the college, and maintained his scientific training, and holds a distinguished position as divisional engineer on the Canadian Pacific Railway. He was there with the board, and he concurred in that remark.

Mr. MULOCK. My point is that the only persons who are competent to arrive at a finding on such an inquiry are either persons having themselves expert knowledge as expect educationalists, or persons having evidence of experts as educationalists to guide them. I do not know that any member of the board, except Mr. Fleming, is in any way connected with our educational institutions, and therefore they were not able to speak from their own knowledge as to the capacity of the staff as regards the needs of the students. So they had only the evidence of the staff of the college to guide them.

Mr. DICKEY. The hon. gentleman is aware that you may go from Scylla to Charybdis. You may wish to avoid non-educationalists, and you may stumble across prejudiced educationalists. Whatever this opinion is worth, it is the view of the visitors of the college. The question has been raised whether we have constitutional jurisdiction to give the education we do give. I think there is nothing serious in that objection. The question really is as to the needs of military education. If it is reasonably necessary for a military education that arithmetic be taught, no court in the land would draw a distinction between arithmetic and land surveying, and say the college was acting unconstitutionally because it taught one branch that was not strictly military in its nature. The Act establishing the college says, in section 1, as follows:—

> There shall be an institution for the purpose of imparting a complete education in all branches of military tactics, fortification, engineering and general scientific knowledge in subjects connected with and necessary to a thorough knowledge of the military profession, and for qualifying officers for command and for staff appointments; and such institution shall be known as the Royal Military College, and shall be located in some one garrison town of the Dominion.

It really comes back to whether the education given is reasonably necessary to complete the military training, and in support of that condition, I offer the opinion of the four visitors of the college, who were strongly opposed to Mr. Fleming's view, and the records of the men who have come out of the college and entered the military profession. As I am reminded, the Major General commanding is also strongly in favour of the system which at present exists at Kingston, and would be utterly opposed to adopting the system at Woolwich and Sandhurst under which he was brought up. The recommendations in both these reports will certainly have to be considered and taken into account, and whatever action is necessary will have to be taken upon them, whether it will be done by an incoming Government or by a continuation of the present Government, is a question which the future will unfold, but, at the present time any discussion as to the merits of the matter would be entirely out of place. I do not think the hon. gentleman wants to attack the results of the Royal Military College, that he wants to throw the slightest aspersion on the men which the college has turned out. He will admit that they are a credit to Canada as well as to the institution, and therefore we should be very slow to throw over the course of education which has produced those results.

Mr. EDGAR. The Queen's Own Rifles is a regiment of which Toronto is justly proud. It is one of the historical regiments of Canada, one of the first organized, and it has had the good fortune, from a soldier's point of view, of having been brought more than once into active service. The people of Toronto, Ontario, and Canada are justly proud of that regiment. Thousands of the citizens of Toronto who are now spread over the world passed through the ranks of that regiment. As an illustration of that fact, I may say that I wore the uniform of a full private myself thirty-four years ago. I may add that a son of my own wore its uniform through the North-west rebellion, as a private. The well-being of that regiment and its honour affect very closely the feeling of the people of Toronto and Ontario, I can assure this House. The progress of the regiment from its earliest beginning, when there were only two or three companies, to its present condition of ten companies, has been steady and has been wonderfully maintained. It has always been advancing in efficiency, until I think the climax was reached last autumn when there was a church parade in Toronto on the 3rd of November, in which the Queen's Own Rifles and all the military forces in Toronto took part. While the Queen's Own Regiment has only what they call an establishment—that is a full complement of officers and men—amounting to 458 all told ; at that church parade in Toronto 724 men of the Queen's Own turned out.

Mr. DICKEY. Hear, hear.

Mr. EDGAR. Does not that show its efficiency ? Well, Sir, who has been the commanding officer of that regiment for the last six and a half years ? Sir, Lieutenant-Colonel Hamilton has been its commanding officer. But, a few weeks ago, there were some extraordinary and almost incredible statements going the rounds of the press, to the effect that Lieutenant-Colonel Hamilton, who had brought that regiment up to its present high efficiency, was asked to resign by the Militia Department. Now, Sir, when I heard that I was surprised. I was in Toronto about that time, and a friend of Colonel Hamilton whom I met, corroborated the fact, and when I came down here I put certain questions on the Order paper. It was almost incredible and I could not believe that it had taken place. My questions were answered on the 6th of April last by the Minister of Justice acting for the Minister of Militia, and the following are the questions I put and the answers thereto :—

Mr. EDGAR asked :

1. Has Lt.-Col. Hamilton, of the Queen's Own, Toronto, been officially asked to resign ?

(a.) If so, upon what grounds has his resignation been demanded ?

2. Have any, and what charges been formulated against Lt.-Col. Hamilton, and by whom ?

(a.) If so, has he been given any opportunity to meet them ?

3. Has Lt.-Col. Hamilton made any charges against officers of his regiment ?

(a.) If so, has an inquiry been ordered thereon ?

Mr. DICKEY. The following answer has been handed to me :—No. 1. He has. (a.) On the grounds that, as Lieutenant-Colonel Hamilton had, unfortunately, lost the confidence of the officers and of the regiment, and their good-will, a deadlock had occurred, highly injurious to the regiment, and it therefore became necessary to effect a change in the command. No. 2. No charges whatever have been formulated against Lieutenant-Colonel Hamilton. No. 3. Lieutenant-Colonel Hamilton has made a charge against an officer, for not handing over to him, when ordered, certain moneys received by this officer from other officers ; but the officer in question, who was acting as treasurer for the whole, had received from the other officers a notice that he was not to part with the money which had been handed over to him for safe-keeping, and he was, therefore, perfectly justified in his refusal. The charge, therefore, made by Lieutenant-Colonel Hamilton for disobedience of order, was no charge at all, and, therefore, no inquiry was needed.

Now, Sir, the information given then has not been supplemented by anything which we have heard to-day from the Minister of Justice. I suppose as a matter of fact there is nothing more to be said in defence of the action of the Government towards Colonel Hamilton. Sir, what does this show ? It shows that an efficient officer, whose regiment, if not the best, is certainly one of the very best regiments in Canada, has been threatened with expulsion, with disgrace, and has been requested to resign under the threat of being cashiered. As a matter of fact he has had the regiment taken out of his hands. He has refused to resign without knowing some reason why, and we have the avowed statement made before the country that that meritorious officer, without the shadow of a charge having been formulated against him, has been dealt with as if he were a military criminal, and practically cashiered from his high command. I say, Sir, that the country, and the militia forces of the country, will want to know if that is going to be the practice of the Militia Department in the future, because it never has been the practice in the past. I have here a letter from a gentleman in Toronto who gave me the information on which I put these questions, and he points out several errors in the reply of the Minister. He has reference to the complaints which were made by Colonel Hamilton against officers of his regiment, and in relation to which an inquiry was refused by the department. My informant says, that the officer who held the money referred to was Lieutenant Mitchell, who had acted as treasurer of the fund. He continues :

> **Lieutenant Mitchell held money from two sources, viz. : officers' fees and regimental money. This money was held at the credit of what is called suspense fund. Colonel Hamilton was directly responsible for these arms and accoutrements, for which his personal bond is held by the Militia Department. The money was held to indemnify him, but for convenience had been handled by the treasurer. Lieutenant Mitchell's term of office had expired and he**

> refused to continue longer in the position of treasurer. Under these circumstances Colonel Hamilton instructed him to hand over this money to himself, amounting to about $250. Lieutenant Mitchell asked the Colonel to excuse him for a few minutes. Returning shortly he said he had consulted two or three senior officers and they had instructed him to hold on to the money and he refused to give it up. This was a clear act of insubordination and conspiracy as the money was regimental money for which Colonel Hamilton was alone responsible. The purpose was to embarrass the management of the regiment.

From that it would appear that Colonel Hamilton as commanding officer was responsible for this money ; that he had ordered his subordinate, a lieutenant of his regiment, to hand that over to him when the lieutenant had given up his office, and this subordinate positively refused to comply with that. That was a clear case of insubordination and the Government refused to make an inquiry into that at the suggestion of the colonel of the regiment. This letter goes on to say :

> The department appears to have adopted a new rule, namely, that written charges by a commanding officer enforcing discipline are to be ignored, while secret verbal statements from dissatisfied, insubordinate officers who conspire together are to be accepted as truth and acted upon ; the severest penalty known—the dismissal of the commanding officer—being enforced without opportunity for him to reply to any statements that have been made.
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> So far as known three-fourths of the officers in the regiment have never been asked their opinion respecting Col. Hamilton. The fact is, the Deputy Adjutant-General who sent the report to the General did so after holding hole-and corner meetings with a few disaffected officers impatient for promotion, and also after actually descending to look for complaints from sergeants, some of whom had been reprimanded for unmilitary conduct.
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> The methods employed in this instance have been unprecedented, and no other officer has ever before been accorded such treatment. Had the political proclivities of the parties been reversed, the officers who have instigated the Colonel's removal would have been court-martialled and dismissed for insubordination and conspiracy.

Mr. DICKEY. What is the hon. gentleman reading from ?

Mr. EDGAR. From a letter which I received from a gentleman in Toronto, who communicated to me the circumstances on which I founded my question. I think he is quite right when he refers to this charge of conspiracy and insubordination among the officers. I hold here the regulations and orders of the militia of 1887 ; and I find that rule 140, which is remarkably applicable to this case, says :

> One of the fundamental and most necessary rules of military discipline is to forbid anything bearing the appearance of combination, to obtain the redress of grievances, among individuals composing a military force. If officers or men, whether on active service or oherwise, have any grievance, their complaint should be laid before their commanding officer in respectful language, each individual speaking for himself alone. Meetings of officers may be called only by the commanding officer, who is responsible that they shall be for a particular purpose.

When subjects of that kind were brought to the attention of the Department of Militia by the commanding officer, and he asked for an inquiry, I say it was a most extraordinary part of this whole case that an inquiry was refused. Now, can any one say that Lieutenant-Colonel Hamilton, who has been six years and a half, since 1889, in command of this regiment, is unduly hanging on to that command, and unduly standing in the way of the fair prospects of promotion that military officers very properly entertain ? I say he is not holding on for an undue length of time. I have here a list, which certainly surprised me, giving the length of the terms of the commanding officers of the existing military force of Canada. Colonel Hamilton, as I have said, was appointed in 1889. There are in command to-day two colonels who were appointed in 1864, thirty-two years ago ; there are three who were appointed in 1866, one in 1869, one in 1870, two in 1871, one in 1873, four in 1874, among whom is an hon. member of this House.

Mr. PATERSON (Brant). Who is that ?

Mr. EDGAR. Colonel O'Brien. In 1876 there were seven appointed, who are still in command of their regiments, and one of these is an hon. member of this House, Colonel Tyrwhitt. There were eight in 1877, one in 1878, one in 1880, three in 1881, one in 1882, one in 1883, three in 1884, ten in 1885, five in 1886, eight in 1887, three in 1888, and four in 1889, before Colonel Hamilton was appointed. Therefore, there are to-day in the militia of Canada sixty-nine commanding officers who are senior in appointment to Colonel Hamilton, and there are only forty-six who have been appointed since he was. Therefore, there is no shadow of excuse for saying that this colonel of a regiment should be dismissed because he has been too long in command. Some other reason than that must be found. Take the history of the Queen's Own itself. Had it colonels in command as long as Colonel Hamilton ? Its first colonel, who was in command when I was a private in the regiment, Colonel Durie, was six years in command until he died ; Colonel Gilmour was nine years ; Colonel Otter was nine years ; Colonel Miller and Colonel Allan were both in command for shorter terms, as they died during their terms ; then Colonel Hamilton comes with his six years and a half. Now, has this regiment suffered in efficiency during Colonel Hamilton's time ? I got the militia reports while my hon. friend from North York (Mr. Mulock) was speaking, and, looking at the annual reports of inspection of this regiment, I find that in 1891 there were found to be ten companies, a brass band of forty men, and a drum and bugle band of thirty men, and both of these bands were excellent. I find that the establishment was 458 men, that the strength of the regiment at the time of the inspection was 618, that the general conduct of the corps was good, and the general state of the clothing, arms and accoutrements was very good, and that the field movements were very well done. In 1892, after giving details similar to the above, the report winds up with these words :

> This battalion is remarkable for its strength and enthusiasm in all duties.

And still Colonel Hamilton was in command. Then later, in 1894, the Militia Report says: "This battalion is 200 men over strength, and in excellent order. It is a great credit to the militia force." That is the official report of the Militia Department. Where is the excuse there for cashiering Colonel Hamilton without investigatiion or notice ? I admit that there is an arbitrary prerogative power resting in the Government, in the Militia Department, to advise the Governor General to dismiss or cashier any officer in the service. But does that prerogative right, at this time of day, in this free country, authorize any arbitrary set of men to dismiss and disgrace a worthy officer without an inquiry or an opportunity to answer whatever hole-in-corner investigation may have been made ? No such thing as that can be tolerated in this country by any class of men, much less by the high-spirited gentlemen who compose the officers of the militia. They should not be treated as serfs, or slaves, or dogs. The Minister of Militia is not a Czar or Sultan to dismiss or disgrace them at his own will. What would have happened, in Colonel Hamilton's position, if he had accepted the proposal from Ottawa that he should send in his resignation ? Everybody would have pointed the finger of scorn at him and said that he had resigned to avoid an inquiry. He would have been disgraced for the rest of his life. But instead of resigning, he asked for an investigation, and I took the opportunity of telling him, when I saw him to-day, that I proposed to bring this up in Parliament. Then let the Militia Department dismiss him if they dare, and the people of this country will know the reason why. It would be an insult to the militia if such a thing were done. No colonel commanding a regiment can dismiss or cashier a corporal without an inquiry. Who is this head of the Militia Department, who is not a soldier, and never was, that he can cashier or dismiss a lieutenant-colonel without inquiry, under the rules and regulations ? Let me draw your attention, Sir, to another order of our Canadian regulations and orders of the militia, with reference to inquiries. It is order 155 :

> Courts of inquiry, as a general rule, sit with closed doors——

We are told by the department that there was an inquiry.

> Courts of inquiry, as a general rule, sit with closed doors, but they may be either open or closed, according to the nature of the investigation, or as may be directed by the convening officer. The accused party should be present, and may either answer or refuse to answer any question put to him, or may avail himself of the opportunity to explain any particular act, or any part of his conduct on which an imputation prejudicial to him may have arisen.

But in this case, Colonel Hamilton knew nothing about that inquiry until it was over. He does not know anything about it to-day. There was an ex parte hole-in-corner inquiry at the instance, he says, of a few insubordinate officers of the regiment, who were desirous of getting into Colonel Hamilton's shoes. The whole thing is against the ordinary principles of justice, and all the rules of the service. Then, look at the Queen's Regulations of 1892, which, I understand, are the guide in all unprovided cases. What does rule 35 of section 5 say?

> Whenever an officer is disadvantageously reported on, or when the answers to any of the questions contained in the confidential report are not thoroughly satisfactory, the particulars of the report are to be read verbatim to him by the officer making it, in presence, when possible, of the inspecting officer and of the second senior officer of the corps. If the officer unfavourably reported on is not present at the time of the inspection, the above particulars are to be communicaed to him by letter.

You see that he is to have the fullest opportunity of knowing the charges or the secret private reports, if they are against him, and he is, like any free man, to have an opportunity of answering them. I am going to take the responsibility, without Colonel Hamilton's permission, of reading a portion of a letter which he has addressed to the general officer commanding. It is a public letter, of course, but it has not been brought before this House, and I will read the whole of it, if the hon. Minister desires. He first refers to the answer of the Minister of Justice, which I read, as to the nature of his charge against Lieutenant Mitchell, and shows that the department did not understand it or did not report correctly what that charge was, and it was one apparently on which he was entitled to an investigation. He says that a clear breach of trust existed in the case of that subordinate officer in his dealing with the money. And he goes on to say to the general in command :

> I have no doubt, Sir, that I can show that much of the information the department has received is on a par with the above ; but it is only when statements are made public that corrections can be made. I have respectfully and repeatedly urged that all the circumstances connected with the Queen's Own Rifles matters be thoroughly inquired into before any action

> be taken to dispossess me of my command, but my remarks have been studiously ignored, and I have not been even accorded the courtesy of a reply to any of my communications.

That is the way a commanding officer of a crack regiment is treated in this country. He was not given even the courtesy of a reply to any of his communications. Col. Hamilton goes on to say :

> Without a charge against me, without a trial, and in the face of the facts that my regiment is thoroughly efficient and is in a better position to-day than when I assumed command, I am ordered to step down and out to make way for certain ambitious young officers, who seem to stand better with the department than I have the honour of doing.

That is a manly, straightforward letter, and I cannot imagine, in the face of that letter, the department will dream of taking this hole-in-corner inquiry as a serious ground for asking Colonel Hamilton to resign, without giving him a chance, with or without closed doors, of meeting his accusers and having the case thoroughly investigated. The hon member for North York referred to a case in Montreal, Col. Strathy's case. What happened there ? I understand that in that regiment there is a regular rebellion, that nearly all the officers, and not, as in this case, only a small portion of them, are utterly dissatisfied with their colonel. A large number of them have threatened resignation. According to to-day's papers, the two senior majors have resigned. We have not heard of resignations being threatened in the Queen's Own. Has Col. Strathy been ordered to resign? No, Sir ; the General has been sent down twice to try to make peace between Col. Strathy and his officers ? Has the General himself gone to Toronto once ? He has never gone near Toronto to make peace between Col. Hamilton and his officers. Is it possible, Sir—I am sorry to believe it possible, but I am afraid the people will think it so—that the reason of the unfair treatment of Col. Hamilton, and of the more patient treatment—I do not say it was unfairly favourable—treatment of Col. Strathy is that Col. Hamilton has been for years an active Liberal, while Col. Strathy has been just as active a Conservative ? One of these officers has the ear of the department and the other has not. The officers complained against Col. Hamilton and had him dismissed without a charge. The officers complained against Col. Strathy and they have been told to resign rather than that Col. Strathy should resign. Perhaps this was the right way to do it. But if it was right in Col. Strathy's case, why would it have been wrong in the case of the Queen's Own. It will be a sad day for the militia of this country when the people get the idea, as they will from cases like this, that the militia service is conducted on political principles. If there has been one thing that we have been more proud of than another in connection with the militia system, it was that there was no political favouritism about it, but that every man got his promotion according to his merits, whether he was a Liberal or a Conservative. Here is a case where no good reason can be given that I have heard of except that of Col. Hamilton does not profess the political creed of the present Government. I am sorry to make the charge, but it appears that there is no other way to account for the persecution. Fortunately, Parliament is open to the complaints of the people. If there is no justice to be obtained for any officer of the militia outside of Parliament, thank goodness his complaints can be ventilated here. If Col. Hamilton has done anything to disgrace himself as an officer and a gentleman, if he has not been efficient in the command of his regiment and assiduous in the performance of his duties, let him be dealt with after fair inquiry, and let him not be dealt with more leniently than any other officer. Justice is required in these cases or the militia service will become a disgrace to the country ; and it will be all in vain to send to England for improved arms for the militia, to build the forts upon our shores and to maintain our Royal Military College at great expense, if the confidence of the people in the Militia Department is shaken, as it will be, by a repetition of transactions such as that now under consideration.

Mr. O'BRIEN. I would be the last man in this House to raise any question unfairly as to the methods by which discipline should be maintained in the militia force. But there are circumstances in the case which have been referred to which seem to me to be of an exceptional and extraordinary character. Now, one must admit at the outset that there may be cases in which those responsible for the administration of militia affairs would be justified in taking, would, in fact, be compelled to take measures for the dismissal of an officer against whom it was not possible to bring any charge that would call for a court of inquiry. Let me say a word or two with regard to this class of cases to see if it this is one of them. We can suppose the case of a man who has been captain of a company or even a field officer, and has shown himself efficient and has the certificates of legal qualification for promotion. Yet, after promotion has taken place and a little knowledge is acquired of his qualifications to fill the new position, it may be found that he is utterly unfit for his command. It might be found that, though he had fairly performed his duty in a subordinate, he was incapable of taking command of a regiment or of assuming rank involving greater responsibility than he had been accustomed to bear. It might be found that it was impossible for him to get on well with his subordinates, or he might develop peculiarities of character that were not noticed when he was in a subordinate position. One can easily understand that there are many qualifications which such a man might lack. The lives of men might be endangered through his inefficiency. His incompetency might show itself in a variety of ways, and while there might be no charge that would justify the holding of a court-martial or of a court of inquiry, it might be necessary for the efficiency of the service, that uch an officer should not remain in command. But, Sir, that would be a very extreme case, and it would be necessary to justify such interference by showing that there could be no possible question as to the necessity and validity of the action. Does that rule apply to this case ? Here we have an officer who has been for six years in command of the regiment. During the first four or five years of that command, so far as we know, no question was raised as to his capacity to fill the position to which he had been appointed. He had fairly earned his promotion, had risen through the ranks through the various grades of the service. He had every necessary qualification, and his appointment as commanding officer came in the usual course of seniority, I presume, and nobody raised any question as to his fitness. Now, has anything taken place during his period of command that would, in the public eye, justify the inference that he is not fit to command. It has been shown by the last speaker (Mr. Edgar) that the regiment during his command has attained the highest state of efficiency. No reason is suggested on the score of the colonel's inability to command the regiment, on account of his control or discipline. On the contrary, everything that a commanding officer could do to promote the efficiency of the regiment has been done. Then, on what possible grounds can the authorities have arrived at the conclusion that this officer is no longer entitled to command ? There must be something that is not apparent to the public eye. There must be something below the surface which has justified, in the first place, the Deputy Adjutant General of the district making a report. We cannot assume, we will not—at any rate, I will not—assume that the officer in command of the forces has acted upon anything but what he believes to be a reliable report to justify him in recommending the action he has recommended to the Militia Department. Now, we inquire, how is it that that report has been arrived at ? We know it is proper that officers in command shall make reports as to the efficiency of those under their command, and if the officer commanding that regiment had been found to be so incompetent, or so inefficient for any of the reasons I have referred to, as to make his remaining in command any longer a disadvantage to the service, why, that must be stated in a report from the officer who is his senior. Well, that officer, of course, is the Deputy Adjutant General of the district, and we must assume that the General in command has acted upon some such report. Well, in the absence of any apparent cause for such action being taken, we must naturally look below the surface and try to understond what possible grounds there may be for it. Then the Deputy Adjutant General, I say, must have had some grounds to go upon, and as it is not from anything apparent in the condition of the regiment, then it must certainly be from some circumstances connected with the interior economy of the regiment. It must be something which has taken place of which the public at large are not aware, and which it appears to me they have no means of arriving at. It would appear, then, that there must have been some interior motion on the part of some of the officers of the regiment to bring about this result. Well, Sir, one can hardly imagine that such could be the case, because there is no principle more distinctly laid down in the Queen's Regulations, there is no principle which must necessarily be acted upon more strictly, if anything like discipline is to be maintained, than that which provides that there shall be nothing like a combination on the part of any officers, or men, no matter whether they are officers, non-commissioned officers, or men :

> 140. One of the fundamental and most necessary rules of military discipline it is to forbid anything bearing the appearance of combination, to obtain redress of grievance, among individuals composing a military force. If officers or men, whether on actual service or otherwise, have any grievance, their complaint should be laid before their commanding officer in respectful language, each individual speaking for himself alone. Appeals for redress by " round robins," or by means of any document bearing the signature of more than one complainant, are strictly forbidden.
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> 141. Meetings of officers may be called only by the commanding officer, who is held responsible that they shall be for a proper purpose.

That is one of the Queen's Regulations bearing expressly upon this point ; so that if there has been anything like a combination among the officers of this regiment in order to bring about the retirement of the officer whose conduct is called in question, it is in direct defiance of the Queen's Regulations ; it is in direct defiance of one of the most essential principles which requires discipline in all militia affairs. Now, Sir, if such has been the case, and if it is possible that any combination among the officers, any dissatisfaction of this kind, no matter for what purpose intended, can be brought to bear upon the Government without the knowledge of the commanding officer, for the purpose of bringing about his retirement, I say that no commanding officer of a regiment can consider such a position one that he can hold with honour or self-respect. If I am to be at the mercy of any combination among my officers, no matter for what object, who make complaints to my commanding officer and those are acted upon without my knowledge, why, Sir, I could no longer continue to hold that position either with respect to myself or with benefit to the regiment under my command. This is a question which every officer commanding a regiment or a company in this country, is strictly interested; for while I say we must admit the validity of the rule that cases may arise in which the direct action of the Government may be necessary, those must be limited strictly to cases where the incompetence or the inefficiency is, at any rate, so apparent that there can be no question whatever as to the necessity of a remedy being applied. But if there can be a cabal among the officers, if there can be even any insubordination which is to be taken hold of by the officer in command of the forces and acted upon without notice to the commanding officer himself, or anything in the nature of an inquiry, where there is no possible show of reason why that officer should be deprived of his command, so far as anything appears in regard to efficiency or to the good conduct of his regiment, then I say that the position of no commanding officer is safe. If it is not desirable that an officer should remain more than a certain number of years in command of a regiment, then let that rule be laid down and let us understand it. If an officer is to be retired because he has been long enough in the service of the force when he has been there six and a half years, what justification can there be for myself, for instance, remaining in command of my regiment for over twenty years? If it is necessary that he should be retired, it is three times more necessary that I should be retired, and it is necessary that other officers should be retired who have been six years in command. There is no such rule in the service, there is no such rule requiring the retirement of an officer at a certain date. There is such a rule in the Imperial service that has been acted upon in recent years, and with great harshness, I think, and with no great benefit to the efficiency of the service. But though there was such a rule, it is exceedingly unreasonable to say that in order to gratify the ambition of somebody who wishes to obtain a command and who excites a cabal among the officers of the regiment for that purpose, therefore a commanding officer is to be compelled to retire, or compelled to resign, when no better reason can be assigned than such as exists in this instance. It does appear to me that in this case the conduct of the Administration with regard to Colonel Hamilton requires some explanation better than has yet been given to this House. I feel personally interested in this matter, and I am sure every officer commanding a regiment must feel interested, because the measure dealt out to Colonel Hamilton may be dealt out to any of us. We might any of us, according to what appears on the surface, be at the mercy of any cabal among our officers, of which we may know nothing, of which we may hear nothing, of which we may remain in absolute ignorance until action is taken, when it is altogether too late for us to save a reputation which we have hitherto honourably enjoyed. I quite understand that no inquiry is given in this case. I quite understand that it is futile for him to ask for an inquiry because there is no charge; no charge is made, and it rests entirely and must rest entirely upon the report of the officer commanding the district. His report is, of course, a confidential report, and such a report can only be acted upon when there is such apparent grounds and such strong reason for action as certainly do not appear in this case. Had the regiment been inefficient, had there been any general expression of discontent among either officers or men, had there been any single evidence of either one of these things, either inefficiency on the part of the regiment itself, for which the commanding officer is responsible, or had there been any such general expression of discontent, of which of course there might be evidence, and had that been put in officially, in regular form——

Mr. DICKEY. That is expressly alleged.

Mr. O'BRIEN. That is not alleged in any such form as justifies the action that has been taken.

Mr. EDGAR. That is expressly denied by Colonel Hamilton.

Mr. DICKEY. That is alleged, though, on behalf of his department.

Mr. O'BRIEN. But what certain knowledge have the department in this case? In this case there has been no resignation, nobody has resigned. What evidence have we of this discontent? There is not the slightest evidence of it; it rests entirely upon the ipse dixit of somebody who is responsible neither to this House not to the country. The Government have no knowledge whatever of the existence of any such cause as justifies the retirement of this officer. I take the case that occurred in Montreal the other day, and to which reference was made. That stands in a very different position. The discussion has shown great discontent and dissatisfaction among a number of the officers of the regiment. There is no proof, however, that dissatisfaction prevails among the officers of the Queen's Own, and, at all events, no evidence has been brought to prove dissatisfaction. Now, why is that difference in the treatment of these cases? I am not going to charge that any action has been taken on political grounds. One of the strongest reasons why I have always been in favour of an Imperial officer being in command of the forces in Canada is that I expect from such an officer a more thorough and impartial consideration of all questions, either as regards personal or political interests, than would be obtained from an officer who belonged to the forces in this country; and if I cannot place absolute confidence in the Imperial officer selected and sent out here, who is supposed to be entirely free from bias, then one of the strongest reasons for my constant advocacy of the appointment of an Imperial officer will be removed. I repeat that I would not impute to the commanding officer any influences of that kind; but we have before the House public statements of the difference in the treatment of the two cases. In the first case, the regiment was practically disorganized, and a very considerable number of officers had actually resigned; yet we find matters patched up, the colonel allowed to continue in command, two majors have either resigned or been dismissed. But all this disorganization does not appear to be considered important. That regiment never attained the same efficiency as the Queen's Own. There were all the evidences of complete demoralization and disorder in the Montreal regiment, yet the colonel is retained in command; but in the case of the Queen's Own, the colonel is most harshly and unfairly dealt with, so far as we are able to judge from outside circumstances, and he is suspended from his command under circumstances which, to say the least, to an officer who has served for many years in the force, must be exceedingly unsatisfactory. I quite admit the necessity of the rule by which the Government shall, in certain cases, interfere and take command over an officer who is manifestly and entirely unfit for his position; but the people of the country will require that there shall be some tangible evidence of that inefficiency, and if it is merely a question that a commander cannot get on with his officers, there must be better evidence adduced than has been submitted in this case, and there must not be suspicion, either that political influence has been brought to bear, or that there has been anything like combination on the part of officers to bring about the result, in order to secure personal advantage to themselves.

Mr. MULOCK. Does the hon. gentleman think that an officer should or should not have the right to be heard before a decision is arrived at?

Mr. O'BRIEN. That will depend entirely on the case. Certainly an officer should be communicated with; he ought to be made aware of the grounds of objection. This may have been done in this case in question, but it does not so appear. The officer says it was not done.

Mr. MULOCK. The answer he got when complaint was made was that he should send in his resignation.

Mr. O'BRIEN. The treatment in the case was exceedingly harsh, and it will not be considered satisfactory unless a better explanation can be given than has already been furnished. Although I did not expect at this time to discuss militia matters, but to bring up some questions in that regard on the Estimates, yet as this subject is now before the House, I will take advantage of the circumstance. I ask how it is that this Government, which acted with such promptness in the case of Colonel Hamilton, and which took so much trouble to smooth over the militia difficulties in Montreal, and which has recently appointed as Deputy Adjutant General, a man whose qualifications are unknown to the force, at all events, and who has never done anything to warrant the position he has secured, has ever since the 3rd or 4th of January left the office of Adjutant General unfilled. This is one of the most scandalous acts connected with the militia, for it occurs at a time when fresh arms are being obtained for the service, at a time when the country was considered to be threatened with danger—this time was selected to dismiss an old and competent officer, who, though not brilliant, knew thoroughly his duties as adjutant general, and the Government then left the office vacant for three months Why was that done? What influence has been brought to prevent that office being filled? We hear a great many rumours, and hon. members have undertaken to bring political influence to bear in support of the appointment of some certain individual to the position. Colonel Powell should not have been retired, if it was necessary to retire him, until some one had been selected for the appointment, and was prepared to take up his duties. How can it be expected that an officer doing temporary duty can do this work and carry it on with efficiency under such circumstances? He does not know but that any day some one may step into the office and take the position permanently, and the fact that the Government, in the present condition of affairs, left the office vacant under these circumstances, is a wrong for which the Government should be held responsible and punished by this House. At a time of danger, when it is considered probable that Canada may be called upon to assist in the defence of the Empire, the Government choose to dismiss an efficient public servant, the Adjutant General, and then wait for some political exigency to arise before they appoint his successor, and an appointment has not been made up to this day. This is one of the worst acts connected with the present administration of the Militia Department, the keeping of this office vacant at this particular time. There are important questions to be considered, including providing new arms, preparation for annual drills, and an immense amount of work connected with the routine of the service. I again ask, why is the office still vacant? Was not Colonel Otter sent to England to take a special course of instruction in order to qualify him for this position ? Yet he is passed over. Then there is another officer of long experience in New Brunswick who is passed over. If the appointment is to go according to seniority, one of these officers is entitled to the position—I do not say whether they are the best fitted for the position or not. But the best officer should be selected, and to bring political influence on the Government by deputations in order to press the claims of certain officers, is an outrage on the militia force.

A discussion has taken place with respect to the Kingston Military College. I am quite tired talking about militia matters, as I never find any particular benefits result from it. When the present Minister of Justice took that office, I had some hopes of improvement, and I yet believe that had he remained there, those hopes would have been fulfilled, and we would have had a thoroughly efficient Minister at the head of the department. I deeply regret that when he had become somewhat conversant with militia affairs he was removed to another, I will not say a higher sphere. That hon. gentleman always showed intelligence and wilingness to listen to representations made to him. We have now a Minister who does not know anything about the Militia Department, who never troubled himself about militia matters, and the efficient deputy head, by whose advice he might be guided, has been retired, and the whole department is demoralized.

Mr. MULOCK. He is not a military man.

Mr. O'BRIEN. I was going on to say—and I have expressed this opinion during many years—that while the Military College is entered under military expenditure, it is of no particular value to the militia force ; it does not benefit the force in the slightest degree, and we do not get from it any officers into our regiments. I venture to say that there are not five officers holding commands in the active force who passed through the Royal Military College. Some of its graduates are in the Mounted Police, and they do valuable service to the country, no doubt ; some are in the Civil Service departments, and on the marine service, but they are not encouraged to enter the active force, they do not enter it, and, so far as the college is concerned, it is of no value to the force whatever. It may be all right for the Government to maintain such a school. Properly conducted, it would be the best school in the Dominion, and if I had a son I would send him there ; but I would not send him there with a view to his subsequent appointment on the active force. Some of the graduates earn distinction in the Imperial service. I have no objection to that, I am sure we are proud to see them occupying those positions, and it is satisfactory to know that Canadians who graduated from our military college can enter into the Imperial service, and distinguish thmeslves, as many of them are doing to-day. But that is a totally different question from the efficiency of the active force, because we do not get the benefit of the services of these graduates. The men may go elsewhere and we do not have them. Therefore, if you like to maintain the college well and good, but do not charge its cost against the active militia, and do not delude yourself with the idea, that by spending $60,000 or $70,000 a year on the Military College, you are doing any benefit to the active force, because practically you are not. I have made a suggestion —well, there is no use making suggestions here about the militia, because nobody pays attention to them—but there is one suggestion I made which I think might have been of some practical value. That is, that every graduate of the Military College should be at once attached to the regiment of the county he belongs to. I am sure the young men would be pleased at that, and then they could go to the annual camps and assist in training and drilling the men. If that were done, we could get some benefit from the Military College, but we do not get any benefit now. Even that suggestion was pooh-poohed, because it was said that it would interfere with the June examinations. Which is of the more consequence : that the June examinations should be carried on at a particular time, or that this college which costs $70,000 a year, should be made of some value to us ? The suggestion is one which I repeat. It is of practical value, for it would bring the college into harmony with the forces, and make the graduates of some service to us. I fail to see why there should not be classes at the college which officers of the active force could join and be instructed by these fifteen professors you have there. The present course of the college is not suitable for that purpose, but surely it could be made suitable. We have three or four schools throughout the country maintained at enormous cost, under the name of this permanent force, and which, although they are a heavy drain upon our resources, do not attain the object for which they are intended. Has any one ever taken the trouble to calculate what it costs to train a single officer at our military schools? Why, the amount is something fabulous. I am opposed altogether to maintaining this permanent force on its present basis. It is too small to be a standing army. In case of war, what would become of it ? To be of any service at all, it would have to be broken up and the men distributed among the different regiments.

Mr. PRIOR. Others want the permanent force, if you do not.

Mr. O'BRIEN. We do not want it in its present shape. We have 100 men in Toronto, who half the time are doing fatigue duty and mounting guard. The number there could be cut down to at least one-half, and still do all the work that it is intended to do. That permanent force of ours is just a delusion. I quite admit the advantages we get from it, but I say they are not at all commensurate with the expense it is to the country. I for one should be pleased to see some more efficient method adopted by which these schools should be utilized for giving instruction to officers. Twenty officers is the greatest number which can be taken into that school at Toronto at any one time. They remain there three months, and it is not at all too long, but the course is so expensive that very few men can afford the time and money necessary to take it. There is not accommodation, even for those who do attend. The whole thing might be put on a more efficient and less expensive basis. There, we have an expensive corps ; everything is on the very highest style of military art, and expenses of every possible description have been incurred to maintain a force, which is not of any more value than any one company of active militia in the country, and yet it costs as much as the whole drill of the active forces. We are spending altogether too much upon accessories, and altogether too little upon the main essentials. We had reason to hope this year that we would have a change so far as the drill is concerned, but present appearances do not seem to point towards that result being obtained. I do hope, at any rate, whatever else is done, that this will be accomplished, and I for one trust that hon. gentlemen opposite, when the militia estimates come to be considered, will supplement our loyal resolutions by voting all that is necessary to enable us to accomplish whatever can be accomplished under our present system.

Mr. MULOCK. Would the hon. gentleman allow me to ask him a question. He referred to the three months' course required from officers desiring to attend the permanent corps for instruction. The hon. no doubt remembers that under the old system the instruction in the military schools was so conducted that men could pursue their ordinary avocations during part of the day, and were not required to go into barracks. Under that system very great numbers went through the schools. Does the hon. gentleman prefer the present system, whereby they are required to abandon their avocations for three months ? Which does the hon. gentleman think produces the better results ?

Mr. O'BRIEN. I think the present system is decidedly the better. As far as officers in country corps are concerned, when they go to Toronto, of course they cannot pursue their ordinary avocations. I take it that it requires all their time to learn their duties, and I do not think there is any fault with the present system on that ground, But I do say that much more could be made of it. The expenses might be largely reduced, so that the cost per man to the officers who are instructed might be diminished. We go to needless expense, and to talk of it as a permanent force, or to speak of it as the standing army of Canada, and to offer it to the Imperial Government—well, of all the ridiculous pieces of braggadocio, that offer was the worst that ever was perpetrated. The offer of the Royal Regiment of Canadian Infantry to assist Her Majesty's forces, which was made through the High Commissioner some short time ago, was most absurd. Of all the preposterous and ridiculous proposals that was the most ridiculous. It could not possibly have accomplished anything. Made in such a form as it was, it did strike me as the most preposterous piece of bombast that ever was perpetrated.

Mr. DICKEY. Does the hon. gentleman think that we could not take charge of the military works at Halifax and free a British regiment there ?

Mr. O'BRIEN. You could not take charge of the works at Halifax without destroying the value for which your force exists. That force is intended to instruct our officers, and if you put it on garrison duty at Halifax, your instruction ceases just at the time you want it most. These schools are only useful as schools, and to assume that the companies there are a regular force is contrary to the intention for which we vote the money here. We never voted money to have a standing army of 300 or 400 men, but for the purpose of having schools of instruction. I admit that under the Act there is power to use them for other purposes, but they never have been employed for maintaining fortifications. Their only use is in the military schools, and they can do nothing else. I say, Sir, that if there is any fighting to be done, the proper force to do it is the active force of Canada, and not these paid pet companies. I do not want to see them put forward as representing the active militia of Canada. They are a distinct and different force, and if there is any work to be done at Halifax or anywhere else, the proper force to do it is our active militia, and not this permanent corps which is intended only for giving instruction. The active militia of Canada will never submit to the attempt to put these permanent companies forward to represent our active forces. It is time that those who are responsible for the administration of our military affairs should take the question of instruction into consideration, and endeavour to find out whether we cannot obtain better results at a less cost than we do at present. There are a variety of other things connected with our military system which one would like to talk about, but for my part I have talked on them in my early days in this House, and I found it was mere waste of breath and time, and I had to give it up. I will endeavour to do my own duty as best as I can in the force. Practically the force remains to-day, in spite of all the money that has been spent upon it, in exactly the same position that Robertson Ross left it twenty-five or thirty years ago. Not one single improvement has been made since then, with the single exception of the establishment of these military schools, which have cost the country an amount altogether disproportionate to the amount of benefit we receive from them. When we have a Minister who knows something about the force, and its needs, if we ever arrive at such a happy state of affairs, I hope that matter will be taken up and dealt with on a satisfactory basis.

Mr. STAIRS. Before this question is put, I would like to say one or two words respecting the Royal Military College. I approve of the suggestion made by the hon. member from Muskoka (Mr. O'Brien) that it is very desirable indeed that some means be devised for attaching the cadets to the regiments of the active force in the district from which they come. I know that there is a very strong feeling among the cadets in favour of this. They want to have the opportunity of drilling with the active militia force in the camps. I am not sufficiently acquainted with the affairs of the militia force just now to say how this can be done; but I feel confident that means can be devised to enable the cadets to have this advantage, and I commend the matter to the attention of the hon. member of the Government who is representing the Militia Department in the House. With respect to the question of civil and military training or military training only in the Royal Military College, I think that without the civil training you would find that the attendance at the college would very greatly decrease. You would find it impossible to get any considerable number of men who had graduated in other colleges to attend the Royal Military College for a military training alone. I feel this the more strongly, from personal experience, because I have a son in the college; and I feel quite certain that I would not have sent him there had it not been that a civil and military training were combined in the college. I am not certain that this militates in any way against the interest of the militia force or tends in any way to lessen the military spirit or the chances of the cadets, or to lessen the number of young men in Canada taking up the military profession. I feel sure that a great many young men who have attended the college at Kingston without any intention of taking up the military profession for life, have eventually, as a result of the military spirit that has been stimulated by the education they receive there, taken commissions in the Imperial service.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. STAIRS. Before six o'clock I was pointing out that if the civil training in the Military College were dispensed with, it would be difficult to keep up the attendance at the college, because the class of young men in Canada whose parents have the means to enable them to take a course at a regular college preparatory to entering the Military College, are comparatively few. Most of our young men, after having finished their education, feel obliged to enter some active occupation at once. Many instances might be cited of graduates of the Military College at Kingston, who went there for the civil as well as for the military education, having afterwards entered the Imperial service, and having added largely to the reputation of Canada in the eyes of the world. The great object to be aimed at is, I think, to increase the number of cadets. The question of the cost of the education of each cadet in the college has been referred to. I have not looked into the question closely; but it seems to me that it may not be possible to reduce the expense of maintaining the college while at the same time keeping up its efficiency. I do not mean to say that every proper attempt should not be made to economize by cutting off every useless expense; but the main items of expense, such as the cost of teachers, I imagine may be difficult to reduce to any great extent. Therefore every endeavour should be made to encourage the young men of the country to attend the college. Sixty students in attendance at such a college seems to be a very small number. There is at present only sleeping accommodation in the college for sixty or seventy cadets. The visitors in their report recommend that that accommodation should be increased to about 100. This is a recommendation which I think should be adopted. Then, I think the Minister of Militia should consider a greater number of what means can be adopted to encourage the young men of Canada to attend the college. To this end the parents of young men should be made acquainted with the fact that the advantages to be obtained at the college are such as to give young men a better start in life and a better chance of obtaining employment, than can be obtained from any other kind of education. It has been suggested that commissions in the permanent force and also positions in the Civil Service, where technical qualifications are required, should be as far as possible given by the Government to graduates of the college. This is a very old suggestion, which has been made time and again; but I do not know that anything very practical has yet been done in that direction, and I would again urge it upon the attention of the Minister of Militia. Respecting the cost of educating students in the Military College, I think we should have some idea of the cost of educating students in other colleges. In this connection, I was very much interested in noticing in the report a statement given by General Cameron, the commandant of the college, in a letter addressed by him on the 17th of March last to the Deputy Minister of Militia, in which he gives a comparison between the cost of each graduate in the Royal Military College and the cost of each B.A. graduate of Toronto University. This comparison was given in reply to a statement made by the hon. member for North York (Mr. Mulock) in this House. General Cameron said:

In my opinion, $5,085 would not be a high price at which to value the militarily trained graduate,—having regard to the purpose for which training has been given to him. Be this as it may, however, I venture to submit the annexed statements by way of comparison between the cost of producing a university graduate upon whom the country has no claim, and the cost of a Royal Military College graduate. In each case the method of estimating the cost is that adopted by Mr. Mulock, M.P.:

Cost of each graduate, Royal Military College, to the country, according to Mr. Mulock, M.P., up to 30th June, 1893:—

18 years' Royal Military College pay	$ 575,612 03
do Maintenance	565,151 73
do Repairs to buildings	69,058 72
14 years' interest on $110,321.88 at 4 per cent	61,780 18
Gross Expenditure	$1,271,602 66
Deduct fees, &c., received	279,917 80
Net expenditure by Government	99,684 68
195 graduates, $991,684.86, each chargeable to Government	5,085 56
One-fourth of this amount for annual charge, each graduate Royal Military College	1,271 39

I understand that General Cameron gives this as the hon. gentleman's own figures.

Mr. MULOCK. If the hon. gentleman will excuse me, he does not, nor are they anybody's figures. I am amazed that General Cameron should place on record a statement that is absolutely incorrect. The country does not contribute more than $60,000 a year towards the Arts Society of Toronto University, and there are trained for that nearly 1,000 undergraduates a year, between 800 and 1,000. The public treasury contributes less for the education of whatever may be the number of graduates in Toronto University than it does for the fifty-seven graduates in the Military College. It is a disgraceful report for a man to send to the Government.

Mr. STAIRS. I will just give General Cameron's figures, and of course the hon. gentleman will have an opportunity to reply.

Mr. MULOCK. The hon. gentleman said they were mine.

Mr. STAIRS. I did not say that the figures which apply to the University of Toronto were the hon. gentleman's, but only the figures that apply to the Royal Military College.

Annual cost, as in 1893, of each B.A. graduate of Toronto University, calculated by the method adopted by Mr. Mulock, M.P., in the case of the Royal Military College:—

At p. 23, "University of Toronto, report of committee appointed by Board of Trustees, 1893, capital and income accounts," sites, buildings and contents, in university use, valued at $1,328,966.40, at 4 per cent.	$ 53,158 65
At p. 24, unproductive land, valued at $1,029,677.72, at 4 per cent.	51,187 10
At p. 29, same annual expenditure	116,856 50
Total	221,202 25
*100 B.A. graduates in 1893, then annual cost per graduate	2,212 02
Less received in fees	31 46
Chargeable to Endowment Fund, for each graduate	2,180 56

*Number taken from records.

Comparison of results, according to Mr. Mulock's method of calculation:

Annual charges against endowment for each Toronto University B.A. graduate	$ 2,180 56
Annual charge against the public, for each graduate of the Royal Military College	1,271 39

I do not understand General Cameron to contend that the cost of the undergraduates as given in his statement regarding the Toronto University, is the cost to the public. I presume there must have been a very large fund independent of that altogether. I only mention this for the purpose of pointing out that in estimating the cost of graduates of the Royal Military College, we must not be unfair to the college, and should make every allowance. It is not to be expected that in a college, which is only educating at one time about sixty pupils, the cost will not be much larger than in a very large institution like Toronto University.

Sir RICHARD CARTWRIGHT. As regards the case of Colonel Hamilton, I am not prepared to speak. The only thing which I would press on the attention of the Government is this one point. It appears from the statement made to-day, which the Government are bound to take notice of, that an inquiry was made into that officer's conduct without his knowledge. If that was done, it appears to me, in all conscience and reason, that Colonel Hamilton has a perfect right to demand that a court of inquiry should sit upon him. If I understood the Minister of Justice (Mr. Dickey) aright, he declared that a report had been made, and, having made that statement publicly on behalf of the Government, Colonel Hamilton is undoubtedly entitled to demand an inquiry and to demand that he should not be dismissed without it. There can be no reasonable doubt about that, and I trust that before this discussion closes the hon. Minister of Justice, who is acting for the Department of Militia, which he formerly represented, will see fit to assure us that that will be done. However, my more immediate purpose was to say a few words as to the position of the Royal Military College itself. I have told the House before that I have reason to believe that there is a great prejudice at present in the public mind against the college. That is in part, I think, an unreasonable prejudice, and in part founded on a misapprehension of some portions of the case, to which I shall call the attention of the House. In part, however, it has arisen from a grave piece of maladministration on the part of the Government, which must be redressed if that college is to do anything like the work which it ought to do. With respect to the question of expenditure, I would like to call attention to the fact, that while there is no doubt that the college is only doing at this moment one half of the amount of work it was intended to do—for it was framed on the understanding that we would have about 120 pupils there—still, after all is said and done, the expense is not quite as great as it is supposed to be. I find in the Public Accounts of last year that the total expenses are put down at $64.568, which, I presume, includes all the expenses. I find that, on the other side of the sheet, there are credited for receipts, which I presume are the sums received from the pupils, $19.274. The House will therefore observe that the net cost to the country is $45.294 for fifty-seven pupils. That is only one-half, or less than one-half the number we ought to have, and if we had the whole 120, the probabilities are that the net cost per head would be reduced to a certainty one-third, and perhaps very nearly one-half. There is no doubt that this is a very heavy sum, $45,000 a year for 57 pupils, of whom 12 or 14 are all who graduate at present. Still it may be well to observe that when this college was founded it was founded upon what may be called the West Point model. I noticed that in the case of West Point so far as I am able to follow the statements contained in the American reports, in the year 1892, which is the last report I have, they had 252 pupils. I think the cadets do not pay anything.

Sir CHARLES HIBBERT TUPPER. Some of the cadets are paid.

Mr. MILLS (Bothwell). They get an allowance of $20 a month.

Sir RICHARD CARTWRIGHT. But I think they pay something out of that, so that it is out of one pocket and into the other. I was going to say—and it is well that the House should be in possession of the facts—that the gross cost apparently, I say "apparently" because one is obliged to take the information as it is in the military reports, which may or may not be accurate, is $310,000. This is exclusive of the pay of a detachment of cavalry and a detachment of infantry who are told off for service at the school and who answer, no doubt, to some of the thirty-seven employees of the Kingston Military College. Though we have only half as many pupils as we ought to have, and the cost per head is increased beyond what it ought to be, the cost per cadet is about $800 at our institution and in the case of West Point is about $1,200. That is worth recollecting, because it shows that in any college for a special purpose such as this you must be prepared to pay a considerably larger sum per head than you would pay in the case of an ordinary collegiate institution. I may observe that the object which the Mackenzie Administration had in view when we instituted this college was this—we desired to provide a reasonable number of trained officers for the service of the militia and the Mounted Police and of our permanent corps. And in the next place, my friend Mr. Mackenzie, who, as the House may remember, had the entire control not only of the railways and canals but of all public works, had the idea, which must go for what it is worth, that it would be well to offer a very limited number of appointments in the public service in the way of engineering appointments as prizes among the best men of this college. To that we subsequently added, by concurrence with the British Government, four commissions in the British regular service. Our idea was that we would have a graduating class from 20 to 40 each year, and we would give these graduates five or six appointments in the public service here and the four British commissions to be distributed among the best men. We had no idea of everybody who graduated claiming an appointment as of right, but we thought the public service would be benefited by distributing a number of commissions in our military service, if I may use that term, or in the engineering branch of the Public Works among the best of these men. And I may observe also that under us the appointments were a sort of scholarship or prize. The sum required to be paid by each pupil was much less than is paid at present, and the consequence was that we had a vastly larger selection. There were very few substantial farmers in Canada at that day who could not afford the sum that was requisite to enable a lad to go through the college during our regime; and, as a matter of fact, a number of the students in the early days were sons of farmers or sons of artisans, and I am glad to tell the House that not a few of these have distinguished themselves in very high degree in the British service and elsewhere. However, what we are more concerned with is the position of the college to-day. It will be within the recollection of the House, I am sure that it is in the recollection of the Minister of

Justice, that our late and lamented friend Col. Denison last year called the attention of the House in very strong language indeed to the condition of the college. Those hon. gentlemen who wish to refer to that speech, will find it in the " Hansard " of 3rd July, 1895, page 3781. They will see that Col. Denison's statement amounted to this : He declared, speaking with knowledge—and as a man who has paid great attention to these matters his statement was worth having—that it had come to his knowledge that the college had run down to a very great extent. He declared that whereas, as the Minister of Justice stated, and as I can testify, for a very considerable time the college had maintained a high reputation, and that graduates from the college had distinguished themselves in the British service and elsewhere, that within the last three or four years, there had been a marked decadence in the college, the standard had not been maintained the college was falling behind. And he attributed that result in a large degree to the fact that the present commandant had passed that time of life at which he could be expected to take an active interest in military matters and was a gentleman who had never had any special qualifications for the post. That statement I emphasized and repeated on the floor of the House, and if the House will permit me, as this is a matter of considerable public interest, I will take the liberty of calling attention to what I said on that occasion ; and it will be as well, because I shall have proof to offer presently as to the accuracy of the statements I have made :

> I want to call the attention of the committee, and especially the attention of the Minister of Militia himself, to the undoubted fact, which he can verify if he chooses, that the Military College at the present is not maintaining anything like the high standard which it maintained a few years ago. I am very sorry indeed to differ entirely from the Minister and his authorities on that subject ; but I speak with knowledge, after having consulted men who are at the very least quite as well qualified to offer an opinion upon it as the Minister of Militia can possibly be. I state here on my responsibility, that it is a known fact—right well known to the old graduates of the college and right well known, if the hon. gentleman chooses to consult them, to many officers in Canada and in the British service to-day, that the college is not maintaining anything like the high standard which it attained a few years ago. I want the hon. Minister to understand that distinctly. I make that statement, on my responsibility, as one of those originally concerned in founding the institution, and who takes a great interest in it. I further say that there is no doubt whatever a first-class mistake was made when an officer on the retired list was put in command of the college. I do not want to say a word against Major General Cameron in his personal capacity, but it was a most unfortunate and ill-advised act when an officer who had ceased to be actively concerned in the management of any military force was put in command. If you are going to keep the college up to anything like the standard it has maintained until recently, you must have an officer in command who has a live interest in the service, who has not retired, but is looking forward to active employment, and who has a distinct personal interest in keeping himself in touch with all the latest military improvements and advance in military science. That no retired officer can by any possibility do. It is not done at this moment, and men who are in active service to-day, graduates of that college, are perfectly aware of the facts which I have stated. The college is not maintaining and will not maintain its high reputation until you obtain as commandant an officer in active service with a future before him.—" Hansard," July 3rd, 1895.

Since then, it may be in consequence of my remarks, then of the remarks of Col. Denison and others, a commission visited the college, I suppose at the instance of the Minister of Militia of the day. Now, Sir, we have here the report of that commission, and it is very remarkable that it bears out in the most emphatic fashion the declarations which I then made, and which Colonel Denison then made. I take the first statement, and that is with respect to the matter of drill, a matter of considerable moment in a military college :

> The drill is not up to date, and, according to evidence brought before the board there is a slackness in discipline. With a view to correcting these defects, the board is of opinion that the college should be brought more than at present under the supervision of higher military authority.

Now, such language in the official report on this question, made by three officers in the employment of the Government, is a very grave thing indeed. These gentlemen will not go out of their way, we may rest assured, for the purpose of reflecting unfavourably on an official like the commandant of the Royal Military College, known to be a near relative of Ministers in this Government. Then they go on to say—and this is another matter of very considerable moment to which attention should be called :

> These boards consider that the education of the cadets who attend the Military College, should be continuous, be thorough, so far as the means within reach will permit, and of a modern type——

And here I call the attention of the Minister of Justice who, in his capacity of Minister of Militia, was utterly disbelieving of the statements made by Colonel Denison and myself. Here is what the late Adjutant General of Canada, Colonel Duchesnay, Colonel Smith, and Captain Duncan Macpherson, report :

> —and that, in order to insure this desirable result, the commandant should be changed at short intervals of, say, five or seven years, as may be found expedient or necessary ; also, that as long as it is necessary to employ the services of a military officer from Great Britain as commandant, he be required to be an officer of not higher rank than Lieutenant-Colonel on the active list of the Imperial regular army. By following such a plan, new blood, so to speak, will be constantly infused, and the system will be prevented from running into a

groove by carrying with it instruction in respect of those changes in army administration that experience may suggest as conducive to the public good.

Now, Sir, it is not easy in official language to find a stronger condemnation of the conduct of the Government in keeping there a retired officer of more or less advanced years, entirely out of touch with the progress of military ideas. We know that these official documents, particularly under the circumstances that I have alluded to, are generally very carefully worded. They imply very much more than they state openly; and there can be no doubt therefore that when you find four officers of this Government,—no, one of them, I believe, is an officer of the Canadian Pacific Railway, the other three are officers of this Government, although I am not sure whether Colonel Powell was retired at the time—you find these gentlemen corroborating in the strongest way the statements made by myself on the floor of this House less than one year ago, that I could hardly have asked for a more complete vindication of the statement I then made than is contained in those sentences. But, Sir, we go further. Not merely do the Board of Visitors speak in this manner—and mind you this is a unanimous report by the military part, because Mr. Sandford Fleming could not be expected to report on matters of drill, or discipline, or upon the question whether the commandant should be in active service or not. But we find that the gentleman who is now the officer commanding the militia, on the 2nd December, 1895, reports as follows:—

> I have the honour to submit for your consideration the following points which struck me as deserving of notice, at my late inspection of the Royal Military College at Kingston:
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> 1. The Commandant.—I am decidedly of opinion that there should be a limit to his term of appointment. I cannot but think that after a certain lapse of time, and man loses that zeal, activity and interest which it is so absolutely essential should be kept up in the case of the officer in chief command of a military educational establishment. Young men are especially quick to receive impressions; and energy and great personal smartness of dress and appearance are, in my opinion, essential to form a good commandant. In my opinion, this position is one that should be thrown open to some exceptionally smart, energetic officer of the Canadian militia. But there should be a fixed limit of the term of appointment, renewable, perhaps, for a limited extension at the option of the Government.

Now, Sir, those are two exceedingly strong expressions of opinion coming from the quarters they do. I have beside that another extract. The hon. gentleman will remember that I spoke, as I said, with the authority of officers of experience, also with the authority of the graduates who had passed through the college, and who I believe, to their credit be it said, one and all retain a lively interest in this institution. I have here an extract from the proceedings of the 12th Annual Meeting of the Royal Military College Club of Canada, held on Saturday, 29th February, 1896, at the city of Kingston. This club is composed of the various graduates within reach, who have passed through the Military College, and this is what they say:

> The hon. Secretary was instructed to send the following to the Minister of Militia and Defence, and to every member of the House of Commons, and such other persons as the managing committee may think fit, as being the opinion expressed at the Royal Military College Club meeting.
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> That the Royal Military College Club of Canada, having had before them for some years the knowledge of the unsatisfactory state of affairs within the Royal Military College, have noted with great satisfaction the fact that the real condition of the college has been recently brought to the notice of the Government, in the report furnished by the Board of Visitors for 1895, feeling sure that the points therein noted and the recommendations therein contained, call for prompt action on the part of the Government.
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> That up to the present time the only effect of this report has been to create in the minds of the public an impression in the highest degree detrimental to the college, and that unless immediate action is taken with regard to this report, the result will be a still further falling off in the number of candidates for admission at the coming entrance examination, and that this will give increased cause for objection to those who base their opposition to the college on the grounds of an expenditure for maintenance disproportionate to the number of cadets in residence.
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> That with regard to the points noticed by the board as being unsatisfactory, as also with regard to the recommendations made by the board, and most particularly with regard to that recommendation having reference to the rank and appointment of commandants, this meeting desires to express its fullest concurrence.
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> That it is emboldened to do so, in view of the fact that every member of this club, having passed through the college at different periods of its existence, the past and the present state of the college being within the personal knowledge of the various members of the club, and that the present admittedly defective administration and its consequences, as shown in the report of the Board of Visitors, are matters of the most heartfelt interest and concern to them.
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> That this meeting ventures to press upon the notice of the Government these existing imperfections in administration, drill, discipline and methods of instruction, mentioned by the Board of Visitors for 1895; also the serious injury to the college that will result from allowing these imperfections to exist without steps being taken to immediately remedy them in accordance with the recommendations of the board.

Sir, it is not often that it has been in the power of anybody to submit from such sources as these, such a mass of independent testimony, not merely corroborating, but proving up to the hilt, every word that I said in my place in Parliament in 1895 on this subject. You have got, Sir, the report of your own official visitors, of the four military men among them, at least; you have got the report of the officer now in command of the militia of Canada; you have got the report of the body officially representing the graduates of that college, all concurring and all demanding the same thing, all pointing out that the college has deteriorated; all pointing out that the drill is imperfect, that the discipline is broken down; all pointing out that it is necessary, in order to remedy these evils, to remove the present commandant and substitute for him some officer in active service, and in touch with the present military requirements. The fact of the matter is that I was at the pains to see some of those gentlemen, and what they state is very simple, very clear, and very plain, and ought to commend itself to the Minister of Justice, ought to commend itself to the Government, ought to commend itself to the good sense of every man in this House. First of all, they point out that at this present time military science, more than has been the case for many years, is in a state of flux, that very great changes, very great improvements, very many new developments, are going on all the time. The drill of ten years ago is antiquated drill today. It is necessary, if we are going to do any good with the college, that we should have a man there not well instructed in the tactics and strategy of five or ten years ago, but who knows thoroughly what is going on to-day. It is a moral and physical impossibility that any man should be able to do this unless he is an officer in the active service, with a future before him, and with something to stimulate him to study, something to induce him to keep abreast of the times. I always felt that on that ground alone, it was an utter and criminal mistake to place a retired officer in such a position, even if he were otherwise well fitted for it. It is a case, of all others, in which the man appointed should be a man in the full exercise of his profession, who looks forward to future distinction in his profession, which, as everybody knows, is not, and cannot be the case of an officer who has retired entirely from active service. What is the defence of the Minister of Justice? It is noteworthy what the defence is. His defence is not that the report is wrong, not that General Gascoigne is incorrect in the statement I have read, it is not that the graduates are wrong, but the hon. gentleman says. Look at the results, at the high position obtained by the graduates. What does that mean? Does it mean that the graduates of the last three or four years are equal in standard to those of previous years, and that they are attaining high distinction? We cannot know anything about recent graduates for a considerable time to come. The graduates of whom the hon. gentleman spoke were those who left the college ten or twelve years ago, and some perhaps six or seven years ago, many of whom entered the Imperial service, became known and distinguished themselves. But those men were not educated under the present system, they were educated under the former system, under former commandants, and any credit due is due to the previous administration and not to the present administration. I do not pretend to say that none of the graduates who have left the college within the last two or three or four years may not do well, for this reason, that they are picked men, although the number from whom they are picked is smaller than formerly, and it must be presumed they have a rather strong bent in the direction of military service. It is not a pleasant thing to say—and I regret to be obliged to say it in this House—but there is no doubt that the appointment of the present commandant was a job; and that although the gentleman personally is a worthy man and a gallant officer, he is one who never possessed any special qualifications for the position, and it is perfectly well known that he would never have obtained the appointment if he had not happened to be a near relative of the Secretary of State. Very great evil has resulted, and very great evil will result unless the matter is cured. There is but one way of curing it, and it is the duty of the Government now to tell this House what they propose to do. This subject has been before them for months and months. It is probably six or seven months since the report was received. I observe it was sent to the department in November, 1895. The Government have had an abundance of time to make up their minds on this point. The Government should tell the House what they are going to do on this report, which is signed by the Adjutant General of Militia, as chairman, by Colonel Duchesnay and Colonel H. Smith, and is fortified by the concurrence not only of the General in command, but of all the graduates of the college who were accesible and able to take part in the reunion of 26th February. Those men were trained in habits of discipline, and the hon. gentleman may be perfectly well assured that they did not use the strong language they use reflecting on the administration of the college for some years back unless they perfectly well knew what is going on, unless they felt the reputation of the college, which is dear to them, was at stake, and they decided that nothing but a thorough and radical reform in the direction pointed out could, by any possibility, give the college a chance. I am sorry to know that the college is unpopular, because I think, if properly managed and handled, it might, without costing us too much, be made a valuable adjunct to our military system, and because I have taken pride, as have hon. gentlemen opposite, in noticing that the graduates of the college have attained, under the circumstances I have detailed, a high reputation in the British army. But it is utterly impossible to us to believe that there is any reasonable chance of the college being maintained if the present system is continued. Here we have a report showing a laxity of discipline, and showing bad drill, and there is no evading the fact that these two results are largely due to the administration. and the commandant must be held responsible for them. I have no doubt that that gentleman does his best, and I say that personally he is a worthy man and a gallant officer, but he is not abreast with military science as now understood. and this is so emphatically the case that it is the duty of the Government to disregard personal considerations and look to the welfare of the institution. The Government were warned last year, even by their own supporters, as well as they are warned this year, and by the accumulation of evidence obtained, that the time has come for a change, and I ask them with all this knowledge they have acquired, are they prepared to act on the report of their own commission and General Gascoigne? If not, they take a very heavy responsibility on themselves, and unless they do act under these circumstances, it will be utterly impossible to save the college, and it may be utterly impossible to save it at all. Before this House rises, or at the furthest, on Monday, we shoud know what the decision of the Government is.

Mr. TYRWHITT. In rising to take part in the present discussion it is not my intention to enter into a general criticism of the Militia Department, but simply to make some references to the Military College at Kingston incidentally. I have had some experience of that college, and while I recognize the necessity for its existence. I would remind the Government that there is an agitation going in the country for its abolition. I have endeavoured out of the House to justify its existence, and it would be well if in discussing the subject here we did so temperately in order that the people who do not possess military minds may not imagine there is difficulty in justifying its existence, and I hope hon. members on both sides of the House will recognize the wisdom of having such a college, and will seek to make it popular among the taxpayers of the country. For my own part, from my knowledge of the college, I can speak with nothing but gratitude both of the officials connected with it, and of the people of Kingston, generally, who do so much to make the institution popular and the lives of the graduates pleasant, during the time they are there. Now, Sir, the subject which I rose particularly to address you on, was to say a word on behalf of my friend Col. Hamilton of the Queen's Own. I approach the subject with the full knowledge of my responsibility as a commanding officer, and the impropriety of my criticising the actions of those who are in authority over me, and over Col. Hamilton. But, it appears to me, Sir, that the circumstances are rather unfortunate, and it would be more satisfactory to myself and to other commanding officers, were a more full explanation given to us than we have had up to the present time. As I understand it, the commanding officer is responsible to his sovereign for the maintenance of discipline, efficiency, and a proper system of economy in the unit under his command. His authority within his unit is paramount under all circumstances and in every situation of the service. It is his duty both to enforce by command, and to encourage by example, the energetic discharge of duty, and the steady endurance of the difficulties and privations which are inseparable from a military service. Not having the papers before me, and not being thoroughly informed, I am speaking from my general knowledge and from my recollection of the circumstances as detailed to me. I am led to believe, that the origin of the difficulty in the Queen's Own was, as to the propriety of the commanding officer insisting upon an explanation with regard to certain funds in the hands of a junior officer. As allusion has been made to that particular point, I will quote from the "Queen's Regulation" a paragraph, which appears applicable to this case. Section 7, clause 3, says:

> The commanding officer is responsible for the proper application of all regimental funds, and will supervise and control the action of committees formed for their management.

It would appear from this clause that the commanding officer was perfectly within his right in asking, not only for an explanation, but also for the full control of the funds in possession of this junior officer. And, Sir, I am given to understand, that the action of the authorities has been brought about, owing to representations having been made to Col. Hamilton's superiors, by a number of junior officers in the regiment. I will quote a paragraph from the "Queen's Regulation" on discipline, which I think ought to settle that point:

> One of the fundamental and most necessary rules of military discipline, is to forbid anything bearing the appearance of combination to obtain redress of grievances, among individuals composing the military force.

Now, Sir, I am given to understand that this rule has been most flagrantly disobeyed in this case, and that the action which has been taken against Col. Hamilton, was at the instigation, or by a combination of a number of his juniors, who have made certain representations to the Deputy Adjutant General. That action has been taken without giving Col. Hamilton an opportunity of testifying in his own behalf, or possibly making explanations which might lead to an opposite decision. I can only say, Sir, that it would be satisfactory to myself, as a commanding officer—not knowing but that my turn may come next—and it would be satisfactory to other officers in the Canadian

Militia, if an investigation were to take place, and if the causes which have led to this action were published, in order that we might know what to expect. Speaking for myself, Sir, I have been in the Militia—I am almost ashamed to say how long—but it is about thirty-five years. I have been a Brevet Colonel for twenty years, and Colonel commanding a regiment for ten years, and I certainly should feel that I was being harshly dealt with, were I dismissed from the force, as I might be to-morrow, without any reason being given me for it.

Mr. LISTER. Mr. Speaker, so far as the Military College is concerned, I confess that I know very little about its present condition or its past working. I may say, Sir, however, notwithstanding all that has been said by the hon. member for South Oxford (Sir Richard Cartwright) in favour of that college ; the impressions that I formed about it in the past were not entirely favourable. I have always failed to see the necessity for the Military College at Kingston, in view of the fact that we have throughout the country, many educational institutions capable of giving to every citizen of this country, the highest education at a minimum cost. I fail to appreciate the absolute necessity for a Military College in this country, with its small population. It always seemed to me that our military schools should have furnished a sufficient military education to the gentlemen who join the militia of Canada. Perhaps, Sir, a good deal might be said for the college, if the original intention had been strictly carried out. It was intended at one time, that graduates of that college should occupy positions in the active force of the country, and that other graduates should receive appointments in the Civil Service of Canada. The result, however, has been, that we have the satisfaction of knowing that during all these years a certain number of graduates of that college have received appointments in the Imperial service. That flatters our national pride to a very great extent, but when we come to consider the enormous cost at which that pride has been gratified, one hesitates to come to the conclusion that the Military College has done all that was hoped for from it, by those who first started it. The report which I hold in my hand shows that every graduate at that college has cost $5,510. The greater portion of that has been contributed by the country. If, however, the country at large had taken advantage of the education given to the graduates at that college, there might possibly, and probably would be, an excuse for its existence. But as a matter of fact, the graduates of that college, when they have sought to obtain positions in the public service, have found it just as necessary as if they had been graduates of any other college, to obtain the requisite political support before they could obtain appointments under the Government of the country. They had to secure the support of members of Parliament favourable to the Government before they could hope to obtain a position in the Civil Service of Canada. The result of that has already been, with the exception of perhaps four young men who yearly find positions in the British service, that the graduates of the Military College at Kingston are to be found principally in the United States. We have educated them, the country has paid for their education, and they are forced out of the country into a foreign country in order to make their living. I know nothing about the commandant. All I know is what is set forth in this report. The commandant is, no doubt, a worthy man and a good soldier. So far as that is concerned, I have nothing to say. But there is no doubt considerable force in the argument of the hon. member for South Oxford (Sir Richard Cartwright), that this is a progressive science, that what was proper a year ago may be improved upon to-day, and that it is necessary that a young, vigorous, progressive officer should be in command of the college in order that the students may be abreast of the times. The report is before us, and I desire to call the attention of the Minister of Justice to the fact, which he himself admits, that everything in connection with the investigation is not before Parliament. Why is it necessary to bring down, in fact, two reports—one printed and given to the House, and another which the hon. gentleman says is a confidential memorandum? The only inference that can be drawn from the statement of the Minister is that the confidential memorandum differs from the report which he has laid before the House. It is possible that that memorandum may be more condemnatory of the management of that college than the report which we hold in our hands.

Mr. FRASER. It must be, or else it would be produced.

Mr. LISTER. That, I think, is logical. If it was favourable to the college, it would have been produced here along with the other papers which the Government have thought proper to lay upon the Table of the House. Now, the gentlemen who composed this committee and who made this report, say this about the employment of graduates of that college :

> Some inducement or additional encouragement should be given to graduates to attach themselves to militia corps, and the board suggests that graduates who thus show their interest in the militia or are doing regular military duty in the country should, after a reasonable and defined period of service, receive promotion. Graduates should also be given the preference in filling vacancies in the permanent military force, and in other departments of the public service of which their training particularly fits them.

That is all right as far as it goes ; but I can only repeat that if Canada educates these young men, as it does at an enormous expense, Canada has a right to demand their services; Canada has a right to find for them positions in the public service, which they are fitted to fill, and not give those positions to civilians who can bring sufficient political influence to bear to secure them.

Sir CHARLES HIBBERT TUPPER. I may tell the hon. gentleman, in support of what he is saying, that in the Marine Department, before my time—I think in the time of the present Minister of Finance—there was employed a Mr. Stewart, a graduate of Kingston College. That gentleman now does, as efficiently as an Imperial officer did before him, for a salary of about $1,700 a year, certain hydrographical work, for which we had to pay about $4,000 to the Imperial officer; and his work is accepted by the Admiralty in the same manner as was the work of the Imperial officer.

Mr. LISTER. The statement of the hon. member for Pictou (Sir Charles Hibbert Tupper) is of course very gratifying, and it shows how the services of these cadets might be utilized.

Sir CHARLES HIBBERT TUPPER. There are several others in the same branch.

Mr. LISTER. I desire particularly to refer to the treatment accorded to Col. Hamilton at the hands of the Government. I think I may say, without fear of contradiction, that every officer in the country against whom a complaint is made to the superior military authority, has the right, before condemnation, to demand that the charges made against him should be fully and properly investigated, before any action is taken in regard to him by such superior officer. It is a matter that affects not only the individual against whom a complaint is made, but a matter that affects every military man throughout the length and breadth of this country; because the power that is exercised to-day, perhaps tyrannically, upon one man, may be exercised to-morrow in the same way upon some other man. Besides that, there is a feeling of sympathy existing between men in the military service; and I believe they will be found resenting an injury to any officer, regardless altogether of the political convictions of that officer. If you are to maintain discipline in the citizen army of this country, it is of paramount importance that the men composing that force should be dealt with the most perfect fairness. It is of paramount importance that no man in the military service of this country should feel that he has been treated unjustly by his superiors. If it is known that a worthy officer, who has served his country for thirty years, is to have his head taken off and his reputation besmirched by perhaps the thoughtless action of some superior officer, it will create a feeling of resentiment against that officer, and against the Government which permits it to be done. My hon. friend from Muskoka (Mr. O'Brien) spoke this evening about suggestions he had made to the Government year after year, and he spoke hopelessly of any of those suggestions being adopted by the Government. But I hope that the suggestions offered to the Government in this case by the military men in this House, and by other hon. members, who demand for Col. Hamilton a fair investigation into the charges which have been made against him, will be listened to by the Government and acted upon; and that if Col. Hamilton is to leave the service of Canada, he will leave it after having received a fair and open trial and a just verdict at the hands of the proper authorities. I trust, Sir, that an act which would be tyrannical and worthy of Turkey or Russia will not be permitted in this country, because if the facts are as stated in this House, the treatment which has been accorded to that gentleman is treatment which would be worthy only of those countries. There is a growing feeling in this country, whether it be well founded or not, that the militia is becoming a vast political machine, and that men who belong to the Liberal party have no chance of promotion or fair-play. We know that officers seeking promotion have enlisted the active support of members of the House of Commons supporting the Government to advance their interests, and we know that in many of those cases these representations have been listened to, and officers, who, under other conditions, would be entitled to these positions have been overlooked and political influence has prevailed. Unless that ceases, the militia, as a body, will be utterly destroyed. Merit and merit alone should be the guide to promotion, that should be the only qualification which should induce the Government to advance military men. Unless the Government do something to dispel that feeling in the minds of militia officers, the force ere long must fall into a condition which all will deplore. It appears, so far as Colonel Hamilton is concerned, that complaints were made by his subordinate officers,—men who would be advanced if he were dismissed or resigned. Those complaints were made contrary to the regulations and contrary to all military law, but they were listened to by General Gascoigne, and upon them and without investigation, Colonel Hamilton was told that he must resign or be dismissed. Think of it, an officer who had served in the force for over thirty years, and who had risen step by step, on his merits, from the rank of private to the highest position in the force, against whose courage not one word can be uttered, who brought the regiment to the highest state of efficiency—such a man is to be disgraced, all the years he served his country for nothing are not to count, he is compelled, to resign or be dismissed. That is the decree of General Gascoigne who was brought into this country to command our forces. I do not believe that he would dare in England exercise the powers he has attempted to exercise here, and we want him to know that we appreciate freedom, right and justice as much in Canada as they do in England; and what he dare not do in England, he shall not do here. It was cruel treatment. Col. Hamilton refuses to resign. He says: Dismiss me if you dare; I have done nothing unworthy of a soldier; there is nothing against me which would justify any such treatment. And remember that this man, Col. Hamilton, asks for an investigation. He made charges against the subordinate officers, but no attention was paid to the charges made. His letters were not acknowledged; but the charges which had been made by the men under him were listened to and upon them General Gascoigne writes to him: You must resign or I shall dismiss you. I appeal to the hon. Minister of Justice (Mr. Dickey) and the hon. Minister of Militia (Mr. Desjardins) to say whether that is fair treatment. I say here that when General Gascoigne has taken that position, it is not fair that an investigation should be made except by a parliamentary committee. We should let General Gascoigne understand that there is a power higher than he, and that is the Parliament of Canada. And unless the charges are established, justifying the extreme course taken by this officer, he should not be asked to resign. What shall be done? The letters of General Gascoigne should be withdrawn at once. Lieut.-Col. Hamilton should be restored to his command at once. Then let them formulate charges against him, and let those charges be investigated openly in the full light of day in the presence of Colonel Hamilton and the men who make them. Let these men substantiate these charges if they can, and then if their charges are of sufficient magnitude to warrant dismissal, if they are proved, let him be dismissed. But I denounce the manner in which this case has been gone into and dealt with. I say again that it would be worthy of tyrannical Russia or Turkey, but it should not be listened to in Canada above all other countries. My hon. friend the Minister of Justice knows nothing apparently, about the charges which were made and the difficulties that took place in this case and those in the case of the Royal Scots of Montreal. It appears that, so far as the Queen's Own was concerned, four or five officers threatened to resign unless Lieutenant-Colonel Hamilton was dismissed. But some nineteen officers of the Royal Scots of Montreal, made charges against their commanding officer, Colonel Strathy, and stated that unless these charges were listened to, and Lieutenant-Colonel Strathy removed they would resign. Now, I want to show you how these two cases were dealt with.

THE QUEEN'S OWN RIFLES.

Ottawa, March 28th.—Among military men in the city considerable interest is felt in the affairs of the Queen's Own Rifles, so many officers and men of the regiment being known in Ottawa. To-day, speaking to your correspondent, General Gascoigne said it was true that the administration of the corps had been handed over for the time being to Major Delamere, but whether the Major would take command as colonel of the battalion he could not say. He had seen a statement in the papers to the effect that Major Delamere would not take command of the regiment if it were offered him, but he had seen nothing official on the point. As regards Col. Hamilton, he desired it to be understood that there were no charges against him. The affairs of the battalion had got into what the General designated as an uncomfortable position, and following the English practice, it was better that Col. Hamilton should step out. The action of the department involved no slur upon Col. Hamilton. He trusted it would lead to greater esprit de corps, and enable deserving promotions to be made.

That is what General Gascoigne says so far as Colonel Hamilton is concerned.

THE ROYAL SCOTS' TROUBLE.

Montreal, March 29th.—The trouble between Lieut.-Col. Strathy and the officers of the 5th Royal Scots, it is expected, will be settled satisfactorily. Major General Gascoigne has been for several days engaged in patching up a truce, and it is understood that both parties will make concessions, and that by this means the trouble will be healed.

There is the way in which General Gascoigne deals with two officers of equal rank. Without going to Toronto, without investigating the question himself, he listens to the complaint of half a dozen officers who are to be promoted if Colonel Hamilton is got rid of and he says so himself in plain terms, that these officers have been intriguing and conspiring against Colonel Hamilton. He asks Colonel Hamilton to step out. But when we come to Colonel Strathy, what do we find? Why, Sir, General Gascoigne himself goes down to Montreal, he stays there, as the paper tells us, for several days patching up the difficulties between nineteen officers who complained and Colonel Strathy, and the paragraph ends with the statement that he hopes his efforts will be successful. I ask you, Mr. Speaker, upon what principle General Gascoigne can deal with these two men so differently. If it was right for him to go to Montreal for the purpose of settling differences there by his presence, was it not equally important that he should go to Toronto and use his good offices to settle the differences between Colonel Hamilton and his subordinates. While he attempts by his presence and personal influence in Montreal to settle the difficulties in that case, he writes to Colonel Hamilton: Your resignation or your dismissal. Why this difference in the treatment of these two men? Is it because the Colonel in Montreal is a strong supporter of the Government that he is treated in this considerate way ? Is it because Colonel Hamilton is not a supporter of the Government that he is treated in a different way ? I do not say that it is, but these are the facts and one is inclined to the belief that there must be some reason for the Government dealing differently with one officer than with another. According to this newspaper clipping no complaints have been made against Colonel Hamilton. If there were no complaints, what grounds had General Gascoigne for asking Colonel Hamilton to resign, what grounds had he for saying unless he resigned he would be dismissed ? There is no question about it that the treatment accorded to Colonel Hamilton is a grave scandal in the administration of military matters in this country. There can be no question but that a gross outrage has been perpetrated upon that gentleman. As I stated a few moments ago, Colonel Hamilton has served his country for upwards of thirty years. He has risen from the ranks to the command of the regiment which he has now the honour to command; and without any charge being made against him, and merely for the obvious purpose of advancing men who are below him, without any investigation being made as to his conduct, so far as we are informed, or so far as it appears to this House, General Gascoigne, in an arbitrary and tyrannical way, taking advantage of his position, orders this man to resign, or in default of his resignation he will be dismissed. We have the statement of General Gascoigne himself that the regiment commanded by Col. Hamilton is the best drilled and the best equipped regiment in Canada. That is his own statement in the report furnished to Parliament. There is no complaint made against Colonel Hamilton in that report. The report shows that Colonel Hamilton has discharged all his duties. There is reason to believe, contrary to the statements made by the General himself, that the regiment was all he had a right to expect. But the true secret of this is the statement made by the General that the removal of the resignation of Colonel Hamilton would allow half a dozen officers under him to be promoted. Sir, has it come to this in this country that the intriguers and the people who conspire are the successful men, are the ones who are to succeed and be promoted, and that the man who knows his duty and does it is the man who shall receive no consideration at the hands of the Government ? There is no doubt, from the view which we are able to take of the affairs of that regiment, that an intrigue has been going on for a long time, an intrigue has been going on among certain of the officers, and only a small minority of them, an intrigue for the purpose of getting rid of Col. Hamilton. They have, in violation of all military regulations, sent in their complaints against a superior officer to an officer superior to him, instead of sending them in through the colonel. These complaints have been received. When General Gascoigne says there are no complaints, he is not frank and candid in his statement, because there is no doubt from the statement made by the Minister of Justice that certain complaints were sent in, because, he says, an investigation took place by Colonel Otter, I think, of Toronto. Now, Sir, if such an investigation took place, then there must have been complaints, and if these complaints were sent in, they were received contrary to military regulations altogether, and the duty of the officials was to have returned these complaints to the men sending them in, and to have court-martialled the men who made the complaints. But instead of that, a sort of Star Chamber examination takes place, Colonel Hamilton is never notified, there is no attention paid to the charges made by him, he is never informed that these men had made complaints against him, he is never informed that an investigation was to take place after these complaints, and if an investigation did take place, it took place without notice to Colonel Hamilton, and without his being present. Sir, was ever such a condition of affairs heard of before in this country or any other ? Natural justice demanded that Colonel Hamilton should have been summoned, that he should have had an opportunity of meeting his accusers, he should have had an opportunity of making his statement, or of calling his evidence before those making the investigation. But instead of that, we have an ex parte investigation, an investigation made without the presence of Colonel Hamilton at all, an investigation of which he was entirely ignorant, and upon that ex parte investigation the General in command, under the Government of this country, finds a verdict of guilty, and order him to resign or he will be dismissed. Sir, I say that such conduct as that violates all natural justice, it violates every rule of law, it violates every military usage and regulation. It is without support in any quarter. There is no authority at all for such conduct anywhere. The meanest criminal charged with the pettiest crime, has an opportunity of making his defence, and seeing and examining the witnesses who are brought against him. But here a man occupying the honourable position of colonel of one of the first regiments in this Dominion, a position he has held after long years of service, is not accorded the common courtesy of being notified as to when this investigation is to take place. He is denied the rights which would be accorded to the meanest criminal for the most trivial offence, namely, the right to be present and hear the evidence against him, and to defend himself against the charge. Then, Sir, what do we find? They have not yet dismissed him. It appears he refused to resign ; but in order to insult him, in order to offend him more and more if possible, without informing him of any trial or investigation, the general in command orders that the military stores should be turned over to the major of the regiment, taken out of his possession ; and while they nominally leave him colonel of the regiment, they, in fact, turn over to the major all the militia stores, and deprive him of the rights which he has as colonel of the regiment. Sir, if it be true that this man has been treated in the way stated here this afternoon, without trial, without notice of any charges at all made against him, upon complaints made by officers under him, and who would be advantaged by his dismissal, if this be all true, if it is possible that General Gascoigne has acted in this way, then I say that General Gascoigne should step down and out, and go back to the old country. Sir, we have had these generals over here, two or three of them, of late years. We had General Middleton here, and he had to leave. We had a general after him. and it was found convenient for him to leave. And now we have another general who has only been in the country for a very few months, and almost the first act he does is an act so unjustifiable, so tyrannical, so arbitrary, as stamps him, I believe, as unfit to occupy the position to which he has been appointed. Sir if it is true that General Gascoigne has acted in the way that it is claimed he did, he ought to be dismissed from the service of this country. What possible reason is suggested for asking the resignation of Col. Hamilton ? It is said he has been too long in the service. That can be no reason. We have the hon. member for Muskoka (Mr. O'Brien), a colonel, who has occupied that position for twenty years at least, and we have the hon. member for South Simcoe (Mr. Tyrwhitt), who has occupied the position of colonel for a good many years, and both of those gentlemen are many years older than Col. Hamilton. If long service was a good ground for the dismissal of Col. Hamilton, then it would apply with greater force to the two hon. gentlemen I have named. Surely it cannot be seriously argued that a man of forty-eight years of age, who has been colonel of a regiment for six years, must be dismissed? That is not the law, it has never been the practice in this country, and it is not pretended that this action is on account of long service, but General Gascoigne suggests it is about time Col. Hamilton should be relieved of the command of that regiment. The facts are very brief. Col. Hamilton has been for five or six years colonel of a regiment. During that time the regiment has attained a remarkable degree of efficiency. The general in his report declares it to be one of the best regiments in the Dominion of Canada. There is no charge, so far as I know, made against the colonel in command ; there is a complaint made by subordinate officers in the regiment. There is no charge against the capacity and ability of the colonel in command. An intrigue is promoted among certain officers, who will be advanced by the colonel's resignation. A complaint is made. On that complaint is said a hearing took place, and an investigation was held, to which Col. Hamilton was not a party, of which he had no notice, and no opportunity whatever was afforded him to know what the charges were, of meeting and confronting the men who made them. On the proceedings of that star chamber investigation the General wrote a letter to Col. Hamilton requesting him to resign or he would be dismissed. These are, in brief, the facts. There is no charge made against Col. Hamilton that he is not an efficient officer. The evidence of the General himself shows that he must be efficient, because his regiment had attained a remarkable degree of efficiency. This man who had served Canada for thirty years without a blot on his character or reputation, whose management of the regiment had been all that could be desired, this man who had served all these long years without pay, but from a love of the profession and from a desire to see the regiment with which he had been so long connected attain that degree of perfection it has attained, was thus treated. For these reasons, he had remained a member of the regiment and become its commanding officer, and without a single substantial charge being made against him, but on an investigation taken in secret, on a charge which has never been made public, this officer, who had made complaints against some of his own officers and asked an investigation, without getting an investigation into the charges he made, without even obtaining a reply to his letter, without receiving any notice that any charge was made against himself or had been investigated, was suddenly told by General Gascoigne that he must resign his position, or be dismissed. I ask you, Mr. Speaker, if you can recollect in the whole course of your life more cruel treatment accorded to any one, more unjust treatment, and a greater act of illegality committed than the act of General Gascoigne towards Col. Hamilton. I feel that when the people of this country, and particularly the militiamen, come to know the way the Government have allowed the general to deal with this militia officer, there will arise in the breast of every citizen and volunteer a feeling of indignation as to the way in which Col. Hamilton has been treated, which was utterly unjustifiable and thoroughly illegal. Instead of receiving approbation at the hands of the General, Col. Hamilton has been tried and convicted without being heard, on charges made in secret, and made at a secret trial that would be a disgrace to the star chamber of Spain in its worst days. There is nothing else for the Government to do but to have this officer restored to the position of full command of his regiment, and if there are any charges to be made let them be made and be fully and fairly investigated, and if Col. Hamilton is guilty of any offence that justifies the extreme punishment which General Gascoigne has thought fit to inflict, let it be inflicted ; but if they are not true, let him stand before the world as a man who has been charged unjustly, let him be acquitted and again occupy the position at the head of his regiment. It is a disgraceful act that a worthy officer should be compelled, under circumstances such as I have detailed, to resign a position which he considers an honourable one, and if he resigned or allowed himself to be dismissed on charges of which he knew nothing and of which he was innocent, he would be guilty of conduct unworthy of a soldier. He would be unworthy of himself if, on the threat of General Gascoigne, he resigned. Let the General or the Government dismiss him if they think proper. He has a right to demand that he shall have an opportunity fully and fairly to meet any charge made against him, and unless such trial takes place, and if the Government insists on the General's recommendation being carried out, then hon. gentlemen opposite will be blamed for having done an act of the grossest injustice to a worthy and capable citizen and soldier of Canada.

Mr. MILLS (Bothwell). I ask the attention of the House for a few moments while I invite its attention to the subject of discussion on the motion to adjourn. I shall not enter into any discussion of the subject of the dismissal of Col. Hamilton. The hon. member for West Lambton (Mr. Lister) has spoken of that at length, and has stated the principle which is involved in his dismissal. It seems to me of very grave consequence to this country, if our volunteer force is to be maintained as an efficient defensive force, that its non-political character shall be preserved, and if men are to be called upon to vacate their places in the military service or volunteer force because of political views and opinions, then the efficiency of the force is necessarily at an end. In England the right of the Minister to interfere as regards the regular army and the volunteer force is not at all recognized. Everything relating to appointments and to dismissals in the organization is under the control of the Commander in Chief, and not under the Minister to whose department that commander in chief belongs. It seems to me that that same principle should prevail here, and for the military head of the militia force of Canada to become a subordinate officer in the Department of Militia, to carry out the wishes and intentions of the Minister of Militia from its political side, I cannot otherwise than regard as extremely mischievous. So far as the resignation of Colonel Hamilton is concerned, I dismiss the subject with these observations.

Now, Sir, I wish to say a few words with regard to the Military College at Kingston, and in reference to that institution my views are those of the hon. member for South Oxford (Sir Richard Cartwright). What he has said here this afternoon I cordially concur in. I do not think that the ordinary educational institutions of the country will at all meet the requirements which the Military College at Kingston is intended to serve. So long as mankind are what we know them to be, it is necessary that some attention should be paid in every political community to the cultivation of a military spirit, and to making some preparation for the defence of the country. It seemed to me at the time this institution was established—and I have never heard any reason to change my opinion—that one of the most efficient means of defending this country is to provide a body of well-trained men, who, if the necessity arose, could be placed at the head of the military forces of this country, and under whom it would soon become efficient and better qualified to perform the functions that the country would expect from it under such officers, than it could under men without any such scientific training. And, when we take into consideration what would be the fair cost of an institution of this sort, and the number of men who are trained in it, we have this question to answer : Could we, for the same amount of money, in any other way, make so effective a preparation for the general defence of the country. In my opinion, we could not. Now, this institution, in a large degree grew out of the experience of our neighbours across the line during their civil war. Many thousands of men during that contest were called into the military service of the republic ; many men were placed at the head of companies, and of regiments, and of armies, in the service both of the North and of the South ; and any one who followed the history of that war with any degree of care, cannot come to any other conclusion than that the vast majority of these men who were without a scientific training, failed in the contest, while those who were eminently successful, were men who had been trained at West Point. That institution afforded a body of men who had a scientific military training, and when the necessity arose for their active service, they proved themselves eminently efficient in promoting the interest of the republic. It seemed to me that a body so trained in this country would form a valuable nucleus around which a military organization, efficient for defensive purposes, could be organized whenever the necessity arose. Then, Sir, I have already said, that it is necessary at least, not to destroy whatever military spirit may exist in the country. The preservation of that spirit and the affording to it of necessary avenues for its fair and legitimate expression, does not, in my opinion, in any way tend towards the cultivation of a spirit of "jingoism." It is essentially different.

But in every community there are persons of military instincts, and an institution of this sort, where they may receive a military training and enter into the Imperial service, is a matter of some consequence. In fact, it has become one of the bonds of union between Canada and the rest of the Empire. Some years ago, when the British Government were reorganizing their army and undertaking to make their navy more efficient, an inquiry was had into the various military institutions of the United Kingdom, and into military schools of a scientific character upon the continent of Europe and of the United States. When the Government of Canada established this military school at Kingston, the reports that were made at that time, 1870, were examined; and especially were they examined by the Prime Minister; and West Point in New York was taken rather as the model for the Kingston college than any of the other institutions. In fact, the report of Colonel McDougall—afterwards General McDougall, who saw service in this country—on the West Point Military Academy, was the one that was specially before the Government when the Kingston College was established. When Coloned McDougall was sent to investigate at West Point, he was instructed to report. First, on the objects of the academy and its relation to the army, and its resemblance to the three English institutions: Sandhurst, Woolwich and the Staff College; secondly, he was asked to examine into its administration and organization; thirdly, into the number of persons who were there receiving military training; and fourthly, into the length and nature of the course of study which was there adopted. He was also required to examine into the relative importance of different studies: mathematics, surveying for the fortifications, military law, and those branches of international law which military men are called upon to exercise. I do not know how far that is taught in Kingston, or whether there is a professor for that purpose.

Sir ADOLPHE CARON. It is taught.

Mr. MILLS (Bothwell). It is one of the necessary subjects, because a military man in active service may be called upon to capitulate, or to obtain the capitulation of some other person, and he wants to know the law that is applicable to the government of armies in active service. Then, with regard to military history and modern languages, these are subjects which it is important that men who are receiving military training should understand. He was also asked to report upon the relative importance attached to what may be regarded as the practical side of military training, as compared with the theoretical side. It is well known that in England, for the vast majority of the men receiving a military training, more importance is attached to the practical than to the scientific or theoretical side. In fact, one gentleman, a professor, said to me on one occasion, "You have more men in connection with your technical college in Toronto studying the scientific side of engineering than there is in all England." In England, he said, the mining engineer studies the subject practically, but he knows little about scientific principles that underlie the work that he is called upon to do. That statement applies to the military training given in some of the military institutions in England. But I have before me the report on West Point and the Military Academies of France, Prussia and Austria, from which it will be seen that on the continent of Europe generally more attention is given to the scientific side than in England; and when the Kingston Military College was established, we felt that the organization that existed at West Point in New York, owing to the condition of society in the United States and the circumstances of the country for which it was necessary to make military provision, bore a closer resemblance to ours than the other. Now, I am not going into a discussion of the question raised by the hon. member for North York (Mr. Mulock), as to how far a literary training should be given in these institutions, or how far our educational institutions in the various provinces render such literary training in the military college unnecessary, so that the student may obtain his literary training elsewhere and come into the institution with that training already acquired. This, however, was observed by one of the professors of the institution at West Point some years ago, that it takes some little time to acquire a military habit in a people who are living in an unmilitary country; and it was thought that a course of study extending over four years had a very decided advantage in this regard over a shorter period of study. Then, with regard to this institution, there are a good many suggestions made in Mr. McDougall's report, to a few of which I desire to call the attention of the House. In one paragraph he says:

> All the professors and instructors, with their assistants and acting assistants, have been educated at West Point, with exception of the chaplain, the professors of French and Spanish, and the sword master. All are regularly enrolled in the military service of the United States, and subject to military discipline.

In another paragraph he says:

> The professor or chief instructor in each branch is responsible for the efficiency and uniformity of the system of instruction in his own department.

Again, he says:

> The assistant and acting assistant, professors or instructors are always appointed from among officers on the full pay of their regiments who have graduated at the Academy, on the recommendation of the professor or chief instructor of the branch in which there is a vacancy to be filled.

Again, he says:

> The term of duty at the Academy, of the assistant and acting assistant, professors and instructors is fixed at four years, at the end of which period they return to regimental service. Duty at the Academy is obligatory on every officer who may be selected for it, and is considered as part of the general service which every officer who has graduated at West Point owes to the country.

Further on he says:

> The nation is also benefited. Many young officers acquire at West Point scientific knowledge and habits which cause them to be sought for important posts in civil life. Some obtain lucrative positions as professors in the different State universities. Some become connected with railroads, and other public improvements. In these cases the loss of the army is the gain of the public at large.

Further on in this report he points out that the discipline in the institution is very strict, that if persons fail in punctuality and in keeping up the minimum standard of efficiency in the various classes they are not retained as students in the institution, and that this possibility of dismissal constantly hanging over their heads secures an amount of diligence and attention which is of very great consequence in training for active military service; and he quotes this paragraph from General Barnard, of the United States Army:

> As disbursing officers of the Government they (the graduates of West Point) have proved faithful when too many not graduates have failed. As engineers they have commanded the entire confidence of the Government and the communities which they served, and have been the principal agents by which our fortifications, our works of public improvement, our railroads, canals, public buildings, and our light-houses and harbour works have been brought into existence. In the ranks of our legislators, our jurists, our agriculturists, our merchants, our ministers of the Gospel even, they have been found and have ever acquitted themselves with honour, and commanded their full share of respect from their fellowmen.

He then continues:

> What is claimed for the training at West Point by its advocates is, not that it necessarily turns out brilliant men, but that it prepares for the service of the state a number of educated men who may be depended on, as a general rule, to serve it faithfully and ably in many different useful capacities.

At the conclusion of this report Mr. McDougall says:

> The knowledge acquired must always have a positive value; and where opportunity occurs it will in most cases probably lead to distinction, as has been proved during the late civil war; but the encouragement held out by the state to distinction at West Point, so far as regards advancement in the army, falls very far short of what, in good policy, it ought to be.

And the reason assigned for it is that the political influence connected with official appointments sometimes stands in the way of a proper utilization of this force. What I am calling the attention of the House to is—not that those who established this institution were mistaken in their view of its importance—not that its graduates may not be made highly useful to the state—but that the Government have not utilized their services in the administration of public affairs to anything like the extent that they might have done. It does seem to me that when these men are trained, they should be placed in the volunteer force in order to make that force efficient. They could be employed in connection with the North-west Mounted Police in the engineering operations of the country, and in whatever sphere of duty which the Government might find it advantageous to utilize their services. There is no doubt that if you make it a condition that persons should have the literary attainments of undergraduates of the first or the second year of the course in the university, you could diminish the number of persons employed on the teaching staff, and otherwise diminish the cost of the institution. But I would myself be very sorry to see that the institution was so mismanaged as to lead to its abolition. I think this would be a mistake; for, in my opinion, there is no other part of our defensive service that can be so useful as this, which secures the graduation in military science of a trained class of men, upon whom the country could rely if danger should arise.

Mr. POWELL. I shall not attempt any discussion or criticism of the commandant's course, but it does strike me that all the documentary evidence is against the contention that the Military College is deteriorating. In fact, I should say, from the documents before the House that the college is becoming increasingly efficient. These reports made by the Board of Visitors which have been made, can be boiled down to two or three objections raised against the institution. An objection is taken as to the drill and as to the discipline of the institution. Drill and discipline are, of course, essential to the successful management of any educational establishment, I care not of what nature. Carlyle has said, and said truly, in one of his essays, that diligence is the summation of the virtues of a student; and he might have added where we find manifested a high degree of diligence there is accompanying it, a high standard of decorum and excellence. Every charge that can be brought against the institution falls to the ground, and is disproved by its great educational success. As regards the buildings and property of the institution, all agree that they are maintained in a very excellent condition, indeed. As respects drill, the charge is that it is not up to date. The answer to this charge will appear in the report of the commandant, in which he says that a more advanced drill was adopted, but in obedience to the order of the Militia Department that drill was changed. The Militia Department had a lower standard, a more antiquated form of drill, if I may term it, and in order to have uniformity throughout Canada, the college, under orders from the Militia Department, reverted to a system that was somewhat out of date. But, admitting that the drill is somewhat out of date, the objection urged is that the system adopted is poorly observed, and this objection is not well founded. The drill is especially under the care of officers who are brought out from England, from time to time, so that the drill shall be up to the highest point of excellence. The commandant says :

> The means of preventing the drill becoming antiquated are already provided in this institution. Artillery and engineer officers from the Imperial service succeed one another at short intervals and superintend the drills, in addition to which an exceptionally well qualified non-commissioned officer of the Scots Guards and a most able staff take part.

Mr. MARTIN. How does the hon. gentleman explain the report of the visitors in which they say the drill is not good.

Mr. POWELL. They do not say it is not thorough, but simply that it is not up to date, and they recommend that the institution be placed immediately under charge of the officers who will have control of the Militia Department. I have shown that in accordance with the opinion of the Militia Department, a more antiquated form of drill was adopted in substitution for a more modern one. Apart from the question of the efficiency of the drill, drill does not appear to be a great desideratum in a military college. In England, where much more attention is given these matters, we find that the board of visitors of the two celebrated colleges there, Sandhurst and Woolwich Academy say in their report :

> It appears to the board that too much time is devoted to drill at the expense of those technical studies which form the chief raison d'etre of the college.

Now, the hours for drill at Sandhurst and at the Royal Military College of Canada are practically alike, except that on Wednesdays and Saturdays there is drill in ours. In another report on Woolwich Academy, they say :

> For the same reason that the school of military engineering has been established, it cannot be expected that cadets can be turned out from the academy fully instructed in the science and practice of gunnery and qualified for the general duties of the artillery service.

The time this inspection was made was early in the season. The cadets had hardly settled down to the work of drill ; only a few weeks had then been put in by the students. As to the general efficiency, General Herbert, in 1894, which is less than two years ago, made a report in which he said :

> The value of technical military training given at the Royal Military College has been thus proved to be of a character which, in the event of any serious emergency, would be of inestimable value to the Dominion. The practical nature of the general educational training has been so frequently enlarged upon by the commandant that it needs no more than a word of admiration from me.

That is authoritative, pointed and conclusive. In the report of the board of visitors, we find, on page 5, the following :—

> The board commend to your sympathy and consideration the Royal Military College, which is performing a high class and most useful work, and it believes that the military and civil education carried on cannot be profitably separated but should be continued to be conducted substantially as it is at present.

Then, again, Major General Gascoigne, on page 24 of his report says :

> I was greatly pleased with the physique and general appearance of these young men. Take them all round, they were a body of youths of whom Canada may justly be proud. They were of unusually good physique, well set up, with a healthy appearance and pleasant manners. I noticed that their hair was not kept as closely cut as should be in a military, or indeed in any other college, but with this trifling exception to which I directed attention, there was nothing whatever to take exception to, but quite the reverse.

Mr. DAVIES (P.E.I.) He does not allow for football.

Mr. POWELL. In seeking for a subject for adverse criticism, he is driven to remark that their hair is a little too long, and practical people must feel he is descending to trivial matters, indeed. His report adds :

> I feel confident that every one of these young men, whatever his future may be, whether civil or military, will leave the college greatly benefited by his stay there ; will be improved in tone and manner, and will, therefore, be a better citizen of this great Dominion. The country should therefore be proud of the college, and do its utmost to improve and help it. I consider that the mixture of civil and military education is a most happy one, the discipline taught by the military element at the college being of the utmost benefit to all alike, whether their destination be civil or military, and as the number of military openings to young men is exceedingly limited in Canada, it is absolutely necessary that there should be a civil education side by side, and I consider that this is most happily arranged.

Now, the commandant of the institution is not practically an instructor at all. The other professors have the entire onus of both the scientific and literary teaching, and it is these men upon whom devolve the real working of the institution. Of them, the General says, on page 23 of the report :

> 2. The Professors and Instructors.—So far as I was able to judge, the military instructors were all exceedingly keen, energetic and zealous offi-

cers, with a great desire for the welfare and good of the college. They set a good example to the cadets, take a great interest in their recreation, as well as their studies, and I was in all respects satisfied with all.

Later in his report there is an exception by way of a criticism as to the professor of French.

Let us look at the last report of the commandant submitted to Parliament, and we shall be afforded the best test available, the test of examination. By way of prefatory remark I may say that the commandant is in no way responsible for the examination, and he is not an examiner. In his report he is simply giving a summation of the results The students are divided into four classes, and in page 43 of the report for the year ending the 30th June, 1895, we have the standing of those classes. I extract the following from the report :—

Year.	1st Class.	2nd Class.	3rd Class.	4th Class.
1891-92..	15,042	9,955	7,593	4,510
1892-93..	15,203	10,685	9,260	3,693
1893-94..	18,307	15,177	8,240	4,315
1894-95..	22,264	9,763	9,382	4,192

The commandant further says :

> Excluding the class which joined in 1892, a most satisfactory and very marked improvement is shown in the work done.
>
> The class of 1892—the present 2nd Class—with averages successively
> Of 3,693 in 1893 ;
> 8,240 in 1894 ;
> And 9,763 in 1895,
> Has not practically improved on the standard of 1891-92.
>
> In pleasing contrast with the unfortunate absence of success on the part of this exceptional class, is the steady and decided advance shown by the successive first classes.
>
> In these the average records of each member have been :
> In 1892, 15,042.
> In 1893, 15,203.
> In 1894, 18,307.
> And this year, 22,264.
>
> The marks gained in the full four years' course by the junior member of the present graduating class are 48,228.
>
> In the fifteen years during which the college has been passing out graduates——

I direct the attention of the House particularly to this statement :

> —there have been only seventeen instances in which a graduate has made a higher record than the junior graduate of this year.

It may be said that this does not count for much that he must have been an exceptional student, and his proficiency was not due to his training in the college :

> Only once—by Mr. Vercoe, in 1892—have the records of the three senior graduates of this year been exceeded.

Mr. Vercoe scored	56,458
This year Com.-Sergt. Major Frith, gains	56,331
Bn. Sergt. Major Wilkes, gains	56,266
Co. Sergt. Major Hayter, gains	55,580

I think that speaks very highly for the character of the institution. I would also call particular attention to what follows :

> Excepting only the three years 1883, 1892 and 1884,——the average score of graduates of this year is higher than the score of the leading graduate of any previous year since the establishment of the college.
>
> On no previous occasion has there been an "honour list" comparable with this year's.
>
> Every member of the 1st class graduates with honours.
>
> The conduct of the cadets has been generally satisfactory.

Now, we may talk, basing our criticisms on idle rumours floating about emanating from parties who may be disgruntled, or from sinister motives, express hostile opinion ; but here is a record which excels every previous record, so it is useless to talk of the institution lapsing into a state of inefficiency. The commandant and the college could have no higher commendation, no more complete vindication than these opinions and facts I have quoted.

Mr. MACDONALD (Huron). Before I refer to the Royal Military College of Kingston, I wish to make a few remarks in regard to the general question of the militia. I am strongly in favour of having the militia of the country put upon the very best footing we can afford to put it on ; at the same time I wish that the officers in charge of the militia establishment would seek to bring about such reforms as to improve the condition the militia has been in for the last few years. I do not suppose there is a single member present who will say that the militia has been in a proper condition for years past. I have no personal knowledge from experience in regard to this matter, my information being gathered from the reports which have been placed before the House from time to time, and which set forth the condition of the service, and the changes which should take place in order to put the militia in a state of efficiency. Now, we cannot get better evidence than that of Major General Herbert. The Major General was a man independent of every party in this country. He came to Canada for the purpose of inspecting the militia and introducing reforms and, if possible, placing the militia upon a higher plane of efficiency than it occupied before. Major General Herbet had no axe to grind. He was not controlled by political motives, he could not be controlled by any political party, and his main object must have been to discharge efficiently the duty resting upon him as commander of the Canadian militia. If we take the information given us by such men as this, we must be led to the conclusion that the militia of the country was wholly disorganized, and that the officers and staff of the militia did not discharge their duties in an enlightened and intelligent manner which would enable them to bring the militia to the high standard at which we all desire to see it maintained. I wish to place before this House and the country the opinion of Major General Herbert. In reading over his reports this afternoon I made several extracts from the report of 1891, which was placed before this House, and, I suppose, particularly placed before the Department of Militia. He refers especially to the rural corps, the importance of which cannot be exaggerated. Although we as a Parliament are willing to vote sufficient money to put the militia of Canada on a basis of efficiency, we are not willing to go on spending money without receiving value in the form of a well organized and efficient militia. Major General Herbert says :

> The rural corps are very deficient in instruction and their organization is still more defective.

He says they were not only disorganized, but they were very defective, defective in the number of men and many defective in physique. He says :

> I am satisfied that in the past, the results obtained in militia training, have not been commensurate with the expenditure.

There he charges that a large amount of money was spent for which no adequate results were obtained. That is what we on this side of the House have maintained for years past, that we were paying too much money for the organization of our militia, and that we were receiving back inadequate results in regard to equipment and so on. Then, again, he goes on :

> There is not a battalion that can turn out in complete marching order in a given time.

Now, supposing it had been necessary, during the troubled wave that passed over our country a few months ago, to call out the militia, according to the statements made here by Major General Herbert, the militia was not in a position to be called out, and placed in the field.

> Moreover, the equipment does not exist in store which it would be necessary to issue in the event of need.

There again the Government is charged with neglect, because it is stated that they had not the stores, they had not equipments, they had not the necessary appurtenances to place the militia in the field provided an emergency arose. Still, the Government never represented to us that there was not sufficient money voted to put the militia in an efficient condition, and yet here their own officer, whose duty it was to see that there was efficiency in the militia, have told the Government that although they had plenty of money, they had neglected to place the militia on that basis which would make it efficient in case of emergency. Then, again, he gives his opinion still further :

> I have not inspected a single battalion in which the men's boots would have stood one month's actual service.

Now, I ask the Government from whom they purchased the boots that would not stand one month's active service. Was Major General Herbert wrong, or were the the boots of such a character as he describes them to be ? If they were of such a character as he describes them, then I say that the Government neglected its duty in accepting such material from any manufacturer to whom they gave a contract ; and in that way they were expending the people's money for articles which were declared to be below par, and not fit for the object for which they were purchased. Then he goes on still further and speaks of the saddlery and harness as being of an inferior quality, just as the boots were. Now, I would ask any person who represents the Militia Department here—and it is a great drawback that we have no person in this House who represents the militia. We speak upon this question and ask important questions that should be answered in the interest of the country, and in the interest of the militia, but not a solitary individual is here to answer them. The present Minister of Militia is in the other House, or in his bed ; at any rate, he knows nothing about the question, and if he were here he could give us no information. No doubt, the Minister receives a little superficial information from his underlings, but he is not in this chamber, and there is the utmost ignorance prevailing with regard to this department. How is it possible for you, or for any other person, however clever, to obtain a knowledge of the Militia Department in a few months, or a few days ? You may obtain a superficial knowledge from those in the department, but you cannot attain that knowledge which will enable you to introduce reforms by which the entire militia of the country may be placed upon a better footing, and a higher basis of excellence than it was before. Now, in 1891, when Major General Herbert made this report, I think the present Postmaster General was then Minister of Militia. He went out shortly afterwards, and the present Premier came in for a few months, and acted in that capacity. Now, I ask you how it was possible for the present Premier to take hold of a large department like this, and in a few months understand its details, and be able to introduce reforms that would be of any advantage to the militia of this country ? No matter how clever, no matter how much knowledge he might have in a superficial way of the Militia Department, it would be impossible for any man in so short a time to grasp the whole question, and be able to deal with it. He was only in a few months, and then the present Lieutenant-Governor of Manitoba succeeded him. He only paid a very partial attention to it, for he was away a large portion of the time on the other side of the continent. The Militia Department was ruled by the Deputy Minister and others under him without any responsibility, and with no special knowledge of the requirements of the service. When he passed out then the present Minister of Justice came in and remained for a short time; and I believe, Mr. Speaker, that had he remained permanently, I think he might have done something for the department, for his heart was set upon the discharge of his duties, and probably after a year or two, he would have been able to introduce the reforms. When the present Minister of Justice passed out of the position he so well filled for the few months in which he discharged those duties, another new man came in, a man who has never been noted as a military man any more than myself, and who has no special knowledge of what is required in the Militia Department. He has to depend altogether on the information he gets from others, and therefore how is it possible for him to introduce reforms and carry them out, and place the militia upon a proper and safe footing. Now, let us hear what Major-General Herbert has to say about the clothing:

> The clothing is fairly good in quality, but the system of issuing it is open to very grave objections, for it is complicated, expensive, and satisfies nobody.

Now, there is a direct charge against the working of the system, not so much about the quality of the clothes as in regard to the system of issuing clothing. Now, if the Minister of Militia was here we could ask him whether the Government have taken steps to effect the reform suggested by the General, who had special and technical knowledge of the subject. But we have no person here to answer questions, and though we can talk and place our talk upon record before the country, there is not a single Minister or member supporting the Government who is able to tell us anything about this subject; and still they want us to vote a large sum of money to continue the militia in that unsatisfactory condition. Now, Major General Herbert still goes on:

> It cannot strictly be said that any system existed for the issuing of clothing and equipment.

Is it really true that there is no system by which clothing and equipments are issued? If there is any system, then the officer who made such a statement could not understand his duties, but we cannot suppose that for one moment, because it was his duty to investigate the matter, and he was in duty bound to thoroughly understand before he expressed his opinion in a public report. But he did not hesitate to express his opinion, and he distinctly said there was no system. Yet we are spending large sums of money yearly on these articles. This year we are spending a very large sum, and last year we spent over a million and a quarter upon the militia. This is the condition of the militia according to the evidence of the officer who came from England to take charge of the force, and whose duty it was to place its true condition before the people. No hon. gentleman opposite, not even the Minister of Militia has pointed out that Major General Herbert was wrong in any particular in this regard. If General Herbert is right, then the Government are guilty of neglect of duty. The General goes on to say:

> At present many corps are unprovided with issues to which they are entitled, while others get more than their share.

The General said that articles issued to the militia are not issued equitably, fairly and justly, that some corps receive little and others receive far more than they are entitled to. These are not my words, but the words of the highest authority on the subject. Still we have no Minister to inform us whether there have been any reforms or not. Again, the General says:

> I am thoroughly confident that if the country is to receive an adequate return for its militia expenditure, a reorganization of the staff is necessary.

Here the General tells us seriously that if the service is to be efficient and we are to receive a return for the large sums expended a reorganization is necessary; and later on the General states that inefficient officers must be changed in order to carry out reforms so much needed in the militia. He further states in his report of 1891:

> The rural corps are very deficient in instruction, but their organization is still more defective. Money is paid for instruction by officers who are incapable of imparting it. Arms and equipments are for the most part obrolete.

This is a very serious charge against the Government and its officials. Not only is the militia inefficient and in a disorganized condition, but he says money is paid to officers who are incapable of discharging their duty. If that statement is true this House should know whether those officers have been dismissed and other officers appointed to convey the necessary instruction. If they have not been changed, then I charge the Government with neglect of duty in placing money in the hands of officers appointed by themselves who were unable to instruct the militia corps. I have been reading so far from the Major General's report of 1891, and I will now read from the General's report of 1893, when he referred to the same matters, thus showing that during the interval no steps had been taken by the Government to carry out the reforms suggested. The General says :

> The condition of a large portion of the equipment in use by the militia is even worse than I have already reported.

The General found out during those two years that instead of having exaggerated the condition, the equipment was even worse than when he first investigated it, again showing that the Government allowed matters to drift along without securing any higher efficiency. The General proceeds :

> Not only is a great part of it (the equipment) worn out with age, but much of that used is of the worst possible quality.

There were new boots purchased from contractors at high prices, and when they were used for the various corps throughout the country the General characterizes them as a very inferior quality. Can it be supposed that the Government were discharging their duty in accepting from contractors at high prices inferior goods ? The General should be a good judge of these matters ; no doubt he was. He goes on further to say :

> I have seen saddlery and other equipments when issued fresh from the store, which failed to endure ordinary usage for twelve days in camp.

Surely it must have been strange saddlery that would not stand two weeks' wear. The Government must be condemned for accepting such trash from contractors at high prices and issuing it to the militia of the country. I would like to know what justification or excuse the department can offer ? These statements are thundered into the ears of the Ministers, and they sit there without giving any satisfaction to the people as to why this neglect is continually going on. He says again :

> I have seen boots which have been issued to soldiers, the leather of which had no more consistency than paper.

It must have been very bad leather indeed if it had not more consistency than paper. It shows how utterly bad these articles were although they were accepted from the contractor and paid for as first-class. Speaking of the military storehouses, he says :

> They are filled with an accumulation of worthless and worn-out equipments, obsolete military stores, and condemned utensils, for the care of which an unnecessary number of men are employed.

Here is the opinion of an efficient officer, unbiassed, without any axe to grind or political end to accomplish. He was here simply to express his opinion of the matters that came directly under his observation. In 1891, General Herbert referred to the inefficient state of the Militia Department, and in 1893 he repeated it. Col. R. H. Davis, who was in the army for a great many years, and who studied military matters as thoroughly as any gentleman that was ever in a Canadian corps, was forced to make the following statement in a paper which he read before the Military Institute in Toronto, in 1895, two years after Major General Herbert's report. He said :

> We have no force fit to take the field, nor organization for camping, nor stores to supply. The Militia Department knows nothing about the rural militia and cares less. Then darkness and ignorance which are worse have prevailed for years. The country well knows and the department should know that the militia is not only disorganized but demoralized.

Here is a man who took a pride in the militia of this country, who was colonel of a battalion for many years, and who makes this statement for the purpose of arousing the attention of the Government, surely he had no object to serve except the welfare of our militia. The "Military Gazette," a paper published in the interest of the Canadian Militia, a paper which wishes the militia to receive justice, gives the following warning note to the Government in the number for January, 1895 :—

> The militia has never been in a worse condition than it is to-day. Ignorance, incapacity, and systematic neglect are the prime characteristics of the present military system.

There is another charge made against the Government for the sole object of awakening it to a sense of its duty. Ignorance, incapacity, and systematic neglect prevails in the Government with regard to the militia, and yet they ask us for $1,472,000 for the purpose of carrying out the Militia Department this year. If the members of the Liberal party were sure that that money would be economically expended, we would not have the slightest hesitation in the world to grant that money so as to put the militia on the highest possible plane of efficiency. But when we know from undeniable evidence that our money is squandered, I feel hesitation to allow it to be expended by men who have proved themselves so incapable. Now, Mr. Speaker, I would direct your attention to the Military College for a short time. I am not opposed to the Military College provided that it is conducted along the lines of its original purpose. If we receive the largest possible return in the way of the equipment of our young men for military service, I am not opposed to paying a reasonable sum for the continuation of that Military College. The object of the establishment of that college in 1876 is well known to those who have read the Act of Parliament in reference to it. It was intended to give our young men a knowledge in the various military branches of education, so as to enable them to take their position as officers in our militia in case of war. The object was not to make it a university in which general branches of education would be imparted to the students. Let me read the Act passed in 1874 so that it may be known what this college was originally intended for. Chapter 36 says :

Whereas it is expedient to make further provisions for the education of the officers of the militia in military knowledge and matters connected with military instruction, Her Majesty enacts as follows :—

Sec. 1. An institution shall be established for the purpose of imparting complete education in all branches of military tactics, fortifications, engineering and general scientific knowledge on subjects connected with and necessary to a knowledge of the military profession and for qualifying officers to command and for staff appointments. Such institution to be known as the Military College, and to be located in some one of the garrison towns of Canada.

You will see from that extract from the Act that it was not the intention of the Government at that time to teach other branches than those which bore specifically and directly on military matters. But I find that now nearly every subject taught in the university is being introduced into the curriculum of the college. Now, I ask any hon. gentleman here what these subjects have to do with military education. I know that my hon. friend from Bothwell (Mr. Mills) states that a man would be better equipped by having a knowledge of all the modern languages, all the sciences, and every mortal subject that is taught in every educational institution in the world. So would we all ; it would give us a strength and a power that we would not otherwise possess. But in introducing these subjects into the curriculum of the Royal Military College at Kingston, we are infringing on the functions of our universities, academies and high schools, established largely by the province of Ontario, to impart that knowledge to young men at much less cost than it can be imparted at the Royal Military College ; and just as in my own profession or in the legal profession a man requires to become equipped in these subjects before he is allowed to enter upon the study of the technical part of those professions, the same rule should apply in the case of persons entering the Military College to prepare for the military profession. Now, let me mention a few of the branches which are taught in that institution. French—I suppose a man would not be a soldier unless he understood French, if an Englishman, or unless he understood English if a Frenchman. To my mind, it was absolutely beyond what was intended that the Royal Military College should teach French to an Englishman or English to a Frenchman. Then, English literature—that is a branch of study taught in our schools and universities. Why should we establish a chair in the Royal Military College for the purpose of teaching English literature ? Again there is chemistry. What has chemistry to do with fighting in the battlefield ? What has chemistry to do with the tactics which a great soldier would have to work out before the enemy ? Again, take physics ; take geology and mineralogy ; take freehand drawing and painting—what have these to do with military matters ? I might go on and mention many other branches. Now, do you not see that when four years are required for graduation in this institution because these subjects are taught, if the knowledge of these subjects were acquired outside of the Royal Military College, two years inside of that institution would give to the young men attending it all the knowledge in regard to military matters which they now acquire in four years of their course ? In that way the term would be shortened and the expense lessened. But, passing from that, I want to draw the attention of the House to the extraordinary expense of the institution. When the institution was established it was stated that it would only cost from $8.000 to $12.000 a year. That amount has been greatly exceeded last year, it cost nearly $65,000, and the expenditure has been going up every year since 1876, the year in which it was established. It would probably be interesting, if not for the House, yet to the country, to see the gradual increase in expenditure and in salaries during the existence of the college. The salaries paid each year since 1876 to superior and subordinate staffs, were as follows :—

1867	$ 3,464
1877	12,182
1878	16,538
1879	20,930

Or an average during these four years of $13.278. Now, take the years since 1880, when the first graduate took his diploma :

1880	$31,811
1881	36.151
1882	36,970
1883	37,042
1884	38.105
1885	39,003
1886	40,661
1887	38,966
1888	40,305
1889	38,002
1890	36,859
1891	36,451
1892	34,814
1893	37,355
1894-95	37,085

Or a total expenditure for salaries since the first graduate took his diploma, fifteen years ago, of no less than $559,580, or an average of $37,305, as compared with an average under the Mackenzie regime, of $13,278, or an increase of 105½ per cent. And these figures do not represent all the expenditure in connection with the institution. The total expenditure on the Royal Military College since its establishment in 1876 up to the 30th June, 1893, was as follows :—

Total expenditure for maintenance..	$1,140,764
Repairs on building	69,059
Paid by Public Works Department..	110,322
Total	$1,320,145

Now, I have a return before me which shows that the number of cadets who graduated from 1880 down to 1893 was 195, and each graduate cost the country $6,670. Dividing that by the term of four years, we have an expenditure for each year per graduate of $1,692. If that be not extravagance, then I would like to know what is. Now, the graduates themselves paid to the college in addition $279,917, which would give an amount paid by each graduate of $1,436, and that divided by the term of four years would make about $350 per year, which it cost each graduate personally, in addition to the sum of $1,692 which it cost the public. This makes a total cost to the graduates and the country of nearly $2,000 a year for each graduate. In view of these facts, will any one vote for a continuance of that institution on its present basis ? Again, what has become of these 195 graduates, each of whom has cost the country $6,670 ? Are they giving the benefit of the training they have received to the people of this country ? I find that there are sixty-three in the English service, and however loyal I may be to England, I do not see what benefit it is to us to expend $6,670 on a graduate in order to educate him for the English army. I have no objection to his joining the English army, but I do not see that his doing so will bring much profit to Canada. In the Canadian service there are sixty-eight, and in the North-west Mounted Police there are six, making seventy-four all told in our military and Civil Service. We are preparing in this college men for the Civil Service of the country just as a lawyer is trained to discharge his duties. We are taking from the country large sums of money to prepare these men for our Civil Service, in which they will draw large salaries from the public treasury. But there are many of us who have gone to the universities and higher schools for the purpose of being adequately equipped to enter the same service, the only difference being that we had to pay for our own education, and were not trained for the public service at the expense of the country. The total number in the English and Canadian service is 137. Where are the others gone ? They are not in the country at all. Out of 195, we have only information of the whereabouts of 137. Of the others a number were in the Japanese war at the head of Japanese soldiers, and some were at the head of Chinese soldiers. They left our country and gave us nothing in return for the money we spent on their education. Now, for each officer in the military service it cost the country $9,720, and for every one known to be in the country it cost $7,790. In view of those facts, which are taken from a return brought down in reply to the motion of the hon. member for North York (Mr. Mulock), we must admit the necessity of reorganizing this institution on a different basis. Make it a military college, and cease to continue it as a university. Make the term two years, and give in those two years military training, and cut off the two years now devoted to the literary training. We will thus save large sums, and the institution will be kept up at a higher and better standard than it is to-day. I do not oppose the continuance of the college, but the present system on which it is based. I am opposed to the great extravagance which has been shown in its management during past years, and I would just say this, that the country has come to a pitiable pass if every department of this Government is managed as loosely as the Militia Department. There is no justification for the condition of the militia to-day. No one will say that the statements of either of those gentlemen whom I have quoted are not well-founded, and yet no effort has been put forth to reorganize the militia corps. In fact, the Minister who is at the head of the Militia Department is not in a position to take any steps, from his own knowledge, and therefore he allows the thing to go on drifting from bad to worse, so that we are spending a million and a half of money every year and receiving nothing in return, and if it were necessary to call out the militia we could not put a battalion properly equipped in the field. These are the statements made by men who are in the best position to judge of the facts. If these statements are in any way exaggerated, let them be corrected and the facts placed before the country.

Mr. MULOCK. I wish to make a few explanations in reference to some remarks of the junior member for Halifax (Mr. Stairs). He quoted from the letter of the commandant of the Royal Military College to endeavour to justify the expenditure of that college by comparison with what he alleged to be the expenditure of the University of Toronto. Since the hon. gentleman made his speech, I have possessed myself of the last official financial report of the University of Toronto laid before the provincial legislature. For the fiscal year which corresponded with the academic year 1893-94, I find the total amount of public money expended upon the university, I mean money derived from the province in the way of interest for revenue for government endowment, was $71,227.44. But that money does not come directly to the university in the form of cheques ; it is the result of managing the university endowments which must be managed at the university's expense. It is necessary to deduct the cost of managing the fund in order to see what amount applied to education is. The public accounts show that the cost of managing that estate during the year referred to was $6,449.50. This deducted from the gross revenue leaves $64,777.88, as the total sum of public money expended upon the University of Toronto both for educational and examination purposes during the academic year 1893-94. For that expenditure the university educated, I think, quite a thousand undergraduates and examined—outside of that work which the Military College does—and graduated 365 men. The figures which I have given as to the undergraduates have reference to the year just gone by, because I do not find the figures for 1893-94. But the expenditure I have given for 1893-94 represents substantially the expenditures for 1894-95, there has been no change in the capital account, and therefore no substantial change in the revenue account, the revenue for 1894-95 being practically the same as that for 1893-94, we have $64,777.88, the gross sum derived from the province of Ontario, expended in the education of about a thousand undergraduates and in conducting examinations which resulted in the graduating of 365. For that sum of provincial money, not counting fees from students, &c., we conducted examinations in arts, law, medicine, agriculture, music, dentistry, pharmacy and pedagogy, practical science and engineering, $7,214.35 ; branches of expenditure unknown in the Royal Military College. The total cost of conducting these examinations was $7,214.35, which is work not done by the Military College. And if you deduct that from the total sum of $64,777.88, it leaves us $57,563.53, as the expenditure from provincial sources upon the educational side of the university of the year in question. In other words, we expended of Ontario money in the education of say a thousand students in the year gone by $57,563.53, whilst for the same year the Royal Military College expenditure was $68,022.22 upon the education of 57 cadets. The average per capita expenditure therefore on these 57 cadets was $1,191, while for the university students the average expenditure was $57.56. In other words for one dollar expended on an undergraduate of the university of Toronto over $20 was expended on the education of a cadet at the Royal Military College.

Mr. CASEY. I am glad my hon. friend from North York (Mr. Mulock) who is well qualified from his connection with the institution to speak with authority, has defended the University of Toronto against the unfair comparison made by the junior member for Halifax (Mr. Stairs). I have no doubt that that hon. gentleman, followed the figures of Commandant Cameron in his remarkable letter intended to answer the report of Mr. Sandford Fleming. The commandant takes the figures given last year by the hon. member for North York as being correct, and thus assumes that the cost of turning out each graduate since the school was started amount to $5,000 on the average. Then he undertakes to show that it cost not more, but very nearly half as much, to educate a graduate of Toronto University, and in order to do that he gives the following peculiar calculation which he says he has taken from the committee appointed by the board of trustees in 1893 :

At p. 23, " University of Toronto, Report of Committee appointed by Board of Trustees, 1893, Capital and Income Accounts," sites, buildings and contents in university use, valued at $1,328,966.40, at 4 per cent.	$ 53,158 65
At p. 24, unproductive land, valued at $1,029,677.72, at 4 per cent..........	51,187 10
At p. 29, same annual expenditure...	116,856 50
Total	$221,202 25

In other words, he adds the total revenue of the university to the total expenditure of the university, and proceeds on that basis to calculate what it costs to turn out a graduate in that institution. But even if these figures were correct the comparison would be sufficiently glaring. The Minister of Justice (Mr. Dickey), who represents the Minister of Militia in this House, is a graduate of the University of Toronto, and he knows as well as I do that there is no comparison between the education given in that university and the Royal Military College. If it were true that the Kingston education costs only about twice as much as the Toronto University education, it would be a bad enough showing for the Military College ; but my friend the vice-chancellor of the university has clearly proven that it costs twenty times as much to take a man up to the Kingston College standard, as it does to make him a graduate of Toronto University.

Leaving for a moment the question of military education, which I would like to return to again if I had time——

Mr. FOSTER. May I ask the hon. member if he proposes to talk up to the Sabbath ?

Mr. CASEY. I propose to finish what I have to say on this subject. I wish to say a few words in regard to the scandal that has been created by the action of the General commanding, in regard to the command of the Queen's Own Rifles of Toronto. It has been pointed out that that regiment stands in a peculiar position. It has been the nurse of military men, and officers for many other regiments throughout Canada. It has graduated, so to speak, through its ranks, many who have sat on the floor of this House, and who have attained greater distinction, perhaps, in other walks of life. I have had the honour myself of wearing the uniform of a private, and of holding the rank of a non-commissioned officer in that battalion, and I feel naturally a kindly interest in it to this day. I consider that the present case is a scandal which would have been notorious in connection with any regiment in Canada, but it has become a special subject of criticism and condemnation in the case of that crack regiment of the Canadian militia.

The policy of the Government towards the militia should tend to encourage the best men to enter it and stay in its ranks, and should, above all, be such as would encourage the best men to act as officers. In the selection of the commanding officers of regiments, the Government should act, and I believe all Governments do act, so far as you can expect of any government, independently of political considerations. When a commanding officer is selected it should be on the ground of efficiency and general qualifications. When a commanding officer is placed in command of a regiment, he should be retained there as long as his efficiency continues, and until some charges are proved which would justify his removal. While he is there, his authority should be maintained, and insubordination amongst his officers and men should be put down, without which it is impossible to carry out discipline in the regiment; and in maintaining this discipline he should be backed up by the Government and by the General commanding the forces.

All these maxims have been violated in the case in question. I have no time to go into it fully, but all know from what has been stated, that there have been no charges made against Colonel Hamilton. There has been some talk about an investigation being held by the Adjutant General into the conduct of Colonel Hamilton. Why, Sir, there were no charges against Colonel Hamilton! The fact is that Colonel Hamilton himself made formal charges of insubordination, of plotting, and of intrigue against some of the officers under his command; that he offered to substantiate those charges; that he called for an investigation of those charges, an investigation which he had a military right to have.

Mr. DICKEY. Where does the hon. gentleman get that information?

Mr. CASEY. I think if the hon. gentleman is familiar with the documents in the case, he will be aware where I get that information.

Mr. DICKEY. No, I am not.

Mr. CASEY. If he will ask the General commanding, who has been free enough in talking to the press about the matter, he will be able to inform him that my statement is perfectly borne out by the facts. I have seen copies of letters in which that is stated, and they are to be had in the department, where the hon. gentleman has access to them, and I think they are in the papers brought down.

Mr. DICKEY. Colonel Hamilton did make a charge, not of the character the hon. gentleman says at all, but with reference to the payment of money.

Mr. CASEY. There was a charge in reference to the payment of money, and that was the act of subordination. That is the very letter I refer to. A certain officer had charge of the regimental funds which were under the colonel's orders. They were put in charge of this officer, and he refused to give them up when called upon to do so by the colonel.

Mr. DICKEY. That is not a charge of general conspiracy among the officers.

Mr. CASEY. There are charges, both of conspiracy and insubordination, because this officer refused to give up the documents put in his charge, and which he held in a position of trust. It is a charge of insubordination and dishonesty against that officer. There was also a charge of conspiracy in that certain officers banded together to break up the financial standing of the regiment, and embarrass Colonel Hamilton so that it was hoped he would have to resign.

Mr. DICKEY. There is no charge of that kind.

Mr. CASEY. There was a charge of that kind, and the General not only refused to investigate that charge, but even to answer Colonel Hamilton in regard to the charge that he made. Not a single letter from him was answered except by the cool and insulting method of directing the Deputy Adjutant General to inform him that he had the choice between resigning and being kicked out. I say there is not a volunteer, there is not a man of soldierly instincts, there is not a gentleman, whether he be a soldier or not, who is not compelled to sympathize with Colonel Hamilton in the circumstances of this case. He has not been treated with the courtesy due from one gentleman to another, he has not been given the justice which he has a military right to demand, and I say that the General commanding, whatever be his rank or experience in the Imperial army, has not acted as a true soldier would act in this matter. If he has any knowledge of the traditions of the army to which he belongs, he has not carried them out. I do not doubt that he has knowledge of them, but I say he has not carried them out. I say the facts of the case would prove that if an investigation were granted. Instead of granting the investigation demanded by Colonel Hamilton into the conduct of his officers, he turns round and, without investigation, merely after consultation with whomsoever he chose to consult in the matter, he decides that Colonel Hamilton must walk out or be kicked out. I say that is an outrage that should not be tolerated. Whether it be the Government that is responsible for this outrage, of the General officer commanding, is for the Government to make clear to this House and the people of this country. I say, in closing, that military discipline has been violated, military usage has been broken, and the constitutional rights of officers and men of the volunteer force have been abrogated, by the action of either of the General or of the Government in this matter, and they have got to settle that between them.

Motion (Mr. Mulock) to adjourn, negatived.

BUSINESS OF THE HOUSE.

Mr. FOSTER moved :

That on Monday next and following days until the close of the session, the House shall meet at 10.20 a.m., with a recess from 1 until 2 p.m. ; that there shall be two distinct sittings on each day, one from 10.30 a.m. until 6 p.m., and the other from 7.30 p.m. until hour of adjournment ; that Government business shall have precedence at such sittings, and that Private Bills will be taken up for one hour only at the beginning of the evening sittings of Monday and Wednesday.

Mr. LAURIER. I object to this proposal. I suppose the hon. gentleman does not propose to sit on Sunday.

Mr. FOSTER. It was not our fault.

Mr. LAURIER. It may not have been your fault.

Mr. CASEY. I rise to a point of order. It is not legal or constitutional to sit on Sunday morning.

Mr. SPEAKER. It is not a point of order.

Mr. CASEY. I propose to show that it is a point of order. This House is only capable of sitting on legal days. We have been breaking the rules of this House even by what we have been doing. The point of order is, that this motion could not be made, that it was made when the clock was pointing one or two minutes after twelve, and therefore it was Sunday morning. I submit, therefore, that the motion has not been made and cannot be put.

Mr. SPEAKER. The motion has been made, it has been put to the House, and is now before the House.

Mr. MARTIN. I desire to say——

Mr. FOSTER. The hon. gentleman who made the objection seems to think there is a question of morals involved.

Mr. CASEY. A question of order.

Mr. FOSTER. On one side of the House or on the other. He stood on his feet and obstructed until after twelve o'clock, into the Sabbath ; but the hon. gentleman now rises to a point of order. There is no point of order, but there may be a breach of the moral law if the business of the House, which has been obstructed until twelve o'clock, is carried on in order that it may be disposed of. The hon. gentlemen opposite have had their way during the whole of the afternoon and evening ; they have not allowed us to do any business. They commenced, I suppose, with that intention, and they have carried it out until this time. I do not intend to press the motion, because I do not propose to be a party to transacting business, even at the suggestion of hon. gentlemen opposite, on the Sabbath Day. If the motion is allowed to go, I shall be glad ; if it is objected to, I shall ask my hon. friend beside me to move the adjournment of the debate.

Mr. DICKEY moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

Mr. FOSTER moved the adjournment of the House.

Motion agreed to, and House adjourned at 12.05 a.m. (Sunday).

HOUSE OF COMMONS.

MONDAY, 20th April, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ELECTION LITERATURE.

Mr. EDGAR. Before the Orders of the Day are called, I would like to draw the attention of the Government to a statement which was made to me on the best authority a short time ago, that over in the Department of Agriculture of the Dominion Government, there are some thirty or thirty-five clerks, permanent and temporary, in the pay of the Government, hard at work circulating Government political literature throughout the country. Among other things there are tons, I believe, of the eloquent speech of the Minister of Finance on the Remedial Bill, and there are also hundreds of weight, at any rate, going out of a Conservative pamphlet called a Political Review, or Topics for the Election of 1896. Now, what I complain of, and I believe it to be an undoubted fact, is that a large number of clerks of the Government, paid for by public money, should at this moment be engaged in circulating party political literature, which should certainly be put a stop to by the Government the moment their attention is drawn to it.

Mr. FOSTER. As acting Minister of Agriculture I know something about what the hon. gentleman has surmised, although nothing as to the allegations he has made. I may say promptly and at once, that the statement is entirely unfounded, that there are twenty or thirty clerks in the pay of the Government sending out election literature.

Mr. CASEY. How many ?

Mr. FOSTER. Are you aware that a single clerk in the pay of the Government is sending out election literature ?

Mr. CASEY. I am.

Mr. FOSTER. Well, Mr. Speaker, I am not. I do know that election literature is being sent out. The hon. gentleman is so modest that he would not say a word as to its being sent out by gentlemen on the other side of the House.

Mr. McMULLEN. We are sending it at our own expense.

Mr. FOSTER. Then we have settled one question satisfactorily to the House, at least; we have settled it, too, so as to have no recriminations from the other side. It is perfectly right that this election literature should be sent out. Hon. gentlemen opposite are sending it out, and they attack us for sending it out, not on the ground——

Some hon. MEMBERS. No, no.

Mr. FOSTER. They attack us for sending it out——

Some hon. MEMBERS. No, no.

Sir RICHARD CARTWRIGHT. No, the hon. gentleman is misstating the facts. I rise to a point of order.

Mr. FOSTER. If the hon. gentleman will allow me to say what I wish to say, he can then take objection to it.

Sir RICHARD CARTWRIGHT. The hon. gentleman is deliberately imputing to my hon. friend a statement which he did not make. He did not attack the Government for sending out election literature, and the Minister has no right to say he did.

Mr. FOSTER. Mr. Speaker, who said they did ? The hon. gentleman cuts me off in the middle of my sentence, and won't allow me to finish it. I say that the hon. gentlemen opposite attack us for sending out election literature, not on the ground that we are sending out election literature, but because we are doing it at the expense of the country. I give an emphatic denial to the latter part of that statement. Some ten, or fifteen, or twenty young ladies are at work, but every one of them are paid by the election committee and not by the Government.

Mr. EDGAR. Does the hon. gentleman deny that a permanent officer of the Government is in charge of that crowd ?

Mr. FOSTER. A permanent officer of the Government is not in charge of that " crowd."

Mr. LAURIER. Do I understand the hon. gentleman to say——

Mr. SPEAKER. This question cannot be debated without a motion.

Mr. LAURIER. Only one word. Do I understand that some ten or fifteen young ladies are in the Agriculture Department working, not for the department, but for private parties.

Mr. FOSTER. I do not know where they are working, I know that ten or fifteen, or twenty are engaged in sending out election literature, as we have a perfect right to do, and we are paying them ourselves, and not the Government.

Mr. CASEY. Are they not working in the Agriculture Department ?

Mr. LANDERKIN. Here is some of their literature——

Mr. SPEAKER. Orders of the Day.

MANITOBA AND NELSON VALLEY RAILWAY.

House again resolved itself into committee on Bill (No. 65) to incorporate the Manitoba and Nelson Valley Railway.

(In the Committee.)

Mr. DEPUTY SPEAKER. We are on clause 9 of the Bill, and I may inform hon. gentlemen that I have in my hands an amendment which has not yet been put, and which, if put, might simplify matters.

Mr. MARTIN. I believe that there has been a misunderstanding on the part of the promoters of this Bill in connection with this section 9. We had before the Railway Committee a deputation or representative from the Manitoba and North-western Railway Company, protesting against the route of this company on the ground that it parallels their line. I do not wish to be considered as subscribing to the proposition that this Parliament is not entitled to give a charter for a road which will parallel a road already constructed. That is a proposition which is sometimes put forward by railway companies, and it was put forward in this case by the Manitoba and North-western. They suggested that this company should not build a line from Portage la Prairie, but build from Gladstone or Arden on condition that the Manitoba and North-western were prepared to make running arrangements with the company. I understand, however, that this section does not specially refer to that point, and so I withhold further remarks until the second reading of the Bill.

Mr. DEPUTY SPEAKER. There has been notice given of an amendment by the hon. member for Guysboro' (Mr. Fraser) to this clause, and it would facilitate business if it were moved now.

Mr. FRASER. I move the following amendment :—

Strike out the words " provided that " in section 9, line 23, and lines 24, 25, 26, 27, 28, 29 and 30, and insert instead the following :—

Provided that such agreement has first been approved by ninety per cent of the shareholders at a special general meeting of the shareholders duly called for the purpose of considering the same, at which meeting shareholders representing at least ninety per cent in value of the stock are present in person, or represented by proxy, and that such agreement has also received the sanction of the Governor General in Council.

Mr. MARTIN. Not only should some explanation be offered by the promoters of the Bill, but the Government should explain the meaning of these words. The House should remember that the Winnipeg Great Northern Railway, in which was included the Winnipeg and Hudson Bay Railway Company, have had from this Government for many years a land grant, consisting of 6,400 acres per mile in Manitoba and 12,800 acres per mile outside of the province. The company has not been able to float the scheme or any part of it on that land grant. The land grant has lapsed many times, but has been renewed ; the charter has also lapsed, but has been renewed. The company also obtained very liberal bonuses from the Manitoba legislature. I do not intend to go into a history of those bonuses. The land grant and those bonuses together have not enabled the company to build any portion of the line except 40 miles out of Winnipeg, and I intend to lay before the committee the circumstances connected with the building of those 40 miles. Those 40 miles were constructed in the fall of 1886, and were constructed in this way. The province of Manitoba in 1885 passed an Act for the purpose of aiding railway companies that had received land grants from the Dominion of Canada. That statute was passed, perhaps, more particularly with regard to the Manitoba and North-western Railway Company, a company which had a land grant, and the Manitoba government, in that statute, agreed that they would advance provincial bonds bearing interest at 5 per cent, running for thirty-five years, at the rate of $1 per acre, for every acre of land grant. This company had 6,400 acres per mile, so that, under that statute, provincial bonds to the extent of $6,400 per mile were advanced the Manitoba and North-western. That turned out to be a very unfortunate transaction for the province of Manitoba, as there are outstanding nearly a million dollars of provincial bonds bearing 5 per cent interest, for which the government have the security of the land grant, but from which, so far, they have been able to realize very little. That statute was a general statute applying to all railway companies having land grants, and it enabled the Lieutenant-Governor in Council to make the advances if they saw fit. The Winnipeg and Hudson's Bay Railway, as it was then called, applied to the local government for an advance of provincial bonds under the provisions of that statute, and the provincial government agreed to make the advance to the extent of forty miles, which amounted to $256,000. The company gave the contract to Mann & Holt, who tendered for the construction of this railway at an outrageous sum. They built the line in a kind of a way ; that is to say, they turned up the prairie a little and laid the ties, and put the rails upon the ties, and, so far as my knowledge goes, that is all the work that was done upon it. For this they received from the company the proceeds of these $256,000 worth of bonds, which, I believe, they had to sell at a slight discount. I am, perhaps, going a little ahead of my story by saying they had received these bonds. In the meantime, the railway company applied to the local government to hand over to it the $256,000, as, according to their contention, the railway had been completed. The Dominion Government had not, up to this date, transferred the land grant to the company, so that the company were not in a position to transfer the land grant to the local government, and, therefore, the local government refused to hand over the bonds. The whole question then was, as to what the Dominion Government would do. The hon. member for Provencher (Mr. LaRivière), who was at that time provincial treasurer of Manitoba, came to Ottawa to see if he could not help this railway company out, by obtaining the transfer of these Dominion lands. The result of his mission was that the local government handed over to the railway company these bonds, amounting to $256,000. The local government, however, did not obtain the transfer from the railway company, because the railway company had not obtained the land grant from the Dominion Government. The hon. gentleman (Mr. LaRivière) however, reported to the Manitoba government that the lands would be immediately conveyed to that government, and he did that, as he said, upon promises made to him in Ottawa by Mr. John Henry Pope, the Minister of Railways, and by Sir John A. Macdonald. The railway company got the bonds and handed them over to Mann, Holt & Company, and, of course, they were an outstanding liability on the province of Manitoba. The Dominion Government refused to hand over the railway land grant to the company, and I regret to say that refusal has continued in force up to the present day. The government of Manitoba had handed over to this company $256,000 worth of bonds, which are outstanding, upon which they have paid the interest duly each half-year, and the principal of which they will have to pay, eventually. For that handing over of bonds, the provincial government have no security whatever, and, naturally enough, that matter has been one of very considerable interest and discussion in the province of Manitoba. I think I can fairly say—and I do not think the hon. member for Provencher (Mr. LaRivière) will differ from me in this—that that transaction had very considerable to do with the final downfall of the Norquay government, which occurred in 1887, about a year after this transaction. It was thought that government had not displayed that careful regard for the interests of the province, which they should have, when handing over these bonds. I must, in fairness, give the explanation made by the hon. member (Mr. LaRivière), as to the reasons which induced him to advise the Manitoba government, of which he was then a member, to hand over these bonds. He says, that he came to Ottawa, that he saw Sir John Macdonald and Mr. Pope, Minister of Railways, and that they gave him an explicit and definite promise that these lands would be handed over without any further conditions or delay. On the contrary, Sir John A. Macdonald and Mr. John Henry Pope, both emphatically contradicted that statement, and said that they never had at any time promised the hon. member (Mr. LaRivière) to hand over the land grant. The hon. member (Mr. LaRivière) went into details, and he stated that he received this promise from Sir John Macdonald in the presence of Mr. Pope, and also from Mr. Pope in the presence of Sir John Macdonald, and that it occurred in the office of the Minister of Railways in Ottawa. In answer to that Sir John Macdonald said that he had not been in the office of the Minister of Railways for two years previous to that time. So far as we were concerned in Manitoba, it became a clear question of veracity between, on the one hand, two Ministers of the Crown for the Dominion, the leader of the Government, Sir John Macdonald, and Mr. John Henry Pope, Minister of Railways, who positively asserted that they had never had any conversation in regard to this matter, and had never seen the hon. gentleman at all, and, on the other hand, the hon. member for Provencher (Mr. LaRivière) who says he advised this Government to hand over these bonds, on the express promise of those gentlemen, that the lands would be immediately handed over to the province. That is the position of affairs; and, as I say, the extreme looseness with which the hon. member for Provencher carried on these transactions and undertook to hand over such a large sum as $256,000 of provincial money to a railway company without a scratch of a pen to justify it—without anything whatever but his statement that he had a promise from these two Ministers of the Crown. I have gone into this matter in order that the committee may consider whether they are going to allow the Manitoba and Nelson Valley Railway Company to enter into an agreement with the Winnipeg Great Northern Railway Company for the purpose of obtaining control of a railway already built, and the franchises of that corporation, without making some provision for the province of Manitoba, which has more interest in this institution than any other body. Now, I contend here, as I have always contended in Manitoba, that it was the duty of the Dominion Government to protect the provincial government as far as they could. I contend that it is the duty of this Parliament to protect the interests of one of the provinces of this Dominion. That land grant is still in the hands of the Dominion Government; it has never been handed over to the company, because there is no pretense that, in the construction of these forty miles, they have ever earned any of it, and I contend that it is the duty of the Dominion Government to hand that land grant over to the provincial government, and not to this railway company. But if this clause passes, we shall have the Manitoba and Nelson Valley Railway Company coming to the Government and claiming the land grant as an innocent purchaser. There is nothing on the records to show that the Manitoba government are interested in this matter, and these people would have no notice. I do not suppose that they would even have notice of any remarks I make here to-day. They could well say that they have never heard that the province of Manitoba was interested in this matter; and I protest most strongly against a proposition to allow the Winnipeg Great Northern Railway Company to sell out its franchises and this railway to a new corporation without duly providing for the claim of the Manitoba government—a claim which I think is based in justice; because, as between the statement of the late Premier of this Dominion, Sir John Macdonald, and the late Minister of Railways, Mr. Pope, on the one side, and that of the hon. member for Provencher on the other side, I have no hesitation in believing the latter. I think it is incredible that that hon. gentleman would have come to Ottawa and stayed here, as he did for a considerable time, in the meantime corresponding by telegraph with his government at Winnipeg, without seeing either of those gentlemen in regard to this matter. Any other conclusion would be most derogatory to the hon. member for Provencher, if the statement of Sir John Macdonald and Mr. Pope was true, that he never came to see them and never got any promise from them. In that case, of course it follows that the hon. gentleman must have been in a conspiracy with the promoters of this railway company to defraud the province of Manitoba out of this large sum of money. I say that much as I differ from the hon. member for Provencher in his local politics, and strongly as I have condemned him for his administration of local affairs, I have always thought that he told the truth in regard to that transaction. But, of course, that does not absolve the hon. member and his colleagues in the government at that time from the just criticism that they never should have handed over such a large sum of money upon the mere verbal promise of any man. I think that no one better appreciates the justice of that criticism to-day than does the hon. member for Provencher: and I venture to say that never again would he transact a matter of that magnitude in the extremely loose manner in which that piece of business was transacted. This sum of $256,000 was got from the province and handed over to the railway contractors; and I have no hesitation in saying that that sum more than paid those contractors for all the work they did. They supplied no rails; they did nothing whatever but a little grading and putting down the ties and laying the rails. They did not ballast the road or fence it; I do not think they even surfaced it. Besides, they had a judgment against the company for a very large sum of money, the balance of their contract. The steel rails were obtained by the grossest misrepresentation and fraud on the part of that railway company, in dealing with the steel rail company in the old country, from which the rails were obtained.

Mr. DALY. You would not dare to make that statement outside of this House.

Mr. MARTIN. Yes, I have made it many times outside of this House, and I am quite prepared to do it again.

Sir RICHARD CARTWRIGHT. Are you prepared to assault the hon. gentleman if he does?

Mr. DALY. Oh, no, not at all. I would not demean myself by doing that.

Mr. MARTIN. I would ask the Minister of the Interior if he is prepared to deny the truth of the statement?

Mr. DALY. I am, most certainly.

Mr. MARTIN. Then, the hon. gentleman declares that these rails were paid for?

Mr. DALY. No, that is not what the hon. gentleman said.

Mr. MARTIN. Does the hon. gentleman say that they were not obtained by misrepresentation?

Mr. DALY. Yes. That is the point.

Mr. MARTIN. Is it to be supposed that any steel rail company would, of their own accord, ship out steel rails for 40 miles of railway, on the credit of a company that had no assets or standing of any kind? It is not to be supposed for a moment. These rails were shipped on the expressed representation of the promoters of this company that the makers of these rails would get those bonds. That was the misrepresentation. They were to get those bonds from the local government, and they never got a bond or a dollar, and they are to-day without anything whatever from this company for those rails, and the result was that the company became insolvent, and one large shareholder, a gentleman who had been in very easy circumstances and who had reached the age of something over eighty years of age, was entirely ruined. He made a trip to Winnipeg a few years after, when I was in the government, to see if there was any possibility at all of his getting any money or security for those rails. He told us that the transaction had completely ruined him, and he was responsible for the support of a very large family. We have heard a good deal in this House, in connection with other enterprises, of the necessity of keeping up the credit of Canada in the old country; but nothing could have been more calculated to hurt the credit of Canada than these proceedings. The promoters of that company have gone to England, year after year, since then, in order to float the whole of this scheme, and no matter where they went, this old scandal always confronted them, because the creditors of the Steel Rails Company made it their business to see that every financial company in London was fully apprised of the circumstances. The scheme has thus been effectually prevented from being floated in the old country, and I hope that it has not had, as it probably has had, a disastrous effect upon legitimate schemes which have been attempted to be floated upon the London market. Transactions of that kind are sure to act against all kinds of schemes, no matter how legitimate and reasonable. After these 40 miles were built, various attempts were made to change the character of the bonus given by the local government to the road but without avail. At length, in 1891, the Parliament of Canada offered a new bonus to this railway company, but I have this to point out, with regard to that new bonus which was offered, that the Minister of the Interior of that day, the Hon. Mr. Dewdney, pointed out most expressly and definitely that it was not to be a bonus for the construction of the road to Hudson Bay, but for the construction of a colonization road 250 miles long, running northerly from the city of Winnipeg. That bonus consists of an agreement to pay the sum of $80,000 per year for twenty years after the completion of the railway in return for the carriage of the mails and other Government service. And the most peculiar thing to be noted in regard to that bonus is that there is nothing in the statute which compels the railway company to do any carrying. The moment it is completed for 250 miles, whether the company is in a position to operate the road or not or whether it be operated or not, the liability of Canada begins and has to be discharged, year after year, for twenty years, to the extent of $80,000 a year, whether the company carries a pound of nails or a single passenger for the Government or not. There is no obligation on the railway company to do anything. All it has to do is build the road and then the Government must begin paying it $80,000 a year during twenty years. I venture to say that in the long history of railway bonuses and railway grants in Canada, no similar proposition can be found. That was put through this Parliament, and the company again endeavoured to float this 250 miles of this scheme upon the London market. All kinds of rumours were in the newspapers as to the immediate construction of these 250 miles, but nothing whatever was done. At that time, the proposed route of the Hudson's Bay Railway was northerly from Winnipeg along the forty miles that were then constructed, continuing that line up between Lake Winnipeg and Lake Manitoba, across what are called the Narrows, north of Lake Manitoba, and then going up on the west side of Lake Winnipegosis, crossing the Saskatchewan, and then on to the Hudson's Bay. More recently the company has adopted another route, running westerly instead of northerly from the city of Winnipeg, south of Lake Manitoba, and then upon the west side of Lake Manitoba instead of on the east side until it gets up to Lake Winnipegosis, and then the rest of the distance taking the same route as before. Last session, one of those periodical events that have occurred so often in connection with the history of this railway company occurred again, and it was found that its charter was about to expire. The company had omitted to give the notices required by law with regard to a private Bill, and the Government introduced the Bill as their own in order to extend the time for the completion of this road. That Bill was attempted to be put through this House in the dying days of last session. Exception was taken in this House to those clauses of the Bill which had that effect, and the Speaker ruled that they were out of order, that the Government could not, in a public Bill, introduce private legislation. So all of these clauses, or all of them except one, were struck out in this House. The Bill went to the Senate, and there another clause was found to be open to the same objection, and that clause was there struck out. Let me draw the attention of the House to the very curious circumstance that in the Bill which had come through, there was this provision—that the Government could divide the bonus of $80,000 a year for twenty years, which was granted in 1891, into two portions, and make it $40,000 a year for twenty years for the construction of one section of 125 miles, and another $40,000 a year for twenty years for the construction of the second 125 miles, not increasing the bonus, but making half of it available to the company when they had completed 125 miles of road. But there was this additional very peculiar circumstance—that the Government were authorized to transfer that $40,000 a mile from the Winnipeg Great Northern Railway Company, as it was then known, to any other company chartered to build a road into the Dauphin country. Now, a good many years ago this Parliament passed a charter to incorporate the Portage la Prairie and Lake Manitoba Railway and Canal Company—I think that was the name. That company was organized for the purpose of constructing a railway from the town of Portage la Prairie to Lake Manitoba, a distance of about seventeen miles. The company intended to dig a canal to connect Lake Manitoba with Lake Winnipegosis, and in that way open up the Lake Winnipegosis and Lake Manitoba country. The government made a land grant to that company of 6,400 acres per mile, for the seventeen miles of railway from Portage la Prairie to Lake Manitoba. The company were unable to go on with their enterprise, but one or two sessions afterwards, they came to this House and got an amendment to their charter, which gave them, in addition to the right to build to Lake Manitoba, the right to build from the town of Portage la Prairie, by the west side of Lake Manitoba, into Lake Winnipegosis country, about 125 miles. In due time, because, it would appear the gentlemen who had got this charter were very influential with the government of the day, they got another land grant of 6,400 acres per mile for 125 miles. It was the intention, when they made this second application, to build a railway from Portage la Prairie up west of Lake Dauphin into the Lake Dauphin country. However, they were unable to go on with the work. Last session it was found that their charter was about to elapse, and they made application to renew that charter. The Bill came up in the Railway Committee, and the renewal of the charter was opposed most vehemently by the promoters of the Hudson's Bay Railway, aided by the hon. Postmaster General, and, I think, one or two other members of the Government. This company, with the assistance they were able to get from the members of the Government, and the members of the House, defeated the Bill for the renewal of this Lake Dauphin road charter. A resolution was introduced in the House, by whom I have forgotten, that the Bill be referred back to the Railway Committee for further consideration. Strange to say, although the Bill had been thrown out by a considerable majority in the Railway Committee, no objection was made in the House to this resolution to reinstate it. The Bill went back to the Railway Committee, and again we found the Winnipeg Great Northern Railway Company opposing the Bill very strongly, and again we found the hon. Postmaster General and other members of the Government, and supporters of the Government voting against the renewing of the charter. Again the Bill was defeated in the Railway Committee. In this House another motion was made to reinstate the Bill and refer it again to the Railway Committee. Strange to say, that motion was unopposed and was duly carried. The Bill came up in the Railway Committee for the third time, and this time, through some occult means, not apparent on the surface, a number of those who had previously voted against the Bill were not in their places, and the Bill was duly carried. It was then reported, in due course, to the House, and went through its different stages in this House and the Senate, and became law. In the meantime, since last session, the Manitoba legislature has passed an Act to bonus the Dauphin road by guaranteeing the interest and principal of bonds, I think to the amount of $9,000 per mile, and it is now announced that the road is to be built. It is also announced that the Government have taken away the bonus of $40,000 for twenty years, offered to the Winnipeg Great Northern Railway, and have transferred it to the Lake Dauphin road. Now, it is most important that the country should know whether that statement is true or not, for what the people in Manitoba and the North-west are interested in with regard to this matter is not a colonization road running one hundred or two hundred miles northerly or westerly from Winnipeg, but a railway to the Hudson's Bay, providing an additional outlet for the products of that country as a means of competition with the Canadian Pacific Railway, with a view of getting a reduction of the extremely high and onerous freight rates that are now oppressing that country. So, if it be true that the Government have abandoned the Hudson's Bay Railway, which is now called the Winnipeg Great Northern Railway, the people of that part of the country would like to know about it. I scarcely see how that course can be harmonized with the very strong declaration made this session by the Secretary of State in favour of the construction of a road to Hudson's Bay. I find in this connection that this same railway company, the renewal of whose charter was so strenuously resisted by a portion of the Government last session, and never would have been put through only for the loyal support which it received from Her Majesty's Opposition—that railway is included in this section of the Lake Manitoba Railway and Canal Company. Now, Mr. Chairman, the Government are bound to give us explanations on this matter. The Government know that the position of private Bills just now is an extremely precarious one, that in fact they cannot get them through without the consent and approval of the Opposition; they have abandoned other Bills, and have selected this one to shove through this House. Now, why have they done that? What is the meaning of this section? Is it proposed that the Manitoba and Nelson Valley Railway Company shall start out with a clean sheet, guilty of none of the sins of the Winnipeg Great Northern Railway Company, but entitled to all its franchises and all its advantages? I am not prepared to deny that it would not be a good thing that these costs to which I refer, should be able to pass into oblivion in some way or another; and I do not believe myself, and I have always expressed that view, that there ever will be a railway constructed to Hudson's Bay, except by new men and by a new company. But I would like to know whether that is the intention of this Act. If that is the intention of this Act, this House is entitled to know it, because it is not merely a private Bill, it is not a question in which the promoters alone are interested, but it is a question in which the whole country is interested on account of the bonus that stands now upon the statute-book. It is a question in which the province of Manitoba is financially interested to the extent of $256,000 of principal, and a large amount of accumulated interest already paid upon these bonds. Therefore, I want to know if it is proposed by the Government to hand over the franchises of the Winnipeg Great Northern Railway Company to the Manitoba and Northwestern Railway Company, with this large concession from this Government, this valuable land grant of 6,400 acres per mile from this Government, and then add a grant of $6,400 per mile upon the security of that land grant from the local government. That is the first road that is proposed to be absorbed by this new corporation, the next one is the Winnipeg Great Northern Railway, the situation of which I have already explained, which is entitled to a large bonus in cash and in land from this Government. The next is the Manitoba and Northern Pacific Railway Company, a company which has had no bonus either in land or in money from the Dominion Government, and as to which we are not so much interested, and the Lake Manitoba Railway and Canal Company, another company which has a very large bonus in the way of a land grant from this Government. There is just one point with regard to that company's land grant to which I would like to call the attention of the committee. That is a company incorporated for the purpose of constructing a railway into the Dauphin country, a most laudable enterprise. That is a portion of Manitoba which needs, and which is entitled to, a railway, but strangely enough the only valuable land grant which the Government had at its disposal to give this company, was the lands that would be benefited and made valuable by the construction of a railway in the Lake Dauphin district. But what did the Government do with that land? Why, they have given it all to the Canadian Pacific Railway Company. They have deliberately taken the valuable land in the Lake Dauphin Company and handed it over to the Canadian Pacific Railway Company, a most improper thing to do, unless they had demanded from the Canadian Pacific Railway Company the immediate construction of a branch of that railway into the Dauphin country. So this railway company which proposes to construct a railway into that country, and as to which a contract, I believe, has already been let, and operations are to go on at once, does not get the land which it will develop by this railway, but is obliged to take other and much inferior land. Now, I claim that this land up there does not in reality belong to this Dominion at all, it belongs to the people up there, and should be used for the purpose of developing that country ; I mean that this Government does not own it for the purpose of handing it over to some favourite of theirs, they hold that land in trust for the people of Canada, and the proper course to pursue with regard to it is so to use it that it will develop the great North-west in which Canada is so much interested. Now, they have in this particular case, and I am sorry to say that has been the rule rather than the exception in dealing with Dominion lands, the Government have deliberately refused to use the land for the purpose of developing the country, but have handed it over to the Canadian Pacific Railway Company to be held by them as long as they see fit. I was going to say they could not get it until they built the railway, but I believe they can, I believe they are entitled to that land now.

Mr. DALY. What are you talking about ?

Mr. MARTIN. The land in that district.

Mr. DALY. Then why are you wasting so much time in discussing it ? You know well that the Canadian Pacific Railway were entitled to that land in virtue of section 11 of their agreement, and the Government were compelled to give them the land whether they liked to or not. There is no choice in connection with the matter. They complied with the conditions of their Act, and the Government, in accordance with that Act, had to schedule that land for them.

Mr. MARTIN. This is the first time I have heard that explanation.

Mr. DALY. I have given it twice already.

Mr. MARTIN. You may have given it, but I have not heard it. Well, that is worse and worse. Here is a country 80 miles away from a railway, a most valuable country. I do not hesitate to say that as soon as a railway is built into that Lake Dauphin district, this land will be worth easily $8 or $10 an acre. It needs a railway, for it is already largely settled. The settlement would go in there very fast were it not for the fact that it is so far away from a railway ; and these gentlemen have deliberately decided that they were bound, under section 11 of the Canadian Pacific Railway's agreement, to hand over the land to them. The Canadian Pacific Railway Company quietly waited until some other company should build a railway there and make the land valuable. If that is the meaning of the arrangement, there is another reason added to the long list of reasons which time has proven to be correct why the Opposition were justified in 1880-81 in opposing the contract for the construction of the Canadian Pacific Railway. Could a more monstrous act be imagined than that the Canadian Pacific Railway Company should be entitled to hold a monopoly of the odd sections in the Dauphin country more than one hundred miles away from the railway.

Mr. LISTER. It was Sir Charles Tupper's work.

Mr. MARTIN. The people of that part of the country are eighty miles distant from the railway, but they are much more distant from the Canadian Pacific Railway, because the nearest road is that of the Manitoba and North-western ; yet the Canadian Pacific Railway, under the provisions of its contract, as interpreted by hon. gentlemen opposite, are allowed to retain this land and wait until the province of Manitoba build a road there, when the railway company will be prepared to sell it at $8 or $10 per acre. In the clause now under consideration the new company, called the Manitoba and Nelson Valley Railway Company, is to absorb several existing corporations, the Manitoba and North-western Company, Winnipeg Great Northern, the Manitoba and Northern Pacific Company or the Lake Manitoba Railway and Canal Company, provided that the agreement is approved by a two-thirds vote of the shareholders—to which the hon. member for Guysboro' (Mr. Fraser) has moved an amendment to substitute 90 per cent—and the agreement is sanctioned by the Governor General in Council, such agreement to be published according to the regulations in certain newspapers. Where is there any protection of the rights of the Manitoba government in this Bill ? There is no protection whatever, and it is most essential that the rights of the provincial government should be protected. I go further, and say that all the creditors of the railway company should be protected before the company is allowed to sell its franchise and property to any other company. That company has many creditors. It has among its creditors the province of Manitoba to the amount of $256,000 and accumulated interest, which amounts to a very large sum. Then there is the firm of Mann, Holt & Co., contractors, with whom the company made a contract at two or three times the proper price, the contractors receiving for the railway without rails more than it was worth with rails. Another creditor is the Steel Rails Company in England. That is a claim which Parliament should protect, and it should be paid off before any transfer is made. There is another claim which the Dominion is bound to look after and protect, and that is the claim of a son of the Secretary of State, Mr. Stewart Tupper, a lawyer in Winnipeg, whose claim at one time was $40,000, but it runs up now to nearly $100,000. Surely Canada is under an obligation to protect the rights of every member of that distinguished family, and it would be highly improper that we should not all have the same strong desire already expressed in this House by the Secretary of State that this company should go on, if for no other reason than that Stewart Tupper should get his $100,000. That is almost axiomatic—it requires no advocacy at my hands in this

House. We have had cases of this kind before in Parliament, but they occurred prior to my time. We had the case of the Souris and Rocky Mountain Railway, a company which was chartered to build a road from a point this side of Carberry west to Battleford, which received a land grant from the Dominion of 6,400 acres per mile. The company went on and constructed a few miles of road, paying for little or none of it, going into debt practically for the whole of it. Then an application was made by the Great North-west Central Company, to enable it to take hold of the charter of the Souris and Rocky Mountain road. What was done? This Parliament insisted that if the Great North-west Central took over the franchises and rights of the Souris and Rocky Mountain they should also take over its liabilities, which was eminently a fair proposition. Accordingly in that charter there was inserted a provision to that effect. That appeared on the surface to be a harsh provision because the new company proposed entirely to abandon the work done by the old company and construct the road from a point thirty or forty miles further west; yet Parliament insisted, and properly so, that the new company should take over the franchises and land subsidies of the old company, but should not be allowed to escape the liabilities which the old company had incurred. The result was that the new company were compelled to pay and did pay the debt, or rather they arrived at a compromise at about 50 cents on the dollar. We had another case in connection with the Toronto, Buffalo and Hamilton Railway Company. In that case application was made to Parliament for some new privileges. I understand that the contractors had failed to pay their men for material, and that Parliament insisted upon the provision that these claims must be paid before additional privileges were granted to that company. I make the same claim now on behalf of the province of Manitoba, and also on behalf of the other creditors of this company. All the claims against it should be paid by the Manitoba and Nelson Valley Railway Company, if it is going to get these 6,400 acres per mile in Manitoba, the 12,800 acres per mile outside, and also $80,000 a year for twenty years, for the construction of these 250 miles. Is not that a fair proposition? Yet we find the Government deliberately trying to press through this House a Bill, without any such protection to the province of Manitoba or to the creditors of this company. It is my duty, as a representative of Manitoba, to protest against any such Bill. The practice of this Parliament, to which I have alluded, is illustrated by the course taken in connection with the Souris and Rocky Mountain Railway, where franchises were asked for by the Great North-west Central Railway Company, and illustrated in the case of the Toronto, Hamilton and Buffalo Railway Company, not later than last session. It is a reasonable, fair and just practice, and one that should not be departed from in the case of this particular railway company, whose Bill we are now considering. We had the Manitoba and North-west Railway Company objecting to this road because it paralleled their line from Portage la Prairie to Glastone. Why is it that we have not had the Winnipeg Great Northern Railway opposing this road when, as a matter of fact, it paralleled their line right through from Portage la Prairie to the Hudson Bay. The reason for that is plain, and the reason is, that there must be an arrangement or undertanding between these two parties, that this old disreputable company, the Winnipeg Great Northern Railway Company, which has so many sins to account for—some of which I have made reference to to-day—desires to go into oblivion, and desires at the same time to retain its franchise in the name of a new corporation. It is true that there is nothing on the face of the Bill to show that, because the applicants are George Carr, and George Flett, of London, Eng.; George G. Foster and H. S. McDougall, of the city of Montreal, and George E. Kidd and some others of the city of Ottawa. Most of those gentlemen I do not know, but so far as I do know, they have had nothing to do with the Winnipeg Great Northern Railway Company. The House will easily understand, however, how a little matter of that kind could be arranged, if it were intended to put through surreptitiously this legislation, without calling the attention of Manitoba and of Canada to the real intention of it. It would no doubt be easy to obtain the name of these individuals in order that they might act in the meantime for the parties concerned. I think I have shown, Mr. Chairman, admirable reasons why this absorption of other railway companies should not be permitted. I think I have shown reasons why the Manitoba and North-western Railway should not sell out its franchise and its railway to this new company. The Manitoba and North-western Railway Company has been a very considerable benefit to Manitoba and the North-west. It has been to a certain extent an independent road, but as it has no outlet from the country, it has been obliged to be practically a branch of the Canadian Pacific Railway. Still, it has been very useful in opening up the districts through which it runs. That company had the misfortune to be exploited in its early days, by that bane of all railway construction, the charter-monger, or the speculative railway builder, who is in it not for the purpose of legitimate investment on his own account, but for the purpose of obtaining a big share of the Government subsidies granted to a particular road. The result is, that this company has standing against it liabilities which make its fixed charges much beyond what they ought to be, if it had against it as a liability only the amount actually expended in constructing the road. That has been swelled up by a process that all members of this House will understand, a process by which the promoters of a company divert a large portion of the money raised from the purposes of the company into the pockets of the promoters. This unfortunate curse has thrown that road into bankruptcy, which I hope will be only temporary. It is now in posesssion of two receivers, and expensive litigation has been going on for a number of years. In the first place, the road sold bonds for its first 180 miles, which bonds are held by capitalists in the old country. The road has been extended a considerable distance beyond the first 180 miles, and the bonds issued not having been sold, that has been built by the company itself. For many years, the shareholders of the company, who are almost exclusively the Allans, of Montreal, paid the interest upon these bonds—not out of the earnings of the railway company, which were not sufficient for that purpose—out of their own pocket. At length they becaume tired of anteing up the interest every six months, and so they allowed it to go into arrears. The bondholders took proceedings on the equity side in the Court of Queen's Bench in Manitoba to realize on their security. In the meantime, application had been made by come creditors of the company for a receiver, and a receiver had been appointed. The court also appointed a receiver on the part of the bondholders. The matter in dispute between the bondholders and the company is this: The portion of the road covered by the bonds is a paying portion. The earnings from that portion are sufficient to pay the working expenses and also the interest on the bonds. The deficit comes from the new portion of the road, which is owned by the company, without any liability against it. The company claim that the bondholders of the first 180 miles are only entitled to have applied on their interest the net profits of the company, after the whole line has been worked; that the company seek to have the surplus profits earned upon the first 180 miles applied, not to the payment of interest on the bonds on that 180 miles, but to wiping out the deficit that arises in the operation of the balance of the railway. In brief, that is the dispute between these two parties. The Court of Queen's Bench in Manitoba, overruling the judge in the first instance, has decided in favour of the railway company, that the earnings of the railway must be first applied in paying the expenses of the whole railway, and, after that, whatever surplus there may be, is to be applied in payment of the interest on the bonds on the first 180 miles. An appeal has been taken by the bondholders from the decision of the full court of Queen's Bench in Manitoba, direct to the Judicial Committee of the Privy Council, ignoring entirely the existence of the Supreme Court of Canada—a practice which I find to be growing in the different provinces of Canada, and which largely does away with the usefulness of the Supreme Court. I do not know what that practice arises from—whether because the public are losing confidence in the Supreme Court, owing to the many reverses which that court has sustained at the hands of the Judicial Committee of the Privy Council, or whether because of the likelihood of an appeal being taken to the Judicial Committee, and the desire of the parties to save the expense of an intermediate argument at Ottawa. However, that case is now pending before the highest court in the Empire; and for that reason, I say that, without duly protecting the interest of these bondholders, we should not allow some third party to come in and set up some claim to this railway on the ground of being innocent purchasers for value. The clause says that this is to be done by the consent of the shareholders of the Manitoba and North-western Railway Company. Now, that would be eminently unfair. It would be most unfair to allow this railway to be handed over to the Manitoba and Nelson Valley Railway Company, without getting the consent of the bondholders, because it is shown that the bondholders are directly interested, and that they have a decree from the court in Manitoba, foreclosing their mortgage on a portion of this railway. In the face of that state of the facts, are you going to allow the shareholders, who have very little interest in the company, or 90 per cent of them, to transfer this railway, with its franchises, to a new company, that new company, at the same time, taking over a number of other railways, and making a new corporation altogether? Surely that is a course which this House will never allow without first consulting the bondholders of the Manitoba and North-western Railway Company. While we know, as a matter of fact, that the company itself is aware of this Bill, because it has appeared and protested against some other provisions, we have nothing here to show us that the bondholders of the Manitoba and North-western Railway Company have any knowledge whatever of this proposed legislation. Under these circumstances, I do not think that we can fairly allow 90 per cent of the shareholders deliberately to interfere with the rights of the bondholders, without any knowledge or consent on their part. Then, there is another difficulty—I have already alluded to it—that the provincial government have an interest in this matter. They are the creditors of the Manitoba and North-western Railway Company to the amount of over $1,000,000, advanced to that company under the provisions of the statute passed in 1885, for which, it is true, they hold security in the land grant of the company; but there has been great difficulty in getting the Dominion Government to do anything for the provincial government in this matter, in the way of helping them to get the proper transfer of this land grant. I say that the Manitoba and North-western Railway Company should not be allowed to enter into this arrangement proposed in section 9, without the consent, not only of the shareholders, but also of the bondholders and the other creditors, the principal of whom is the provincial government. There are also other creditors, I understand, who have obtained judgment against the Manitoba and North-western Railway Company. There is, to my knowledge, a number of claims that have not been put into the shape of a judgment against this company. Are you going to allow its position to be materially altered, merely on the consent of 90 per cent of the shareholders. Are you not going to find out whether these creditors—one of them for the large sum of over a million dollars—are agreeable to this proposition, before giving it the sanction of this House. I think that we are entitled to some explanation from the Government with regard to this matter. Then there is the Winnipeg Great Northern Railway Company, which also proposes to be absorbed. If there are strong reasons why the Manitoba and North-western Railway Company should not be allowed to be absorbed, how much stronger reasons are there why the Winnipeg Great Northern Railway should not be allowed to be absorbed without, at any rate, the consent of its creditors. Why, the company has no existence except in the way of debts. Its assets are all liabilities. They consist of forty miles of railway that have practically disappeared and left the prairie as it was before the railway was built. The ties have been burnt up by the farmers for firewood, the rails have rusted, and the bank has settled down and grown up with weeds ; and as against that nominal asset of forty miles of road, on which the train is never run, it has this long array of debts—first, the debt of $256,000 to the province with the accumulated interest of many years ; next its debt to the steel company in the old country for the purchase price of the steel rails for these forty miles ; and then there are the other claims I have referred to, among them the claim for the legal expenses of the firm of Macdonald, Tupper & Co.

Mr. FORBES. Is there judgment for that ?

Mr. MARTIN. There is judgment for $40,000, and a large amount of work was done since that. I would like to know if this firm of lawyers have consented to this transfer. Then there is the claim of Mann, Holt & Co., for the balance of their contract. Are they agreeable to this consolidation ? We are entitled, in a case of this kind, to know if these parties are consenting to this consolidation. I do not think that the notice in the papers, which does not include any particulars as to this clause 9, is any notice whatever. I think that the Railway Committee should have required the service of a specific notice upon all the parties who were going to be affected by this particular clause, before the committee allowed it to pass. You should not confer vested rights by legislation of this kind unless and until you have served the people or corporation affected with a definite and distinct notice of what you propose to do. Then if the parties interested fail to appear, after due proof of the service of the notice, and a reasonable time having been given them in which to appear, the committee might act in their absence ; but I am sure that if the Government in Manitoba were aware of the proposition to hand over this railway company and these franchises, in which they are so much interested, to a new company, without the new company being under any obligation to pay the liabilities, that government would have had a representative before the Railway Committee to protest against such action. They have never been notified and do not know anything about it. The same remark applies to the steel company in the old country. Have they any notice of the proposition now made to this House to take away from that railway company its franchise ? The company has not got any assets, but it has some franchises that are valuable. It has $80,000 a year for twenty years, amounting to $1,600,000. That is a matter of some value. It has 6,400 acres per mile for 250 miles and 12,800 acres per mile for about 500 miles, which is also a matter of some tangibility. You propose to take these things that are of value from the company's creditors and leave them nothing. It is a most unrighteous, a most unfair proposition, and one that I do not think this committee will sanction, after it has been put in possession of the real facts of the case. I do not know whether the late Manitoba Railway and Canal Company has any creditors or not, but I think that, in view of the large assets which the local government in Manitoba are proposing to give that company, the local government ought to be notified, because under this arrangement they become creditors of this company to the extent of $9,000 a mile—the arrangement being, as I understand it, that the local government guarantees not only the interest, but also the principal on the second mortgage bonds to the extent of $9,000 a mile, the first mortgage bond being $7,000 a mile, and in guaranteeing the interest and principal upon these bonds, they become large creditors of that company. And they have never been notified of any proposition to hand this company over to the Manitoba and Nelson Valley Railway Company. For all these reasons, I submit that this clause should be struck out and that a company like this should not be allowed to get these advantages without notice to all the parties interested, and if any of those parties object, the clause, so far as it affects them, should be amended.

Mr. FOSTER. It seems as if the discussion on this is to go a long way and cannot have very much result. There is very important business which the Government would like to get at, and it would be better perhaps if the committee would rise, report progress and ask leave to sit again, and I make that motion.

Mr. McMULLEN. Before the hon. Finance Minister's suggestion be adopted, some answer should be given to the very serious and important indictment which has been presented by the hon. gentleman who has just taken his seat. I do not think, in the face of that long and very interesting history which he has given of this matter, that we should permit this committee to rise, and thus ignore that very serious and important indictment connected with the Manitoba and North-western Railway Company and other lines to be affected by that clause. The hon. gentleman has undoubtedly given this House an amount of information that we have not been placed in possession of in past years and also a very considerable amount of information of a very desirable character with regard to the standing of the railway companies to which it is proposed to give the right of amalgamating or entering into running arrangements under this 9th clause. Unfortunately the policy adopted by the Government of chartering railways in the North-west and giving them very large land grants, and in some cases financial subventions, has raised a desire on the part of a great many men to seek the duplication of these advantages in the interest of these several schemes they represent. What is the result ? We have the most desirable sections of the North-west, of which this is certainly one, made the scene of the operations of speculators who secure charters carrying the hope, at least, if not the promise, of a land subsidy and a considerable money subsidy per mile and affording a basis for efforts to secure the investment of English capital. It is most unfortunate in the interest of Manitoba that such a system should have been inaugurated. This Winnipeg and Hudson's Bay Railway Company, by the treatment of their creditors in the old country have made a record that is not creditable to themselves and must be a serious backset to Manitoba by hampering the efforts of those who seek to secure capital for the construction of railways needed in the province. We cannot afford to sacrifice the interest of that province by chartering companies with such large powers and allowing them to make combinations with those having other charters. It is contrary to the well-known policy of the Canadian people to permit railways to amalgamate for their own advantage, for, the tendency of such a policy is to raise the rates of carriage so as to make the people pay more than the real value of the service they receive. This clause places this company in a position to enter into arrangements with any of three lines. In the first place if they cannot make running arrangements with the Manitoba and North-western, they will have the right to parallel that line for fifty miles. It is a most undesirable thing to give a company a charter to parallel an existing line. Such a policy must close the door against the investment of money that might be got in England for legitimate schemes. In populous countries where the carrying trade is very large, as for instance, England, it might be reasonable to adopt such a policy, but, in a country to which we desire to attract population it is a fatal policy, because it actually prevents the construction of roads. When two companies are chartered to build parallel lines and the representatives of one go to the English money market for the capital, they are met at once with the prospectus of the other company and investors decline to assist either. Now, as I have said the history of the Manitoba and North-western road has been an exceedingly unfortunate one. It was projected many years ago and it has often been before the House asking changes, bonuses and advantages of one kind or another. I am not here to defend the promoters of that road, but to say that the history of that road is enough to add very seriously to the difficulties in the way of any other companies securing money for the construction of a road. And if we pass this Act to help them to get out of the unfortunate, I might almost say disreputable, position they have got into by amalgamating with another company, by handing over to another company their powers without carrying the responsibility and indebtedness they accumulated, it would be unjust and unfair to their creditors both here and in the old country. The province of Manitoba is struggling with many difficulties, financial and otherwise. It is possible that one of these difficulties arises through handing over $250,000 of bonds without taking due care to get in hand the securities they ought to have had. I say it would be unfair to that province to permit a company, by the simple transfer of the right it now enjoys, under the guise of associating with another company, to gain relief from their responsibility. It appears that some forty miles of steel rails were supplied. These rails are supposed to cost from $3,200 to $3,500 per mile besides the carriage. So that these rails would represent a total of $130,000 to $150,000. It appears that the party who supplied them has never been paid a dollar and the transaction has been the means of ruining the gentleman who became the chief dupe, which I think is not too strong a word in considering the nature of the transaction. By that unfortunate transaction, the honest earnings of the head of a family for a lifetime have been swept away, and his family left penniless, because he permitted himself to be drawn into the trap which I have no doubt was set for him. Now, were we, by legislation of this kind, further to facilitate that company in getting rid of their responsibilities, we would be no better than those who took advantage of these men in that way. Then it appears that a large number of these have been creditors of the Manitoba and North-western, and they have not received a single cent. Now, are we, by this clause No. 9, going to facilitate that company placing themselves in such a position that they will escape payment in every single instance? Why, Sir, I can well remember in the Railway Committee of this House, where we exercised power in the interest of the crditors of a railway company, and where we secured to creditors protection. Now, if we did that in these cases, certainly we should all the more protect the rights of creditors here in every single transaction where Canadians, as well as foreigners have had confidence in the honour and respectability of Canada, and, in the future of Manitoba. I contend that we should not allow a clause of this Bill to pass that would at all facilitate an interference with creditors who have invested large sums, and who are not in any way protected under the provisions of this Bill. I must reiterate that, in my humble opinion, the system of indiscriminately granting charters to railways, with the addition of privileges, as a rule, to favourite companies, has been a mistake, in the interest of this country. Now, we have a Bill here that is clothed with a soft pad; the voice is the voice of Jacob, but the hand is the hand of Esau. There is here an evident determination to take advantage. It looks very nice, it is very plausible, but, after all, there is evidence of a secret compact that is going to be carried out by which those creditors in England that have invested their money, are going to be subjected to loss. Now, Sir, I think we should declare once for all, that we will not continue this indiscriminate granting of charters to lines of railway in all directions. The unfortunate inception of this system was when we began giving away 6,400 acres of land per mile, and along with that, in some cases, money subventions, towards the construction of railways. While that policy might have been justifiable in earlier years in Manitoba, and while I do not now propose to condemn it, I do say that, in my opinion, we have reached the point where, above all things, we should not charter parallel lines; we should not grant charters to lines that run even within a moderate distance of each other. There is plenty of room in that country for the construction of railways: why should they ask to be allowed to run side by side with each other? Some sections, for instance, the Dauphin section, is entirely deprived of a road by the fact that the land has been given to the Canadian Pacific Railway, the land is gone which would be a temptation to any company to build a road there, unless the Canadian Pacific Railway chooses to build a branch line into that country. I understand that it is a desirable country, many people have gone in there, and many more would go if there was any hope of a road being built into that section. But it is an unfortunate fact that the public lands, the great backbone of any scheme for the construction of a road, are given completely into the hands of the Canadian Pacific Railway, and any company getting a charter to build a line would have to buy the right of way from the Canadian Pacific Railway Company. They could not get an acre of land, either to the right or to the left, because it has passed entirely from under the control of the Dominion Government. This is a valuable section of country which would very soon be settled up if there were railway facilities, but there is not a single acre of land to offer as an inducement to any company to build a road in there. I see by the clause of this Bill now under consideration, that we are going to facilitate the amalgamation of four companies, one we are now chartering, and three others; we are going to give them legal authority to enter into any arrangement they like, to become all one line after each has been subsidized by the Dominion Government in the way of land grants, and after getting, possibly, some assistance in money grants. We are here considering a clause to enable these people to put their heads together, and to put the people of that section of country to great inconvenience and loss in order that these men may better their own condition. We have had many land grabbers and railway speculators who have gone to Manitoba with the hope of making fortunes by schemes of this kind. We know that in the early history of that province, a great many men thought they saw openings for making fortunes in that country, knowing that the country was a splendid country, and that there would, sooner or later, be an immense influx of settlers; and these men thought there were millions in it. Many of them went there with the expectation that they would make millions in a very short time. Some of them got railway charters, and when they had secured their subsidies they tried to sell their charters and failed, and the roads have never been built. Why, every session of Parliament we have had applications for a renewal of charters. Once, twice, thrice, and in some cases even four times, these companies have come to Parliament asking for their powers to be extended. These men have been getting the land and trying all the time to sell their charters, and sell their land grant to induce some person that has got money to put it into the construction of the line, and in that way would get a certain amount for themselves, or wring something out of the speculation. It has been a most unfortunate history. Manitoba has been subjected to the indiscriminate granting of charters and to quarrels among charter-mongers, who held franchises and vied with each other in the amount of land controlled. The North-west Central Railroad Company was in litigation for years, and if any road had a good prospect of earning a dividend it was that undertaking. Two bodies of shareholders sought to gain control. Two boards of directors were elected ; the contest went into the courts, where it remained three years, and in the meanwhile the people, who were raising very large crops in that district were deprived of the advantage of railway communication. The whole system should be changed, and if the Bill under consideration will allow the Hudson Bay Company to escape its responsibilities by uniting with another corporation as part and parcel of it, this Bill should not pass. After the strong indictment of the company by the hon. member for Winnipeg (Mr. Martin), and the arraignment of the Minister of the Interior, an answer could properly be expected from the Government. Now, they refuse to say anything. I would like to hear the hon. member for Provencher (Mr. LaRivière) give some explanation with respect to the $250,000 transaction and the bonds that were handed over. I quite admit that we are not here to protect the financial position of any province. No doubt, however, the Minister of the Interior will be prepared to make some statement. Surely he has the welfare of Manitoba at heart.

Mr. DALY. I have.

Mr. McMULLEN. I should like to know whether he is prepared to admit that the statements made by the hon. member for Winnipeg (Mr. Martin) are true or not.

Mr. DALY. Two statements have been made by the hon. member for Winnipeg, to which I desire briefly to reply. First, the hon. member stated that the Government were forcing this Bill through the House. The Government have nothing whatever to do with this Bill any more than any other private Bill ; they have no more interest in this Bill than in any other private Bill, and consequently the hon. gentleman is wrong so far as that is concerned. Second, the hon. gentleman said that clause 9, as it now stands, would mean that the railway company asking incorporation would enable the Winnipeg and Great Northern charter and assets to pass to this new company, and the creditors of that company would be deprived of any lien they might have. Since that statement was made by the hon. member for Winnipeg (Mr. Martin) I have seen the promoters of the Bill, and they are willing to strike out the words Winnipeg and Great Northern Railway Company wherever it appears in the Bill. The Government have no interest, good, bad or indifferent, in the Bill. All they seek is to try and get through this private legislation. The object of the motion which the Finance Minister was prepared to move was to let the discussion on this Bill stop at this point, and proceed with the next Bill. If it is the intention of hon. gentlemen opposite not to let through any Bill, we will then know it.

Mr. McMULLEN. I hope the hon. Minister of the Interior does not mean to throw across the House the insinuation that we are desiring to obstruct the passage of any Bill. I am glad to learn from the hon. Minister of the Interior that the company are prepared to eliminate from the Bill everything relating to the Winnipeg and Hudson Bay road. I am glad also to hear that the Government are not responsible for the legislation contained in this Bill, for heaven knows they have enough responsibilities to carry without the burden of the questionable provisions of this Bill. It will be satisfactory to have the Hudson Bay Company eliminated from this Bill, because the history of the road has been a most disastrous one. The history of the road shows that it was partially built, rails laid down, and the roadbed allowed to become covered with brush ; the ties have been taken away by settlers and burnt, and the rails lying scattered along the roadbed ; and yet there are claims against this road amounting in one case to $1,000,000, and in another case to $250,000. With respect to the steel rails obtained by the company, any corporation that desires to get financial standing so as to be able to borrow money for the purpose of railway construction should not be connected in any way with the Hudson Bay road. I am therefore glad to know that the Government are disposed to eliminate that provision from the Bill. But there are other objections as we have learned from the hon. member for Winnipeg (Mr. Martin), and I would like to know what the Government proposes with regard to permitting this company to amalgamate with the other lines. Years ago in this House, there were very strong protests against allowing companies which we chartered, to amalgamate for their own benefit. One of the chief advantages of a railway, is that its construction may afford competition, and if they are allowed to amalgamate the result is that the people are forced to pay increased rates. This amalgamation of railways has been the curse of the western states of the Union. In Missouri and Kansas where they grow large crops of corn, the companies fix their rates, not on the basis of what it would pay them to carry the corn, but on the basis of the extent of the crop and the prices at which it would sell. In this way the railway companies reap the benefit of a good harvest, instead of the farmers who ought get the return. We do not want to place our western country in the same position as the United States in regard to railways. We do not want to allow them to combine together and charge excessive rates for the carriage of wheat, or of cattle, and to make exorbitant profits out of it. There is plenty of room in Manitoba and the North-west, and if this company wishes to construct the road and to act independently, I believe that this House would not object to granting this charter. If there is anything that would justify the length of time which has been devoted to the discussion of this Bill, it is the admission of the Minister of Railways who said, that owing to the eloquent address of the member for Winnipeg (Mr. Martin) they were forced to consent to the amendments exempting the Winnipeg and Hudson's Bay Railway Company from being a party to this amalgamation.

Mr. DALY. Who were forced ?

Mr. McMULLEN. The hon. Minister said he consulted them.

Mr. DALY. I said the promoters of the Bill were anxious to get their Bill through, and so they wished to remove any objection to it.

Mr. McMULLEN. It would pay the Opposition to talk five hours longer if we could force this company into being an independent line. This House should set its face against granting charters which allow railway companies to amalgamate, and to extort excessive rates from the public. The Secretary of State told us that there were sixty million bushels of grain produced in Manitoba and the North-west last year. There will undoubtedly be a large increase in the next ten years, although I do not wish to speculate as to the quantity for fear I might stretch it too far, or become a false prophet. I trust that country will develop enormously, and one of the best ways of helping its progress is to prevent a combination amongst railways to charge excessive rates for the transport of the products of the North-west. I object to the clause now under discussion, in the interest of those men who have claims against the railway, and in the interest of that poor old English veteran, over eighty years of age who came out here, whose money was taken from him under false pretenses, for the supply of steel rails for these forty miles, and who has not a dollar left in his old age. We should allow that railway, either to struggle out of its difficulties, or to go down to its grave resting under the disgraces that have characterized its transactions so far. It is to be hoped that no line chartered by this House in the future, will ever have such a history as that. I was surprised to hear that the law firm of Macdonald & Tupper in Winnipeg, had also a claim against that road, because I know very well that the full power of hon. gentlemen opposite would be exerted in the defence of the individuals who compose that firm, and all their relations. Now that this amalgamation is not going to take place, the judgment which they hold against the company may possibly be good, and they may be able to creep out of their difficulties.

Mr. FRASER. I would like to know whether the Government will accept this amendment or not, and then we can proceed.

Mr. DALY. The Government has nothing to do with the acceptance of the amendment or not. The Government have nothing to do with the Bill.

Mr. FRASER. I beg your pardon, I meant the promoters of the Bill. We have had such a plethora of Government business recently that I thought we had nothing else before us. I would like to know if the promoter of this Bill is willing to accept this amendment ?

Mr. LISTER. The House may not accept your amendment.

Mr. FRASER. We have obtained the step if we get the consent of the promoter of the Bill.

Mr. MARTIN. We do not care for that.

Mr. FRASER. The hon. member may not care for anything ; but if we get the consent of the promoter to a reasonable proposition, I think we have taken a step in the right direction. I feel strongly on this question of amalgamation. I feel that no company should be permitted to amalgamate with another without the greatest possible safeguards being provided. It may be conceded at once that two railway companies may amalgamate under better conditions than two companies having diverse objects. For example, a company to manufacture iron may not very well amalgamate with a company to manufacture glass. The general principle is certainly correct, that one company ought not to be permitted to amalgamate with another except with the consent of its members, or a very large majority of them. I think the majority mentioned in the Bill is too small. I can very well see how a very small minority might prevent two companies amalgamating which ought to amalgamate ; but I think my amendment gives a fair margin. Ordinarily, of course, outside of Parliament the assent must be unanimous. Even one shareholder in a company can get the decree of a court to stop the amalgamation.

Mr. MARTIN. What about the creditors ?

Mr. FRASER. The creditors may be damnified, but I am only now speaking of the individual shareholders of the two companies. The reason I make it 90 per cent is that, as both railways are running almost in the same direction, at least for a part of the way, and are intended to be operated practically in the interest of the same section of country, I thought we might very reasonably assume that if 90 per cent of the shareholders of the two companies agreed to the amalgamation, it would be all right. Of course, we must draw the line somewhere. We must permit two companies to amalgamate on some principle, and my amendment is with the view of leaving the smallest possible chance of a wrong being done to any member of either corporation. I hope the promoter of the Bill will see that this is a reasonable and just amendment. I move it on the general principles that ought to guide us in granting charters. Perhaps I may be wrong. Perhaps I should have said 95, 96, 97, or even 98 per cent. In saying 90 per cent, I had in my mind a Bill which I had myself before Parliament, in reference to the amalgamation of two companies in the town in which I live, in which case less than 2 per cent of the stock objected ; and it was shown to the entire satisfaction of the committee before whom the Bill came that the amalgamation proposed was in the interest of the shareholders of both companies. At the regular meeting called, the only persons who objected were one or two shareholders who were somewhat cranky about the matter. The amalgamation made no difference to them, because they only wanted their cash.

Mr. TISDALE. Will the hon. gentleman allow me to explain how this rule was adopted ? It was during the session of 1887, that what was called the Model Bill was evolved by a committee appointed for that purpose. Up to that time, we were putting different provisions into railway legislation, and it was decided by the Railway Committee that a committee should be appoined to prepare a Bill with a lot of formal clauses, for the purpose of shortening the Acts as much as possible, and the clerk who had supervision of the printing was instructed to follow the general lines of the Model Bill. This provision only applies to railway Bills ; and it was recommended and agreed to that two-thirds should be the number. The hon. gentleman has argued the matter fairly ; and I know, from expressions he has used before, that he has questioned whether or not that number was large enough. But I would put it to him that it is hardly advisable just at the conclusion of a session, in which we have passed many Bills providing for two-thirds, that we should pick out one to make an exception of it. If it is reasonable to enlarge the majority of the stockholders in a provision of this kind, it might be well, in view of the past, to change the Model Bill in that respect in another Parliament. We have passed this session a number of Bills containing a similar provision, and I put it to the hon. gentleman because I believe he is sincere in regard to this, whatever other hon. gentlemen may have been.

Some hon. MEMBERS. Order.

Mr. TISDALE. I do not think I have gone beyond order because I have heard hon. gentlemen objecting to some of the other remarks as not being on this issue, and the hon. member for Guysboro' has confined himself entirely to this motion.

Mr. MARTIN. The whole clause is before the committee, as well as the amendment.

Mr. TISDALE. We are discussing the amendment. If I remember aright, the hon. member for Winnipeg sat down to bring himself in order by allowing the hon. member for Guysboro' to move this very motion.

Mr. MARTIN. Not to bring myself in order.

Mr. TISDALE. I do not know what other reason the hon. gentleman had.

Mr. MARTIN. Because he asked me to.

Mr. TISDALE. The hon. member for Guysboro' is discussing his motion because he has long held the view expressed in it, but I put it to him whether all our railway Bills, having been passed with this clause, stipulating this majority, it is fair to the Railway Committee that we should take out one particular Bill, and in that Bill materially change the clause which has been so long in use. I appeal to the House to keep our railway legislation this session on the line on which we have passed so many Bills. I am not saying that there is not a good deal to be said in favour of the hon. gentleman's amendment, and that it should not be a matter for the Railway Committee to take up at some future session, and revise this clause as applicable to all Bills ; but I do not think there is an hon. member on either side of the House who has sat on that committee, as the hon. member for Guysboro' has the last six or seven years, but who will admit the great advantage to us of keeping to this general provision throughout our railway legislation, and not altering it in one particular case. A discussion arose the other evening on a most important change in the Bill, and I have here a clause prepared and assented to, and signed by the parties interested, and which they are willing to substitute for the other clause, so that the main difficulty that arose in the earlier discussion of the Bill has been removed.

Mr. EDGAR. Does that signed clause refer to the matter in which the Manitoba North-western was concerned ?

Mr. TISDALE. It does.

Mr. EDGAR. I have some letters about that.

Mr. TISDALE. Counsel on both sides have agreed.

Mr. EDGAR. When will it go into the Bill ?

Mr. TISDALE. On the third reading, as a subsection to clause 3. It is a clause approved and signed by the counsel of both parties.

Mr. MULOCK. Did Mr. Barwick sign that agreement ?

Mr. TISDALE. Mr. Kingsmill did, and he had instructions from Mr. Barwick and the Allans, who are the parties interested.

Mr. MARTIN. I wish to protest against the reflections cast on my remarks by the hon. gentleman (Mr. Tisdale). I do not know whether he intended to say that it took me too long to lay before the House and the committee the important matters I have discussed. If that was his intention, I would suggest that instead of speaking ten minutes——

Mr. TISDALE. I only spoke five.

Mr. MARTIN—he did not require a quarter of a minute to tell the House every point he had to suggest. It strikes me that the hon. gentleman rose, not so much to discuss the amendment, as to draw attention to the fact that he occupies a very important and high position in this House as chairman of the Committee on Railways and Canals. He never fails to avail himself of the opportunity—and opportunities do occur from time to time—to draw the attention of the House and the country to the great position he occupies as the head of that committee; and as has been stated in this House during this session, the hon. gentleman is not only the chairman of the most important committee of the House, but he is that committee. He occupies three-quarters of the time of that committee in giving his views and dictating to it what it shall do. Not satisfied with that, the hon. gentleman wished to call the attention of the House and the country to the great work he did in 1887 in preparing this Model Bill. He was, perhaps, a little modest, he did not exactly, in clear terms, call our attention to the fact that he was the committee which developed that great piece of legislation, the Model Bill.

Mr. TISDALE. I was not chairman then.

Mr. MARTIN. I wish to call attention, on behalf of the hon. gentleman, as his modesty will not allow him to do it, to the fact that in 1887 was accomplished one of the greatest things ever done in the Parliament of Canada. One of the most useful pieces of legislative work ever accomplished by an hon. member of this House was the Model Bill which the hon. gentleman evolved out of that deep fund of railway knowledge which we know he possesses.

Mr. DALY. He can get some pointers from you on railway matters.

Mr. MARTIN. The small modicum of knowledge that I have on railway matters, I have gathered from that hon. gentleman since I became a member of this House. I have sat at his feet in the Committee on Railways and Canals during three sessions, and I admit the soft impeachment that I do know a thing or two about railway legislation. But what I do know I have learned from the hon. gentleman who has just spoken, I have gathered it during the numerous occasions in which that hon. gentleman has used his position as chairman of that committee to deliver long harangues to the committee on the general principles of correct railway legislation, and I believe that I have now, as far as my limited abilities would allow me, absorbed, to a certain extent, a knowledge of the fundamental principles upon which railway legislation should be based, and I wish to tender to the hon. member, in the dying days of Parliament, before he and I cease to be members of this House, my heartfelt thanks for the admirable manner in which he has conducted the deliberations of that most important committee, and for many long and able disquisitions with which, as chairman of that committee, he has favoured us.

Mr. FRASER. My reason for moving the amendment to this clause is because the railway to be built is in a very important part of the country. I admit the strength of the argument of the hon. gentleman that we have put this in various Bills, but, so far as my recollection serves me, these Bills were for roads in the older provinces, where there was not so much fear of anything being done to affect the shareholders. Of course, the hon. gentleman is correct when he says that my views on the question are not the views of to-day. I have long felt that we were too lax in permitting corporations to come together by a two-third vote, which is the vote required by the Model Bill. My reason for asking that this amendment be pressed is because this railway is in that new country which ought to receive more consideration than it has yet received from this Parliament, and it should be in no wise hampered by permitting legislation of such a character as will enable a majority of the shareholders in any one or more companies to bring about an amalgamation that would not be in the best interests of the people. I am doing this now because this is the first Bill relating to railways in the North-west that we have had the opportunity of considering this session. In a new country there cannot be so much competition as will grow up with increasing population. But we should so legislate that the settler, who ought to have our first thought, shall be benefited and not injured. While the Model Bill would be all right, under ordinary circumstances, I think that, for that new country and in the case of such a Bill as this, we might well consider whether we should not make what might be considered exceptional legislation.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into committee.

(In the Committee.)

Mr. LISTER. The Bill in which the clause now before us was first incorporated was a Bill relating to the old Hudson Bay Railway Company, a company formed for the purpose of constructing a railway from Winnipeg to Hudson Bay. That company, with all its vicissitudes, has become thoroughly discredited, and the object of the Bill now before the committee is the chartering of a new company composed really of the old men, but without the sins, so to speak, of that old company. When we look at this clause 9, and consider for a moment the enormous powers which it bestows in the way of consolidating with and absorbing other roads in the province of Manitoba, and when we look at the first clause and remember the fact that the gentlemen who seek incorporation are comparatively unknown to this House or to the people of the country and consider their financial ability to carry on the undertaking which is to be incorporated by this Act of Parliament, we cannot fail to be convinced that after all there are wheels within wheels, and that this company is simply the old company under another name. I have no doubt that the object of the promoters of this company is to ask Parliament for a subvention that will enable the promoters either to sell the charter which they ask Parliament to give them or to build the road without the cost of a dollar to themselves, and with a large surplus to enrich those gentlemen who are promoting the enterprise. It would not do for the Government to vote two and a half millions of dollars to the old Hudson's Bay Railway. The people of this country have been thoroughly convinced that the old Hudson's Bay Railway Company was simply a charter obtained for the purpose of making money for the promoters, so it would not do for the Government to repeat the experiment they sought to carry out in 1894 and 1895. You will remember, Mr. Chairman, that in 1894, when the Government intended to go to the country they thought it was necessary to make those preparations which this Government usually makes, and of which I believe there is abundance of evidence in the acts of the Government intended to go to the country they cessary to go to the country, of course, following these old methods, they thought it was necessary to make preparations in the way of buying up provinces. Whether they were honest or not, at all events their intention was to make the people of the province believe that they intended to carry out what they purported to do. At the time I speak of, the Government fully intended to go to the country. They had passed the remedial order, they thought that would satisfy the people as to their policy upon that question; and contrary to all law, in secret council, the Ministers assembled around the Council board in the Council Chamber, and without any authority of law at all, they sat down and pledged Canada to the payment of $2,500,000 to the Hudson's Bay Railway Company. Sir, it was done secretly, it was not intended that it should be made public, but in some way it did become public property; and all who remember that time will recollect the fact that there was indignation from one end of the country to the other, that a Government, without the authority of Parliament, without knowing that Parliament would confirm what it had done, but trusting to its power over its followers to lead them to approve of whatever the Government might think proper to do, it passed this Order in Council binding this country to pay to this railway company $2,500,000 of the people's money. They subsequently determined that it was not wise to go to the country just at that time, and the order was revoked, and the hopes of the promoters of that scheme were dashed to the ground. Nothing but condemnation was heard from that time of a Government which could have raised their hopes to such an extent as to grant an Order in Council for that enormous sum of money. Then, Sir, the desire of the people to make something out of nothing, is very striking. Other railway companies, the Manitoba and North-western Railway Company, the Winnipeg Great Northern Railway Company, the Manitoba and Northern Pacific Railway Company, and the Lake Manitoba Railway and Canal Company—all these schemes were promoted, and legislation was obtained in the hope and expectation that the subventions would be so generous that the promoters of the different companies would be able to construct, not at their own cost, but at the cost of the country, and have a handsome surplus left for themselves. For some reason or other these schemes have not been gone on with; and now we have before us this Bill, which is really the old Hudson's Bay scheme, this Bill known as the Manitoba and Nelson Valley Railway Company. Now, I believe there can be no doubt that if this company becomes incorporated, the intention is to take over all the subventions of the old Hudson's Bay Railway Company, with its land grant of 12,400 acres per mile outside of Manitoba, and 6,200 acres per mile within the province, and to get in addition to the $2,500,000 in the shape of subventions, $80,000 a year for twenty years upon such portions of the road as may be constructed, that is to say, for the first 200 miles of road. Now, Mr. Chairman, that is the scheme contemplated by the legislation sought under the Bill which we are now considering. The question is, under those circumstances, whether Parliament should enact the law that section 9 has set out in the Bill. It has been argued with great force, to my mind, at all events, that before Parliament authorizes this railway company to take over any of the railway companies mentioned in section 9, there should be a provision in the Act requiring that this company should pay the liabilities of the company or companies which it takes over. If Parliament authorizes this company to take over the Hudson's Bay Railway Company, it is undoubtedly guilty of an act of injustice to the creditors of the Hudson's Bay Railway Company. The history of that old road has been told so often that to this House it should be almost needless to repeat it. But, Sir, there is no question that in a sort of a way, forty miles of that road was constructed—constructed, I have no doubt, at a price paid by the company to the contractors, enormously in excess of the actual value of the road and work done. There is the fact that a company authorized by this Parliament to construct what is known as the Hudson's Bay Railway, under authority of an Act of this Parliament which authorized it to contract debts, did contract very considerable liabilities in England for the purchase of rails to be used on that road. Not one single dollar of that liability has been paid. The rails are rusted on the prairies, the men who supplied the rails, we are told, are, no doubt, rusting too, for they have never received a single dollar of the price which was to be paid for those rails.

An hon. MEMBER. And never will.

Mr. LISTER. Certainly they never will unless this Government, in the exercise of the power which it possesses, provides in this Act that before the assets of that railway company can be absorbed by the railway company which is now seeking incorporation, it shall take it subject to the payment of the just liabilities of the company. Why, Sir, the Secretary of State is very careful about the credit of Canada. The hon. gentleman is constantly telling us how the credit of the country is being imperilled by legislation. But I would remind the hon. gentleman that next to the Chignecto Ship Railway nothing is more calculated than the Bill now under discussion to injuriously affect the credit of Canada among foreign investors. The provision suggested from this side of the House is not a new one. We have provided over and over again that in case a railway company takes over the interests of another company, or in case of the amalgamation of two companies, the company taking over the old company is enabled to do so by legislation subject to the payment of the just debts. The member for Winnipeg (Mr. Martin) has informed the House that there are judgments against the Hudson's Bay Railway Company for very large amounts. There is the debt for the rails, amounting to between $100,000 and $200,000 ; but more important than all is the claim that Macdonald & Tupper, lawyers, have against the company, amounting to something less than $100,000. We may forget the English creditors, we may forget the judgment creditors, but we are bound to remember this firm of lawyers in Winnipeg. The lawyers must always be attended to. There was no evidence adduced before the committee that any of the creditors who have claims against this company were notified as to the powers which it was proposed to obtain when the company was incorporated. But what is the position of affairs ? Men who are stockholders in the company, and who in all probability never paid a single dollar into it, have power to turn over to the company we are asked to incorporate the whole of the assets of the Hudson's Bay Company, and thereby defraud every creditor. Section 9 provides that the transfer may take place, that the amalgamation may be accomplished by a vote of the stockholders of the company regardless altogether as to what the bondholders of the company would decide, and in face of the fact with which we are familiar that railways in Canada are not built with the money of the people except in the sense that they are paid for by the taxes of the people. If the people of the Dominion put money into railways it is only temporarily ; they deposit it in a bank to the credit of the company and draw it out again, and they never intend, and they never do pay practically anything on account of stock. So while a company may have shareholders who have never paid a doller but who are credited with the investment of hundreds of thousands of dollars and perhaps millions, they exercise power which should really rest with the bondholders. The Government is not acting fairly in this matter. The Government cannot deny their liability for this legislation in this sense, that it could not be passed unless the Government assented to it, and they could, if they wished, protect the province of Manitoba against the tremendous loss which it met through the incompetence of the former provincial secretary of the province, the hon. member for Provencher (Mr. LaRivière). That hon. gentleman occupied a position in the Cabinet of Manitoba, placed there by the Lieutenant-Governor of the province, elected by the people, the hon. gentleman being supposed to have a reasonable degree of business capacity, entrusted by his colleagues came to Ottawa as the envoy of the Manitoba government, to meet the Government here, having at the time $264,000 of the bonds of the province in his pocket. What did he do ? Without a line from the Dominion Government that they would transfer the land grant of the railway company so that the province might have security for its money, the hon. gentleman handed over to the company provincial bonds to the value of $264,000. That will condemn him in Manitoba if he lives for a hundred years—the fact that he handed over bonds to that amount without obtaining a dollar of security. Year after year the people of Manitoba, crushed as they are by the taxation of this incompetent government, eaten up with freight rates, lost $264,000 in provincial bonds. Yet hon. gentlemen opposite propose to give power to this company to secure the land grant which the Hudson's Bay Railway obtained and also the money subsidy. The hon. member for Provencher has not attempted to justify himself for his extraordinary conduct. The hon. member for Winnipeg excuses him, because the hon. member for Provencher said he had a conversation with Sir John Macdonald and Hon. John Henry Pope and they agreed to hand over to the province of Manitoba as security for those bonds the land subsidy of the Hudson's Bay Railway. Those gentlemen denied that they ever had any conversation with the hon. member for Provencher from which any such agreement could be inferred, and that there never was such an agreement. Yet the hon. gentleman turned over to the promoters of the Hudson's Bay Company bonds to the value of $264,000, for which the province has received nothing and for which it holds no security whatever. And the hon. gentleman thinks he did what was right. But the point I wish to emphasize is that before this Bill becomes law, it is the duty of the Government to see that the province of Manitoba is protected and indemnified against loss so far as it is possible to do so by this Bill. Section 9 of this Bill gives the company power to absorb the railways mentioned in the section, and it has been argued with very considerable force by my hon. friend from Wellington (Mr. McMullen), in his very powerful remarks upon this Bill, that the policy of the Government in allowing parallel lines of railway is a mistaken policy, and not in the interest of the railway companies or of the country. And, Sir, a moment's reflection must satisfy anybody that there is a great deal in the contention of my hon. friend. As I said, there is no man with any money who is fool enough to put it into the construction of a railway because the experience of railway investors in this country has been that there is no money for the investor, although there may be considerable for the officials and for the promoters of the road. The object of railway promoters is to construct the road out of money that may be granted by the country in the way of subsidy, and to get considerable borrowing powers, and to induce the British capitalists to invest their money in the bonds of the company. If the railway company is to sell these bonds at a satisfactory price, it must establish that the scheme undertaken is likely to be a successful and profitable one. Therefore, if you load down the scheme by parallel lines, you must destroy the chance that the company has of raising money in the foreign market. Investors naturally ask whether there are other roads running parallel to this, and if so, these roads would of course divide the traffic and so reduce the profits. It is perfectly apparent to any one who thinks of it for a moment, that granting charters to railways to parallel other lines and divide the traffic of the country, must of necessity interfere very seriously with the selling value of the bonds of one or other company. But a greater objection than all this is the fact that in order to make the road pay expenses where it is paralleled, it becomes necessary to charge much higher rates, and these rates are taken out of the pockets of the producers of the country, be it in Manitoba or any other province. I think, Mr. Chairman, that where the power is given, as it is in section 9, to the shareholders to take over the other railways mentioned, it should be provided that if these companies have issued bonds, then the bondholders should have the same power of voting as have the shareholders. I agree with my hon. friend (Mr. Fraser) that a two-thirds vote is not a fair expression of the feelings of the people who may be interested in the road, and that the proportion should be much greater. My hon. friend (Mr. Fraser) illustrated his argument very fully and with reasonable clearness, and I think that hon. members must conclude from his arguments that the safety of the shareholders to a great extent depends upon the adoption of the amendment which he proposed to the House, namely, that instead of having two-thirds of the shareholders voting, there should be 75 per cent, or 85, or 95 per cent, not only of the shareholders, but also of the bondholders, if any bonds have been issued. I do not think it is necessary to elaborate to any great extent the fairness of placing the bondholders on an equality with the shareholders, when we remember the manner in which railways are constructed in this country; when we recall the fact that the shareholders, as a matter of fact, put no money whatever in the enterprise, and that all the money has been given to them either by the Government, or by municipal corporations, and further, by such sums as they may be able to raise by the sale of bonds upon the English market. If we allow things to go on as in the past, the time is coming when Canadian railway bonds will become thoroughly discredited in the markets of the world. We grant a charter to a company, and under that charter we give bonding powers of from $12,000 to $20,000 per mile. These gentlemen sell the bonds at a discount in the English market, and they take a large portion of the money thus received and put it in a fund, and then they say to the shareholders: We secure your interest for ten, fifteen or twenty years. The railroad is built out of the money raised upon the bonds, discounted as they are; the interest for twenty years is paid out of this money also, and the shareholders think everything is safe, until they awaken to the startling fact that the road is not paying its running expenses. I contend, Sir, that instead of giving this enormous bonding power, and unduly stimulating the construction of railways, they should only have such bonding powers as will build the railway, and not such as will make the men who are connected with it rich. The schemes we know of, and the ingenuity devised for the purpose of getting money out of this sort of thing, are perfectly surprising. Sir, Parliament cannot be too careful. What are the facts ? Individuals go to work, get a railway charter, and sell the bonds for more than the road costs. Every one knows that the construction of a railway in the prairie country does not exceed $9,000 per mile, equipped and ready for traffic. Yet, every day we see these roads bonded for from $12,000 to $20,000 per mile, and we grant subsidies here of $3,200 per mile, besides land grants. We know all that. And what do these promoters do ? With a bonanza of that kind in their hands, they form a construction company, of themselves and their friends, and undertake to build the road at an enormous cost ; and, having built it, they put the difference between the actual cost and what they receive into their own pockets, and everybody knows what a big subscription they can give to the Government at election times. That is the way the thing is worked ; that is the way these men are made rich. Why, Sir, what does it all mean ? Coming to Parliament, at its last session, when the Government expect to be squeezed, they get a charter through Parliament at a cost of $100; and, having got that, they proceed to get a subsidy from the Government of $3,200 or $6,400 per mile, with land, and so on. No wonder the time of this Parliament is taken up in granting and re-enacting railway charters. Year after year, this thing goes on. For some reason or other, Parliament has refused to pass a General Railway Act, under which any number of people might get an Act of incorporation. The Government keep the matter under their own control—shall I say for some sinister reason ? A number of men come here and get an Act of incorporation which costs them $100; then they go to the Minister of Finance, and he grants them a subsidy; and then they have got something to sell, and they go out on the market and sell—what ? A bit of paper which costs them $100, and a subsidy which has cost them nothing, but which comes out of the pockets of the ratepayers of this country. That is the way this matter is worked. But, Sir, we have a duty to perform. Parliament has imposed upon it the duty of protecting a portion of the people of this country. We have no right to pass legislation here that will enable any man to defraud any section of the community. I therefore repeat that Parliament is derelict in its duty when it passes an Act such as this, permitting the amalgamation of railway companies, without providing that the absorbing company shall become liable to assume the just debts of the company it absorbs. That is the necessary preliminary, I take it, of all legislation of this kind. But, Sir, that is violated in this Act. While it allows and authorizes a company, which is sought to be incorporated, to take over the other companies—companies which are largely involved, and involved for debts about the justness of which there can be no question—Parliament permits this company, on the votes of shareholders who have never paid a dollar of stock into the company, to take over the assets of these other companies, and thereby defraud the creditors of those companies. That is the position in which the proposed legislation places the other companies ; and it is a question whether it is not the duty of Parliament, even at this late date, to make that section more perfect, by providing that these companies shall assume the liabilities of the companies which they absorb. The amendment of the hon. member for Guysboro' (Mr. Fraser) is well worthy of the consideration of this committee. That amendment provides that, instead of two-thirds, 90 per cent of the stock is necessary to vote for the amalgamation. But I go further than that hon. gentleman. I say that, in addition to the stock, where bonds have been issued, the bondholders should have an equal voice with the stockholders in the affairs of the company. I repeat that I think it is the manifest duty of the Government and Parliament to see that the province of Manitoba is thoroughly and fully protected from loss through the negligence of the hon. member for Provencher. Negligence, Mr. Chairman, is putting it very mildly. No, I will not call it criminal negligence. The hon. gentleman came down here, with $264,000 of bonds of the province of Manitoba, bearing 5 per cent. He was a member of the government of Manitoba, and was intrusted by his colleagues to come down here to turn over those bonds to the promoters of this railway, upon the Government of Canada agreeing to transfer the land subsidy to the province of Manitoba as its security. The hon. gentleman came down here, and, according to the statement of Sir John Macdonald and John Henry Pope, he delivered those bonds over to those promoters without one scratch from the Government of Canada that they would turn over the land subsidy to the province of Manitoba. My hon. friend from Winnipeg (Mr. Martin) says he has no doubt that that hon. gentleman was telling the truth when he said that Sir John Macdonald and John Henry Pope promised to turn over this land grant ; but we have only the word of the hon. member for Provencher as against the statements of those gentlemen.

Mr. LANDERKIN. Has he witnesses ?

Mr. LISTER. He has not witnesses. It is a matter of veracity between the hon. gentleman and Sir John Macdonald and John Henry Pope. He goes back to Manitoba without the bonds, and without the lands.

Mr. LANDERKIN. Who got the land ?

Mr. LISTER. I do not know who got the land. He gives up bonds for $264,000—a king's ransom—and he goes back to Manitoba and tells his government that they promised to turn over the land grant.

They denied it. They said they had never promised anything of the kind. It is the most astounding bargain that any public man ever made, and the province of Manitoba has to pay the interest, and will no doubt have to pay the principal. I ask the hon. gentleman, as a matter of fact, did Sir John Macdonald and John Henry Pope promise to turn over that land grant? Is it true that Sir John Macdonald was not in John Henry Pope's office at all? The hon. member for Provencher has a right to let the House and the country know; because, if it was as he says, then Parliament is bound in honour to see that the province of Manitoba is secured before this money is paid over. This Bill, so far as I can see, is merely the old Hudson's Bay Railway with a new dress on, escaping all the liabilities of the old company, escaping its liabilities to the province of Manitoba, escaping its liabilities for the steel rails now rusting on the prairie, and, worst of all, escaping its liabilities to Macdonald, Tupper & Company. It is the duty of the Government to intervene, and see that the creditors of the company are protected. The amendment of the hon. member for Guysboro' should be added to this section, and I think it should further be provided that, in case of amalgamation, this new company shall assume the liabilities and debts of the corporations amalgamated with it.

Mr. CAMPBELL. I expected that the hon. member for Provencher (Mr. LaRivière) would have risen to defend his position.

Mr. LaRIVIERE. To make this thing regular, I think that my name should be inserted in the Bill.

Mr. MULOCK. What did you do with the bonds?

Mr. CAMPBELL. It is due to the House and the country that the hon. gentleman should give the reasons which induced him to take the extraordinary course he seems to have taken. The hon. gentleman who, at the time, occupied the high position of Provincial Secretary of Manitoba, was entrusted by his colleagues with this large amount of bonds, and instructed not to give them over until the Dominion Government transferred the land grant, so that the Manitoba government would have some security for the bonds. He violated his commission by giving up those bonds without obtaining this transfer. What would you think of a government giving bonds for $256,000 to a railway company without any security at all? The proposition is on its face absurd, and although I have but a small opinion of the foresight and honesty of that government, yet I do not think that any government would have been so foolish and derelict in its duty as to give up such a large amount of bonds without any security. In fact we know that that was not the case, but we know that the hon. gentleman, in violation of the conditions imposed, deliberately handed over these bonds without getting any security at all. And what a miserable excuse he made when he went back. His excuse was that Sir John Macdonald and the Hon. John Henry Pope, then Minister of Railways, had agreed to transfer that land. Why did the hon. gentleman not hold the bonds until they did transfer the lands? No business man would make a transaction like that without some consideration. Was there any consideration and what was it? The hon. gentleman is bound to give some explanation, but so far he has not seen fit to say a word. Perhaps he thinks that silence is the best policy, but it seems to me that if there were any justification for the course he pursued, he would make it known. I am sure that you, Mr. Chairman, would not remain silent under similar circumstances. This Bill should not become law. From beginning to end, it is one which should not receive the approval of Parliament. We are asked to give extraordinary powers to this company, and not only that but the other clauses of the Bill are so contrary to all ideas of what is proper that I wonder at the Government persisting in pressing it upon the attention of the House. This Bill will incorporate a company which will parallel for a long distance other lines already chartered and bonussed. In the first place, I object to your chartering another road to run parallel to one already incorporated. That is a policy which will only end in the destruction of both roads, especially in a country where the settlement is so sparse that it is hard to make one road pay. Then again we should never give a bonus to a railway company unless the promoters have put some substantial sum into the enterprise themselves. For the company to build this road 600 miles long we ask a capital of only $1,000,000, 10 per cent paid up—in other words, a cash capital of $100,000. The road will cost, I suppose, at least $8,000 or $9,000 a mile. That would mean a total of about $4,500,000; and for an enterprise like this we ask a cash capital of $100,000; and we give the company bonding powers to the extent of $20,000 a mile. Why, the thing is simply ridiculous. Then we look at the further powers of the company we find that they are enormous. They not only ask power to build this road but also to carry on the business of building and operating steam and other vessels on the navigable waters in connection with its railways, and improve the navigation of those waters. They may build and operate elevators and other warehouses and carry on a general warehousing business and may purchase grain and other freight and may erect dockyards, wharfs and piers at any point on or in connection with their railway. Then they may build and work telegraph and telephone lines and may transmit messages not only for the road but for the public. So that really they are a telegraph and telephone company as well as a railway company. They take power to enter upon lands, to break up roads and impede or turn aside travel for their own convenience. The Bill has so many objectionable features that I feel sure that the Government have not fully considered it, and in order that they may do so, I move that the committee rise, report progress and ask leave to sit again.

Committee rose and reported progress.

EDMONTON DISTRICT RAILWAY COMPANY.

Mr. DAVIS (Alberta) moved concurrence in amendment made by the Senate to Bill (No. 54) to incorporate the Edmonton District Railway Company.

Sir RICHARD CARWRIGHT. What is the amendment ?

Mr. FOSTER. It provides that the powers of the company under section 4 shall be subject to the provisions of the North-west Irrigation Act.

Amendment concurred in.

YUKON TRADING COMPANY.

Mr. HASLAM (for Mr. Corbould) moved second reading of Bill (No. 89) to incorporate the Yukon and British Columbia Trading and Development Company of Canada, Limited. He said : The object of the Bill is simply to carry on a general trading business in the Yukon country. I may say that the powers we wish to obtain, have been granted to several other companies by the Parliament of Canada.

Motion agreed to, and Bill read the second time.

BRITISH AMERICAN COAL AND TRANSPORTATION COMPANY.

House resolved itself into committee on Bill (No. 76) to incorporate the British American Coal and Transportation Company.

(In the Committee.)

Mr. MILLS (Bothwell). This seems to be a railway and coal company combined.

Mr. POWELL. Yes, the railway facilities are incidental to the working of the coal mines. The main object is the mining of coal, and incidental to it is the construction of a railway. There is transportation by sea as well, and there is also a telegraph and telephone line.

Mr. MILLS (Bothwell). What is the length of the railway ?

Mr. POWELL. Not exceeding thirty miles at the outside. The road is within the county of Cumberland, N.S., and runs between two ports, one of which may be on the north shore and the other on the Bay of Fundy. It does not go beyond that.

Sir RICHARD CARTWRIGHT. I should like to inquire why the hon. gentleman comes here. Prima facie, I should think this was a local matter, and ought to be dealt with by the local legislature. There is no reason in the world, that I can see, why we should have to deal with this matter.

Mr. POWELL. There is no question that it is entirely provincial. But it is not an exceptional Bill in that respect. I think there are abundant precedents for it.

Mr. FOSTER. No. 89 that we have just dealt with, is of that character.

Mr. POWELL. Furthermore, it has this peculiarity, that it is in connection with a transportation company, which would legitimately come under the jurisdiction of this Parliament.

Mr. MILLS (Bothwell). That only shows the impropriety of pressing a Bill like this without proper discussion on the part of the House. The hon. gentleman will find that in 1882 this House adopted the principle that railways connected with certain great trunk lines, were to be regarded as railways for the general advantage of Canada. But you could not make such a declaration with regard to this railway, which is wholly within the province of Nova Scotia, and under the jurisdiction of that legislature, and surely we cannot give ourselves this jurisdiction.

Mr. POWELL. In section 4 there are matters which come under the jurisdiction of the Dominion, such as navigable waters. It is an interference with them.

Mr. OUIMET. In the original incorporation of the company it was stated that the work undertaken by the company was for the general advantage of Canada, and I think that as we have assumed the jurisdiction, we should keep it. Besides, the object of this Bill is to serve the general interests of the Dominion shipping which does business between the Gulf of St. Lawrence and the Bay of Fundy. Another consideration is that the work which this charter authorizes the company to build, is a work which was intended to discharge a liability originally undertaken by the Dominion of Canada. This is to take the place of the Bay Verte Canal, and that canal was part of the Dominion scheme to benefit the navigation of the Dominion, and was as such a part of the general canal system of the country as any other canal on the St. Lawrence River, or elsewhere. This work was to take the place of that Bay Verte Canal, and it was consequently a work for the Dominion of Canada. It was for the Dominion of Canada to see that that obligation was discharged, and Parliament has adopted the suggestion that was made at the time, that instead of a canal it should be a ship railway.

Sir **RICHARD CARTWRIGHT.** What Bill is my hon. friend discussing ?

Mr. **OUIMET.** I thought we were on the Chignecto Marine Railway Bill.

Sir **RICHARD CARTWRIGHT.** I must congratulate the House on the extreme care and zeal with which the Ministry are taking charge of, and looking after, legislation. My hon. friend has addressed a masterly argument to this House ; unfortunately the Bill with which he argues the matter, is not before us, and not likely to be.

Mr. **OUIMET.** The hon. member for South Oxford (Sir Richard Cartwright) cannot say that he has only made one mistake in his life, or he would not have been on the Opposition benches eighteen years. He will have to acknowledge before he dies that he made not one mistake, but a great many dozens of mistakes, and he is still making mistakes which will keep him on the Opposition benches for some time.

Mr. **EDGAR.** What I object to most strongly is that in the dying days of the session, when there is so much business standing on the Order paper, there is evident obstruction, and discussion of utterly irrelevant matter.

Mr. **POWELL.** In regard to the second clause, looking into it more carefully than I did at first, it is apparent that it necessarily involves passing into New Brunswick. The river Laplanche is near Missiguash River which forms the dividing line between New Brunswick and Nova Scotia. The Laplanche is not navigable for vessels, the Missiguash is navigable, and at the confluence of the rivers lies the Cumberland Basin. The mouth of the Missiguash is an artificial harbour which partly lies in New Brunswick. As two provinces are involved in the Bill, it is necessary to invoke the legislative powers of this Parliament.

Mr. **DAVIES** (P.E.I.) Where does it appear on the face of the Bill that the company has to go into New Brunswick ?

Mr. **POWELL.** It does not appear on the face of the Bill ; but that does not alter the fact that the company must go into New Brunswick.

Mr. **MILLS** (Bothwell). I call the attention of the House to the provisions of the law under which we are undertaking to legislate. They are as follows :—

> In each province the legislature can exclusively make laws in relation to matters coming wihin the classes of subjects next hereinafter enumerated : that is to say—
>
> Local works and undertakings, other than such as are of the following classes :
>
> Lines of steam or other ships, railways, canals, telegraphs and other works and undertakings connecting the province with any other or others of the provinces, or extending beyond the limits of the province.

There is nothing of the sort in this Bill.

Mr. **POWELL.** I have informed the hon. gentleman that there is.

Mr. **MILLS** (Bothwell). I point out that there is not. There is not a word in the Bill to show that such is the case. The hon. gentleman refers to section 2. What does it say ?. It says :

> The company may lay out, construct and operate a railway from a point at or near the mine known as the Stanley Mines, in the province of Nova Scotia to a point at or near Amherst in the said county, and may extend the said railway to the Cumberland Basin, at or the mouth of the River Laplanche, and from a point at or near the said mines, to the Northumberland Straits, at or near Tidnish in the said county of Cumberland.

All in the county of Cumberland, and all within the province of Nova Scotia.

Mr. **EDGAR.** This Bill has not the usual clause, declaring that this work is a work for the general good of Canada. There is no reason for inserting it ; and if there be no reason for putting it in, it is without the jurisdiction of this Parliament.

Mr. **POWELL.** While I acknowledge the astuteness of the hon. member for Bothwell (Mr. Mills), his astuteness is not infallible. In the first place, " at or near Tidnish, in the said county of Cumberland " does not mean that the terminus of the railway is to be in the county of Cumberland. It is that the terminus is to be at or near a point which is within the county of Cumberland. The mouth of the Laplanche River is not over ten yards from the interprovincial line.

Mr. **MILLS** (Bothwell). Everything is to be " in the said county of Cumberland."

Mr. **POWELL.** The Laplanche is in the county of Cumberland, but the point where the railway strikes may be within New Brunswick.

Mr. **MILLS** (Bothwell). No.

Mr. **POWELL.** But I say yes.

Mr. **MILLS** (Bothwell). The hon. gentleman's familiarity with the county cannot set aside the Bill before us.

Mr. **POWELL.** We are not setting aside the words of the Bill. Supposing we were to make a statement regarding an offence, that it was committed at or near such a place.

Mr. **MILLS** (Bothwell). In the county of Cumberland.

Mr. **POWELL.** Not in the county of Cumberland " at or near Tidnish." But Tidnish is not to be the terminus. The terminus is to be at or near a certain point, which point is in the county of Cumberland.

Mr. **LISTER.** Then it is to be in the county of Cumberland.

Mr. POWELL. The mouth of the Laplanche is in Cumberland. This is to be at a point or near it.

Mr. MILLS (Bothwell). No.

Mr. POWELL. The actual point is within New Brunswick.

Mr. DAVIES (P.E.I.) The hon. gentleman cannot ask the House to adopt his reasoning. He says that from his local knowledge of the topography there is a possibility that this railway going from one terminus to another may touch the other province. But there is nothing on the face of the Bill to justify the statement that the railway is going into the other province.

Mr. MILLS (Bothwell). Nothing at all.

Mr. POWELL. We will put it in.

Mr. DAVIES (P.E.I.) I agree with the hon. member for Bothwell, that the railway is to be in Nova Scotia. The Bill states that the road is to start from "the Stanley mines in the county of Cumberland in the province of Nova Scotia to a point at or near Amherst, in the said county, and may extend the said railway to the Cumberland Basin." That is in Nova Scotia.

Mr. POWELL. I beg your pardon.

Mr. DAVIES (P.E.I.) "At or near the mouth of the river Laplanche, and from a point at or near the said lines to the Northumberland Straits at or near Tidnish in the said county of Cumberland." There is nothing to show or to justify the committee in assuming that this Bill will extend the railway beyond the confines of one province, and unless it is explicitly made to do so on the face of the Bill, the hon. gentleman has no right to proceed with the Bill, because we would be adopting a vicious principle and causing a conflict of interest between the Dominion and provinces. If it is desired to get a Dominion charter for a provincial company, this House must be satisfied that there are special reasons for doing so, and that the work is for the general advantage of Canada ; and unless this is done, this House cannot be asked to adopt such legislation as is now before it, unless it assumes the control over all these charters.

Mr. MILLS (Bothwell). I call attention to these words in question. They do not bear out the construction which the hon. gentleman (Mr. Powell) undertakes to place on them. It does not say that Cumberland Basin is at or near Tidnish. That is a point fixed geographically. It is not necessary to say where Tidnish is ; what is necessary is to say where the terminus of the railway is to be, and it is declared to be in "the said county of Cumberland."

Mr. POWELL. Let hon. gentlemen look at the language of the clause. The terminus is to be at Cumberland Basin. It may be in the county of Cumberland—no portion of the Basin is——

Mr. DAVIES (P.E.I.) Yes.

Mr. POWELL. Except a small portion of the shore, the littoral. But as a matter of fact, Cumberland Basin is common to the counties of Westmoreland, N.B., and Cumberland, N.S. The only qualification in the Bill as regards the Basin of Cumberland is "at or near Tidnish," which does not exclude Westmoreland, in the province of New Brunswick.

Mr. MILLS (Bothwell). Not at all.

Mr. POWELL. The promoter of the Bill, the hon. member for St. John (Mr. Hazen), is not present. I will telegraph him for more particulars as to the objects of the Bill, and will probably have an answer to-morrow. In the meantime I will ask the committee to report progress and ask leave to sit again.

Committee rose and reported progress.

BRIER ISLAND FOG ALARM.

Mr. BOWERS asked :

1. Is it the intention of the Government to replace at once the fog-alarm building at Brier Island, Digby County, Nova Scotia, which was destroyed by fire on the 3rd instant ?

2. If so, will the said building be constructed of brick or wood ?

3. Will the rebuilding be by private contract or by public tender ?

4. If by public tender, when will such tenders be advertised for ?

5. In the meantime will there be any temporary arrangement so that some kind of alarm will be in operation for the protection of shipping in foggy weather ?

6. Was any blame for the recent disaster to the said building attached to the engineer in charge ; and if so, the nature of it ?

Mr. COSTIGAN. 1. It is intended to replace the fog-alarm building, which was burned down on 27th ult., at once by a temporary shed, and to rebuild permanently at a later date. 2. It is not yet decided whether the new permanent building will be of brick or wood, but it will probably be of wood. 3. The temporary shed is being put up and the machinery refitted by day's labour, under the supervision of the lightkeeper and fog-alarm engineer. The permanent building will probably be erected by contract. 4. When information has been obtained and plans and specifications prepared. 5. Every possible effort is being made to put the machinery in condition to resume the fog-alarm with the least possible delay. It is hoped that the alarm may again be in operation within a week. 6. An investigation into the origin of the fire has been made by the agent of the department, but his report has not yet been received.

PRINCE EDWARD ISLAND CHEESE.

Mr. RIDER asked :

What was the total expense account for freight, storage and insurance on the whole lot of Prince Edward Island cheese up to date of their disposal to Messrs. Hodgson Bros. and Messrs. J. C. & G. D. Warrington ?

When and what price was the lot disposed of, to wit : 22,238 boxes to Messrs. Hodgson Bros., 250 boxes to Messrs. J. C. & G. D. Warrington, and 151 boxes to the Montreal Cold Storage and Freezing Company ?

Mr. MONTAGUE. The expense for freight from Prince Edward Island to Montreal on the whole lot of Prince Edward Island chesee was $2,507.36. The storage charges are $1,550, with some small differences to be adjusted. The insurance paid while in warehouse in Montreal was $725.08. The lot of 22,238 boxes was disposed of to Messrs. Hodgson Bros. on January 25th, 1896, at prices and on terms which were not to be made public until the cheese were sold by Messrs. Hodgson Bros. The lot of 250 boxes was disposed of to Messrs. J. C. & G. D. Warrington on December 12th, 1895 ; 100 boxes at 9 cents per pound, and 150 boxes at 9½ cents per pound. The lot of 151 boxes, damaged in the warehouse of the Montreal Cold Storage and Freezing Company is to be paid for at the rate at which the bulk of the cheese was sold.

GEORGE F. ROBINSON OF PRINCE EDWARD ISLAND.

Mr. DAVIES (P.E.I.) asked :

Has George F. Robinson, of Charlottetown, Prince Edward Island, an employee of the Customs, been superannuated ? If so, for what cause and when ? How long was he in Government employ, and what allowance has been made him ? Was any "time" added to his actual service ?

Mr. WOOD. In reply to the hon. gentleman, I beg to say that George F. Robinson was superannuated on the 1st March, 1896. He was in the Government employ twenty-one years, and his retirement carries the full amount payable on account of that length of service, viz., $210 per annum. His age is 72 years.

LEVIS GRAVING DOCK.

Mr. McSHANE asked :

Is it not true that the proposed new line of steamers will be 500 feet or more in length, and that the length of the graving dock at Lévis is only 475 feet ; and in the event of an accident happening in the river where will these steamers be repaired ?

Mr. OUIMET. The graving dock at Levis is 484 feet in length. The matter is now engaging the attention of the department.

INSPECTOR OF HALIFAX DRILL SHED.

Mr. FORBES asked :

Is William Bishop, stonecutter, of Halifax, employed by the Public Works Department at Halifax as inspector of the building of the drill shed at Halifax ? When was he employed. What salary is he receiving for such work and who pays him ?

Mr. OUIMET. William Bishop, stonecutter at Halifax, is employed by the Public Works Department as inspector under the control of our resident engineer and inspector of buildings, Mr. Dodwell, since the 9th of August, 1895. He is paid $90 per month by the Department of Public Works.

ACT RESPECTING SENATE AND HOUSE OF COMMONS.

Mr. FOSTER moved that the House resolve itself into Committee of the Whole tomorrow to consider the following resolution :

That it is expedient to provide that for the present session of Parliament the deduction of eight dollars per day mentioned in section 26 of the Act respecting the Senate and House of Commons, Chapter 11 of the Revised Statutes shall not be made for twelve days in the case of a member who has been absent from a sitting of the House of which he is a member, or of some committee thereof, during such number of days, but that this provision shall not operate to extend the maximum amount mentioned in section 25 of the said Act, and that in the case of a member elected since the commencement of the present session it shall not apply to days prior to his election.

Motion agreed to.

THE QUEEN'S OWN RIFLES.

Mr. MULOCK. I desire to ask the Government in regard to the Queen's Own matter : If the Government is prepared to give an investigation, I wish to suggest who compose the court, shall be independent of the Government, and be those who have already had to do with the inquiry ; and, if possible, that they should be selected from officers in command of battalions outside of the immediate district in which all parties connected with the Queen's Own are particularly known. That suggestion is not mine, nor is it the suggestion of any person to the complaint one way or the other. It has been made to me by a member of the Militia force—not of the Queen's Own—who is sincerely desirous of seeing a fair inquiry, so that the verdict will be acceptable to all.

Mr. FOSTER. I will draw the attention of the Minister of Militia to the suggestion made by the hon. gentleman.

WAYS AND MEANS—MINING AND SMELTING MACHINERY.

The following resolution was read the first and second time.

Resolved, That it is expedient to amend the Act 57-58 Victoria, chapter 33, intituled : "An Act to consolidate and amend the Acts respecting the Duties of Customs" :—

By providing for an extension to July 1st, 1897, of the time which "Mining and Smelting Machinery which is at the time of its importation of a class or kind not manufactured in Canada"—as expressed in item 643 of schedule B to the said Act—may be imported into Canada free of Customs duty.

Mr. FOSTER moved for leave to introduce Bill (No. 105) to amend the Acts respecting duties of Customs.

Motion agreed to, and Bill read the first time.

BEHRING SEA CLAIMS CONVENTION.

Mr. COSTIGAN moved second reading of Bill (No. 100) respecting the Behring Sea Claims Convention.

Sir RICHARD CARTWRIGHT. We want some explanation of this.

Mr. COSTIGAN. The object of the Bill is, first, to provide for the assent of Canada to the Behring Sea Claims Convention, and, second, to provide for the powers of the commissioners to be appointed pursuant to the convention. These are the principal provisions of the Bill. I do not think any further explanation is required before we go into committee.

Mr. DAVIES (P.E.I.) Has there been any Imperial legislation passed in respect to this, by virtue of which we are acting ?

Mr. COSTIGAN. It is provided that sittings may take place at Victoria, B.C., or at San Francisco, California. Any sittings that may take place at San Francisco, legislation by the United States Congress will be necessary, and for such sittings as may take place at Victoria, this legislation is requisite.

Motion agreed to, and Bill read the second time.

Mr. FOSTER. I hope there will be no objection to going into committee at once on this Bill. It is a most important Bill. It is the culmination of a long series of negotiations which we have had, and is the sequel of the Paris tribunal award. It is necessary that provision should be made for it, and it ought to be made at once.

Mr. COSTIGAN. I move that the House resolve itself into committee.

Motion agreed to, and House resolved itself into committee.

(In the Committee.)

On section 1,

1. The convention or treaty of the eighth day of February, one thousand eight hundred and ninety-six, which is set forth in the schedule to this Act is hereby assented to.

Sir RICHARD CARTWRIGHT. I would like to have a little information as to the precise position of our claims. To the best of my recollection, about ten years have elapsed since Canadian vessels were seized on the high seas, hundreds of miles distant from shore, and Canadian seamen were thrown into prison ; and up to the present time not one copper of damages has been paid to us. I think we ought to know exactly what position these matters are in. I am aware, of course, as everybody is, that the President of the United States made a recommendation to Congress ; but I am also aware that Congress did not in any shape or way give effect to it ; and when we are acting on this matter, we ought to require, in our own interest and in the interest of our fellow-citizens in British Columbia, some satisfaction as to the indemnity to be given to them for the outrages committed upon them. Upon that point neither the British Government nor our own Government have given any satisfactory assurance that I know of. I would like to know what the hon. gentleman has to say before we assent to any more of these conventions.

Mr. COSTIGAN. I may say that a convention to arrange the terms upon which commissioners should act to settle these claims has just been terminated. Legislation is now being obtained by the United States Government to give effect to that convention. Perhaps I had better state briefly the present position of that convention, and the negotiations which have led up to the present result. After the particulars had been prepared and interchanged, the United States Government took exception to some of the claims put forward by the Canadian Government through the proper channel, and negotiations continued for some time. Recently, when the convention came before the Senate, objection was taken to several points, only two of which were considered of very serious importance by the Canadian Government. The first was the elimination from the convention of one of the paragraphs which embraced the claims of four vessels which were on the list of those that should be taken up and considered by the convention. It was claimed that they should be struck out, as not being entitled to consideration by the commissioners. Another demand was that the convention should be changed by striking out the word "actual," and replacing it by the words "legal and equitable." In order that the House may understand the significance of the change, I will read the clause :

> It shall be open to the Government of the United States if it shall think fit, to raise the question of its liability before the commissioners in any case where it shall be proved that the vessel was wholly or in part the actual property of a citizen of the United States.

It was suggested by the United States authorities that the word "actual" be replaced by the words "legal" or "equitable." To this, however, the Canadian Government found it impossible to accede, in which they were upheld by Her Majesty's Government.

These were the only two points considered material, or in which any question of principle was involved in the changes the United States suggested. Representations were made to the Imperial Government on that question, and our contention was maintained, so that no change has been made by the United States Senate in these two important particulars, considered by the Canadian Government as material. The only changes made were of minor importance, and acceptable both to Her Majesty's Government and that of Canada.

2. The commissioners appointed or to be appointed pursuant to the said convention or treaty, or pursuant to the said convention or treaty as finally ratified by the high contracting parties, shall have all such powers, rights and privileges as are vested in the Supreme Court of British Columbia or the Exchequer Court of Canada, or in any judge of either of the said courts, on the occasion of any action or proceeding, in respect of the following matters :

(i) the enforcing the attendance of witnesses, and examining them on oath, affirmation or otherwise ;

(ii) the compelling the production of documents and things ; and

(iii) the punishing persons guilty of contempt ;

and a summons signed by the commissioners, or one of them, or by the secretary of the commissioners, may be substituted for and shall be equivalent to any formal process that can be issued in any such action or proceeding for enforcing the attendance of witnesses or compelling the production of documents and things.

2. A warrant of committal to prison for the purpose of enforcing the powers conferred by this section shall be signed by the commissioners or one of them, or by such secretary, and shall specify the prison to which the offender is to be committed, and shall not authorize the imprisonment of the offender for a period exceeding three months.

Mr. DAVIES (P.E.I.) By subsection 2, you authorize the secretary to sign a warrant of committal to prison for contempt of court. The committal may be signed either by one of the commissioners or by the secretary. It seems to me that it ought to be signed by both the commissioners.

Mr. DICKEY. I can quite understand the objection to the committal being signed by only one of the commissioners, because we might conceive of a conflict of opinion between the two, but that objection does not apply to the secretary because he would necessarily only sign on the instructions of the commission. It is a mere matter of convenience, and I do not see any objection to that procedure if the commissioners choose to adopt, and I do not see why we should not give that alternative. As to the one commissioner, I see a practical difficulty, and there might be a difference of opinion. I would be willing to strike out the words "or one of them" if hon. gentlemen thought necessary. We shall have time to get the Bill through the Senate.

Mr. MILLS (Bothwell). Suppose that the American Bill, which we have not seen, provides that when a commission sits in the United States a witness residing in the United States shall be summoned upon the authority of the American commissioner. Then suppose that they are sitting in British Columbia and you propose to summon an American witness who is in Canada and you could not get the consent of the American commissioner. Your commissioners would not have practically uniform powers. The House ought to be informed as to what has been done in the United States.

Mr. DICKEY. If the hon. gentleman will look at the treaty, he will find that it must be left to the Americans to pass such legislation as they deem proper. They might make none——

Mr. MILLS (Bothwell). They might impose disabilities.

Mr. DICKEY. If they did it would be a breach of the articles. They make such provision as they think proper, and we make such provisions as we think, under our law, appropriate to the case. I do not think that it is necessary that they should be identical, because the considerations might not be identical. The only question for the committee to consider is whether these are proper conditions for our side of the line.

Mr. MILLS (Bothwell). But we are the party who want to succeed.

Mr. DICKEY. Therefore we must make our machinery as good as we can here.

Mr. DAVIES (P.E.I.) I think the hon. gentleman would do well to strike that out. Both commissioners would have to act.

Mr. DICKEY. In order to get rid of the difficulty, then, I move to strike out the words "one of them."

Amendment agreed to.

Bill, as amended, reported and read the third time and passed.

INSPECTION OF HORSES.

Mr. FOSTER moved second reading of Bill (No. 95) to amend the Animal Contagious Diseases Act.

Mr. McMULLEN. Will the hon. gentleman please give some explanation of this Bill.

Mr. FOSTER. I gave an explanation at an earlier stage, but, no doubt, the hon. gentleman was not in his place. We wish to have the power to inspect horses that are in the country and supposed to be diseased, but more particularly for the present, horses that are being exported from this country. Some cases have arisen of horses exported during the last four or five months to Liverpool, and after they had arrived there glanders were found. The Minister of Agriculture (Mr. Montague) was in London at the time and cabled to his Deputy to have all horses that are sent out from our ports inspected. Investigation of the Act showed that we had no power to inspect horses and the amendments we now propose are simply and solely to give us the power to inspect horses as well as other animals.

Motion agreed to, Bill read the second time, and House resolved itself into committee.

(In the Committee.)

Sir RICHARD CARTWRIGHT. It strikes me that these sections should be printed giving the full section with the part intended to be inserted in italics so that we may have the whole before us and understand it more clearly. This is the most unsatisfactory mode of passing legislation. Without the Act before us we cannot tell whether it means what is desired.

Mr. FOSTER. If the hon. gentleman will allow me I will make that plain. The necessity for this Act has arisen within the last few days and it has been impossible to do better.

Sir RICHARD CARTWRIGHT. But it would not have taken much trouble to put it the other way. It is a very bad style of legislation and a very bad style of draughtsmanship. Constant blunders arise, and we are put to trouble in examining the amendments in connection with the original clause. I do not know who is responsible for this but the law department, it seems to me, ought to do better.

Mr. FOSTER. The Act, chapter 69 of the Revised Statutes says:

> The expression "animals" means cattle, sheep, horses only where specially mentioned, swine, goats and all other animals of whatsoever kind.

It does not allow what we want to arrive at. It is amended by the present clause, which is perfectly plain:

> 1. Paragraph (b) of section two of "The Animal Contagious Diseases Act," chapter 69 of the Revised Statutes, is hereby repealed and the following substituted therefor:—
>
> "(b) The expression "animal" includes cattle and all other animals."

Mr. DAVIES (P.E.I.) This makes confusion worse confounded.

Mr. FOSTER. I think not. In the old clause the only limitation is as to horses, and that is removed.

Mr. MILLS (Bothwell). The proper form of amendment would be to strike out the words relating to horses in the original Act. But in the form in which this is put here, under the rule ejusdem generis it would not cover horses.

Mr. FOSTER. How is that?

Mr. MILLS (Bothwell). "Cattle and all other animals" would mean all other animals of the same class.

Mr. FOSTER. It includes cattle and all other animals.

Mr. MILLS (Bothwell). But that is all other animals of the same genus. All other animals would not embrace horses.

Mr. DAVIES (P.E.I.) In the original Act the word was plural, in this Act it is singular. In the interpretation paragraph in the original Act the word "animals" is referred to a number of times, and you put an interpretation upon it. Now, you are using the word in the singular number. "The Governor General may, from time to time, cause to be slaughtered, animals suffering from infectious or contagious diseases."

Mr. FOSTER. If we define the singular, I suppose the plural would be included.

Mr. DAVIES (P.E.I.) You are putting in an interpretation clause, you are saying a particular word means so and so. I suppose the draughtsman may have had some reason for changing it.

Mr. FOSTER. If you define the word "animal," it must carry the definition to the plural.

Mr. DAVIES (P.E.I.) You can use the word "animals" in several places throughout the Act, but it would not necessarily embrace everything the interpretation clause makes it embrace.

Mr. PATERSON (Brant). If you want to get at horses, why not use the word horses?

Mr. FOSTER. The expression is used in both Acts.

Mr. DAVIES (P.E.I.) The expression "animals" is in the original Act. Now, the expression "animal" as such is not used in that Act, it is the plural that is used.

Mr. FOSTER. I think both "animals" and "animal" are used dozens of times.

Mr. DAVIES (P.E.I.) If the Minister thinks it covers both, I am satisfied. The two expressions are not necessarily identical.

On subsection 2,

Sir RICHARD CARTWRIGHT. What is the nature of that disease, antinomycosis?

Mr. FOSTER. I do not know. It is some terrible disease which they wish to guard against.

Mr. MONTAGUE. I may say to the hon. gentleman that I am almost as much in the dark with regard to that disease, as he is himself. I only saw the Bill a moment ago, but we all know that antinomycosis is some variety of fungus disease affecting the intestines. I fancy this may be some disease affecting the skin, and which is contagious.

Mr. McGREGOR. It is usually called glanders in horses.

Mr. MONTAGUE. There is some other name for glanders. Dr. McEachern has suggested that this be put in the Bill.

Mr. McMILLAN. Is it a disease to which cattle and horses are subject ?

Mr. MONTAGUE. What does my hon. friend think ?

Mr. McMILLAN. I think it affects cattle. I would like to ask the Government if they intend to pass a law that will give any remuneration to individuals whose animals have to be slaughtered on account of these contagious diseases. I had a letter the other day from a farmer asking whether the Government paid anything for animals that had to be destroyed on account of these diseases. I would like to know what the Government's intention is with respect to this matter. This disease is generally termed "lumpy jaw." Quite a large number of animals have been affected this last year by this disease, and are going to be destroyed. A considerable number went to Montreal and were stopped. It comes to be an important matter whether a farmer is to receive any compensation for animals slaughtered on account of this disease, for it must be remembered that in other countries compensation is given.

Mr. FOSTER. The hon. gentleman is bringing up a question which will require a great deal of discussion. It is too late in the session to enter into it. I do not propose to alter the present Act. All I want is power with respect to the inspection of horses. At another session the subject to which my hon. friend has referred may be taken up. I may say, however, that we do make compensation in the cases to which he has referred.

Mr. McMULLEN. I quite agree that possibly this is not exactly the time to raise the consideration of the question brought up by my hon. friend (Mr. McMillan). But the hon. gentleman simply asked whether the Government had seriously considered the point as to making compensation. I have received a communication from a farmer in my riding who has eight steers, three or four of which have developed lump-jaw. I believe this disease is contagious, for it appears to have spread to all the animals in the same barn. It is very important that the Government should consider the question of remuneration. I will state my reasons for holding that opinion. It is impossible to tell whether the animal at first is suffering from this disease, and should be slaughtered or not. If animals are seriously affected, they are liable to be slaughtered by the owners and the carcases sold for beef, whether the disease has developed to any serious extent or not. If the disease has developed even to such an extent that the animal is unfit for food, the animal may yet be slaughtered and the carcase sold. The disease appears to be becoming very prevalent, and it is important that an announcement should be made by the Government as to the course they intend to pursue in regard to it. An effort should be made to cure the disease in its inception. No doubt if proper applications were made promptly, the animals might be cured, but farmers seem to be totally incapable of dealing with it, and ordinary veterinarians throughout the country do not seem to be very successful in removing it so as to make the animal worth anything. A Government bulletin should be issued, setting forth how the disease should be treated, and compensation should be made for animals slaughtered. It is exceedinly desirable that a clear and distinct utterance should be made by the Government on this important question.

Bill reported, and read the third time and passed.

THE DEFENCE OF THE DOMINION.

Order that the House resolve itself into committee :

To consider a certain proposed resolution to authorize the Governor in Council to raise by way of loan a sum or sums of money, not to exceed in the whole the sum of three million dollars, as may be required for the purpose of the defence of the Dominion, such loan to be raised under the provisions of that portion of chapter 29 of the Revised Statutes of Canada relating to public debt, and the raising of loans authorized by Parliament, and the interest thereon not to exceed the rate of four per cent per annum.

Sir RICHARD CARTWRIGHT. I call the hon. gentleman's attention to the fact that he cannot, except by unanimous consent, go back on the Order paper.

Mr. FOSTER. Yes, on Government orders.

Sir RICHARD CARTWRIGHT. No.

Sir CHARLES TUPPER. No doubt hon. gentlemen will give their consent.

Sir RICHARD CARTWRIGHT. I do not know about that. I think the hon. gentleman must follow the rules.

Mr. FOSTER. I have gone through the Order paper time and time again.

Sir RICHARD CARTWRIGHT. I know that practice is occasionally followed.

Mr. LAURIER. That is a very heavy item you are bringing on now.

Mr. FOSTER. Yes, but it is a very important one. I might say a word with respect to it. On the occasion, I think, of the debate on the Address, or the debate on the Budget speech, this matter was spoken of in the House. There was a very marked unanimity of feeling on both sides of the chamber, and hon. members who spoke of it, not a few, were very strongly in favour of every proper provision and even generous provision being made for the militia, and for putting the defences of the country, so far as we could, into a proper and adequate state. I think there was very little, if any, dissent from that proposition ; there were strong expressions on both sides of the House, by leading members, in favour of the proposition. On the strength of that and because the matter was urgent, the Government acted, and the Government is very desirous, indeed, that the obligations which it has undertaken, and which it has undertaken willingly, and because it was supposed to be necessary, and because of the practical unanimity of the House, should be kept. The obligation cannot be kept unless the House, before it prorogues, gives the authority which the Government requires for those expenditures, for a portion of them at least. I therefore hope this will be considered a strong reason why hon. gentlemen opposite should not, at this moment, make any objections on the technical point. Let us discuss the subject and come to a conclusion adequate to the gravity of the question.

Mr. LAURIER. There are items in the Supplementary Estimates which show appropriations to the extent of $1,000,000. We have had no information as to how this matter stands, and as to what has been done, and so on. It will be desirable to have a discussion before we take any vote.

Mr. FOSTER. I am prepared to give as full information as I possess ; but I understand that now we are discussing whether we shall take up the matter at all.

Mr. LAURIER. We can take it to-morrow.

Mr. FOSTER. Does the hon. gentleman object to take it now ?

Sir RICHARD CARTWRIGHT. The matter is of very great moment, and I know that a number of members wish to be present and discuss it.

Mr. FOSTER. There are a number here now. It is only half-past ten o'clock, and I cannot see a more proper hour to take it up. If we take it up we are willing to discuss it, and this is a matter of great interest to the country.

Sir RICHARD CARTWRIGHT. We will discuss it to-morrow.

Mr. LAURIER. To-morrow.

HARBOUR COMMISSIONERS OF MONTREAL.

House resolved itself into committee on a certain proposed resolutions (page 4254) respecting the Harbour Commissioners of Montreal.

(In the Committee.)

Sir RICHARD CARTWRIGHT. Will the hon. Minister give us some details of this transaction.

Mr. FOSTER. I will re-state the details. The proposals as outlined in this, is to advance to the Harbour Commissioners of Montreal a sum not exceeding $2,000,000. That is for two purposes. It is for the redemption of certain debentures issued by the commissioners and for the payment of certain loans and advances made to them ; and, for the construction of certain new works in the harbour of Montreal. The matter stands at the present time in this way. Under the present Act the commissioners have certain powers of borrowing. They have the power to borrow for new works to the extent of $1,000,000. They have the power to borrow for the redemption of debentures already out, which at the present time amounts to $2,711,000 ; so that their total borrowing power under the present Act amounts to $3,711,000. This proposal is to make an advance of $2,000,000. Out of that $2,000,000 they are to have the $1,000,000 for new works the same as at present. Out of the other $1,000,000, they are to redeem the debentures that are due, and these due debentures and advances that have been already made upon the works done, amount in round numbers, to the $1,000,000 or very nearly that. The debentures that are due are in part held by the Dominion Government and in part by the public, that is, those that are due, or will become due about the 1st of July. There is held by the Dominion a sum of $260,000 and $49,000 and $76,000.

Sir RICHARD CARTWRIGHT. What rate of interest ?

Mr. FOSTER. At the rate of 5 per cent. There is held by the public, and which become due about the 1st of July, $104,000. So that they have to redeem out of this advance, the $385,000 of debentures held by the Government, and $104,000 held by the public. They have also advances from the banks, for works which they have been going on with, and for which they have made no issue, to the amount of $420,000. These sums with interest make about $972,185. The proposition is then, briefly, to retire the debentures held by the Government at 5 per cent, and advance them money for the payment of those, and the payment of advances, for new works, at 3½ per cent.

Sir RICHARD CARTWRIGHT. Has the interest been paid up to date ?

Mr. FOSTER. They have always paid their interest regularly. There is no arrearage of interest due the Government.

Mr. MILLS (Bothwell). They propose to pay $395,000 indebtedness to the country, and to incur an indebtedness of $1,615,000.

Mr. FOSTER. More than that. They propose to pay off $385,000 held by the Government, and $104,000 held by the public, and they propose also to pay the overdrafts or advances for works done up to the 1st of July.

Mr. MILLS (Bothwell). But as between the Government and the Harbour Commissioners, the indebtedness for advances made, is $2,000,000, and the payment to the Government is $385,000, and there will be a further indebtedness of $1,615,000.

Sir RICHARD CARTWRIGHT. The hon. gentleman apparently is going to make considerable advances of various amounts, and he has got some considerable engagements already. From what source does he propose to advance this money ?

Mr. FOSTER. The money, of course, is not all to be advanced at once. The $1,000,000 will be on the one hand, recouped to the extent of $385,000, which they owe us at the present time. As far as I understand it, the works of improvements so far definitely decided upon, will go on at the rate of about half a million a year, I think ; so that it will extend over some length of time. If the consolidated fund revenue is not sufficient for it, it will have to be raised by loan.

Sir RICHARD CARTWRIGHT. The hon. gentleman promised to bring me down a return some time ago, containing a statement of our liabilities in that line, but it has not yet appeared.

Mr. FOSTER. I ordered the preparation of the return.

Sir RICHARD CARTWRIGHT. It was ordered by the House a good while ago, at the suggestion of the Minister of Finance, who rather demurred at supplying it to the Committee on Public Accounts. While I do not object to the present transaction particularly, it is desirable that we should know how much we require to provide in all these various ways. Here is a sum of $1,600,000, and there are a very considerable number of other items, first and last, for which money will have to be had, making in all, I suspect, probably $12,000,000 or $15,000,000.

Mr. FOSTER. Not as much as that I think.

Sir RICHARD CARTWRIGHT. I am not by any means clear about that. There is a large quantity of subsidies of various kinds, maturing due. There is a large quantity of other subsidies asked for on various accounts, and there are railways proposed to be built, and there are very heavy expenditures on our canals—we will not say much about the Chignecto Ship Canal business at this present moment.

Mr. FOSTER. You had better keep that in reserve.

Sir RICHARD CARTWRIGHT. I will keep it in reserve. There are a variety of things of this kind, and when you come to tot them all up, they amount to a very considerable sum of money. And when you are making all these arrangements, it is as well to understand when and how you are going to provide for them ; because while this is not an unreasonable arrangement, perhaps, still, the hon. gentleman does not want to be incurring liabilities which will require him to borrow the large sums of money "on call," I presume.

Mr. FOSTER. Oh, no.

Sir RICHARD CARTWRIGHT. When we pledge ourselves to these things, we ought to know definitely how the money is to be provided. Has the hon. gentleman authority at this present moment to borrow any considerable sum of money in the English market ? I am not quite sure how that matter stands, but I have some doubts myself whether the authority taken is sufficient to enable us to contract a loan of three or four million pounds sterling.

Mr. FOSTER. Perhaps my hon. friend would be better satisfied to have this explanation when he sees all that is brought down. In the Supply Bill, there is always a clause on which that particular comes up, and then I shall be glad to give my hon. friend full information. With reference to this loan, it is not necessary to say very much. All hon. gentlemen know the importance of the city of Montreal, what a great seaport it is, and this commission has always paid the interest, and the revenues seem to be increasing and to be fairly buoyant. The percentage is a little more than the money costs us, and I wish all our investments were as safe.

Sir RICHARD CARTWRIGHT. What is the total amount now loaned to the Montreal Harbour Trust ?

Mr. FOSTER. They have debentures running now to the amount of $2,711,000.

Mr. McMULLEN. What portion of that is held by the Dominion ?

Mr. FOSTER. $385,000.

Mr. McMULLEN. Is this an ordinary transaction, or is it the first of its kind ?

Mr. FOSTER. We have had transactions of the same kind. Harbour commissioners have been appointed and we have loaned money to them.

Mr. McMULLEN. What harbours have we loaned money of this kind to ?

Mr. FOSTER. I think the Quebec Harbour is an instance.

Mr. McMULLEN. Has any been loaned to the city of Toronto in this way ?

Mr. FOSTER. No.

Mr. LAURIER. I presume that there must have been some correspondence between the Government and the Harbour Commissioners of Montreal with respect to this loan before it was agreed to, and the hon. gentleman must realize that it would be quite proper to have this correspondence laid on the Table before the next stage is taken.

Mr. FOSTER. I really think there has not been much correspondence. Montreal is so close to Ottawa that on matters connected with the harbour, the commissioners generally come to Ottawa, and talk it over. But I think there are some papers, and I will bring them down.

Mr. MILLS (Bothwell). These matters ought to be matters of record.

Mr. FOSTER. That is a matter of record.

Resolution reported.

OCEAN STEAMSHIP SERVICE—FRANCE AND BELGIUM.

Resolution reported from Committee of Whole respecting ocean steamship subsidies, read the first and second time and concurred in.

Mr. IVES moved for leave to introduce Bill (No. 106) to amend the Act relating to Ocean Steamship Subsidies.

Motion agreed to, and Bill read the first time.

MONTREAL TURNPIKE TRUST.

Resolution reported from Committee of Whole respecting the Bonds of the Montreal Turnpike Trust, read the first and second times and concurred in.

Mr. FOSTER moved for leave to introduce Bill (No. 107) respecting the Bonds of the Montreal Turnpike Trust.

Motion agreed to, and Bill read the first time.

SUPPLY—SOULANGES CANAL CONTRACTS.

House resumed adjourned debate on the proposed motion of Mr. Foster :

> That Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply.

Sir RICHARD CARTWRIGHT. I may remark that this is open to the same objection. I do not want to raise it particularly. But there must be some reasonable understanding that we are not to be kept here all night.

Mr. FOSTER. I know that my hon. friend will not object to that, because there are so many interested, on his own side of the House, in speaking.

Mr. CAMPBELL. Before that motion is carried, Mr. Speaker, I want to say a few words on the subject that was brought to the attention of the House and the country by the hon. member for Queen's, P.E.I. (Mr. Davies) on Friday last. I think, Sir, that the thanks of this House and of the Dominion of Canada are due to that hon. gentleman for the clear manner in which he has presented the case to the House. There is no doubt that during the past few years we have had to discuss a good many cases of this kind. It is a lamentable fact that scarcely a single public work has been constructed in Canada in the last few years the cost of which has not largely exceeded the first estimate, and with the construction of which there has not been connected a great deal of scandal. It is needless to refer to the many public works in connection with which there has been carelessness, negligence, mismanagement or connivance with the contractors, on the part of those entrusted with the affairs of state. The public money has been wasted to a very large degree ; and I am very sorry to say that this case, which was brought forward by the hon. member for Queen's, is similar in its nature to those that have already received the attention of this House. In fact, Sir, the importance of this work can scarcely be overestimated, when we consider that about three-quarters of a million dollars of this country was very nearly wasted. It was no credit to the Government that it was not wasted ; but I hope that the publicity which has been given to this matter will prevent the Government from going any further in the course they outlined. This contract is so plain that no one could be misled as to the meaning and intention of the contracting parties. The plans and specifications were prepared by Mr. Monro, an engineer of great ability and long experience, and who had been for many years in the employ of the Government. Every precaution was taken so that both the contractor and those over him should thoroughly understand what was required and what was contracted to be done. The contract provided that only two kinds of excavation are to be paid for—the excavation of earth and solid rock, and the price for earth excavation must cover the entire cost of excavating, hauling and forming it into embankment, and all kinds of material found in the pit for locks, weirs and other purposes, and in the prism of the canal or side works wherever excavation is necessary. The contractor was to excavate this canal and convey the earth taken out of it along the canal, so as to form a bank on each side where required, and for this work he was to get 20 cents per cubic yard. Some of this earth had to be drawn a long distance, but the engineer very carefully provided that no allowance whatever beyond the prices tendered for excavation will be made for hauling. Then it is provided :

> The surplus material arising from the prism, &c, on section number 7, shall, after making up the banks on that section, be carried to widen the embankments of sections to the eastward, and the surplus on section number 6 shall be dealt with in the same manner. So that all the excavations arising from the sections embraced in the contract west of lock number 5, will be disposed of in making the embankment on each side of the summit level between stations 180 and 460.

Then it provides that this distribution of material shall be made as directed by the engineer, without entitling the contractor to any extra allowance whatever. The intention of parties tendering was specially drawn to this portion of the specifications, so that you see every precaution was taken. I do not see how anything could be plainer. Then it goes on to provide that:

> Wherever the surface level of the water in the canal is higher than the ground alongside, water-tight banks shall be made when so directed. In these cases the top soil must be removed for such width and depth as may be considered necessary to form embankment seats. The material arising from this mucking to be deposited where pointed out. It is to be paid for as ordinary earth excavation. The seats shall also be well roughed up with a plough, so as to make good bond with the first layer of earth forming the base of the embankment.

So that in this provision for water-tight banks everything necessary is provided. It further provides that:

> Only such portions of the embankment as shall be laid out by the engineer and made up in strict accordance with the foregoing specification, which will be paid for as earth in water-tight banks.

These are the principal portions of the specifications and contract that I need refer to, and it seems to me that everything is set out in the plainest possible terms, so as to avoid the possibility of mistake. What is the result ? The contractor goes to work and completes a certain portion. Then, after he is paid by the engineer according to his contract, he puts in a claim for 15 cents per cubic yard for earth which he claims went to form this water-tight embankment, but which the engineer says was not required. The earth was the surplus taken from the top of the soil and not intended to be put in the water-tight bank. Under the contract, he was to put that out of the way where the engineer directed it. The most convenient place for him to put it was to throw it behind the water-tight bank. It did not form part of the water-tight bank. As the hon. member for Lincoln (Mr. Gibson) pointed out, it might just as well have been dumped ten miles away from the water-tight bank for all the good it did. It is simply put there as a convenience and not as part of the water-tight bank. But this contractor, Goodwin, put in his claim for 15 cents per cubic yard for this waste material. Of course, the engineer in charge, Mr. Monro, treated it as a monstrous proposition and reported against it. The matter was submitted to the chief engineer of the department, Mr. Schreiber, who also reported against it. The contract was plain and clear. Every other engineer in connection with the work, Mr. Allison, the assistant to Mr. Munro; Mr. Coté and Mr. McNaughton, assistant engineers on other parts of the work, all agreed with Mr. Monro's contention, and chief engineer Schreiber's contention that the Government should not entertain this claim. This claim amounted to the sum of $210,000, but if it were allowed, all the other contractors on the canal would have come in in the same way, so that the total amount which the Government might be called upon to pay is not less than $750,000. But the contractor was not satisfied but asked the department to refer the claim to the Minister of Justice. The matter then came before the Minister of Justice, Sir John Thompson. No doubt Sir John Thompson gave to this matter the careful attention he gave to all matters connected with his duties as head of a department. I have no doubt that the contract and everything else bearing on the subject was investigated and thoroughly investigated. Sir John Thompson was a man who never did anything without doing it well. He was, indeed—and I have much pleasure in testifying to that, and other hon. gentlemen will say the same—a most admirable head of his department. He was thorough in all his actions, and no doubt when this matter was brought before his attention, he fully inquired into it, from beginning to end. No doubt he consulted with the chief engineer and the other gentlemen who had knowledge of the subject. After investigating the matter he reported against the claim, taking the same view as expressed by the engineers. Up to this time, we have every single authority reporting against the claim, as a claim without foundation. One would suppose that that would have ended the matter. But after all these men had reported against it, something still further was done. One would almost be led to conclude that the Government were actually in league with this contractor. I cannot understand how the Government would dare to bring this matter up. Unfortunately, we had a new man at the head of affairs in the Justice Department, a gentleman, as the hon. member for Albert (Mr. Weldon described him, young, impetuous, intemperate and not very skilled in the affairs of his department. Now, I wish to call attention to this curious proceeding. Now, I cannot understand how the ex-Minister of Justice (Sir Charles Hibbert Tupper) took the course he did. He had the case under consideration for a long time. He had submitted certain questions to the Railway Department, and had all the information before him, but, though he had the matter under consideration for months, he did not make a single report upon it until after he went out of office.

Sir CHARLES HIBBERT TUPPER. Will the hon. gentleman allow me to say, in reference to the act of Sir John Thompson, that the papers were not returned in my time, but they were returned in the time of Sir John Thompson, to the Department of Justice for reconsideration. After the letter of the 28th February, which, as I say, was delivered late in the summer, the papers were returned in September of the year of Sir John Thompson's death. The papers were standing in the department when I came in as Minister of Justice.

Mr. CAMPBELL. That does not make any difference. When the hon. gentleman came in, he found the papers there. He examined them, no doubt, as he ought to have done, and sent to the Railway Department for further evidence. He got all the evidence he wanted, and though he was there for seven months, he never made any report at all. On 5th January he bolted, went out of office, he resigned his office as Minister of Justice, he was no longer a member of the Government at all, he had no more authority than any private member of this House. But during all that time there was a gentleman filling the position of Minister of Justice; the hon. Minister of the Interior, I believe, was acting Minister of Justice. He was in charge of that department, he was responsible to the people of this country, he was administering the affairs of that department, and the late Minister of Justice, the present member for Pictou (Sir Charles Hibbert Tupper) had no authority, or no control over that department in any way. On 15th January the present Minister of Justice was appointed, and he was then the responsible head of that department. Now, what happened ? Strange to say, the late Minister of Justice, the member for Pictou, although he was not a member of the Government, although he had no control over that department, he went to the Justice Department and instructed the secretary of that department to write to the Minister of Railways the following letter :—

> Sir,—Referring to your letter of 4th October last inclosing additional correspondence, and the report of your chief engineer with regard to contractor Goodwin's claim as to payments of construction of water-tight embankments on the Soulanges Canal, I have the honour to state that Sir Charles Hibbert Tupper, while Minister of Justice, gave the matter very careful consideration, and heard Mr. Goodwin in support of his claim. The Minister came to the conclusion that the claim was one which should be allowed by your department, but he resigned his office before the advice could be communicated to you. He desired me, however, to inform you that he had reached the conclusion which I have stated.

Now, if the late Minister of Justice had arrived at that conclusion, why did he not take action while he was in charge of that department ? Why did he wait until after another man had been appointed ? What business had he to go to the Justice Department when there was another man there responsible for it ? The present Minister of the Interior was acting as Minister of Justice, he had charge of those papers, he was responsible to the people of this country, he was administering the affairs of that department, and yet here is a private member of Parliament who has the audacity to go to the Justice Department and tell the secretary that he, forsooth, had arrived at a certain conclusion when he was Minister of Justice, but he had not the manliness while Minister of Justice to send that report to the Department of Railways. But he said to the secretary : I have arrived at that conclusion, I want you to send that report to the Minister of Railways and Canals. Sir, I never heard of a more outrageous proceeding in my life. I think the Minister of Justice had no business whatever to go there.

Sir CHARLES HIBBERT TUPPER. Will the hon. gentleman allow me ?

Mr. CAMPBELL. No, just wait till I get through.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman is using very hard terms and I would like to explain——

Mr. CAMPBELL. You just wait till I get through. I say that the hon. gentleman had no business whatever to go there and instruct the secretary to write that letter. I say, Mr. Speaker, that the secretary of that department had no right whatever to yield to his request. What business had he to write, at the dictation of a private member of this House, a letter to the Department of Railways that he, forsooth, had arrived at a certain conclusion when he was Minister of Justice ? Did the secretary of that department ask the then Minister of Justice, about this. No, he did not ; then he ought to be dismissed. I blame the member for Pictou, in the first place, I say he did a wrong act, that he had no business whatever, that he had no authority to do what he did ; it was a thing that should not be tolerated at all for a private member to go there and instruct the secretary to write such a letter.

Sir CHARLES HIBBERT TUPPER. Will the hon. gentleman allow me——

Mr. CAMPBELL. What do you want to say ?

Sir CHARLES HIBBERT TUPPER. The hon. gentleman is using strong adjectives——

Mr. CAMPBELL. Well, this is a strong case.

Sir CHARLES HIBBERT TUPPER—and that is my reason for interrupting him, because I think he does not want me to be placed in an unduly unfair position. He has asked questions directed largely to me. I may not have made myself clear when I stated my position in the House the other night, but I would like to answer the hon. gentleman's question with regard to my action after I had ceased to be Minister of Justice. My action, Mr. Speaker, amounted to this, that having reached a decision when I was Minister of Justice, my Deputy knowing that I had reached a decision, I submit that I took no liberty in reminding the Deputy Minister that I had dealt with that matter before I left office, and in suggesting to him that he should communicate that decision, which was the only decision of mine that had been reached and not communicated to the department, while I was Minister of Justice. I wished to remind him of a fact that in the discharge of my duty as head of that department, as he well knew, I had reached a decision, whether right or wrong,— and that, of course, is a question for discussion. But I think the hon. gentleman presses the point rather unfairly in regard to me, suggesting that this matter should be cleared off the slate, so to speak. I may say that if I were in the same position again, I would do precisely the same thing. I asked the secretary simply to state the fact that while I was Minister of Justice, and being the responisble head, I had reached a certain decision, and I think he was perfectly right in stating the fact.

Mr. CAMPBELL. Well, I do not think the hon. member for Pictou has made his position any better. He says he arrived at this conclusion when he was Minister of Justice. Then why did you not put it in writing and sign it yourself ?

Sir CHARLES HIBBERT TUPPER. I am asked a question, and I am ready to answer it.

Mr. CAMPBELL. Wait till I get through, and then you may answer it.

Sir CHARLES HIBBERT TUPPER. I wish to say, Mr. Speaker, in answer to the hon. gentleman, that it is the practice when a Minister of Justice puts his opinions in writing and signs his name to it, that the Deputy conveys the opinion of the Minister of Justice to the department. He signs the opinion which he submits to the Minister for his decision.

Mr. CAMPBELL. The point is this : The hon. gentleman says he arrived at that decision while he was Minister of Justice ; then it was his bounden duty to communicate it while he was Minister of Justice.

Sir CHARLES HIBBERT TUPPER. That is the point I wish to explain.

Mr. CAMPBELL. Mr. Speaker, I appeal to you, I cannot allow these interruptions.

Sir CHARLES HIBBERT TUPPER. Then don't ask me any more questions.

Mr. CAMPBELL. I say it was his bounden duty while Minister of Justice to communicate that opinion, and not wait until he had ceased to be a member of the Government at all, and until another man was in charge of that department. I want to know if he consulted the Minister of Justice before he ordered that letter written ? What right had he to go into the department while there was a Minister of Justice there ? because there was a Minister of Justice all this time, the office was never vacant. Whether he was permanent or whether he was acting Minister of Justice, does not make any difference, he was responsible to this House and the country for the discharge of those duties. But the hon. member for Pictou went in there deliberately, after he had ceased to be a member of the Government at all, and I suppose, in the absence of the Minister of Justice. I suppose he went in there while the Minister of Justice was away, and in that side way he told the secretary that he had arrived at this conclusion while he was Minister of Justice. That is a most reprehensible practice. The hon. member for Pictou did an injustice to his late colleagues. He did what no man should do, he did what he had no right to do, and the Deputy Minister of Justice had no authority to write that letter, and he subjected himself to immediate dismissal and he should be dismissed. Suppose I went into a department and told the Deputy Minister to write a letter giving instructions, what would be thought of my action ? The hon. member for Pictou was only a private member and he should at least have consulted the Minister of Justice, because the hon. gentleman was only a private member, however prominent he might be. We blame the member for Pictou for doing what he should never have done, and we also blame the Deputy Minister of Justice for acting without authority, for acting beyond his power, for writing a letter which he never should have written, and for which he will be held responsible by the House and the country. It is most strange, taking the course of the hon. gentleman right through, that any Minister sworn to look after the public interest and to protect the treasury should have acted as did the Minister of Railways, for no sooner was this scrap of a letter sent to the Railway Department than the Minister, without any delay, sought to have the matter adjusted. He sent post haste for new measurements, he instructed the officers of the department to prepare new estimates, and to send them right over to the Auditor General for payment. Did any hon. gentleman ever hear of a more outrageous decision than that ? The Minister of Railways on this opinion given by a private member who had ceased to hold any position in the Government and was not responsible to any one except his constituents, undertook to deal with this matter involving $750,000 on that scrap of paper, and advised payment by the Auditor General. I leave it to any business man to decide whether he ever heard of a more outrageous decision. One would naturally think that when that letter arrived at the Railway Department from an hon. gentleman who was not a member of the Cabinet, but only a private member of the House, any business man seeking to guard the rights and privileges of the people would hesitate and ask himself, who is the man who sent this letter ? It is the ex-Minister of Justice. But he is not a member of the Government—he is not Minister of Justice. There is a Minister of Justice. Why then did not the Minister of Justice sign that letter ? I did not ask the member for Pictou for an opinion ; I did not refer the paper to that hon. gentleman ; he had no right to order the Deputy Minister of Justice to write such a letter. Those are questions that would naturally arise, and if any man was careful of the interests of the people and considered from whom the letter emanated, and that its author was only a private member of the House, he would not have acted upon it. More especially when every engineer had reported against the claim, when Sir John Thompson had reported against it, one would naturally suppose the Minister would further investigate the matter. But so anxious was he that his good friend Mr. Goodwin should receive about $210,000 and that the other contractors should get their boodle out of it, he immediately sent orders to the engineers to have new estimates prepared, and ordered payment of the whole sum. I cannot conceive of any more scandalous transaction in the history of the country. This same practice to a less extent has prevailed for years. There has not been a single public work constructed in which similar transactions have not gone on, and as the Government get older they get bolder, and the transactions are getting more flagrant and the Ministers are taking greater risks, until now they are prepared to pass through almost any proposition. The Minister of Railways was anxious to ascertain some loop-hole to enable him to pay extra money. The matter was referred to Sir John Thompson, but he would not agree ; and it was only when the hon. member for Pictou assumed control of office that the matter was considered favourably. But that hon. gentleman, when a Minister of the Crown, did not dare to make a report favourable to this claim, and it was only after he had ceased to be responsible as a Minister and became simply a private member that he proceeded to the department, where he had no right to go officially, and instructed the secretary or Deputy Minister to write a letter, to be sent without consulting the Minister of Justice at that time. In regard to this claim, both the late Minister of Justice and the present Minister of Railways and Canals are very much to blame. I can scarcely imagine whatever induced the Minister of Railways, on that scrap of paper, unsigned by any member of the Government, not authorized by any member of the Government, unauthorized by the Minister of Justice of the time, and only authorized by a private member of the House, to instruct that on such order payment of this claim should be made. What had the Minister of Railways to say in reply ? He excused himself by stating : I never saw that letter, my duties were simply ministerial ; I never saw the contract nor the estimates, and I do not know anything about them ; all these matters are left to my chief engineer. The same excuse was put forward in the case of the Curran Bridge, where $200,000 of the public money was stolen, but the hon. Minister did not know what was going on. The people of the country will, however, hold him responsible. If he did not know it, it was his bounden duty to know, and for knowing he is paid $8,000 a year. We do not pay the hon. gentleman to act as a figurehead, but we expect him to take charge of the department and exercise good judgment, and it is no excuse for him to say that he did not see this letter on which the money was ordered to be paid. The hon. member for Queen's (Mr. Davies) has done great service in bringing forward this subject, and I trust the discussion will be the means of preventing such scandalous transactions in the future. The whole thing seems to me most absurd. The thanks of this country are due to the Auditor General. If it had not been for the Auditor General, watchful, careful, vigilant as he is, guarding the interests of the people of this country, anxious to preserve those interests ; that watchful, careful, shrewd intelligent man, when these estimates came in, he saw at once that they were irregular. He did not do like the Minister of Railways. He did not profess to be ignorant of the whole transaction. He did not pay out the money. He did his duty. He saw the people of the country were being swindled out of three-quarters of a million dollars, and he immediately referred the matter to a former Deputy Minister of Justice, Mr. Lash, of Toronto ; and Mr. Lash at once agreed entirely with all the engineers, and with the late Minister of Justice (Sir John Thompson), and on his report the Auditor General refused payment of this claim. Before this debate closes, the Government should assure the House that on no consideration will this money be paid until they are forced to pay it by a court of law. For my part, I think the ex-Minister of Justice (Sir Charles Hibbert Tupper) greatly erred in the course which he took. I believe also that the Minister of Railways should receive the censure of this House for the almost indecent haste, and the flimsy pretext upon which he ordered the payment of this money. I am glad that the money has not been paid, thanks to the Auditor General, and before the debate closes I think that the Government should assure us that none of it will be paid until it is so decided by the Exchequer Court.

Mr. McMULLEN. I have listened with great attention to the discussion on this important matter. In my humble opinion, the ex-Minister of Justice (Sir Charles Hibbert Tupper) acted with a great deal of haste and with a great imprudence, which is very sad to behold in one who occupied so high an office. After carefully summing up the several provisions of the contract, I cannot for the life of me understand how the hon. gentleman (Sir Charles Hibbert Tupper) ever came to the conclusions he did. Applying ordinary common sense to the interpretation of the clauses of the contract, I do not know how he thought it his duty to recommend that the work claimed by Mr. Goodwin should be paid for as water-tight embankment. Clause 2 says :

> No allowance whatever beyond the prices tenderd for excavation will be made for haul. The surplus material arising from the prism, &c., on section 7, shall, after making up the banks on that section, be carried forward to widen the embankments of sections to the eastward ; and the surplus on section 6, shall be dealt with in the same manner, so that all the excavation arising from the sections embraced in this contract west of lock No. 5, will be disposed of in making the embankments on each side of the summit level between stations 180 and 460 ; filling around the various structures, &c. This distribution of material to be made as will be directed by the engineer without entitling the contractor to any extra allowance whatever.

This clause fully disposes of the whole question of hauling and delivering this stuff, wherever the engineer directed it. And, when this contract was advertised, the second part of this clause was as follows :—

> The attention of parties tendering is especially drawn to this section of the specification.

It evidently was the intention of the department to press upon the consideration of the tenderers the clause that I have just read, for the purpose of indicating to them very clearly and very distinctly what they would be required to do in the matter of the delivery of the stuff excavated out of the canal. Then we come to another section, and it reads as follows :—

> 11. Water-tight Banks.—Wherever the surface level of the water in the canal is higher than the ground alongside, water-tight banks shall be made when so directed. In these cases the top soil must be removed, for such width and depth as may be considered necessary, to form the embankment seats. The material arising from this mucking to be deposited where pointed out. It will be paid for as ordinary earth excavation. The seats shall also be well roughed up with a plough so as to make good bond with the first layer of earth forming the base of the embankment. Puddle walls or cut-offs to be made where required—the puddle to be prepared and laid as specified hereafter.

Then the next clause says :

> When the bank seats are properly prepared, inspected and approved—and not till then—the bank shall be carried up in layers, of selected material, of about eight inches in thickness, well spread, the lumps broken, watered, trodden down or otherwise.

I wonder, Mr. Speaker, who was in the best position to judge what were "water-tight banks," under the meaning of that clause. Was it the Minister of Justice, or was it not rather the chief engineer, the engineer in charge, and the engineer on the work ; the staff is composed of engineers of over thirty years' experience in the construction of canals. They said that they were not water-tight banks and could not be considered as such under the specifications. But, in the face of all that, the Minister of Justice (Sir Charles Hibbert Tupper) overrides the views of these engineers and his distinguished predecessor (Sir John Thompson), who was at one time Premier of this Dominion, and who as a rule discharged the duties of Minister of Justice with acknowledged ability. The hon. member for Pictou (Sir Charles Hibbert Tupper) ruled to the contrary, in the face of the clearly expressed opinion of his predecessor and the entire staff of engineers, when every single official, when every engineer on the canal, when the chief of the Railway Department, an engineer of extended experience ; when Mr. Monro, an acknowledged authority, a man of undoubted experience, and a man whose career had been such as should have awed the Minister of Justice before he set aside his opinion with regard to this matter, when all these gentlemen said they were not water-tight banks. In the face of all that, the hon. gentleman (Sir Charles Hibbert Tupper) set aside these opinions, and made a ruling directly opposite to that made by Sir John Thompson. I have no desire, Sir, to charge that the hon. gentleman (Sir Charles Hibbert Tupper) did it for an improper purpose. I do not know what his object may have been, but as a young man, as an inexperienced barrister, as a man who had never earned his spurs at the bar, as a man who had never distinguished himself in an important lawsuit, as a man who was taken into the Department of Justice as a stripling you might say ; he assumed very serious responsibility when he overrode the views held by engineers of eminent standing, great experience and high character. He overrides the views expressed by his chief engineer ; and against all that evidence he declares that Mr. Goodwin is entitled to be paid for water-tight banks, which the engineers say are not water-tight banks. Who is to judge ? Let us read this clause again :

> When the bank seats are properly prepared, inspected and approved—and not till then—the banks shall be carried up in layers of selected material of about eight inches in thickness, well spread—the lumps broken—watered—trodden down, or otherwise compacted, and carefully shaped to the heights and slopes given by the engineer.

The engineer in charge of this work declares that these are not water-tight banks, under the contract ; and the Minister of Justice, in the face of that declaration, says : "Although you are an engineer of thirty years' standing, and although you have all the engineers of the department on your side, I maintain that you are all wrong, and that my opinion should override your opinion and the opinion of every engineer in the department." It is an amazing piece of responsibility for a young man to take, to give a decision of that kind, and the manner in which it was given was, in my opinion, exceedingly imprudent. The ex-Minister of Justice retired from office without giving this decision to his deputy before he did retire. He had given expression to an opinion, and he wished it to be confirmed, and he does not hesitate to express that wish. A few days ago, the Secretary of State, in trying to defend the excessive expenditures on public works in Canada, pointed to the fact that the Manchester Canal had cost a great deal more than the original estimate. While I think he said it was estimated to cost £1,000,000, it had eventually cost £15,000,000. Did the hon. gentleman mean to lead the House to suppose that this increased cost was owing to any extras being granted to the contractor from time to time? Not at all. If the hon. Secretary of State had posted himself with regard to the causes of the increased cost of the Manchester Canal, he never would have risen to make the statement he did. Now, what was the cause of the increased cost of that canal? The first estimated cost of the work was £5,870,000 sterling. The estimated output of material was 45,976,950 cubic yards; but, owing to various unforeseen and unfortunate occurrences from time to time, the company were subjected to enorcous expenses. In the first place, they had to fight the whole city of Liverpool. The harbour board of that powerful city opposed the location of the canal, and the company had to go before Parliament three times for amendments to their charter. After they did get their charter and let the contract, the contractor, after he had gone a considerable length with his contract, unfortunately died. The result was that the company had to go to arbitration, which lasted over a year, to get a settlement of all the claims of the recent contractor, which cost them a great deal of money and delay. In the meantime, the cost of labour and material had risen over 20 per cent. Then, owing to floods, washouts, and other unforeseen occurrences, they had to move an increased amount of material to the extent of 7,936,000 cubic yards. Of that they could have no possible notice or form any idea, because it was caused by the overflow of the Mersey, and other streams. The original width of the canal, 120 feet, was increased to 170 feet, to allow ocean-going steamers to pass each other. Then they were compelled to build a canal two or three miles alongside the Mersey, in order to prevent the sewage from the cities above flowing in and seriously interfering with the depth of the harbour of Liverpool. All these things together added enormously to the cost of the work, and brought it up to what it eventually turned out to be. But was any sum added for the purpose of granting to any contractor one pound in addition to what he was entitled to under his contract? Nothing whatever. There was no litigation at all with regard to extra charges. The contracts were completed and the cost would have been very much lower than it was, had it not been for the enormous cost to which the company were put by the persistent, enduring opposition of Liverpool. This is the explanation of the increased cost of that gigantic undertaking. But the hon. Secretary of State, in order to divert attention from the charges made against the Government of extravagance in connection with Government works, says, "Oh, look at the Manchester Canal." Its original estimate was but a small sum, but before it was finished it cost fifteen million pounds sterling. I have the explanation of this before me in the "Nineteenth Century Review," in which the whole history is given, and according to which the hon. Secretary of State (Sir Charles Tupper) was not justified at all in using the Manchester Canal as an example. But "any port in a storm" for the Secretary of State when he or his party is in a tight place. I do hope that for the well-being of this country in the future, no Minister of Justice will ever again undertake to override the opinion of the chief engineer and officers of his department. I hope that never again will Parliament have the exhibition which we have in this case of a young man, an inexperienced lawyer undertaking to overrule the opinions of all the engineers and of his predecessor, who was a man of great ability and whose views he should not have set aside without greater consideration.

Mr. LISTER moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

Mr. FOSTER moved the adjournment of the House.

Motion agreed to, and House adjourned at 12.05 a.m. (Tuesday).

HOUSE OF COMMONS.

TUESDAY, 21st April, 1896.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

ELECTORAL LISTS, VICTORIA, B.C.

Mr. PRIOR moved for leave to introduce Bill (No. 108) to make special provision with respect to the election to be held in the electoral district of Victoria, B.C., at the next general election.

Motion agreed to, and Bill read the first time.

Mr. PRIOR moved the second reading of said Bill.

Some hon. **MEMBERS.** Explain.

Mr. PRIOR. This Bill is for the purpose of removing a grievance that exists in the electoral district of Victoria. When the last lists were made up, the revising officer only allowed one polling place in Victoria district proper, in which there are 1,039 voters. In Esquimalt, a portion of said electoral district, he only allowed one polling place for 850 voters. So it was perfectly impossible to get all the votes polled at the last election. This Bill is simply to give power to the returning officer to create sufficient polling places in accordance with the Act, that is to allow every 200 voters to have a polling place.

Mr. EDGAR. I think I saw it stated in the press that this Bill was in the right direction, but did not go far enough. Does it cover all the polling places in the hon. gentleman's district which are too crowded, or not.

Mr. PRIOR. In reply to the hon. gentleman, I beg to say that the Bill goes far enough, so far as I know. It covers the district. In the city the returning officer allowed too many voters for the polling places, but under the statute as it now stands the returning officer has power to divide them up alphabetically ; so no legislation is required for that purpose.

Mr. CASEY. A Bill of this kind affecting the representation of the people should be introduced into this House and not in the Senate, and it should not go further than the first reading at the present time. At all events it should not go to a second reading until it has been printed.

Mr. PRIOR. The Bill does not alter representation ; it makes no difference to the extent of one vote. No names are added to the voters' list, nor are any taken away. It simply redistributes them in a more convenient manner, and according to the Act. If the hon. gentleman wants to see the Act, I can show it to him ; but I ask the House to pass this Bill, as it will be of great advantage to the electors in the district.

Mr. CASEY. I object to more than the second reading being taken.

Mr. PRIOR. We can take the Bill into consideration in committee to-morrow.

Mr. MARTIN. I support the objection taken by the member for West Elgin (Mr. Casey), that a Bill of this kind should not originate in the Senate, especially when its purpose is to change the law with respect to the House of Commons. It seems to me that the mode of procedure followed should be resented by this House, and that when the Controller of Inland Revenue comes here and attempts to railroad a Bill of this kind through the House, we are bound to have an opportunity of seeing it in print. The hon. gentleman showed the Bill to me and I had glanced over it, but I had not time to read it. He is now pressing it too far, and he is asking this House to put it through without any chance being given for discussion.

Mr. PRIOR. The House can consider the Bill in committee to-morrow, and in the meantime hon. members can have the opportunity of looking it over.

Mr. MARTIN. It should be printed, so hon. members might have an opportunity of knowing something about it and considering it. The hon. gentleman has not taken the proper way to get his Bill through. It cannot go through without the consent of the Opposition, and if he attempts to put it through in this headstrong manner, it will not be assented to by the Opposition, and I will not assent to it. I cannot say at the present moment whether the Bill is a fair one or not. Surely the House should have an opportunity of looking over it and knowing something about it before it passes the second reading. If it is now understood to be before the House on discussion of the second reading, I want to discuss it. At the outset, I wish to point out that the Bill as introduced into the Senate is quite different from the Bill now before the House. The original Bill has been cut up and almost entirely changed. I am not sure what the rule is, but I ask you, Mr. Speaker, if the Bill can be proceeded with on a motion for its second reading unless by unanimous consent. If such is the case, I object to the second reading.

Mr. SPEAKER. The House can pass a Bill through two stages if it so desires.

Mr. MULOCK. Without the Bill being printed ?

Mr. SPEAKER. The hon. gentleman cannot now object to the motion that the Bill be read the second time, for the House has already ordered the motion for the second reading to be considered, but the hon. gentleman can divide the House on the second reading. The question now is whether the Bill shall be read the second time.

Mr. CASEY. Can a Bill be read the first and second time at the same sitting ?

Mr. SPEAKER. Yes, if the House agrees ; and the House has so ordered. The House has ordered that this Bill be now read the second time.

Mr. CASEY. By what rule ?

Mr. SPEAKER. The hon. gentleman has not been attending to what has been going on in the House.

Mr. MARTIN. I suppose the motion is now open for discussion, and I will attempt to discuss the Bill although under great disadvantage. I do not know what the nature of the Bill is.

Mr. MULOCK. Where is the Bill ?

Mr. MARTIN. This is a Bill to gerrymander the city of Victoria in a special way.

Mr. PRIOR. You do not understand it.

Mr. MARTIN. Probably not ; but I say the hon. gentleman has no right to attempt to railroad this Bill through the House before hon. members understand its provisions. The hon. gentleman took advantage of my absence to push the Bill through and to get it read the second time.

Mr. PRIOR. At ten minutes to three I spoke to the hon. gentleman in his seat. I let him read the Bill over, and I asked him, if he had no objection, to allow it to pass, as it was equally fair to his friends and to mine ; that it did not put any names on the list or take any names off, but it only gave to voters the right they have according to the law. Instead of taking advantage of the hon. gentleman, I waited until the proper time arrived, and when motions were called I moved the first reading of the Bill, and if the hon. gentleman was not in his seat at the time it was his fault, not mine.

Mr. MARTIN. I had no idea that the hon. gentleman was going to endeavour to rush the Bill through, without giving an opportunity for full discussion. I did not know that the Bill was on the Order paper. Surely this is the proper time to discuss it, although it is very difficult under the circumstances to consider it on the motion for the second reading. I understand it to be a gerrymander, as the hon. gentleman said it was. It is an attempt to gerrymander the city of Victoria, and it is an outrage to bring it in at this late period of the session. I did not think the Controller of Inland Revenue would be guilty of such a thing. He asked me to consent to the Bill, and I asked him time to look into it, and in my absence, while I was doing that, the hon. gentleman called the order for the second reading. If I had known he was going to do that I would have been in my seat.

Mr. PRIOR. If I had not introduced the Bill when motions were called, I could not have brought it in at all to-day. I gave the hon. gentleman notice, and I brought in the Bill at the proper time.

Mr. MARTIN. The hon. gentleman did not give me notice.

Mr. LAURIER. The hon. gentleman (Mr. Prior) asked to have it read the second time, and as I thought there was no objection to it, I did not oppose that request.

Mr. MARTIN. I have before me a copy of this Bill as it was introduced in the Senate. It appears from the first section that we are asked to revise the work of the revising officer of the city of Victoria. How can we do that without the voters' list being before us? It is the most absurd proposition that has ever been presented to this House. The hon. gentleman comes here with the proposition that the city of Victoria is divided in an absurd way, but if so, it has been done by the returning officer whom he appointed himself. If he did not appoint him, the other member for Victoria (Mr. Earle) recommended him. And let me ask, is there not a man in the city of Victoria of sufficient intelligence to make a proper voters' list under the Franchise Act, without obliging Parliament to fix it up for him ? Parliament has no time to spare in patching up lists like this. There is too much important business to be done here. The hon. gentleman was a party to passing the Franchise Act through this House, and he is now attempting to railroad this Bill through in the same way as they tried to railroad through the Franchise Act, in 1885. Now, I am very much at a loss to know why polling division No 11 has to be divided into five or six polling divisions. Why did it require an Act of Parliament to alter polling division No. 11, and why is it not necessary to alter polling division No. 5, or any other polling division in the city ? Has the hon. gentleman (Mr. Prior) some sinister motive in dividing up division No. 11 ? If there are too many votes in division No. 11, there are altogether too few votes in division No. 12, and why does he not rearrange those two divisions without creating five new divisions at an extra cost to the country ? I understand that many of these polling divisions in the city of Victoria have five or six hundred names upon the voters' lists for each division. If we are going into the patching-up business, let us do it fairly, and the only way we can do it fairly is to have the voters' list before us. How are we going to make a new list if we have not the old list before us ? How is it that No. 11 is picked out ? Why do you not fix up No. 12 ? By section 2 of the Bill the hon. gentleman proposes to provide that these hived polling subdivisions shall be made, and the names placed thereon when it appears that (a) their residence is stated in the last-mentioned list, or (b)——

Mr. SPEAKER. The hon. member is going on to violate the rule which I pointed out to him before. He cannot, on the second reading of a Bill, take up the clauses separately, and discuss them separately.

Mr. MARTIN. Well, Mr. Speaker, I will attempt to avoid breaking the rule in that respect, and will discuss the general principle of the gerrymander involved in this Bill. Now, I am opposed to a gerrymander. I think it is very improper legislation. If it is wrong to gerrymander the different constituencies, surely it is wrong to gerrymander one of them. I know that the hon. gentleman is hard pressed in Victoria. I know that he came nearly being defeated in a by-election three months ago, and I do not wonder that in his extremity he comes here and tries to fix up the constituency in some shape to make his election sure. I do not blame him : but I think the Opposition would be very wanting in their duty if they allowed him to railroad this Bill through the House for the purpose of gerrymandering the polling subdivisions in Victoria, in order that he may by that means get elected when he knows that he cannot get elected in any other way. In 1891, on an old voters' list made away back in 1889, the hon. gentleman had a majority of 600. Since that time there has been a revision of the list, and there are double the number of names on it that there were in 1891.

Mr. FOSTER. Will the hon. gentleman allow me one word. It will not take from his time. The hon. gentleman is opposed, I think, to this Bill, and desires that it shall not be railroaded through the House. The Bill comes from the Senate, and is now before us for its second reading. We will not ask the House to go into committee upon it until to-morrow, when the hon. gentleman will have ample time to see what the Bill is, and to oppose it if he thinks necessary. By speaking against the second reading now, the hon. gentleman blocks all the business of the House, and I ask him whether he thinks that is well at this stage of the session.

Mr. MARTIN. The hon. gentleman knows that advantage was taken of my absence to propose the second reading. I was not here to object, which was entirely due to a request from the hon. member for Victoria (Mr. Prior) himself, because I was prepared to stay in my seat and watch this Bill, and object to it when it came up.

Mr. LAURIER. I appeal to the leader of the House that, as there was a misunderstanding in regard to the second reading of the Bill, whether the debate had not better be adjourned until to-morrow.

Mr. FOSTER. There was not a misunderstanding.

Mr. LAURIER. Yes. The hon. member for Winnipeg says that if he had been here when the second reading of the Bill was proposed to-day, he would have objected ; and as the second reading was moved, I took it for granted as a simple matter of course that there was no objection, and agreed to the second reading. The hon. gentleman knows that there was a misunderstanding, and under the circumstances I think the Bill had better be postponed until to-morrow.

Mr. FOSTER. I think the hon. gentleman will not insist on that. The hon. member who introduced the Bill from the Senate gave notice to the hon. member for Winnipeg that he was going to introduce it. The only thing the hon. member for Winnipeg objects to, I understand, is to the Bill being railroaded through the House without discussion. We will not ask for the committee stage until to-morrow. The hon. gentleman must recollect that we are within two days of the prorogation of the House, and I do not think it is too much to ask that the hon. member for Winnipeg shall forego his right to a long discussion to-day. He has the right to it, of course, but he will have ample opportunity to oppose the Bill, if he wishes, on the committee stage, and afterwards on the third reading of the Bill. No power on earth can put the Bill through this House against the endurance of the hon. member for Winnipeg, if he chooses, even if he allows the second reading to pass. I commend that position to my hon. friend.

Mr. MARTIN. Hon. gentlemen opposite hold me down to the strictest law, calling me to order the moment I appear to be getting out of order, and then they appeal to me to allow them to break the law. I do not think that they approach this thing in a very reasonable spirit. I say this Bill is now up for a second reading, directly in the teeth of the suggestion made to me by the hon. member for Victoria. I say I would not have been out of this House, but I would have been here prepared to object, as I had a right to object, to the second reading being taken, had not the hon. gentleman come to me ten minutes before the House met and asked me if I could not consent to it. I said I would look up my information and see whether I could do so or not : and while I was away looking into the matter, at the request of the hon. gentleman, the hon. gentleman takes advantage of my absence and gets the Bill called for the second reading. I say I have a right to protest against that kind of conduct, and I do protest against it most strenuously. I am very sorry if it obstructs the rest of the business ; but that is not my fault. If the Government insist on pressing for the second reading of the Bill under circumstances of this kind, then it is they who must take the responsibility of obstructing the business of the House, and not I. I have now to do by discussion what I had a right to do, and would have done, simply by getting up and objecting, had it not been for the advantage that was taken of me by the Controller of Inland Revenue, by getting me out of the House in order to put through the Bill while I was away.

Mr. PRIOR. The hon. gentleman has no right to say that. He is only telling an untruth.

An hon. MEMBER. Order.

Mr. MARTIN. I think it is perfectly true. The hon. gentleman came to me and asked me if I would consent to this Bill being read a second time to-day, and I went to see whether I could or not, and while I was away the hon. gentleman takes advantage of my absence, knowing that I was away for that purpose, and proposes the second reading of the Bill. Under these circumstances, I do not think the observations of the second lieutenant leader of the House are at all justified. If the Government are bound to obstruct all the business of the House for the purpose of enabling the Controller of Inland Revenue to carry out the purpose he had apparently in coming over to speak to me, it is not my fault. I have a right to protest against conduct of that kind, and I do protest against it most strenuously. Now, returning to the Bill, I say that I am very much opposed to gerrymander. I believe that this is clearly, as far as one can understand it by the Bill as introduced in the Senate, a proposition to gerrymander the city of Victoria, presumably in the interests of the hon. Controller of Inland Revenue (Mr. Prior). It proposes to take out one polling division and to cut that up into five pieces.

Mr. PRIOR. That is not so.

Mr. MARTIN. I must object to that. I do know that it is so because here is the Bill.

Mr. PRIOR. The hon. gentleman has got a copy of the Bill which was printed before the amendments of the Senate were made.

Mr. MARTIN. Has anybody in the House got any more ? The hon. gentleman is proposing to railroad through the House a Bill and none of us know what it is. What I have before me is a proposition to gerrymander and cut into five pieces one particular polling division in the city of Victoria, B.C. Now, I know that the hon. gentleman was very much disappointed in that polling division in his recent election. He expected a very large majority in that polling division and he did not get it. I have not the exact figures, but I know that the hon. gentleman did not get anything like as large a majority in polling division No. 11 as he thought his great merits, as the sitting member for Victoria and his elevation, in a second-class manner, into the Cabinet of Canada, entitled him to receive from the electors in that polling division. I am informed that there were only 298 votes polled in this polling division No. 11. Now, why should that be cut up into five divisions ? That would only give forty in each division. Surely the House is not going to adopt the principle of going to the expense of a deputy returning officer and a poll clerk, and all other expenses of a polling subdivision in order that the hon. gentleman may have forty votes polled in the one place. Why, in many of the electoral divisions at an election there are as many as 300 voters. This is not the only place in Canada where 298 votes have been polled in the one subdivision. I would like to know why the Government do not take up all the voters' lists in Canada. The Government recently issued an atlas showing the different electoral divisions and the polling divisions. Now, if we are to go into the business of revising these polling subdivisions, I protest against doing it in this piecemeal way. Let us go into Committee of the Whole and get all the voters' lists before us and find out every polling subdivision in which 298 votes or more are polled, and divide that into not less than five pieces, especially if that is going to benefit the Controller of Inland Revenue in the extreme position in which he finds himself in with regard to the electors of Victoria. If the hon. gentleman desires really to remedy anything that is wrong, he would have introduced this Bill in the regular way early in the session, he would have put his notice on the Notice paper, and given us an opportunity of knowing what we were going to do. Instead of that, what does he do ? He gets it put through the Senate, and he brings it in here and has it read the first time, after the Bill has been amended in the Senate, and when not a member in this House knows what is in it except himself. He says that I am wrong in saying that he is going to cut up polling division No. 11 into five pieces. If not, what is he going to do ? What is he going to do with polling division No. 12, where there were only thirty votes polled ? I cannot understand, unless there is something radically wrong, some nefarious project on hand, why the Senate has been induced, at the instance of the First Minister of Canada, to interfere in a matter which belongs entirely to this House. I think we should object to this interference by the Senate with the privileges of the House of Commons. We had another case of that a session or two ago, which has caused a great deal of trouble in connection with the North-west Territories. I objected to that, and I object to this. I object to the proposition of a junior member of the Cabinet to take up the time of this House in doing a work that he ought to have been able to find a man intelligent enough in the constituency of Victoria to do properly without coming to this House. But if he was coming to this House, why did he not come in a manly, straightforward way. Why did he try, as he has tried this afternoon, to sneak through this legislation.

Some hon. MEMBERS. Order.

Mr. SPEAKER. The hon. gentleman is not in order in saying that the hon. Controller of Inland Revenue is trying to sneak legislation through this House. The House has ordered the second reading of this Bill.

Mr. MARTIN. I will withdraw the word "sneak." But I do not think that the rules of the House are such as to permit an hon. member doing what the hon. gentleman is doing. There is nothing in the rules of the House which prevents an hon. gentleman proposing a motion which cannot get through without the consent of the House, and if he knows that one of the members of the House is going to oppose the motion, and if he will go over and get that member to leave the House on a pretext, I do not know what words are strong enough to characterize actions of that kind. I do not wish to use unparliamentary language, but I make the complaint that the hon. gentleman induced me to go out of this House——

Mr. PRIOR. The hon. gentleman knows that what he is stating is untrue.

Mr. EDGAR. That is the second time the hon. Minister has used that unparliamentary expression.

Mr. PRIOR. I have no wish to be unparliamentary, and I withdraw the expression.

Mr. MARTIN. I say that the rules of the House do permit a member to put through, as long as there is no one in the House who understands the position to make the necessary objection, a motion of this kind. Now, I did understand the position with regard to this matter. I noticed this Bill being introduced into the Senate, and I was sitting here for the purpose of preventing the hon. gentleman bringing in any motions that were against the rules of the House, and which required the unanimous consent of the House before they could be adopted. And the hon. gentleman came over here and induced me to absent myself from the chamber long enough to enable him to introduce this Bill.

Some hon. MEMBERS. Oh, oh.

Mr. MARTIN. Yes, I say he did; I say I would not have been——

Mr. SPEAKER. The hon. member should confine himself to the discussion of the Bill. The House has already ordered it to be brought up for a second reading, and the argument the hon. member is making would be against what the House has already decided, and not against the second reading, which is now before the House.

Mr. LAURIER. But if the House ordered a second reading under a false impression?

Mr. MARTIN. I shall obey your ruling, Mr. Speaker, and shall endeavour to discuss the Bill, but I find it difficult to discuss a Bill that is not before us. I tried to discuss the Bill as well as I could, but he denies that he proposes to slice No. 11 up into five pieces. I would like to know, then, what he is going to do. We are asked to pass the second reading of the Bill, and nobody except the Controller of Inland Revenue knows what it is. I know that it is proposed to gerrymander the city of Victoria, and I am opposed to gerrymanders. The rules of the House prevent me from taking up the clauses and discussing them seriatim, and compels me to confine my remarks to the principle of the Bill. Now, the principle of the Bill is to gerrymander the polling subdivision of the city of Victoria, B.C., and it is proposed for the purpose of giving the hon. Controller of Inland Revenue some advantage over his opponents in that city. I do not exactly know how that advantage comes in, but that does not affect the fact. The hon. gentleman, no doubt, had some object in appointing a revising officer who knew so little of his duties as to put 1,200 or 1,300 voters into one polling subdivision. The House will understand that the constituency of Victoria is composed of the city of Victoria, and a considerable district outside the corporation limits, extending, perhaps, ten or twelve, or more miles. One polling subdivision was like a belt encircling the city, and on election day I met men there who told me they had to come two or three miles to vote, as they had to cross right through the city in order to get to the polling station which was at a hotel called The Willows. It appears to me that if the hon. gentleman is going to patch up his polling divisions, he could not do better than improve No. 10. Why does he select No. 11? If his reason is that there are too many voters there, why does he not rearrange No. 12 where there are too few voters. One reason, no doubt, is that he got nearly all the votes in that polling subdivision—thirty against three cast on the other side. He comes here and asks Parliament to take up its time when it has other very important business before it, to gerrymander the polling subdivisions of Victoria, but he leaves No. 12 untouched. In No. 11 district there were 170 votes polled for the hon. Minister of Inland Revenue, and 128 for Mr. Templeman, giving the former a majority of forty-two. I understand the hon. gentleman was very much disappointed with his majority in No. 11, and he thinks that if he could only get the polling stations closer to these men, they might still have enough party feeling left to walk a hundred yards, or fifty yards, but he cannot induce them to walk a mile or a mile and a quarter as was necessary in many cases in the last election. I would ask why he does not do something with polling place No. 1, where I find there were 147 votes for Prior and 168 for Templeman, or a total of 315 votes, as against 298 in No. 11.

Mr. PRIOR. The hon. gentleman wants to know why I did not alter Nos. 1 and 2. Evidently the hon. gentleman does not know anything about the statutes——

Mr. MARTIN. I decline to allow the hon. gentleman to interrupt me. I have the floor and I will not allow him to abuse me in that way.

Mr. PRIOR. Will the hon. gentleman not allow me to answer him?

Mr. MARTIN. No; the hon. gentleman can answer me when I get through. I would like him to tell us why district No. 1, in which he was in the minority but in which there were 315 votes polled, is to be left untouched in this rearrangement. In No. 2 there were eighty-three votes polled for the hon. gentleman, and seventy-one for his opponent. Now, that is more like the size of the polling divisions contemplated in the election law, which, as I understand it, seeks to allow one poll for about 200 votes. Now, at the Temperance Hall, eighty-one votes were cast for the hon. gentleman, and 103 for Mr. Templeman—not too many. At Oak Street, No. 4, there were 189 votes polled for the hon. gentleman, and 234 for Mr. Templeman. I call the House to notice that where there is a majority for Mr. Templeman, this House is not asked to gerrymander that polling division ; it is only where there is a majority for the hon. gentleman, and there were very few of them in which the hon. gentleman had a majority, where he is asking us to apply the gerrymander, he does not ask us to gerrymander the whole of this city. At Oak street there was 423 votes polled, the hon. gentleman is willing to let that go, but he is bound to have No. 11 cut up into five pieces. He wants to have a polling division of over forty votes where his friends live, because they are old, decrepit and infirm, and many of them cannot go that far to vote. At polling division No. 5, the court-house, there were 196 votes polled for the hon. gentleman, and 155 for his opponent. He had a majority there, but he is not asking us to gerrymander polling division No. 5. Why don't he gerrymander polling division No. 5 ? Why does he leave that alone when he is bound to have No. 11 gerrymandered ? At. No. 6, Harmony Hall, the hon. gentleman got 127 votes and his opponent 150. Why don't he gerrymander No. 6 ? Why does he pick out No. 11, and insist upon stopping the public business of this House in order to fix up, for his own purpose, that polling division, and not the whole constituency ? I could understand if, by some accident, this voters' list was illegal, or if there were reasons, as they are in the Kootenay district, where a large new population has come in since the voters' list was made, and there were reasons why there should be a parliamentary interference with the operation of the Franchise Act—then I could understand why the hon. gentleman should come here. But to fix up one miserable polling division, one solitary polling division in the city of Victoria, he gets a Bill introduced into the Senate, and now he has got it before this House, and insists upon us discussing it, though he won't tell us what it is, we have not got it before us. Then at No. 7, Cain Street, the hon. gentleman got 103 votes, and his opponent 92. So far as numbers are concerned, that does not require any gerrymander. At Government Street the hon. gentleman got 135 votes, and his opponent 82. That runs a little over the ordinary limit, but it might be allowed to pass. At James Bay the hon. gentleman got 122 votes, and his opponent 96. At the Willows, No. 10, the hon. gentleman got 190 votes, and his opponent 174. Now, I would like to ask the hon. gentleman why he don't fix up No. 10. Why does he confine his proposed gerrymander to the polling division No. 11, when polling division No. 10 appears to be in a worse shape ? Polling division No. 12 is in the country also. Here are three of these polling divisions, 10, 11 and 12, that are out in the country, or partly outside the city. In No. 10 there were 364 votes polled ; in No. 11, which the hon. gentleman proposes to gerrymander, there were 298 votes polled ; in No. 12 there were only thirty-three votes polled. Now, if the hon. gentleman proposed to take 11 and 12 and put them together, he would have in the two places 331 votes. That would not be too many to have in two polling divisions ; it would not be exceeding the limits to have 331 votes divided into two polling places. Why should Canada pay out, for the purpose of giving the hon. gentleman's constituents a chance to vote for him, the expenditure for establishing six polling divisions where two only are necessary ? This is a Senate Bill introduced by Sir Mackenzie Bowell ; it is all I have before me. The hon. gentleman has sent over to me, a member of the House of Commons, in discussing a Bill in the House of Commons, a piece of paper that has been before the Senate of Canada, a piece of paper which purports to be a Bill introduced in the Senate. That is all I have, that is all the hon. gentleman can give me ; and he comes here now and asks us to perpetrate this gerrymander in this polling division, and cut it up into five pieces, and he does this on the authority of Sir Mackenzie Bowell in the Senate of Canada. Now, Mr. Speaker, I think the Senate has nothing to do with originating these things in the first place. I have read in works on parliamentary practice that it is considered one of the privileges of the House of Commons to introduce any legislation affecting the constitution of the House of Commons. Now, here is a Bill that is plainly in that direction, it is plainly for the purpose of affecting one particular constituency in the House of Commons ; and the hon. gentleman gets it introduced in the Senate, and then he comes here and asks us to discuss it, and he has not enough regard for the privileges of this House to have the Bill printed and circulated among the members before asking them to pass it. The hon. gentleman wants us to pass it without our knowing what the Senate has done with it. I would like to know whether the Senate has made any amendments to this Bill.

Mr. CHARLTON. He said they had.

Mr. MARTIN. I would like to know what those amendments are ?

Mr. DICKEY. I will explain them if the hon. gentleman will give a chance.

Mr. MARTIN. If I allow the hon. gentleman to explain them, then I lose my chance of speaking. I have not finished my remarks yet, I want to enter my vigorous protest against this kind of legislation, just in the face of an election, too. Consider how suspicious it is. If an election was going to take place two or three years from now, if we made a mistake, we could remedy it at any other session, but we know there is going to be an election before another session is held. This Parliament has had too many sessions already, and we have not that guarantee, we have not that safeguard, there is not going to be another session of Parliament where we can remedy mistakes that we are liable to make in our haste in attempting to legislate upon this question when we have not got the necessary data before us. The hon. gentleman proposes to tell us what the amendments are. Will the members of this House be able to carry in their heads the changes in this Bill ? I submit that we ought to have a printed copy of it. It is one of the rules of this House that amendments should be printed in English and French, and distributed to the members. We have nothing of that kind. All we know is that by some accident, by some fact, or circumstance, intentional or otherwise, a revising officer was appointed for Victoria who had so little idea of what should be done in order to make a voters' list for that constituency, that he put some 1,200 or 1,300 votes into one polling division, and only 60 or 70 into another. I am not sure as to the number that are on the voters' list, because we have not got the voters' list before us ; but I know of the numbers that were polled, and I find that in No. 11 there were 298 polled, and in No. 12, right alongside, there were only 33 votes polled. Now, that is the kind of a man the hon. gentleman selects as revising officer for the constituency of Victoria. What is the result of selecting a man of that kind ? The hon. gentleman had to come here to Parliament and ask to have a special Act passed, before this election comes on, in order to remedy the gross blunders of this gentleman selected by himself. I would not object to that, I would not be prepared to object to the voters' list of electors for Victoria being patched up by this House, and the polling divisions altered, if I knew, and if the House knew, that there were good reasons for making these alterations. We have no reason given whatever. This Bill is brought forward simply because the hon. gentleman did not like the way in which the voters went at the by-election in January last. The hon. gentleman seemed to think he owned Victoria, and had a pre-emptive right to be elected for the city, and he was astonished that he did not secure at least the majority that he had formerly obtained. Although the number of voters on the list was twice as great as in 1891, when the hon. gentleman had a majority of over 600, he failed to obtain a comparatively large majority at the by-election, which might be estimated at 1,200, and only secured a beggarly majority of 100 votes. I regret he had even 100, but that is past and gone, and now we are face to face with this proposition submitted by the hon. gentleman, to provide that every five or six voters shall have a special polling place, in order to try and induce them to walk the distance to the polling booth to vote for him. The hon. gentleman then will have appointed a deputy returning officer for each of those polling districts at $5 a day ; a poll clerk, a constable.

Mr. PRIOR. We do not need any constables there.

Mr. MARTIN. Then there will be all the patronage connected with the renting of polling places and other matters. While I do not blame the hon. gentleman for making the proposition to divide No. 11 into five pieces, I do not know why he did not go through the whole constituency and divide up all the polling districts. If it would be advantageous to divide No. 11, why should it not be advantageous to divide No. 10, and all the others in the city ? The votes in some of the polling divisions in the city far exceed, are, in fact, one-half more than the number of votes polled in No. 11 ; yet the hon. gentleman does not propose to divide them up. I called on him to explain why he wanted to divide No. 11 and not No. 9 and the others, but he had no explanation to offer. He simply asks the House to put this Bill through, and the only reason he has so far given is that the Senate has passed the Bill. It is, however, no reason why the House of Commons should pass a Bill affecting the privileges of the House of Commons simply because the Senate has passed it. It covers a matter with which the Senate has nothing to do, although, of course, the Senate has to pass all Bills of this kind. But surely the hon. gentleman was as well aware when he arrived here about the middle of January of the existence of these difficulties in regard to polling divisions as he is to-day. Why has he left the consideration of this Bill to the last moment ? The hon. gentleman was not one of the bolters, or mixed up in any way with that complication, and he had ample time to attend to matters of this kind. He failed to do so, and allowed January, February, March, and the greater part of April to pass, and now, at the eleventh hour, he asks the House to agree to a Bill introduced into the Senate affecting the constitution of this House, introduced in the Senate in a different form from that in which it is submitted to this House, and hon. members do not know the character of the modifications and alterations. I have, therefore, many reasons to submit against the second reading of this Bill. The Bill should have been introduced in this House, and not in the Senate. Next, this is too small a matter to occupy the attention of the House during its last moments, and the second reading should not be allowed to pass. Then, the principle of the Bill itself is objectionable, that No. 11 should be cut up into five pieces and the other districts allowed to remain as they are at present, which would not be done if the Bill were founded on a proper principle. This Bill is an attempt to gerrymander one of the polling districts of the city of Victoria, and it is therefore against the best interests of the country. The House should not permit legislation of this kind to pass through the House at the last stage of the session. At all events, the House should be placed in possession of some reasons why the Bill should be passed. I have heard no reasons given. It appears there were 298 votes polled in polling division No. 11. I am free to admit that that number is too many for one polling division, but I venture to say there are many polling divisions in different constituencies in Canada in which at the last election there were as many as that number of votes polled. What right has the hon. gentleman (Mr. Prior) to ask particular privileges for his constituency. I have a great respect for the hon. gentleman's constituency. I think it is one of the finest parts of Canada, and is entitled to every consideration from this House, but I do not know why there should be special legislation for it in regard to the voters' list. The hon. gentleman has made a mistake in appointing an incompetent man as revising officer. That is the misfortune of Victoria being represented by the hon. gentleman. That is one of the things in which Victoria suffers, just the same as many other parts of Canada.

Mr. DALY. Like Winnipeg, for instance.

Mr. MARTIN. We have no trouble in Winnipeg.

Mr. DALY. No, but it suffers from its representative.

Mr. MARTIN. I can say that for Selkirk. I am opposed to granting the request of the hon. gentleman to gerrymander polling division No. 11. If we are to gerrymander any polling division at all it should be No. 10, because there were nearly 100 votes more polled in it last election, than in No. 11. Now, Mr. Speaker, I can commence my remarks again, for I have just got a copy of the Bill as it passed the Senate, but I have not had time to read it.

Mr. FOSTER. Sit down and take a little time.

Mr. MARTIN. I do not know whether it would be in order for me to read it or not.

Mr. FOSTER. Oh, yes.

Mr. MARTIN. Very well, I will read it.

Mr. FOSTER. It is in order for you to sit down.

Mr. MARTIN. I can read it standing up. Here it is:

> For the purposes of the election to be held in the electoral district, Victoria, B.C., at the next election, the returning officer shall, forthwith upon the receipt of the writ of election, subdivide polling districts No. 11 and 10 of the said electoral district, into not less than five and not more than six polling districts.

I see they amended the Bill in the Senate by taking in polling division No. 10. They knew more about his constituency in the Senate than the hon. gentleman (Mr. Prior) did.

Mr. SPEAKER. I trust the hon. member will remember the rule of the House. He cannot discuss the Bill clause by clause on a motion for second reading.

Mr. MARTIN. I merely wish to read it.

Mr. SPEAKER. The hon. gentleman has been discussing the clause he has read. I have already ruled that on motion for the second reading, the Bill cannot be discussed clause by clause.

Mr. MARTIN. Then I am out of order in reading it ?

Mr. SPEAKER. Yes.

Mr. MARTIN. Then it will be a little difficult for me to know what the Senate has done with the Bill. We are asked to pronounce upon the principle of a measure that has been passed in the Senate with certain amendments, and we are not allowed by the rules of the House to know what these amendments are. Surely there must be something wrong with the rules of the House if that is the case. I will have to go back and discuss the Bill as it was introduced into this House because I know what it was. The hon. gentleman proposes to gerrymander polling division No. 11. I would like to know why he does not take in division No. 10.

Mr. PATERSON (Brant). That is in the Bill as amended.

Mr. MARTIN. But I do not know whether it is or not. I must compliment the hon. gentleman (Mr. Prior) in refusing longer to trust this revising officer who has proven such a broken reed. He proposes to trust the returning officer in the future, and I trust he will select a returning officer who knows his business. If it is our duty to patch up this voters' list at almost the last day of the session, then we have got to correct all the mistakes that have been made by revising officers in Canada. I am informed that in other constituencies in British Columbia the revising officers have allowed more than 200 names on the electoral list for a polling division. I am told that in many other electoral districts in the province of British Columbia there are more than 200 names in polling subdivisions. Perhaps I misunderstood the hon. gentleman: but, so far as I could gather that was the only reason he had to suggest for making this change, and I do not see why we should confine ourselves to the province of British Columbia. What about the North-west Territories? There are no voters' lists there. But what about the province of Manitoba? If we are going to fix up the errors and mistakes of the revising officer for Victoria, I think we are entitled to make a thorough scrutiny of the voters' lists of the other provinces of Canada. In order to do justice, in this manner, I think we should call upon the Queen's Printer to furnish us with a correct copy of the voters' list of every constituency in Canada, and let us find out—it would not take very long—in how many of them there are more than 200 names in a polling subdivision. If the Controller of Customs proposes that the House should adopt the principle in this case, it is our duty to provide that the returning officer in each constituency shall have power to divide any such polling subdivision into not less than five or more than six pieces. You have no right to go into this matter piecemeal; you have no right to extend a special privilege to Victoria. It seems to me that the Bill should not be read the second time, for the reasons I have attempted to lay before the House; first, that the Senate is not the proper body to institute legislation of this kind; second, that it is too late in the session to take up a matter extending so widely as this matter is bound to do, if we treat it on principle, and do not confine our action to patching up one constituency, but extend it to the whole of Canada; and, third, that the hon. gentleman's proposition in itself is not fair or reasonable, because it takes one particular polling subdivision in his constituency, and leaves out the others. He says: "This particular polling subdivision has more than 200 names in it, which were put there in error by the revising officer, and I propose that the returning officer shall have power to divide it into five pieces." I say that is wrong in principle. I say that the revising officer is just as much to blame for putting too few names in a polling subdivision as too many, and I say that he has committed as great a blunder in only giving thirty-three votes to No. 12 as he has in giving 298 votes to No. 11. For all these reasons, I submit that the hon. gentleman should not be allowed the second reading of this Bill.

Mr. DICKEY. I desire shortly to give to the hon. gentleman who has been vociferating for them for some time past, the reasons, which he did not seem willing to take in the middle of his speech. The situation in Victoria, as I understand it, is this. There are, first, the city polling districts. Then there are, practically outside of the city, Nos. 10, 11 and 12. No. 10 district has 1,039 votes in it, and No. 11, 850. No. 10 district is about eighteen miles long, and the present polling place is in one end of the district, so that voters are obliged to travel from fifteen miles downwards, some of them, in order to poll their votes. This, of course, is a great practical inconvenience. As the hon. gentleman has said, it is not in accordance with the spirit of the Election Act adopted years ago, which was that there should be small polling districts of 200 voters each in the country, for the convenience of voters, and to enable the votes to be promptly and conveniently polled. It is quite evident to the House that to compel 1,039 voters to vote in one polling booth in a day——

Mr. MARTIN. There are only 298.

Mr. DICKEY. The hon. gentleman knows that there are 1,039 on the list. All these men have a right to vote, and if the hon. gentleman makes the calculation, he will find that they will have to vote several per minute in order to get their votes polled in one day, which is contrary to the ordinary practice under the Act. The proposition of the Bill is that these polling districts 11 and 10 should be grouped together and divided by the returning officer so that the several new polling districts that are to be made shall contain 200 voters each, or as near that as may be.

The hon. gentleman has talked about gerrymander. There is no question of gerrymander in the improper sense, but there is a question of gerrymander similar to that introduced in the Bill which this Government carried in 1892—that is to say, there is public convenience served. But in the improper sense there is no gerrymander, because it is not proposed to touch a single voter. All that is proposed to do is to furnish him with facilities near his home and business for polling his vote. The hon. gentleman said that this was a Bill intended to give the Controller of Inland Revenue the seat. That may be. I think the Bill is open to that objection. I think that the more men vote, the more likely the Controller of Inland Revenue is to get back; and if he can get all the votes polled, he is very likely to come back. But I am sure there is no sinister motive in it. The hon. gentleman spoke of No. 12. I am informed that that is a small settlement in the end of the district, which is separated by five or six miles of vacant property from the settlements in No. 11, so that it is a great convenience that these people who live near No. 11 should vote near their homes. There are about seventy voters upon that list, so that there is no object whatever in grouping that with the other. The hon. gentleman has also referred to the polling districts inside the city, and asks why we do not divide them up as they are considerably over the 200. The reason why we need not interfere is because the returning officer has power, under the Act, to divide those up alphabetically, so as to suit the convenience of voters, so that the returning officer can cut the lists into as many alphabetical divisions as he chooses, can put the polls as close together as he chooses, and so afford every facility for the voters to poll their votes. The hon. gentleman will see that there is not the slightest attempt on the part of this House to express any opinion at all as to what the divisions should be. The House does not attempt in any way to divide the districts, but simply asks the officials on the spot to undertake the division, and from the hon. gentleman's own observations, he has quite convinced this House that it is better to take the returning officer, who has the charge of the district, rather than the revising officer whose failure to carry out his instructions has caused the whole of the trouble. I do not think there can be any serious objection to the Bill, whose sole object is to afford facilities to voters of both shades of politics to poll their votes, and thus get really the true sentiment of the constituency. Therefore, I hope the hon. gentleman will not prevent this Bill becoming law and thus prevent the voters in Victoria from expressing their opinions on the issues of the day.

Mr. CHARLTON. The hon. Minister of Justice informs us that the House will see that such and such provisions are made by this Bill. How will the House see it? The Bill was not before the House when the second reading was moved, and it was only distributed a few moments ago. The House is not seized of the provisions of the Bill and cannot tell what they are. It is premature, therefore, to ask the attention of this House to a Bill, of the provisions of which it is ignorant. I think there is something wrong in the practice of permitting a Bill to be introduced in the Senate and permit stages to be taken in this House on such Bills before the Bills are before this House. The hon. Minister himself admitted he spoke in ignorance of the actual provisions of this measure. He was unable to state what they were. He did have some general impression as to the character of the Bill, but was ignorant of the exact provisions, and when it was placed in his hands he attempted to read it for his own information and that of the House, but was prevented, under the rules of the House, from so doing. Now, if the statement made by the hon. member for Winnipeg (Mr. Martin) with regard to the course taken by the hon. member for Victoria is correct, certainly the House must sympathize with the hon. member for Winnipeg. He tells us that the hon. member for Victoria (Mr. Prior) crossed the floor and asked him to make an examination into the character of this Bill in order to satisfy himself as to whether it was a Bill that should receive its second reading.

Mr. PRIOR. I did not.

Mr. CHARLTON. I am repeating the statement made by the hon. member for Winnipeg.

Mr. DALY. Which the hon. member for Victoria denies.

Mr. CHARLTON. And that in his absence, the hon. member for Victoria moved the second reading of the Bill. It is a question of veracity between the two; but certainly whether the hon. member for Winnipeg is under a misapprehension or not, he was ignorant of the character of the Bill, as every member of this House was. I, for one, protest against the consideration of a Bill by this House, dealing with the constitution of this House, which originated in the Senate. The Senate has no business in regard to any matter that pertains to the election of members of the House of Commons, and it is an impertinence on the part of the Senate to interfere in such matters. The circumstance is in itself suspicious that the hon. member for Victoria should have found it necessary to have this Bill originated in the Senate of Canada to deal with a question pertaining exclusively to the House of Commons. He goes to his friends in the Senate, he has this Bill introduced, it was sent over here without being printed, he moves the second reading in this House, and the Bill, which originated in the Senate, pertains to matters over which this House has exclusive jurisdiction. This is an irregularity which should be resented by this House, and it certainly will by the Opposition. It is time that we arrived at some decision as to whether we shall be permitted to know what is the character of the legislation which is sent over from the Senate before we are called upon to act upon it. I am not prepared to say what the character of the Bill is. I have not had time to examine it. It was laid on my desk a few moments before the hon. member for Winnipeg concluded his remarks, and I ask that time be given me to learn what the provisions are before I am called on to vote whether it shall receive the second reading or not. Now, Sir, the hon. Minister of Justice tells us that some inconvenience exists in Victoria on account of the large size of certain polling subdivisions. Admit that, where then should that inconvenience have been rectified? Where should legislation for the purpose of remedying that inconvenience originate? Certainly in the House where the member who is elected by these people sits. What has the Senate to do with the size of polling divisions in Victoria or elsewhere, or with the constitution of any riding in the Dominion? By virtue of what authority or right is such a measure as this originated in the Senate, a measure affecting the privileges and constitution of this House? I hold that it is an outrage of the privileges and prerogatives of the House of Commons of Canada. The hon. Minister of Justice (Mr. Dickey) says this is not a gerrymander in the bad sense. I suppose the hon. Minister would admit, then, that there have been gerrymanders in the bad sense in this country. I doubt that that hon. gentleman would rise in his place and justify the gerrymander of 1882 by which one-half of the electors in Ontario elect two-thirds of the representatives from that province who sit in this House. This is an interference with the divisions of a riding, and if it is admitted to be a gerrymander in any sense, it is a matter that the House is bound to look carefully into before it gives its sanction to the measure. This the House is not now in a position to do, as it has not sufficient knowledge of what its provisions were. The Minister of Justice is certainly a very candid gentleman. He tells us that the Bill is designed to give the hon. member for Victoria (Mr. Prior) a seat in this House. I presume that is the object of this Bill, and for that reason I have very little sympathy with the purpose of the Bill. I suspect the whole transaction ; it is a crooked one. The fact that the Bill originated in the Senate, the fact that it is not before us in such shape as to enable us to give it proper consideration, the fact that it is declared to be for the purpose of assuring the seat of one hon. member in this House—all these are reasons for opposing the Bill at present. If we are allowed time to examine it and a fair and dispassionate consideration of it and the circumstances attending it, we come to the conclusion that the Bill is all right, then, by all means, let it pass. But as we have not had time for that examination and consideration of the provisions of the Bill, we are entitled to ask for delay. For that reason, I repeat, the proposition made to postpone the second reading of the Bill until it is in the hands of members long enough to enable them to consider it, is a fair and reasonable one.

Mr. PATERSON (Brant). I think that in the interests of the progress of business of the House it is much to be regretted that the suggestion of the leader of the Opposition in relation to this matter has not been taken. It was a very reasonable request under the circumstances, as it was evidently under a misapprehension that the formal motion for the second reading was brought up. That having been discovered I think that under the circumstances, it was unwise to press forward a Bill which it is impossible that hon. members can have fairly considered. A good deal may have been said about this Bill, but I think the House will admit that under the circumstances there was some occasion for it. As has been remarked, this transaction is somewhat suspicious. This Bill originated in the Senate, although it deals with a matter relating exclusively to a constituency of this House. That of itself has a rather sinister look about it. Then there appears to be an attempt—I do not say that it is so—to get the Bill through in a surreptitious manner. This motion was an unusual one, yet it was marked by a persistence on the part of the leader of the House as well as of the hon. gentleman introducing the Bill so great as to heighten the feeling of distrust. Now, what is the course usually followed with reference to Bills from the Senate ? If this were a usual occurrence, one would not think so much of it, but where will you find an instance during this session at any rate, or even during past sessions of a Bill being not only read the first time, which is right enough, but proposed for a second reading, without going upon the Order paper and without being printed and placed in the hands of members. Not going into the merits of this Bill, what is the importance of it ? Suppose that it is perfectly harmless, as the Minister of Justice says, it must not be forgotten that it relates only to one constituency. The Minister of Justice says it is not a grave matter. Then why depart from the wise rule and procedure in dealing with the subject. Take up the Order paper and consider the Bills that are upon it. I find here :

> Second reading Bill (No. 84, letter I of the Senate) an Act further to amend the Supreme and Exchequer Courts Act.—Mr. Dickey.

I presume that is an Act of greater importance than the one now before us as it has been defined by the Minister of Justice. There is no attempt made to set aside the usual rules of procedure to go on with the second reading of that Bill. It is read the first time, it goes upon the Order paper, it is printed and copies are placed in the hands of members. Members can consider the Bill and come to an intelligent decision with regard to it. Then I find the following :—

> Second reading Bill (No. 90, letter H of the Senate) an Act further to amend the Railway Act.—Mr. Haggart.

This is a matter of general import. The whole country, and not one constituency alone, is interested in this Bill. But the hon. Minister of Railways (Mr. Haggart) does not seek to give this a second reading the same day he introduces it, but he allows the usual forms to be observed, and when the Bill comes up for the second reading members will be able to discuss it with an intelligent knowledge of its provisions. Take another case :

> Second reading Bill (No. 86, letter J of the Senate) an Act respecting the Revision of the Statutes.—Mr. Dickey.

I presume that this is a matter of quite as much importance as the Bill that was thought to be railroaded through by this unusual procedure. But after it is introduced it stands upon the Order paper until copies are in the hands of members and there has been time for every member to acquaint himself with its provisions and give them fair consideration.

> Second reading Bill (No. 96, letter M of the Senate) an Act respecting the inspection of Steamboats and the examination and licensing of Engineers employed on them.—Mr. Costigan.

This also goes through the usual course although, no doubt, the hon. Minister of Marine and Fisheries (Mr. Costigan) would hold it to be a much more important measure than the one before us. The same is true of the next item on the Order paper :

> Second reading Bill (No. 101, letter L of the Senate) an Act to amend the Act respecting Wrecks, Casualties and Salvage.—Mr. Costigan.

Then we have :

> Second reading Bill (No. 98, letter P of the Senate) an Act to amend the Act respecting the Protection of Navigable Waters.—Mr. Costigan.

This is a matter of general import, but we find that it is allowed to go through its regular course and no attempt is made to hasten it unduly. Then we find on the Order paper the following :—

> Second reading Bill (No. 104, letter R of the Senate) an Act to amend the Act respecting the Representation of the North-west Territories in the Senate of Canada.—Mr. Daly.

This is certainly a Bill of wider scope than a measure which affects only one constituency. But no attempt was made to read it a second time before it was printed. I might quote other instances from the Government Orders ; and on the Public Bills and Orders you find Bills which also might be quoted as cases in point. Now, the hon. member for Winnipeg (Mr. Martin) has pointed out that in this matter he is forced to discuss a Bill which is really not the Bill before the House, it having been amended after it was first printed. And it was not until after he had been speaking about an hour that it was placed in his hands. It is only placed in my hands now, and I cannot discuss intelligently the question whether it should or should not be read the second time. I recognize the ruling, and I merely read the clause and point out to you that I, at any rate, am not in a position to deal intelligently with it for the reason that I have not the statute that is to apply. The second clause says :

> For the said purposes the whole of each of the said present polling districts shall be so subdivided and the alphabetical subdivision required by subsection 6, added to section 23 of the Electoral Franchise Act, by section 6 of chapter 18 of the statutes of 1891, shall not be made for any portion of the city of Victoria which lies within the limits of either of the said present polling districts.

Well, I have not got the different statutes under my hand, I do not know how they work, I do not know how they would fit in, I do not know what the effect will be, and there is no time for inquiry. I say that under these circumstances, it is a gross departure from the rules of the House that would not have been permitted at all, only it was supposed it was a Bill there would be no contention about. But when it was mentioned clearly that there was a misunderstanding, that exception was taken to it, that it had a suspicious appearance, coming first from the Senate, and then being forced through this House, these circumstances do justify, it seems to me, the discussion which it has received at the hands of this House. This discussion might not have been required if the proper procedure had been followed, and members had had an opportunity of thoroughly understanding the Bill ; then other business of the House which is pressing for consideration, might have been proceeded with. I think this Bill having been introduced by a member of the Government, upon the Government principally lies the necessity of giving proper facilities for the despatch of the business of this House in relation to it.

Mr. LAURIER. I am sorry the offer made a moment ago by the Minister of Finance was not accepted, that is to say, that the Bill should take a second reading now, and be left over to take the committee stage to-morrow. I think we might come to that understanding now, and let the second reading be taken.

Motion agreed to, and Bill read the second time.

ELECTORAL DISTRICT OF YALE AND CARIBOO.

Mr. DICKEY moved for leave to introduce Bill (No. 109) to make special provisions in respect to the election to be held in the district of Yale and Cariboo at the next general election. He said : This is also a Bill relating to a constituency in British Columbia, of which mention was made a few days ago by the hon. member for Winnipeg (Mr. Martin). The present member for Yale and Cariboo (Mr. Mara) has been pressing this matter upon the attention of the Government during this session, with a view of obtaining a new voters' list altogether for that district, on account of the rapid development of the southern and northern portions of the district, in consequence of mining industries there. It was felt to be practically impossible to get a new revision of the list, and the Government are now submitting the Bill to meet the difficulty as far as they can. The principle of the Bill is that any person on the voters' list for Yale and Cariboo can vote where he is on election day, at any polling place in the constituency. There are evident difficulties with regard to it, and the Bill has provisions in it to meet those difficulties, as far as possible, and that is the utmost the Government feels able to do at the present juncture of affairs. It will, at any rate, meet a great part of the practical difficulty in the Kootenay district, and in the Cariboo district.

Mr. MARTIN. I am very sorry that the hon. gentleman has not been able to do something of some benefit to the constituency when he was about it. I am glad to learn that the hon. member for Yale and Cariboo has been urging a new list upon the Government, although, in the previous debate that occurred on this matter, the member for Yale and Cariboo took the opposite view, and urged the adoption of the course which the Government has adopted, while I contended for the adoption of a course, not of making a new voters' list for the whole constituency, but a new voters' list for that portion of the constituency in what is known as the Kootenay district. The hon. gentleman has said that is not practicable, but he has given no reasons to the House. At the request of the hon. gentleman, I saw his deputy with regard to that matter, and his deputy expressed the opinion that it was quite practicable, and the suggestion I made to him could be very easily worked out in connection with this matter. I do not intend to discuss it at any length at this stage, but I regret that the Government cannot see their way clear to giving the large number of persons who have gone into that Kootenay district since the list was made, a chance to vote in this election. I think their action will meet with the disapproval of that section of the constituency, and I do not think the hon. member himself can escape responsibility for the Government's action in this matter.

Mr. MARA. A word or two in reply to the hon. member for Winnipeg (Mr. Martin). He led the House to infer that when I addressed the House on this subject about a month ago, I opposed a new revision for the whole district. I did not oppose a new revision for the whole district. It was only when the Government declared it to be impossible, or rather impracticable, to revise the whole list of the district of Yale and Cariboo, that I suggested this as an alternative scheme that would partially, if not wholly, meet the difficulty. The hon. gentleman is well aware of that, because, in a conversation I had with him, I pointed out that in the northern as well as in the southern portions of Yale and Cariboo, mining development had caused an increase in several mining camps, the distance between them being from 500 to 600 miles, and I advocated a complete revision of the united district. Now, the polling division of Alexandria should be subdivided into three polling places ; Keithley should be subdivided into two ; there should be polling places at Rossland, Trail, Pilot Bay, Sandon, and Three Forks. Christina Lake should be divided into two polling divisions ; and Osoyoos should be divided into three, and there should be a poll held at Horse Fly. This Bill provides for the subdivision of those different polling divisions ; but the necessity has arisen owing to the rapid mining developments that has taken place in those different parts of the united district since the last revision was held and, as I have stated, the distances are great, being 400 or 500 miles apart.

Mr. MILLS (Bothwell). I think the Bill would open the door to frauds at elections, if it were carried, and it is wholly inadequate to meet the requirements of the case. The district which the hon. gentleman represents was made an exception to the ordinary rule at the time of the elections, until, I think, last year, when the hon. gentleman or some of his friends had carried through this House and through the Senate without any discussion a Bill altering the previous arrangement, and making the rule in the Cariboo and Yale districts correspond with the rule that prevails in the ordinary districts of the Dominion. The hon. gentleman's district, so far as I understand, embraces over 150,000 square miles of territory. I am told it is wholly impossible within the time ordinarily allowed for holding an election to give the necessary notices in all the various settled portions of the hon. gentleman's district, and the result is that the changes proposed in the law a short time ago, which has come into operation, are of such a character that a large portion of the electors in the constituency will be disfranchised when the election comes to be held. Is that not so ?

Mr. MARA. No. If the hon. gentleman will allow me, I will explain why it is not.

Mr. MILLS (Bothwell). I am willing to give way, but not to resign my right to continue my observations.

Mr. MARA. The district of Cariboo when an electoral district by itself would require a much longer time than the united district for this reason. The returning officer was appointed from the vicinity of Barkerville. From Ashcroft to Barkerville the distance is 300 miles, which had to be travelled by stage. It took from four or five days for the writ after leaving the nearest point on the Canadian Pacific Railway to reach the returning officer. Then he would have to send back to Kamloops to have the notices printed. After nomination, the same would take place ; he would have to send back to Kamloops to get ballot papers printed, this taking up a week or ten days. Whereas in the united district Kamloops would be the residence of the returning officer. There are printing offices there, and the notices can be distributed from there, it being a central point to every part of the district within six days. The outside settled parts of the district can be reached within six or seven days from Kamloops and even in less time if necessary. So the hon. gentleman will see that it is not necessary there should be the additional length of time for the united district that there was for the district of Cariboo when it stood alone.

Mr. MILLS (Bothwell). My information is that it would take more than two weeks to reach some of the settlements in the hon. gentleman's district from any point on the Canadian Pacific Railway. I mention this as evidence of the hasty and inconsiderate manner in which the House has undertaken to deal with the representation of the people of this country in Parliament. It certainly is of the first consequence in any attempt to alter the law relating to parliamentary elections that all the facts should be known and every case submitted to this House should be carefully considered. That certainly was not the case as regards the change made in the period of time within which the elections should be held in the hon. gentleman's district, a district at the present time containing between 150,000 and 200,000 square miles where settlements are extending from one extreme portion of it to the other. If it were intended by the Government to deal with this subject in this Parliament, surely this matter should have been brought to the attention of the House at a period when all the facts could be considered, and the House could make itself certain that no wrong would be done or injury committed in any portion of the electoral district. The Minister's proposal is this. As I understand, there are a large number of people who have gone into this district since the last revision took place. So far as they are concerned they will be disfranchised, they will not have the right to vote under the Bill which the hon. gentleman proposes. But the hon. gentleman proposes that people who formerly lived in one portion of the district, a district as large as the whole of the province of Ontario, should be at liberty to vote in some other section 400 or 500 miles away from the place of their former residence, where their names were entered on the voters' list. Surely that is no greater reason for permitting those persons to vote at a distant point than for permitting settlers from Ontario to vote, who have left the district in which they are registered and gone to British Columbia. There is as much propriety in the one case as in the other. In either case there certainly would be room for the commission of very serious frauds at the elections. A man might be personated, a man might vote who had not his name on the voters' list, and in a great majority of cases fraud might be committed.

Motion agreed to, and Bill read the first time.

SUBSIDIES TO RAILWAYS.

Mr. HAGGART moved that the House resolve itself into Committee of the Whole, tomorrow, to consider the following proposed resolutions :—

That it is expedient to authorize the Governor in Council to grant the subsidies hereinafter mentioned to the railway companies, and towards the construction of the railways also hereinafter mentioned, that is to say :—

1. To the Ontario, Belmont and Northern Railway Company, for 10 miles of their railway divided into two sections : First, from Marmora village to the junction with the Ontario Central Railway ; second, from the Belmont Iron Mines to Marmora village, in lieu of the subsidy granted by the Act 56 Victoria, chapter 2, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $32,000.

2. To the Cobourg, Northumberland and Pacific Railway Company, for 49 miles of their railway, from Cobourg to the Ontario and Quebec Railway, in lieu of the subsidies granted by 53 Victoria, chapter 2, and 55-56 Victoria, chapter 5, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $156,800.

3. To the Ontario and Pacific Railway Company, for 58 87-100 miles of their railway, from Cornwall to Ottawa, in lieu of the subsidy granted by 55-56 Victoria, chapter 5, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $172,400.

4. To the Lindsay, Bobcaygeon and Pontypool Railway Company, for 32 miles of their railway, from Bobcaygeon to Pontypool, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $102,400.

5. To the Restigouche and Victoria Railway Company, for 35 miles of their railway, from Campbellton towards Grand Falls, in lieu of the subsidies granted by 55-56 Victoria, chapter 5, and 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $112,000.

6. For a railway from a point in the parish of St. Valentine, in the county of St. John, to a point in the parish of St. Rémi, in the county of Napierville via Scottsville, Napierville and St. Edouard, for 12 miles of such railway, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $38,400.

7. To the Brockville, Westport and Sault Ste Marie Railway Company, the balance remaining unpaid of the subsidy granted by 52 Victoria, chapter 3, not exceeding $3,200 per mile, and also the balance remaining unpaid of the subsidy granted by 53 Victoria, chapter 2, both of which were regranted by 57-58 Victoria, chapter 4, the whole not exceeding $86,400.

8. To the Kingston, Smith's Falls and Ottawa Railway Company, for 56 miles of their railway, from a junction with the Grand Trunk Railway at Rideau, or some other point near Kingston, to Smith's Falls, in lieu of the subsidy granted by 55-56 Victoria, chapter 5, a subsidy calculated on the basis of three and a-half per cent on the amount of such subsidy so granted, to be paid in semi-annual instalments, for such period not exceeding twenty-one years as the company may elect, which represents a grant in cash of $179,200.

Provided that upon the completion of 28 miles of the said railway a semi-annual subsidy may be paid proportionate to the value of the portion so completed in comparison with that of the whole fifty-six miles : Provided also, that the company may deposit with the Minister of Finance and the Receiver General a sum not exceeding $1,170,000, in consideration whereof there shall be paid to the company for such period not exceeding twenty years as the company may elect, a semi-annual annuity calculated on a basis of three and a-half per cent on the amount so deposited : Provided further, that the Governor in Council may permit the company to assign the said subsidy and annuity to trustees by way of security, for any bonds or securities which may be issued by the company in respect to their undertaking.

9. To the Bracebridge and Baysville Railway Company, for 15 miles of their railway, from Bracebridge towards Baysville, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $48,000.

10. To the South Ontario Pacific Railway Company, or such other company as shall have constructed the same, for 49½ miles of railway from Woodstock to Hamilton, in the province of Ontario, in lieu of the subsidy granted by 54-55 Victoria, chapter 8, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $158,400.

11. To the Strathroy and Western Counties Railway, for 25 miles of their railway, from St. Thomas through the counties of Elgin and Middlesex, towards Forest station or Park Hill, on the Grand Trunk Railway, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $80,000.

The said subsidy to be paid by instalments, the first on the completion of the section from the intersection with the Canadian Pacific Railway to Strathroy ; the second on the completion of the section from the town of Strathroy to the village of Arkona ; and the third on the completion of the section from Arkona to junction with the Grand Trunk Railway, at or between either Forest or Park Hill.

12. To the Great Eastern Railway Company, or to such other company as shall under the direction of the Minister of Railways and Canals perform the work, the balance remaining unpaid of the subsidy granted by 53 Victoria, chapter 2, for a bridge over the Nicolet River, and also for a bridge over the St. Francis River, of a subsidy of 15 per cent on the value of the structures, not to exceed $32,655.

13. To the Great Eastern Railway Company, or to such other company as shall under the direction of the Minister of Railways and Canals perform the work, for 30 miles of their railway, from the River St. Francis to the Arthabaska Railway at St. Grégoire Station, the balance remaining unpaid of the subsidy, not exceeding $3,200 per mile, first granted by 50-51 Victoria, chapter 24, which balance was regranted by 54-55 Victoria, chapter 8, not exceeding in the whole $79,600.

14. To the Columbia and Kootenay Railway Company, the balance remaining unpaid of the subsidy granted by 53 Victoria, chapter 2, not exceeding $3,200 per mile, a portion thereof to be applied to the construction of a branch line from near Robson to a point below the rapids, not exceeding in the whole $23,200.

15. To the Nipissing and James Bay Railway Company, for 25 miles of their railway, from at or near North Bay Station on the Canadian Pacific Railway towards James Bay, a subsidy not exceeding $3,200 per mile ; also for 43 miles of their railway from North Bay towards Lake Tamagaming, a subsidy not exceeding $3,200 per mile ; all in lieu of the subsidy granted by 57-58 Victoria, chapter 4, and not exceeding in the whole $217,000.

16. To the Central Ontario Railway Company, for 20 miles of their railway, from Coe Hill or Gilmore or some point between Coe Hill and Gilmore to Bancroft, via L'Amable or as near thereto as practicable, in lieu of the subsidy granted by 56 Victoria, chapter 2, 1893, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $64,000.

17. To the Manitoba and North Shore Railway Company, for 30 miles of their railway, from Little Current to the Algoma branch of the Canadian Pacific Railway, in lieu of the subsidy granted by 55-56 Victoria, chapter 5, also for 10 miles of their railway from Little Current to Wilson, on the Algoma branch of the Canadian Pacific Railway, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, in all 40 miles, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $115,200.

18. To the Thousand Islands Railway Company, for an extension of their railway to connect with the Brockville, Westport and Sault Ste. Marie Railway, the Kingston, Napanee and Western Railway, the Kingston, Smith's Falls and Ottawa Railway, or the waters of the Rideau Canal, the balance remaining unpaid of the subsidy granted by 55-56 Victoria, chapter 5, not exceeding in the whole $30,000.

19. For a railway from St. Placide to St. Andrews, 8 miles, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $25,600.

20. For a railway from St. Eustache to St. Placide, in the county of Two Mountains, for 18 miles of such railway, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $57,600.

21. For a railway from a point on the line of the Canadian Pacific Railway on Isle Jésus, in the county of Laval, towards St. Eustache, for 12 miles of such railway, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $38,400.

22. To the Coast Line Railway Company, for 35 miles of their railway, from Yarmouth towards Shelburne and Lockeport, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, to the South Shore Railway Company for 35 miles of their railway from Yarmouth towards Shelburne and Lockeport, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $112,000.

23. To the Inverness and Richmond Railway Company, for 25 miles of their railway, from a point at or near the Strait of Canso, towards Cheticamp, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, for a railway from Port Hawkesbury towards Cheticamp, 25 miles, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $80,000.

24. For a railway from Lime Ridge, in the county of Wolfe, in the province of Quebec, northerly through the county of Wolfe and into the county of Megantic, a distance not exceeding 50 miles from Lime Ridge, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $160,000.

25. To the Kingston, Napanee and Western Railway Company, for 20 miles of their railway, being extensions, additions or branches in the counties of Peterboro', Hastings, Addington, Frontenac or Leeds towards iron or other mines or mineral lands, payable in instalments regulated by the length of each of the said extensions, additions or branches, the balance remaining unpaid of the subsidy granted by 55-56 Victoria, chapter 5, not exceeding, with the amount already paid, $3,200 per mile, nor exceeding in the whole $59,667.20.

26. To the Joliette and St. Jean de Matha, Railway Company, for 20 miles of their railway, from St. Félix de Valois to Ste. Emélie de L'Energie, in lieu of the subsidies granted by 57-58 Victoria, chapter 4, a subsidy not exceed-

ing $3,200 per mile, nor exceeding in the whole $64,000.

27. For a railway from St. John to Barnesville, for a distance of 10 miles, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, or exceeding in the whole $32,000.

28. For a railway from a point on the Intercolonial Railway between Norton and Sussex stations towards Havelock, 20 miles, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $64,000.

29. To the Irondale, Bancroft and Ottawa Railway Company, for 50 miles of their railway, from the Victoria branch of the Midland Railway to a point at or near the village of Bancroft, in the county of Hastings, the balance remaining unpaid of the subsidy granted by 56 Victoria, chapter 2, a subsidy not exceeding in the whole $145,000.

30. To the Pontiac Pacific Junction Railway Company, for 85 miles of their railway from Aylmer to Pembroke, the balance remaining unpaid of the subsidy granted by 47 Victoria, chapter 8, provided the Ottawa River is crossed at some point not east of Lapasse, in lieu of the subsidy granted by the 57-58 Victoria, chapter 4, a subsidy not exceeding in the whole $73,172.

31. Towards the restoration or renewal of the railway bridge on the South Eastern Railway over the Yamaska River at Yamaska, in lieu of the subsidy granted by the 57-58 Victoria, chapter 4, a subsidy equal to one-third of the actual cost of the renewal of the bridge, but the grant not to exceed in the whole $50,000.

32. To the Woodstock and Centreville Railway Company, for a railway from Woodstock to the international boundary between the province of New Brunswick and the state of Maine, 26 miles, in lieu of the subsidy granted by 57-58 Victoria, chapter 4, a subsidy not exceeding $3,200 per mile, nor exceeding in the whole $83,200.

2. That the subsidies hereinbefore mentioned as to be granted to companies named for that purpose shall, if granted by the Governor in Council, be granted to such companies respectively ; the other subsidies may be granted to such companies as shall be approved by the Governor in Council as having established to his satisfaction their ability to construct and complete the said railways respectively ; all the lines for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August next, and completed within a reasonable time, not to exceed four years, to be fixed by Order in Council, and shall also be constructed according to descriptions and upon conditions to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made in each case by the company with the Government, which agreement the Government is hereby empowered to make ; the location also of every such line of railway shall be subject to the approval of the Governor in Council.

3. That the granting of such subsidies respectively shall be subject to such conditions for securing such running powers or traffic arrangements and other rights as will afford all reasonable facilities and equal mileage rates to all railways connecting with those so subsidized, as the Governor in Council determines.

4. That the said subsidies respectively shall be payable out of the Consolidated Revenue Fund of Canada, by instalments, on the completion of each section of the railway of not less than ten miles, proportionate to the value of the portion so completed in comparison with that of the whole work undertaken, to be established by the report of the said Minister, or upon the completion of the work subsidized,—except as to subsidies with respect to which it is hereinbefore otherwise provided.

Motion agreed to.

PRINCE EDWARD ISLAND RAILWAY.

Mr. HAGGART moved that the House resolve itself into committee to-morrow, to consider the following proposed resolution:—

That it is expedient to authorize the Governor in Council to build and operate, as part of the Prince Edward Island Railway, the following lines of railway, that is to say :

(a.) From Southport to Murray Harbour South, with a cross line connecting with the Prince Edward Island Railway, between Peakes and Cardigan stations, touching at or near Montague Bridge ;

(b.) From Souris or Harmony Station to Elmira :

(c.) From a point between Royalty Junction and York stations to Cove Head, and thence to Oyster Bed Bridge ;

(d.) From Emerald Junction to Stanley Bridge, touching at or near Clifton ;

(e.) From Summerside to Richmond Bay ;

(f.) From some point at or near O'Leary's Station, to some point on the western coast between Brae and Cape Wolfe ;

(g.) From Wiltshire to Victoria.

Motion agreed to.

PROPOSED INTERNATIONAL EXHIBITION.

Mr. BERGERON. Before the Orders of the Day are called, I wish to ask a question of the Government. I desire to know if the Government can give any information as to whether they have arrived at a decision in regard to the request made the other day by a very important and influential deputation from Montreal, which came here and asked that a grant of money be allowed the city of Montreal towards holding an international exhibition in 1897.

Mr. FOSTER. In answer to the hon. gentleman I would say that a very large and influential deputation from the city of Montreal waited upon the Government and urged the propriety of assistance being given by the Government to an international exhibition which it was proposed to hold in Montreal in 1897. The deputation was heard by several members of the Government, and since that time the Government have given the matter certain consideration. It is not possible, of course, owing to the state of public business, that any money grant could be initiated and carried through Parliament this year, in aid of that project; nor indeed is it absolutely necessary that such should be done, as it is only proposed that the exhibition should take place in 1897. The Government, however, has no hesitation in saying, that it is favourably disposed towards the idea of holding an International exhibition in Canada ; an exhibition which should be fully representative, and upon a basis which would insure its success. And the Government propose to ask a committee of representative men from amongst the promoters, to confer with it with a view to arriving at a basis upon which future action shall be founded in respect to that matter.

Mr. McSHANE. Mr. Speaker, perhaps I may be allowed to say something upon this very important question.

Mr. SPEAKER. There is no question before the House.

Mr. McSHANE. I will conclude, Sir, with a motion to adjourn. Last Saturday a deputation of some three or four hundred merchants, business men, and leading citizens of all classes came from the city of Montreal to ask the present Government to give them a grant in aid of an international exhibition to be held in the city of Montreal. I had not the pleasure or the honour, to have an invitation from the gentlemen who came on that deputation, and I regret that indeed, because I am here to do my best endeavour to promote the interests of the city of Montreal and its whole surroundings. Sir, there are two opinions as to the answer given to the deputation by the Government. These gentlemen on that deputation were told that the people of Montreal would have first to deal with the city of Toronto before any answer could be given them. I think that was a very lame answer for the Government to give that very important deputation, and I will tell you why I think so. The city of Montreal deserved a better answer from this Government. The city of Montreal has supported the present Government for many a long day. In view of the fact, of the great benefit that Montreal has been to the Government, and the great service which that city in the past has always given to every enterprise of the Government, I say from my seat here, that it was a miserable answer to give to the people of that city. We have on the Order paper Government resolutions asking for immense grants of money towards wild-cat railway schemes. We have also a recommendation from the ex-Minister of Justice to give away $210,000 to a contractor. If that money was not paid, the thanks of the country are due to one honest servant who was put in office during the regime of Mr. Mackenzie, the Auditor General, Mr. Lorn McDougall who nipped this fraud in the bud. As you have heard in the House, Sir, not only would that $210,000 have been given away, but it would have amounted in the end to nearly three-quarters of a million, as it would have paved the way for other contractors, who have similar claims. The Government are willing to do things of that kind. I do hope that they will not again give such an answer to the citizens of Montreal. I know the Government stand to-day somewhat in dread, and I know they have had a private meeting to-day with the gentlemen who came back from Montreal, because the feeling in that city, when that important deputation went back, was such, that not one man could hardly show his face as a Government candidate in the coming election.

Some hon. MEMBERS. Hear, hear.

Mr. McSHANE. You may say "Hear, hear," but you will hear, hear, a little more about it. The members of the Government cry out "hear, hear," and I do hope that they will give half a million dollars at least to the city of Montreal. I am sure that the whole Dominion will sanction that grant. Why should the people of Montreal be told by the Government to arrange with Toronto. The people of Montreal are proud of the city of Toronto, and we trust that they will have an exhibition such as they have always had and perhaps a better one. I must say that the gentlemen who have got up that exhibition in the city of Toronto for years, deserve a great deal of credit. Their exhibibitions have been a pride to Ontario, and I hope, that if possible they will be greater and better exhibitions in the future. The exhibition which we want to hold in Montreal is one that will attract people from all parts of the civilized world. We have large tracts of land in our North-west with no settlers to cultivate it. We know that when our immigrants come here, although they are brought out by the Government, they remain with us but a short time, and then take their departure across the line. We hope, Sir, that great numbers of persons from all parts of Europe will visit our international exhibition. If the Government makes this grant, a vast and lasting benefit will accrue to the whole Dominion. The city council of Montreal will do its duty, and the people of Montreal will do their duty by subscribing generously.

Some hon. MEMBERS. Hear, hear.

Mr. McSHANE. The hon. Minister of Finance is laughing, and I do not know why. Perhaps he thinks that the question before the House is not of much importance, or perhaps he thinks that my remarks are of little consequence. But, Mr. Speaker, I venture to say, that he has changed his tune, and the leaders of the Government have changed their tune since that deputation left here on Saturday. I speak here representing the city of Montreal, and I am sorry there are no others of the gentlemen representing that city in their seats at present. I am sorry none of them are here to assist me to ask this Government to give the aid that we require for the exhibition.

I do not wish to reproach them, for perhaps if they thought the question was coming before the House this afternoon, they would be in their seats. I know that one hon. gentleman of Montreal has always taken a great deal of interest, not only in the city, but in the province of Quebec, and in the Dominion generally. I refer to Sir Donald A. Smith. Mr. Speaker, my humble efforts may be but little in the eyes of the Government, but I voice the feelings of the citizens of Montreal in this matter, and if the Government refuse this aid they cannot afford to go before the province of Quebec as they shortly have to do. We want no miserable pittance from them. We want a good grant. I say that Montreal has never received a cent from this Government. It is time that the wants of Montreal should be brought before the Government. The merchants and the people of Montreal were promised day after day, and month after month, that certain things would be done for them, but nothing ever was done. I hope, Mr. Speaker, that this very important question will arouse a feeling in the breasts of the Government that that city can be no longer set aside. Montreal is the chief city of the province of Quebec, and the greatest and grandest city in the Dominion of Canada. I was glad to see that last night the Government, after having been told that they had done nothing for the city of Montreal, introduced a resolution granting to the Harbour Commissioners, $2,000,000 of bonds. We should have had, years ago, a great deal of money given to the city of Montreal by the Government; but we have hardly had anything from them except insults to the merchants and business people of that city. But this is changed now, and I know that to-day the Government are on the tip-toe of expectation, and are ready to promise anything. But we want no promises: we want the solid, sound cash given. Promises are empty. Before I sit down, I desire to ask a question of the hon. Minister of Public Works—I believe it comes under his department. Since I came here I have received letter after letter from a very important portion of the people in one part of the city of Montreal: I mean the inhabitants of Point St. Charles. I wish to ask the Government, who owns Mill Street? Is it owned by the city of Montreal or by the Government?

Mr. SPEAKER. I am afraid the hon. member is getting away from the question. He proposes to move the adjournment of the House to bring up the question of an appropriation in aid of an International Exhibition to be held in Montreal in 1897. He cannot discuss any other question on this motion.

Mr. McSHANE. This is a grievance.

Mr. SPEAKER. I am afraid the House would be aggrieved if I were to allow a breach of the rules.

Mr. McSHANE. Well, Mr. Speaker, I beg leave to move the adjournment of the House, but I am here to do my duty to my constituents, and I am certain that if the Government were only aware of the state in which that portion of Point St. Charles is——

Mr. SPEAKER. I have already pointed out to the hon. member that he proposes to move the adjournment of the House for the purpose of bringing up a question, and he must confine himself to that question.

Mr. McSHANE. I thank you, Mr. Speaker, and the other members of this House for listening to me; but I thought I would take the opportunity of bringing this matter up, because I shall have no other chance. Therefore, before I sit down, I desire to ask the Government if any one of their representatives here can stand up in his place and say positively that they will assist the city of Montreal in getting up their great international fair, by contributing to it half a million dollars, as we have asked.

Mr. IVES. Mr. Speaker, the hon. gentleman is, I presume, familiar with the opera of "The Mikado." He will remember a character in that opera called Pooh Bah, who was accustomed occasionally to be insulted, and for those insults he was always willing to take compensation in cash. The hon. gentleman says he represents the great city of Montreal. I should be very sorry to think that he did represent the great city of Montreal.

Some hon. MEMBERS. Order.

Mr. IVES. He has represented the city of Montreal to be a Pooh Bah. He says that the people of that city have frequently been insulted by the Government of Canada, and that now, for those insults, they want $500,000 in aid of the great fair.

Mr. McSHANE. I did not say anything of the kind.

Some hon. MEMBERS. Order.

Mr. McSHANE. I rise to a point of order, Mr. Speaker. I beg leave to state that I made no such statement.

Mr. SPEAKER. I am sure the hon. Minister of Trade and Commerce will accept the statement made by the hon. member.

Mr. IVES. I will accept the statement, but I certainly understood the hon. gentleman to say that the city of Montreal and its business men had received nothing but insults at the hands of the Government, and that the time had now arrived when compensation for those insults must be given. That would be necessary to soothe the injured feelings created by that bad treatment. Then the hon. gentleman has represented the delegates from the city of Montreal who came here the other day, as coming for that purpose. He says that, inasmuch as they were told by the Premier, among other things, that Toronto had arranged for an exhibition in the same year, and it might be advisable that some arrangement should be made to avoid a clashing of the two, the deputation went back to Montreal unable to hold up their heads, and that the result of that remark of the Premier is that not a Conservative candidate can be elected in the city of Montreal.

Mr. McSHANE. I said nothing of the kind.

Mr. IVES. That was the position the hon. gentleman placed before this House. It is all very well to get up here and make a stump speech, but the hon. gentleman should not feel so sensitive when that speech is stripped of its oratorical flourishes and its rhetoric, and its exact meaning is put before the House and the citizens of Montreal. Now, I have too high a regard for the great city of Montreal to believe that that deputation came here, as the hon. gentleman represents them, to present a pistol at the head of the Government on the eve of a general election, and to demand that the sum of $500,000 should be promised, immediately, without any hesitation, without any consideration, and without consulting the House of Commons at all: because it is impossible to take the opinion of the House of Commons at this stage of the session. I say I repudiate, on behalf of the city of Montreal, the statement the hon. gentleman has made, that unless the Government of this country promise, unreservedly, unqualifiedly, and at once, that $500,000 shall be granted for the proposed exhibition, then the city of Montreal will change its politics, and no Conservative candidate can be nominated. Now, I know the city of Montreal too well to think that that was the view with which those gentlemen came up here. It is true that it was rumoured about the lobbies of the House that the Liberal party were instigating this great deputation and that it was politics rather than the exhibition which was the object they had in view; and from the speech of the hon. gentleman, one might be prepared to say that there is some little foundation for that suspicion. Two days ago the deputation came here. They were answered by members of the Government who addressed them, I venture to say, in as encouraging a manner as could have been expected. Two days have elapsed, and the hon. gentleman rises in his place and makes a stump speech, in which he threatens the Government with the loss of the whole of Montreal, unless they come down at once with $500,000 in solid hard cash. I say that the city of Montreal has no reason to be proud of the way in which the hon. gentleman has represented that city to-day.

Mr. LAURIER. I think the House will doubt the good taste of the reply which has just been made by the hon. Minister of Trade and Commerce (Mr. Ives) to the very civil question put by my hon. friend (Mr. McShane). Whether the city of Montreal is satisfied or not with its representatives is a question which the city will have the occasion to answer by and by. My hon. friend asked a necessary and a very civil question, and the Government were at liberty to give what information they chose in reply. They have not chosen to speak with any definiteness, but that is their own business and with that I have no fault to find. All I have to say is that they have to answer to the country for this as for everything else. But I would point this out to the hon. gentleman as perfectly justifying the motion of my hon. friend at this moment. It is very true that a delegation came from Montreal two days ago to interview the Government on this question. That the answer which was given them was not satisfactory is shown by the fact that to-day there is another delegation from the city of Montreal to have this answer supplemented. If it had been satisfactory, if it had been definite, it would have been so understood, but, as my information goes, there was no certainty in it. The delegation could not make out whether it was fish or flesh, and therefore another delegation is here to-day, I understand, again to interview the Government on that same subject. Under the circumstances, I submit that my hon. friend, who, as a representative of Montreal, naturally has at heart everything that concerns the welfare of that city, was quite within his rights when he brought up this question in a very civil, temperate speech, which gave no occasion for sneers from anybody, much less the hon. Minister of Trade and Commerce.

Mr. COCKBURN. I regret that the hon. member for Montreal Centre should take so much to heart the kindly advice given him by the Government and tendered to the Montreal delegation by the Government, to consult with the city of Toronto. I think the advice was but natural because the city of Toronto, some time ago, before any action had been taken by Montreal, had made advances to the Government and had asked for certain aid to the great international exhibition to be held in that great city of the west. My hon. friend from Montreal Centre (Mr. McShane) may characterize Montreal as the greatest and grandest city on this continent or in the Dominion, but I can assure him that the people of Toronto consider that they have a city equally worthy of notice, equally worthy of rivalry in every respect with the city of Montreal. At any rate in matters of exhibition, they have for years shown themselves able to manage an exhibition second to none on this continent. And the advice was very natural that the Montreal delegation should go and consult those gentlemen from Toronto who know so well how to manage an exhibition. Let me tell the hon. member for Montreal West——

Mr. McSHANE. Montreal Centre.

Mr. COCKBURN. I beg the hon. gentleman's pardon; there is indeed a great difference between the two members. Let me tell him that the great city of Toronto has managed its exhibition, and managed it super-excellently well, without going to Parliament with huge demonstrations, without making a political demonstration and a demand of $500,000 as the price of their allegiance. We have managed our exhibition through our own efforts, and it is only when we desire to extend it and make it worthy of the Dominion in every respect, it is only when we desire to bring in goods from Europe, Asia and America, and give it a great international character, that we in Toronto think it necessary to go to the Government and ask a small pittance—not $500,000 or anything of the kind, but just sufficient to balance the additional expenditure the city would have to undertake in order to have the exhibition of an international character which they contemplate to have in the year 1897. My hon. friend might call it a very miserable pittance. He says he is not here to ask simply for sympathy or recognition. I may tell him that all the city of Toronto asked for was the recognition of the Government. We have not asked for money. We were willing to leave that to the good sense of the House. It is a matter which must be discussed, and time has been so much wasted that it could not be brought up this session, but we asked the Government to recognize the great efforts being made for Canada by Toronto and to give us their countenance. And next year, when matters are quiet and this great party has returned with an overwhelming majority, we will be able to discuss matters quietly, and we shall come to you, not with any huge demonstration to force the hands of a Government supposed by some to be in extremes and demand a grant of $500,000, but simply to ask the Government to give what is fair and reasonable. It is not within the competence of the Government to make any such promise as the hon. gentleman requires. We are the people who hold the purse strings, and I think the demand made on the part of the delegates from Montreal, if they were actuated by the spirit in which the hon. gentleman says they were, is one which could not be considered. I think it would be an outrage on the liberties and privileges of the House if they had come here with any such intention as the hon. gentleman ascribes to them. I coincide fully with the views of the hon. Minister of Trade and Commerce, when he tells us that he has a higher opinion of the gentlemen of Montreal than to imagine for one moment they were coming here entertaining such views as have been ascribed to them by the hon. member for Montreal Centre. I trust that this House will fully consider the position in which they are placed in reference to this matter and that no rash action will be taken. I have that confidence in the business men, both of Toronto and Montreal, to feel that they consider as wise the advice given by the hon. Minister, and that they should meet in council together with the representatives of the city of Toronto, and see if they could not determine to hold an exhibition in common—one that would not conflict with the other. I believe there is room for both. The exhibition in Toronto would be more representative of the large agricultural interests of every province while at the same time we intend to make it largely representative of the manufacturing products of the Dominion. At the same time, I can easily understand—the city of Montreal being divided as it is from the city of Toronto by some 330 miles—that there might possibly be room for both exhibitions, and that as we shall have the pleasure of the presence in 1897 of the British Association and various other organizations and literary societies, the fact of there being two exhibitions may tend perhaps to benefit Canada.

Mr. DAVIES (P.E.I.) Does the hon. gentleman propose to have two international exhibitions in the one year?

Mr. COCKBURN. I am not making any proposal with reference to two exhibitions, but I tell the hon. member for Queen's that I think it would be well for the two cities to see if together they could not organize some plan for holding one great international exhibition, and that apparently was the advice given those 300 or 400 gentlemen from Montreal as an advice that would be worthy of their consideration. I think that it was a very natural advice to give. A representation came from Toronto, not numbering 400 or 500, but composed of men who had devoted a large portion of their time to exhibition matters, to see what arrangements they could make with reference to holding an exhibition at Toronto. And I think it was natural, indeed it was but the act of a gentleman to tell these gentlemen that Toronto was beforehand with them, that they were already in a manner committed to Toronto, but it would give them great pleasure if the two parties could meet and bring before the Government some plan by which one exhibition, wherever held, would enable the Dominion to reap the full benefit of the outlay that the Government would make upon it. If such an organization could be effected, and I do not see why not, the forces could be united for the holding of an exhibition.

It being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. PREFONTAINE. The reply of the Government to the delegates from Montreal was satisfactory in this way, that at least there is a hope held out in that answer. If

I understand that answer well, it means that the Government have come to the conclusion that they will have an interview with the committee of the international exhibition in Montreal, which committee will be here to-morrow, so as to give a more official and more satisfactory answer than was given on Saturday by the Ministers to the large delegation from Montreal. The delegation from the city of Montreal was not, I must say at once, a political delegation. It has been asserted here by hon. members of this House that the citizens of Montreal, to the number of 400, came up on Saturday to present a pistol at the Government's head unless the Government was ready to grant them all they thought right to ask in the interests of the city. That was far from being the spirit in which the delegation came here on Saturday. If you will refer to the speeches that were made on that occasion by members of the delegation, you will find that they one and all refer, not only to the interests of Montreal, in this matter, but generally to the interests of the Dominion. It was in that spirit that they came here to Ottawa. And why did they come? They came to make just and fair representations to the Government. This is the second delegation of the citizens of Montreal to interview the Government in relation to this important question, for a year ago a delegation, not so numerous, waited upon the Government and represented the case. The intention at that time was to have this international exhibition in 1896. For reasons that are well known to the citizens of Montreal and to the public, that idea could not be carried out. The interview with the Government at that time was not satisfactory enough to justify those who were ready to go into that scheme to subscribe the amount of money that was necessary. But it created a public spirit in Montreal, and it convinced the citizens that if they were to organize properly, if they showed that they were ready to put their hands into their own pockets and provide, say half a million dollars, they could, as good citizens, come before the Dominion Government and reasonably ask for their co-operation. That is what they did, and I think there is no reason to find fault with them for having done so. If some of those who came to interview the Government were not quite satisfied with the answers given to the deputation, that is not a difficult matter to explain. The answers of the Ministers were not, I must say, wholly satisfactory; they were non-committal. As for myself, personally, so far as the answers went, as I said to the newspaper reporters, I was perfectly satisfied. But, of course, you cannot prevent people from thinking that, coming in such numbers, and representing, as they did, the wealthiest people of Montreal, and the business people of Montreal, the Government should have acceded at once to the request that was made. If some of them think that, there is no reason to reproach them for it. I am sorry to be obliged to say that the answer made by the Minister of Trade and Commerce (Mr. Ives) to the remarks of the hon. member for Montreal Centre (Mr. McShane), as well as to the remarks made by the hon. member for Centre Toronto (Mr. Cockburn) seemed to be made not quite in the spirit in which they should have been. This is probably due to misunderstanding. But if all the facts are put before the House and before the country, I am sure that this matter will be considered by the Government to be as important as it has been considered by the citizens of Montreal. The memorandum that was laid before the Government by his worship the mayor of Montreal on Saturday, reads as follows—and you will see that it contains nothing except what is designed for the best interests of the citizens of the whole Dominion :

> The first of July, 1897, will be the 30th anniversary of the Royal Proclamation, binding together in one grand federation the several provinces of British North America, now extending from ocean to ocean across the American continent.
>
> During this eventful period of our national life, the Dominion of Canada has marvellously progressed in the development of the immense resources of its extensive territory.
>
> In every branch of our agricultural and manufacturing industries, extension of trade and commerce, scientific and educational attainment, philanthropic and religious institutions, Canada has obtained a most prominent position, and is now prepared to invite the nations of the world to visit our shores, and take part in the development of our future greatness.
>
> We have arrived at that point in our national existence when we are obliged to compete with rival nations in foreign markets, and no better or more practical method can be devised of showing to advantage the eminence we have attained, than by inviting foreign countries to participate in a grand display of the products of all nations in the commercial metropolis of Canada.
>
> With ocean navigation at our port, a fast Atlantic steamship service appearing in sight, the enlargement of our canals, railway communication from every point on the continent, extensive grounds picturesquely located on the side of Mount Royal, a most hospitable and cosmopolitan population of three hundred thousand (300,000) progressive people, the seat of the greatest financial, educational, railway, transportation, manufacturing, commercial, scientific, philanthropic, and religious institutions in the country, the city of Montreal is pre-eminently endowed with all the requirements necessary to assure the greatest possible success of the proposed international exhibition.
>
> The Canadian sections must necessarily be the main feature of the undertaking, each province being expected to show to the best advantage its special productions. Through the friendly rivalry thus created between the sister provinces, the home collections, no doubt, will be a revelation, not only to foreign visitors, but also to our own population, the majority of whom are unaware of the immense progress

that has been made in the various departments of industry and agriculture in Canada.

Every nation, with which we have commercial relations, and more particularly Great Britain and her colonies, will be sure to make their respective departments as complete and attractive as possible. Montreal is the geographical centre for some fifteen millions of people, and a large attendance may confidently be relied upon. Boston, Philadelphia, New York, Albany, Buffalo, Detroit, and other large cities, are only a few hours' ride from Montreal,—cities possessed of the largest purchasing power on the continent of America.

To carry out this national undertaking will entail a large expenditure of money during the years of 1896-97. Several extensive buildings will be required for both the Canadian and foreign sections. The grounds will have to be enlarged and suitably ornamented ; hotel accommodation must be increased, extra boats and cars will be required, workshops will supply building materials, and manufactories begin to prepare their exhibits and installation ; in fact, from ocean to ocean, the whole country will be awakened, and will resound with the busy preparations for Canada's international exhibition.

At this period when depression in trade has been almost universal and few countries have weathered the storm more successfully than Canada, no more practical nor opportune occasion than an international exhibition could be devised to bring Canada and her resources prominently before the world and thus contribute to the general prosperity of the Dominion. The experience of other countries proves that successful international exhibitions have always been accompanied and followed by an immediate revival of profitable business ; extensive orders, which provide employment for years afterwards, are the necessary result, and new avenues of trade are opened up for the products of the country ; while, with each visitor, capital is brought to the country from every part of the world. The Dominion of Canada, with its products and resources, will be extensively advertised, capitalists will invest in the country and enterprising immigrants will be induced to settle in the fertile plains of our western provinces, and assist in developing the vast mineral wealth of the country.

At this very moment, when the British Colonial Secretary manifests such deep interest in the welfare of the colonies and their possible closer relations with the mother country, the time seems specially opportune for this Dominion to demonstrate its ability to supply Great Britain with the necessaries of life and many of the raw materials so essential to her manufacturing interests.

Thirty-six years ago, His Royal Highness, the Prince of Wales, visited Canada with the object of inaugurating the Victoria Bridge. Would it not be possible for His Royal Highness to be induced to visit once more this Dominion to inaugurate the Canadian international exhibition, and place it under his august patronage ? The presence of His Royal Highness in Canada would be the occasion of the most enthusiastic and hearty demonstration of loyalty and devotion to the future ruler of the British Empire.

Montreal is willing to assume its full share of the financial responsibility of this great undertaking, but we do earnestly appeal to the Hon. Premier and the Dominion Government to view this our request for substantial support and official endorsation on the broad basis of national advancement which the Canadian international exhibition is bound to secure ; the desirability of promoting the general prosperity of the Dominion ; and last, but not least, the potent consequences which our national display may have on the future relations of the Dominion of Canada with the mother country and other portions of the British Empire.

On behalf of the Citizens' Committee,

R. WILSON-SMITH,
Mayor.

Montreal, 16th April, 1896.

This was accompanied by another memorial, signed, not only by the Mayor of Montreal, but also by the President of the Board of Trade and the President of the Chambre de Commerce, two bodies, composed of the best people of the city of Montreal. This memorial also makes no allusion whatever to sectional or political considerations ; on the contrary, it again repeats substantially the arguments of the first one, that is to say, that the citizens of Montreal came here as representing the best interests of the Dominion of Canada. I shall have to ask the indulgence of the House while I read this memorial also :

That the summer of 1897 is deemed an opportune time for holding in Montreal a great Canadian international exhibition ;

That the Dominion of Canada, in common with all other countries, although to a lesser extent, has been passing through a period of great commercial and industrial depression, and that it is eminently desirable that exceptional efforts should be made to give an impetus to the trade and commerce of the country ;

That the decision to hold a great Canadian international exhibition in the year 1897 would have an immediate and most beneficial effect upon the business of the Dominion ;

That the enterprise would afford immediate employment to many mechanics and artisans who are much in need of employment, not only in the work of preparation for the exhibition itself, but in the preparation of numerous private enterprises which the project would bring into existence throughout the whole Dominion ;

That, apart from all considerations of merely local and temporary advantage, it is high time to bring the great agricultural, manufacturing, mining and fishery resources of the Dominion conspicuously before the notice of the civilized world, in order to attract capital for the full development of those resources, and to bring about that great increase in immigration, which is essential to the general prosperity of the country ;

That the Canadian international exhibition, if held next year, would be the only great international exhibition to be held during that year, and that, if this opportunity is allowed to pass by, it will probably be many years before an international exhibition can be held in Canada so free from foreign competition ;

That much interest has lately been aroused among European exhibitors in Montreal as a suitable field for exhibition purposes, and that the undersigned have every confidence in being able to obtain the most cordial support from foreign governments and exhibitors ;

> That it is desirable that the proposed exhibition should be held upon a scale never before attempted in a British colony ;
>
> That all classes of the community of Montreal are taking a lively interest in the project and are prepared to do their share in assisting it by their money and their labour ;
>
> That the Imperial Government, the various provincial governments and the governments of foreign countries will form their estimate of the importance of the Canadian international exhibition from the importance that appears to be attached to the enterprise by the Dominion Government ;
>
> That, if the enterprise is granted the cordial endorsation and generous financial support of the Dominion Government, the citizens of Montreal are prepared by the extent of their subscriptions to give ample financial guarantees that the enterprise shall not fail for want of financial support or active promotion ;
>
> That the Government may reasonably expect to be directly recouped to a large extent for any expenditure it may incur by the receipt of customs duties upon articles imported for exhibition and afterwards entered for consumption ;
>
> Therefore, the undersigned respectfully ask the Government to give the proposed Canadian international exhibition its official sanction and financial assistance to the extent of $500,000, the whole to be upon the condition that at least an equal amount be contributed by Montreal citizens and from other sources .
>
> It is also understood that any profit or surplus remaining at the close of the exhibition, after the repayment of the preference stock, shall be devoted to such national object in Canada as may be decided upon by the executive committee of the exhibition.
>
> It is also the desire of the undersigned that the Dominion Government should have full representation upon the board of management and direction.

The Mayor of Montreal supplemented these two documents by some remarks that were entirely in accord with their contents, making, I repeat, no sectional appeal whatever, but treating the subject from a Dominion standpoint entirely. Now, as I have just said, this project has the unanimous support of the citizens of Montreal without distinction of political party ; and the delegation that came here was composed, mostly—I may say without fear of contradiction—of citizens having the same political faith as the present Government. Therefore it cannot be even suspected that this delegation came here for the purpose of bringing any political pressure to bear upon the Government to make this grant on the eve of an election ; on the contrary, the scheme was put plainly before the Government as a national enterprise, and in that spirit it must be treated. Let me also read an article from the daily "Star," of 17th April, 1896 :

> To-morrow a large and influential deputation of Montreal citizens will wait upon the Dominion Government to ask official recognition and suitable financial assistance for a great international exhibition to be held in Montreal next year. There have been exhibitions in Canada before, and some fairly good ones, but there has never been held in Canada a really great exhibition. Canada is rich in natural resources ; in the Dominion there is practically unlimited scope for the investment of capital and the employment of labour. What the country needs is to impress upon the world that this is a country of magnificent opportunities. A great international exhibition would do much to develop our trade relations, to attract the right class of immigrants and to encourage judicious investment of capital. There never was a time when an international exhibition was so badly needed in Canada. The need of some such stimulus to our trade is evident. In common with other countries we have passed through a period of great depression, and although we have less disasters to chronicle than some of our neighbours, we have not escaped unscathed. To many of our people, the decision to hold or not to hold an exhibition next year is a matter of vital consequence, and they are awaiting the settlement of the question with great anxiety.
>
> That Montreal is the place in which to hold Canada's first great international exhibition we hope will not be difficult to establish. Being the commercial metropolis of the Dominion, at the head of ocean navigation, the centre of a magnificent railway system, the one city in which the two great races which form the bulk of the population of Canada are found in great number, possessing all the facilities for entertaining a host of visitors. Montreal is an ideal spot for an exhibition. Not the least reason for holding an exhibition here next year is that our people have made up their minds that they want one, and are prepared to pay handsomely for one. The fact that the Government has not been in the habit of paying much attention to petitions emanating from Montreal in the past will not, we trust, be followed as a precedent on this occasion. By every consideration of justice to Montreal, and of the interests of the Dominion as a whole, it is to be hoped that the Government will see its way clear to do the handsome thing to the Montreal delegation, and come down handsomely.

Any one reading these quotations from papers favourable to the Government will understand that this deputation did not come here with the objects represented a few moments ago by an hon. member who addressed this House. Some of the delegation explained earnestly what the delegation wanted, and they expected a clear and concise answer. They did not get it, and the course of the discussion was subsequently continued among the citizens and in the press. Yesterday in the Montreal city council, a motion was proposed by Ald. Rainville, seconded by Ald. Atwater —who is a good friend of the present Government—endorsing the action taken by the delegation, in the following terms :—

> That this council cordially approves of the project of holding a Canadian international exhibition in Montreal in 1897, and earnestly desires that the Dominion Government will give the enterprise its hearty co-operation and generous financial support, and, furthermore, this council hereby endorses the memorial presented to the Government by the delegation of Montreal citizens and others on last Saturday, the 18th instant.
>
> We realize the far-reaching benefits which will accrue to the trade and commerce of Montreal as well as the Dominion at large, by the hold-

> ing of such an exhibition, and we believe that the time suggested is most appropriate, and we earnestly pray that the Government will unhesitatingly accord prompt support in every respect.
>
> This motion was carried unanimously with the understanding that it will immediately be telegraphed to Sir Mackenzie Bowell.

If to-day a second deputation has to come to Ottawa, it has come with this resolution in hand, and with the determination of having a clear and precise understanding on the matter, and it is only fair and just that it should be so. We are on the eve of prorogation, and if something is to be done, the citizens of Montreal are entitled to know it. If the answer given by the Minister of Finance means anything, it means this, that to-morrow some members of the Government will meet the deputation from Montreal, which is more of a committee than a deputation, headed by the mayor of Montreal, and come to some satisfactory arrangement by which this demand of the citizens will be granted. There was a remark made during this discussion that this exhibition would clash with the Toronto exhibition, and that we should first agree with Toronto about holding the proposed international exhibition in 1897. I understand that the mayor of Montreal has met representatives of Toronto, and it was discovered that the Toronto exhibition, although possessing great importance, would be only an exhibition of agricultural produce.

Mr. COATSWORTH. No, not at all.

Mr. MACLEAN (York). We shall have a Midway Plaisance.

Mr. FOSTER. An Egyptian mummy.

Mr. PREFONTAINE. If this is to be a Dominion exhibition, there can be no objection to holding it the same year as the international exhibition. I understand this Dominion agricultural exhibition will last three or four weeks. The committee of the international exhibition at Montreal do not intend to have an agricultural exhibition in connection with the international exhibition and instead of injuring Toronto the international exhibition will help it, because after the exhibition in Toronto is over there is no reason, if the committee of the international exhibition makes the necessary arrangements, why the agricultural exhibits should not be also shown at the International Exhibition during a period of two or three weeks, which would be of advantage to exhibitors. I see no objection to such an arrangement, and no objection has been taken by our citizens, after discussion of the whole subject. It is only a question as to arriving at an understanding as to the date on which the Dominion agricultural exhibition will be held in Toronto, and to have that matter settled. If a spirit of jealousy is shown between the two cities, both exhibitions will be injured. I observe a despatch published in the Toronto "World" on the subject of the international exhibition, and if the spirit shown in the telegraphic despatch should be continued and the spirit of jealousy fostered between the two cities, I repeat that injury will be done to both exhibitions, and no one will be benefited. The despatch to which I allude is headed :

> After Dominion Money—Montreal sends 400 Citizens to Ottawa—Half a Million Wanted—Nothing Small About the Commercial Capital—Features—Speeches in Aid of the Startling Appeal.

The despatch goes on to say :

> Ottawa, April 18.—(Special.)—The deadhead delegation from Montreal, which is trying to squeeze half a million dollars from the Government for exhibition purposes, struck town this afternoon. It was large in numbers and eminently respectable in appearance. Under the inducements held out of free transportation over either line of railway, who would forego the temptation of a pleasant holiday jaunt to the capital on a bright spring day, with prospects of seeing and hearing the leading gladiators in the parliamentary arena and the possibility of securing a big pot of money for their beloved city ?

This language is used in regard to a most important deputation. Another paper has treated the deputation in about the same way, and its article is reproduced in the Toronto "World" to-day, the paper to which I allude being the Hamilton "Spectator." Speaking on behalf of the citizens of Montreal, and as a citizen, I think I may say that we entertain no jealousy whatever towards Toronto, and if Toronto can get from the Dominion $50,000 or $100,000——

Mr. MACLEAN (York). $500,000.

Mr. PREFONTAINE. We have no objection. On the contrary, we will try and help Toronto to get it. If the people of Toronto had come to Ottawa and asked a grant which would be justifiable and reasonable, for an international exhibition, we would not for a moment have opposed that delegation, and Montreal should be treated by the Toronto "World" and the other newspapers in the same spirit. But, of course, these things I suppose cannot be helped, and we have got to stand it. But if we have to stand it we have also the right to put the facts as they should be, and as they are, before the House and before the country. Although there may be some dissatisfaction amongst those who composed the deputation, I am sure, —as has been stated publicly—that the citizens of Montreal are so in earnest about this project, that they are bound to carry it out. Of course, they must first have the official endorsation of the Dominion Government, and they must also have that financial support which the Government has always extended to such an exhibition in every country of the world. The project has originated in Montreal, and everybody admits that it is the best centre in which to hold an international exhibition. I do not see why, therefore, because it is the city of Montreal, that Montreal should not get fair support and fair treatment. I have stated, and I repeat it, that we do not intend—it is far from the idea of any member of the delegation, and it is far from my thoughts also—to make any political capital out of this question. It is a question upon which we must all be united. If it is a good thing, and if it is in the interests of the Dominion, there is no reason why we should not agree about it, and why we should not be treated on a fair basis, and treated on a business-like principle.

Some hon. MEMBERS. Hear, hear.

Mr. COATSWORTH. Coming as I do from a city that believes in exhibitions, I am very glad to have heard the remarks of the hon. gentleman (Mr. Préfontaine). We have had in Toronto for a great many years one of the most successful annual exhibitions that is held on the continent of America. About five or six years ago, the plan was first proposed to hold, next year, a Dominion exhibition, and during the years that have intervened, the matter has been developed from time to time. I think it was in 1893 that Sir John Thompson, then the Premier of the Dominion, opened the Toronto exhibition, and the proposition was made to him at that time, that we should hold a Dominion exhibition. I am glad to say it was very favourably received by him and by the members of the Government who were then present at the exhibition. Since then the preparations for the Dominion exhibition have been going on, our buildings and grounds have been enlarged, and I think I may say without boasting, that we have one of the finest exhibition grounds that can be found on this continent; fronting as it does on Lake Ontario, approachable by the steamers and by the railways, which run to the gates, and approachable from all the hotels in the city by the trolley cars, which also run to the gates. I am sure my hon. friend (Mr. Préfontaine) did not intend to belittle our exhibition in any way, when he said he understood it was to be an agricultural exhibition. I wish to assure my hon. friend and to assure the House, that it is not in any sense confined to being an agricultural exhibition, but it is an exhibition of all the arts and manufactures and products of this Dominion. As such we intend to hold a Dominion exhibition in 1897; that is, if we can secure, as we have some reason to expect, the endorsation of the Dominion Government and such aid from them as may be necessary.

Mr. CASEY. How much do you want them to endorse for?

Mr. MACLEAN (York). $100,000.

Mr. LISTER. You only asked $50,000 a week ago.

Mr. MACLEAN (York). We will take $100,000 if Montreal wants $500,000.

Mr. LISTER. You asked $50,000 a short time ago.

Mr. COATSWORTH. Have I said anything else.

Mr. LISTER. The hon. gentleman beside you (Mr. Maclean) did.

Mr. COATSWORTH. The hon. gentleman beside me is not speaking. A statement was laid before the Government the other day by a deputation from the Toronto city council and from the Toronto Exhibition Association. Of course, I do not wish to reflect on the remarks of my hon. friend (Mr. Préfontaine), but if the magnitude and respectability of a deputation is to count for anything, then we can get from Toronto as large and respectable a deputation as the Government may wish. I think that for three or four years past, a deputation has each year waited upon the Government from Toronto with regard to the Dominion Exhibition. It has been fixed for the year 1897, now for several years, largely with the historic idea in view, because it was about the year 1797 that General Simcoe first came to Toronto, or York, as it was then called. It is far from our desire that there should be any conflict about this matter. We have no desire to come into collision with the sister city. It is a larger city than ours—although we think not very much larger—and is most highly respected by all the commercial people of the Dominion. But we have been first on the ground, and we think that will entitle us to a great deal of consideration from the Government. I am sure that that fact will also receive due consideration from the gentlemen who are supporting the international exhibition in Montreal. It appears to me, however, that if the parties who are interested in both cities were to get together they would be able to determine very soon whether or not the two exhibitions are going to clash with each other. Of course, if they do not, some arrangement ought to be made, and there would be no reason why both should not go on. The exhibition at Toronto at the present time is generally held for about two weeks in the early part of September—from the 5th or 6th of September until about the 20th. If I remember aright, the proposition is to hold the Dominion exhibition in Toronto next year for a couple of months. I do not know to what extent that will fall in with the plans of the citizens of Montreal for their international exhibition. I can assure my hon. friend that so far as we are concerned, and so far as it lies in our power, we shall most heartily work in with them, and shall do our utmost to make their exhibition a success. I did hope when I first heard of it, that the Montreal people would put their exhibition a year later. I did hope, as we had been on the ground for some years promoting the Dominion exhibition, that they would have felt it to be wiser to delay their international exhibition for another year, as it would seem possible that there might be some collision between the two. However, no doubt the citizens of Montreal have considered that, and considered it not only in their own interests, but in the light of that courtesy which we in Toronto have always received from them. While we will not relax our efforts in the interests of our Dominion exhibition in Toronto, I feel no doubt in my own mind that the hon. gentleman (Mr. Prefontaine) and the citizens of Montreal, will take such steps as will prevent any possibile collision between the two exhibitions next year.

Sir JAMES GRANT. I have listened with interest to the hon. member for Chambly (Mr. Préfontaine) on the subject of the international exhibition, and I have also listened with interest to the hon. member for East Toronto (Mr. Coatsworth) with reference to the Toronto exhibition. I was, however, amazed to find that neither of these gentleman made any reference whatever to the great exhibition which we are holding here annually at the capital. Exhibitions of a national character require to be centralized. In the years when a great exhibition was held in London, there was but one exhibition, and the same was the case with the Paris exhibition, and with that held in Chicago two years ago; and if there is to be an international exhibition held in Canada, it is high time that the various cities should appoint delegates to meet together and co-operate so as to have one exhibition for the Dominion of Canada, such as will have a world-wide reputation. We know that there is nothing so well calculated to establish the reputation of a country as an exhibition of its products. It is amazing what has been done in the city of Toronto in the last few years in that line, as was pointed out to us this afternoon; the exhibition held at Regina last summer was a marvellous illustration of the growth of the North-west country; the people of the metropolitan city of Montreal have great reason to feel pride and satisfaction in what they have accomplished in their annual exhibition; and the same is true of those held in the maritime provinces. We have but one aim and object in view in these various exhibitions, and that is the advancement of the material prosperity of our people, and the desire to place on record what our people are able to exhibit of our products. How is this best to be accomplished? Is it by an annual exhibition at any one of the great centres? No; there requires to be, not a division of labour, but a unity of labour, and a unity of design in all portions of Canada. We should centralize our efforts. I was amazed this afternoon to hear the hon. member for Montreal Centre (Mr. McShane) speak as if the Government had actually done nothing for that city. What has the Pacific Railway done for it, and is not the construction of that great work due to the Conservative party? Where would the development of Montreal be to-day but for the Pacific Railway, and the deepening of the St. Lawrence, both of which works are due to the Conservative party? There is no city of Canada to-day which has derived greater benefit from the Conservative party than the city of Montreal; and when, forsooth, a junior member for that city finds his way here and tells us that the Government of Canada have done nothing for Montreal, it is high time he should be made aware of the fact that no Government has ever done more for the advancement of the material interests of that city than the very Conservative Government in which we have so much pride and satisfaction to-day. With reference to the city of Ottawa, let me say that if anybody has the slightest doubt of the progress and development of this portion of Canada, I would strongly recommend him to see our annual exhibition. We are expending on that exhibition this year no less than $40,000, and we are not asking the Government of Canada for one dollar. But I have this to say, that if Montreal and Toronto are to receive large sums of money from the Government for their exhibitions, why should not the capital of Canada? We desire to co-operate with you, and if you accept my idea, rely upon it, you shall have the efforts of the people of the capital to assist the province of Quebec in promoting that great exhibition. I have very little more to say; but I am pleased beyond measure that the people of Montreal have taken into their serious consideration the desirability of promoting a great international exhibition, because I think the day has arrived when Canada can afford to do something in this direction, and whatever is done, let there be unity of endeavour from the Atlantic to the Pacific.

Mr. LEPINE. (Translation.) Mr. Speaker, I coincide fully with the views of the hon. members who preceded me, in connection with the international exhibition which is to be held in Montreal. It is a most important national undertaking, which is entitled not only to the recognition and official sanction of the Dominion Government, but also to the cordial support of every hon. member of this House. For this undertaking is not exclusively in the interest of the city of Montreal, but is bound to have an immediate and most beneficial effect upon the interests of the whole Dominion. An international exhibition will enable the various provinces of the Dominion to extensively advertise and bring their resources prominently before the world, and show the immense progress that has been made in the various departments of industry and agriculture in Canada. The interests of the whole Dominion will be benefited by it. Therefore, from every standpoint, this scheme is of the utmost importance to the country. The numerous delegation which came up from Montreal on Saturday last, being composed of representative men in the world of finance and in the higher branches of trade and industry, have perfectly well laid before the Government the advantages that would accrue to the country from the holding of an international exhibition in Montreal. I doubt not but that the Government will do what is fair and just by the citizens of Montreal and what is most conducive to the general interests of the Dominion, in providing the necessary means to carry out such an important undertaking. I shall not go, Sir, into all the details of this question, as the subject has already been fully dealt with by the hon. member for Chambly (Mr. Préfontaine), who has pointed out the benefits which will result from the enterprise being carried out to a successful issue. But, before resuming my seat, I may be allowed, Sir, to recall to the remembrance of the hon. member for Montreal Centre (Mr. McShane) the fact that whenever a question involving the interests of Montreal is brought up, he is not the only representative of that city to rise in this House and champion the interests of his constituents. I think the hon. member, instead of indulging in the remarks he has made this afternoon, would have acted much better in joining with the delegation from the city of Montreal when they waited upon the Government on Saturday last. This afternoon another delegation also interviewed the hon. Minister of Public Works (Mr. Ouimet) and the Minister of Militia (Mr. Desjardins), with a view to coming to an understanding about that undertaking, and to ask for certain aid to the international exhibition. That delegation was most cordially welcomed by the hon. Ministers, and I even believe that the members of that delegation are now satisfied that the Government are going to acquiesce in their request. I earnestly hope, together with the hon. members who preceded me, that the Government will see their way to grant without delay the financial assistance asked for by the delegation.

Mr. SPROULE. As a western man, I can heartily agree with a great deal of what is contained in the prospectus of this international exhibition. There is no doubt of the great benefits that would accrue to the country from the holding of such an exhibition. In this connection, I was struck with the extreme modesty of the request that came from the city of Montreal for a grant of $500,000. They might as well have asked for a million. The amount is generally two millions when we are required to put our hands into our pockets to make a grant for the city of Montreal; so that this is a very modest request on their part. But what I wish to say is this. If the money is to be spent to the best advantage, and so as to bring about the best results to the country at large, the exhibition should be held in Toronto instead of Montreal. For years, one of the best exhibitions on the continent of America has been held in Toronto, and the company that have managed and developed that exhibition from year to year for the last ten or twelve years, have shown their ability to design and carry out a great undertaking such as is proposed much more successfully than the people of Montreal have ever done. If you gave to the managers of that exhibition half the money asked for by Montreal, you would have double the benefits accruing from such an exhibition; because they have already spent large sums of money for exhibition purposes in Toronto, and they have now at their disposal extensive grounds and large and commodious buildings, besides having the advantage of all the advertising that has been done, from year to year, in bringing that exhibition before the world. Therefore, I hold that if such an exhibition is to take place, it ought to be held in the city of Toronto. I feel no jealousy whatever of the city of Montreal. It is a very fine city and a very important one; but if such an exhibition is held, it ought to be held in the most central and convenient place, which would be accessible both by rail and by water, and which has the greatest advantages for making the exhibition a success. These, I think, everybody will admit the city of Toronto has. There is no doubt that half the work is already done in Toronto that would be required to be done for a great exhibition; and I venture to say that $500,000 would go twice or three times as far there as the same amount of money spent in the city of Montreal. Therefore, if the Government contemplate making any such grant, as I trust they will at some time in the future, though I question whether 1897 will leave sufficient time for preparation, I hope they will decide to give it to the city of Toronto, which has shown its ability to manage such a gigantic affair as a great international exhibition, and in such a way as to extend to the reputation of Canada, more successfully than the city of Montreal.

Mr. FOSTER. Mr. Speaker, I do not want to prevent any hon. gentleman from speaking, but I hope all will be as brief as possible. It is now nine o'clock, and for all the business we have only a few hours left, and there is yet to come before the House some very important business, which ought not to be thrown over, even by the discussion of such an important matter as an international exhibition, which is to take place in 1897.

Mr. CASEY. I do not intend to occupy much time; but it seems to me that the proper thing for any one who represents a metropolis is to try and get the next grant for an exhibition. I can say, like the members from the city of Toronto, that there is, in my constituency an exhibition that has gone on for many years with ever-increasing success. It is held, as no doubt many members of this House are aware, in Wallacetown, and its success is proverbial throughout Canada. It would, perhaps, be premature for me to ask for a grant for the next year; but, as the hon. member for Ottawa (Sir James Grant), in addition to others, has been asking for a grant, I think it would be proper that the claims of this great fair in my county should be placed before the House.

These delegates who have come down here to see about subsidies appear to have been labouring under a slight mistake. It would almost appear as if they thought that the present controllers of the purse were to be permanently in that position, and that all that was required in order to get a grant was to have the promise of the existing Government. I think it would have been wise for them to have explained the claims of their different exhibitions more fully to hon. gentlemen on this side, but not a single one of those deputations, that I am aware of, approached the Opposition with regard to these matters.

The two cities of Toronto and Montreal seem to have different views. Montreal is voiced by our active friend from Montreal Centre (Mr. McShane) who was the first to take up the cudgels and who calls for the hard cash. Toronto is more credulous, and asks by the mouth of the hon. member for Centre Toronto (Mr. Cockburn) only for the countenance of the Government. It is true that the hon. member for Toronto East (Mr. Coatsworth) went a step further and wanted the endorsation of the Government. When I asked him how much they wanted the Government endorsation for, his honourable friend from East York (Mr. Maclean) replied $100,000. I am far from certain that the Government's endorsation is worth any such sum. If they happened to have the cash about them, it would be all right, but I do not know, under existing circumstances, that their endorsation would be good for very much. I do not know how much their countenance would amount to although they have a certain amount of cheek, and I do not know how much their promise to the city of Montreal would be worth.

They are giving vague election promises all round. Of course this dedesired countenance asked for by the hon. member for Centre Toronto can only mean that a grant is to be required at some future period. I am not saying anything for or against the grant. It is a thing that we should properly consider when asked for a definite sum, but the people of Toronto need not imagine that, when the Government grant their countenance and endorsation, it is really giving any valuable asset towards holding the great proposed fair. I would ask the hon. members for Montreal to remember that promises come very free at election time, especially under circumstances such as these, when it seems very unlikly that the Government would have time to get all their estimates, at least, through this House, and very unlikely therefore that the claims of Montreal can be put on any solid basis before the end of the session. Let the people, both of Montreal and Toronto, remember that they are only getting vague generalities and nebulous promises.

The only other point I need refer to is the absurdity of having two such exhibitions in the one year. Of course it cannot rationally be intended by anybody to have the two in the same year, and I must go this far with the views tendered by the hon. Minister of Finance to the people of Montreal, that they should consult the people of Toronto about this exhibition. I will go further and say it is the duty of the Government to make up their own minds, as a Government, where the exhibition ought to be held in 1897, and not hold out false hopes that it may be held in two or three places at the same time in the same year. It is meant of course as a bid for the elections to hold out vague hopes of its being held in various places. But if it should be in their hands, at some future day, to grant aid for exhibition purposes, let the Government take care not to repeat the mistake they made at the Regina exhibition of putting the money in the hands of irresponsible individuals to spend. Let it be put in the hands of the responsible manager of the institution or of some responsible officer whom we can hold to strict account.

Mr. McSHANE. I was very glad indeed to hear the moderate way in which this question was discussed by the hon. member for Toronto. His remarks were very moderate and reasonable, and I wish to remove the false impression under which the member for Centre Toronto seems to labour with regard to my feelings for the great city he represents. He certainly misunderstood my remarks, because I have no other feeling towards Toronto but one of kindness. I have had the pleasure of twice visiting the great fair held in Toronto, and I have always found its people most hospitable and their fairs very successful, and would reflect credit on my country, and have always so expressed myself both in that city and elsewhere. And I can assure the hon. members for the city of Toronto that there are none who rejoice more in the prosperity and progress of that city and of the people of the West generally than the people in the province of Quebec. The hon. Minister of Trade and Commerce (Mr. Ives) may understand the views and feelings of the people of Sherbrooke, but I take issue with him when he poses as the exponent of the opinions and desires of the people of the city of Montreal. And I may add that there is a feeling and one for him of bitter memory which is not likely to fade from the minds of hundreds of labouring men in Montreal and elsewhere, and that is connected with the construction of the Hereford Railway. I represent the city of Montreal, and the people there know me too well to take any account of the unkind remarks the hon. gentleman has made and the unjust motives with which he has charged me and which he pretends I have given expression to. I deny the right of the hon. Minister of Trade and Commerce to impose himself on this House as voicing the sentiments and feelings of the people of Montreal; and if I thought it worth my while, I could tell the hon. gentleman something which perhaps he would feel ashamed of. But I tell him here that the people of Montreal want none of his dictation, that they will not be led by him, and that however he may lead and gull the people he represents, he cannot lead and gull the citizens of Montreal.

Motion (Mr. McShane) to adjourn, negatived.

FIRST READING.

Bill (No. 110) respecting the Harbour Commissioners of Montreal.—(Mr. Foster.)

DEFENCE OF THE DOMINION.

Mr. FOSTER moved that the House resolve itself into committee to consider a certain proposed resolution (page 2230) respecting the Defence of the Dominion.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman propose to make his explanation when the Speaker is in the Chair ?

Mr. FOSTER. I can give now a short resume of what is intended. The resolution speaks for itself, Mr. Speaker, and moreover the proposal has been discussed to a certain extent in this House. Hon. members are quite well aware of the circumstances out of which the proposing of this resolution arose. It was felt by the Government, and I think it is a general feeling throughout the country—I am quite sure it is the unanimous feeling of men of military instincts—that there is a necessity for placing the militia of this country, so far as arms and equipment for the defence of the country are concerned in a better position than they have been in. First, as regards arms, a rifle for the individual volunteer, and, in the second place another indispensible part in the defensive armament, the field guns, which will form a second account in the investment that is to be made from the money which it is proposed to ask Parliament to authorize us to raise. Then there is, along with both of these features of the armament the general equipment and accoutrements which go with them and which require no explanation at my hands. There is also the ammunition which is used by each of these divisions of the armament and which must be supplied in fairly adequate quantity so as to furnish the motive power for the armament intended for the use of our volunteers. This, together with some rapid firing guns, make up, in fact, all that is at present engaging the attention of the Militia Department and the Government. The kind of rifle gave rise to a good deal of discussion in the press of the country and among military men and a great deal of care was bestowed upon it. The Government had but one desire and that was, irrespective of a slight or even a considerable difference of the cost, to put into the hands of the Canadian volunteer what was considered to be the most approved rifle. Opinions may differ as to whether a single rifle or a magazine rifle is better. Our militia authorities were in close touch with those military authorities in Great Britain, and, as the result of very careful investigation and communication with the highest authorities the Government has decided to purchase the Lee-Enfield rifle. This is a new magazine rifle, which, I believe, is now being manufactured and which will be placed in the hands of their own soldiers by the British Government, and is considered by the war authorities there as being the best rifle that is now in sight. Basing its action on the circumstances out of which this resolution has arisen and the sympathies of Parliament and the evident wishes of the country, the Government lost no time in undertaking to have these armaments made ready for use in Canada and they have placed orders in Great Britain for a supply. They have ordered 40,000 of the Lee-Enfield rifles and 2,300 of the Lee-Enfield magazine carbines for the cavalry. Then there are to be four batteries of 12-pounder guns complete with an adequate amount of the best present known ammunition. These, with all that belongs to them, all that is necessary for their complete equipment, will cost about $1,800,000 or $1,900,000, or say, $2,000,000 of the sum we are asking the House to vote. Our military authorities here and those with whom they have consulted consider that this equipment will be of the most excellent equipment in every way and thoroughly up to date, if one may use that expression with reference to it.

Mr. MILLS (Bothwell). How many field guns altogether ?

Mr. FOSTER. There are four batteries of six guns to a battery. Our authorities consider these to be sufficient for the purpose.

Mr. MILLS (Bothwell). What did they cost ?

Mr. FOSTER. Does the hon. gentleman wish me to go into details now. I think that that would be scarcely necessary. I say that we are getting these arms with ammunition at the very best prices. I have the statement of what they will cost here, but probably it will be better to take that up in committee. One point I wish to emphasize and that is that in order to get these at the smallest cost we have undertaken to pay for them very promptly, and our engagement necessitates the payment of £100,000 in April, and a little more than that in the latter part of June.

Mr. MILLS (Bothwell). From whom are they bought ?

Mr. FOSTER. They are bought from the War Office in Great Britain, and the payments are to be made to the War Office. All will be delivered by the middle or at least by the end of October of the present year. With reference to the other $1,000,000 which has not yet been appropriated, the Government, frankly speaking, wishes to have the loan of $3,000,000. It will depend upon circumstances and partly also upon what may be considered best by the authorities here and at home in close conference and communication with each other, as to whether that shall be spent at some near time in the future and as to how it may be spent.

Mr. MILLS (Bothwell). Is the whole liability incurred to the War Office ?

Mr. FOSTER. Yes, $1,844,000, I think.

Motion agreed to, and House resolved itself into committee.

(In the Committee.)

Sir RICHARD CARTWRIGHT. It would be as well that the hon. gentleman should give us some more details. As I understand his proposition, it is to supply sufficient arms and accoutrements for 40,000 men. He might give us a little more details as to the cost of the rifles and ammunition separately, and also as to the cost of the artillery and the ammunition provided for it. So far as I understand him, the $2,000,000 of which he spoke will be consumed in providing for 40,000 stand of arms, and in providing twenty-four guns.

Mr. DAVIES (P.E.I.) I would also like to know if I understood the Minister correctly to say that our liability for this $1,800,000 is entirely with the War Department, and not with any private contractor.

Mr. FOSTER. Yes.

Mr. DAVIES (P.E.I.) The money is paid by us to the department ?

Mr. FOSTER. Everything goes through them. We deal with the War Office directly, and no one else. I may say that they are given at cost, and we give a commission of 5 per cent for inspection, and the like of that, all paid to the War Department. I think the rifles are given to us at cost. I think it is the general practice carried out by the War Office that they supply from their own factories a certain proportion, and they get the rest of the supplies through the trade. They are carrying out that plan in supplying us ; so that although we deal simply with the War Office alone, our purchases are divided into two parts, those which are furnished directly by the War Office from the Government factories, and those that are furnished to us by the War Office through the trade, that is, not the Government factories, but the makers of war material outside the Government factories. Now, the rifles cost from the trade £4 sterling ; the bayonets and scabbards are 13s. 6d. ; carbines, 2,300, cost £8,000. Those are factory supplies. The rifles from the Government factories are supplied at £3 10s.

Mr. MULOCK. What rifles are they ?

Mr. FOSTER. The Lee-Enfield. As I said before, everything is inspected and approved by the inspectors of the War Office, and for that inspection a charge of 5 per cent is made. Then there is the ammunition, eighteen million rounds "303" ball cordite, costing £76,000, that is from the Government factory ; 9,000 rounds "303," dummy drill, £50 ; army chests, £3,550 ; ammunition boxes, £6,400 ; four batteries 12-pounder guns, £24,000 ; 12,000 rounds of gun ammunition, £12,000.

Mr. DAVIES (P.E.I.) How many of these are supplied from the War Office factories ?

Mr. FOSTER. 21,150 rifles are supplied through the trade at £4 each, and 18,850 Lee-Enfields and 2,300 carbines from the factories. 20,000 bayonets and scabbards are supplied by each.

Sir RICHARD CARTWRIGHT. What is the sum total altogether ? I do not make it quite as much as the hon. gentleman.

Mr. FOSTER. The sum total of those I have read amounts to £325,000, or a little over $1,500,000.

Sir RICHARD CARTWRIGHT. That is only just about one-half the three millions.

Mr. FOSTER. Yes, I have only read for the rifles, the four batteries and their supply, and the bayonets and scabbards.

Sir RICHARD CARTWRIGHT. Then we want to know what he wants the other million and a half for ?

Mr. FOSTER. Besides the items I have read, there are other things. There are fifty Maxim guns of the latest pattern, and 1,500,000 rounds of ammunition for them ; 200 sets of wheel harness, and 400 sets of lead harness.

Sir RICHARD CARTWRIGHT. What is the cost of the harness ?

Mr. FOSTER. I will give a short but comprehensive list, which will show the cost of what has been ordered so far. It appears that the cost of the harness, Maxim guns and ammunition, together with the Lee-Enfield rifle, is £228,000. Then the estimated cost of the carbines is £10,000.

Mr. MULOCK. They were included in the former estimate ?

Mr. FOSTER. Yes, with the exception of the harness and Maxims. If you add those with their equipments and ammunition to the item I have read, the total will come up to about £379,000, or about $1,850,000.

Mr. DICKEY. Col. Lake went over with authority and with a general order to which the hon. Finance Minister has referred. He has made a certain purchase, which the hon. Finance Minister has stated to the House. chased from the War Office. The balance of chased from the war office. The balance of the material will bring the amount up to $1,850,000. But at the present time I am not able to give more information than the original estimate as to what the harness would cost.

Mr. DAVIES (P.E.I.) Is that all ?

Mr. DICKEY. The contract made with the war office is for that amount.

Mr. DAVIES (P.E.I.) Is that all the contract so far made ?

Mr. DICKEY. I am not quite in a position to say ; but it is all so far as I am advised. The approximate cost of harness is $59,000. The original intention was to have ordered fifty Maxim guns, as the Minister of Finance stated ; but Lord Wolsley did not advise that course to be followed. He advised that we should spend the money at our disposal on artillery rather than on Maxim guns, and under his advice the order was changed when Col. Lake was in England ; and Col. Lake's present instructions are to buy what the Finance Minister has said, the necessary harness and fill the order, except as regards Maxim guns, and spend on Maxims whatever balance there might be. I am not in a position to say how many Maxims will be obtained, because the amended order as regards artillery will use up a large part of the money intended for Maxim guns. The artillery ordered is of a different and superior class and is necessarily more expensive.

Mr. CASEY. What will be the cost of the artillery ?

Mr. DICKEY. £26,000.

Mr. EDGAR. What is the cost of each Maxim gun ?

Mr. DICKEY. About $3,000 without ammunition.

Mr. CASEY. How many guns will £26,000 purchase ?

Mr. DICKEY. Twenty-four guns. The order of which the Finance Minister spoke was for the improved gun—it is a thoroughly modern gun.

Mr. MILLS (Bothwell). Then the same number of guns will be obtained, but of superior quality.

Mr. DICKEY. Yes, they will be 12-pound rifle guns, breech-loaders.

Sir RICHARD CARTWRIGHT. The hon. gentleman has not stated what it is proposed to do with the remaining $1,100,000.

Mr. DICKEY. As the Finance Minister explained, that question has not been determined, though it was thought more prudent at the time that a larger vote should be taken than was actually required to be expended at the moment. An equipment is very much needed for the force, and the General has been making experiments with various equipments, and has been consulting the War Office as to the best to be obtained, and I am inclined to think he will advise the purchase of an equipment.

Mr. CASEY. You mean the strap arrangements.

Mr. DICKEY. Yes. It would be almost necessary, if the militia had to take the field, to have new equipments, for the old equipment, as hon. members of this House well know, is almost totally useless and worn out, and some of it is thirty or thirty-five years old.

Mr. MILLS (Bothwell). Is any money to be spent in fortifications or field works ?

Mr. DICKEY. No.

Mr. O'BRIEN. The House and the country will be very much gratified to find that the expenditure to be made by the Militia Department under this proposed proposition is to be made direct with the War Office. That relieves the Government of any possible imputation.

Mr. CASEY. Not the whole of it.

Mr. O'BRIEN. Practically all of it. If it is to be purchased through the War Office, it does not matter whether it is obtained from the Government factory or from private factories under the War Office. The prices are fixed and the inspection is the same. The money will go direct to the War Office, and as we know exactly the price of each article, the whole transaction is eminently satisfactory.

Mr. DAVIES (P.E.I.) Does the hon. gentleman understand the money will go through the War Office ?

Mr. DICKEY. The payment will be made through the High Commissioner's office. The officials there will be notified that a certain contract was completed and a draft will be sent on a certain day which will have to be paid.

Mr. CASEY. Not for harness and saddlery ; they are to be private contracts.

Mr. DICKEY. I do not want the hon. gentleman so to understand the matter. All I desire to intimate was, that I could not be sure the harness and saddlery could be bought through the War Office. I am sure Col. Lake will do so if he can. When I was Minister of Militia I sent Col. Lake to England in order that he might make all the arrangements that he thought best. I thought this would save correspondence and enable the Dominion to get better terms, and I think he has been eminently successful. He has managed all the details of the business without any instructions from this side, the only thing he has asked having been a general concurrence in the result of his negotiations, but the whole details have been settled by Col. Lake himself.

Mr. O'BRIEN. I think in that respect also the Government have been fortunate, because Col. Lake is an officer in whom the country has absolute confidence. He is a man, who since he has been in the department here, has gained the good-will of every officer in the force with whom he has come in contact, and has earned for himself the confidence of the country. I am quite sure that all business done through him will be done in a business like and satisfactory manner. So far as the armament already provided for goes, it is very satisfactory. I was glad to hear the Minister of Justice refer to the equipment, which in my opinion is as important as the rifle. Until we have a proper equipment it is idle to talk about our forces being fitted for the field. I would rather take a force into the field with an inferior rifle and reasonably good equipment, than with a first rate rifle and no equipment. I trust that the Government will press the matter with regard to equipment. There is nothing more absolutely essential at this moment for the efficiency or our forces, than is their equipment. That equipment can now be obtained in this country, according to one suggested plan, and a most efficient one. For my part, I think the Government cannot do better than accept the equipment which has been invented by Dr. Oliver of Halifax, which seems to me to answer every purpose, and to be as perfect as we can possibly get it. Whatever equipment the Government do get, let them get it as soon as possible, and let it be as simple as possible, and free from any of the defects which have been found in the equipment of the Imperial Service. If we have the arms that are now in the way of being purchased, and have the equipment, there is another thing which should be taken into account. There ought be provision made for the purchase of heavy guns for defensive work. I think the Government would be exceedingly foolish, if they propose to spend any money upon fortifications, because all modern experience shows, that the most effective fortifications are those which can be thrown up with a spade, which require no skilled workmanship, and which can be provided where they are needed in a very short time. The history of modern warfare has shown such fortifications as were thrown up at Plevna, and elsewhere, to be the most effective. There are some points such as Lévis, and other places, where, no matter what fortifications we may improvise, heavy guns are required to make them effective. I think the Government ought at any rate, enter into negotiations or make inquiries as to the best method of placing heavy guns, either having them in this country where they would be safe and accessible, or else have them prepared on the other side of the Atlantic, so that in a short time they could be brought here. That would be a very expensive thing, but at the same time I think we ought to make a commencement of providing the heavy guns which would be necessary for such fortifications as we contemplate at Point Lévis, or such as might be necessary to be thrown up in any part of the country where a defensive position was to be established. I think the Government, if proper restrictions can be provided, could be justified in asking for this additional amount. I think that they ought to be in a position to obtain the heavy guns I have spoken of, which are exceedingly costly, and which cannot be provided, for much less than the balance of the money that is in hand. I would like to ask the Minister, whether any inquiry has been made with regard to heavy guns, or whether any proposal has been entered into for the supplying of them ?

Mr. DICKEY. With regard to the question of heavy guns, I can tell the hon. gentleman (Mr. O'Brien), that that has been very carefully considered by the general officer commanding, and I think the country is very much indebted to him for the extreme care and moderation with which he has prepared his details of arms, &c., for the force. Very many Imperial officers, might, on an occasion like this, have gone into extravagant expenditures looking to the equipment of our force and in a way that was really not necessary. I think it is a motive of economy that has so far influenced the General in not advising the immediate purchase of any large siege guns such as the hon. gentleman (Mr. O'Brien) mentions. But, he has all the information in the department with reference to them, and knows where they are to be obtained at very short notice. The question of equipment which the hon. gentleman mentioned, is one of a good deal of difficulty. The British Government has had a good many equipments on trial and rejected them one after the other. They are just now experimenting with a new one, and it is a question whether we should adopt the Oliver equipment or wait until the British Government had completed their investigations. All these matters are being considered, but I think it is quite possible that some of this money will be expended in the supplying of equipment.

Mr. MILLS (Bothwell). What would be the cost of each equipment ?

Mr. DICKEY. I am not able to tell the hon. gentleman exactly. Dr. Oliver wanted to sell his patent to the Dominion and let us manufacture them ourselves in our own stores. That would probably be a more convenient way, because there would be an end to it. If you had to pay, say, from $2,000 to $5,000 for the patent, you would have it and you could always use it. The only other way would be, to pay Dr. Oliver a royalty for the equipment purchased, which would be I think a very dangerous experiment. It is, I believe, merely a question of a lump sum to pay to Dr. Oliver for the use of his patent, if it is determined to adopt it. I do not wish the committee to understand that the General has decided to recommend Dr. Oliver's equipment at all, because he has not come to any determination on that.

Mr. MILLS (Bothwell). What would be the cost of, say, such an equipment as is used by the British soldiers ?

Mr. DICKEY. Individually they are not expensive.

Mr. O'BRIEN. About $5.

Mr. DICKEY. I do not think it would be even so expensive as that.

Sir RICHARD CARTWRIGHT. The total cost of equipment in that case would not exceed $200,000.

Mr. DICKEY. $200,000 would furnish the whole force, and buy the patent, I should think.

Sir RICHARD CARTWRIGHT. Apart from the question of the $1,000,000 which is not accounted for yet, I want to know, what is the intention of the Government with respect to the $1,000,000 which is asked for in the Supplementary Estimates. Is that intended to be part of this vote ?

Mr. FOSTER. Yes, it is. Although we have the statutory authority to make the loan, yet I think we are entitled to come to Parliament to ask a special appropriation, especially since Parliament is in session.

Sir RICHARD CARTWRIGHT. All you propose, is, to ask for the $1,000,000 this year ?

Mr. FOSTER. There is something more in the Supplementary Estimates for next year, I think.

Mr. CASEY. As far as I can understand from the hon. gentlemen who have been explaining this matter, about £380,000, or $1,900,000 worth of rifles, guns, ammunition and general equipment has been contracted for already ?

Mr. DICKEY. The contract is only $1,625,000 at present, so far as my advice is. Our agent is instructed to buy the rest.

Mr. CASEY. And his estimate would bring it up to about the figure I have stated ?

Mr. DICKEY. That is correct.

Mr. CASEY. In the first place it seems to me most extraordinary that the expenditure of a vast sum like this, should be put in the hands of any one man. I can echo what has been said of Colonel Lake by the hon. member for Muskoka (Mr. O'Brien), as far as I know him, and as far as I have had evidence from others. But Colonel Lake is, after all, only one individual ; and, although his judgment may be excellent, and his qualifications for selecting arms and ammunition perfect, I do not think that the policy of such a large expenditure should be left in the hands of one person. I think it is for the Government, after full consultation with experts of all kinds, to say how much they will spend on rifles, how much for guns, how much for Maxims, and so on, and to trust Colonel Lake with the actual purchase.

Mr. DICKEY. That is what was done.

Mr. CASEY. Do I understand the hon. Minister to say that the Government dictated what sums should be spent for each particular class of article to be bought ?

Mr. DICKEY. No, but they instructed Colonel Lake what rifles he should buy, and how much he should buy, and how much artillery he should buy, and of what class ; and Colonel Lake closed no contract without the Government ratifying it. All I intended to convey was that as to the details, such as the inspection of the rifles, and all those details which necessitate personal contact, the Government had nothing to do with them, and knew nothing about them.

Mr. CASEY. For that part of the work I do not think you could have better judgment than that of Colonel Lake. What I objected to was, that any steps should be taken which would relieve the Government of responsibility. Then I understand from the Minister that the choice of the particular rifle, the Lee-Enfield, was a Government measure ?

Mr. DICKEY. Oh, yes.

Mr. CASEY. That was my chief objection to this whole expenditure, and it has been largely disposed of by the explanation the Minister has given. My criticisms, then, so far as they are criticisms, will have reference to the policy of the Government in each particular.

I do not know whether I should not have made the objection first, that the Government have begun at the wrong end with this expenditure. They should have taken the vote in the first place, before authorizing the expenditure at all. They should have had the fullest discussion in this House of what they proposed to do, before they did it, and not afterwards. It appears to be too late now, with regard to this $1,625,000 at all events, for us to say whether we want to spend it or not, because the Government are in honour bound, committed, as far as the Militia Department has committed them, to this transaction. And, after that has been done without consulting the House or saying a word about it, except that they were going to get a certain number of rifles of a certain pattern, the Government come and ask us to foot the bill. I cannot go further without denouncing that action on their part as utterly unconstitutional. If a war had broken out, such as the rebellion in the North-west, the Government might have been justified in incurring whatever expense was necessary for the public safety; but, in time of profound peace, when it is merely a question of renewing the equipment of the militia all round, to authorize an agent to expend over $1,500,000 without giving any particulars to Parliament, or asking Parliament for a vote of money, is an utterly outrageous and unconstitutional proceeding.

If the Government undertook to spend that much money on a public work of any kind in the same way, what denunciations of it would we not have heard all over the country? In fact, the statute law of the country is such that they could not spend it in that way on a public work, without first obtaining the authority of Parliament. I am very much in doubt whether they have any legal authority to commit us to the expenditure either. I am not discussing now the particulars of the expenditure, or what should or should not be done in the way of purchases. I am discussing the policy of expending that amount of money without asking the consent of Parliament or having an opportunity for it. I very seriously doubt whether the Treasury is or has been bound by anything that the Government have done under these circumstances; but as far as the Militia Department could bind the Government, it has bound them, without the shadow of an authority from Parliament for that expenditure.

As I have said, this is a time of peace, and the expenditure of this money is purely a question of policy and not a question of necessity or emergency. When this House met, the Government were not ready with the Remedial Bill; they were not ready with a lot of things that had been spoken of; and if they wanted this money spent immediately, why did they not in the early days of the session bring down this resolution, instead of bringing it now at the end of the session. If there were any possibility of their being what is vulgarly called a "nigger in the fence"—if there were any possibility of their being a contract to be "sweated" in connection with this transaction, the circumstances would amply justify us in suspecting the presence of that coloured individual, and that sudorific process. We are told that this money has been spent through the British War Department. I want to know what that means? Were these stores bought from the British War Department?

Mr. DICKEY. Yes. There is a contract signed between the British War Department and our agent.

Mr. CASEY. All the harness is bought from the British War Department, and not from any private contractor?

Mr. DICKEY. Yes.

Mr. CASEY. I do not understand whether it is ordered by the British War Department, or is of government manufacture.

Mr. DICKEY. We do not know where it comes from at all. We get it from the War Department, and our contract is with them.

Mr. MILLS (Bothwell). When was the contract made?

Mr. DICKEY. On March 4th.

Mr. MILLS (Bothwell). And under what statutory authority? The Minister of Finance said there was statutory authority for this?

Mr. DICKEY. He spoke of statutory authority to borrow, if this resolution passes.

Mr. MILLS (Bothwell). I understand the Minister of Finance to say that there was statutory authority.

Mr. FOSTER. No, we wanted to get statutory authority by this resolution.

Mr. CASEY. Under what authority was the contract signed?

Mr. DICKEY. That is a legal question, I suppose?

Mr. CASEY. I am asking the hon. Minister of Justice, and he ought to know.

Mr. DICKEY. I think the hon. gentleman takes the right view of it. The country and the Government are committed to it as far as the Department of Militia can commit them. We need not go back to the circumstances under which the steps were taken at the time. They were not as quiet as now.

Mr. CASEY. The hon. Minister admits that the contract is not binding until it is confirmed by this House.

Mr. DICKEY. I do not at all.

Mr. CASEY. That is the necessary inference from his statement. I asked under what authority the contract was signed, whether statutory or otherwise, and he is unable to tell me. He admits there is no authority, that my impression of the case was correct, and that the country was committed to this bargain only so far as the Department of Militia was concerned. That is, as a matter of policy, the Government are committed to it through the Department of Militia; but I am glad to see that the Government, as such, are not committed to the contract, that it is not a binding contract, and that we are at full liberty to discuss it as if the formality of signing it had not taken place. In other words, the money could not be recovered, under that contract, as it stands, so that the Government have gained nothing by the rather sharp practice of signing the contract first, and coming to ask us for the authority afterwards. That, I say, is the only possible inference from the statement of the hon. Minister of Justice himself.

We come now to consider the question of those very stores, knowing that there is no valid contract for them. I protest against asking Parliament in the last few days of its existence, led by a Government in the last stages of its existence, to vote an enormous sum such as that asked for in this case. No such sum should be spent without a royal commission—without consulting, not only General Gascoigne, but militia officers all over the country, such as my hon. friend from Muskoka (Mr. O'Brien), my hon. friend from South Simcoe (Mr. Tyrwhitt), and other militia officers, in and out of the House on the subject.

Mr. DICKEY. We consulted the War Office.

Mr. CASEY. The War Office has not the spending of our money. It has not the knowledge of the needs of Canadian volunteers, and has not the knowledge of our people, it has not the knowledge not only of our needs but of our capacities for payment, that those should have who arrange for the spending of $1,600,000 of our money, not to mention the larger sum. It is not the War Office gentlemen who should be consulted in connection with the equipment of Canadian militia, but it is the peculiar circumstances of this country and the men who are to command our forces in action, if they are ever to be in action, and the men who are to use the arms. It is all very well to consult the War Office about the merits of the different arms, because they have experts in these matters, though I notice that their experts change their opinions very frequently. But on the policy of the equipment for Canadian volunteers, it is not the War Office that should be consulted. There should have been a royal commission before this money was spent, and the fullest inquiry into everything connected with the present state of the militia.

It is useless to spend $3,000,000 on a volunteer force which is disorganized in other respects. When there is discontent in the ranks, when there is plotting and intriguing among officers of battalions to get rid of their superiors, giving them new equipments is not all that is required. Understand, I am not opposed to the getting of good equipment for our volunteers. I have always been the first to demand proper equipment, but I think that the volunteers themselves, and we in this House, should have a voice in saying what rifles and equipments they should get. I would ask, has the Lee-Enfield rifle been tested in active service by any portion of the British army ?

Mr. DICKEY. The barrel has been tested and the breech action separately.

Mr. CASEY. The breech action is the same as the Lee-Metford ?

Mr. DICKEY. Yes.

Mr. CASEY. And that has been tested in actual service ?

Mr. DICKEY. Yes.

Mr. CASEY. Has the rifle already been used in active service ?

Mr. DICKEY. The Enfield barrel has, but not with the Metford-Lee breech.

Mr. CASEY. I think we should have hesitated before adopting a rifle that has not been tried in active service. We know exactly what the Lee-Metford is and what it will do in active service. I know the theory on which the claim to the superiority of the Lee-Enfield is advanced. There is a difference in the grooving. The Lee-Metford has a rifling of small ridges. The Enfield barrel, which is applied to the Lee-Enfield, has shallow grooves instead, and it is claim that that will have a better effect than the Lee-Metford. If it has not been tried in active service or by the firing of a great many rounds, we do not know what the effect of the hard-cased bullet, which is used in this rifle, and which is coated with German silver, would have upon the shallow grooving peculiar to the Enfield rifle. I would consider, as an old user of rifles, that the shallow grooves would be apt to wear out under the strain.

Mr. DICKEY. The report of the experts in connection with the War Department is that the life of the Enfield barrel, with the Lee breech action, is three times the life of the Metford barrel.

Mr. O'BRIEN. That depends upon the powder.

Mr. DICKEY. Under the same conditions, with the cordite ammunition.

Mr. CASEY. The hon. gentleman tells me that the War Office experts say they have compared the life of the barrel with these two different grooves. That has been experimented on in the workshops by firing a number of rounds ?

Mr. DICKEY. I presume so.

Mr. CASEY. If that be the case, it is strange that the Lee-Enfield has not replaced the Lee-Metford in the British army.

Mr. O'BRIEN. It is replacing it.

Mr. CASEY. Do I understand from the hon. Minister that the Lee-Enfield is now being manufactured for the British army instead of the Lee-Metford ?

Mr. DICKEY. Yes.

Mr. CASEY. Well, that is a question for experts. I can remember when the Martini-Henry was introduced, and knew the chairman of the committee of experts who secured the adoption of the Martini-Henry, but the opinion of experts in regard to the Martini-Henry rifle were far from being borne out by the actual performance of that rifle.

Mr. DICKEY. It is a good rifle.

Mr. CASEY. It is a good rifle. The point I make with regard to a Martini-Henry is that while there is still a difference of opinion among authorities as to the Lee-Metford and the Lee-Enfield, while these rifles are very costly—I have forgotten the exact price per rifle——

Mr. DICKEY. The price is £4 13s. 6d. with the bayonet and scabbard.

Mr. CASEY. Well, these are comparatively high prices, and while we could obtain a large stock of Martinis at a very low figure, as they are being replaced in the British army by the other rifle, I think it would have been less extravagant if we had commenced with only a few thousand of the magazine rifles, and had in the meantime filled up our corps very cheaply, probably for nothing, with the discarded Martini-Henrys from the British army. When I say "discarded" I do not mean to suggest that there is any fault in the weapon. Many thousands absolutely new, the British Government have no use for, and they probably would have presented these to an important colony such as Canada if we had asked for them. At any rate, they could have been had at a cheap rate. Except the new magazine rifle they are the best arm in the world, and are still very useful, though imperfect in details to which I need not now refer. I am aware that the hon. member for Muskoka (Mr. O'Brien) and some others in the militia have a lingering preference for the old Snider over the Martini, in which preference I cannot join them, knowing that the Martini, though a hard-kicking rifle, and hard to clean and all that, is much more accurate at a long range. My first point, then, is that we would have consulted economy if we had got a few thousand magazine rifles at a time, and have filled up, for those who did not get magazine rifles, with Martini-Henry's. Then, I take it for granted that the ammunition to be bought will be cordite ammunition. Of course, it is pretty well understood nowadays, at any rate it was claimed in a recent and very important debate in the British House in which the fate of government was at stake, that cordite ammunition does not keep very well. We shall probably have to import it in small quantities or else manufacture it in this country. The manufacture has been commenced here I understand. I do not think that is the cheapest way to get it, but we could not bring in a large quantity, as it could not be relied upon to keep. Then, as to the artillery guns, there is no doubt that the chief reliance of an army nowadays is in plenty of field artillery. The rifle is an absolute necessity, but, for the purpose of getting an advantage over an enemy, a plentiful supply of field artillery is necessary. If we were called upon to put a force into the field, I think it would be found that a rather large number of guns for the field artillery would have been a better investment than ordering all the magazine rifles at one time. As to guns of position, I think there are heavy guns at Quebec, a considerable number having been left by the British Government.

Mr. DICKEY. Yes, and some in Halifax. They are muzzle loaders and of an old pattern, but they are very efficient guns when set up.

Mr. CASEY. I remember them twenty years ago. I do not think the necessity for guns of position is very pressing. The gun that we require is one that can be taken about wherever it is required for use ; and I cannot object, if we are going to make our force really efficient, to a reasonable expense in the way of field guns. I understand the hon. Minister to say that the guns are of the latest pattern ?

Mr. DICKEY. They are the Royal Horse Artillery guns.

Mr. CASEY. Is there much difference in price between them and those it was originally intended to procure ?

Mr. DICKEY. A good deal. I will give the hon. gentleman the figures in a moment.

Mr. O'BRIEN. While the hon. Minister is looking for the figures, I desire to say that I think it exceedingly questionable whether it is wise to get the newest pattern gun, because they require more accurate primings of the fuse than the old ones.

Mr. DICKEY. The original estimate for 9-pounders, about $3,000 apiece.

Mr. CASEY. And these are about $5,000 apiece ?

Mr. DICKEY. Yes.

Mr. CASEY. The difference was only in the calibre ?

Mr. DICKEY. No ; in style too. These others were muzzle loaders.

Mr. CASEY. It is always a question whether it would be better to get a large number of guns, even though not quite so good, rather than get a smaller number of a better gun. The ammunition, no doubt, will be more expensive also, so that the purchase of these better guns will involve a continuous expense. I rather fear that the twenty-four of them is a high number to get. Coming to the saddlery and harness which the hon. gentleman proposes to get, I make that out about $220,000.

Mr. DICKEY. The amounts are $59,000 for harness and $106,000 for saddlery.

Mr. CASEY. I thought that was $160,000. That is a total of $165,000. I am aware that all harness and saddlery and leather goods are much cheaper in Canada than in the old country. Was any attempt made to learn what these could be made for in Canada ?

Mr. DICKEY. Not that I know of.

Mr. CASEY. I think that in that respect the hon. gentleman made a mistake in authorizing Col. Lake to buy without ascertaining the price for which these stores could be obtained here. No doubt the pattern will be peculiar, but our saddlers could make anything that they get orders for, and we should have the advantage of having the goods made at home, as well as the advantage of getting the goods at a low rate. I remember that this principle used to be carried so far in connection with the clothing of the volunteers, that very inferior scarlet cloth was used on the ground simply that it was of Canadian make. These items account for everything but a sum of a little over $1,100,000. This is the amount which we are asked to vote without any particulars as to what is intended to be done with it. Of course I do not suppose the Minister expects us to vote it in that shape, and will give us particulars before he expects the resolution to go through committee. Is he prepared to give now the particulars of the $1,100,000 ?

Mr. DICKEY. I have dealt with that subject already. I told the hon. gentleman that probably out of it the equipment would be furnished.

Mr. CASEY. About $200,000 ?

Mr. DICKEY. Yes, roughly, and that as to the balance, I was not prepared to say what disposition would be made of it.

Mr. CASEY. I do not think the Minister can expect that much money to be put in his hands without knowing what he thinks of doing with it. Now, the Oliver equipment has been spoken of. I have seen that exhibited here by the inventor during this session. I know the Oliver equipment is a very old story, it has been thirty years in existence, and he has never secured its adoption in the British army.

Mr. O'BRIEN. So much the worse for the British army.

Mr. CASEY. At all events, the experts in whose judgment we trust for guns, harness, saddlery and all these things, have never seen fit to adopt the Oliver equipment; and I should not fancy, from what I have seen of it myself, that it was the most comfortable thing in the world to wear. I have never worn it, but I have worn the old knapsack, and carried my duds and my grub, too, along with it.

Mr. O'BRIEN. You did not carry your grub in the old knapsack, surely.

Mr. CASEY. No, I carried part of my grub inwardly, and the rest of it in my haversack. I do not think we should vote anything for equipment until the Government are prepared with a plan of what equipment they intend to purchase. They should take the House fully into their confidence about these matters, just as the Minister of Public Works is compelled to take us into his confidence when he proposes to build a Government building, or a canal, or anything of that sort. I say that at the present time, when there are only a few hours between now and prorogation, even with the explanation which the Minister does not seem able to give us, it would be out of the question to vote this $3,000,000. While I sympathize heartily with the position of the volunteers, I hardly see my way to condone the course the Government have taken in regard to this matter, nor can I bring myself to give assent to everything the Government may spend out of the million and a half to two million dollars, without taking the House into their confidence, after they have come down and told the House that the thing is settled, the stores selected, and the contract made, so far as the Department of Militia is concerned, and all that we have got to do is to pay for it.

Mr. DICKEY. If the hon. gentleman will carry his mind back to Christmas and New Year's, he will remember that things were not in a very pleasant state in some quarters of the world, and that Colonel Lake left Canada on the first week of January on this mission.

Mr. LAURIER. Why was not this resolution brought down earlier ? It has been on the Order paper since 25th February.

Mr. DICKEY. The course of business in the House must answer the hon. gentleman.

Mr. CASEY. If I look back not quite so far as Christmas, I can remember that there was a state of war even in this peaceful city, even within the peaceful walls of this building. There was war, not of the seven against Thebes, but a war of seven against somebody whom we shall not name. That is the principal war we had on at that time, that is, the war of the bolters. However, I can understand to what the hon. gentleman refers, the war scare between England and the United States.

There is no doubt that we all did get an idea for a time, and I cannot say that it was perfectly groundless, that something or other might precipitate a war at any moment between those two countries, and that Canada would be the principal sufferer. But I did not expect to hear it pleaded by the Minister of

Militia of this Government, or the gentleman who acts for him, that that war scare was sufficient to justify the unconstitutional expenditure of the vast sum of money which we are asked to vote to-night. If a war were really imminent, if there were any actual prospect of it, it might have to be done. But I am more than astonished to hear the Minister plead that that war scare was the cause of this large expenditure of money. If so, it shows greater weakness of heart on the part of Ministers, than I ever gave them credit for, if they were so easily scared as all that. I admit that events were sufficient to make us think about the position of our volunteers, sufficient to make Ministers set to work to perfect a plan of equipment, and to induce them to ask Parliament, at the very earliest date, to consider a plan and to vote this money. But we went on, we settled the war of the seven against the other seven, and we began a lot of other matters. We had a long debate on the Budget, and on the 25th February this notice was put on the paper. It was after that notice was put on the paper that the Government ventured to sign contracts as if the money had been voted by the House. There, Sir, is the strongest proof of their unconstitutional action that could be required. I regret to say, taking it all into consideration, that I do not see at this moment how I can possibly, speaking for myself alone, agree to sanction the vote of this money, spent unconstitutionally as it has been in part, or was to be spent at least, and as to the other part of it, we are asked to vote for it without any explanation of what is going to be done with it. Sir, $1,100,000 is too much money to put into the hands of the Government without explanation at the end of the sixth session of Parliament, and a few weeks before an election. I say boldly and frankly that whatever may be our consideration for the volunteers, our experience of the Government has been such that we cannot consider them fit to be trusted with that amount of money, without a shadow of explanation of what they intend to do with it, without a shadow of guarantee as to the purpose to which it shall be applied ; and unless I get greater light as the discussion goes on, I shall have to oppose granting that money just now. I do not mean that the money should not be granted at any time, if it were judiciously appropriated, and after proper precautions were taken to ascertain what should be done with it. But I do not see my way just now, with all my old volunteer feeling, to sanction a vote of this extent, at this particular time, and under these circumstances.

Mr. MILLS (Bothwell). With regard to the character of the arms which the Government have bought, I wish to call the attention of the House to a report made by the Secretary General in South Africa, with reference to the wounded in the contest between Dr. Jameson's forces and the Boers.

The Secretary General says, in the report he has made :

> As regards the nature of the wounds, there were no incised wounds, neither bayonets nor swords having been used. All injuries were gunshot wounds. Those made by the Lee-Metford were much cleaner and healed much quicker, almost all by first intention. One burgher, shot through the lungs, left the hospital a few days after admission, convalescent. The entrance orifice of the bullets was exceedingly small, and few of the larger vessels having been divided, the hemorrhage was, in consequence, slight, the wound closing almost immediately on itself. The exit was about the size of the entrance, and in all cases was much smaller than that made by the Martini. Where the bullet, however, had struck the bone, as in the head wound of a burgher, it completely shattered it. The wounds inflicted by the Martini were of a much more serious nature—viz. : larger, jagged, slow-healing, with bad entrance and worse exit. Judging from personal observation, I should say that there cannot be a doubt that the Lee-Metford bullet is inferior to the now antiquated Martini as a man-slaying projectile.

That report is of considerable consequence in a matter of this kind, where the Government are purchasing arms, because the character of the wounds inflicted is one of the important considerations to take into account in considering the efficiency of arms. But I have not risen to call the attention of the committee to that matter particularly ; I wish to call attention to the very extraordinary position in which this question is at this moment. It seems from what the Government have said that Parliament was in session when this matter was first acted upon, and without inviting the sanction of Parliament, and without asking Parliament for any appropriation, the Ministers took on themselves to incur a large liability and charge upon the revenues of the Dominion. I do not think that in a long series of years, perhaps during the whole of this century, an instance can be found where Ministers have incurred an obligation such as has been incurred in this case, and I know of no case since parliamentary government was established, where Ministers undertook to make purchases with Parliament in session, without the sanction of Parliament. When Ministers have been obliged to act in a great emergency when Parliament is not in session, they have come down and asked for an Act of Indemnity from personal consequences of their disregard of the law. Ministers have in this case certainly wholly disregarded the principles of the law. It is true the Government may make a contract, it is true also that the Government may make an official appointment, but without an appropriation that contract must fall to the ground, and that official appointment become nugatory, where any salary attaches to the office. So the result is that for a long series of years no appointment has been made in England, and no contract entered into without the sanction of Parliament, or without some statutory arragement by which the contract was to be laid before Parliament for its approbation or disapproval after it had been made. There are instances where that has been done. There are statutes which specially provide for a case of that sort. This is not one of them. When the Finance Minister referred to the matter this evening, I supposed he referred to some statutes, of which I had no recollection, which gave him authority to make this purchase, and subsequently obtain for it the sanction of Parliament. But there is no such authority. Let me call attention to a case which the Minister of Justice no doubt remembers, the case of Buckley vs. Edwards, where, in New Zealand there were appointed by the Governor of the Island, on the advice of his Ministers, a chief justice of the Superior Court and certain other judges. The Government of New Zealand had appointed a certain number of judges and provided for them. Subsequently, one of the Ministers was added to the list, for under the statute the number was not fixed, and the Government could add to the number. Mr. Edwards, who was a Minister, was appointed to the Bench, and his right to sit there questioned by the succeeding Administration. The Court of the Island was divided on the validity of the appointment, and the case went to the Privy Council. What did the Privy Council hold in that case ? That this appointment was an invalid appointment, that it was the duty of the Government first to have asked and obtained the sanction of Parliament to the constitution of the office. The statement was that the Act contemplated that a salary should be attached to the office, and the Government had advised the Crown to make the appointment before Parliament could vote that salary. That is a case which illustrates what has been done here. Parliament was in session. If this was a matter of urgency, it would be sufficient ground for calling Parliament together. The Government propose to expend $3,000,000, and they have actually made a contract which amounts to nearly $2,000,000. By what authority was that contract made? By what authority was that charge made on the public treasury ? There is no authority whatever, not a scintilla of authority. The duty of the Government, if there was urgency, was to have called Parliament together at an early day and asked for the necessary appropriation. That has not been done. The Ministry have entered into the contract, they have broken down every barrier by which the rights of Parliament are secured, if Ministers can go on and make contracts of this sort without the sanction of Parliament. This is a most serious matter. I do not say that the force should not be armed. I agree with that proposition. I do not say that more than necessary armament and equipment has been bargained for. I am inclined to think that it is not. I do not think the arrangement was an unreasonable one, but the sanction of Parliament should have been obtained before the first step was taken. If there was danger threatening, and difficulty likely to arise before Parliament could be called together, it was the duty of the Government to inform Parliament of the fact the moment it was called together, and ask for an Act of Indemnity. Hon. gentlemen opposite have not asked for an Act of Indemnity, and have not asked Parliament to thus relieve them from the responsibility of their illegal step. These are illegal steps. Hon. gentlemen opposite have burdened the country with $2,000,000 expenditure, when Parliament alone was able to vote the money. So there is a more serious defence than the defence of the country, and that is the defence of the institutions of the country, which have been attacked by the course taken. We are entitled to a full statement by the Administration showing what was the urgency that induced them to take this step, and what was the reason for not consulting Parliament in regard to the fact that such a step had been taken.

Mr. DICKEY. I do not think I would differ at all with the hon. gentleman as to his statement of constitutional usage, as a general principle, but I am inclined to think the hon. gentleman is forgetting a little the circumstances under which we were some time ago. The hon. gentleman is perfectly well aware of the circumstances that took place early in the year. I do not wish to refer to them in detail, it is not a thing very pleasant to discuss in detail on the floor of the House. But the hon. gentleman knows that there was a state of tension existing, and that it was very desirable, as well that the state of the armament of Canada should not be discussed in Parliament during the early part of this session. At all events, I think so.

Mr. LAURIER. I think so, too.

Mr. DICKEY. That is the view that I took of the matter. I considered it not as a precedent, I considered it not as an invasion of the regular constitutional usage which the hon. gentleman has pointed out ; but I considered it as a national emergency, in which the Government, as the executive head, was fully justified in taking these measures which it judged to be necessary in the interest of public safety; and then come afterwards to Parliament for the necessary authority to pay the bills. It is, I suppose, quite open to Parliament now, if it dissents from the policy of purchasing these arms, to refuse to pay the money. It is quite within the competence of Parliament to do so. But, the hon. gentleman, of course, is perfectly aware that under certain circumstances, action must be taken promptly and taken effectually. The question of providing these arms was taken up before Parliament met, and arrangements were then made. I do not think it would have been wise or prudent, in the state of feeling when the House first met, to have given the details of what was going on, to be discussed by the public. It is all very well now to talk. I thank Providence things have turned out very differently from what we feared. It has turned out that our fears were not in any sense realized. but the hon. gentleman can quite understand that a different state of affairs might have been existing to-day, that another turn might have been taken, and that the passions of those on both sides of the question might have aroused to such an extent that they could not have been allayed. The Government's action might have been justified by events, which this Government would be very, very sorry to have seen happen. Taking all that into account, I think the action of the Government was perfectly justifiable. It certainly was not in any sense meant to be a derogation of the existing constitutional usages with regard to the executive action without the authority of Parliament. It was done purely as an exigency, and it was done in the manner it was done and without coming down to Parliament and discussing it at that time, simply because it was thought by the Government that it was in the public interest that the course should be taken which they did take.

Mr. DAVIES (P.E.I.) I do not think the hon. gentleman (Mr. Dickey) quite appreciates the gravity and importance of the position taken by my hon. friend (Mr. Mills). The hon. gentleman (Mr. Dickey) seems to think that because there was what he terms almost a national crisis existing, that the Government were justified in incurring an enormous liability without consulting Parliament.

Mr. DICKEY. Does the hon. gentleman dispute the principle or the facts ?

Mr. DAVIES (P.E.I.) I dispute the principle. If a national crisis existed, the duty of the Government was to have taken the House so far into its confidence as to ask authority to incur a debt of one million, or five millions, or ten millions, or twenty millions. as the circumstances required. It does not follow from that that the House would necessarily feel itself justified in discussing any details of the course which the Government intended to take. But the point insisted upon is this : that the Government, as a committee of this House, had no constitutional power whatever to pledge the credit of the country to the expenditure of millions, without first having the authority of Parliament for so doing. It is useless to tell me that it would not be in the public interest to discuss details of that kind. The hon. gentleman (Mr. Dickey) has no right to assume that the House would have insisted upon discussing details which are not in the public interest. It would have been quite sufficient for the Government to have come down and to state that affairs had reached such a grave crisis that they felt compelled to ask the House to give them a credit of so many million dollars as they needed and to ask the House to accept their assurance that it was not in the public interest to discuss the details of how the money was to be spent. In point of fact, the crisis might be so grave that the Government would be justified in asking the House for a point-blank credit of several millions without saying how they were going to disburse it ; and the House might have given them that credit. The House would then determine whether it was in the public interest to discuss the matter. But, Sir, the principle involved is simply this : Can the executive at any time it thinks fit—more especially when Parliament is sitting—incur a liability upon the country—it does not matter how much the liability may be—and ignore Parliament altogether. If Parliament once sanctions and approves of that, the hon. gentleman must surely see that Parliament almost dissolves itself. There is no occasion for having a Parliament at all, if it is only to come here and ratify an act which the Government has already done. Take the case of the United States. Would the President dare to incur a liability or an expenditure of millions of dollars without the sanction of Congress ? Why, if he dared anything of the kind he would be voted insane and put in an asylum. Do you suppose that the executive of the United States would dare to incur an expenditure of millions of dollars under such circumstances.

Mr. DICKEY. If it was necessary they would, and they did during the civil war.

Mr. DAVIES (P.E.I.) And if it was necessary in the public interest that he should do it on a certain day, he would come down to Congress immediately and get his Bill of indemnity, just as you ought to have done here. If matters were so grave—and nobody contends they were—and the crisis was so urgent that you could not wait an hour without incurring this expenditure, then your plain duty was to come down to Parliament the day it was called together, take Parliament into your confidence, tell Parliament what you had done because of the gravity of the crisis, and ask for an indemnity vote. You did not do that, but you sent a man to England to incur the liability after Parliament met, without consulting Parliament, without any statutory authority, and without authority from Parliament by a resolution, and after the thing has been all done, you come and ask us to ratify it. My own judgment is, that if you came before Parliament at that time, and asked for this vote, you would have got it, and would probably have got the whole $3,000,000 without a word about it.

Mr. COATSWORTH. Would the hon. gentleman allow me to ask him a question. What would be the effect on the public outside of the passage of a vote for that amount when it would be published all through the country that we were raising $3,000,000 to arm our forces ?

Mr. DAVIES (P.E.I.) The hon. gentleman (Mr. Coatsworth) must have lived through life without reading English history at all. If any expedition is to be fitted out at any moment in England, cost what it may, the Chancellor of the Exchequer comes to Parliament and asks a credit, and he gets it.

Mr. COATSWORTH. That is a different thing.

Mr. DAVIES (P.E.I.) Where is the difference ? The principle is the same, and I believe it is more necessary to enforce that principle in this country than in any country in the world enjoying representative institutions. There has been growing up, is growing up daily and consolidating itself in the minds of the members the idea that the Government, as such, can spend public money.

An hon. MEMBER. Not at all.

Mr. DAVIES (P.E.I.) Yes. There is the idea that the Government can spend the public money, that in some way or other they have authority to draw it out of the treasury, and that they can get Parliament to ratify it afterwards. I am raising my voice, in unison with my hon. friends, in a solemn protest against such a principle and such a policy, which, if adopted, will destroy representative institutions altogether. I am not questioning for one moment that this money ought to be voted, and that some of it may be voted. I am avoiding that branch of the subject altogether. I am saying that the Government should be censured for a high-handed, indefensible act, in incurring a liability of one or two millions of dollars when Parliament was in session, without taking Parliament into their confidence, and asking the permission and authority of Parliament to spend the money. I say that if Parliament passes this conduct by without recording its disapproval and censure of it, Parliament will be adopting a course that will destroy its own influence and independence. In fact, it will destroy the right and necessity of its own existence at all. We might as well have a Government to carry on the affairs of the country during the whole life of a Parliament, and simply call us together in one session to ratify what they have done. Parliamentary government is made a farce by such conduct. The very key of parliamentary government is the control that the representatives of the people have over the expenditure of public money. Give up that key, and your power and usefulness are alike gone. The Government of England, strong as it is, backed up as it is by an enormous majority, possessing as it seems to do the confidence of the people, would not have dared, even in the late European crisis, to spend a sum of money similiar to this unless there was a statutory or parliamentary authority for the expenditure ; and if they had done so, not an hour would have been lost by them in coming down and asking the approval of Parliament and getting a Bill of indemnity. This is a much more important matter than some hon. gentlemen seem to imagine. The very question put by the hon. member for Toronto shows how little he appreciates its gravity. As long as we are a Parliament, let us insist that the Government, who are after all only a committee of this House, shall not dare to spend a dollar of public money, unless they have statutory or parliamentary authority for doing so. I repeat that if the hon. gentleman had come down in the first days of the session and said that there was a national crisis impending, that the Government required a vote of $5,000,000, and that it was not in the public interest that the manner in which the money was to be spent should be discussed, he would have got the money without five minutes discussion.

Mr. DICKEY. I am quite sure we would, in the state of feeling that then existed.

Mr. DAVIES (P.E.I.) I say that the House is the best judge, and the only judge of when it is in the public interest to discuss a matter, and when it is not. If the House chooses to vote the money without discussion, nobody can say a word against it. All the Government is bound to do is to advise that it is not in the public interest to discuss the question. If the House acquiesces, well and good. But in this case, I say that the Government have blundered in a matter of great and grave importance ; and unless their conduct is rebuked now, it will establish a precedent which may result most injuriously in the working of our public institutions in the years to come. Therefore I enter my serious and strong protest in condemnation of what they have done.

Mr. DICKEY. I can assure the hon. gentleman that no one in the House has a greater abhorrence of bureaucratic government than I have, and I am entirely with him in that view of the case. I think the discussion is a useful one ; but surely we cannot be far apart on the question of elementary constitutional principles. I concede at once the principles laid down by the hon. member for Bothwell (Mr. Mills) as being the correct and sound parliamentary principles, and I would expect the hon. member for Queen's (Mr. Davies) at once to concede that there are occasions when the Government may act without the authority of Parliament, assuming and expecting the ratification of Parliament afterwards.

Mr. DAVIES (P.E.I.) If Parliament is not sitting.

Mr. DICKEY. We will limit it to that for the present. Supposing the country were invaded, are the Government to go to Parliament and get a vote before they can move a man ?

Mr. DAVIES (P.E.I.) No. I do not say anything of the kind.

Mr. DICKEY. It is of great usefulness that we should agree on constitutional principle. The application of those principles to the case in hand is of course another matter. All I say is this, that having regard to the state of feeling that existed last year, the Government were justified in taking action, and taking prompt and immediate action, without reference to Parliament. It was so advised by its military advisers ; it took that action ; and the consequence is the resolution now before the House. As I remember —I am speaking subject to correction—the North-west rebellion took place during the sitting of Parliament ; troops were hurried to the North-west ; large engagements were made with the Hudson's Bay Company ; and enormous expenses were incurred.

Mr. LAURIER. And Parliament was constantly informed, from day to day.

Mr. DICKEY. No vote was taken.

Mr. LAURIER. Votes were taken immediately.

Mr. DICKEY. I am speaking subject to correction ; I have not looked at the record ; but as far as my memory goes, no vote was taken for the contract with the Hudson's Bay Company for supplies to the troops. That was done by the Government acting with a view to the safety of the nation. That was the view taken of the action of the Government in this case. When they gave this order, having regard to the enormous imperial interests involved, it was considered best to act in the way they did ; but I would not wish the committee to suppose that their action was in any sense in derogation of any of the constitutional principles laid down by hon. gentlemen opposite.

Mr. LAURIER. The defence just set up by my hon. friend the Minister of Justice is the best evidence of the truth of the position which has been taken by my friends to the right and to the left of me. My hon. friend the Minister of Justice does not only deny the correctness of the proposition that no money is to be spent except on the previous appropriation by Parliament ; but he says that in this case there is an exception to be had to the rule, because at the time Parliament was called to meet, in the first days of January, when there was to some extent a cloud of war hanging over us, it would have been inadvisable or unwise to call public attention to the fact that Canada was under the necessity of providing an armament and making provision for the contingency of war. The proposition which lies behind this assertion is that it would have been unwise to call the attention of the various nations, and above all of the nation with which we might have been at war, to our proposed course.

Mr. DICKEY. To discuss it in detail.

Mr. LAURIER. What is the difference ? The hon. gentleman is forgetting that in the Speech from the Throne attention was called to a measure intended to provide for the better arming of the Canadian militia and the strengthening of Canadian defences. What greater notice could have been given of the intention of the Government to incur this expenditure, and when public attention was so invited, it is but folly for the hon. gentleman to say now that, under the circumstances of the case, it would not have been wise to invite attention to the fact that we are arming the militia. The position he now takes invites that attention.

Mr. DICKEY. No.

Mr. LAURIER. What else does it do ? How can the hon. gentleman justify his course ? Parliament was notified in the Speech from the Throne that it was to be asked to supply the money to arm the militia and strengthen the defences, and then the Government took no further action in this House, but went about making contracts without calling upon Parliament to vote a cent of money. There is a manifest contradiction between the proposition of the hon. gentleman to-day and the statement of the Government at the opening of the session. That is not all. Later on in the session, on the 25th February, this motion we are now discussing was called for the first time to the attention of the House. Notice of it was given, which is the first step in the case of such motions as this, and from the 25th February to the 21st April, nothing was done with this motion. In the meantime, the Government were acting upon it. In the meantime they made contracts. We have it from the mouth of the hon. Minister that the first contract was made on the 4th March. I ask if it can be pretended that the Government should have taken this initial step, to spend such an amount as $1,000,000, when they had on the Order paper a resolution to warrant the making the expenditure and never brought that resolution to the attention of Parliament ? The hon. gentleman must admit that such proceedings are altogether antagonistic to the spirit of parliamentary government. Although there may be a disposition to deal generously in the arming of the militia, after all there is something more sacred than the arming of militia, and that is maintaining intact the institutions which are the bulwarks of everything we hold dear in the country. The hon. gentleman spoke a moment on the rebellion in the North-west. I forget the particulars of what took place at the time, but I am sure of one thing, that as soon as the rebellion broke out, every step which was taken for the defending of the country, the sending of militia, the making of contracts, &c., was communicated from day to day to Parliament, and Parliament was kept constantly aware of what was going on.

Mr. DICKEY. The hon. gentleman says that the contract was made on the 4th March. That is true, but he knows that Colonel Lake left here early in January and was in constant communication with the War Office and constantly communicating with the Government here confidentially with reference to various advices that he got from the War Office and other authorities, so that the thing was continuous, and although the formal contract was signed on the 4th March, it represented negotiations which had been going on since the 1st January.

Mr. PRIOR. I wish to say but very few words on this matter, which is one I have always taken great interest in. I do not wish to say anything with regard to the question as to whether it was right or wrong to ask for a vote now, because my hon. colleagues, the Minister of Justice and the Minister of Militia, can look after that, but I do take exception to two or three remarks which have been made by hon. gentlemen opposite. The hon. member for West Elgin (Mr. Casey) seemed to think that the militia of Canada would be perfectly satisfied if the Government had seen fit to provide them with Martini-Henry rifles instead of the new rifles. As a militia officer, I wish to give that an emphatic denial. The militia force would not be content with any but the very best rifle, and I do not think the Government would be doing their duty if they did not provide the militia with the very best magazine rifle that can be obtained. It is all very well to say that the war scare has passed, but the time may come at any moment when our forces may be called to defend the British Empire ; and should such an event take place, it would not be fair for the Government to send our militia to the front with anything but the very latest modern weapon. The moral effect of sending men to the front with the Martini-Henry against the Lee-Enfield or Lee-Metford would be very disastrous. The hon. member for Bothwell I have always looked upon as a man of peace. I have always thought he was wrapped up in his books, but from his remarks he is evidently of a most bloodthirsty disposition. He says that the Government should not arm the militia with any weapon that does not make a fearful wound. I want to tell the hon. gentleman that the military authorities do not look on the weapons in the same light as he does. The great idea is not to make a terrible wound, such as the Snider and Martini make, but merely a wound that will put a man hors de combat for the time being, and that the Lee-Metford or Lee-Enfield effectually does. It does not make a wound such as is made by rifles that force a large bullet through with a slow velocity. The new rifle, with a small bullet and a very high velocity, gives a tremendous shock to the system, and puts a man out of the fight, and that is all that is needed.

Mr. MILLS (Bothwell). He comes into it again very soon.

Mr. PRIOR. Any man armed with one of these new rifles can carry a great many more bullets and fire off a great many more at the same time than if armed with a Martini. I do not wish to take up the time of the House, and shall merely repeat that, speaking for my own corps and also, I believe, on behalf of the whole militia, our militia will not be satisfied with anything but the very best and latest magazine rifles. And we know they will give the Government credit for deciding to supply them with these weapons.

Mr. SUTHERLAND. I agree with the hon. Controller of Inland Revenue's last remark that if arrangements are to be made to supply the militia with a new arm, that arm should be the very best. I go further, and say that the whole equipment should be of the very best description. However, that is not the subject under discussion at the present time. I cannot but take exception to the proposition to grant, in this manner, and at this time, a large amount of money without having had more inquiry, and without a report or some other means of information as to what should be done in the way of arming the militia. I feel, in common probably with a great majority of the officers and men, that we have, for the past number of years, not had that organization that we ought to have, and in connection with this matter I think this a very opportune time for ascertaining the facts, notwithstanding what the hon. Minister of Justice has said, that for a short time just previous to the meeting of the House there was a feeling of uncertainty as to what the relations might be between Great Britain and the United States. That feeling, I think, had all passed away before the meeting of the House, and before any action, so far as we know, had been taken toward the expenditure of this money. I do not wish to discuss this matter in detail, but I must agree to this extent with the gentlemen who have spoken on this side of the House, that I do not think that this is a strictly constitutional action, nor do I think it is in the interest of the country or of the militia that this action should be taken without some inquiry being made, without the various claims being submitted to the country, and especially to the officers and men in the militia that they may have an opportunity of expressing their views in regard to the cases, and I say this because there is a feeling among the members of the militia organizations that especially for the last few years we have been practically drifting. There has been a great deal of dissatisfaction among the officers and men of the force, and I think that the time has arrived for the matter to be taken into careful consideration and an inquiry made in some way, either by a commission or in any other way that would be most effective to make it clear what reorganization ought to take place in order to put the militia in a more effective condition than at the present time. I say for myself that I am in favour of any vote of money that would accomplish this end. Hon. gentlemen have taken the opportunity of calling the attention of the House to the very unsatisfactory state of affairs with regard to the militia, and I think that almost every session gentlemen interested in this matter, perhaps those on the other side more frequently than on this side have called the attention of the Government to the unsatisfactory state of the militia. And I say that I believe now is a very opportune time, instead of voting this amount of money to be appropriated, perhaps, very unsatisfactorily to the force. In following purely the advice of the British War Office and the British officers, it should not be forgotten that conditions are so very different that many mistakes have been made, and maybe, after a large amount of money has been expended, we shall find that it is devoted to a purpose, and expended in a manner that is not best in the interests of the Canadian militia. I say we have not had sufficient information to enable us to clearly discuss this matter and to express our views as to whether we are moving in the right direction or not. I say not only the details of how this particular money is to be expended, but the whole question of the reorganization of the militia force ought to be considered. I think it is unfortunate that we have not the Minister of Militia in this House when this large amount of money is being asked for and important matters in connection with the militia are being discussed. I believe that no harm could come to the militia of the country if this matter was postponed until such information and report can be presented as will enable us to arrive at such conclusions as will be to the best interest of the militia force and of the country.

Mr. McMULLEN. I have listened with a great deal of attention to this discussion. I am quite surprised that the Government should have assumed the responsibility of placing a contract of this magnitude after Parliament had been called together, and without consulting the representatives of the people before doing so. If there was any object in placing the order in the hands of the manufacturers of war implements the Government should have asked the House to consent to it. I can understand an act of this kind in the case of an emergency arising when it was impossible to get the representatives of the people together; but under the conditions that existed at the time this order was given and in the face of the fact that the representatives of the people were here, the transaction was a gross violation of the principles of representative government, and the Opposition should resent pointedly and determinedly the assumption of power on the part of the Government. Is Parliament here merely to register the decrees of the Government? Are we here merely for the purpose of endorsing what the Government do? Are we here to bow in quiet and submissive obedience to what they consider to be right? I do not consider that is the duty of the representatives of the people. We are here to criticise, we are here to investigate. While I realize the responsibility resting upon a Government in extraordinary cases, I say that under the conditions in which this contract was let, when the representatives of the people were in session, in face of the intimation in the Speech from the Throne that they were going to be asked to consent to an expenditure of this kind, for the Government to come down at the close of the session and say they have made this expenditure and ask us to endorse it, in my humble opinion they are guilty of a gross violation of the constitution, and an abuse of the position they occupy. I consider that this House is not justified in ratifying this contract. The necessities of the case were not so urgent. Why, every time that a little ripple passes over the glassy sea of peace, we are not to take fright and launch out into great expenditures. Every time that England may have a little trouble with Venezeula or some other minor republic on this continent, are we going to justify the Government in making enormous expenditures with the expectation that war is going to take place between us and the United States? I do not think there was any justification for it at all. We know perfectly well that every time a general election is drawing on in the United States, they get up a war scare, and make announcement that there are going to be difficulties, and they do it all for a purpose. We have got accustomed to that kind of thing, we have a repetition of it every three or four years. We listen to these things, we see in the American press the expressions of hostility and bitterness, but England understands all that. Why, Sir, tail-twisting has become a common thing in the United States, and because we see a little exhibition of it now and then, are the people of this country going to be driven into making enormous expenditures for war purposes? Why, we should have to do that every three or four years, whenever a general election takes place in the United States. I have no doubt after the approaching election in the United States something else will arise, some other difficulty may come up and disturb the peaceful horizon of this continent, and then, if hon. gentlemen opposite are in power, they will rush into another contract for two or three millions, with the idea that we are going to have trouble at once. I contend that the course the Government has taken is most objectionable, and should meet with the condemnation of this House. When the representatives of the people were assembled here the Government had no right to enter into this contract without asking our consent. And now, in the dying hours of this session, we are asked to sanction an expenditure of two or three millions for the purpose of purchasing war material, when in reality there was no sufficient justification for it by anything that occurred in the United States.

Mr. LISTER. It is not a matter of scare or no scare so far as the proposed expenditure is concerned. I have no doubt the Government pretended they were scared, whether they were or not. Where it enables them to expend two or three million dollars, they will often get scared, because if there is a Government in the world that likes to spend money, it seems to me that the gentlemen who occupy the Treasury benches to-day are just that Government. Now, this militia question has been discussed over and over again in this House for the past thirteen years. It is a notorious fact that the militia of this country is in a thoroughly disorganized condition. The attention of the Government has been called to it session after session, but our representations have fallen upon deaf ears. Soldiers through the country were complaining, session after session, of the material that was supplied to them for clothing, and the Government took no steps to remedy it. Favourites of the Government were supplying this clothing, inferior clothing that the militiamen put on and which would scarcely last a week, in some cases not a day. But suddenly, because the President of the United States, on account of a little apparent trouble between Great Britain and Venezeula, because of a little proclamation issued by the President of the United States for the purpose of catching votes, as the presidential election was coming on, the hon. gentlemen on the Treasury benches thought fit to get panicky, they became afraid that Canada was going to be invaded, that war was going to take place between the United States and England. Why, Sir, if they live until war takes place between the United States and England they will live to be a great many times older than the oldest of them to-day. But they used that as a pretext for the purpose of expending three millions of the money of the people of this country. The hon. gentleman says it was a critical period. I have no doubt that the hon. gentleman thought that it was critical, he honestly believed it was critical, but what did he do ? This proclamation was issued by the President about Christmas time, and Parliament was called on the second day of January. At that very time the hon. gentleman should have asked Parliament for an appropriation. It is not a question of scare, it is not a question so much of the expenditure of money, as it is a deliberate wilful violation of a well-understood principle in the constitution, that the representatives of the people should govern the expenditure of money. Sir, this is not the first time that hon. gentlemen have violated that feature of the constitution. It was convenient for them to have an Act of Parliament passed whereby they might expend hundreds of thousands of dollars by Orders in Council. We all know that the Government of the day have abused the privileges which we gave them of expending the public money by Orders in Council. In this case, I do not suppose any Order in Council was issued, but what do we find ? Parliament met on 2nd January, the panic was over long before this contract was entered into, which was on the 2nd or 3rd of March. No panic existed then, and there was no possible reason why the Government should not have taken Parliament into its confidence at that time. There was no possible danger of creating any feeling in the neighbouring republic or elsewhere, because it is a notorious fact that our militiamen are imperfectly armed, that sooner or latter new arms must be provided for them. So that the excuse of the Minister of Justice that it was on account of the critical condition of affairs at that time falls to the ground because there was nothing critical about the position of affairs then. The crisis had passed, the little ripple had gone over, the storm had cleared away, small as it was. So the reason for the action of the Government at that time ceased to exist. What did hon. gentlemen opposite do ? There was no hurry for buying these arms then, there is no hurry for buying them now. What should have been done ? This Colonel sent over to England may be a very able officer and a thoroughly reliable man—I know nothing about him ; but instead of consulting this officer alone it was the duty of the Government to have consulted the militia officers of the country. The Government had no right to take on themselves the responsibility of sending one man to England to involve this country in contracts to the amount of $1,000,000 or $2,000,000. They exceeded their power, and this indeed is admitted by the Minister of Justice. They sent this officer to England to enter into contracts without having obtained the authority of Parliament ; the Ministry had not such authority, that authority was vested only in Parliament, and so any contract made has been made without the authority of law. The hon. gentleman says in excuse of the Government's action that a crisis was on. I repeat that the crisis had passed. I assert that it was the duty of the Government to have consulted the militia of Canada. But this was not done; everything was carried out in the office of the Minister of Militia. This is the first information as to the steps taken by the Government. While I am always willing to give the Minister of Justice credit for fairness and frankness, because ever since he has occupied an official position he has extended courtesy to every one, and been apparently frank and desirous of doing what is right, I think in this case the hon. gentleman is somewhat disingenuous when he says that it was the crisis which impelled the Government to act as they have done. The hon. gentleman further proceeded to excuse the Government's action by stating that any announcement that Canada was rearming its volunteers might have raised antagonism in the minds of American statesmen. But that reason falls to the ground when it is remembered that in the Speech from the Throne it was announced that such steps were to be taken, and when we remember that in February notice of the resolution now under discussion was placed on the Order paper. I submit that the reason given by the hon. gentleman for the improvident way in which the Government have acted entirely falls to the ground. There was no reason for entering into this contract without first getting the authority of Parliament. Parliament was sitting, and it should have authorized the borrowing of money for the purpose of purchasing those arms. According to the action taken by hon. gentlemen opposite Parliament would be called simply to record the acts of the Government. All constitutional law and responsibility are entirely ignored. The Government upon its own responsibility, without the authority of Parliament, undertakes to enter into contracts involving millions of dollars, and thus commits a direct violation of the constitution, and commits an act which, if recognized by Parliament, virtually abrogates the powers of Parliament as a representative body. There is no use calling 215 members here if the Government of the day can upon its own responsibility undertake to spend the taxes of the people. The Government is really a committee of the House. They have no power unless authorized by Parliament to spend one dollar of the public funds, and if such funds are spent without proper justification they come within condemnation and censure. In the case of an invasion of this country no objection could be or would be taken because all parties would do everything necessary to resist an attack. But no invasion took place, there was no danger of invasion; the difficulty had passed away and peace prevailed. But if there was danger where would we be? Here we are in April, and we have received no new rifles. What would the soldiers have been doing? They would have been fighting with the old rifle. I think the Government by their action have seriously violated the constitution. Under all the circumstances the Government should be severely censured and condemned by Parliament. I believe they will be condemned by the country at large when the true facts become known. This is not a time for unnecessarily embarking the country in enormous expenditure, for thousands of people are at their wit's ends to know how to meet their business engagements; they are loaded down with taxation, they are without markets, business is prostrated and people are fortunate who are able to make ends meet at the end of the year, and many thousands and tens of thousands are in actual want of the necessaries of life. Yet at such a time as this Government are rolling up the public debt by millions, increasing the annual expenditure, and making it utterly impossible for an incoming government to reduce taxation. In four years no less than $15,000,000 have been added to the public debt in addition to an enormous amount of taxation taken from the people. Yet hon. gentlemen opposite will declare that we are not spending enough money, that the public expenditure should be $40,000,000. That no doubt will be the amount this year, and our expenditure will be so large that it will be necessary to borrow in the English market $10,000,000 or $12,000,000 to meet our obligations, and during this year we shall no doubt add millions to our public debt. This is a time when we should go slowly. This is a time when we should give the people of the country a chance to recuperate, a chance to get upon their feet. This is a time when we expect the Government of the country to help the people, instead of loading them down by enormous increases to the debt of the country. This Government seems to be forgetful of their duty to the people. They seem to think that the money belongs to them, that the stream from which they have taken it will keep on flowing, and that they can expend it as they think proper, whether it be in the interest of the country or not, so long as it is spent in a way that will keep themselves in power. Sir, the conduct of the Government should be condemned. In violating the constitution they are disregarding the best interests of the country, and I believe that when we appeal in a short time to the electorate, the people of this country will declare in no uncertain voice, that the Government have been false stewards indeed.

Mr. FOSTER. I wish to say just a word or two with reference to this. We have been now about two hours on this resolution. It has been very thoroughly discussed, and we have been able to draw several conclusions from the tone of the discussion which has taken place. There is other very important business, and if it is the intention of hon. gentlemen opposite that this resolution shall not be passed, and the Government shall not be put in funds to keep its obligation, why, we might as well recognize that in time and go on to some other business that hon. gentlemen opposite will feel disposed to allow us to do. The constitutional ground, was taken by the early speakers in the debate, and urged with a great deal of force. To a great extent it was acquiesced in by my hon. friend the Minister of Justice, but it is not unimportant to briefly review the state of things as they actually were, not as they appear to us now. The hon. gentlemen who have spoken last, have diverged from the first argument, and the member for Wellington (Mr. McMullen), and the member for Lambton (Mr. Lister) have left the ground of any unconstitutionality, and have taken bold and strong ground against any expenditure for the militia at all, so far as the armaments are concerned. I have no doubt, Sir, that these two hon. gentlemen largely voice what is the real sentiment of hon. gentlemen opposite, clothe it however much they may under the constitutional garb. Very well, Sir, here we are. In December of last year a state of circumstances arose, which hon. gentlemen opposite are quite at liberty now to discount as harmless tail twisting, and the like of that. It was not so considered by the people of this country. It was not so considered by the people of Great Britain, and I do not think there is any circumstance that has taken place within my memory, at least, in connection with which feelings were drawn so tensely between the different members of the great Anglo-Saxon world as they were during December of last year. At that time the Government was here and the Parliament was not. And, acting as in an emergency, the Government thought it would not be doing its duty, if it did not take immediate steps to put the militia of this country, so far as arms and armaments were concerned, into a state of efficiency for whatever might happen to the extent with which as we could reasonably do it. It was under that sense of duty that the Government acted. Hon. gentlemen opposite have made much of the fact, that after Parliament met, the Government did not at once take Parliament into its confidence to a large extent. In the Speech from the Throne the Government made a discreet allusion to the fact, that expenditure would be called for under this head, and in the debate upon the Address there was not a single gentleman on the other side of the House, who at the time took exception to the expenditure which would be proposed in pursuance of that paragraph of the Speech. Well, Sir, matters having commenced before Parliament met in session, they went on. The circumstances of the session were somewhat exceptional. On the 25th February this resolution was placed on the records of the House, but, Sir, when the Budget speech was delivered—and that was early in the session—a rather full explanation was made by myself as to the expenditure which would be called for under the head of militia, and hon. gentlemen opposite, who opposed the policy of the Government in other respects, did not take occasion at that time to utter one word of dissent against the proposition which I plainly stated there with regard to the expenditure for putting the militia into an adequate state, so far as arms were concerned. Not only did they not take exception to it, Sir, but gentleman after gentleman on that side of the House, as well as on our side of the House, expressed their earnest sympathy with the effort which was outlined there, and their sympathy with such an expenditure within reasonable bounds. I remember expressions that were used to the effect, that any expenditure within reasonable grounds, to put the militia of the country in a state of efficiency as far as arms were concerned, would have their sympathy and their co-operation. More than that, Sir, when afterwards a resolution of sympathy was before this House and was spoken to by hon. gentlemen on both sides, in which the idea of mutual co-operation in the way of defence was one of the strong elements ; gentlemen on the opposite side of the House, vied with gentlemen on this side, in expressing their sympathy, and in expressing their co-operation with these endeavours on our part to place ourselves in accord with what seemed to be the perils, and the exigencies, and the demands of that time. So that from the first up, so long as Parliament has been here, there has been no attempt on the part of the Government to conceal from Parliament that expenditures were taking place, and that these expenditures would be considered. Here we are at the present time, having, because we felt it was our duty in the first place to initiate the expenditure, and having informed Parliament that such expenditure was being carried on and that a vote would be asked for, as I did most explicitly in the Budget address, having done that, we are under these obligations. These obligations ought to be met, and it rests with this Parliament as to whether or not they shall be met. Granted, that hon. gentlemen who oppose this, take as strong ground as is possible on the constitutional question, do they take the responsibility of refusing to pass a measure which will put us in a position to fulfil the obligations which at that time, every member of this House—certainly the great majority—thought, were obligations, which for the peace and security of this country, ought to be taken, and ought to be cheerfully met. Sir, I think this is somewhat of a comment upon that splendid feeling which was evoked in Great Britain, on account of the sentiment in Canada, which was so much lauded by prominent men on the other side of the water, and which raised Canada so high in their estimation, as a colony of people whose interests were so closely allied with those of the mother country, that they threw their lot in with the lot of Britain, and were willing to make common cause with her in the defence of a common country. It is rather an instructive, and I do not think an altogether praiseworthy comment upon that, when a few weeks afterwards we are asked to authorize the money to pay the expenditure, to put our own troops into that state of efficiency, that we should have so many hours wasted, and so evident a disposition not to put the Government into a position to carry out these obligations, and to discharge them for that purpose, which I believe at that time no one in this House thought anything else of, than that it was a worthy purpose.

I do not speak thus in the way of finding fault. I want to state the circumstances such as they are, and I have stated them frankly and clearly. What are you going to do about it ? Make your strictures, if you choose, if we have not done what we ought to have done, according to constitutional practice. But here we are with this condition of things. Do you believe that our militia should be well armed ? If so, are you going to grant the means to put them in a proper condition of equipment ? which both sides of the House acknowledge they require. I think we ought to take a sensible view of this matter, and at this hour of the session make up our minds whether we are going to pass this measure or not. If we are not, we cannot do it. I frankly admit that we are in the hands of the Opposition, and I appeal to the leader of the House, the leader of the Opposition, to say whether or not we may expect to be met with co-operation in this measure, and have it passed. If we see that we are not to be so met, we may as well yield to the inevitable, and pass to some other order of business, on which we can agree. There are several orders of great importance as well as this one. It is only in the interest of business and the rapid conduct of the business that I ask that we should come to a conclusion speedily. If this is not to pass, let us come to that conclusion, and we will go on to some other order of business, rather than tire ourselves out and retard the progress we might otherwise make. I would like to appeal to my hon. friend whether or not we are to have his co-operation in passing the Bill.

Sir RICHARD CARTWRIGHT. I do not think the hon. member has been perfectly fair in his statement of this case. He cannot properly say that an hour and a half or two hours' discussion on a vote of $3.000.000 is a very unreasonable or a very unusual thing. But I would just recall to his attention the fact that on the 31st of January, something like forty days before this contract was actually signed, the hon. gentleman was requested by myself to let us know what the Government were doing, and he refused to do so. Now, under the circumstances I think the hon. gentleman—I told him so at the time—should have complied with my request. He should have stated in his Budget speech what he then well knew, what the requirements were, and should have brought down to us, promptly, the actual contract, or at least the information of whatever was likely to be required, and had the discussion then and there. That would have been far more satisfactory to the House, and would have been in accordance with constitutional practice, and with common sense and business habits, and would have avoided all this discussion. I do not think the hon. gentleman has any right to say that my hon. friends have, in the least degree, refused to do whatever was reasonable for the purpose of supplying a fair armament for our militia. That was not their contention at all. They know, and we all know, that they had it in their power, if they wished, to refuse it ; but that was not their contention. But I think even the most determined jingo would admit that the Parliament of a free country has the right to know at the earliest possible moment, what amount of money the Government require, and what arrangements are made ; and it is very much to be regretted that the hon. gentleman did not accept our invitation at the time he made his Budget statement. If he had done so, all this trouble would have been avoided. The criticism has been fairly made, as was admitted by the Minister of Justice, that a Government has no right to enter into contracts while Parliament is sitting without consulting Parliament, or at least letting Parliament know what they are doing, and that is quite a different thing from acting in an emergency when Parliament is not sitting. That is the point. There was no difficulty whatever in the way of the Government taking Parliament into their confidence and obtaining its full consent and concurrence. If there is any trouble now, it is simply due to the unfortunate reticence of the hon. gentleman on the 31st January, which I commented on at the time. The House must remember that I tried again and again, for the purpose of avoiding such complications as have now arisen, to wring out of the hon. gentleman some statement as to what the Government wanted or proposed to do. It is a matter of great regret to me that they did not tell us. The hon. gentleman must have known at the time, or a cable to his agent in England would have obtained the information. I told him at the time that it was a most ostrich-like proceeding—that there was no need to be alarmed at the effect on the nerves of the American people, if that was what he feared, of the fact that Canada wanted to borrow three or four or five millions for the purpose of arming the Canadian militia. All this trouble is due to the unhappy disposition which the Government have shown on different occasions not to take Parliament into their confidence. All through, for years, at the time of the

Budget statement, when we ought to have information of all these matters, the Government have been keeping things at the back of their head—whether in regard to railway or military subsidies it did not matter. They would not make a fair, frank and honest statement at the time. when the thing could be discussed. And when this matter is laid over to the last days of the session, and a discussion arises upon it, the hon. gentleman makes it a question of loyalty. Well, that is absurd. This side of the House has always been ready to grant what is necessary for the defence of the country; but when large sums of money are being voted, we require to know for what purposes they are to be expended ; and we have reason enough to know that the Government cannot be entrusted with the expenditure of large sums of money without constitutional safeguards. Now, Sir, it is late in the session, I admit, and we cannot have this matter discussed as fully as we would like, but I wish to point out that if any trouble has arisen, it is due wholly to the hon. gentleman's own unfortunate reticence.

Mr. DAVIES (P.E.I.) Even at this late hour of the night, I do not propose to allow the Finance Minister to make the statements he has made unchallenged. In the first place, he may as well learn, what we have been trying to impress upon him session after session, that the old plan of holding back important measures until all the members are tired, and slipping them through at the end of the session, and begging members not to occupy the time of the House, has seen its day,and can never be repeated again. That old plan has seen its day and cannot be repeated. The people of this country will not submit to railway subsidies and grants of millions being brought down at the last moment and members being asked to curb their criticism owing to the short time at their disposal. In this particular case, the Opposition are not open to any of the strictures of the hon. gentleman. In the first place, the magnitude of the sum we are asked to spend would justify more than the two hours' discussion given it. The hon. gentleman is entirely wrong in his statement that the expenditure was incurred while Parliament was not sitting or that Parliament was taken into the confidence of the Government from time to time. The gentleman who left this country with authority to spend this money did not leave until Parliament had met. The Government had advised the world that Parliament was to be called upon to give its authority to spend the money necessary to put the militia force in a better state of efficiency, and it was the bounden duty of the Government before incurring any expenditure, to submit to Parliament the resolution now before it. They did not do that, and when pressed, time and again, for a commission, refused to give it.

Mr. FOSTER. Time and again ?

Sir RICHARD CARTWRIGHT. Yes, I brought it up myself once.

Mr. DAVIES (P.E.I.) It was brought up time and again, and the hon. gentleman never gave any information. He never told us that this contract had been entered into. We learn that for the first time to-night, and I submit that his appeal to us to make our little conventional protest and let the thing pass is an insult. We are not here to make conventional protests. We ask Parliament to make a solemn, serious protest of a kind that will prevent the repetition of this thing. There is no use in making protests which are not to be effective. It is childish, if not insulting, to ask us to pass this resolution on the ground that it is a loyal move. That is not what we are discussing. Whether the expenditure is justifiable or not is another matter.

Mr. FOSTER. You say it is not.

Mr. DAVIES (P.E.I.) I never said anything of the kind.

Mr. FOSTER. Your side did.

Mr. DAVIES (P.E.I.) We have confined ourselves to saying that the course of the Government has been unconstitutional and they ought to be censured. As far as I am personally concerned, I expressed the opinion that the Government should not now ask for a dollar of money except what is absolutely essential to carry out their obligations. So far as the million dollars is concerned, the hon. gentleman is not justified in asking Parliament for it all.

Mr. FOSTER. I am not asking Parliament for it.

Mr. DAVIES (P.E.I.) So far as the other is concerned, Parliament may, after recording its solemn opinion that the course of the Government is bad, authorize it.

Mr. FOSTER. When ?

Mr. DAVIES (P.E.I.) At any time.

Mr. FOSTER. It would have been in the Estimates last week——

Mr. DAVIES (P.E.I.) We have not had the Estimates before us.

Mr. FOSTER. You would not allow them to come in.

Mr. DAVIES (P.E.I.) The hon. gentleman is inaccurate, as usual.

Mr. FOSTER. I beg the hon. gentleman's pardon, he has persistently fought the approach of the Estimates since Thursday of last week.

Mr. DAVIES (P.E.I.) I have done nothing of the kind. There has been neither persistence nor obstruction, nor fighting off the Estimates.

Mr. FOSTER. I do not know what else you would call it.

Mr. DAVIES (P.E.I.) I do not know that the hon. gentleman attempted to go into the Estimates but twice, and then for a very short time and at a very late hour. He is not going to escape from the point before us by irrelevant statements of that kind. The point which I tried to emphasize was that by the very insulting reference to the action of the Opposition and by the attempt to show that we ought to be content wih making a little conventional opposition, and then leave things go, the hon. gentleman is simply trifling with the House. We are not content to let the thing go, and if it passes the hon. gentleman may consider himself exceedingly fortunate if he only gets off with two hours' discussion when the merits have not been one-half discussed as they ought to be.

The committee reported.

RAILWAY ACT.

Mr. HAGGART moved second reading of Bill (No. 90) further to amend the Railway Act. He said: The object is to make valid certain resolutions which were passed by the different railway companies to do things which they had the power to do under bylaw. It is to allow them to do certain acts by resolution which they had hitherto done by by-law. The Bill thoroughly explains itself. The exact change is that it authorizes to do by resolution certain things which the company have power to do by by law.

Mr. LISTER. I think that the object of the Bill is to cure certain irregularities in the appointments and superannuation of servants of railway companies. As a matter of fact some of the servants who had been with the company for many years were superannuated and their superannuation provided for by resolution instead of by law as the Act required; and the object of this measure, as I understand, it to validate what has been done and to enable them to superannuate by resolution. I think it meets with the approval of all the railway companies and I do not see that there should be any objection to it.

Motion agreed to, Bill read the second time, considered in committee, reported, and read the third time and passed.

BUSINESS OF THE HOUSE.

House resumed adjourned debate on the proposed motion of Sir Charles Tupper:

> That on Monday next and following days until the close of the session, the House shall meet at 10.30 a.m., with a recess from 1 until 2 p.m.; that there shall be two distinct sittings on each day, one from 10.30 a.m. until 6 p.m., and the other from 7.30 p.m. until hour of adjournment; the Government business shall have precedence at such sittings, and that private Bills will be taken up for one hour only at the beginning of the evening sittings of Monday and Wednesday.

Mr. HAGGART. I move in amendment that instead of "Monday" in the first line the word "Wednesday" be substituted, and in the last line the words "Monday and" be struck out.

Mr. PATERSON (Brant). This is Wednesday now.

Mr. MILLS (Bothwell). You had better make it "Wednesday to-day" instead of "Wednesday next."

Mr. HAGGART. Yes.

Mr. LAURIER. There is no objection either to the amendment or to the motion. I think it is fair enough. But I suppose the hon. gentleman will agree to sit not later than one o'clock at the evening sitting.

Mr. FOSTER. It is pretty near one o'clock now.

Mr. LAURIER. If you sit from 10.30 a.m. to 1. a.m., that should be enough.

Mr. FOSTER. I think we are not disposed to be unreasonable, and it would be better for my hon. friend not to seek to tie us down. We shall not sit unreasonably long.

Mr. LAURIER. That is very elastic.

Amendment (Mr. Haggart) agreed to.

SUPPLY—SOULANGES CANAL.

House resumed adjourned debate on the proposed motion of Mr. Foster:

> That Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply.

Mr. LISTER. I take this opportunity of resenting to some extent the statement made by the Minister of Finance that the Opposition have been fighting the Estimates. The inference that the hon. gentleman wished to be drawn from that statement was that the Opposition were resisting the efforts of the Government to get into Committee of Supply for merely obstruction purposes. I would remind the hon. gentleman that for two long months after meeting here this session we did practically nothing. Instead of the Estimates being handed to hon. members of this House, and instead of the Government taking advantage of the time it then had to have these Estimates discussed and passed, the Government were fighting among themselves to decide which faction should have supremacy.

Mr. FOSTER. Refer us to the page in "Hansard." All that has been said a hundred times.

Mr. LISTER. That will be read again, and when the hon. gentleman is present too. When I remind the House that the subject I am about to discuss involves the possible loss to this country of three-quarters of a million dollars, hon. gentlemen will understand that it is a matter of sufficient importance to engage the attention of the House and to justify us in directing to it the attention of the country. The Opposition would be recreant in the discharge of that duty which they owe to the country, if they allowed these scandalous transactions which have been brought to the attention of the House in connection with the Soulanges Canal, to pass unchallenged. Sir, I think the people of the country will understand the importance of the subject, and I think there will be a greatful feeling extended to the Opposition in this House for having prevented the Government from paying out of the public funds of Canada to one contractor, $210,000 for work alleged to have been done, and which was in fact never earned, and to other contractors upon the same canal, who would have been entitled to demand in like manner from the Government, payment of sums aggregating $500,000, making, as I said before, $750,000 in all. I say that the passing of a Supply Bill, when we consider the fact that Parliament must meet again within a few short weeks, is insignificant and not to be compared with the importance of the subject which has been discussed, and which I propose briefly to discuss this evening. Sir, what are the facts connected with this important transaction? A statement of the facts is all that is necessary to enable any man of common understanding to come to the conclusion that if a trusty officer had not stood between the Government and the people, the treasury of Canada would have been depleted to the extent of $750,000 for the purpose of paying a claim which, to use a slang phrase, was as bogus a claim as was ever presented. I think the people of this country have a right to be thankful that there is an officer standing between the Government and the people, who is at all times prepared fearlessly to discharge the duty which the law casts upon him, that no smiles and no frowns from the Government, or any member of it, will induce him to shrink for a single moment for the discharge of those duties. Sir, we have a right to be thankful, in addition, that there is an engineer in the employment of the Government who is not pliant, who is prepared at all costs to stand up as he should do in defence of the interests of the country at large. The country has two trustworthy officers through whose action Canada has been saved the enormous sum of $750,000. Sir, let us look for a moment at the facts of the case as they undoubtedly stand. Mr. George Goodwin, the contractor, is a friend of the Administration, and we know from past history how the contractors of this country, many of them, stand towards the Administration of the day. If my information is correct, Mr. George Goodwin has on one occasion subscribed $5,000 to the election funds of the Conservative party. George Goodwin is known to be a supporter of the Conservative party, he is known to be a close friend of some members of the Administration, and the persistency and pertinacity with which he pursued that claim, shows that he had some reason for believing that ultimately, when the proper time came, probably this claim would be allowed. Three years ago he first put in the claim against the Government. He was a contractor for certain sections on the Soulanges Canal. Under the terms of his contract he was bound to do certain excavating for 20 cents a yard, and he was bound to build a water-tight embankment for 15 cents a yard. That embankment was to be built out of the excavation of the canal, and all the waste material beyond what was necessary for the construction of the water-tight embankment, was to be placed wherever the engineer in charge told him to put it, and he was bound to put it there without extra charge. In other words, he was entitled to 20 cents a yard for the excavation, and he was entitled to 15 cents a yard for a water-tight embankment wherever that embankment was necessary to be made. All the other excavations were to be taken out by him and placed in such position as the engineer in charge thought proper to direct him to place it. Well, the work went on, and Mr. George Goodwin, the friend of the Government, thought he saw an opportunity of making something in addition to what he was entitled to under the contract; so he puts in a claim against the Government, and claims 15 cents per yard for all the waste that was taken out of the canal and put in the place where the engineer in charge directed him to put it, when, as a matter of fact, he had no right under the contract to one single farthing, for the contract provided that no charge should be made for that work, the contract provided that he should put it where the engineer directed him to put it, and that he should receive nothing for putting it there. But no one, perhaps, knew better than the contractor that he might get something out of it, and he put in a claim in 1893 to the department, claiming to be paid for the waste excavation at the rate of 15 cents per yard, amounting to $210,000. Sir, we have heard about figuring up and figuring down. We know that the dealings between the Government, and contractors in some cases, have not been square and above board. We know, as a matter of fact, to-day that the country was robbed of nearly a million dollars in the city of Quebec by the contractors there, McGreevy and Connolly; and we know, because it has been sworn to, that these public contractors who had received nearly a million dollars more than they were entitled to receive, contributed nearly $200,000 to the election funds of the Conservative party. We know that, and we know moreover that a Minister of the Crown did not object to taking from public contractors a portion of the subsidy which had been granted by Parliament to those contractors for the purposes of swelling the election funds of the Conservative party. We know all these things, and therefore we have a right to be suspicious when any gross wrong-doing has been discovered such as has been discovered in the case now under consideration. What does Goodwin do? Why, Sir, in 1893 it is suggested to his bright mind that, under all the circumstances, he could make a claim and induce the Government of the day to pay him for this waste excavation $210,000. He makes the claim to the Department of Railways and Canals. The claim is referred to the then Minister of Justice, Sir John Thompson. The advice of the engineers was first taken on the claim. Mr. Monro, in charge of the work, reported that the contractor was not entitled to anything; he reported distinctly and decidedly against any claim. In addition to the report of Mr. Monro, we have the reports of his assistants, both of whom reported that under the contract, Mr. Goodwin had no claim against the Government for the work on which he based his claim, and if any one reads the contract it is difficult to imagine how, whether he is a lawyer or a layman, he can conclude that Goodwin is entitled to anything for the claim made on the Government. Section 7 of the contract says:

> No allowance whatever beyond the prices tendered for excavation will be made for haul. The surplus material arising from the prism, &c., on section 7 shall, after making up the banks on that section, be carried forward to widen the embankments of sections to the eastward; and the surplus of section 6 shall be dealt with in the same manner, so that all the excavation arising from the section embracing this contract west of lock 5 will be disposed of in making the embankment on each side of the summit level stations 118 and 460; filling around the various structures. This distribution of material to be made as will be directed by the engineer without entitling the contractor to any extra allowances whatever. The attention of parties tendering is specially drawn to this section of the specification.

The language of that section of the specification is so plain that it is difficult to imagine how any one could construe it in any way other than the construction placed upon it by Mr. Monro and his assistants. But that was the construction placed upon it, not only by those gentlemen, but by the chief engineer, Mr. Schreiber. He reported to the department that Goodwin had no claim. So we have Mr. Schreiber, chief engineer, a man eminent in his profession, possessing wide experience, accustomed to construe these contracts, reporting that Goodwin had no claim. Mr. Monro, the engineer in charge of the work, and his assistants, reported to the same effect. Mr. Goodwin protested; he knew what he had done for the Government, and he hoped that by pressing his claim the time might come when it would be allowed. He haunted the office of the department, and went personally to the Minister of Justice; he wrote letters, put in claims, and day after day he sought to have the claim allowed. We had as Minister of Justice at that time, a very eminent man, without speaking disrespectfully of subsequent incumbents of the office, Sir John Thompson was a very eminent man, an able lawyer, and history will record that he was as honest a statesman as we ever had in this country. Sir John Thompson read the papers, and he gave an opinion covering three or four sheets of type-written paper, and he reported that Goodwin had no claim against the Government. It might be thought that this would have been an end to the Goodwin claim against the Government, and he would have ceased to press his so-called claim. People who thought that did not understand Goodwin. A change took place. Sir Charles Hibbert Tupper was appointed Minister of Justice. He went into the office, and if we look at the papers on file, we will see that Goodwin personally interviewed the Minister, that the Minister wrote saying that was not a proper method to take, that Goodwin had no right to go and interview him personally, that his claim was against the Government, that the Minister of Justice was adviser of the different departments, and he could only take his instructions from the Department of Railways and Canals. By the tone of the Minister's letter, it was evident that he did not wish to have Goodwin call and interview him personally, but that Goodwin did so is evident from a letter on the file. We do not know what took place in the Department of the Minister of Justice any more than the fact that the representations made by Goodwin so persistently in pressing his claim at last induced Sir Charles Hibbert Tupper to have an examination of that claim. I do not know whether the Minister, on a perusal of the papers had not come to the conclusion that Goodwin had no claim, or that he had not agreed with the opinion which Sir John Thompson had given. There is no paper on the file which throws any light on that portion of the case. At all events, it was determined by the Minister of Justice that the engineers should be called and examined. A day was fixed for the examination of all parties, and I believe the Minister of Justice, in making that investigation was desirous of satisfying Goodwin, that he was willing to go as far as possible in investigating his claim. The engineers were called; they were examined in the office of the Minister of Justice, and the evidence given by them strengthens the position taken by the former Minister of Justice that Goodwin had no claim and he could have no claim under the terms of the contract. After that examination occurred one would have thought that the Minister of Justice would, after having gone over all the papers, and heard the evidence given by the engineer in his presence, have left for the guidance of his deputy a memorandum setting forth the facts and the decision at which he had arrived regarding the claim. That should have been on file for the benefit of the Deputy Minister, and in order that he might communicate to the Department of Railways and Canals the opinion of the Minister of Justice. But no such communication is on file. As to what decision which the Minister of Justice (Sir Charles Hibbert Tupper) came to, it is impossible to say, because there is nothing on record to show what took place. He told us, and the letter from the Deputy Minister of Justice also shows, that the decision of the department was that the claim of Goodwin should be paid. When did the ex-Minister of Justice (Sir Charles Hibbert Tupper) come to that decision, and when did the examination of these witnesses take place ? It is evident that there was no decision come to by the ex-Minister of Justice, although he says that he formed the opinion that the claim was allowable, and that the facts were not all before Sir John Thompson when he gave his opinion against this claim. I listened to the hon. gentleman carefully, for the purpose of trying to see if he could give any sound reason for differing from the opinion of Sir John Thompson. I was unable to discover any reason in his speech, why he should have differed from the opinion given by Sir John Thompson. I take it for granted that Sir Charles Hibbert Tupper will to-day admit that he was in error. I may assume from the remarks which the present Minister of Justice (Mr. Dickey) made, that Sir Charles Hibbert Tupper made a grave error when he advised in any way, that the Government should pay the claim of Goodwin. All the engineers of the Government denied liability, Sir John Thompson had given an opinion that there was no liability, and Sir Charles Hibbert Tupper was assuming a tremendous responsibility when he advised to the contrary. His manifest duty under the circumstances was to have said to Mr. Goodwin : In the face of all these opinions against you, I cannot undertake to act upon my own judgment, although I may be favourably inclined to you ; the amount involved is too great for me to take the responsibility upon my own shoulders of recommending its payment, but if you think you have a claim, the Crown will consent that you should prosecute it in the Exchequer Court. In that way the hon. gentleman would have been relieved from the responsibility, and if Goodwin had a claim he would have obtained his money, and if his claim was without colour of right he would have been defeated in the lawsuit. Be that as it may, what do we find ? There is no record in reference to the matter in the Department of Justice. We have the statement of the former Minister of Justice, that after the conspiracy had ripened against the Prime Minister, and when he and six others resigned, as he was vacating his office he says that he spoke to the Deputy Minister of Justice, and told him that the claim of Goodwin should be allowed. Sir, the Deputy Minister of Justice made no record of that at all. If he had received that statement from the Minister of Justice, and looked upon it as an opinion to be acted upon, his duty would have been to at once advise the Department of Railways and Canals. But there was no action taken on the part of the Deputy Minister of Justice to notify the Railway Department that the ex-Minister (Sir Charles Hibbert Tupper) said that the claim was to be allowed. Nothing was done, until, as Sir Charles Hibbert Tupper himself tells us, when he had ceased to be Minister, when he had ceased to have the power to exercise any of the functions of the office, when another Minister was in charge of the department, he goes back and speaks to the Deputy, and tells him again that Goodwin's claim was to be allowed. Why did he not go and see the then Minister of Justice (Mr. Dickey) ? He had no right to go to the Deputy Minister of Justice at all. His plain duty was to have gone to the actual Minister, and to have stated to him : I came to such and such an opinion upon this case, and if you agree with me, you should direct the Deputy Minister to inform the Department of Railways and Canals. But no communication took place between the ex-Minister (Sir Charles Hibbert Tupper) and the acting Minister on the subject. Is that the way in which the work of the Department of Justice is discharged ? If that is the way the servants of the country act, who are paid $8,000 a year to discharge their duties, then, Sir, I am sorry for the country, because I will venture to say that in the office of the most obscure country lawyer, you will find records of opinions, given and records of what action has been taken. But, in this, the largest law office of the country, with all its clerks, with all its servants, with everything to enable the work to be done as perfectly as possible, there is no record whatever upon this very important matter. The astounding statement is made to this House, that when Sir Charles Hibbert Tupper ceased to be Minister of Justice, when he had no power to interfere with the department, he goes back to the deputy, and tells him that this claim of Goodwin should be allowed. The deputy evidently did not think the statement made by the retiring Minister of Justice was to be acted upon, because as a matter of fact he took no action upon it, and it was not until the interview of the ex-Minister of Justice with the deputy that any step was taken at all ; and what was it ? Why, as soon as the ex-Minister of Justice had told the deputy that this claim ought to have been allowed, the deputy writes to the Department of Railways informing that department of the decision of the ex-Minister of Justice ; and within three short days afterwards we find an order from the Department of Railways to the Auditor General, to issue a cheque for the payment of the claim of Mr. Goodwin. The Auditor General, under the statute, if he thinks that for any reason a claim should not be paid, has a right to take independent legal advice as to the validity of the claim. The Auditor General asked for the papers and read them, and became satisfied that the claim of Goodwin was not a valid claim, and he refused to pay it ; and, for the purpose of fortifying himself in that position, he took advantage of the provision of the statute and wrote to Mr. Lash, an eminent lawyer in the city of Toronto, who had been formerly Deputy Minister of Justice, sending him all the papers, and asking him for an opinion as to the responsibility of the Government to pay the claim. Mr. Lash, after considering the whole question, writes a long opinion, going over all the facts, and advising, as all others had advised, that Goodwin had no claim against the Government. But the Minister of Railways says that opinion does not mean anything, because, forsooth, if the Minister of Justice refused to pay the claim, it would have to go before the Treasury board, and the Treasury board would have to pass judgment upon it before the money could be paid—in other words, the Treasury board would have to overrule the decision of the Auditor General before the money could be paid. The Treasury board, I suppose, acts upon the advice of the Minister of Justice. The advice which the Minister of Justice had given to the Department of Railways, as conveyed in the letter of the Deputy Minister, would, I apprehend, in the opinion of the Treasury board, be good law in the case. So that if the matter had gone before the Treasury board, the Treasury board would have been confronted with the opinion which the Deputy Minister said the Minister had given, namely, that it was a claim which Goodwin was entitled to recover from the country ; and upon that opinion, the Treasury board would have overruled the decision of the Auditor General and directed that the money should be paid to Mr. Goodwin. But, Sir, the country found out something about this matter ; the people's representatives found out something about it ; the newspapers found out something about it. Look over the reports of the cases that come before the Treasury board, and you will find that the Auditor General does not count for much when he refuses. You will find that he is overruled always—that he is hardly ever, if ever, sustained ; and if this case had not been made public, the chances are that the Auditor General's decision would have been overruled by the Treasury board, acting on the opinion conveyed to the Minister of Railways by the Deputy Minister of Justice. So far as Mr. Newcombe, the Deputy Minister of Justice is concerned, I say he had no right to act upon the request of the ex-Minister of Justice, made after he had retired from office. I say it was the bounden duty of the Deputy Minister of Justice, before he wrote that letter, to go to the acting Minister of Justice and get his consent to the transmission of the so-called opinion to the Department of Railways before he wrote it at all. But, strange to say, there was no communication between the acting Minister of Justice and the Deputy Minister of Justice in regard to this claim at all. The acting Minister of Justice does not appear to have had it before him or to have seen the papers, and the Deputy Minister of Justice was at fault and was censurable for having dared to write that letter to the Department of Railways without the sanction of his chief at that time. The chances are that had the acting Minister of Justice seen this contract, he would have given the same opinion as Mr. Lash, Sir John Thompson, and all the engineers, namely, that George Goodwin had no claim against the Government whatever. None of these steps were taken ; but, fortunately for the country, it was found out in some way that this claim of Mr. Goodwin was not a valid claim, and we have the assurance of the present Minister of Justice that the claim will not be paid, at all events until Goodwin has established his claim in a court of law. I do not think there is any danger that Goodwin will ever resort to a court of law. I think we have heard the last of this claim. I hope we shall hear no more of it. I hope that when Mr. Goodwin attempts to get the payment of it again, as he no doubt will, the Minister of Justice will say to him : "That claim cannot be paid, because it is not a just claim, and under no circumstances will the Government allow it." This is a matter which cannot be ventilated too often because it is just as bad, so far as a claim of this kind is concerned, to be careless and ignorant as it is to be dishonest. The effect is all the same on the country. Hon. gentlemen opposite handle millions upon millions every year and evidently have come to look upon millions as we do upon five dollar notes. What does $210,000 amount to ? We have the statement of the hon. Minister of Railways, as a matter of fact, he knew nothing about the letter having been received by his Deputy Minister, that the correspondence was handed to the Deputy in his department, and that he himself knew nothing about it. That is the statement of the hon. gentleman. I do not suppose that any one will pretend that Mr. Goodwin did not go to him more than once for recognition of this claim, but, at all events, the hon. gentleman has told the House that the communication from the Minister of Justice to his department was not given to him. At all events, we have the fact that the letter, which is written by Mr. Balderson, the Secretary of his Department, directed that this money should be paid, and that letter must have been written under instructions either from the Minister himself or his deputy, the chief engineer in that department. There is this fact which tells against the hon. gentleman's position. The deputy in his own department or the chief engineer (Mr. Schreiber) had reported against this claim ; and if what the hon. gentleman says is correct, then the deputy and the officials in the department, knowing that this claim had been reported against, knowing that the lawyers had reported against it, knowing that the department generally had refused to pay it, and knowing that the Minister of Justice had reported against it—we have to accept the statement that the deputy in his department, without his knowledge, knowing all these facts, took upon himself the responsibility of directing that this claim should be paid. Be that as it may, however, we have the satisfaction of knowing that the country, through the vigilance of the Auditor General and through the action of the Opposition in this House, has been saved over $750,000.

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

Department of Agriculture.—To provide for the employment of H. B. Small, two months at $140.45	$ 280 90

Sir **RICHARD CARTWRIGHT.** How does that come to be asked for ?

Mr. **MONTAGUE.** Mr. Small is a very old officer of the department. When I went into the department, I made a general reorganization of the department. In that reorganization, I retired Mr. Small and appointed in his place Mr. Jarvis, and I thus saved Mr. Jarvis' salary by that means, because the vacancy made by his promotion was not filled. In order that Mr. Small, who was a very faithful old officer, should be fairly dealt with, I had intended to give him a couple of months leave of absence, as no years were added to his term, and then superannuate him, but a mistake was made in the Order in Council, and he was superannuated a couple of months before I intended.

Mr. **LANDERKIN.** How old is he ?

Mr. **MONTAGUE.** Between 65 and 70.

Mr. **GIBSON.** He is one of the best officers in the department.

Mr. **MONTAGUE.** The head of the department must be the judge, and I think that any one looking into the department will see that I did what was best for the service.

Mr. **LANDERKIN.** Is he in good health ?

Mr. **MONTAGUE.** Yes.

Mr. **LANDERKIN.** What is his allowance ?

Mr. **MONTAGUE.** I will tell the hon. gentleman in a minute.

Mr. **McMULLEN.** As this is a question of superannuation, I think it an opportune moment to draw the attention of the committee to the number of superannuations that hon. gentlemen opposite have made during the past year. I find that they have taken advantage of the Act to retire a whole host of civil servants. Up to the 31st December, 1895, they retired under the Act within the year 111 officials. The gross amount of allowance is $62,068.64. They retired five, after granting a gratuity of $2,610, which leaves the net sum of $59,458.64 of an annual charge upon the revenue of this Dominion as long as those 106 superannuated officials live. They have added, under the figures I have given 106 to the superannuation list. They have superannuated in all during the last five years in which hon. gentlemen opposite have been in power, 320, and have added to the annual outlay on superannuation during these five years $170,158.62. The expenditure under superannuation would now be about $100,000 a year and the receipts $67,000, which would leave a net loss of only $33,000 ; but owing to the additions they made to the lists during the last five years they have been in power, the outlay is now over $300,000 a year, and the receipts only $67,000, which makes a net loss to the country of $233,000 a year. This superannuation system has been so utilized by hon. gentlemen opposite that we have enormous additions to the drain upon the country's resources year after year. The actual drain made during the years this Government have been in existence, the amount paid up to the 30th June, 1896, to those they have added to the list in the five years is $307,297.10. That is the amount paid out to superannuated officials whom they have placed upon the lists from the time they took office up to the 30th December last. The amount that I have stated, $110,700, will continue to be paid to the superannuated officers as long as these men live. I understand that gentlemen opposite claim that they are saving the country large sums of money each year by the application of the superannuation system to these officials. But when we consider that they have superannuated the number I have stated within one year, it is perfectly plain that the system is abused. When we come to examine these cases we find that men are superannuated and others are appointed who receive the same salaries. Take the case of the Assistant Receiver General in Toronto. I think Campbell was his name. He got a very large superannuation allowance, something over $2,000 a year and Mr. Creighton was appointed in his place—at a reduced salary ? Not for a moment. He received the same salary that Mr. Campbell received before he was superannuated.

Mr. **LANDERKIN.** And he is not much older than Mr. Creighton.

Mr. **McMULLEN.** About the same age, I believe. When a political friend of gentlemen opposite presses very strongly upon the Government for some comfortable place to retire for the rest of his life, some other man is superannuated upon a large retiring allowance and the favourite is appointed. If gentlemen opposite are prepared to challenge the statements I have made, I am ready to give the name of every man they have placed on the superannuation list for five years to prove the accuracy of the statement I have made.

Mr. McSHANE. I desire to ask the hon. Minister a question. I understand that when he became the head of the department he superannuated four or five officers. I have heard a good deal about that. I am sorry that there are no French Canadians here at present. I do not want to raise any question of race or religion, but if he has discharged any French Canadians or Irish Catholics, I would like to know why he discharged them. Were they unfit for their duties ? And were others appointed in their places ?

Mr. MONTAGUE. I have no hesitation in answering the hon. gentleman squarely. I trust that no man in this House thinks that any Minister in either a Liberal or a Conservative government, in dealing with the question of reorganizing his department, would stoop so low and so far neglect his duty as to consider what church an officer attended or to what nationality he belonged. So far as I am concerned, I am prepared to say to this House and to this country——

Mr. McSHANE. That is not answering my question.

Mr. MONTAGUE. I will answer the question if the hon. gentleman will have the decency to listen to me for a moment. So far as I am concerned, I do not consider where a man worships or what nationality he belongs to. It has been my fate to think it my duty to reorganize both the departments in which I have been. When this charge was made against me in connection with the national and religious cry, I took the opportunity of looking up the superannuations I had made both in the State Department and in the Department of Agriculture, and I discovered that all the ground there was for the charge that some hon. gentleman had felt called upon to make, the charge insinuated by the hon. member for Montreal Centre (Mr. McShane)——

Mr. McSHANE. I did not make a charge. I asked a question based upon what I had heard.

Mr. MONTAGUE. I am very glad the hon. gentleman does not make a charge. I have only to say that I looked up the nationality and religion of the men I had superannuated. Speaking from memory—the hon. gentleman will find the figures in the newspaper interview I gave—there were five Protestants and about four or five Catholics. Until the charge was made I had never thought of this phase of the question. When I went into the State Department and later when I went into the Agricultural Department, whether hon. gentlemen opposite will believe it or not, I made an honest effort so to reorganize the departments as to get the best service possible. In the Agricultural Department I retired four or five men, and I am prepared to defend every retirement I made. And I am prepared to answer the statements with regard to men being retired and others put in at equal salaries, because there was not a case in which I superannuated a man and did not abolish his office.

Mr. CAMPBELL. Temporarily.

Mr. MONTAGUE. The hon. gentleman does not know what he is talking about.

Mr. MARTIN. Long experience leads us to suppose that it will be only temporarily.

Mr. MONTAGUE. Every office must be created by a vote of this House, and hon. gentlemen will find it time enough to insinuate that these savings are only temporarily when they are asked to create more offices. Let them look at the estimates of 1896-97, and they will find that not a single office is estimated for the occupant of which was superannuated.

Mr. CAMPBELL. Take the estimate of this year and compare them with other years.

Mr. MONTAGUE. The comparison will show that about $10,000 is saved as compared with 1895-96.

Mr. MARTIN. There are the supplementary estimates.

Mr. MONTAGUE. I am not asking for a single appointment under supplementary estimates.

Mr. MARTIN. No ; but you can ask for that next year.

Mr. MONTAGUE. When these appear it will be time for hon. gentlemen to find fault. I believe that by the reorganization I save $8,000 or $10,000 to the department. I superannuated these men and put that money, as hon. gentlemen will see by referring to the Main Estimates, into the establishment of experimental stations, both fall wheat stations and fruit stations, in establishing a crop report for the farmers of the country —in other words, putting the money into practical service of the farmers, and hon. gentlemen opposite, instead of finding fault should be pleased that the effort is being made to get the best value for the money that is being spent. So far as the superannuation of Mr. Small is concerned, he was no doubt a good officer in his day. But I found that he was not doing what I believed to be valuable service for the money he was receiving from the country. He was in receipt of a salary of $2,300. I superannuated him and appointed in his place at a salary of $2,000 Mr. Jarvis, an old tried servant in the department, though still a young man, and I saved the salary of $1,800 which Mr. Jarvis had been receiving, because I abolished the clerkship which he held previous to his appointment. I leave the facts to hon. gentlemen opposite, and I am sure there is no comfort in those facts for them and no evidence to support the charges that were made.

Mr. LANDERKIN. Can you give us the amount of Mr. Small's superannuation allowance and his age.

Mr. MONTAGUE. I think he is between 65 and 70 years of age. He was in the service for twenty-eight years, and his superannuation will be therefore 56 per cent of $2,300.

Mr. McSHANE. I have been told by some of the old countrymen here in Ottawa, and I have been told by some French Canadians, that the hon. Minister of Agriculture had discharged them from his department, and I want to know if he has replaced them by men who were able to discharge the duties of the office.

Mr. MONTAGUE. The hon. gentleman is trying to make another addition to his charge. I just told him that the men I removed from office, have not been replaced by anybody else.

Mr. McSHANE. I asked the hon. gentleman: Is it true that he has discharged so many French Canadians and so many old countrymen of one religion, and has not replaced them by men of the same faith ? I ask him that question can he answer it ?

Mr. MONTAGUE. I have already answered it.

Sir RICHARD CARTWRIGHT. As a matter of fact, I find the savings made in the Department of Agriculture nominally amounts to a little over $5,000.

Mr. FOSTER. There are statutory increases amounting to $1,500.

Sir RICHARD CARTWRIGHT. I am speaking of reductions. About $5,500 were saved, but against that there are superannuation allowances amounting to something like $4,000.

Mr. MONTAGUE. When I used the figures eight, nine or ten thousand, I referred to the decreased vote as regards permanent officers as well as regards temporary help. If he will notice the Estimates, he will find there is a reduction.

Sir RICHARD CARTWRIGHT. I notice the saving was almost entirely eaten up by the increased superannuation. There was a saving made of $2,000 in the ordinary Estimates, no doubt. A saving was talked of in the Estimates of last year for these same contingencies, and these Supplementary Estimates take back all the saving and adds $500 besides.

Mr. MONTAGUE. It is true that too small a vote was taken last year, and we are asking this year $2,500 to finish it. But I may tell my hon. friend that we have given notice to a number who are on the temporary list that we shall discharge them very shortly.

Mr. FLINT. I think the observations of the hon. member for North Wellington (Mr. McMullen) are quite startling to the members of the committee. I think there must be a wrong system which gives such results. On several occasions since I have been a member of the House, the matter has been discussed as to why persons who were superannuated and who were really not unfit for the discharge of public duty, were not distributed among other departments, instead of being placed as a charge upon the revenue during the rest of their lives. I think that where it becomes necessary in the re-organization of a department to suit the ideas of a new Minister that certain servants should be dismissed from that particular employment, unless they are ill or too old to be of any more service, should these men be placed in some reserved list, and drafted into other departments of the Government. The nature of the services discharged by the great bulk of the civil servants, is very similar. They are copyists, accountants or writers, or gentlemen who perform duties of a similar character, and are as well fitted to discharge those duties in other departments, as in the department from which they are superannuated. It seems to me that this ought to occupy the attention of the Government. While it would not be proper to check their very proper ambition to increase the efficiency of their departments, it does seem to me that advantage has been taken of this in the Civil Service to saddle a large number of retired persons upon the exchequer. The figures given by the member for North Wellington (Mr. McMullen) certainly deserve our attention. It is true that 106 persons have been added to the superannuation list of the past year, and a large majority of these are still qualified to serve the country. I think in many instances, it must be a great hardship to them to have their means of living so reduced, and to be thrown upon the world without employment, and their life made a charge upon the country, while in most instances new men are brought in at as great or even greater salary who have to learn all the duties these civil servants have learned. The attention of the House and the country should be directed to the subject, and I hope it will be a subject taken up early in the next Parliament.

Mr. FOSTER. I hope the hon. gentleman will leave it over to the next Parliament.

Mr. FLINT. I call the attention of the House to its importance, and I urge hon. members who may return here to take it up in all earnestness, so that before another Parliament closes there will be a Superannuation Act on the statute-book of which Canadians will be proud and with which they will be satisfied. Last year the superannuations were increased by nearly $60,000, 106 persons being added to the list, and in many cases they were well qualified to discharge the duties of the office, and a great wrong was done to the public service by the manner in which they were superannuated.

Mr. CAMPBELL. I wish to say a few words on this important matter.

Mr. FOSTER. If the hon. gentleman wishes to discuss the subject, we had better leave the item till to-morrow. I move the committee rise.

Resolutions reported.

Mr. FOSTER moved the adjournment of the House.

Sir RICHARD CARTWRIGHT. What business is proposed to be taken up to-morrow ?

Mr. FOSTER. The Estimates and a few Bills.

Motion agreed to, and House adjourned at 1.40 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 22nd April, 1896.

Morning Sitting.

The SPEAKER took the Chair at 10.30 a.m.

PRAYERS.

LABOUR ON PUBLIC WORKS.

Mr. FOSTER. In the Public Bills and Orders, there is one Bill that was passed by this House, and which went to the Senate. It came back from the Senate with a verbal amendment which rather destroys the effect of the Bill. I refer to item number 38, on the Public Bills and Orders. It is rather a pity, when the Bill has received the sanction of the House and of the Senate, if it should not have its final stage. I beg leave to move, with the consent of the House, that the order, number 38, be placed upon Government Orders.

Motion agreed to.

APPOINTMENT OF JUDGE MASSON.

Sir RICHARD CARTWRIGHT. Before the Orders of the Day are called, there is a matter to which I wish to bring the attention of the Minister of Justice to whom I gave notice in reference to it, and if necessary I will move a motion of adjournment, although I do not particularly want to do so, except to comply with the rules. The matter to which I allude has reference to the appointment of Mr. Masson. Now, Sir, on a former occasion, my hon. friend from Lambton (Mr. Lister) called the attention of the House to the fact, that a communication had been received, and correspondence had been put on file in the Justice Department, as he was informed, from the junior judge of the county of Huron ; and to that the Minister of Justice made a reply which I think appears to be sailing extremely close to the wind. Now, Sir, I wish to place on record what actually happened, and it will be for the House to say, and it will be for the Minister of Justice to say, whether or not the criticisms that we have made upon that matter, are or are not justified. On the 16th May, 1895, Mr. B. L. Boyle, the junior judge of Huron, addressed the following communication :—

> To Sir Charles Hibbert Tupper,
> Minister of Justice, Ottawa.
>
> Dear Sir,—You are, no doubt, aware of the death of Judge Toms, late senior judge of the county of Huron. I am prepared to do the work, and I am an applicant for the county judgeship.

To that letter, on the 20th May, 1895, the following letter was received by Judge Doyle :—

> My dear Sir,—I have your letter of the 16th inst., applying for promotion to the county court judgeship of Huron, and I placed your letter on file for consideration when this matter is being dealt with.
>
> Yours faithfully,
> CHARLES H. TUPPER.
>
> His Honour B. L. Doyle,
> Junior Judge of Huron, Goderich, Ont.

I find also that the following petition was addressed to the Minister of Justice at Ottawa :—

> Petition of the undersigned barristers and solicitors practicing in the county of Huron, in the province of Ontario, showeth as follows :
>
> That His Honour Judge Doyle, the present junior judge of the county of Huron, since his appointment, has well and faithfully performed the duties of his office with credit to himself, and we believe to the satisfaction, not only of the profession, but of the public generally. And we feel that he is well entitled and should be promoted to the senior judgeship ; and his appointment thereto will meet with general approbation. We therefore respectfully request that his elevation to the office of senior judge for the said county be duly made.
>
> Dated this 28th day of August, 1895.

This petition is signed by F. Holmstead, J. W. Best, R. S. Hayes, and apparently twenty others ; in fact the great majority of the barristers and solicitors practising in that county.

Now, Sir, under those circumstances it does appear to me that it requires explanation, when the Minister of Justice in replying to the statement of my hon. friend (Mr. Lister) informed that hon. gentleman, that there was no such correspondence on file in the Department of Justice. Mind, I do not mean to say that there might not be a loop hole found to creep out of, but I do say that it is sailing most exceedingly close to the wind, with such correspondence on record and on file in the Department of Justice as I have just read ; that such a statement should be made to us when we were engaged in debating that question. I add this : that there appears to me to be no sort or shadow or doubt now, under all the circumstances, that the member for North Grey (Mr. Masson), during the entire of this session, if not during the entire of the preceding session, was to all intents and purposes, as has been stated on the floor of this House again and again, sitting here in practical defiance of the Independence of Parliament Act, and to all intents and purposes, with that appointment in his pocket. Now, Sir, I do not want, at this stage of the session, to do more than to place these matters on record, and let such explanations as can be given (if any can be given), be given by the hon. Minister who is more particularly affected. Were is possible I would have been glad to have waited for the Minister of Justice to be present, but I sent him a letter to the effect that this would be brought up on the first opportunity, and this is the only opportunity I may have. I desire now to leave this matter, but in order to comply with the rules, I move the adjournment.

Mr. LISTER. When this matter was discussed the other day, I ventured to state that I had information that Judge Doyle had applied for the position, that he had represented to the Government the fact, that two judges in the county of Huron were unnecessary, and that he was willing to discharge the duties. I was surprised at the answer of the Minister of Justice, that no such communication from Judge Doyle was on file. Now, Sir, it turns out, from the correspondence read by the hon. member (Sir Richard Cartwright), that the Minister of Justice, to say the least of it, had made a statement to the House, which has not been borne out by the facts. The charitable view to take of the matter is, that the Minister of Justice, at the time he made that statement, had not informed himself at all as to what the true facts were, and that he made it in ignorance of those facts. The hon. member for South Oxford (Sir Richard Cartwright) has shown to the House, by evidence that cannot be disputed, that at the very time the Minister of Justice made this statement to Parliament, that no application had been made, or that no representation that a second judge was not necessary in the county of Huron ; at that moment upon the files of the department was evidence directly contradicting the statement made by the Minister. One is amazed, Mr. Speaker, that the Government should have made the appointment at all, and it is impossible to resist the conclusion stated by the hon. member for South Oxford (Sir Richard Cartwright), that the hon. member for Grey (Mr. Masson), at all events during all of the present session had been promised the position which was ultimately conferred upon him by the Government, namely, the position of senior judge for the county of Huron. I submit, Mr. Speaker, that the appointment was entirely in violation of the Act of the legislature which forbids the appointment of another judge to the county of Huron. I say that this Government, for the purpose of finding a place for a supporter, ignored entirely the law of the country which provides, that in counties where the population is not 80,000, only one judge should be appointed. Prior to the passing of that Act in 1896 this Government had a right to appoint two judges in a county where the population exceeded 40,000, but in 1896 an Act was passed whereby it is provided that only one judge should hold office in a county where the population was less than 80,000. Now, the population of the county of Huron is less than 80,000, and under the Act of 1896, that county is entitled to only one judge. Yet, in violation of that Act, the Government has appointed another judge, and it has burdened the taxpayers of this country for the payment of the salary of that judge so long as he may live. Sir, there is grave doubt as to the validity of the appointment at all. The two county judges under the former law had equal jurisdiction, one having the same power as the other in every regard. The only difference between those two judges was, that the man holding the last commission should be the junior judge. Their rank was equal, and the mere naming of them as "senior" or "junior" was only for the purpose of distinguishing as to the date of the appointment. Then, Sir, I contend that when the Act of 1896 was passed, providing that there should be only one judge, the moment the vacancy took place in that county, the surviving judge became by operation of the law, the judge of the county. He became the senior judge of the county because his commission, of necessity, must be prior to the commission of any other appointee. I submit that in law, Judge Doyle then became the judge of the county court, and the distinction of senior and junior judge ceased to exist the moment the other judge died. That distinction was never anything more than conventional. The moment the senior judge died the junior judge became by operation of the law the judge of the county court of the county of Huron. Therefore, the Government in appointing Judge Masson, as senior judge to the county of Huron, violated the law in spirit and in letter. No matter what they put in their commission, no matter whether they described Judge Masson as senior judge or not, Judge Masson could not be appointed, and the mere fact of describing him as senior judge does not make him senior judge, because the Government had no power to create that office when the junior judge was living, and when by operation of law he became senior judge. I submit, Mr. Speaker, that as a matter of law, Judge Masson is not judge of the county of Huron at all. Judge Doyle is the judge of the county of Huron, and if it were possible to appoint a second judge for that county, Judge Masson would be the junior judge for the county of Huron, because his commission is latest in date. Now, Mr. Speaker, I do think that under all the circumstances, it was a very scandalous thing for the Government to make this appointment. Whether they had a right to make it under the strict letter of the law or not, is another question. I say; that it was a violation of the spirit of the Act, even assuming that the appointment was technically right. We have the evidence before the House that the county of Huron has less than 80,000 inhabitants, and we have the evidence before the House that one judge was abundantly sufficient to discharge the legal duties of that county. There was no necessity for the appointment, and the Government made it for the sole purpose of finding a position for a political supporter, and not because it was in the interest of the county or in the interest of the country. When I spoke of this matter before, I intimated to the Minister of Justice that I had information that a communication had been sent to the Government that Judge Doyle was willing and expressed his ability to discharge all the duties of the office of judge of the county of Huron, and the answer I received from the Minister of Justice was that no such communication was in his department. I felt reasonably sure that such a communication had been received in some department, and I took it for granted that, if it was not in the office of the Minister of Justice, it would be found in some of the other departments. However, the position which I then took has been thoroughly sustained by the evidence which my hon. friend from South Oxford (Sir Richard Cartwright) has read to the House this morning. As the hon. Minister of Justice was not in his place when this was read, I take the liberty of reading it again. This letter is dated the 16th of May, 1895 :—

> Hon. Sir C. H. Tupper,
> Minister of Justice, Ottawa.
>
> Dear Sir,—You are, no doubt, aware of the death of Judge Toms, late senior judge of the county of Huron. I am prepared to do the work, and I am an applicant for the county judgeship.

In reply to that letter the Minister of Justice wrote :

> My dear Sir,—I have your letter of the 16th instant, applying for the promotion to the county court judgeship of Huron, and have placed your letter on file for consideration when this matter is being dealt with.
>
> Yours faithfully,
> CHARLES HIBBERT TUPPER.

So that my hon. friend, in making the statement that no such correspondence was in the department, had evidently not looked it up, and was in error, because, as a matter of fact, that correspondence was there. For the information of the Minister of Justice I also call his attention to the petition which was read by the hon. member for South Oxford, addressed to the Minister of Justice, and signed, I believe, by nearly every practising barrister in the county of Huron, in which it is stated :—

> That His Honour Judge Doyle, the present Junior Judge of the county of Huron, since his appointment has well and faithfully performed the duties of his office, with credit to himself, and we believe to the satisfaction, not only of the profession, but of the public generally ; and we feel that he is well entitled and should be promoted to the senior judgeship ; and his appointment thereto will meet with general approbation ; and we therefore respectfully request that his elevation to the office of the senior judge of the said county be duly made
>
> Dated this 28th day of August, 1895.

In looking over the list of petitioners, I think I am safe in saying that nearly every local practitioner in the county of Huron signed this petition. Under these circumstances, it is difficult to understand what justification the Government can offer to the House or the country to the appointment of Mr. Masson to the position of senior judge of the county of Huron. I maintain, as I said before, that the moment the senior judge of Huron died, that moment the junior judge, in view of the Act of the Ontario legislature, became judge of the county ; and what possible excuse the Government can give for ignoring that legislation it is difficult to understand. The position of the Government can only be explained upon the theory of that they had promised, not this session, but last session, before the Act of the Ontario legislature had become law, that Mr. Masson should receive the position of judge of the county of Huron, and felt bound to carry out their promise. Why, Sir, it was an open secret. Everybody knew for monthes past that the position would be given to Judge Masson. I find no fault with Judge Masson himself, though I find fault with the appointment ; I think he will discharge his duties satisfactorily, but I do find fault with the Government in not appointing him in some county where two judges were required, or in a county where there was a vacancy and where a judge was required. But under the circumstances, I think the Government are deserving of censure for making the appointment they did in the county of Huron, and if the matter were tested in the courts. I think it would be found that the appointment of Judge Masson is an utterly illegal appointment.

Mr. DICKEY. Mr. Speaker, with regard to the correspondence from Judge Doyle. I may say that I have no doubt whatever that the letter read by the hon. gentleman is a correct letter ; but, in reading the file, I certainly did not get any impression whatever that Judge Doyle had made the statement that he alone could do all the work in the County of Huron. I remember no such statement at all, but I daresay it is quite correct, and all I can say is that if it is correct, the statement I made to the House before was made under my then impression.

Mr. DAVIES (P.E.I.) The hon. gentleman does not question the letter.

Mr. DICKEY. No, there is a letter from Judge Doyle. I thought it was purely a formal notification of the death of the senior judge. That is the impression that I carried away, but, of course, I may have been entirely wrong, and do not dispute for a moment what the hon. gentleman says.

Mr. LISTER. He says : I am prepared to fill the position and make the application.

Mr. DICKEY. Quite so. Does the hon. gentleman say that that petition is on file in the Department of Justice ?

Mr. LISTER. I am not able to say that it is on file, but it is addressed to the hon. Minister of Justice, Ottawa.

Mr. DICKEY. I do not like to venture an opinion after being wrong about the letter, but I am quite satisfied that that petition is not on the file given to me as the file containing the letters and papers on the matter. I do not know that any good purpose will be served by my discussing this question at any very great length. I cannot at all agree that there is any doubt as to the legality of Mr. Masson's appointment. The statute says that in case more than one county judge is appointed for any county, then, unless otherwise expressed in the commission, the judge whose commission has priority shall be styled the judge of the county court, and the other shall be styled the junior judge thereof. I understand that section to mean that where the appointing power does not make a selection, the priority of dates in commission shall settle the priority as between the judges, but the Ontario government or legislature, in passing that statute, expressly reserved for the appointing power the authority to say which should be the judge and which should be the junior judge. That, I contend, is implied in the words " unless otherwise expressed." The legislature laid down a very definite rule to prevent disputes as to priority, as between the judges, and to apply the Salaries Act of this Government, and that rule was that seniority should give priority unless it was otherwise expressed in the commission. We find an analogy in the chief judges and puisne judges of the courts. The jurisdiction of the chief justice is no greater than that of a puisne judge, the only difference being that he is head of the court, and has a larger salary. Supposing a statute like this applied to the Supreme Court of Nova Scotia, and provided that when the chief justice died, on the appointment of a new judge, unless it was otherwise expressed in the commission, the senior judge should be the chief justice.

Mr. LISTER. Suppose the statute said there should not be any more judges ?

Mr. DICKEY. We will come to that presently. It is perfectly clear to me that it would be competent for the appointing power, by virtue of the very limitation of the section, to express in the commission that the new appointee should be chief justice. This is exactly the same position. The appointing power may appoint a judge to-day, who will be the judge notwithstanding the fact that there is a junior judge who has been years in the county. The question as to who shall be the judge is a matter to be settled by the appointing power. Now, the Ontario statute of 1895 provides that no junior judge shall be appointed under certain circumstances. But the junior judge is distinct from the judge. The distinction is drawn by the very statute that the Ontario legislature was amending, and it is drawn in the Dominion Act which makes the salaries different. The judge begins with $2,000 and goes up to $2,400, and the junior judge gets $2,000 only ; so that although there is no difference in jurisdiction, there is a broad distinction drawn both in the Ontario statute and the Dominion statute.

Mr. DAVIES (P.E.I.) Will the hon. gentleman read the section in the Ontario statute.

Mr. DICKEY. It reads as follows :—

> In case more than one county judge is appointed for any county, then, unless otherwise expressed in the commission, the judge, whose commission has priority of date, shall be styled the judge of the county court, and the other judge of the same court shall be styled the junior judge thereof.

My argument is that those words " unless otherwise expressed " reserve to the appointing power the choice as to who shall be the judge and who the junior judge. I was proceeding to say that the Ontario Act of 1895 provides that no junior judge shall be appointed. There is a clear distinction between these two offices. It was perfectly competent for the Ontario legislature to have said what the hon. gentleman contends they meant to say, but if the Ontario legislature said that there should not be any more than five puisne judges in the province, that would not affect the question of the chief justice, because they would be dealt with on terms that were perfectly well-known, and had an established meaning in the legislature and at the Bar, so that it seems to me that it was the clear intention of the Ontario legislature to provide that there should be one judge in the county and he should be the judge with the salary of to $2.400.

Mr. LISTER. Then the position the hon. gentleman takes is that in the case of a death of a junior judge, the Government has no power to appoint, but in the case of the death of a senior judge the Government can appoint and thus maintain the two judges, in spite of the evident intention of the Act that there should be only one where there is a population less than 80.000.

Mr. DICKEY. That is my contention under the legal position of the Act of 1895.

Sir RICHARD CARTWRIGHT. There is an Act of 1896 too.

Mr. DICKEY. If any argument were needed to sustain the position that I am taking now, it is the Act of 1896, which shows beyond a doubt what the Ontario legislature thought.

Mr. DAVIES (P.E.I.) What does the hon. gentleman say they thought ?

Mr. DICKEY. That the Act of 1895 did not prevent the appointment of two judges.

Mr. DAVIES (P.E.I.) They removed any doubt on the question ?

Mr. DICKEY. I do not think it was a question of doubt. It simply shows what they meant by their previous Act, and after that came out they changed their policy and said that there should only be one judge. Now, with regard to Judge Doyle, he is a junior judge of the county. Supposing it had been desired to appoint him a judge, a commission to him would have been necessary, I submit. He is entitled, after three years' service, to an increase of salary. When would that increase of salary begin ? When he was appointed a judge, and he would have to be appointed a judge, I submit, by a commission, because his present commission is as junior judge of the county. I have not a shadow of doubt with regard to the legality of the appointment. As I explained to the House before, I was not aware of the pendency of the Act of 1896. I am perfectly frank to say that if I had been aware of the pendency of that Act, it would have very strongly affected my view of the situation, for I think it is a most important and relevant fact to take into account. And I am the more free in saying that, because, with regard to the surrogate fees, I had not the same feeling. I felt, with regard to the surrogate fees, that it was a mere question whether a new appointment should be made by the Ontario government or not, that the system of the county court judge administering the surrogate court was an excellent one that was working in every county in Ontario, and the change proposed was not a radical change, was evidently not due to anything wrong in the system, was not intended in any way to affect economy in the public service, but was simply a transferrence of the fees from a man who is our officer to a man who would be the officer of the other government. So I did not feel, so far as that is concerned, that the matter was important. But I certainly should have felt the importance of the pendency of the Act of 1896. If the hon. Prime Minister of Ontario had notified this Government or my department of the pendency of that Act and his intention to press it into law, we should have been in a position to deal with the question on the basis of that information. But as that was not done, I acted in absolute ignorance of it, and my deputy also informs me that he had no knowledge whatever that such legislation was pending. It is very difficult for us to watch our own legislation and keep track of that. The Ontario legislature is composed of a single body ; Acts are passed through with the greatest facility when it is necessary, and it would be quite unreasonable to ask a Deputy Minister of Justice to keep track of every Act passed in every legislature in the Dominion before it comes to him to be dealt with in the regular way. I am glad to hear the hon. member for West Lambton (Mr. Lister) say that he thinks Mr. Masson will make a capital judge. I feel quite sure that I shall never have reason to regret having recommended Judge Masson so far as his own merits are concerned. I believe he will be a credit to the county court bench of Ontario and will discharge his duties thoroughly well. I am quite satisfied that his appointment is perfectly legal and that no question will ever be raised as to that point. I do not think there is anything more I can say which will throw light upon this question.

Mr. DAVIES (P.E.I.) I do not know any great public interest will be served by discussing at greater length the legality of Judge Masson's appointment. That question must be determined by the courts of the land. The Minister of Justice has ventured to express his opinion in pretty strong language that the appointment is technically legal, and, while other gentleman in the House entertain very grave doubts upon the point, I assume that if those doubts are shared by the Administration of Ontario, the proper steps will be taken to test the question in the courts of the land. Therefore I shall not press that branch of the inquiry further. I still adhere to the view I ventured to express on a previous occasion, and regret that I cannot share in the one which the hon. Minister of Justice expresses. But the point before the House and that which the country and the House is most deeply interested in is not whether Judge Masson is a legal judge, but whether his appointment was a proper appointment. I do not understand there ever was a question raised as to the qualification of that gentleman to hold a county court judgeship. I do not understand that the hon. member for North Simcoe (Mr. McCarthy) when he denounced this appointment as a "flagrant indecency," in any way impugned Mr. Masson's legal attainments. What has been charged and what is charged is that the time and the manner of his appointment call for severe censure of the Government on the part of this House. The hon. Minister frankly admits that if he had known the facts that he ought to have known, the appointment would not have been made. The hon. gentleman takes the House into his confidence and frankly tells us that if he had known of this statute of the Ontario legislature which was read the third time on the 1st April, 1896, and which provided that hereafter only one judge should be appointed for every county of not more than 80,000 population, he would not have recommended any appointment in this case in Huron. He pleads ignorance on that point.

Sir CHARLES HIBBERT TUPPER. What is the date the hon. gentleman gave?

Mr. DAVIES (P.E.I.) The Act was read the third time on the 1st April. I was told in the debate that Mr. Masson was sworn in an hour before the Bill received the assent of the Lieutenant-Governor. I do not understand the Minister of Justice to defend himself on the ground that Mr. Masson was appointed an hour or five minutes before the Act was assented to. That would be a technical point unworthy of the hon. gentleman.

Mr. DICKEY. No; that was not my point.

Mr. DAVIES (P.E.I.) No, of course not. The fact of importance is that the Act was read the third time and passed by the Ontario legislature providing that there should be no longer two judges in counties such as York. The hon. Minister says he was not aware of it and that he recommended Judge Masson's appointment in ignorance. The hon. Minister in the multiplicity of his responsibilities in connection with his legislative duties here may not be aware of these things, but I think the House has a right to assume that his department shall keep the run of Acts of this kind and that their business was to be aware of the fact that this Act had been passed. It is not creditable to somebody who should have informed the hon. Minister of the facts that he should have been uninformed of an important statute such as that. Therefore, I say that the Government as a whole must have known, and those officials who are specially charged with the care of these matters ought to have communicated the facts as they existed to the Minister. Now, we have come down to this that, as a matter of fact, an appointment was made that would not have been made had the facts been known. The appointment was made under the most suspicious circumstances and should never have been made at all. The other point the hon. Minister has not touched upon, and that is that the vacancy has been kept hanging over the head of aspirants for years—or for about a year, the vacancy having occurred, I believe, in April, 1895. I believe it is understood that Mr. Masson was an applicant for the office. The ex-Minister of Justice (Sir Charles Hibbert Tupper), I believe, said he was not aware of it and that no application had been made to him.

Sir CHARLES HIBBERT TUPPER. That is true.

Mr. DAVIES (P.E.I.) Of course I unreservedly accept the hon. gentleman's statement. Still, I think it was generally known that Mr. Masson was an aspirant for the appointment. I heard it stated in the corridor that such was the case. And the appointment was kept dangling before his eyes for twelve months. And the fact of his desiring the appointment and of the appointment having been kept open must have affected his conduct in this House. The appointment under the circumstances, and particularly after this Act that the Ontario legislature had passed, is a crime on the part of the Government and a shame and disgrace to them. I say Mr. Masson never can hold that independent position which the county court judge of Huron ought to hold, if he had been appointed under other circumstances. His personal qualifications need not be mentioned, and need not be discussed; but the circumstances of his appointment are open to the severest condemnation and censure, and the admission made to-day by the Minister of Justice does not relieve the Government from the odium and disgrace which surround and are attached to the whole appointment. I do not want to discuss the other point that the hon. gentleman has taken up about the Act passed in 1895 reducing the salary. My hon. friend (Sir Richard Cartwright) reminds me that the Surrogate Act was passed in 1896. Then we stand in this very curious position, that two acts were passed affecting Mr. Masson's right to that appointment, seriously affecting it. The minor one, which merely affected his right to the office, the hon. gentleman had full knowledge of; as to the major one, which affected his right to the appointment at all, I accept his statement that he was ignorant of it. I say it is a most extraordinary thing that the department over which the hon. gentleman presides had knowledge of one Act, the smaller one, and could have been in ignorance of the main one. I accept his statement of ignorance, but I cannot exonerate him from being a party to the act, which I say is a disgraceful act, of appointing a gentleman to a judicial position after the appointment has been kept dangling before him for twelve months, for the purpose of unduly influencing his political conduct and vote in this House.

Sir CHARLES HIBBERT TUPPER. I do not wish to prolong the debate, nor do I think I can add very much to the discussion except in regard to one point which the hon. gentleman for Queen's, P.E.I., (Mr. Davies) has raised in regard to an omission on the part of some one, he did not say what official, to follow closely the legislation of the local legislature, and whose duty he says it was to be thoroughly aware of what Bills were passing through the Ontario legislature. Now, I think it would be difficult for the hon. gentleman or any member of this House to show that it was the duty of any one in the Department of Justice, or any other department of the Federal Government, to watch carefully the legislation as it passes through any of the local legislatures of this country. I say without hesitation that that duty could not be performed, and I will be contradicted by no man who has been in the Department of Justice, that with the staff there, very efficient though it be, it is the most difficult thing in the world for the gentlemen in that department to keep au fait with the Bills that are introduced and passed in this House. It is their duty to follow every private Bill, every public Bill, and every Government Bill in this legislature, but with that enormous work, together with all the departmental business,and the various departmental references, it is absolutely impossible for these gentlemen to take up and watch the proceedings of a local legislature, particularly when that legislature is sitting simultaneously with this Parliament.

Mr. MULOCK. Like my hon. friend from Queen's, P.E.I., (Mr. Davies), I accept the statement of the Minister of Justice that he was unaware of the legislation of the legislature of Ontario, the Act doing away with the junior judge ; but I cannot assent for one moment to the statement made by the ex-Minister of Justice (Sir Charles Hibbert Tupper) that it is not the duty of the Department of Justice to know all the local legislation that is going to affect the administration of justice. The hon. gentleman says that it will be difficult to show that it was the duty of any member of the Department of Justice to follow pending legislation affecting the administration of justice in a local legislature. It is quite clear that some one was following that pending legislation of the province of Ontario very closely. I have never heard yet any explanation of the undue haste with which this appointment was made. How came it that that appointment was made at the particularly critical moment when it was ? Does the ex-Minister of Justice offer any explanation ?

Sir CHARLES HIBBERT TUPPER. I know nothing of it.

Mr. MULOCK. Does the Minister of Justice offer any explanation on that point ? There is no gentleman in this House, there is no member of the Government, upon whom I am more solicitous not to cast the slightest reflection, than upon the Minister of Justice, because I unreservedly express my absolute faith in his honesty of purpose, and high regard for personal honour. So that in view of that statement, in view of my opinion of the Minister of Justice, I find myself in a very embarrassing position on this occasion, because the recommendation came from him, and he has not up to this moment made an explanation how it came about that the appointment was made at that critical moment when it was made. All the circumstances pointed against such an appointment at such a time. The subject had been discussed by Parliament, it was known in Parliament and in the country that Mr. Masson was an applicant for this office, it had been suggested on the floor of the House, and a semi-denial given. The impropriety of the proposed act had been a subject of discussion, I myself had introduced a Bill to deal with just such cases, that Bill had been discussed, public opinion had been expressed in various ways against such procedure. And yet in view of the impropriety of the transaction, in view of the lack of necessity for the appointment, at that particularly critical moment, the machinery of the Department of Justice is set in motion and this appointment is made. Now, the Minster of Justice, of course, is relieved personally of any intention to violate the spirit or letter of the law, or to take advantage of legislation about to go into effect in Ontario. But then he lands the department in the other dilemma, that the department is not being administered properly, there is a defect in its administration, and a grave mistake has been made. The Minister of Justice tells us that had he known the law, had he known the legislation that was pending, he would not have made this appointment ; and further, had he known that Judge Doyle had asserted that a second appointment was unnecessary, that would have affected his judgment.

Mr. DICKEY. I did not say that.

Mr. MULOCK. No, the hon. gentleman did not say that, but surely if the hon. gentleman had appreciated the statement contained in Judge Doyle's communication that second appointment was not necessary, what would the hon. gentleman have done ? There were only two papers on file, the hon. gentleman says, only two communications, one of them consisting of the letter of Judge Doyle, extremely brief, in which he says that he desires to be promoted, and that a second appointment is unnecessary ; and another communication, I do not know what it was. There were only two papers, the Minister said, one of them being this letter ; and of course I exonerate the Minister of Justice from having appreciated the statement in that letter, but the statement was in the letter, in plain language, that a second appointment was not necessary. Now, there was undue haste, or else these two documents on file would have been read and understood before the department made this appointment. Now, we have it on the admission of the Minister of Justice himself, that a charge for the lifetime of the present incumbent, Mr. Masson, has been made on the public service, first, in ignorance of a communication on file in the department as to the unnecessary character of the appointment ; and secondly, in ignorance of a statute about to come into force in the province of Ontario, which in itself would have prevented the appointment being made. That act of the province of Ontario, representing the opinions of the people of Ontario, is a protest against the duplication of these offices, a protest of the whole province ; and yet the ex-Minister of Justice stands up here and says that it is not necessary for the Department of Justice to know what legislation is passing in a province in respect of which he is going to make appointments affecting the administration of justice. It is an inconceivable state of affairs, that the whole Department of Justice, with its deputy, and its chief clerks, and its second-class clerks, and so on, never heard of the pending legislation, but that Judge Masson should have been appointed out of the House, suddenly, after having been expecting this office for months and months, hurrying off by the first train, rushing up to the Deputy Attorney General, and getting sworn in before the critical hour arrived when His Honour the Lieutenant-Governor would assent to this law. Now, the Minister of Justice knew nothing of it, but does he say that none of his officers knew of it ? Why, Sir, if none of his officers knew, then every one of his officers that ought to have known, should be dismissed. What are they there for except to know ? What is the Department of Justice for except to administer ? We would not accept ignorance of the law as a plea for any mistake made, either in civil or criminal matters ; and in like manner, we must not accept as an exoneration, ignorance of what was in a moment to become the statute law of the province. Now, it is an unfortunate thing that this difficulty should have arisen in connection with an appointement to the Bench. If there is one branch of the service more than another about which there should be no possible doubt, if there is one thing more necessary than another, it is that the public should have entire confidence, not only in the administration of justice, not only in the personnel of the Bench, but in all the circumstances that lead up to appointments to the office. Judge Masson's usefulness on the Bench is impaired by the circumstances under which his appointment was made ; public confidence in him, however he may be entitled to it, will not be given to him as unreservedly as it otherwise might be. On that point I will say that in my opinion the whole business of promotion on the Bench is a mistake. It is the custom in Canada to promote judges by seniority. We see this in all branches of the judiciary, and so long as that is the practice Judge Doyle was entitled to the benefit of it. It was not because the practice was disapproved of that he did not get his promotion, some other reason existed. But I think it would be better if it were made part of the law of the land that every appointee to the Bench should remain for life in the position to which he is appointed, or until he left the Bench. In Canada there is too much aspiration among those in lower positions, and expectation of preferment is natural where promotion is part of the practice. I think it is a bad practice and cannot too soon be put an end to by special enactment applicable to all future appointees. It would not be fair to make such apply to present appointees in the judiciary. That being the case no justification has been given for passing over Judge Doyle ; no explanation has been made of the indecent haste with which Mr. Masson was appointed, and of the ignorance pleaded by the department that they did not know existing circumstances which, if known, would have prevented the appointment, and the imposition of increased burdens on the people ; and the Government stand convicted of one further act of inability or incapacity to administer some of the simplest matters connected with the discharge of public business. I suppose it is the duty of His Excellency to make appointments when the Government recommends them. It would have to be an extreme case I presume to cause His Excellency to refuse to do, but if His Excellency should come to the conclusion that public opinion to-day is inflamed against the corruption that has taken place in this House by having the independence of members interfered with by promises of office—and we know there are large numbers, scores of members waiting here to be appointed—it seems to me His Excellency would have very good reason for refusing to assent to any appointments should the Government recommend them. The public will watch with great anxiety the administrative Acts of this Government before the next Parliament meets. I do not know under our system and with the limited powers His Excellency may possess, to what extent he would be warranted in refusing to act upon the recommendations of the Government, but if we were tied in by his instructions and by the supposed limit of his powers, nevertheless I believe public opinion would go a long way to excuse him if he refused to sanction the appointments of office of any member of the present House of Commons on the recommendation of the present Government, at all events until Parliament again met and we had a stable Government in office. I submit that time should elapse before public opinion would sanction any such appointment being made.

Mr. McMILLAN. If there is a county in the Dominion that does not require two judges it is the county of Huron. One reason is that between 1881 and 1891 the population of the county was reduced by over 10,000 souls. So there is not so much work to do at the present time as there was in years past, and if I am not mistaken, the report of the Bureau of Industry shows that the population of the county is still diminishing. I hold that to make an appointment such as the one now under discussion, especially at such a critical time in the history of the country as at the present, leads to the suspicion that the appointment was made for services rendered. I hope such was not the case, but the question was put very clearly by an hon. member on the other side of the House, would the appointment of Mr. Masson have been made if he had voted against the Remedial Bill? I say the appointment is liable to the construction that it was made in return for services rendered for the Government. I am well acquainted with Judge Doyle, who has efficiently performed the duties of the office and is quite able to do all the work. It appears that owing to the ignorance or negligence of the Minister of Justice with respect to the laws of Ontario, this country is to be saddled for years to come with the expense of an extra judge when there was no necessity for his appointment. The Government should be properly posted on all questions of this description. The people of the county of Huron have been taking a very active part for years in having the salaries of public officials strictly inquired into and no appointments made except they were actually necessary in the public interest. No necessity for the new appointment exists in this case, and there can be no reason for it except as a return for party services rendered to the Government.

Mr. BOYLE. Mr. Speaker, as I shall not have another opportunity before the close of the session, I wish before this motion is disposed of to refer briefly to the imputations cast upon myself by hon. members during the course of the remedial debates particularly by the member for North Norfolk and the member for North Simcoe, and also to similar allusions by newspapers throughout the country, the purpose of which seems to be to make it appear that I was improperly influenced by the Government to vote for the Remedial Bill. Without expressing any opinion as to the propriety or impropriety of this method of attacking the independence of members of this House, I wish to say, Sir, that neither upon the Remedial Bill nor upon any other question that ever came up before this House have I ever been influenced or even asked how I was going to vote by the Government. I have usually supported them, sometimes voted against them, but always upon my own judgment and apart altogether from any personal consideration. As to the Niagara collectorship, I have to say I several months ago abandoned any intention I may have had of claiming that office, and I communicated this decision to the leader of the Government, Sir Mackenzie Bowell during the period of the Cabinet crisis in January last. I wish to add as well that I have no promise of this or any other office, nor am I an applicant for any office nor am I under any obligation to the Government directly or indirectly other than that which properly attaches to any member who was elected to support their public policy.

Mr. CAMPBELL. It appears to be the habit of the Government when they get into a hole and find they have done something of which they are ashamed, to seek to defend themselves by pleading ignorance. We had an instance of that the other night when the Minister of Railways was seeking to defend himself in regard to an action by which the country lost $750,000.

Mr. SPEAKER. Order.

Mr. CAMPBELL. I am only using that as an illustration; it is not my intention to discuss it. Now, the Minister of Justice has taken a leaf out of his colleague's book, and he has told the House that he did not know that the Act referred to was being passed by the Ontario legislature. I wonder if that is the way the Minister of Justice is administering his department throughout. That defence, however, cannot be raised on the part of the officials of the department. If such were the case, why was there so much haste in making the appointment, why was it necessary to take an hon. member out of this House, appoint him to the position, send him by express train to Toronto, have him sworn in, and succeed in accomplishing this just one hour before the office to which he was appointed was abolished. The department knew well that if the appointment was not made within those twenty-four hours it could not be made, and if it had not been made the people would have saved a large amount of money. In regard to the question of junior judges, the Government are greatly to blame for appointing junior judges in almost every county. There are forty-three county court judges in Ontario, and also twenty-three junior judges, and there is scarcely one county where two judges are necessary.

Sir CHARLES HIBBERT TUPPER. Why don't you tell that to the local legislature?

Mr. CAMPBELL. The local legislature does not make the appointment. The local legislature, however, passed an Act so that you could not make a subsequent appointment; and so anxious were you to evade that law, that you took a man out of the House and got him sworn in before the Act came into force. Now, I find that this is becoming a very serious matter. I find that in the province of Ontario our county judges are costing this country about $155,000 every year. We have twenty-three junior judges in the province of Ontario now, and I venture to say that not one of them is required. In the county of Huron, for instance, as the hon. gentleman states, the population has gone down in the last decade over 10,000; and for one or two years, one year at least, the administration of justice has been performed by only one judge. Has there been any complaint that there was anything wrong? Has anybody petitioned that another judge should be appointed? Has not everything been going on well? Then, why the indecent haste of the Government in making a second appointment? In the county I have the honour to represent we have two judges. The senior judge some years ago was asked whether he wanted an assistant; and, to his credit be it said, he replied "No, he was able to perform all the duties of that office, and did not want any assistant—that he would rather not have an assistant"; and yet this Government appointed a man ten years older than himself—I think he is now about eighty years of age—to the position of junior judge, in order to give him a position for the rest of his life at the expense of the people; and to-day there is not half enough work for the one judge, let alone two. I say our whole judiciary wants remodelling. We have too many judges in the province of Ontario. We are paying our judges too much; they are getting too high salaries. I find that for holding courts in Ottawa some $1,500 is paid to the judges for travelling expenses, and yet I believe every one of them travels on a pass. I hope this discussion will induce the Government to mend ther ways in this respect. I do not think any appointments of junior judges should be made. There is not a single county in the province of Ontario where one judge is not able to perform all the duties; and instead of appointing second judges, I think the Government should take this matter up, and get rid of one of the judges in each county as fast as they can.

Sir CHARLES HIBBERT TUPPER. I would ask the hon. member for South Oxford if he will allow me, if he happens to know the date upon which this amendment of 1896 was introduced into the Ontario House? I am told that it was introduced on the Friday preceding the Tuesday on which assent was given to the Bill. If that statement be true, it is very important in connection with the confession of the Minister of Justice that he was unaware of this legislation being under consideration in the local House.

Sir RICHARD CARTWRIGHT. I cannot answer that; I do not know what time it was introduced. What I would point out to the hon. member for Pictou is that there appeared to be two Acts going through—the Surrogate Court Act, and that respecting counties having less than 80,000 population. I do not, of course, pretend to say that the Minister of Justice knew of this amendment, but I think there is very little doubt that the Ontario Opposition kept the hon. member for North Grey aware of it. But I do not know at what time it went through.

Motion to adjourn, negatived.

PERSONAL EXPLANATION.

Mr. O'BRIEN. Before the Orders of the Day are proceeded with, I want the opportunity of saying one or two words of personal explanation. I see it reported in the papers that my remaks in reference to appointments given to this country by the Imperial Government were made to apply to the 8th Regiment of Canadian Hussars of New Brunswick, Col. Domville's regiment. I simply wish to say that my remarks had no reference at all to that corps; I was not thinking of it. What I said had reference to offers made by the Government to the Imperial Government on behalf of the country at large, and not to voluntary offers from any one particular corps.

MILL STREET, MONTREAL.

Mr. McSHANE. I will not keep the House more than a moment, but I wish to take this opportunity of asking the Minister of Public Works, as I am requested to do by a large number of the inhabitants of Point St. Charles, whether Mill Street belongs to the Government or to the city of Montreal? If it belongs to the Government, why is it that it is kept in such a dirty state from one end of the year to the other? The people in that vicinity pay large taxes to the city of Montreal, and I believe the city tells them that the street belongs to the Government. I may say that people have to travel kneedeep in mud on that street, from one end of the year to the other; and along the bank of the canal, when they go that way, they have to travel in mud also. I know that the Minister of Public Works will try to see——

Mr. SPEAKER. The hon. gentleman cannot make a speech on this subject.

Mr. McSHANE. I ask, does the street belong to the Government or to the city of Montreal ?

Mr. OUIMET. I am very sorry that I cannot answer the hon. gentleman's question. This matter has never been called to my attention before, neither by the city council of Montreal nor by anybody else, and I am not aware that the department has anything to do with that street.

SENATE AND HOUSE OF COMMONS.

Mr. FOSTER moved that the House resolve itself into committee to consider the following resolution :—

> That it is expedient to provide that for the present session of Parliament the deduction of eight dollars per day mentioned in section 26 of the Act respecting the Senate and House of Commons, chapter 11 of the Revised Statutes, shall not be made for twelve days in the case of a member who has been absent from a sitting of the House of which he is a member, or of some committee thereof, during such number of days, but that this provision shall not operate to extend the maximum amount mentioned in section 25 of the said Act, and that in the case of a member elected since the commencement of the present session it shall not apply to days prior to his election.

Mr. DAVIES (P.E.I.) I do not rise to offer any objection to the passage of this resolution.

Some hon. MEMBERS. Hear, hear.

Mr. DAVIES (P.E.I.) Although my own opinion is strongly adverse to it, if hon. gentlemen want to know. But I rise to say that if it is the policy of the House that this amendment should be made to the statute, it should be made a permanent amendment, instead of being brought up here every session.

Mr. FOSTER. I would be glad to accept the hon. gentleman's suggestion ; but as this is a moribund Parliament, perhaps we had better leave it over.

Mr. DAVIES (P.E.I.) I accept the reason, and I will apply it to everything else.

Motion agreed to, and House resolved itself into committee.

(In the Committee.)

Mr. McMULLEN. I wish to emphasize the statement made by the hon. member for Queen's (Mr. Davies). I really think that if this is going to be adopted, it should be made permanent. I am sorry the Government did not bring in an amendment this year making this permanent, if it is considered a matter of justice to members who live at considerable distances. The present Act unquestionably militates against those who live at long distances from the capital and who cannot get home during the session. Some adjustment should be made to meet their case.

Mr. GIBSON. Many of us who are business men must of necessity be called away many times from the House during a session of Parliament. I understand that the sessional indemnity was based upon a three months' session. If it is likely to be prolonged for four or five months, that simply means that business men have to leave Ottawa more frequently to attend to their business, and thus often have less money for a five months' session than they would have for a three months' session. When a session goes beyond 90 days, the time beyond that should count against the time lost. This would be a far more reasonable way of adjustment than adding so many days. This should not be a matter for discussion every session, but should be settled on some permanent basis, one way or the other.

Mr. DAVIES (P.E.I.) What is the meaning of those last two lines ? Do you mean the resolution shall not apply ?

Mr. DICKEY. Yes, a man might be elected twelve days after the beginning of the session, and he would not get paid for those twelve days.

Resolution reported, read the first and second times, and agreed to.

Mr. FOSTER moved for leave to introduce Bill (No. 111) further to amend the Act respecting the Senate and the House of Commons.

Motion agreed to, and Bill read the first time.

CUSTOMS TARIFF.

Bill (No. 105) further to amend the Customs Tariff, 1894, was read the second time, considered in committee, reported and read the third time and passed.

STEAMSHIP SUBSIDIES.

Bill (No. 106) further to amend the Act relating to Ocean Steamship Subsidies, was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 1,

> 1. The section substituted by chapter eight of the statutes of 1894 for section three of chapter two of the statutes of 1889 intituled An Act relating to Ocean Steamship Subsidies," is hereby repealed and the following sections substituted therefor :—
>
> " 3. The Governor in Council may enter into a contract for a term not exceeding ten years with any individual or company, for the performance of a fast weekly steamship service between Can-

ada and the United Kingdom, on such terms and conditions as to the carriage of mails and otherwise as the Governor in Council deems expedient, for a subsidy not exceeding the sum of seven hundred and fifty thousand dollars a year."

"4. The Governor in Council may enter into a contract for a term not exceeding five years with any individual or company, for the performance of a fortnightly steamship service between a port or ports in Canada and ports in France and Belgium, on such terms and conditions as the Governor in Council deems expedient, for a subsidy not exceeding the sum of fifty thousand dollars a year."

Mr. IVES. The committee will observe that the first clause repeals the clause of the statute named in the Bill referring to a subsidy for the fast Atlantic line and re-enacts the same clause, leaving out two or three words providing for connection between terminal ports in Great Britain and a port or ports in France for the fast line. The fast line scheme is therefore disentangled from the necessity of making connection with a port or ports in France. And the provision is made in the second section for direct steam communication between Canada and France for a term not exceeding five years and at a cost not exceeding $50,000 a year, the port to be Montreal in summer and St. John and Halifax in the winter. Full explanations were made the other night with regard to the matter. Some questions were asked and answered as to the probable business to be done, and I was asked to be ready to give the committee when next it sat some further information as to the imports of France of such articles as we were likely to be able to furnish. I am prepared to give that information, and as it will only take a few minutes, I think hon. members will be glad to receive it. The subject of fresh butter was mentioned the other night by me as an item in which we might look for some trade with France. Some hon. gentleman objected that very little butter was imported into France, and that on the contrary, France was a large exporter of butter. It is true that France imports a large quantity of fresh butter.

Mr. LAURIER. Where from ?

Mr. IVES. I will give the hon. gentleman the information. The imports of fresh butter into France for 1894, which is the last year for which I could get the figures, amouted to $2,780,615 worth. The leading countries from which this butter was imported were Belgium, $1,882,087 ; Italy, $700,440. The other countries from which smaller amounts were imported were Germany, the Netherlands, and Switzerland. In salt butter, there was an importation in the same year of about half a million dollars, the bulk of which came from Italy I also mentioned the subject of cheese, and some hon. gentleman opposite said that cheese imported into France came mainly from Switzerland. I find that the total importation of cheese into France was $5,395,805, and that Switzerland furnished $2,309,964; the Netherlands, $1,522,938; Italy, $677,230 ; and other countries smaller amounts, making the large total I have named. The value of eggs imported was $3,977,072, the largest importation being from Italy, which furnished eggs to the value of $2,405,169 ; Belgium coming next with $739,562. There were importations from other countries which it is not necessary to enumerate. There was also a very large importation of apples and pears, the total being $335,742 ; of apples and pears fresh for cider, $5,449 ; of apples and pears dried for the table, $6,974 ; of apples and pears dried for cider, $69,161 ; of fruits, preserved without sugar or honey, $184,275. Coming to the item of fish, which I mentioned as being one of those in which we could expect a large trade with France, I find that the exports into France were as follows :—Fresh fresh-water fish, $527,738 ; all other fresh fresh-water fish, $408,790 ; of fresh sea herring, $1,635 ; and of all other fresh sea fish, $788,800. The imports of salt, dried or smoked codfish made the enormous total of $5,128,545. Of stock fish, $73,669 ; of herring, $7,690 ; and of all others, $676,608. In animals, I find that the importation of cattle was $12,328,200, the largest importation was from Algeria, while no less a sum than $1,832,426 represents the importations from the United States. Of sheep, the numbers imported were 1,997,858, of a value of $15,178,877. Coming to lumber, I find that the item of building timber in the rough or sawn, the importation was $20,645,923. Of boards, planed, grooved or tongued for flooring, the importation was $210,705 ; of staves of oak, $7,081,638 ; and of other staves, $23,341. Now, I think it will commend itself to the judgment of hon. members that of the articles which I have enumerated, and of which I have given the importations into France for 1894, Canada can fairly compete for a portion of the trade if we have the direct line, and are saved the surtaxe which, if it were imposed would seriously restrict and interfere with our trade.

Mr. WELSH. I am opposed to this fast line altogether. I do not think that the St. Lawrence navigation is fitted for twenty-knot steamers. It is all very well if you run a twenty-knot line from Halifax or New York to England. That is simply a ferry.

Mr. IVES. Let me set the hon. gentleman right. This is not the fast line question that we have before us, but the proposal for a line to France.

Mr. WELSH. I did not so understand it. But the line to France I have no objection to.

Mr. DAVIES (P.E.I.) The hon. Minister is under a misapprehension. This proposal covers the fast line. The main point before the committee is the Bill providing for this subsidy of $750,000 a year.

Mr. IVES. But what we have before us now is the eliminating of the words providing for the connection between Liverpool and France. The present statute relating to the fast line, as it stands, requires the fast line to connect with a port in France. We wish to amend the statute in that particular.

Mr. WELSH. I shall probably not have another opportunity to give my opinion on the fast line. I understood the hon. Minister of Trade and Commerce (Mr. Ives) to refer to the fast line carrying cattle and lumber and all these articles that he mentions. If it is the intention of the promoters of the fast line to carry cattle, I should not be so inclined to oppose it, because the line then would be of benefit to the farmers. I wish to say a few words against establishing a fast line between Europe and Montreal. After passing by the banks of Newfoundland in a voyage from the east to Montreal, you have either to go through the Straits of Belle Isle or around Cape Grace, and you have to enter a region of fog and ice, a region of strong currents. Then you come into the difficult navigation of the St. Lawrence, where a twenty-knot line, I think, would be dangerous. My opinion is that it will be making a hole in the water. I would certainly never support a twenty-knot line to Montreal. But if you want a twenty-knot line to St. John or Halifax—Halifax is my favourite port—then you can immediately leave a port which would be as favourable as the port of New York, you can get clear of the ice and fog at once. In the present resources of our country, I think it is unadvisable to spend $750,000 on a fast line. So far as Montreal is concerned, we know that ships are always waiting there for freight and cargo, they take cargoes as an accommodation, there are more ships than can procure cargoes. Ships go there seeking cargoes every day, and there is no lack of freight room for the produce of Canada at Montreal. We have now got twenty-knot line. They are a very good line, for ordinary passengers. I am an old seaman, and I would just as soon go through the St. Lawrence, if not sooner, by an Allan Line steamer, as I would by one of a twenty-knot line. They are a very good line, well disciplined and well conducted, and I have crossed in them often. I think, in view of the state of our finances, in view of the deficit we had last year, that we ought not to add $750,000 to the burdens of the taxpayers of Canada at this time.

Sir RICHARD CARTWRIGHT. It appears to me that while clause 4, which provides for a steamship service between France and Belgium and Canada, might be passed, clause 3 ought to be left standing. There is no doubt whatever that bringing up an important question of that kind at this stage of the session is an improper thing, and I think this matter ought to be left over for a new Parliament to consider. This means a good deal more than may appear to hon. gentlemen. As I understand, this strikes out the provision for a terminal point in France. I will read the clause :

> The Governor in Council may enter into a contract for a term not exceeding ten years with any individual or company, for the performance of a fast weekly steamship service between Canada and the United Kingdom, on such terms and conditions as to the carriage of mails and otherwise as the Governor in Council deems expedient, for a subsidy not exceeding the sum of seven hundred and fifty thousand dollars a year.

Now, the House will note that under that clause the Government might conclude a contract for a ten years' service ; there is nothing in the world to prevent them, as this clause stands. We are putting into the hands of the Government power to do absolutely as they please with $750,000 a year. Now, I think that at this present time and under these circumstances, the Government have no right to ask anything of the kind from us. Such a power ought to be handed over to the new Parliament to deal with, and to the new Parliament only. For my part, more particularly in view of what we have seen of the way in which the Government guard the public chest, it does appear to me that the demand to have absolute power to deal with $750,000 a year for ten years, is a great deal too much to ask, and a thing that ought not to be consented to by this House. I have said that as to the clause providing $50,000 a year for a service between Canada and France and Belgium, I will raise no objection to it ; but I do say that to bring up this proposition as it now stands, and to place in the hands of the Government unreserved power on that, is a thing which we ought not to do, and which the Government ought not to ask. What harm can result from letting this stand for a couple of months ? We have to meet here within two months, if we do our duty, and this matter can then be properly considered and discussed. I think the only course for the Government to pursue is to drop clause 3 at present, let the thing stand as it now stands, and let the new Parliament discuss the matter, and discuss it with the information and light it will then possess. Sir, we must remember that our last year closed with a deficit of four million dollars, and we must remember that it is very doubtful indeed whether the Government can keep down the expenditure to that point that they proposed. If these subsidies which are in the Supplementary Estimates I have now before me are passed, it will raise our nominal expenditure to about $38,000,000 a year. Now, there is very little prospect, as the hon. gentleman knows, of our receipts exceeding $36,000,000 a year—they may do so a very little —judging from the returns we now have ;

and in that case a deficit this year of more or less amount is probable, if not certain. Under such circumstances, we ought to see our way clear before we agree at this session to give an absolute authority to the Government to enter into a contract for what they are pleased to call a fast weekly service, on such terms and conditions as are before us. There is absolutely no limitation; they may make this rate or that rate, or no rate at all. They would be perfectly at liberty to deal with this in any shape or form they please. Now, I say until it is known that they have the confidence of the country, they ought not to ask for this power at this period of the session. I think this is an unreasonable request, it is a matter that should be left alone for the next two months. When the next two months have passed over our heads, we will know better what to do. I do not want to be understood as saying that a case may not, under certain conditions, be made out for very liberal treatment for steamship lines, and I am not unwilling to consider that in a proper way and at a proper time; but I am not willing to be a party to placing any such power as clause 3 asks for in the hands of the Governor General in Council under existing circumstances, and I submit that the Government ought not to ask for it at this particular stage. We do not want to throw any needless obstacles in the way of their getting what they asked for in the first instance, that is, $50.000 for a line from Canada to France; that I am quite willing they should have if they deem it expedient, as there are possibilities of developing trade with France. But I do think it is not safe, it is not prudent or constitutional, that a Government which, within another week, must be before the country, that a Government which is actually in extremis at this particular moment, should be entrusted with such ample and uncontrolled powers as this is, for entering into a contract on any terms and conditions they see fit. Sir, I object to that, I think the House ought to object to it, and I do not think this should be passed in its present shape at all.

Mr. FOSTER. I do not quite see what ground the hon. gentleman takes. He seems to ignore what has already taken place in this House, almost every year for the last five or six years. He knows just as well as any member sitting in this House, that it has been the absolute policy of the Government, a policy which has been affirmed on two occasions by the passage of resolutions granting $750.000 on one occasion, and $500.000 on a previous occasion, without the proposition being challenged.

Some hon. MEMBERS. No, no.

Mr. FOSTER. Very well, whether that be true or not, the constitutional proceeding has been taken, the Government has declared their policy and brought their policy down to this House on two separate occasions. That policy has been embodied in Bills, on the first occasion, in 1889, granting a subsidy of $500,000 for ten years, and on the latter occasion, in 1894, granting an extension of that subsidy, and making it amount to $750,000. Now, my hon. friend is altogether too late, and is altogether wrong, I think, in making an objection to the changes in the present Bill, which does not affect the subsidy in any way, shape or fashion, and doing it on the ground that such important legislation as this ought not to be introduced at the end of a session. That is the defined policy of the Government, that policy having been assented to by Parliament and in the most formal way by the giving, under the very same wording as is given here, to the Governor in Council the power to enter into a contract on the terms for which the money was granted by Parliament. What is the objection taken now by the hon. gentleman? Simply this: his objection is to the changes, but there is not any change in substance, there is not any change involving the money grant to any extent whatever, or involving the power of the Governor General in Council to any extent; these remain exactly the same as they were. The only proposition on this point so far as that clause is concerned is this, that whereas now we have established a steamship connection with a French port, we now propose that the terminus of the fast line be in the United Kingdom. The reason for this proposition is apparent. An independent line is now proposed to be established between Canada and France. Does the hon. gentleman wish to tie the hands of the Government in its attempt to establish the fast line by forcing a connection with a French port, while there will be this independent line running between Canada and France at the same time? That is not reasonable, and the hon. gentleman should not take that position. We are not asking for any other powers than such as Parliament have granted on two occasions; we are not asking for any more money for the fast line, we are only asking for a verbal change in paragraph 4, which gives certain powers to the Governor General in Council, of which I observe the hon. member for South Oxford is now very suspicious. But the older he gets the more faith he should have in his fellowmen and in the Government, and it does not do the hon. gentleman credit to hold a contrary opinion. The hon. gentleman has no ground for opposing this proposal. Surely the hon. gentleman is not opposed to the establishment of the fast line of steamers; but the establishment of that fast service between this country and the United Kingdom involves a little more than a line considered simply from the Canadian standpoint. It is a service which is approved from the Canadian standpoint, but since the last legislation on this subject the British Government have also taken this matter into consideration, and they have made a proposal by which the Imperial Government propose to aid the fast line between this country and the United Kingdom by a grant of $350,000 a year running over the term of the contract.

Mr. MULOCK. Does the hon. gentleman state that the Imperial Government have definitely granted that sum ?

Mr. FOSTER. I have stated what I have said, that there is a proposition from the Imperial Government to assist this line to that extent. That is true.

Mr. MULOCK. The hon. gentleman has never laid any official papers on the Table showing that offer, and the Prime Minister of England has expressly contradicted the statement.

Mr. FOSTER. I have stated what I know is perfectly correct. More than that: negotiations on that line and starting from the policy twice affirmed, have been and are at present going on with the British Government, and to-day plans and specifications for those vessels, as to their tonnage, size and equipment, are being revised by the Admiralty Office in connection with the Colonial Secretary's Office, and we expect that these matters will be agreed upon ; and it is of the utmost importance that the policy which has been affirmed twice by that Parliament, a proposition which has received the sympathy and support to that extent of the British Government should not be defeated simply because we ask a verbal change in an Act of Parliament, which is necessary and reasonable because of the provision for the establishment of an independent line between Canada and France.

Sir RICHARD CARTWRIGHT. This proposal involves a great deal more than a verbal change, as the hon. Minister of Finance well knows. It is an important modification of the terms on which we agreed to give an annual subsidy of $750,000. That might or might not be too much to grant for a fast line from Canada to England, touching at France. What are we on the Opposition benches asking ? Simply this, that the matter be delayed for two months ; we are not opposing the proposition, we are not seeking to throw it out. There is perfectly good reason why it should be delayed. It is a matter of the gravest doubt, to say the least of it, whether this Government will be empowered six weeks hence to deal with any contracts. Under these circumstances they should not ask to be entrusted with the management of this matter. It should stand over until either they return with a distinct and clear mandate from the people giving them authority to deal with the public revenues, or their opponents are placed in office. There is no going behind the fact that under clause 3, whether the British Government have promised aid to the extent of $350,000 a year, as the Finance Minister says, or as the member for North York (Mr. Mulock) says, the British Government have not promised to contribute anything, this Government has power to make ducks and drakes of this grant of $750,000 a year for ten years. They should not ask that concession under these circumstances ; they should wait until we know whether they or the Opposition are to be charged with the duty of dealing with this question. It is quite possible that a contract might be made utterly at variance with the policy adopted by this House, which was for a service with a speed of twenty knots, and yet when we came some time ago to cross-examine hon. gentlemen, when I cross-examined the Finance Minister myself some years ago, the twenty-knot service whittled down, and became a myth, and the speed diminished to fourteen or sixteen knots instead of twenty. I do not think, under these circumstances, the House should be asked to place this expenditure under the control of this Government. They have already an Act on the statute-book, which we know they cannot use, and so no harm can arise. It may, however, become an exceedingly serious matter if $750,000 a year is added to the expenditure and no provision made for it. We have had a very large deficit from the past year, and we are likely to have a deficit for the present year. The Finance Minister has been extremely cautious, and has made no estimate whatever as to what revenue he expects to obtain for the succeeding year, but unless it is much more prosperous, there will be a deficit in 1896-97 on our present lines. It is not asking too much that this matter should be postponed for two months, and that is all I am asking. If the hon. gentleman comes back with a majority we will not be disposed to oppose his proposal ; but at the present moment we should not alter the terms of the statute. I repeat that the grant of $50,000 a year for a service between Canada, France and Belgium is perfectly fair. The House agreed to let that vote pass. But this proposal involves the placing of an extremely large sum at the command of the Government under circumstances which warrant some action on our part. The hon. gentleman says that as I grow older I should have more faith in my fellow-men. I have more faith in my fellow-men, and one branch in my faith is that the wicked will do wickedly, and probably more wickedly, if they get the power to do so. I do not feel disposed at this present moment to aid and abet the Government in getting control of this sum of money. I do not know what they will do with it. There is nothing in the whole of this clause to prevent them from giving this subsidy for any kind of service they like. Under the terms of the clause they might give it for a five-knot service, for a ten-knot service, or for a fifteen-knot service, for there is no limitation at all to their power.

I do not think, Sir, that they should ask it. I do not think they should get it. As to the general policy of the matter, it was regarded with very grave doubt and suspicion at the time. The hon. gentleman (Mr. Foster) is not correct in saying, that this matter went unchallenged, because there was long discussion in the House as to the policy of it. Moreover, I may remind the House that the whole circumstances surrounding the matter have changed, and will be changed materially by the passage of this apparently insignificant section. The British Government have not as far as I understand consented to anything definitely. We have not any evidence as to what terms they are disposed to give in making this arrangement. The whole matter so far as regards our St. Lawrence service, will bear a very grave doubt. I have never been satisfied at all that it was safe to run extremely fast steamers on that route, with all deference to the late Minister of Marine and Fisheries (Sir Charles Hibbert Tupper) and some of those who supported his opinion. I know that a very great number of our best navigators, and a very great number of our very best shipowners, regard it as extremely dubious. I will grant this much to the hon. gentleman: that our present service is defective and requires improvement; but I am not by any manner of means satisfied, and I never have been satisfied, that the way to benefit the people of Canada at large was by attempting to compete with what are known as ocean greyhounds, to Europe. I am very much of the opinion of my hon. friend (Mr. Mulock), that that cannot be done with any hope of success, under the conditions imposed. I can understand very well the propriety of having a Canadian line running a great deal faster than at present, but that can be obtained, as has been proven, for a smaller sum than $750,000 a year. Now, Sir, it was pointed out very clearly at the time, that after all said and done, all you get out of this, if you can get it, would probably be a mere five or six months mail service, for it cannot be an all year service, for reasons which are perfectly patent to everybody. This scheme which was originally called a twenty-knot service, but which is now sunk to a mere fast-weekly steamship service—which may mean something or may mean nothing, as the case may be—this is a very different affair indeed from what we were originally asked to consent to. I do not at all approve of the idea, under existing circumstances, of placing this power in the hands of a Government which is not at this present known to possess the confidence of the country. When this matter was proposed originally, the Government had no doubt a right to say that they represented a majority of the electors at that time, and therefore that they might be fairly trusted with those negotiations. Now, it has gone on for several years. Very curious circumstances have attended the various negotiations which took place with Mr. Huddart. I remember that when the papers were laid on the Table, it appeared to all of us, that the Government were giving away a very great deal on very dubious representations. I do not want to say anything about Mr. Huddart—about whom I know very little, and about whom the investing public know very little either—except this: that he appears to have entirely broken down in the proposition he made to the Government, and I suppose the Government do not propose to negotiate with him any longer, or at any rate, that they will require him to associate with persons of far greater capital than he possesses. I do not admit at all, that because two or three years ago, the Government had a right to say they represented a majority of the electors; that the Government have the right to say now, within forty-eight hours of the time when this Parliament shall dissolve by efflux of time: trust us with several millions of money, give us a credit, allow us to make any contract we please, give us the privilege to deal with any human beings we choose as the beneficiaries of this fast line service. That is asking a very great deal more than the Government had power to do before, because I was well aware that the clause which they say is a mere verbal alteration, was a clause which very materially affected the possibility of getting that contract, and a clause which made the $750,000 a year a much less important matter than it would otherwise have been. The hon. gentlemen know that themselves. Now, Sir, under all these circumstances, if this is to be discussed at all, it should be discussed separately and apart. Let the Government take their $50,000 subsidy, that is to say, let them take clause 4, and let the other matter be held over until such time as we meet again. No detriment can arise to the public service from that. The hon. gentlemen are not in a position to come down to us and to say: Here is a contract actually made to which the British Government are part. I submit that it is in accordance with sound constitutional principles, I submit that it is in accordance with our traditions and with common sense, too, that the Government, just on the eve of an election, should not make important changes in a contract, and that the Government should not be trusted with unreserved and uncontrolled power over a very large sum of money. It is for that reason, as every constitutional authority agrees, that in the mother country, they object very properly to even granting ordinary Estimates, which is a much less serious matter than to granting a subsidy of this kind. I will just read to the House a passage from Todd's Parliamentary Government in England, which bears on that point:

> When Parliament is about to be dissolved, it is manifestly improper to call upon the House of Commons to vote either the full amount, or all the details of the proposed estimate, and so commit the country to the financial policy of

> Ministers whose fate is about to be determined at the general election. The supply of credit should be restricted to such an amount as may be absolutely required for the public service, until the reassembling of Parliament, and the vote on account should not be regarded as in any degree pledging the House to an approval of the entire estimates.

Well, here is a proposition which involves a great deal more than the Estimates.

Mr. MULOCK. Yes, it is a ten years' estimate.

Sir RICHARD CARTWRIGHT. Yes. It is not sufficient for the Government to say : two or three years ago when your pockets were full of money, and when the country might be supposed to have confidence in us, we agreed on such a proposition, and you granted us such power. That is an entirely different matter from saying that we will do such a thing on Wednesday the 22nd day of April, in a Parliament which must be dissolved by efflux of time on the 24th day of April, and it is a proposition which ought to be very seriously considered by this House. I repeat, that we are not disposed to oppose the giving of a reasonable subsidy, or even a large subsidy, for the purpose of promoting an efficient service between Canada and England. We are not disposed either to oppose reasonable arrangements with the Imperial Government. It is a very long time ago, I may tell the hon. gentleman, since I myself proposed substantially such a scheme as this, to the late Sir Stafford Northcote, at that time Chancellor of the Exchequer, and it would have been better, I humbly think, if the Imperial Government had concurred with us then, and agreed to our proposition. But it takes a long time, I am aware, to move the English Government, and they are very apt when they are moved to attach some onerous conditions. But that does not affect the point I raise, which is that during the next six weeks, or two months, no possible harm can come to the country by leaving matters as they are. If we on this side of the House happen to be in power, we shall be prepared to deal with the subject in accordance with the best interests of the country, and if the other side get into power, we shall have no power to prevent them dealing with it. Has the hon. gentleman got any papers to lay on the Table ? If I am not mistaken, he alluded to some correspondence.

Mr. FOSTER. I said that correspondence had gone on.

Sir RICHARD CARTWRIGHT. Is the hon. gentleman prepared to lay it on the Table ?

Mr. FOSTER. Yes, I have it here.

Sir RICHARD CARTWRIGHT. You ought to have it before we deal with this matter.

Mr. FOSTER. If the hon. gentleman is going back to the principle of the matter.

Sir RICHARD CARTWRIGHT. I am going back to principles. One is that this measure gives very unusual power to the Government, and another is that it should be left over until after the election, which is the proper time to take up these important questions. That is a reasonable and just proposition. I do not think the Government have any right to bind this country for a term of years to this large undertaking, while they are not sure of possessing the confidence of the country.

(At One o'clock the committee rose for recess, and resumed at Two o'clock.)

Mr. FOSTER. I think there was a little misapprehension as to the time we were to reassemble. As I see that the Minister is not here, I am going to move that the committee rise, report progress, and ask leave to sit again ; and we will take the matter up again to-night after dinner.

Mr. MULOCK. Will the Minister lay the papers on the Table ?

Mr. FOSTER. The papers are being prepared, and they will be here in half an hour.

Committee rose and reported progress.

MONTREAL TURNPIKE TRUST.

Bill (No. 107) respecting certain debentures of the Montreal Turnpike Trust held by the Government of Canada, was read the second time, considered in committee and reported.

HARBOUR COMMISSIONERS OF MONTREAL.

Bill (No. 110) respecting the Harbour Commissioners of Montreal, was read the second time, considered in committee and reported.

Mr. DAVIES (P.E.I.) The hon. gentleman had better not move the third reading of the Bill. We have not seen it at all.

Mr. FOSTER. It is all right and the trouble is that the Senate is now in session and——

Mr. LAURIER. But the greater trouble is that we have not seen the Bill at all.

SUPPLY—MAILS BETWEEN BATTLEFORD AND SASKATOON.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Mr. MARTIN. I wish to bring to the attention of the House very briefly a matter which I have already tried to bring before the House and upon which I have endeavoured in former sessions to get information, but without success until this year. Last session I moved for papers on the subject, which were not brought down until the 24th

January last. The question I refer to is that of the mail contract between Battleford and Saskatoon. I have drawn attention to the fact that the Government in the North-west and British Columbia deliberately renew the contracts for the carriage of mails without submitting these contracts to public tender and at figures away beyond that the work ought to cost. A very glaring example of that in the province of British Columbia is that of the contract awarded to the British Columbia Express Company, for four years and without tender at a figure double what the work could be done for, for the carrying of the mails between Ashcroft and the Cariboo district. The amount paid for this service is $24,000 a year, or $4,000 more than the same company used to get when they carried the mail from Yale, a considerably longer distance. This is a case as to which we have not yet had the papers. But the papers in regard to the contract for carrying the mails between Battleford and Saskatoon were laid upon the Table this session. For this service the Government has been paying $7,049.20. Now, that is the figure that this contract was let at twelve or sixteen years ago when supplies in those territories were very costly, and we find that this contract is in force at the same figure to this day. This contract expired in December, 1894, and without advertisement and without tenders being called for, it was arbitrarily renewed with the Messrs. Leeson & Scott for four years at the same figure—$7,049.20. Now, I wish to read a few communications that have been received by the Postmaster General from persons in the neighbourhood who are willing to do the work at a very great saving to the Government. But, in spite of that information being before the Postmaster General and the Government, the contract was again awarded without tender to the former contractor. I may say that I know particularly one gentleman, Mr. Dewar, of Battleford, who is and for years has been prepared to do the work at a considerable less figure than that I have mentioned as the contract price. The first letter I refer to is dated from Prince Albert and dated 19th December, 1892, and addressed to Mr. MacLeod, Post Office Inspector at Winnipeg :

> Will you be good enough to send me replies to the following :—Who are the mail contractors for the mail service between Saskatoon and Battleford ? When was the contract awarded, and when does it expire ? And what is the contract price for the service ? This information, I believe is obtainable from your office, and an early reply will greatly oblige.
>
> Yours respectfully,
> C. R. STOVEL.

No reply was received to that letter, but I merely read it to show that on the 19th December, 1892, Mr. Stovel of Prince Albert had this contract in mind and was desirous of obtaining information with regard to it. I find I was mistaken in saying there was no reply. A reply was sent to Mr. Stovel, and on the 7th January, 1893, he writes to the Postmaster General, as follows :—

> Replying to an inquiry from me addressed to P. O. Inspector MacLeod, and by him forwarded to Ottawa, your superintendent stated in his favour of the 28th December, 1892 : "That the contractors for the Battleford and Saskatoon mail service were Messrs. Leeson & Scott, who are paid at the rate of $7,049.20 per annum and the period of its termination is undetermined." May I be informed whether this contract was awarded or let by tender ? Will the public have an opportunity of tendering for this contract in future ? and if so, when ? For reference, if necessary, I have the honour to name Mr. D. H. Macdowall, M.P., Saskatoon.
>
> I have the honour to remain, Sir,
> Yours respectively,
> C. R. STOVEL.

Now, the statement from the Postmaster General's Office that the time of the ending of this contract was not determined was inaccurate, as it expired in December, 1894. Then again on the 2nd February, 1893, we have from the same gentleman a formal offer addressed to Sir Adolphe Caron, Postmaster General, as follows :—

> Referring to communications from your department addressed to me and dated the 27th December, 1892, and 20th January, 1893, in which the name of the contractors and rate paid for mail service between Battleford and Saskatoon is given and the statement made that the question of putting the existing service up for tender will receive the consideration of the Postmaster General.
>
> I beg to submit for the Postmaster's General's consideration this proposal with reference to the mail service between the points named. I will agree to deliver mails at Battleford within 30 hours after receipt of them at Saskatoon and will deliver mails from Battleford within 30 hours after receipt there at Saskatoon to connect with trains on the Port Arthur branch of the Canadian Pacific Railway twice per week during the summer months, say from 1st April until 1st November, and for the balance of year—winter months—will agree to deliver mails at points named within 48 hours after receipt, or at times and hours to be named by the Postmaster General, for the sum of $5,000 per year. By this arrangement the time occupied in receipt and delivery of mails at Battleford and Saskatoon would be materially lessened and an annual saving to the Post Office Department of $2,049.20 would thereby be effected.
>
> Should this proposition meet with the favourable consideration of the Postmaster General, I am prepared to and will deposit any reasonable sum at the Imperial Bank of Canada at Prince Albert as security that I will enter into a contract and fulfil the terms thereof based on the proposals I have made.
>
> I have the honour to be, Sir,
> Yours respectfully,
> C. R. STOVEL.

I wish to draw the attention of the House to the fact that this offer to do the work in better shape and less time was made in the early part of 1893, nearly two years before the contract had expired, and the offer was to do it for $5,000, making a saving of over

$2,000 to the country; and yet, in the face of that, the department deliberately renewed the contract in December, 1894, without giving Mr. Stovel or any other person an opportunity of tendering for this work. They deliberately gave $7,000 for doing the work which they knew a competent hand was prepared to do for $2,000 less, and put up cash as security for the performance of his contract. There is another letter from Mr. Stovel to Mr. Macdowall, dated 27th February, 1893:

C. R. Stovel, L.D.S.,
Dental Surgeon.
Prince Albert, 27th Feb., 1893.

Dear Mr. Macdowall,—As promised I am sending you a request to ask you to be good enough to use your good influence with the Postmaster General to obtain for me acceptance of the offer I have submitted. Father Blais is writing Hon. Mr. Ouimet to ask his co-operation also, and I certainly think I have reason to hope that even if my offer is not accepted, the service may be put up for tender as should be done.

With respects, I remain, &c.,
Yours truly,
(Sd.) C. R. STOVEL.

Then there is another gentleman in Prince Albert, or near there, at Batoche, who also had his eye on this work, and had been corresponding with the department. I refer to Mr. J. Gingras. His letter is dated 27th February, 1893, and is written in French and I shall merely give the substance. He asks if the Government is ready to make any changes in the mail service between Battleford and Saskatoon, or between Battleford and Fort Pitt, and Fort Pitt and Thunder Mountain and Fort Qu'Appelle. He says he is ready to carry those three lines for $25 a trip, or $4,500 a year en bloc for the whole three. Referring to other communications he had made to Mr. Macdowall, he points out that the department pay Scott & Leeson more than double the amount for which he offers to do this work. He is prepared to do the three trips for $4,500 per annum, for which the Government at that time paid $9,000. Then there is another letter from Mr. Stovel addressed to Mr. Macdowall:

Prince Albert, 27th Feb., 1893.

D. H. Macdowall, M.P.,
House of Commons, Ottawa.

Dear Sir,—I am writing to advise you that by last mail I forwarded to the Hon. the Postmaster General a communication respecting the mail service between Battleford and Saskatoon, and therein submitted a proposal as follows:—That I would agree to deliver mails at Battleford from Saskatoon and at Saskatoon from Battleford twice per week within the space of 30 hours in summer and 48 hours in winter, or within hours named by the Postmaster General, for the sum of $5,000 per year. The rate paid for the same service at present is $7,049.20 per year, so that were my proposal accepted a clear saving of the sum of $2,049.20 would be effected. The present contractors are non-residents of the district in which the service is carried on, and it would seem but just that the residents of the district should have opportunity of enjoying the benefits arising from the expenditure of public moneys in their district. In view of the fact that acceptance of the proposal I have submitted would reduce the cost of this service by over $2,000, and lessen the time now occupied in the delivery of mails at points named, and believing that with your personal knowledge of the subject, you can convince the Postmaster General of the desirability of the change, I take the liberty of asking you to be kind enough to see the Minister and urge his favourable consideration of my offer.

Yours respectfully,
(Sd.) C. R. STOVEL.

I do not know whether the hon. member for Saskatchewan did see the department, but evidently he communicated with him because we find a letter to Mr. Macdowall from Mr. Stovel amongst the records of the department. However, his communication has no effect. Then we find also a letter from Mr. Gingras to Mr. Macdowall, dated Batoche, 22nd February, 1893, in which he points out that he had made an offer to the Government to carry the three mails for $4,500 a year, for wheih the department are now paying over $10,000. He says that he tendered before for the same while Mr. Haggart was Postmaster General, but never succeeded in getting the contract, but now that the term of the contract is nearly up and that we have a new Postmaster General, he should like to try again. Then we find, on the 4th March, 1893, a letter from Mr. Macdowall to Sir Adolphe Caron:

Stovel tells me he has put in an offer to convey the Battleford mails at a price which will effect a saving to the Government of $2,000 a year.

I hope you may be able to meet his wishes or put up the work for tender.

Now, I wish to call attention to this most outrageous case. Here is a responsible member of Parliament, supporting the Government from the constituency, drawing the attention of the Postmaster General to the fact that one of his constituents is prepared to do Government work at a saving to the country of the large sum of $2,000 per annum, and suggests that his offer be either accepted or that the contract be put up for tender when it expires. The Government pay no attention, but go right on deliberately and renew the contract, when it expires at the end of 1894, to the old contractors, Scott & Leeson, for the sum of $7,000, although they have positive proof that good responsible men are prepared to do the work at a saving to the Government of $2,000 per annum. Then again we have another letter from Mr. Macdowall, with regard to Gingras's letter, dated March 15th, 1893:

Dear Sir Adolphe,—

I inclose you a letter from Mr. J. Gingras, of Batoche, dated 27th ultimo, asking for mail contracts between Saskatoon and Battleford, Battleford and Fort Pitt, and Touch Hills and Fort Qu'Appelle, and stating the price for which he will perform the service.

Then there is another letter from Mr. Boucher, who was a member of the North-west Council at the time. It does not appear to whom the letter is addressed, but he calls attention to Mr. Gingras' offer to take these three mail contracts at a saving to the department of $2,200 per annum, and that he, Mr. Boucher, is prepared to enter into partnership with Gingras to carry out the work. Then there is another letter from Mr. Macdowall, to the department, dated May 1, 1893 :

My dear Sir Adolphe,—

Mr. C. R. Stovel, who put in an offer for the conveyance of the Battleford mail at a lower rate than you pay at present, has asked me to write you inquiring what decision you had come to in the matter, and I also inclose a letter from Mr. Boucher, M.L.A. for Batoche on the same subject.

Now, I wish to draw the special attention of the committee to the following leter from Mr. Stovel, in which he again draws special attention of the department to his offer :

Prince Albert, June 28th, 1893.

The Hon. A. R. Angers,
Acting P. M. G. of Canada,
Ottawa.

Sir,—An offer which I submitted for the consideration of the Hon. the Postmaster General some months ago, and which I was informed would receive the attention of the Post Office Department, still remains unanswered. The facts are as follows :—For the mail service between Saskatoon and Battleford, North-west Territories, the department pay for a semi-weekly service at the rate of $7,200 per year. My proposal, which you will find, I believe, in the department, is to carry on the same service, but making a reduction of time if necessary in delivery of mails, for the sum of $5,000 per annum, thereby effecting a saving of the large sum of $2,200 per year to the public and your department, which I beg to submit as an item of considerable importance. My application was strongly recommended by Mr. D. H. Macdowall, M.P., Dr. Sproule, M.P., and Rev. Père Blais of this town. In making the proposition for the contract I state that any reasonable sum which the Postmaster General would name I would deposit in the Imperial Bank as a guarantee that I would enter into and fulfil the terms of a contract based upon the proposal made by me, all of which I am still prepared to do. Since receiving notice that my application would engage the attention of the department, I have heard nothing further about the matter, and I feel that I am not receiving justice at the hands of the Post Office Department. Aside from the strong recommendation of Mr. Macdowall, whose wishes it is doubtless the desire of the department to consult, as a question of saving the sum of $2,200 per year, I would respectfully urge a decision in the matter. In a private letter to Sir Adolphe Caron I have stated that I am prepared to deposit in the Imperial Bank here the sum of $500 that I will enter into and carry out the terms of a contract for the service and am prepared to give the most responsible security for the efficiency of the service. I have since first voting in 1878 been a loyal supporter of the Conservative Governments, and as you, Sir, are doubtless aware under such circumstances, have sacrificed time, &c., in the interests of my party, and while I do not ask for favours on the ground of past support to the Government, at the same time I do not see why those conditions should be hindrance in the way of my receiving simple justice in the matter of receiving a share of public expenditure in the district in which I am making a home. The present contractors do not reside in the district. Trusting that my application will receive due consideration, I would respectfully request an early reply.

Then there is another letter from Mr. Gingras, dated March 9th, 1894, the following year :

In reference to carrying mail from Saskatoon to Battleford, I would like to know if the tender I put in last fall has met with the approval of your department, or if you intend making any changes, for if you are, I would like to know so I could put in a fresh tender. By letting me know you will much oblige.

Yours respectfully,
(Sd.) J. GINGRAS.

Then there is another letter from some other party, dated 28th January, 1895, just after the contract had been awarded to Scott & Leeson without tender. This letter is addressed to W. W. McDonald, M.P. :

I have the honour to draw your attention to the fact that as far as the public can know, the post office contracts for this district have neither been advertised for locally or tenders called for. Messrs. Leeson & Scott, the previous contractors, are still running it, nobody else apparently being given a chance. Attached is extract from blue-book showing our local mail, also Messrs. Leeson & Scott's contract under Manitoba division.

We should be glad if you can explain this matter to us, as Messrs. Leeson & Scott have held the contract against all opposition for a number of years, the local people getting no chance whatever, though they would willingly run the mail for half the sum that Messrs. Leeson & Scott get.

I have the honour to be, sir,
Your obedient servants,
(Sd.) BRINE & FETHERSTONHAUGH.

Now, there is evidence of men who are on the spot, and who were in a position to know stating that if these contracts for which the Government pay a large sum of money yearly, were put up at public tender, they could get the work done with one-half the amount. Mr. McDonald says, in reply to Mr. Stovel :

I inclose letter which will explain itself. I think if statement inclosed is true, the matter should be looked into at once. Please answer soon as I can answer the writers, Brine, & F.

Now, Mr. Speaker, there are the facts, and I wish to bring this additional fact to the knowledge of this House, that these individuals, Messrs. Scott & Leeson, who have got these contracts in the North-west Territories, year after year, without any competition being allowed, without any opportunity to local men, these men are very large contributors to the election funds of hon. gentlemen opposite. Now, I say, Mr. Speak-

er, that that kind of proceeding is something to which a very hard name might properly be applied. What can you think of a Government who deliberately take the people's money for the purpose of running their elections in this way ? They need money for elections, Scott & Leeson are prepared to give the money, and in return for the money that Scott & Leeson hand over to them for election purposes, the Government deliberately go to work and give contracts to Scott & Leeson by which these men make $6,000 or $7,000 a year more than these contracts could be efficiently done for by persons who are prepared on the spot to take the contracts and carry them out. Now, I say the Government might just as well issue a cheque directly from the Post Office Department to their election committee ; so far as the offence is concerned, it would not be any worse to take the money of the people directly out of the treasury for the purpose of running the elections, and hand the money over to their election committee. The bargain is too plain ; it is the clearest case of the Government deliberately giving a contract to a firm at a very much larger figure than the work could be done for by any other person, deliberately refusing to allow other persons an opportunity of tendering for this work, and then taking that money practically out of the treasury by getting it back from Scott & Leeson as a subscription for their election funds. I say that that kind of administration has ruined the Northwest. The hon. member for West Assiniboia (Mr. Davin) is all the time talking about hindrances to the North-west, but I would ask him if it is not true that there is no fairness in the awarding of Government contracts, not only in the Post Office Department, but in all the other departments of the Government ; in connection with the Mounted Police, in connection with the Department of the Interior, in connection with the administration of Government affairs in the North-west Territories. They are all done on this basis, in order that the Government may take their toll out of the public contracts given.

Mr. DALY. I do not want to interrupt the hon. gentleman, but I cannot allow that statement to go uncontradicted. I say the statement that the hon. gentleman makes is wholly beyond the truth, and I dare him to prove it.

Mr. MARTIN. I am proving it right here. What better proof can I give ? Here is a contract that Scott & Leeson have held for fifteen or sixteen years, to carry the mail from Battleford to Saskatoon at $7,200 per annum. Before the last renewal of that contract, Mr. Gingras and Mr. Stovel offered to do the work at a largely reduced figure, and I would call upon the hon. member for Saskatchewan (Mr. Macdowall) to say whether these men are competent to do the work. We have his letters recommending their application, we are told that he strongly recommended their application. I do not know the men, I never heard of them before. I do know that Mr. Dewar, of Battleford, has, time and again, offered the Government to do the very same work, not for $5,000, but for $3,700. Now, what better proof does the Minister of the Interior want of the statement I have made ? My statement is that the Government might as well have put their hands into the treasury and taken that money for election purposes as do it in this roundabout way.

Mr. DALY. That was not the hon. gentleman's statement. His statement was that every contract let by the Department of the Interior and the Department of Indian Affairs was let so that the Government could take toll out of it. I deny it, and I put the hon. gentleman to the proof. I say there is no foundation in fact for any such statement.

Mr. MARTIN. I say there is. This is a mere sample.

Mr. DALY. What has that to do with those departments ?

Mr. MARTIN. The same rule applies. Everybody knows it.

Mr. DALY. No.

Mr. MARTIN. Nobody out there can get a contract from the Government unless he is ready to ante-up for election purposes.

Mr. DALY. The hon. gentleman made a charge against the administration of the affairs of the Interior Department, and the hon. gentleman has no right to make any such statement unless he is prepared to prove it. I put him to the proof.

Mr. DAVIN. The hon. member has appealed to me. I know that the contract was given to the lowest tenderer, because I have faithfully endeavoured to get things for my friends and could not get them, for the Government gave the contract to the lowest tenderer.

Mr. MACDOWALL. I can endorse what the hon. member for West Assiniboia has said.

Mr. MARTIN. Was this contract given to the lowest tenderer ? The contract was let to Leeson & Scott at $10,000, while it could be done for $5,000 by men who are prepared to give ample security. Instead of work being done for $7,200 per annum, it could be done for $5,000. Brine & Fetherstonhaugh point out that there is no chance of any one obtaining a contract from the department except the firm of Scott & Leeson. I know they are large contributors to the election fund of the Government in the North-west Territories and Manitoba. They do not contribute their own money, but money which has been obtained through the hands of the Government. It would be much less expensive if the Post Office Department were to issue a cheque direct to the election committee rather than have the funds pass through the hands of Scott & Leeson, who, of course, do not hand over all the money they make on contracts to the election committee, but only part of it. It will be much cheaper to take the money directly out of the treasury rather than pay these people as brokers, as is done to-day, to convey money obtained from the Post Office Department into the hands of the election committee. It is a perfect outrage on the people. The same conditions prevail in the province of British Columbia. Here is a contract with the British Columbia Express Company, which has been renewed time after time without tender at $24,000 per annum, which, if put up for tenders, would be done for less than $12,000 per annum. The hon. member for Yale may know something about this contract by which the company get $24,000 per annum for carrying mails from Ashcroft into the Cariboo district, whereas in former years they only got $20,000 for carrying the mails from Yale, a much further distance, before the completion of the railway to Ashcroft.

Mr. PRIOR. Does the hon. gentleman say that the company do not do more mileage now than they did at first?

Mr. MARTIN. They do less for $24,000 per annum than they formerly did for $20,000. Of course, I do not know so much in regard to these British Columbia matters, but I say that I know that Scott & Leeson are contributors every year to the Government election funds. I do not know whether the British Columbia Express Company contributes, but it is the company's interest to do so.

Mr. LISTER. Who are the members of the company ?

Mr. MARTIN. I think the hon. member for Cariboo (Mr. Mara) was formerly manager of the company, but that his brother now manages it. Whether the hon. member has any interest in the company I do not know.

Mr. MARA. When an hon. gentleman refers to a member of the House and says that he or his brother is a member of that company, the proper time to make the contradiction is now. I wish to say that neither the member for Cariboo, nor his brother, nor any relative or connection of his has any connection whatever with the Cariboo Express Company ; nor has the hon. member for Cariboo or any relative or connection of his by marriage had anything to do with the British Columbia Express Company during the life of the present Parliament.

Mr. MARTIN. Had they prior to that time ?

Mr. MARA. The British Columbia Express Company, as nearly every hon. member of this House knows, was founded by the late Mr. Barnard, who was at one time a representative of Cariboo in this House, and who is the father of the present member for Cariboo.

Mr. MARTIN. Give us the history as to when the change took place. I am not making a charge.

Mr. MARA. The change took place several years ago. So far as I know, the Express Company consists of S. Jingley, P. Jingley and J. G. McKay ; they are, I believe, the owners of the British Columbia Express Company. I believe that never at any time has that company contributed one dollar to any election fund or candidate in the province of British Columbia.

Mr. MARTIN. I should like to know what possible excuse there is for giving the company a contract at $24,000 a year, when the Government can get the work done for $12,000 if it were put up to tender. In the case of Scott & Leeson, we know they are contributors to the election funds.

Mr. PRIOR. You do not.

Mr. MARTIN. Yes, I know it too well, and they are doing to-day a contract in the Territories for an amount of $10,000, $12,000 or $15,000, which could be done at any time for one-half of the amount by reliable parties. I know that to be the fact with respect to them. With regard to the British Columbia Express Company, it is a fair inference that the Government do not deliberately allow the company to take $12,000 more than they should have taken without giving some consideration for it. I say that is the inference—I do not know anything about it. With regard to the connection of the hon. member for Cariboo with the company, I make no charge—I do not charge the hon. member for Cariboo as violating the Independence of Parliament Act. An hon. gentleman asked me, if I knew who the members of the company were, and I said I had been informed that at one time the hon. member for Cariboo (Mr. Barnard) was a member of the company, and that at the present time his brother was managing it. The hon. member for Yale (Mr. Mara) tells me that Mr. Barnard's brother is not managing it, and, of course, I accept his statement. I know nothing about it at all. I say that these two instances are a sample of what is done in the North-west Territories and British Columbia, in the way of utilizing the public service for the purpose of accumulating an election fund. If the Government wish to protect themselves against a charge of that kind, they should put up these contracts for tender. The hon. member for Assiniboia (Mr. Davin) has advised that. Prior to the expiry of the Battleford and Saskatoon contract, he wrote urging the department to put it up for tender, and he pointed out that a responsible man that would give security to do the work for $5,000, and also, that Mr. Gingras was prepared to do for $4,500 per annum work which was costing the Government $10,000 a year. The Minister of the Interior is most indignant that such a charge should be made against the Government, and against his department. I am not prepared at the moment to furnish the proofs as to the hon. gentleman's department.

Mr. DALY. And I defy you to do so, or anybody belonging to you.

Mr. MARTIN. I was going to say——

Mr. DALY. You are irresponsible.

Mr. MARTIN. If the hon. gentleman (Mr. Daly) is so indignant at any suggestion about his own department, what does he think of his friend the Postmaster General who makes no denial of my statement ? The Minister of the Interior is just as responsible for what the Government does as is the Postmaster General (Sir Adolphe Caron).

Mr. DALY. You are shifting your ground now stay where you were.

Mr. MARTIN. I say that the same principle permeates all the departments in the North-west.

Mr. DALY. I am sorry that parliamentary rules do not permit me to characterize your language in the way I would like to.

Mr. MARTIN. I am sorry that parliamentary rules do not permit me to characterize this conduct of the Government in the way it should be characterized. There is a very strong word in the English language which will apply to a Government who deliberately take the people's money out of the treasury for such a purpose. Hon. gentlemen opposite know what that word is, and I need not apply it. I have brought this matter up in the House, time and again, but I never had the information so completely as I have it now. It is always difficult to get proof, as to these matters, but we know that public services in the North-west are charged for at from two or three times the amount they should be charged for. There is a clause in the Post Office Act, which allows the Postmaster General to renew a contract without tender if he sees fit. Surely there must be a reason for that. What is the reason that this contract was extended without tender, for those persons who are such large subscribers to the Conservative election fund. Sir, I am glad that the general elections are so close at hand, when the people of the North-west Territories, under the protection of the ballot will be enabled to express their dissatisfaction with a Government which has been so derelict in their duty, as I have proved this Government to be with reference to the mail contract in that country.

Sir ADOLPHE CARON. I was not in the House when the hon. gentleman (Mr. Martin) first brought this matter up. The first part of his remarks applied to a contract which was renewed long previously to the time when I became Postmaster General. I do not in any way attempt to shirk the responsibility of the action taken by the department, even before I was Minister, but if the hon. gentleman had let me know that this matter was going to be brought up, I should have hunted up the records in the department so as to be able to reply to him.

Mr. MARTIN. I did not know when the Government was going into Supply.

Sir ADOLPHE CARON. I have no manner of doubt that the hon. gentleman was in perfect ignorance of the time when the Opposition would consent to allow the Government to conduct the business of the House, and so he did not let me know, I consider that is a condescension on the part of the hon. gentleman (Mr. Martin) which I must acknowledge. I should like to call the attention of the House to this fact. In the Territories and in British Columbia, and in those portions of Canada which have not the benefit of railways, these contracts are made with companies who have to expend a large amount of money in securing plant. For instance, in the case of this express company referred to, they have to have several hundred horses to carry out their contract with the Post Office Department.

Mr. MARTIN. Those other parties are willing to do that.

Sir ADOLPHE CARON. I did not interrupt the hon. gentleman (Mr. Martin) even when he was very offensive in his language, and he might permit me to express the views of the department in relation to these contracts. The department enters into contracts with companies which have to spend a large sum of money in securing the plant necessary for carrying out these contracts. Time and again, when it became a question of calling for new tenders, our inspectors reported to the department that it was impossible to get any other company who were prepared to enter into such a contract. That is one of the very reasons which very often militates in favour of continuing the contract with these very large companies without tenders. So far as I am personally concerned, I do not know a single man composing the company who were awarded this contract; and I had no other reason for renewing the contract than the reports of the inspectors and the other officials of my department, who know technically the work of the department very much better than I could pretend to know it. The contract with the British Columbia Express Company has been in existence ever since confederation.

Mr. MARTIN. Hear, hear—without any tender.

Sir ADOLPHE CARON. I should like to know whether every gentleman who represents a constituency in British Columbia is not prepared to say that but for that company the population out there would have been placed in a position that would have been absolutely intolerable. There was no mail service possible, except through a large company, having a large capital at its back, and a very extensive plant for the purpose. When have we received any complaint in regard to the carrying out of that contract ? The hon. member for Winnipeg seems to take a great deal of interest in the future of British Columbia. He comes here and makes a complaint merely for political purposes, and tries to show that the Government have not done their duty. He states that the contract has not been given to the proper company, though all the representatives from that province agree that the contract has been carried out efficiently, and that the people who now hold the contract ought to continue to have it. I hardly expect the hon. gentleman to approve of anything we have done or are likely to do ; but although I would like to satisfy him, I will continue to administer my department without considering it indespensable to get his advice as to the manner in which the department should be administered. The service was originally let by tender, and it has been continued with the express company ever since ; and if the contract is continued to the same company, it is because it was impossible to have the work performed properly by any other organization at a lower price than was being paid.

Mr. McSHANE. Mr. Speaker, the hon. Postmaster General has stated, in the course of his remarks, that the contract was given to this company in British Columbia because it cost a great deal of money to do the work, and because it was impossible in a few days to get any other contractor who would be able to perform the contract. I desire to say that such a statement is unwarranted and unfounded. There must be a very poor state of things in British Columbia and the North-west if there are not hundreds of people there who could provide a few horses and a few wagons to carry the mails. Talk about plant—what does a plant cost ? It would not cost near a thousand dollars. The hon. gentleman has done the same thing in the city of Montreal, where there are hundreds of people ready and willing to take the contract for carrying the mails in that city at less money than the present contractor. I am sure the city of Montreal has as large a mail service as British Columbia or the North-west ; and yet the hon. gentleman did not think fit to invite tenders there. No corporation or other institution thinks of giving out work of this kind without tenders.

Sir ADOLPHE CARON. Would my hon. friend permit me to ask him a question about Montreal ? Does he know who the contractors are for the carrying of the mails from the stations to the post office ?

Mr. McSHANE. I am not asking about the stations.

Sir ADOLPHE CARON. I am asking a question of the hon. gentleman.

Mr. McSHANE. I speak of carrying the mails from the letter boxes to the post office. I say that there is no corporation in any part of the country that does not invite tenders for any sort of supplies or services that they require. I ask the Postmaster General if he would pay out of his own pocket $25,000 for the carrying of the mails in British Columbia, or $10,000 for carrying them in the North-west when he could get good responsible men to carry them for half the money ? Mr. Gingras is as responsible and as good a man as the man who is now carrying the mails. All that is required is four or five men and four or five horses to do the work. I desire to tell the hon. Postmaster General there are a great many people in the city of Montreal and all over the country who were looking forward to have an opportunity to tender for the carrying of the mails. Did they get a chance ? No. Were any tenders asked for by the hon. Postmaster General from the North-west, British Columbia and Montreal ? No. Hon. gentlemen may laugh, but it is in keeping with their other performances ; it is in keeping with everything they have done lately. They have been so long in power that they own the country, and we saw an evidence last night, when the hon. Finance Minister had to go down on his knees before the hon. leader of the Opposition to beg of him to be loyal and not condemn him.

Some hon. MEMBERS. Hear, hear.

Mr. McSHANE. And not condemn a most villainous transaction.

Mr. SPEAKER. The hon. gentleman cannot refer to a past debate.

Mr. McSHANE. It is not fair to the people of the country, it is not fair to the men who pay the taxes and who want to have fair-play—it is not fair that these men should be set aside for the favourites of the Government, but the day will soon come when the people will effect a change.

Sir ADOLPHE CARON. I very much regret that the hon. Minister of Finance had to kneel before the leader of the Opposition to make him loyal. I am sorry indeed that he should have been put to that trouble. I should like to tell the hon. gentleman that the Grand Trunk Railway has the contract for the carrying of the mail.

Mr. McSHANE. Did the Grand Trunk Railway pay the late Mr. Kennedy for carrying the mails ?

Sir ADOLPHE CARON. I cannot tell the hon. gentleman all he wants at once. I say that the contract for conveying the mail from the different stations to the post office is in the hands of the Grand Trunk Railway.

Mr. MARTIN. But the hon. gentleman was referring to——

Some hon. **MEMBERS.** Sit down.

Mr. MARTIN. I rise to a point of order. The hon. Postmaster General has already spoken.

Mr. SPEAKER. He has already spoken, but it is the custom in this House, and the invariable custom in England, when a question is raised, that the Minister should have an opportunity to reply.

Mr. MARTIN. By consent.

Mr. SPEAKER. No.

Sir ADOLPHE CARON. I am not going to occupy the time of the House at any length, but I wish simply to give the information which the hon. gentleman is seeking. The carrying of the mails from the various stations is in the hands of the Grand Trunk Railway. There is a contract for the carrying of the mails from the Canadian Pacific Railway station in the city of Montreal with Mr. Kennedy. Tenders were called for. Mr. Kennedy did not get that contract without tenders being asked for. The contract has been renewed because under the statute the Postmaster General has a right, if the service is properly carried out, to continue these contracts, and so the contract with Mr. Kennedy has been continued.

CHARGES BY LIEUTENANT-COLONEL WORSLEY AGAINST LIEUTENANT-COLONEL MURRAY.

Mr. BORDEN. I desire to bring to the attention of the House a grievance affecting a gentleman who at one time occupied a prominent position in the militia of this country. Prior to that time he had been an officer in the British army, and up to the moment when the circumstances occurred to which I shall refer, he has always been held to be a man of the highest honour and had enjoyed the fullest confidence of the Government by whom he was employed.

Mr. FOSTER. May I ask the hon. gentleman the names of the gentleman to whom he is going to refer ?

Mr. BORDEN. His name is Lieutenant-Colonel Worsley.

Sir CHARLES HIBBERT TUPPER. That is on the Order paper as a notice of motion.

Mr. BORDEN. I have a notice of motion for the papers but I do not understand that that precludes me from discussing the matters to which I am going to refer. I am not going to refer to papers for which I moved because I have not got them.

Sir CHARLES HIBBERT TUPPER. The motion not only refers to the papers relating to the charges preferred by Lieutenant-Colonel Worsley but the action taken thereupon, the resignation, and every conceivable phase of the subject.

Mr. SPEAKER. No doubt, if the hon. gentleman proposes to discuss any matter connected with this matter on the Order paper he is out of order. I have not been able to gather if he is out of order or not, but if he proposes to discuss any matter connected with the charges preferred by Lieutenant-Colonel Worsley or any of the other matters contained in the motion, that will be out of order.

Mr. DAVIES (P.E.I.) On that point of order, Mr. Speaker, I would like to invite your attention for a moment to the form of notice of motion and the extent to which it precludes hon. gentlemen from discussing questions. I understand the rule to be that if any notice of motion is given upon any subject, and that notice is on the Order paper, it precludes the discussion of that subject being brought up, either by the person who gave the notice or anybody else. Now, the hon. gentleman had a notice on the paper for certain papers in connection with Lieutenant-Colonel Worsley, with the object of basing a motion of some kind, I suppose, upon these papers. I do not know what his object is ; it does not appear before the House ; he simply asks for certain papers. It is not possible that because a notice of motion is given asking for a letter that therefore every member of the House is precluded from discussing any subject to which that letter may refer. If such a rule were laid down, it would be quite possible to shut off the discussion on every conceivable subject, by giving notice that you would move for papers in connection with that subject. I have looked into the point within the last few days, and I think if you refer to the authorities you will see that the rule is an intelligible, a defensible and a just one. The rule is that when notice is given for the discussion of a public matter, neither the mover nor anybody else can, by a side wind, or otherwise, bring up the discussion of that motion. But where an hon. gentleman gives notice of his intention to move for papers simply, that does not preclude a discussion on a substantive motion on that subject. And why ? Because no notice has been given of the substantive matter which he wishes to discuss, and you are only precluded from discussing the motion of which notice has been given. The hon. gentleman does not propose to discuss the papers regarding which notice of motion has been given. He says he cannot get the papers, that he desired them for the purpose of discussing the subject, and that as he cannot get them he has to discuss the subject without the papers. I submit that there can be no doubt that the authority quoted by Bourinot, and by May, which I have looked up in the English "Hansard" bear me out in my contention. There are two cases referred to in the English "Hansard" where the Speaker called the attention of a gentleman who attempted to move in the House to the fact that a substantive motion was on the paper relating to the subject he intended to discuss, and said : Because you or somebody else has given notice relating to that subject-matter, you cannot discuss it now. Now, there is no notice of substantive motion given here, but a mere notice asking that certain papers be produced. And if you think it out for a moment, you will see what a dreadful conclusion any other position would drive us to. At the beginning of the session any member might sit down and give a notice asking for the papers on twenty different subjects, which notices would have the effect of shutting off discussion on almost every subject. For instance, if he wished to stop the discussions on the Customs administration, he would ask for papers and correspondence relating to the Customs Department, and the whole discussion with regard to the Government's administration of the customs would be stopped. In the same way the discussion of the Militia Department could be prevented, and so on. I think that would be reducing it to an absurdity, and I am quite sure that the interpretation I suggest is a correct one, and that it does not prevent the discussion of a question simply because papers relating to that question have been moved for.

Mr. CASEY. I would like to call attention to the fact that this motion of which notice has been given, does not express, nor ask the House to express any opinion on the case of Colonel Worsley. It is merely a notice of motion for information in regard to the case of Colonel Worsley, and is not, as has been pointed out by the hon. member for Queen's (Mr. Davies), a substantive motion on the subject. This notice of motion, of course, would preclude the moving of any motion to get information in regard to Colonel Worsley and would prevent, perhaps, censure of the Government in regard to their action concerning Colonel Worsley. But my hon. friend from King's (Mr. Borden) merely wishes to discuss the matter, and does not intend to present a motion on the subject, but merely to discuss it with the information he has, and without the papers which are the only thing referred to in the notice of motion. Besides the inate unfairness of the interpretation which the hon. member for Pictou (Sir Charles Hibbert Tupper) would put upon the rule of the House, I would remind the House that we are constantly discussing, in some way or other, matters, notices of motion for information on which appear on the paper. For instance, I had a notice on the paper for some time asking for information concerning the duties of the High Commissioner in London and during the whole of the time that that notice was on the paper the question of the High Commissioner's duties, his relations to the Government, and his performance of his duties were constantly referred to in the course of the debate without objection from anybody. I might give other instances, but probably that one is sufficient. I am very strongly of the opinion that the object of that rule is, as pointed out by my hon. friend from Queen's (Mr. Davies), that we should not infringe upon the subject-matter of any motion on the paper. If the motion on the Notice paper were a motion of censure of the Government for its conduct in regard to Colonel Worsley, I do not think we could not discuss it now ; but as it is a motion for papers, I am sure you will see that that rule does not apply.

Mr. EDGAR. Looking at the notice of motion, it certainly can only be held to be a motion for papers. It seeks information with regard to, first, the charges against Colonel Worsley ; second, the investigation of those charges ; third, the action taken thereon ; fourth, the resignation of Colonel Worsley, and all correspondence relating to the subject, and especially the papers that are given in the list. Of course, we know that on these motions for papers, a general discussion may arise, but it is not a motion of censure. There is nothing in the motion even to show that there is a grievance of any kind, or that it is a grievance the hon. gentleman proposes to discuss. The only case in Canada, I believe, which is quoted to show that the discussion of a motion on the paper cannot be anticipated by motion to go into Supply is the case decided by Speaker Anglin, when Mr. Chas. Burpee, in 1876, undertook to follow that course. Now, I looked up very carefully a few days ago, in the Votes and Proceedings, the motion of which Mr. Burpee had given notice, and I found that it was a substantive motion going into the whole question of the Bay Verte Canal, and declaring that it was the duty of the Government to do so and so about that canal. It was not a motion for papers at all, it was a substantive motion, dealing with the two reports, a majority and a minority report, concerning that Bay Verte Canal, and of course the rule there would apply. Following our own precedent, following the good sense and the reason of the rule, and following the English precedents which my hon. friend from Queen's, P.E.I., (Mr. Davies) has quoted, I should hope that you would decide that when the papers are simply moved for, that does not preclude a discussion of the matters that may be contained in those papers, because it would be a most extraordinary practical limitation upon the privileges of members of this House, and prevent us from discussing grievances on going into Committee of Supply.

Mr. BORDEN. I desire to point out to you that under the point taken by the member for Pictou (Sir Charles Hibbert Tupper), it would be possible for that hon. gentleman to prevent a discussion of this subject altogether this session. Now, I gave notice with a view of getting the papers, and I went across the floor of the House and spoke to the hon. member for Pictou, telling him that my object was to get the papers. When I wanted the motion carried without discussion, as a number of motions were being made without discussion, the hon. member for Pictou objected to that motion being carried without being discussed, for the reason, I suppose, that he wanted to discuss it. I subsequently explained to him, and he will bear me out in this, that I intended to discuss it in another way, that I wanted the papers first. So it seems to me very inconvenient that there should be a ruling of this kind, because, as pointed out by the hon. member for Queen's, P.E.I., (Mr. Davies), it would be possible for a gentleman to prevent this House from discussing any subject by putting a notice on the paper from time to time during the session. Now, it is manifest that there cannot be any such intention as that in our rule.

Mr. MULOCK. I understand the hon. gentleman now desires to discuss some matters connected with Lieutenant-Colonel Worsley, and the point is taken that because a notice of motion has been given for the production of certain papers concerning some charges made by Lieutenant-Colonel Worsley against another gentleman that is the same subject-matter as something concerning Colonel Worsley himself. There is nothing in this notice asking for an investigation, or asking any opinion of the House on any charges whatever. It does not ask for the production of the charges, it asks for the papers connected with the charges.

Sir CHARLES HIBBERT TUPPER. It asks for papers connected with the resignation.

Mr. MULOCK. Supposing we test this in another way, supposing this order was complied with, then the House would have the papers on the Table. These papers might disclose the grounds of complaint, and my hon. friend would be perfectly in order in putting on the paper a notice of motion, and calling the attention of the House to the alleged grievance disclosed by this evidence. The discussion of a grievance, therefore, would be a wholly different thing from the discussion of the evidence which precedes the discussion of the grievance; and it would be perfectly in order to follow up the production of these papers by a motion dealing with the facts disclosed by the papers. It is perfectly clear, then, that a motion would be in order if my hon. friend intended now to deal with the charges affecting Lieutenant-Colonel Murray. But I understand that what he is about to discuss now is the case of Lieutenant-Colonel Worsley. That is the main feature of his discussion, and in that discussion it may be that he would have to refer to collateral matters such as affects Colonel Murray, or some other person. But the subject that he proposes to discuss is absolutely different from the matter referred to in the motion. If the motion was to discuss charges made by Colonel Worsley against Colonel Murray, it would still be in order to discuss the case of Colonel Worsley himself. Colonel Worsley is before the House under this discussion, and Colonel Murray is before the House in the motion on the paper. Colonel Worsley's case is no way involved in the motion on the Notice paper.

Mr. SPEAKER. It seems to me clear, from the authorities I have been able to look up with regard to this matter, that if it is proposed to enter into a discussion which has relation to a notice that has been given by the hon. member for King's (Mr. Borden), it would be out of order upon going into Committee of Supply:

> Members may discuss various questions on the motion for the Speaker to leave the Chair, without moving any amendments thereto—a great latitude being always allowed on such occasions; but they may not refer specifically to any vote which has passed, or is about to be discussed in committee; nor to any resolution of the Committee of Ways and Means; nor to any Bill or Order of the Day. Neither will a member be permitted to debate a motion of which he has given notice.

Then, reference is made in this book to the case that was mentioned by the hon. member for Queen's, P.E.I. (Mr. Davies):

> On 10th April, Mr. Burpee was proceeding to address the House respecting the Bay Verte Canal, but he was stopped by Mr. Speaker, whose attention was directed to the fact that he had given notice of a motion on the same subject.

Now, the notice of motion which was given by Mr. Burpee on that occasion, read as follows:—

> That the House resolve itself into Committee of the Whole to take into consideration the majority and minority reports of the commissioners appointed by the Government to report upon the commercial advantages of the proposed Bay Verte Canal.

The question that I have to determine, is as to whether the notice of motion which the hon. member for King's, N.S., has placed upon the Order paper, is one on the same subject as that which he now proposes to discuss. If it is so, then clearly, from my point of view, he would be out of order in discussing it. Of course, it is for the hon. member himself to say as to whether that is the case or not.

Mr. **BORDEN**. Of course I admit at once that there is a very close relationship between the cases. But what I intended to discuss was the action of the Government with reference to Lieutenant-Colonel Worsley.

Mr. **SPEAKER**. That seems to be clearly referred to in the notice that was given here :

> Copies of all the papers in any way relating to the charges preferred by Lieut.-Col. Worsley, late Deputy Adjutant General for Military District No. 9, as well as any other person, against Lieut.-Col. Murray, late paymaster of said district ; the investigation of said charges ; the action taken thereupon.

It seems to be the very subject that the hon. member for King's, N.S., now declares it is his purpose to discuss.

Mr. **BORDEN**. I did not intend to refer to the papers, because I had not the papers ; I intended to make some inferences from what has taken place. Of course, Sir, I bow to your ruling.

Mr. **FOSTER**. It seems to me the hon. gentleman would have to speak under great difficulties, and could neither do his subject justice, nor could there be any fairly adequate discussion under these circumstances, because my hon. friend would find himself running against the decision of the Chair at almost every turn.

Mr. **BORDEN**. I could make a statement of the facts, which would do justice to a man who claims to have been very seriously injured, who claims to have suffered loss of position, loss of honour, and who claims that if a fair statement of his case, which he has placed in my hands, were but before the people, it would only be doing a simple act of justice to him, and enable him in some degree to vindicate himself from the extreme injustice done to him by the Department of Militia. I think I could establish that, if I had the opportunity of doing so.

Mr. **SPEAKER**. If the hon. member had adopted a different course he could have done what he now proposes to do : if he had either refrained from placing this notice of motion on the paper, or have allowed it to drop. I think the House will understand that the objects of these notices of motion are these. One is that the House shall not be surprised. Another is that every hon. member shall have an opportunity to bring up any grievance and ventilate it. If an hon. member chooses to place a notice of motion on the paper he must confine himself to it, or when the notice of motion is called he should allow it to drop, if he thinks it more convenient to bring the subject up on the motion to go into Supply, and the House can not refuse to allow the notice of motion to be dropped.

Mr. **BORDEN**. I placed the notice on the paper at an early period of the session. On two occasions when notices of motion were called and allowed to pass without discussion this motion was reached. I was absent from the House on the first occasion. I asked the hon. member for Queen's, P.E.I. (Mr. Davies) to move the motion. For some reason whether there was objection taken or not, I do not know, it was not moved. The next occasion when motions were moved without discussion I moved the motion, and the hon. member for Pictou objected to the motion being carried without discussion. Thus I could not proceed. Since then the Government have taken every private day, and there has been no opportunity from that moment to the present either to move this motion or allow it to drop or speak to it. To-day the hon. member for Pictou takes the point of order which prevents me discussing this question. I desire to make this statement, and it is only fair to me that I should be allowed to do so.

Mr. **MULOCK**. I think Mr. Speaker has misapprehended the motion, and will desire to be corrected if in error. Mr. Speaker has given an opinion on this matter, special reference to the words investigation and charge. What is the grammatical connection of these words with the notice of motion. The full reading of the clause would be for copies of all papers relating to the charges preferred by Lieutenant-Colonel Worsley ; the investigation of such charges ; the action taken thereupon, and resignation of Lieutenant-Colonel Worsley and all correspondence relating to the subject, and especially all papers. So the motion does not call for any investigation or any action or an investigation, but simply for the production of papers. All through the motion there is the same request for papers.

Mr. **FOSTER**. The hon. gentleman is not speaking to the question of order.

Mr. **SPEAKER**. I adhere to my opinion.

Mr. **McMULLEN**. I desire to bring up a question of considerable importance to the section of country in which I reside, and it has relation to expenses of the militia. I consider a very unfair division of money is made under this head. Men go to camp and drill for 50 cents per day. I desire to draw attention to some expenses which should be reduced, if not abolished. This country is paying $1,500,000 a year under the head of militia. Some attention was called the other day to Kingston Military College. I now draw attention to certain expenses in connection with the organized forces in different cities in the Dominion. "A" battery, Kingston : 116 men, previous strength, 132, average, 124. Dr. Wilson, Surgeon of the corps, has drawn during the last nine years, $11,584, or an average of $1,287 annually. "B" battery, Quebec, 143 men, previous strength, 145, average, 144. Dr. Sewell has drawn during nine years, $11,-

504, or $1,278 annually. No. 1 infantry, Toronto : 88 men; previous strength, 90, average, 89. Dr. Strange has drawn $11,609 in nine years, or $1.281 annually. No. 3, St. John's Quebec : 87 men, previous strength, 84, average, 83. Dr. Campbell has drawn $11.183 in nine years, or an average of $1.243 annually. Then we come to No. 4 Infantry Battery, Fredericton. The present strength is 103, previous strength 94, average strength 89. Dr. Brown has drawn in nine years $10,743.15 for attending to that corps, or $1.193.68 per year. Then, in reference to "B" Dragoons, Winnipeg. The present strength is 143, the previous strength 145, average strength 144. Dr. Coad has drawn $10,934 in nine years for attending to that corps, or an average yearly of $1,214.88. That is, in all, 683 men who have been attended by these six doctors for nine years, and they have drawn during that time $67,568.80, or $7,507.05 on an average per year. I contend, Mr. Speaker, that this is a complete sacrifice of public money. It is unfair to ask the young volunteers of this country to attend drill every other year for the miserable pittance of 50 cents a day, when doctors who are attending these corps in Toronto and Quebec and other cities, and who perform very little services, are drawing such a large sum as this. Dr. Wilson, of "A" Battery, drew $11,458.50 for attending to 132 men, or an average of $86.80 per man. Dr. Sewell, of "B" Battery, Quebec, drew in the nine years $11.504.50 for attending the 144 men, or an average of $79.88 per man. Dr. Strange, of No. 2 Infantry, Toronto, drew $11,230 for attending to eighty-nine men, or $124.77 per man. In the case of Dr. Strange, I notice that he was granted leave of absence for 104 days.

Mr. CAMPBELL. What was he doing ?

Mr. McMULLEN. I presume I might answer that question by saying that he was canvassing. He was out, no doubt, on an election tour and a substitute was appointed during that time, and this country has paid the substitute for the 104 days a sum of $379.60, while at the same time Dr. Strange drew his pay for the full time of his vacation. In that way, in the case of these men in Toronto, it has cost the country $129.07 per man to attend to their medical wants. Then Dr. Campbell, of No. 3 Infantry, St. John, Quebec, drew $11,193.50 for attending to eighty-three men, or an average of $134.84 per man. Dr. Brown, of Fredericton, drew $10,743.15 for attending to ninety-nine men, or an average of $108.50 per man. Dr. Codd, of Winnipeg, drew $10,934 for attending 144 men, or an average of $70.30 per man. I contend, Mr. Speaker, that is a gross and scandalous and extravagant expenditure of the public money. These doctors attend to their ordinary professional duties. No doubt, Dr. Strange, of Toronto, attends to his profession regularly, and he is drawing over $100 a month as surgeon to the corps to which he belongs in the city of Toronto, and when he was 104 days on leave of absence last year the Government paid his substitute $3.50 per day and gave him full pay at the same time. If that is not sacrificing public money I do not know what it is. Now, Mr. Speaker, I want to make some comparisons. Take, for instance, the Central Prison at Toronto. There are about 383 inmates there, and they are attended to by Dr. Aikens, and he, for $1.000 per year, devotes his time to them, while the doctors of this Government, whom I have referred to have not one-third of the number under their charge. There is a poorhouse in the county in which I live, the inmates of which number 150, and the medical attendance is let by competition, and the doctor gets $150 a year. In the poorhouse in the county of Huron, the doctor attends to over sixty inmates for $100 a year. Mr. Speaker, the point I want to make more particularly is this : that while throughout the rural districts the young men are asked to enroll themselves as volunteers, and to attend drill they get the miserable pittance of 50 cents a day while they are out. In the face of this, the doctors in these cities and towns are drawing enormous salaries, which are taken out of the militia vote and put into their pockets for virtually doing nothing. This should receive the immediate attention of the Minister of Militia. There should be a more equitable distribution of the money voted for militia purposes. We do not want a lot of city bloods, the same as those I have mentioned, stepping around, and virtually doing nothing and drawing money that is supposed to be contributed for keeping up the militia of this country. Six of these doctors have drawn $69.000 in nine years, for the purpose of attending to men who are in good health. The country has to pay for this sinecure. The people are feeling the strain that they are subjected to in this way, and I hold that these expenses should be cut down at once. The struggling farmers of this country, struggling with the difficulties of life, trying to make both ends meet, are asked to send their sons out to drill for ten days at 50 cents a day, whilst doctors of the kind I have referred to are drawing enormous sums in the city, and doing nothing at all for it. I hope that the next Parliament will forcibly draw the attention of the Minister of Militia to this outrage.

SOULANGES CANAL—THE GOODWIN CONTRACT.

Sir RICHARD CARTWRIGHT. The hon. gentleman will remember that we had rather a long discussion on the subject of the Goodwin contract on the Soulanges Canal. Now, a statement was made by the Minister of Justice that I do not quite understand, and I desire to know from him or from the Finance Minister, exactly what the Government propose to do. Do we understand that the Government have decided not to pay for these contracts unless the claim is established in a court of law. The answer of the hon. gentleman to my observations left me in doubt as to whether these things would be decided in a court of law or not, if Mr. Goodwin persists in his claim.

Mr. DICKEY. I do not know that the hon. gentleman (Sir Richard Cartwright) should ask me to make any pledge. I do not know that I would be in a position to make any pledge. I do not know that I can go further than I did before. My own feeling is that if I have any doubt about it, I shall certainly refer the matter to the courts, in view of what has taken place before. I might come to the conclusion that there was not claim at all, and report against it ; but I think I can go so far as to say that I would not like to recommend any payment to the contractors without referring it to the courts.

THE CASE OF LIEUTENANT-COLONEL HAMILTON.

Mr. MULOCK. Mr. Speaker, I wish to refer again for a few moments to the case of Lieutenant-Colonel Hamilton. In another chamber the Minister of Militia referred to this case. What I am pressing for is an investigation. It has been represented in the press that there was an investigation at which Lieutenant-Colonel Hamilton was supposed to have had a fair trial. I desire to say that I am in receipt of a telegram from a gentleman, not Colonel Hamilton, but one who knows the facts, who asserts that there was no investigation of which Colonel Hamilton was cognizant, or at which he was present, or was represented in any way. I am instructed to say that if there was an investigation, Colonel Hamilton was never communicated with in regard to it, was not a party to it, was not present in any sense, constructively or actually, and knew nothing about there being any such investigation, until he was in this House and happened to hear it referred to by the hon. Minister of Justice. So that if the Minister of Militia has given the public to understand that there has been, in any sense, a trial, it is a wholly incorrect representation of what occurred. I wish to ask, therefore, whether it is proposed to have a full, open, frank and fair inquiry into the case of Lieutenant-Colonel Hamilton. It is absolutely necessary that such an inquiry should take place, because Colonel Hamilton has sympathizers ; and if we want to have this matter dealt with in a way that will give complete satisfaction to all, there must be a tribunal that will enjoy the confidence of all. The matter is assuming considerable importance in the city of Toronto, if I am correctly advised, and also amongst the militia outside of Toronto. I have had communications from officers far removed from Toronto on this subject, and there is a widespread feeling that the officers of the militia force are not safe when treatment such as has been accorded to Colonel Hamilton may await anybody in the service. If discipline is to be maintained in the force, it is absolutely necessary that the officers and men shall feel themselves sustained by the authorities, and that the authorities will be the very last to encourage insubordination. In this case, there is an idea abroad, rightly or wrongly, that the authorities, on this occasion, have not stood loyally by the head of the regiment, but have sympathized with a section of the officers, who, it is said, combined to render the administration of the regiment by the colonel an impossibility. If so, the Government have sympathized—shall I say it—with conspirators—I do not wish to use a harsh word—but with those who should have been subject to discipline, and loyally supported their chief, and, if they had grievances, should have made them known at headquarters. If a number of officers of a regiment can unite, even with good motives or with justification, and adopt irregular methods to embarrass their superior officer, instead of making their charges to the proper authorities, there is an end to the militia force. Every man in command must feel that he has at the head of the Department of Militia, an upright, impartial judge, who will defend him in the administration of his high office, and who, if any charges are made against him, will have them investigated according to military law. I do not wish to be assumed as taking a side one way or the other. I know nothing of the merits of this issue—who is right or who is wrong. I am taking exception to the course adopted by the Administration, who, to the public mind, appear, for some unfortunate reason—either from partisanship, or a lack of appreciation of their true duties and responsibilities—to have made the great blunder of giving effect to a combination against the head of the regiment, not in the military way, but in a way which, if repeated, is going to cause every officer to feel that his office depends, not upon military sense of justice, but upon the whim of the Minister of the day, and upon the extent to which he can bring influence to bear in any contest between himself and his fellow officers.

Mr. DICKEY. I desire, on behalf of the Government, to repudiate, in the strongest possible way, the imputation that any political feeling was concerned in this matter.

Mr. MULOCK. I did not say political.

Mr. DICKEY. The hon. gentleman said party.

Mr. MULOCK. I meant as between the two parties in the regiment. I did not mean political.

Mr. DICKEY. I am very glad to hear that, because I think it would be very unfortunate if any idea of that kind got abroad. Since the hon. gentleman spoke first on this subject, I have had an opportunity of seeing the General, and discussing the matter with him ; and other members of the House have also seen him and discussed it with him ; and I am satisfied that if the hon. gentleman saw the papers, his views would be very much modified. I propose to lay the papers on the Table to-morrow, and they can be printed, if necessary, and be discussed.

Mr. MULOCK. That is very unfair without giving Colonel Hamilton a trial. What do these papers disclose ?

Mr. DICKEY. If the hon. gentleman objects, I do not wish to do it. I propose to do it in the interest of the force, because I am quite sure that if the hon. gentleman saw the papers, he would not express any dissatisfaction with the course the Government have adopted.

Mr. MULOCK. They are ex-parte papers.

Mr. DICKEY. I would leave it this way. If the hon. gentleman will look over the papers in the department and then thinks it will be in the interest of Colonel Hamilton to have them laid upon the Table of the House, they will be laid on the Table, and if he thinks that they will not further Colonel Hamilton's case, they will not be brought down. That is the best offer I can make. I desire nothing more than to do what is fair in the matter. I could not, on behalf of the Government, desire any further investigation, and I do not think it is altogether fair for the hon. gentleman to ask for further investigation before he has seen the papers

Mr. MULOCK. I cannot accept such responsibility. I am not representing Colonel Hamilton in one sense. I am bringing to notice an alleged grievance, and the department will take their own course, whatever they think right. I simply urged that this officer is entitled to a trial, and the hon. gentleman offers to lay on the Table a number of papers, which of course are ex-parte. I have a telegram here which shows that one of the papers in evidence is a private letter to the General from an ex-Sergeant-Major, whose resignation was accepted to save him from court martial, after the court of inquiry showed he called an illegal meeting of sergeants and arranged with some to refuse to parade during General Gascoigne's visit last November. No one ought to be convicted on papers of that kind. In my judgment, there is only one proper course to be taken, and that is to have an impartial inquiry.

Mr. O'BRIEN. I think that the course offered by the hon. Minister ought to be satisfactory under the circumstances. We must assume, and I assume as a matter of fact, that the action of the Government or of the General is based upon a report by the officer whose business it was to investigate, and that officer is one whose character and position are such as to warrant the belief that his report will be acceptable proof, at any rate, of anything he may say. I think if Colonel Otter's report, which will be an essential part of those papers, be laid on the Table, that is a reasonable answer to the present demand. It would be perfectly in order after Colonel Otter's report has been laid on the Table,—which is the one thing on which we have to go—to take further steps, if that report be not satisfactory. I think the Government are doing what we have a right to expect when they lay the papers on the Table. With that, I for one, feeling very deep interest in the matter, feel I ought to be satisfied.

Sir CHARLES HIBBERT TUPPER. I think the public are entitled to these papers because the action of the Government was distinctly challenged as being purely a political action. It was charged that because the colonel of the regiment happened to be opposed to the Government in politics this action was taken, and no doubt that impressed some hon. members. The hon. member for Lambton attacked General Gascoigne in rather a marked manner and referred to him repeatedly, and I think the public interest makes it wise and expedient that we should have if possible the exact ground on which the Government did act.

Mr. EDGAR. It is not certainly my fault that we do not know the exact ground on which the Government acted, because as long ago as the 6th April, I put a question to the Government to know what they had done, and the reply then was by the Government that he was unfortunate in not agreeing with his officers. I asked if any charges had been formulated against Colonel Hamilton, and if so had he been given an opportunity to meet them and the answer was : "No charges whatever have been formulated against Lieutenant-Colonel Hamilton." I read a letter the other day from Colonel Hamilton addressed to the General on this subject as to whether he had notice or not, and he said in that letter :

> I have no doubt, Sir, that I can show that much of the information the department has received is on a par with the above ; but it is only when statements are made public that corrections can be made. I have respectfully and repeatedly urged that all the circumstances connected with the Queen's Own Rifles matters be thoroughly inquired into before any action be taken to dispossess me of my command, but my remarks have been studiously ignored, and I have not been even accorded the courtesy of a reply to any of my communications.

I would like to know if that is the way to treat a commanding officer. Then he goes on and says :

Without a charge against me, without a trial, and in the face of the facts that my regiment is thoroughly efficient and is in a better condition to-day than when I assumed command, I am ordered to step down and out to make way for certain ambitious young officers, who seem to stand better with the department than I have the honour of doing.

Mr. O'BRIEN. If the report of Colonel Otter, which I assume, states all the grounds on which action was taken, is laid upon the Table, we shall know at once what it is and be able to judge as to the action of the Government.

Mr. EDGAR. What I am inclined to think that it is very unfair to Colonel Hamilton, without giving him the opportunity of answering the allegations made against him, to lay those charges upon the Table of Parliament. I do not think the hon. member for Muskoka, when he reconsiders the case, can suppose it is fair for anybody to make an ex-parte statement and lay before Parliament the last day of the session. That would be making the matter worse and worse. He is threatened with being cashiered without an investigation, and now it is proposed to place an ex-parte inquisitorial report on the Table, which had been made without the knowledge of this officer whatever and without any notice given him.

Mr. DICKEY. It is already on the Table of the Senate.

Mr. EDGAR. That is a very improper action and I cannot understand it. I surely cannot believe that the hon. Minister of Justice should think that is a fair way to treat an officer. You may have an investigation and then let the results be laid before Parliament, but you ought not to lay a confidential report before Parliament. I do not deny that the Deputy Adjutant General has the right to send in what confidential reports he chooses or is directed to send to the head of the department, but when those reports are made without an investigation, they should not be made use of. The Queen's regulations, 1892, rule 35, provides :

> Whenever an officer is disadvantageously reported on, or when the answers to any of the questions contained in the confidential report are not thoroughly satisfactory, the particulars of the report are to be read verbatim to him by the officer making it, in presence, when possible, of the inspecting officer and of the second senior officer of the corps. If the officer unfavourably reported on is not present at the time of the inspection, the above particulars are to be communicated to him by letter.

Nothing of the kind was done. But a confidential report, without its having been communicated to him, without his having an opportunity to answer it, without any investigation, is laid on the Table of the Senate to add insult to injury or injury to insult. But a full and fair and proper investigation for the honour of the service and the honour of the gentleman who is interested in the service should be had.

Sir RICHARD CARTWRIGHT. I would like to ask the Minister of Justice if these statements or accusations were communicated to Colonel Hamilton ?

Mr. DICKEY. I am not in a position to tell the hon. gentleman.

Sir RICHARD CARTWRIGHT. Because it does seem to me the grossest injustice, if the accusations against him are not laid before the officer whose conduct is impugned that he may be able to meet them.

Mr. HUGHES. It is not my intention to delay the House, but as an old personal friend of Colonel Hamilton, I was very much grieved to see the course that has been pursued towards him in this matter. Colonel Hamilton, as every one knows, has been a most efficient officer. He is a political opponent of mine, but I am glad to say that among the militiamen of the Dominion that counts for nothing. I did all I could to get for Colonel Hamilton a fair inquiry in this case, but I was not advised of the situation until it was too late. The usual executive military course had been pursued. The report of the Deputy Adjutant General at Toronto who had conducted the investigation had been received, and following the practice in the old country, Colonel Hamilton was asked to retire. I am sure that those conversant with the case will not blame the Major General commanding for the course he has taken. I am sorry to say that I have observed some attempts made to fasten the blame on General Gascoigne for his action in this matter. No blame can attach to General Gascoigne. He received the report of his Deputy Adjutant General, and of course it is impossible for the Major General commanding to visit all these places——

Mr. DAVIES (P.E.I.) I would like to ask the hon. gentleman, as I am not informed on the subject—during the debate it has been stated that this officer was tried without having notice of what the charge against him was. If this is so, surely the fact must be known to the General.

Mr. HUGHES. No. The course pursued is this : The matter is referred to the Deputy Adjutant General, he does not hold a trial under the military system, as that is not permitted except by court martial, but he simply takes all the evidence he can get, and, of course, he should hear both sides of the case. What I wish to say is that similar cases to this have arisen on several occasions ; and I think it is most unfortunate that an officer commanding a battalion or an officer commanding a company should be placed in the position that Colonel Hamilton has been placed in without having an opportunity of presenting his side of the case and defending himself. I could name several cases that have been brought up in this House of men, some on one side of politics and some the other, who, for some reason or other, perhaps rightly, perhaps wrongly, have been displaced on reports made against them. And I think certainly this matter should be taken up seriously by the Militia Department and that, in future, at all events, no officer should be displaced without having a fair opportunity of meeting whatever charge may be made against him privately—because these charges are referred privately to the Deputy Adjutant General and are considered by him as strictly confidential. I regret that the case should have taken the form it has. Still no blame attaches to General Gascoigne. If anything is wrong it is in connection with the conduct of the case in the city of Toronto. I hope the matter will not be allowed to drop and that Colonel Hamilton will have justice meted out to him.

Mr. DAVIES (P.E.I.) I have not taken part in the debate, but I would like to understand the case more clearly. It does seem absolutely incredible that the department could have acted as they are said to have acted in this case. If I understand it, a secret investigation was held into certain charges privately preferred against Colonel Hamilton and that investigation is held in Toronto by the Deputy Adjutant General——

Mr. O'BRIEN. Will the hon. gentleman permit me to interrupt him. I understand that no charges were made against Colonel Hamilton.

Mr. LISTER. So they said.

Mr. DAVIES (P.E.I.) Then some statements against Colonel Hamilton——

Mr. MULOCK. There could be no inquiry if there was no charge.

Mr. O'BRIEN. These grounds will be disclosed by Colonel Otter's report.

Mr. DAVIES (P.E.I.) I understand that his report is as to certain charges——

Mr. O'BRIEN. Not charges.

Mr. DAVIES (P.E.I.) Let us say then the report concerning the conduct of Colonel Hamilton, and that report the General thinks is sufficient to justify Colonel Hamilton's dismissal. And it has been stated that this report has not been submitted to Colonel Hamilton and he has not had an opportunity of putting in any reply.

Mr. O'BRIEN. I do not know about that.

Mr. DAVIES (P.E.I.) To my mind as a lawyer such a course would be unfair and unjust, and I cannot conceive it possible that such action has been taken by the department. If as the hon. member for North Victoria (Mr. Hughes) said the General had this report in his hand and knew that the officer whose conduct had been impugned had never had an opportunity to see this report or to answer what was said against him. If that had been the course followed, it seems to me one of the most arbitrary and unjust actions I can recall to mind. There must be something more to be said. I cannot conceive a British officer and a gentleman dismissing the commander of a regiment without taking the usual and ordinary common-sense precaution of referring the charges to him and having his reply, in order that he might form a judgment with both sides of the case before him. To refuse the officer an opportunity to answer is in direct violation of British fair-play and justice, that I can hardly conceive that the General could have been a party to it. And then I respectfully submit that if it is intended to make that ex-parte report and the action taken upon it by the General, part of the records of the country for all time to come without Colonel Hamilton having had an opportunity of putting his reply alongside, it would perpetuate the injustice.

Mr. DICKEY. A good deal on the other side has been put on "Hansard."

Mr. DAVIES (P.E.I.) But there is a distinction between a speech made by a member of this House and put on "Hansard" and an official report which might destroy Colonel Hamilton's usefulness for all time to come and would certainly be a cloud upon his professional character and conduct, particularly as the General, upon that report, practically dismisses him by asking him to resign. But as a person to whom these gentlemen are all quite unknown and looking at the matter quite impartially, it does seem to me that this man is being treated in a most extraordinary way. I would like to ask the Minister of Justice (Mr. Dickey) who acts in this House for the Minister of Militia, what is the military routine with respect to charges of this kind? Is this the way in which such cases are usually carried on? Are there no rules prescribing what shall be done in cases of this kind?

Mr. DICKEY. I think the rule was fairly stated the other day by the hon. member for Muskoka (Mr. O'Brien). One can understand that a state of affairs might arise in which it would be undesirable to have an officer remain in command of a regiment. Every man is not fit for the command of a regiment, and if the force is to be maintained in efficiency only proper men must be kept at the head of the several corps. The question is what are you going to do with a man, who, perhaps, is utterly unfit to command, but still has done nothing wrong—simply happens to be a round man in a square place. The practice in the British army, as I am informed by the General, is an every day affair. The commander in chief sends to a colonel and says he would like to have his resignation, and that is the beginning and the end of it. Where there are charges affecting a man's moral character or his conduct the charge is investigated. But in a case like that where it is merely by routine of the service, if a man does not happen to be intellectually or morally qualified for a command, you must get rid of him, although that does not disqualify him from the other functions of life.

Mr. EDGAR. Does the Minister know that the official reports of the Militia Department every year during Colonel Hamilton's command, commend the regiment, and say that it has steadily improved ?

Mr. DICKEY. I have heard reports about that, and I am quite willing to accept the statement of the hon. member for York (Mr. Mulock) in that regard. But I am just speaking of a case which it seems to me would bring about a dead-lock, and there would be no means out of it. But I have not seen the papers on Colonel Hamilton's case.

Mr. LISTER. There seems to be a difference of opinion between members of the Government in this House, and members of the Government in the Senate. We understood from the letters and other papers which were read during the former discussion on this matter, that no charges had been brought against Colonel Hamilton at all, yet, as a matter of fact, an investigation had taken place by the Deputy Adjutant General, and the result of that investigation was communicated to the department, and, as I understand, the result has been laid upon the Table of the other House. The statement made by Colonel Hamilton was that if any such investigation had taken place it had taken place without his knowledge, that he had not been notified, and that he knew nothing at all about it. In the Ottawa "Citizen" of this morning, I find this matter was brought up yesterday in the Senate.

Mr. SPEAKER. I hope the hon. gentleman is not going to quote from proceedings in the Senate.

Mr. LISTER. If I am not permitted to refer to what took place in the Senate, I merely wish to say that other members of the Government have stated that formal charges were made against Colonel Hamilton, and that he was notified and had an opportunity of meeting those charges, that an impartial investigation had taken place.

Mr. MULOCK. Who said that ?

Mr. LISTER. The Minister of Militia—that an impartial investigation had taken place ; in effect, the statement was that the report of the officer who made that investigation would be carried out. Now, Mr. Speaker, which House is to be credited with having told the exact facts ? We have it from the letters of General Gascoigne himself, produced in the discussion here, that no charges had been made against Colonel Hamilton. Then we have the further statement that charges must have been made against the colonel, because the matter was referred to the Deputy Adjutant General, and that gentleman held an investigation, and came to a decision, the result of which was that Colonel Hamilton must resign or be dismissed from the service. We have the Minister who is answerable altogether, stating that an investigation took place of which Colonel Hamilton had notice, that a decision was come to, and that the Government, in effect, would carry out the terms of that decision. I think it must be clear to every person who has any sense of justice, that if Colonel Hamilton is unfit to retain command of the regiment for any cause, he has a perfect right to have an investigation, at which he shall be present, and have an opportunity of refuting the charges made against him. Sir, if there was a proper investigation made into this matter, it might turn out that instead of Colonel Hamilton being to blame, the five or six junior officers who were seeking to destroy him are really the ones that ought to be punished by the Militia Department. Yet we have the startling fact, because one can hardly describe it by any other term, of the Government, acting on the advice of the General in command, having the charge investigated against an officer, without notice to that officer, without the officer knowing what charges were preferred against him, charges that were no doubt formulated by the junior officers of the regiment for the purpose of getting rid of the senior officer; and we have the Government acting upon those charges, holding a secret investigation, and upon the evidence, whatever it may have been, given in that investigation, notifying the colonel that he must resign or be dismissed. Is it possible that the discipline of the Canadian militia is to be kept up if the Government adopts such a policy as that ? Is it not encouraging the junior officers of the different regiments throughout the country to conspire and intrigue against the officer in command, when they think he stands in the way of their promotion ? That is the effect of it, and it will have the effect of destroying discipline in the force, and of making the men dissatisfied, and the result will be as bad as if the Government had done everything possible to destroy the efficiency of the force. Why, it is a clear invitation to the junior officers to stab their commanding officer by intriguing, by conspiring amongst themselves to get up the charge that unless the commanding officer is discharged, the regiment will be injured and its efficiency impaired. It is a direct invitation, I repeat, to the junior officers of the regiment to do that, and for aught we know, that has been the effect of it. Sir, the position that Colonel Hamilton takes in this matter appeals to every man's sense of justice. The action of the Government in putting upon the Table an ex-parte investigation, an investigation which Colonel Hamilton did not attend, which he had no opportunity of attending, is an injustice to Colonel Hamilton that no language can adequately condemn. I can hardly conceive that the Government would be guilty of acting in this way towards an old and tried officer ; I do not wonder that hon. gentlemen in this House connected with the militia, one after the other, stands up and protests against the treatment which Colonel Hamilton has been receiving at the hands of the Government, because, after all, it is the Government that is responsible for the treatment which has been accorded to this gentleman. I say that this report from General Gascoigne should be withdrawn, and the Government should at once issue a commission that will appeal to the confidence of the country at large, for the purpose of investigating the so-called charge against the Colonel. The ex-Minister of Justice says that General Gascoigne cannot go to Toronto for the purpose of investigating this matter, that he leaves it to his adjutant. But, Mr. Speaker, I remind you that in the case of a Montreal regiment, General Gascoigne did go to Montreal himself, and remained there for several days ; and instead of dismissing or threatening to dismiss the commanding officer, he tells us himself that he tried to patch up the difficulties between that officer and those under him. In that case there were nineteen officers who had made charges against the commander of the regiment, nineteen officers who complained that the efficiency of the regiment could not be kept up if Colonel Strathy was left in command. We did not find in that case that there was an ex-parte investigation, that there was a Star Chamber trial ; but we find that the General goes down to Montreal and tries to settle the difficulty ; he has an interview with all parties concerned, and the whole object of his visit appears to have been to settle the difficulty between the officer and the men. How different has been the treatment accorded to this gentleman in Toronto. Why should the Government treat one officer differently from another ? Why should they not all be treated alike ? The question naturally suggests itself : Is it possible that the Government is seeking to destroy an officer because he happens to be a Liberal ? I cannot believe there is any such intention on the part of the Government. I am forced to the conclusion so far as the militia is concerned, that there is no politics in it, or at all events there should not be, because the moment the political element is introduced into militia matters, the force is utterly and completely destroyed. I ask the same fair treatment for Colonel Hamilton as has been accorded to Colonel Strathy ; and I further ask that this so-called report should be withdrawn, because I look upon it as adding injury to insult, and prejudicing Colonel Hamilton's case ; in effect he has no case because when the report is laid on the table the Colonel has no right to make any reply to it. While Colonel Hamilton is in the force his mouth is closed and his hands are tied. That officer is placed in an unfair and unjust position, and I appeal to the sense of justice and fairness of the Minister of Justice to satisfy the militia force and the country by having a new investigation on the charges, and if Colonel Hamilton has done anything wrong to entitle him to dismissal, then no one can complain if the General dismisses him.

Mr. FOSTER. I do not think I would be doing my duty were I not to make a plain statement at this time. On Friday last we proceeded to go into Supply, the Remedial Bill having been withdrawn on Thursday, for, as stated by myself, at that time, we needed supply even for the current year, and sums were absolutely necessary if the public services were to go on, and the obligations of the Government were to be met. From that time until this we have been trying to get into Supply. We did succeed this morning at about 1.30 a.m. ; but we stuck at the first estimate because hon. gentlemen opposite proposed to go and did go into the whole question of superannuation. I want to say to hon. members on both sides of the House that matters are in such a position that unless we do get Supply this afternoon or evening, it is perfectly useless to go through the form of voting items here because we cannot get them through in time for prorogation, which will occur to-morrow at 3.30 or a little later. Whatever the House proposes to do in that way it must make up its mind to do this afternoon and evening. We came here at 2 o'clock.

Mr. MULOCK. You were half an hour late.

Mr. FOSTER. The leader of the Opposition has professed to be kindly disposed and to fairly meet my wishes that we should get into Supply and obtain some money at least for the necessary services ; but I have not found any results. There has been no open barrier of opposition raised by him ; but his good wishes do not seem to have materialized, and we are exactly in the position I have indicated. For the current service supplies are absolutely necessary. There are not many items which should provoke very much or very heated discussion, but we are approaching the end of Parliament, and it will be impossible for us, or whoever comes back to lead the Government, to overtake supplies with all the preliminaries that are necessary before sometime in the month of July. But from 1st July there are important services to be provided for. One I will mention, payments to our treaty Indians, who assemble in the first days of July expecting that the country will implement its promises and will have the treaty money ready for them. I speak of that simply as one item. These matters which have been discussed are important. Every hon. member can exercise his right to bring up a grievance or discuss a matter which he thinks of importance, and they are important; but are we not losing a little of the sense of proportion, and is it not possible at the end of the session that some of these other important matters can go by, and is it not sensible and right for us to prepare a little for the actual services of the country? I appeal to hon. gentlemen opposite; it is entirely within their own hands. It is not with any sense of shame or humiliation I state it, but nothing can be got unless the Opposition allows it to be got. The whole of the responsibility rests on them, and it will be so looked on by this House and the country. If hon. gentlemen opposite choose to obstruct Supply we cannot get supplies; if they choose to throw other subjects in front, as they have a perfect right to do, we cannot get any supplies. It remains for the hon. gentleman to say whether he will facilitate this matter, and surely it is a sensible proposition that we should for a few hours devote ourselves to the real interests of the country.

Mr. LAURIER. We are doing nothing else than devoting ourselves to the best interests of the country. The hon. gentleman is also impatient in regard to this matter.

Mr. FOSTER. I think I have been very patient.

Mr. LAURIER. I take a very different view. The hon. gentleman knows that the motion to go into Supply is the only occasion afforded hon. gentlemen to bring forward important matters, and I am sure the whole country will agree with me that all the subjects brought forward for discussion on the motion to go into Supply have been fair and legitimate subjects. The hon. gentleman says there is obstruction. Hon. members have a right to exercise the privileges they possess of bringing up matters which interest themselves or their constituents. On this matter there is no disposition to prevent the hon. gentleman from getting the necessary supplies to which he is entitled, but there is a time for everything. The hon. Finance Minister has certain rights to look after; we also have certain rights to look after. The hon. gentleman must be aware that there are two sides to this matter. There is no disposition, I repeat, on this side of the House to prevent the hon. gentleman obtaining what supplies he is fairly entitled to. We will go into Committee of Supply presently and apply ourselves to that business; but I protest against the insinuation made by the hon. gentleman that every word uttered to-day has been obstruction to Supply.

Mr. FOSTER. I did not say that.

Mr. LAURIER. I am very glad to hear it. We did what was fair and legitimate in discussing matters of public importance to-day, and when we get into Committee of Supply, as we will do presently, we will do so again.

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

To provide for the employment of H. B. Small for two months at $90.45, being the difference between his former salary as secretary and his present superannuation allowance........	$180 90

Mr. McMULLEN. The hon. Finance Minister charged me a few moments ago with having gone generally into the question of superannuation last night. The hon. gentleman took a very great advantage of me when I was delivering my speech some time ago on superannuation; and this is the only opportunity I have had of placing some information before the House which I desired to submit.

Further amount required for contingencies—	
Clerical and other assistance............	$2,000
Stationery	500

Sir RICHARD CARTWRIGHT. On this item reasonable information should be given. Last year $1,500 were taken for this expenditure. I commented at that time on the exceedingly foolish practice, as I thought, of cutting down estimates for mere appearance's sake. One of two things must have occurred: either, I was quite correct on that occasion, or some extraordinary circumstances have occurred calling for this additional amount. We desire to know in some detail why this amount is required.

Mr. MONTAGUE. The hon. gentleman himself has stated the true reason. The estimate last year was too small to provide for the service of the department. When I entered the department in January, I found that almost all the money for contingencies had been expended. I found that almost all the contingencies were gone, and there was a considerable temporary staff there, a great portion of which was required to do the work of the department. I went over the list very carefully, and I may say to my hon. friends opposite, that I hope to be able to decrease it considerably. Indeed I have given a number notice, that I shall not require their services in future, on account of the reorganization which has taken place because of the redistribution of the work. So far as this vote is concerned, it is simply to pay these parties who will have done their work up to the 1st of July. I perhaps could have done without two or three of them some time before the 1st of July, but there seems to be a general disposition, when you are relieving an officer of his position, not to be too harsh at least, and consequently I did not relieve any of them until the 1st of July.

Mr. McMULLEN. This thing of granting money en bloc without having any detailed statements is exceedingly objectionable.

Department of Indian Affairs—
Further amount required for contingencies—

Clerical and other assistance............	$100
Sundries	500

Mr. DALY. The item in the Main Estimates last year was reduced by $500, and we found that the money left was not sufficient to meet the service.

Sir RICHARD CARTWRIGHT. The fact of the matter is that last year the hon. gentleman expected the election at an earlier time, and the Estimates were cut down, I guess to meet the exigencies of the political situation, without any regard of what the real cost was likely to be. I know the Finance Minister had a deficit to meet and he was endeavouring to make reductions without much caring whether they were likely to be carried out or not. I recollect telling him at the time that I had not the slightest doubt that pretty large supplementaries would be brought down as they have been. He took great credit to himself at the time for making the reductions.

Governor General's Secretary's Office—
Further amount required for contingencies—

Printing	$ 300
Sundries	3,000

Mr. FOSTER. The $3,000 is almost entirely for extra telegraphing which was due to the Behring Sea negotiations and difficulties, necessitating very long and repeated cablegrams with the Colonial Office.

Sir RICHARD CARTWRIGHT. How does the Behring Sea matter come in during the current year ?

Mr. FOSTER. The whole negotiations with the United States and Great Britain, with reference to the commission for damages, the action of the United States Congress, and the different positions taken by the British Government and the United States government have been very full during the year.

Post Office Department—
To provide for the payment to E. P. Stanton of the difference between his salary as a 1st class clerk and that of a chief clerk, from the 1st July, 1895, notwithstanding anything to the contrary in the Civil Service Act.................... $300

Mr. COSTIGAN. From what I have learned from the Postmaster General, Mr. Stanton was at the head of his class for a number of years as a first-class clerk. He had served upwards of twenty years, and a vacancy having occurred he was promoted by Order in Council. The promotion took place in the usual way, but there was an Order in Council that was not repealed, although several promotions have been made. They have to make a certain number of marks in the Civil Service to entitle them to promotion. Objection was taken with reference to that and this provision in the vote is to meet it. This is one of the most deserving cases of promotion I know of.

Mr. DAVIES (P.E.I.) He did not fail to get the marks ?

Mr. COSTIGAN. No.

Sir RICHARD CARTWRIGHT. Do I understand that an examination is required from a first-class clerk before he is made a chief clerk ?

Mr. FOSTER. A promotion examination is necessary.

Sir RICHARD CARTWRIGHT. What kind of an examination does he undergo ?

Mr. FOSTER. With regard to the duties of his office ?

Sir RICHARD CARTWRIGHT. That is rather a general and vague term. He is not, I suppose, put through a course of differential calculus.

Mr. FOSTER. It consists of an examination of the duties of the higher office, carried on under the Civil Service Examiners, and I think the papers are made out by the deputy head of the department.

Sir RICHARD CARTWRIGHT. I can understand that an examination is necessary in the junior branches, but in such a case as this, it seems to me that this is pushing the thing rather too far. My explicit opinion is that the heads of the departments ought to be held responsible for choosing the best first-class clerks to be chief clerks. I do not think it is any good interposing a buffer in the shape of a Civil Service examination for promotions of that kind. It seems to me that the Civil Service Board of Examiners are arrogating to themselves a matter which belongs more properly to the head of the department himself.

Mr. FOSTER. That is their duty, as laid down by the law.

Sir RICHARD CARTWRIGHT. If that be the law, I think the law in that respect is an ass.

Post Office Department—
Further amount required for contingencies $2,500

Sir RICHARD CARTWRIGHT. What is the reason for this ?

Sir ADOLPHE CARON. The amount voted last year for contingencies was not sufficient, and this amount is put in for the purpose of meeting the deficiency.

Sir RICHARD CARTWRIGHT. In the Estimates for 1896-97 the hon. gentleman takes $38,800, yet he required for the services of the current year $42,500

Department of Militia and Defence—
To provide for one months' pay of Abraham Marks as extra clerk............ $33 33
To pay Major T. C. Watson for services rendered.. .... 33 33

Sir RICHARD CARTWRIGHT. The amount is not large, but what were the services of Major Watson ?

Mr. DICKEY. Mr. Marks was employed to help to get out the militia list, and Mr. Watson was in Col. Lake's office collating some records for him.

Board of Civil Service Examiners—
To pay J. F. Waters as secretary to the Board $150, and W. Foran for clerical assistance $50, notwithstanding anything in the Civil Service Act to the contrary $200

Sir RICHARD CARTWRIGHT. The Civil Service Act seems to be very much in the way. Have we not got a secretary to that Board of Examiners as it is ?

Mr. MONTAGUE. I am afraid that my hon. friend has not watched the changes which were made in connection with that board. When I went into the State Department, there was a secretary, Mr. LeSueur, a very old gentleman, who received $700 a year, and he had a clerk at $1,000 a year. I retired these two gentlemen, Mr. LeSueur without additional superannuation allowance, and Mr. Keays, who received something like $200 a year of superannuation allowance. Then I appointed to act as secretary of the board Mr. J. Francis Waters, who was already doing duty as a first-class clerk in the department. Mr. Waters is continuing the work he did, and, by working nights and holidays, is doing this additional work ; and I am bound to say—and I think my successor in that department will bear me out in the statement—that he has done the work in a most admirable manner, and is a very splendid clerk indeed. We were unable, however, to pay him anything for his services unless it was specially voted by Parliament. The only fault to be found with this vote, I have no hesitation in saying, is that it is altogether too little, and we are not giving enough for the valuable work done. The same remarks apply to Mr. Foran, who has been his assistant. Both of these gentlemen have done excellent work.

Mr. McMULLEN. What was Mr. Waters's salary without this ?

Mr. MONTAGUE. I think it was $1,700 or $1,800.

Mr. McMULLEN. This vote is to give him something in addition to a very good salary which he receives already. I do not know why we are getting in the habit of suspending the Civil Service Act so frequently. On the first page of these Estimates we are asked three times to suspend that Act. If we are suspending the Civil Service Act in so many cases, the hon. gentleman had better bring in a Bill to suspend it altogether. It appears to me absurd." Every third item in these Estimates contains the provision : "Notwithstanding the application of the Civil Service Act." In the case of Mr. Waters, of the Agriculture Department, who is in the employ of this country at $1,800 a year, doing very ordinary work, going to his office at 10 o'clock in the morning, and leaving it at 4.30 in the afternoon, and having Saturday afternoons to himself and several weeks holidays in the summer, there is a move to give him an increase of salary because he has done some little thing outside of the ordinary routine of his duties. This thing has been going on for a number of years, and the consequence is that every clerk in the Government is waiting for an opportunity to put in a claim for extras.

Sir RICHARD CARTWRIGHT. What age was Mr. Keays, when superannuated, and how many years service had he done ?

Mr. MONTAGUE. I am speaking from memory, but I believe a young man and his salary was $900 or a $1,000, and his superannuation allowance amounts to something like $200. In other words, the hon. member for North Wellington is finding fault with the reorganization of the Civil Service Board which has saved to the country nearly $1,700 a year, and the work is done better than before.

Mr. McMULLEN. Nothing of the kind.

Mr. McSHANE. I have asked the hon. Minister of Agriculture, time and again, why he has discharged so many of these employees, and now he tells us that this Mr. Waters is over-worked. Did he work night and day ? Would it not have been as well to have given an opportunity to some of those men who were discharged to do some work instead of over-working Mr. Waters.

Mr. MONTAGUE. That was previous entirely to this.

Sir RICHARD CARTWRIGHT. No doubt the statement of the hon. Minister is correct with reference to Mr. Waters. No doubt he is a very good officer.

Mr. MONTAGUE. Very good, indeed.

Sir RICHARD CARTWRIGHT. But I want to call attention to this fact. We have, as a rule, set our faces, and with good reason, against the plan of appointing any man to two distinct offices. The reason is very obvious. If you allow offices to be duplicated, it ends, as a rule, in the duties of one or the other being neglected. There are always one or two exceptionally good men who are paraded as excuses for this kind of thing. Mr. Waters may be a case in point. He may be able to discharge his duties perfectly as a first-class clerk and do this in addition, but for one Mr. Waters who does these duties without injury, you will find, if you continue this practice, that there will be thirty or forty men, not by any manner of means so good, who will be allowed to receive extra pay for different employments, and the service will suffer. There is no doubt that the provision in the Civil Service Act, forbidding a man to hold two offices is a sound one, and I think ought to be adhered to more than it has been. With respect to Mr. Keays, as far as I understand, no objection was found to him.

Mr. FOSTER. I think so.

Sir RICHARD CARTWRIGHT. I should think that it would have been better and more economical, as I presume he cannot have been more than thirty-four or thirty-five years old, not to have superannuated him but to have found employment for him elsewhere. This practice of superannuating men, even at a comparatively small figure, very rarely results in any good to the public service. I would have entirely approved of reducing the expenditure by finding a place for Mr. Keays elsewhere, but am not sure that superannuating him is a very desirable or trustworthy thing. And as to the other, it does appear to me, in spite of the fact that Mr. Waters may be perfectly able to do all this and do it very well, that we would in the long run have to pay just as much as we did before. It will not be this year perahps or next year, but no doubt Mr. Waters's salary, in the fulness of time, will be considerably increased on the very ground that he is doing service for which another man was paid a considerable sum before. I do not think it is a satisfactory and good precedent, no matter whether one exceptional man may be able to fill two offices or not, for us to ratify that, and more particularly in the case of the Civil Service examiners, who are supposed to be looked upon, in some respects, as a sort of model.

Mr. McMULLEN. When was Mr. Keays superannuated ?

Mr. MONTAGUE. On 1st July, 1895. So far as his abilities were concerned, I have nothing to say whatever, but I say to the hon. member for South Oxford that I did not consider the state of his hearing, which was exceedingly bad, qualified him for the sercretaryship.

Mr. McMULLEN. The hon. Minister of Agriculture says he has reduced the expenditure in the Department of Agriculture by the superannuation of a number of clerks. Does he consider that it is reducing the expenditure by superannuating Mr. Low at $2,200 a year and appointing Mr. Scarth at a salary of $3,200. The Deputy Minister of Agriculture now costs us $5,400 instead of $2,200.

Further amount required to pay salary of T. W. Hodgins and Wm. O'Keefe, $98.75 and $91 respectively, from 1st May, 1896, to 30th June, 1896, notwithstanding anything to the contrary in the Civil Service Act.................. $189 75

Further amount required for stationery. 500 00

Mr. DALY. Hodgins and O'Keefe have been messengers for a great number of years in the Department of the Interior. On the opening of each session, they leave the department and come over here. O'Keefe is messenger at the door of the Press Gallery and Hodgins is messenger in the Library of Parliament. As soon as Parliament prorogues, they go back to the Department of the Interior. They get only the one salary. Their salaries cease in the Department of the Interior when they come over here. According to the Civil Service Act of last year, these men, not having passed the Civil Service Examination, would not have been eligible for employment after Parliament ceased, and this is to provide their salary between the time Parliament ceases and the end of the year. Unfortunately for them, the 1st January being a holiday, they were not in the employ of the department on that day, and on the 2nd January they came over here ; and according to the construction of the Civil Service Act, if they came back to the Department of the Interior, we would not be able to pay them without this vote of Parliament.

Sir RICHARD CARTWRIGHT. It is a very curious arrangement.

Mr. DALY. It has been going on this ten or twelve years.

Sir RICHARD CARTWRIGHT. The hon. gentleman then has two messengers in his department who serve him for eight months in the year and who serve us for four months. The deduction to be drawn from that, I am afraid, would be, that if you could dispense with their services for four months, you could do so for eight months.

Mr. DALY. I put one man on in their place.

Sir RICHARD CARTWRIGHT. That one man does the work of the two.

Customs Department—
Further amount required for contingencies—Sundries $2,000 00

Sir RICHARD CARTWRIGHT. What is the explanation of this ?

Mr. FOSTER. The explanation is the same as that in regard to the post office, that people had to be employed to do the work and they must be paid. There has not been quite enough money to pay them up to the end of the fiscal year.

Sir RICHARD CARTWRIGHT. I perceive that in 1894-95 they took $7,000 for this service, and in 1895-96, being seized with an economical fit, they pared it down to $5,700. And what is the result ? Great credit was taken by the hon. gentleman's friends for the vigour with which he applied the pruning knife in the session of 1895. And the result is that now they want $7,700 for this service. Well, I hope the hon. gentleman will not try to be economical any more ; for if he does the result to the treasury will be terrible. He cuts down $1,300, and we have to pay $2,000 for the economy.

Department of Public Works—		
Further amount required for contingencies—		
Stationery	$600 00	
To increase the salary of the Secretary of Public Works Department to $2,400, from 1st July, 1896............	$187 50	
		$787 50

Mr. DAVIES (P.E.I.) What is that for ?

Mr. OUIMET. Mr. Roy, the secretary of the department, was appointed secretary in 1890, when he was in the enjoyment of a salary of $2,100. That salary consisted of $1,800, his regular salary as an employee of the department and $300 as joint secretary of the Minister. He had been previously, and up to that time the private secretary of the Minister, and had $1,500 as a regular employee of the department, and $600 as private secretary. When he was appointed secretary of the department, he was given $1,800 and the Minister retained his services as joint private secretary, Mr. Macpherson being the English private secretary, and Mr. Roy the French private secretary. Thus he was in the enjoyment of $2,100, the ordinary allowance of $600 being divided between them. The Minister left the department, and Mr. Roy found that his salary was virtually reduced by $300, because he was no longer private secretary. And so it has gone on since. If he had been provided for as he ought to have been, he would have been now in receipt of $2,400, the maximum of his class. It is just to remedy what I think I might call this injustice that this amount is asked for.

Mr. DAVIES (P.E.I.) I fail to see the injustice. I tried to follow the hon. gentleman, but may have misunderstood him. Has Mr. Roy remained secretary of the department and secretary of the Minister also ?

Mr. OUIMET. No.

Mr. DAVIES (P.E.I.) But you want to pay him the salary he would have had if he had discharged the duties of these offices ?

Mr. OUIMET. No.

Mr. DAVIES (P.E.I.) Then I fail to understand.

Mr. OUIMET. The hon. gentleman knows that a private secretary of a Minister enjoys an extra salary of $600 beyond his ordinary salary as clerk in the department. And it has been the practice for a long time when an officer ceases to be private secretary to give him such a place in the department as will assure him the same salary that he enjoyed at the time he was secretary. Of course, to be the private secretary of the Minister for a long time is the very best qualification a man can have to occupy a high position in the department. That is the case of Mr. Roy, and if the usual practice was not followed in his case at the time, that is no reason——

Sir RICHARD CARTWRIGHT. As I understand it he was joint private secretary, and only received half the allowance.

Mr. OUIMET. Yes.

Sir RICHARD CARTWRIGHT. His former salary as first-class clerk could not exceed $1,800.

Mr. OUIMET. He was chief clerk.

Sir RICHARD CARTWRIGHT. But the hon. gentleman did not make him chief clerk and employ him as secretary too ? That is contrary to all custom.

Mr. OUIMET. I do not know what the custom was at the time Mr. Roy was appointed. I was not in the department at that time. I have explained that before he was made secretary of the department he was in the enjoyment of a salary of $2,100, including $1,500 as first-class clerk. Then he was appointed secretary of the department, and, at the same time, he was retained as joint secretary of the Minister, in order not to increase the salary that he had before as private secretary and clerk of the department. His salary was made $1,800 which, with the $300 he received as joint secretary, made up the same salary that he had before, $2,100. That allowance of $300 was withdrawn from him when the Minister, the hon. member for Three Rivers (Sir Hector Langevin) left the department. Then Sir Frank Smith acted as Minister of Public Works, and he had his own secretary. Thus it happened that Mr. Roy was left with only $1,800, a practical curtailment of his salary of $300. We do not give him what he had before, but we place him in the same position as he should be now if he had been in the enjoyment of his salary of $2,100, plus the $50 annual increment which is usually given making a total of $2,400.

Sir RICHARD CARTWRIGHT. I do not see exactly on what principle the hon. gentleman is acting. If I remember rightly, the minimum salary of a chief clerk is $1,800. Apparently, according to our estimates, this gentleman is in receipt of $2,025 for 1895-96, and the hon. gentleman proposes to run that up at one swoop to $2,400, because that is the effect of this vote. That is to say, he proposes to give half a dozen yearly increases all at once. Now, I do not think that any case has been made out for that. I think that for a gentleman who had been secretary and is made a chief clerk, with a salary which goes up ultimately to $2,400, that was quite a sufficient recognition of his merits. It must be remembered that as first-class clerk he could only get to $1,800, and he was only entitled to $300 besides as joint secretary, making $2,100. Now, the hon. gentleman proposes to raise him to $2,400.

Mr. FOSTER. But that has gone up by increments since.

Sir RICHARD CARTWRIGHT. No, his present increments amount to $2,025, that is the legal salary he is entitled to.

Mr. OUIMET. $2,050.

Sir RICHARD CARTWRIGHT. $2,025 is what is put down for the salary in 1895-96. Now, I do not see that the fact of a man's having been a joint private secretary, and having been promoted thence to be chief clerk, which is a very decided step—I do not think that should entitle him at one bound to get a promotion which puts him on the footing of a chief clerk accountant, and the chief clerk of the engineering branch, both of whom, I fancy, are officers of much longer service, and have by long service attained to the full amount of $2,400. I really do not see that anything has been said by the hon. gentleman that would justify us in departing from the obvious meaning and intent of the Civil Service Act, and making a secretary $2,400 all at once. I do not at all object to his getting $2,400 in the usual course by ordinary increases, but you are here giving him a lift, practically, of seven years at once.

Mr. OUIMET. The hon. gentleman will admit that it would be unfair to curtail the actual salary enjoyed by any member of the Civil Service. We are bound to pay him if he is a good clerk.

Mr. DAVIES (P.E.I.) You do not curtail his salary.

Mr. OUIMET. Yes, it was $2,100, and we cut it down to $1,800.

Mr. DAVIES (P.E.I.) You propose to raise it to $2,400.

Mr. OUIMET. If his salary had not been taken back to $1,800, he would now be getting $2,400, and it is to place him in the position that he should have been in. We place him in the position that he would have been in if that unfair curtailment of his salary had not taken place in 1890, in which case he would now be at the maximum of his class.

Sir RICHARD CARTWRIGHT. It means practically that you are giving this gentleman an equivalent of seven years' increase at once. Now, I do not think that sufficient cause has been made out for that at all. I do not agree with the contention of the Minister of Public Works that if a man has been a first-class clerk, and receiving $1,800, and getting $300 besides as as joint secretary, when you make him a chief clerk, I do not agree that that constitutes a reason for raising him to the maximum of his class, which is practically what you are doing now. He is to be jumped from $2,050, which is not such a bad salary, up to $2,400, that is to say, he is to get seven years' increase at once. Now, that is not in accord with the rules of the Civil Service Act. It does not appear to me to be unfair to this gentleman that he should climb up, as others have climbed up, by yearly increases. His promotion from the position of first-class clerk to that of joint secretary is quite sufficient promotion, and certainly does not leave him out of pocket, or if it does leave him out of pocket, it is merely $50.

Mr. OUIMET. $300.

Sir RICHARD CARTWRIGHT. Nobody objects to his getting $2,050, and nobody objects to his going up in due degree to $2,400. But what is proposed here is to lift him to $2,400 at once. Now, it does appear to me that we should have some more substantial reason than has yet been given for that departure from our use and custom. I should think that unless they are differently constituted from other men, the other chief clerks would have a right to feel aggrieved that a man far junior to themselves should be put at once on the same level.

Mr. OUIMET. I have shown how unfair it would be to cut down the salary of a good officer, and every one knows how inconvenient it would be. $300 may not be a very large sum, but for a man who has a family, it sometimes entails a good many privations. If his salary had been cut down for misconduct it would be a different thing. He was getting the salary of $2,100 before 1889, and I do not see why he should be cut down now.

Mr. DAVIES (P.E.I.) The hon. gentleman has a wrong conception of the matter altogether. I understood his explanation when he gave it first, and I saw it was indefensible. Nobody is trying to cut him down. He, as one of the chief clerks in the department, had the good fortune at some time to be appointed one of the Minister's private secretaries as first-class clerk. For that piece of good luck, he received $300 extra, making his salary $2,100.

Mr. COSTIGAN. He was receiving $1,500 and $600 before he was appointed secretary of the department.

Mr. DAVIES (P.E.I.) He afterwards received $1,800 and $300, so he received $2,100 for the discharge of both duties of chief clerk and joint private secretary. Afterwards the gentleman is appointed to the office of secretary of the Public Works Department, and for that he receives $2,050. He ceases to be assistant private secretary, and the hon. gentleman contends, although he has got promotion in the department, that he must for all time to come have in addition to that, the $300 he once received as assistant private secretary, although he does not do the work, for no sufficient reason in the wide world.

The proposal is absolutely indefensible. It cannot be considered for a moment, it only needs to be stated to show its absurdity. He has been doing duty as assistant private secretary. He has been obtaining an excellent salary for his work. He is secretary of the department and receives $2,050 per annum, or within $50 of the amount he obtained when he held the joint offices. In his new position his salary will increase every year. If we pass this item, we adopt a principle which will land the Government in a pretty serious position. The Government are proposing to make a present of $300 odd a year to this officer, and the question must arise why other clerks should not obtain similar concessions from the Government. Why should this officer be singled out and granted this extra sum ?

Mr. McMULLEN. The Minister of Finance appeals to the Opposition to allow the Government to pass some of the Estimates. I cannot see how the hon. gentleman can expect hon. members on this side of the House to allow items of this kind to pass without opposition when they are unnecessary and unwarranted increases. Hon. gentlemen opposite have pursued a course in the direction of granting increases all along the line ; we never find any reductions, only increases. The Minister of Public Works is well aware that it is cheaper to live in Ottawa now than it was ten years ago. Why is Parliament continually asked to commit violations of the Civil Service Act and grant increases which cannot be justified ? If the leader of the House can justify an increase of $100 it is a step towards justifying an increase of $500. How does the Minister of Public Works expect that clerks in other departments will not take advantage of the increase now under consideration. Does he not expect that other clerks will put forward claims and contend that their services are equally valuable to the country ? The Government should abide strictly by the provisions of the Civil Service Act. Hon. gentlemen opposite have asked the consent of the Opposition to the passing of some of these items, but several of them are so objectionable that hon. members on this side of the House will have difficulty in giving their consent. The people of the country are asked to pay over $3,500,000 to maintain the Civil Service, and every year the expenditure is increasing. The expenditure is much more now than it was when the Liberals were in office, in spite of the fact that there have been deficits in the past, there are deficits facing us, and there will probably be deficits in the future. It is an absurdity, an injustice and an outrage on the people.

Mr. SUTHERLAND. Do I understand the Minister to say that there will be no further increase ?

Mr. OUIMET. No further increase.

Mr. DAVIES (P.E.I.) I think the committee are entitled to hear some defence from hon. gentlemen opposite. Surely hon. gentlemen will be able to put forward some kind of defence. I do not object to passing any item when reasonable explanation is given, but the explanation does not justify this increase. I think we are entitled to a more satisfactory defence. If hon. gentlemen opposite want time, let the item stand, but it is not fair to ask the committee to pass items which they cannot justify.

Mr. FOSTER. The item may stand for the present.

Resolutions reported.

The Speaker left the Chair, and House adjourned at 6 p.m.

Evening Sitting.

The SPEAKER took the Chair at Eight o'clock p.m.

PRAYERS.

IN COMMITTEE—THIRD READINGS.

Bill (No. 83) to incorporate the Manitoba and North-west Millers' Association.—(Mr. Masson.)

Bill (No. 85) to incorporate the Montreal and Province Line Railway Company.—(Mr. Frechette.)

Bill (No. 89) to incorporate the Yukon and British Columbia Trading and Development Company of Canada (Limited).—(Mr. Haslam.)

IN COMMITTEE.

Bill (No. 76) to incorporate the British American Coal and Transportation Company.—(Mr. Hazen.)

HUDSON BAY AND PACIFIC RAILWAY.

House resolved itself into committee on Bill (No. 31) to incorporate the Hudson Bay and Pacific Railway Company.—(Mr. Macdonell, Algoma.)

(In the Committee.)

Mr. DEPUTY SPEAKER. Shall the first clause be adopted ?

Mr. MARTIN. No. I would like to have it read.

Mr. FOSTER. I move that the committee rise, report progress, and ask leave to sit again.

Motion agreed to, and committee rose and reported progress.

SUPPLY—CANADIAN CREDIT.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Sir RICHARD CARTWRIGHT. Mr. Speaker, I will not speak at length, but I am going to call the attention of the Minister of Finance to a matter on which I am sure he will agree with me. He has very often denounced from his place those incendiaries who attempt to run down the credit of Canada, and I want to call his attention to one incendiary who is very busily employed in that work at present. I find in a recent issue of a paper the following :—

> Canadian securities, with the exception of Canadian Pacific Railway, were dull and weak to-day. The only explanation of the continued dullness and weakness is that the public are keeping out of stocks until it is seen what effect the elections will have on the industries of the country. If the Liberals should be successful in the forthcoming elections, and the tariff programme which they now propose is given effect, there will be many empty factories in Canada, and the banks will have large losses from industrial accounts. These are, of course, only possibilities, but they are taken into account by intending buyers of stocks. In the meantime it is not likely that banks will be free lenders. No advance in rates is looked for, but money will probably continue tight until the elections are over.

Now, Sir, that is an attempt to pull down and destroy the credit of Canada. It is taken from the "Mail and Empire," and I am sure the Minister of Finance, who has so often denounced our pessimistic utterances on the future of Canada, will join with me in declaring that this is the most utter moonshine, and that the very opposite result to that predicted here is likely to happen.

Mr. FOSTER. Yes, but no cloud is so dark but there is a silver lining, and the silver lining to this cloud is that the party in opposition will not get into power.

Mr. MILLS (Bothwell). Is that the hon. gentleman's explanation of the condition of things spoken of ?

PERSONAL EXPLANATION.

Mr. BORDEN. I rise for the purpose of making a brief statement with reference to a matter which I think concerns the honour of this House and the honour of the Privy Council of this country. I desire from my place in Parliament to make this statement : That I am in a position to prove that the Hon. William Ross, formerly a member of Mr. Mackenzie's Government, and the Hon. Thomas Coffin, also a member of that Government, since deceased, never agreed to share their salaries with any member of the House of that time, or with anybody else, and that they never did share their salaries to the extent of one farthing with anybody, and that any statement made in the newspapers or anywhere else to the contrary is absolutely without the slightest foundation in fact. I deem it proper to make this statement, and I trust that the utmost publicity may be given to it. I make this statement on the authority of the Hon. William Ross and on the authority of the Hon. W. H. Ray and other members of this House ; and if the rules of the House permitted, I would refer specially to the cause of my bringing this matter before the House ; but I am precluded from doing that. If the rules of the House further permitted, I would read the statement of this hon. gentleman to the House, but I believe I am precluded by the rules of the House from so doing.

Mr. WHITE (Shelburne). I think the hon. gentleman's remarks refer possibly to something that transpired in the House on Wednesday last, and I find that the report in "Hansard" puts into my mouth words which I did not utter. I did not accuse the Hon. Wm. Ross of having made any arrangement with regard to salary. The fact is, I never mentioned the name of the Hon. Mr. Ross. The gentleman whose name I did mention was Mr. Ray. The hon. member for King's (Mr. Borden) spoke to me about this matter to-day, and we both looked at "Hansard," and I think it is quite evident that the mistake arose through the reporter not catching the words I did utter. The unrevised report was not sent to me so that I was not able to correct it. I was quite willing that the hon. member for King's (Mr. Borden) should bring this up in the House in order that I might have the opportunity of stating that I never charged the Hon. William Ross with sharing his salary, and I regret very much that the hon. member for King's did not take the opportunity when the hon. member for Pictou was present (Sir Charles Hibbert Tupper), to bring this matter up, as he would be able to corroborate me.

Mr. BORDEN. I am sorry that the hon. member for Pictou is not here. But that is not my fault, and I had no opporunity until now to bring the matter up.

Mr. FORBES. I might be permitted to add a few words to this effect, that it is strange the hon. member for Shelburne (Mr. White) would presume to contradict "Hansard," when the statement was made by the hon. member for King's confirming what he said in "Hansard," and borne out most positively by the hon. member for Pictou. The hon. member for Pictou particularly referred to the Hon. Mr. Ross as well as to the Hon. Mr. Ray, saying that these two gentlemen had been taken from the Conservative party into a Liberal government, and had shared their salaries with two other members, one of whom is living, the Hon. Mr. Ray, and the other is deceased. The hon. member for Shelburne himself spoke after the hon. member for Pictou, if I remember rightly—at any rate it is so recorded in the press—and said that he had reference to another distinguished gentleman, a former member of this House, but now deceased, and charged him with having shared the salary of one of those Cabinet officers. It thus results in the hon. member for Shelburne having made a statement with reference to two gentlemen, one of whom is deceased. As regards the one who is living, when challenged the hon. gentleman denies his assertion, and leaves the slander against the dead man remaining. It would have been much more becoming for the hon. member for Shelburne to have apologized for the reference he made. With regard to the hon. member for Pictou (Sir Charles Hibbert Tupper), who is not present, no doubt the reply of these gentlemen refutes what he said.

Mr. BORDEN. I would like to know just what correction the hon. member for Shelburne desires to make in the statement which he made to the House on Wednesday.

Mr. WHITE. What I meant to say was that the Hon. Mr. Coffin had divided his salary with two members of the House, but not Mr. Ross. Mr. Ross' name was not mentioned. I never charged him with having had anything to do with such a transaction, and never heard that he had.

NOMINATIONS AT YALE AND CARIBOO, B.C.

Mr. MARTIN. I would like to call the attention of the Government briefly to the necessity of placing the constituency of Yale and Cariboo in the same position as the constituencies of Algoma and Gaspé, with regard to the question of nomination. The Government will remember that formerly the constituency of Cariboo was included in those constituencies in Canada in which the returning officer is allowed to make special arrangement for nomination on election day. When the constituency of Cariboo was united with the constituency of Yale, it was deemed best not to continue that particular law for the new constituency of Yale and Cariboo. Probably that was all right at the time, but since the law providing for the new constituency of Yale and Cariboo had been passed, there has been a large influx of people into the Kootenay district in the constituency of Yale and Cariboo, and all the reasons which apply in the case of Algoma and Gaspé apply very strongly to the constituency of Yale and Cariboo, so far as the Kootenay district, part of that constituency is concerned, which make it necessary that there should be a longer time between nomination and election day in that constituency than in other constituencies. I would suggest the advisability of bringing in a short Bill, adding this constituency to that list. I do not know what the view of the hon. member who represents that constituency is, but the matter has been brought to my attention by residents in the Kootenay district who are afraid that if the ordinary law is put in force, the election will be a very partial and unsatisfactory one, for the reasons I have pointed out.

Mr. MARA. I understand that the reason for giving a longer time between the issuance of the proclamation and the election in Algoma and Gaspé is on account of the long distances and the time that must elapse before the notices can reach the several polling divisions. But with Kamloops as the centre from which the proclamation will issue and ballots be distributed, there is really no necessity. Every part of the district, that is every polling division, can be reached in ample time. What is really required is that the voters should have more polling divisions to enable them to vote, without the inconvenience of having to travel 50 or 60 miles. The Bill that was introduced by the hon. Minister of Justice will largely remedy that, and if the hon. gentleman will assist in passing that Bill, there will be no cause for complaint on the score of voters not being able to reach the polls. As regards the accession of population in Kootenay district, that district is within easy access of Kamloops. There are very few points in South Kootenay that cannot be reached in three days, which, I am sure, the hon. member for Winnipeg will admit is ample time. What is really required is a subdivision of some of the polling divisions to enable the returning officer to appoint more deputy returning officers and have more polling divisions, so that voters can vote without having to travel too long a distance.

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

To Mr. R. G. Davis for 27 days' services, from 1st July to 27th July, 1895, as stenographer to Chief Justice and judges of the Supreme Court of Canada, notwithstanding anything in the Civil Service Act to the contrary $52 41

Mr. McMULLEN. What is Mr. Davis's salary, and what position does he occupy ?

Mr. DICKEY. He is a stenographer to the chief justice. Last year the Supply Bill was not passed till the 22nd July, and there was no provision made for him from the 1st to the 22nd. This is simply to maintain his regular salary which was not provided for in the last Supply Bill.

Mr. McMULLEN. Was he engaged at the time you mention ?

Mr. DICKEY. Yes ; he works regularly in the department.

Mr. McMULLEN. He was not otherwise engaged ?

Mr. DICKEY. No.

Administration of Justice—
British Columbia—Additional amount required for circuit allowance......... $1,000

Mr. MARTIN. What is the reason of this ?

Mr. DICKEY. The bills for circuit allowances in British Columbia are very large, as hon. gentlemen know. Travelling there is very expensive and the allowance is high.

The bills now before the department will almost absorb what is here voted. One item that has largely increased the expenditure at this time is that the travelling allowances of one county judge for about three years are to be paid. The department was not able to get from this judge the items of his expenses until lately.

Mr. DAVIES (P.E.I.) Why ?

Mr. DICKEY. There was a very long correspondence about it. The judge professed not to be able to give them, and the department positively declined for some years to pay. When I came in the judge made another attempt to get this allowance, but I also declined. Finally he came here and submitted evidence to the Deputy Minister which was satisfactory as to the items, and they agreed upon an amount. I do not know exactly what it was, but it was a considerable amount.

Mr. DAVIES (P.E.I.) What is the judge's name ?

Mr. DICKEY. Judge Bole.

Mr. DEPUTY SPEAKER. Shall this item be adopted ?

Mr. DAVIES (P.E.I.) No ; I want to know why a judge holds back these necessary statements. I have no sympathy with a judge who fails to do what the law orders him to do—to make a statement of his travelling allowances, and no sympathy with a judge who attempts to put on "side" that he has no business to put on, or who thinks he is above the law. The law provides that he shall make a due and proper return of these expenses. If he did not do so, the Department of Justice has my full endorsement in refusing to pay him a cent. I hope there has been no compromise in this matter. If he paid out the travelling expenses let him make the statement and affidavit as others do. I should be sorry as one member of Parliament, to vote money to any judge who declined to comply with the proper requirements of the law. I have asked his name, and I want to know if the claim amounted to a larger sum than is here ? Was he allowed the full amount of his claim ?

Mr. DICKEY. This item is not for his claim. That claim does not reach $1,000. But he put in, for instance, a claim for $2, horse-hire for every day in the year. He said he was quite sure he had paid that amount, and would not give any voucher. He said he could not. We positively declined to give him anything until he had furnished satisfactory evidence.

Mr. MULOCK. Did his duties involve that disbursement ?

Mr. DICKEY. He is entitled to horse-hire as part of his disbursement.

Mr. MULOCK. But only such as is necessary for the proper discharge of his duties.

Mr. DICKEY. And what is actually paid.

Mr. MULOCK. Does he hold division court there ?

Mr. DICKEY. Yes, and he acted as Superior Court judge. He discharges some of the duties of Superior Court judge and he wanted to get a Superior Court judge's travelling allowances,—that was about the amount of it ; and the department was determined that he should give a statement in the regular way. He came here and submitted evidence to the department which was entirely satisfactory and which the Deputy Minister allowed.

Mr. McMULLEN. Do I understand the hon. gentleman to say that he charges $2 a day for horse-hire ?

Mr. DICKEY. He wanted to. I do not say that that was allowed to him. I do not in the slightest degree say that Judge Bole was trying to do anything dishonest or improper, but he declined to comply with the regulations.

Mr. DAVIES (P.E.I.) That was improper.

Mr. DICKEY. He was sure that he had paid that amount, but we were not willing to allow it without the necessary evidence.

Mr. MILLS (Bothwell). I would like to know if the judge's accounts go to the Auditor General and whether the vouchers which were accepted as satisfactory to the department will be submitted to the Auditor General ?

Mr. DICKEY. That is a matter of routine with which I am not familiar. The accounts are settled and certified in the Department of Justice, and I presume that, like every other certified account they go to the Auditor General.

Mr. MULOCK. The judges are remunerated according to a fixed statutory scale.

Mr. DICKEY. The Superior Court judges.

Mr. MULOCK. And not the county court judges.

Mr. DICKEY. As I remember, the Superior Court judges get $5 a day travelling expenses and the county court judges $2 a day and disbursements.

Mr. MULOCK. He is not being remunerated on the Superior Court scale but on the county court scale. That is clearly set forth in the Act. Parliament did not give it to the Department of Justice or to any department to allow these expenses in an arbitrary way as some official may decide or as he may think proper. There is a principle laid down by the statute, and only on that principle has the judges a right to be paid. It does not appear to me that the fact that the Deputy Minister has certified the account should settle the matter, but the Auditor should only authorize the payment on the vouchers as required by law being forthcoming. I object to Acts of Parliament being overruled by members of the service. The members of the service have nothing to do with adjudicating in a semi-judicial way as to whether or not the account is a fair one. The law requires, I presume, that they shall satisfy themselves that there were, as a matter of fact, such and such disbursements, before they certify. And that is the only thing the deputy should certify to, not what he thinks is reasonable, but what the law allows.

Mr. DICKEY. That is what he tried to arrive at.

Mr. MULOCK. But the hon. Minister tells us that he made a compromise balance.

Mr. DICKEY. No, the judge came here himself and submitted evidence as to what his actual disbursements were. The evidence was satisfactory to the deputy, and the deputy certified the accounts, as it was his duty to do.

Mr. MULOCK. It is his duty to certify the question of facts, not to compromise a claim.

Mr. DICKEY. No.

Mr. MULOCK. You said the department did not award him all that he claimed, that you cut down the claim.

Mr. DICKEY. I think so, yes.

Mr. MULOCK. There ought to be no difficulty in ascertaining what his disbursements amounted to. He has a certain circuit, it is easy to discover where he was, what courts he held, how far he had to travel, and what travelling expenses are in that country. Therefore it seems to me that the claim should be entirely satisfactory as a question of fact, both to the deputy and to the Auditor General.

Mr. DICKEY. I presume it will have to be, before it is paid.

Mr. MULOCK. Does the Minister know what is the total amount that is going to be paid for this claim ?

Mr. DICKEY. I could not give the hon. gentleman the exact figures.

Mr. MULOCK. I think this amount does not cover travelling expenses for one year, but for two years or more.

Mr. DICKEY. Three years, I think.

Mr. MARA. There was a difference between the judge and the Justice Department, and the judge would not accept the travelling allowance which the Justice Department thought he was entitled to. He would accept but a portion of it, and so the matter stood for another three years.

Mr. MULOCK. Has he been paid any travelling expenses for three years ?

Mr. MARA. For two or three years.

Mr. MULOCK. How many courts does he have to attend in a year ?

Mr. MARA. He resides at New Westminster, and for weeks at a time he has to go to Vancouver daily, and he holds court at Harrison River, the town of Yale, and a number of other places. The circuit is a large one. His official residence is New Westminster, and he has to travel about 12 miles by electric railway. He has more work to do than any other county court judge in British Columbia. The district should be divided, and another county court judge appointed, because, in addition to his duties as county court judge, he also does Supreme Court work in chambers.

Mr. DICKEY. He is a good judge, and a very energetic man.

Mr. MARTIN. I think there should be some reorganization of the judicial forces in British Columbia. I understand that the Superior Court judges who reside in Victoria go over to Vancouver once a week, and Canada has to pay their travelling expenses. We have a somewhat half and half system there, it seems to me. One judge resides in New Westminster, and the other judges reside in Victoria, and instead of the New Westminster judge going over to hold court at Vancouver every week, one of the Superior Court judges from Victoria goes over there every week. It seems to me the system the Government had in force in the North-west Territories is much better than that, where they have a resident judge in each district in the Territories, and the result is that the Government has to pay large travelling expenses. I suppose it must cost the Government $15 or $20 each trip from Victoria over to Vancouver and back. That expense would be saved if one of the judges was made to reside in Vancouver. I suggest that the Department of Justice should arrange the matter with the Attorney General's Department in British Columbia, in order to remove that anomaly.

Mr. DICKEY. I may tell the hon. gentleman that that is one of the grounds on which Judge Bole based his claim for increased travelling allowances, because he discharged some of the duties of a Superior Court judge, I think there should be a Superior Court judge appointed and living on the mainland, I think there should be a judge in the Kootenay district of Yale and Cariboo.

Mr. FLINT. This seems to be the proper place to ask a question of the Minister of Justice with regard to county court judges in Nova Scotia. The statute provided that those judges should have certain travelling allowances, but after the statute was passed, an Act relating to speedy trials came into force and threw upon the county court judges, in several instances, a necessity of travelling not at all contemplated at the time of their appointment. I have seen correspondence with some of the county court judges, and they consider that a hardship is imposed upon them. I understood, although not authoritatively, that correspondence had been had with the Justice Department on that subject. If that is the case, I would like to ask the Minister if the Government have reached any conclusion as to remedying what appears to be a hardship upon some of the county court judges of Nova Scotia.

Mr. DICKEY. Expressing my individual opinion, I think there are cases of hardship amongst the county court judges in Nova Scotia. In one case that has been brought to my notice, a great deal of work has been thrown upon the judge by the Speedy Trials Act, and he incurs a great deal of expense. So far as I am personally concerned, I should like to see that remedied in some way.

Mr. MARTIN. Returning to British Columbia, it seems to me that one of the judges who is now resident in Victoria should have his residence at Vancouver. That would involve no additional expense upon Canada, and would save a considerable sum.

Mr. DALY. That is contemplated.

Mr. MARTIN. As to a county court judge for Kootenay, I quite agree with the hon. gentleman's suggestion.

Mr. DICKEY. Both those changes are contemplated.

To provide for a retiring allowance to Constable W. H. Timbers	$604 46

Mr. DICKEY. This is a gratuity under the regulations, and under the practice. It is one month's salary for every year that the man has served. He is a very old and valuable servant.

Senate—Further amount required for salaries and contingencies	$5,000

Mr. FOSTER. You recollect that the House sat after 1st of July last year, and the vote which should have been for one Parliament was partly taken out of the vote for the Parliament of the preceding year; consequently we have to ask for extra amounts of legislation all through.

House of Commons—Additional amount required for contingencies	$44,343

Mr. DAVIES (P.E.I.) Is that all caused by the extra?

Mr. SPEAKER. Thirty-two days of last session, and the number of days over one hundred of this session.

Cattle Quarantine—Further amount required	$8,500

Sir RICHARD CARTWRIGHT. We should like to know why the additional amount is required, and what is proposed to be done with it.

Mr. MONTAGUE. The amount voted was not sufficient to meet the obligations which were entered upon, and this amount was required to pay the sum absolutely necessary. One of the largest items is to pay the expense of the North-west Mounted Police in connection with cattle quarantine, $3,700.

Mr. MILLS (Bothwell). Does this mean an additional force? When the Mounted Police are engaged in quarantining cattle are their salaries charged to the department?

Mr. MONTAGUE. We pay the Mounted Police for their services. The amount is charged against the Agriculture Department. It is a mere matter of book-keeping.

Public Health and General Quarantine Service—Additional amount required for maintenance and general expenses	$16,529 55
Tracadie Lazaretto—Omitted in Main Estimates	600 00

Sir RICHARD CARTWRIGHT. Where is this sum to be expended and how?

Mr. MONTAGUE. Dr. Montizambert pressed very strongly on my predecessor that an increased amount should be voted when the Estimates were prepared last year. The figures he has given me show outstanding accounts up to 30th June, 1896, $10,629. There are repairs required to the quarantine steamer "Challenger," $3,000; boat service at St. John, $250; hiring of tugs and disinfectants, $2,500. I went over the amounts very carefully with Dr. Montizambert, and this is the very smallest amount for which the service can be performed.

To pay the widow of the late Sergt. Colebrooke, N.W.M.P., a pension equal to one-half of the daily pay of her late husband, from 31st October, 1895, to 30th June, 1896, 244 days at 50c	$122 00
A gratuity equal to 12 months' pay of her late husband	365 00
A compassionate allowance to his child equal to one-tenth of the pay of his late father, 244 days at 10c	24 40
A gratuity equal to four months' pay	121 66

Mr. MILLS (Bothwell). Is this a gratuity in addition to other allowances?

Mr. DALY. The total amount here will be the only pension that will be given. The case is that of the widow of a Sergeant Colebrooke, of the Mounted Police who was shot by the Indian "Almighty Voice." He escaped from the barracks and was followed at night by the sergeant, and on coming up with the Indian he turned around and killed the sergeant.

Sir RICHARD CARTWRIGHT. It is desirable to know whether this is to be a permanent pension or not, as the case will form a precedent. No doubt this is an exceptional case, for the sergeant was shot in discharge of duty.

Mr. DALY. I ask that the item be allowed to stand in order that I may obtain further information.

Militia—Arms and Ammunition........ $1,000,000

Mr. TARTE. Explain this.

Mr. FOSTER. It was all explained last night.

Mr. TARTE. I want to know more about it.

Mr. FOSTER. If my hon. friend wants me to give all the information I gave last night, he will get it more fully by reading the "Hansard" report of yesterday's date. The $1,000,000 is the amount which comes due this current year for the supplies which have been purchased from the War Office in Great Britain, consisting of rifles, carbines and field artillery and equipment and ammunition therefor.

Mr. DAVIES (P.E.I.) And the payment for which falls due before the 1st of July ?

Mr. FOSTER. Yes.

Mr. TARTE. For the whole amount ?

Mr. FOSTER. Yes, one part in April, and the other part about the 1st of July.

Mr. MILLS (Bothwell). The hon. gentleman referred last night to $900,000, when does that fall due ?

Mr. FOSTER. That falls due on delivery. All are to be delivered and will be paid for by October.

Sir RICHARD CARTWRIGHT. There is one point that requires possibly a little consideration at our hands, and that is the manner in which this sum is charged. The hon. gentleman places it to capital account. It is a very convenient thing, no doubt, to make charges to capital account on certain contingencies, but I am rather inclined to think that we ought to charge this to our ordinary income. It would not be convenient, I admit, but I do not exactly see on what principle we make a charge of this kind to capital account. It is not a permanent expenditure. If it had been for the erection of fortifications—although I do not think it would have been wise to have done it even then—there might be some reason for it. But when you are charging for arms which will wear out and have to be replaced, I am not at all clear that you ought to make the charge to capital account. This fashion of charging to capital account is rather productive of indifference as to the amount of the expenditure. It is more sharply looked after when you make it a charge upon the current income of the year. We did not charge to capital account the several millions which we incurred in connection with the North-west rebellion. I do not know that this is a proper way to enter a charge for a portion of the small arms and ammunition required for the force. This will only pay for about one-half. While there is no objection to dividing it, I do not think that you ought to make a distinct capital account for a thing which is absolutely, so to speak, being expended all the time. I forget how many years these arms are supposed to last, but there is no doubt they will be replaced by some more modern improved method of slaughtering human beings within a short number of years, and then we may have more capital account. I rather think this ought to be charged to income. It would be well to have a little explanation about the matter.

Mr. FOSTER. It is very difficult to draw a distinction sometimes between what should be charged to capital and what should be charged to the consolidated revenue fund. I do not think the reasoning of my hon. friend will hold good, that because things wear out they should not be charged to capital. The building of new portions of a railway like the Intercolonial Railway, at first cost, have been and are to a large extent charged to capital account.

Mr. MILLS (Bothwell). A large part is permanent.

Mr. FOSTER. Nothing is so permanent but that it wears out. The steel rails that are put on, and formerly the iron rails which were put on, were at first charged to capital account, but when they are replaced they are replaced from income.

Mr. MILLS (Bothwell). Does the hon. gentleman say that guns should be charged to capital account, but that when they are worn out and replaced they should be charged to income.

Mr. FOSTER. Quite so. If you go to work and at a very large expenditure comparatively, put the militia of the country into possession of a complete armament; that armament does not wear out all at the same time. It wears out gradually, and the gradual replacement can very well be met from income year by year. After all when you come down to get at the basis from capital expenditure, it is not to be defined always, and you will not find it strictly defined in our expenditure, or in the expenditure of any other country, as to be that on which is of so permanent a character that it does not wear out. A great deal depends on convenience. It would be absolutely unfair, at all events, impossible, to get out of the revenue of a single year a large special expenditure of two or three million dollars. A large proportion of this is for the field batteries, and these, while permanent to a large extent, will wear out also. However, it is quite different from the general maintenance from year to year, and the supply of what is necessary from year to year for the current needs of the force.

Mr. MILLS (Bothwell). I think that while in England charges of this character are not all charged against the one year, yet they are charged against income. The hon. gentleman proposes to cast aside weapons that were purchased a few years ago. According to the theory which he has just laid down, these new weapons, being intended to replace the others, should be regarded as weapons that should be charged to income and not against capital. It does seem to me that the fair way would be to charge this to income, but to distribute it over a period of four or five years.

Mr. O'BRIEN. A considerable portion of this is for ammunition, which of course is transitory. We have never in my recollection bought any new rifles to replace those worn out. I would like to know what is to be done with a great many of the Snider-Enfield rifles now in the possession of the country. If those purchased are to be charged to capital account, those we have should go to the credit of capital account.

Mr. GIBSON. I do not know whether this should be charged to capital or income ; but I am astonished at the Minister of Finance saying that the charge for steel rails and other permanent materials for the Intercolonial should be charged to capital.

Mr. FOSTER. I did not say that at all.

Mr. GIBSON. The hon. Minister said that, so far as steel rails are concerned.

Mr. FOSTER. I did not even say that.

Mr. GIBSON. Then I am mistaken. What did he say ? If I misunderstood the hon. gentleman, it is quite easy to explain how the income of the Intercolonial is made up, when all materials are chargeable, half to income and half to capital.

Mr. FOSTER. What is the hon. gentleman's premises founded upon ? Not upon any assertion I made.

Mr. GIBSON. I beg the hon. gentleman's pardon. If he refers to "Hansard" he will find that that is his argument—that because steel rails were charged to capital, that was a sufficient reason for the Government charging this $1,000,000 to capital.

Mr. FOSTER. If the hon. gentleman wants to know what I said, I made a distinction between new rails and new rails. There are new rails to replace those once used, and new rails which are laid down in the primary construction of the road.

Mr. GIBSON. Everybody knows that the first rails used on a railway are chargeable to capital.

Mr. FOSTER. That is what I said.

Sir RICHARD CARTWRIGHT. I would just say in that connection that the Government have charged too much to capital account in dealing with the Intercolonial Railway. When Mr. Mackenzie left office, the amount of capital expenditure was about $36,000,000. Hon. gentlemen opposite have run it up, I think, to $55,000,000 by this time. The House will notice that whenever large sums are chargeable to income, there is a reasonable guarantee that some degree of care and method and prudence will be used in the expenditure ; but when the Government are allowed to charge indiscriminately to capital, then vastly more money is spent, and people pay very little attention to it. An expenditure of $200,000 or $300,000 chargeable to income is very much more strictly regarded than $2,000,000 or $3,000,000 chargeable to capital ; so that there is good reason for guarding with jealousy the tendency to open new capital accounts. As remarked by the hon. member for Muskoka (Mr. O'Brien), a very considerable part of this is for ammunition. If I remember the explanations yesterday, about $500,000 was for ammunition, and it does appear to me that charging this to capital account is a very dubious practice indeed.

Mr. FOSTER. My hon. friend must see the distinction regarding this matter. His main fear is that being allowed to charge this expenditure to capital account, we will undertake expenses which we would not undertake if we had to take the money out of revenue, and so keep in mind the current income of the year. But it is not intended to do that. As my hon. friend knows, it is an extraordinary equipment which we are making ; and, although I did not say it last night, I wish to say it now, that although the Government gets, as it hopes to get from Parliament, the authority to raise by loan, and use if necessary, $3,000,000 for the kind of equipment and defence we discussed last night, it is not the intention of the Government to expend that without obtaining authority from Parliament for the various parts of that expenditure. This is the reason why I put this $1,000,000 in the Estimates ; and if we meet here again, and I have the pleasure of bringing down the Estimates, whatever amount is to be expended out of that $3,000,000 to be raised by loan, will be put in the Estimates and voted. I would not consider that the Government had any right to use any part of that $3,000,000 which has not been voted for a specific object, unless some extraordinary emergency were to arise which would make it necessary. Of course, that would justify the expenditure of any amount of money the Government would find at its disposal, if the emergency were of a certain kind.

Mr. MILLS (Bothwell). The hon. gentleman's notion of an emergency is shown by what has been done. The hon. gentleman has undertaken to make contracts in England to the amount of $2,000,000 while Parliament was in session, without asking a dollar's appropriation from Parliament.

Mr. FOSTER. We discussed that last night.

Mr. MILLS (Bothwell). We discussed it, and the hon. gentleman refers to the subject again. I say that neither in the case of a loan effected by the Government, nor in the case of the ordinary revenues of the country, has the hon. gentleman a right to appropriate a dollar for any purpose for which Parliament has not voted it. If there were an invasion, or some extraordinary condition of things not contemplated, and the Government were obliged, under the extreme necessities of the case, to make an expenditure, then they should come to Parliament for an indemnity, but for the Government to incur large liabilities behind the back of Parliament, with Parliament in session, is an unprecedented proceeding. The hon. gentleman referred to the case of railways. He says a railway will wear out, and yet we charge it to capital account. The entire road does not wear out. The road-bed is there ; the land purchased for the road remains in existence.

Mr. FOSTER. What part does not wear out ?

Mr. MILLS (Bothwell). Does the land wear out ?

Mr. FOSTER. Yes, all things are perishable.

Mr. MILLS (Bothwell). All things are perishable in the day of judgment. It does seem to me that what we are bound to consider is what is a fair appropriation to make for the ordinary defences of this country in the way of arms and ascertain, as near as we can, how long they are liable to continue and to charge against each year its fair appropriation of this expenditure. It ought not to go against capital account at all.

Mr. FOSTER. That would be rather complicated.

Mr. MILLS (Bothwell). The expenditure on ammunition for these small arms alone amounts to £76,000 sterling. It seems to me that is an extraordinary expenditure to charge to capital account.

Mr. MARTIN. My objection to this item is that the Government have no right to come down to Parliament and ask Parliament to appropriate moneys that are already spent. I am opposed to making this grant of a million dollars for the reason I have mentioned. We are here doing what we have been doing time and time again before, simply indemnifying the Government against action taken by them without the knowledge and advice of Parliament. The hon. gentleman assures us that if he gets permission from this House to borrow $3,000,000, he will not spend any of it without first asking the leave of Parliament. The hon. gentleman has already spent the most of it.

Mr. FOSTER. Not one cent is spent.

Mr. MARTIN. The hon. gentleman is playing upon words. It appears to me that if the Government have gone and pledged the credit of Canada in England, the money is practically spent. They had no right to pledge the credit of Canada, there was no emergency, and no reason for their coming to England and buying these arms. There might have been a reason for their coming to Parliament early in the session and asking the opinion of Parliament as to whether arms should be bought and what kind of arms. But the Government have taken this whole matter into their own hands and have told us that they propose, if we give them authority to take $3,000,000, not to spend a cent of it without first asking our permission. But they have already spent the great bulk of it by sending Colonel Lake to the old country to order $1,625,000 worth, and he has instructions, we are told, to make the order up to something like $1,900,000. It is a perfect farce to ask Parliament to make an appropriation in a case of that kind. Parliament has no option, we are not here to discuss, the Government have not left us in a position to discuss whether it is advisable to buy these guns and what kind of guns should be bought. The Government charge us with being unpatriotic if we oppose a grant to the militia, but I will put this case in answer to that argument. Suppose the Government had here insisted on $100,000,000, for they might just as well have $100,000,000 as one. There was just as much justification, as far as Canada was concerned, for engaging the credit of Canada to the extent of $2,000,000 as $1,000,000, and therefore the arguments about lack of patriotism vanishes. We have the right to criticise propositions made even for the purpose of protecting the country. The Government cannot pretend there was any emergency because Parliament was sitting at the very time they were making this bargain ; the bargain was made in March, and Parliament began to sit on the 2nd January. For that reason I am opposed to granting a million dollars or a million cents as to the Government as an indemnity to them, because I do not think they have shown any reason to this House why we should indemnify them against their proceedings in this matter. Their proceedings have been entirely without justification or authority. If they had any respect for Parliament, they would have come down here and made their proposition. Are we not to have anything to say as to how many guns shall be bought ? Nothing whatever. We have no option, the guns are bought, and we must pay for them. I want to call the attention of the committee to the fact that this is not the only case in which this Government has undertaken to arrogate to themselves the functions of Parliament. Time and time again during recess, they have passed Orders in Council appropriating large sums of money without authority, and they have come down, believing that they had such a majority in Parliament, that no question would be made of their actions, but that a vote would simply follow, as a matter of form, because the majority of members were elected to support them. That is not treating Parliament fairly, that is subversive of all parliamentary institutions. Before last session, they passed an Order in Council granting $2,500,000 to the Winnipeg Great Northern Railway without the slightest warrant in law. They induced various persons to invest considerable sums of money on the credit of Canada through the passing of that Order in Council.

Mr. CHAIRMAN. Order.

Mr. MARTIN. What have they done in this case? They sent over to England without knowledge, and pledged us to heavy expenditure. The drafts are falling due, as the hon. gentleman tells us, and Canada will be in default if we do not pay these drafts.

Mr. MILLS (Bothwell). Not Canada.

Mr. MARTIN. That is the way he put it. Of course it is the Government that would be in default, and let them be. Let the people of Canada understand how the Government have been treating Parliament all these years. I suggest that the two cases are entirely analogous. They proposed to grant two and a half millions of the people's money to a railway company without any warrant in law, without any justification whatever, without any authority, with the view of binding beforehand the action of Parliament. In that particular case, we find that the Government did not even come and ask Parliament, and Canada was put in that unfortunate position of its responsible government having passed an Order in Council appropriating two and a half million dollars for the purpose of constructing certain railways, and Parliament never was called upon to give authority and life to that Order in Council. I submit that that is a kind of thing which this Parliament should set its face against. And this is the opportunity for those members of the House who do not believe that it is right for the Government to act in that way to show their practical condemnation of that step. And I, for one, am prepared to prevent, if possible, this item going through, for the reasons that I mention. I say that it is a perfect outrage on the rights of Parliament. This is supposed to be an appropriation, it is supposed to be an estimate for an expenditure to be authorized by this House. And they go through the form of giving some details as to the transaction which they say are binding upon us, and therefore we have no option in the matter; we have no control as to whether they shall buy one thousand or forty thousand or a hundred thousand of these rifles. They have bought them, and the argument I have heard used is that this money has to be paid. I say, Mr. Chairman, this is a kind of argument we should not admit here. We should express our condemnation of any Government undertaking to take away from us the privilege which the constitution gives to us of saying what the people's money shall be spent for and discussing fully all the details of a supposed expenditure before the expenditure is made. As hon. gentlemen have pointed out, an emergency might arise which would make it necessary for the defence of the country that the Government should act. And if they did so, and came down to Parliament and asked for an indemnity, I would at once agree to it if the circumstances justified it. But this is not a case of that kind. There has been no emergency, and no circumstances have arisen which would justify the Government in treating Parliament as it has in this case. When this expenditure was determined upon Parliament was sitting and sitting with nothing to do. We know that we sat here from the second day of January until the third day of March with absolutely nothing to do. We were called here to pass a Remedial Bill, but the Remedial Bill was not before us. Members of the House were engaged in discussing matters that had been discussed time and time again. And yet, while there was every opportunity for the Government to take the House into its confidence to get its authority for this expenditure, the proposition was not laid before us. The House should have had the opportunity of discussing the question whether the Government were buying enough rifles or whether they were buying too many or whether they were buying the right kind. I am told that there is a great deal of dissatisfaction amongst military men in Canada because of the kind of rifle the Government has selected. They have selected, I am told, a magazine rifle, and there are a great many military men in Canada who claim that a magazine rifle is not suited to the circumstances of the Canadian militia. Surely in a matter of this kind the advice of this House would have been of great assistance to the Government, and they were constitutionally bound to ask the advice of this House before they undertook the obligation which they have undertaken. I for one, am in favour of refusing to give the Government this item. Let the matter stand until next session. That would be a delay of only a couple of months or so. I am prepared to do that for the purpose of registering the strong disapproval that every member of the House must feel at the conduct of the Government in thus overriding all constitutional usages and all parliamentary practice.

Mr. BRODEUR. (Translation.) Mr. Chairman, I cannot allow this proposition to pass without registering my strong disapproval at the conduct of the Government. The Government come down and ask us for a vote of one million dollars for the purchase of rifles. They say they want that million in order to meet a liability incurred to the War Department while Parliament was sitting here. In the Speech from the Throne attention was called to a measure intended to provide for the better arming of the Canadian militia and the strengthening of Canadian defences. Later on in the session, notice was given of the motion now before us, asking Parliament to authorize the Governor in Council to borrow the sum of three million dollars, required for the purpose of the defence of the Dominion. That notice was given almost at the outset of the session, and this matter was laid over to the last days, when the members are tired out and wish to go home. For my part, I am opposed not only to the raising of the loan of three million dollars, but also to that of one million now under discussion. The reason why I oppose it is that, had the Government been in a pressing want of that money, they should have asked for a vote at the beginning of the session. Why have they entered into a contract like this, and incurred such a large liability without first obtaining the authority of Parliament ? Why have they ignored Parliament altogether ? Such conduct is without any justification whatever. Had they intended making an honest and proper use of this money, they had but one course open to them, and that was asking Parliament to make an appropriation at the proper time. The Government ought to have known before now that they wanted such a sum for the purpose of arming the militia and putting our troops into a state of efficiency. Why did they not take the House into their confidence at the outset, to get authority for this heavy expenditure of two million dollars ?

Now, Mr. Chairman, whenever the Government want to get an appropriation for a few thousand or a few hundred dollars, they never fail to ask the House for a vote. Why, then, if they wanted such a large sum as one million dollars, did they not ask the House to make an appropriation ? The reason is that they wanted to override all constitutional usages and parliamentary practice. In fact, by such a course, they ignored the very existence of Parliament. They have ignored the rights of the representatives of the people. We are told that not one cent of this sum is spent, but they tell us in the same breath that they have incurred liabilities of several millions of dollars. That being so, if not one cent is spent, I think there is no reason for allowing the Government to spend that million dollars. They no longer enjoy the confidence of the people. The hon. gentlemen are no longer the representatives of public opinion here ; they will never be returned to this House. I say, therefore, that as representatives of the people, we should not give them a single cent of that money, without a shadow of a guarantee as to the purpose to which it shall be applied. I say that the Government do not possess the confidence of the people, a fact which is evinced by their failure to enact the law for the passage of which Parliament was called together. For, in the month of July last, the Government pledged themselves and declared that they would be prepared at the next session of Parliament, to introduce and press to a conclusion such legislation as would afford an adequate measure of relief to the Catholic minority.

Mr. DEPUTY SPEAKER. Order.

Mr. BRODEUR. (Translation.) My remarks, Mr. Chairman, are quite relevant. I wish to point out that the Government are unable to pass their Remedial Bill into law ; that they no longer represent the people, that they no longer enjoy the confidence of the members of this House, and, therefore, that Parliament would not be warranted in entrusting to them the expenditure of one million dollars to boodle with ; that we would not be justified in allowing them to expend four millions of military subsidies. They would lead us to believe that they are going to expend those four millions for the purpose of putting the militia into a state of efficiency. Do they expect to fool the people into believing that they ask for that vote for no other purpose than that ? No ; but they intend to use that money, as remarked the other day by the Montreal "Daily Witness," a paper whose British proclivities nobody will call in question, for boodling and for election purposes. Now, a Government no longer commanding popular confidence has no longer the right of asking a vote like that, because at the next elections they are going to be swept out of power. It will be time, when the elections are over, to discuss whether or not we should grant this vote of money ; but, for the moment, no extraordinary emergency has arisen which makes it necessary for us to authorize the money. There is one feature in connection with this vote which puzzles me. We have over and again been told that in the event of a war taking place or Canada being invaded, we could rely on Great Britain's protection ; and that the only ground for not severing the colonial tie was that, should international difficulties arise, we might rely on England's strong arm. Now, Sir, I am sorry to hear under the circumstances that the Government, for the purpose of arming the Canadian militia have made their purchases not from private contractors, but from the War Office in Great Britain, and that we are asked now to foot the bills. Is that the protection we have been promised by Great Britain ? Is that the position in which we stand as a colony ? I think we are entitled to an altogether different treatment at the hands of Great

Britain. On the other hand, I do not think the War Department is in such a hurry to get their money, that we should be asked for a vote of money now. I believe that the War Department is not in such pressing want that they cannot afford to wait a little longer, until we have the funds wherewith to meet the liabilities incurred, without having to raise a loan. Now, Sir, under the circumstances, I believe that it is our duty to refuse granting the Government the authority to raise that amount of four million dollars, and I, for one, am in favour of refusing to give the Government this item. I heartily concur in the remarks just fallen from my hon. friend the member for Winnipeg (Mr. Martin)——

An hon. MEMBER. Hear, hear.

Mr. BRODEUR. (Translation.) I entertain not the least doubt that, had the Government been so anxious to recognize the militia as they now profess to be, it would have proved easy for them to follow a different course ; they should have brought up the matter at a time when there was full opportunity to discuss it at length. Parliament is asked to foot this bill at a time when the Government are rolling up the public debt by millions, at a time when it reaches $300,000,000. I believe that our public debt is large enough without our jingoes adding to it a few more millions for an unwarrantable expenditure. I do not think this expenditure is called for under the circumstances, and I, for one, am strongly opposed to authorizing the money to pay that expenditure.

Mr. LEGRIS. (Translation.) Mr. Chairman, I do not want to let this opportunity slip by without registering my strong protest not only against the unwarrantable course followed by the Government in this matter, but also against the ill-advised and enormous expenditure incurred by this moribund Government. It seems to me, this is not a question as to whether the Government ought to make a charge of this kind to capital account or to our ordinary income. Do what they may, and whether they make the charge to capital account or not, it is none the less true that they are embarking the country in another enormous expenditure. I say that such a course cannot be too severely censured. Once more the hon. members who occupy the Treasury benches have evinced the fact that they are reckless of the opinion of this Parliament and mock at us, the representatives of the people. That they should incur such large liabilities and spend millions of the people's money behind the back of Parliament, with Parliament in session, is an unprecedented proceeding. I would certainly be failing in the duty I owe my country, were I to pass under in silence and not enter my strongest protest against such a course and such an extravagant expenditure, which is altogether unwarrantable under the circumstances. Why, Mr. Chairman, at the very time when the Government are face to face with yearly and enormous deficits, flying up into the millions, it is at this very time, I say, that they chose to incur further liabilities for three million dollars, under the pretense of arming the troops with new weapons, and reorganizing our militia. Is such a reorganization actually called for ? The very first requisite for putting our militia into a state of efficiency would be the placing at the head of our Militia Department a gentleman well qualified to fill the position and to command our officers and their subalterns. So long as our troops lack a Minister of Militia able to cope with the duties of his high office, so long will all that expenditure for putting the militia into an adequate state prove useless. There are enough instances at hand either in the Militia Department or during the annual drills to show that, in order to put the militia of the country in a state of efficiency, there is something else required besides pledging the credit of the country to the expenditure of millions. This year, the Government have incurred large expenditures for military purposes, and still, instead of being put into a state of better efficiency, I have no hesitation in saying that our militia is getting worse and worse. But, I ask, Mr. Chairman, on what grounds do the Government justify such an expenditure ? They say that it is for the purpose of supplying a fair armament for our militia, but the weapons which are now being used by our soldiers are surely good enough for the purpose of allowing them to learn what little military science they are supposed to master and even more than they do actually learn. Therefore, I am bound to register my strongest disapproval of the conduct of the Government, and to protest against their extravagance in throwing away the millions of the people's money, and embarking the country in enormous expenditures at a time when the public exchequer is empty ; at a time, I say, when yearly deficits are piling up ; at a time when the people are loaded down with taxation, which is growing still heavier ; at a time when business is prostrated and thousands of our people are in actual want of the necessities of life ; at a time when failures reach a figure unheard of in the history of this country. The Government would do far better, to my mind, to seek to alleviate the charges with which our people are loaded down rather than increasing the public debt and incurring liabilities as useless as those which they are now asking Parliament to authorize. That expenditure of one million dollars for purchasing arms is an ill-timed and unwarrantable one, under the circumstances. We are at peace with the world, and there is no cloud of war hanging over our heads. Instead of launching out into this enormous expenditure, out of proportion with our actual wants, the Government would evince more wisdom in securing a better discipline in the ranks of the militia. As I said, and I repeat it, the Government should place at the head of the Militia Department a gentleman having the proper qualifications to fill that high position. Let them first reform the head of the department before launching out into such large expenditures. Had the Government had more money than is required for the public service; and if they could spend the millions of the people without involving in debt the toiling and agricultural classes, I would not protest as I do now. You are not to blame for spending money and incurring liabilities, when you can afford to do it; and that rule applies to governments as well as to individuals. But, when a government is at bay, at the last gap; when the finances of the country are as involved as they now are, I say that a Government has no right to load down the people with new charges; that our duty is to postpone and not to hurry on a legislation involving such expenditures, instead of throwing to the winds, to no purpose, millions of money which could be used to far better advantage in coming to the relief of the toiling masses. The course pursued by the Government throughout this transaction is an utterly outrageous proceeding, and an insult offered to the House. Why, Mr. Chairman, we have been sitting here now four months; and for the two first months, the Ministers have kept us here idle, being at the time busy fighting among themselves; and now, in the dying moments of this Parliament, when most members have gone home, we are asked to pass this appropriation and vote the expenditure of millions, which perhaps the Government stand in need of, for electoral purposes. I fail to see anything else but the interest of the party exchequer, in railroading this measure and spending millions they ask the House to vote, after they have been spent. I have no hesitation in saying that I would fail in my duty, were I to keep silent about the course adopted by the Government, and were I not to enter my protest against this extravagant and unwarrantable expenditure of the people's money. I have no doubt but that the voters who shall be called upon to pronounce themselves within a few weeks, will not hesitate in saying that the Government have perpetrated another crime. It is quite true that there are so many crimes laid to the door of the present Government that the hon. gentlemen are perhaps right in thinking that it matters little whether they go down to hell with a conscience more or less weighted with crime, but I say that such a way of dealing with Parliament is an insult offered to the representatives of the people whom they feign to ignore. I say that the voters of this country will resent such an insult, as they shall soon have a chance of rendering their verdict on the conduct of the Government. They will give no uncertain sound as to the course now followed by the Government and will undoubtedly condemn this new and useless expenditure of the people's money. From what has been said on the floor of this House, I gather that the Government have not been actuated by an earnest desire to serve the best interests of the country but by that of filling the empty exchequer of the party, in view of the elections near at hand.

Mr. BRUNEAU. (Translation.) Mr. Chairman, in rising at this stage of the debate, I merely wish to enter my protest along with the hon. member for Rouville (Mr. Brodeur) and the hon. member for Maskinongé (Mr. Legris), in connection with the expenditure which the Government have incurred for the arming of our militia and which they now ask us to ratify by our vote. I approve of the stand taken on the matter by the hon. members for Rouville and Maskinongé. It is now too late, at this advanced stage of the session, for a moribund Government to come down and ask this House for a vote of money of that kind. Undoubtedly, this is an unwarrantable expenditure, owing to the heavy public debt with which our people are loaded down and seeing also that there is no absolute necessity for the Militia Department purchasing rifles as they have done. I say, Mr. Chairman, that such an expenditure is unwarrantable, because we still are a British dependency and Great Britain has always promised us her active aid in our hour of need. Such expenditure is unwarranted on the further ground that we are at peace with the whole world. This expenditure is altogether uncalled for on this further ground—and I beg to say so before this House and the country with all the Chauvinism of which I am a fervent adept, and in spite of the loyalty professed by the French Canadian people for Great Britain, a loyalty evinced now as in the past by their readiness to shed their blood and expend their money for the defence of the country—but, I say, the people of our country are unwilling to incur such expenditures to fight the battles of England. But we are told: we have bought those rifles, the honour of Canada is pledged and we have to foot the bill. We have bought two million dollars worth of rifles and the Government only ask us a vote of one million dollars. Another ground upon which I object to this expenditure is the lack of information as to what they intend to do with the money and as to the purpose to which it shall be applied. As remarked by the hon. members for Rouville and Maskinongé, how much of that vote, I ask, will go to the Militia Department? We have voted considerable sums of money for the building of the Curran Bridge, for the Tay Canal, for the Yamaska Pier, for the Quebec Harbour and similar works, and we all know what a large percentage of that money has been wasted. Well, the country is surely entitled to inquire, on the eve of general elections, whether the Government are in earnest when they come down and ask the House, in the public interest, that vote of money. I, for one, do not believe that they are in earnest. They are so reckless, so extravagant, as evinced by the facts I have just alluded to, that we are warranted in believing that the hon. gentlemen are going to appropriate a certain amount of that vote to meet the exigencies of the electoral campaign which will soon be in full swing throughout the country. Another ground on which I oppose this vote is the strong opposition to that expenditure evinced by the press and the general public in the province of Ontario. As to the members from the province of Quebec, they cannot vote this item, without overriding the public feeling prevailing in their province. And, in order to substantiate my statement, Mr. Chairman, allow me to quote from the "Presse," a Conservative organ, of the 20th instant:

> Obstruction is a two-edged weapon; it sometimes inflicts more injury than it does good. In refusing to vote the Estimates, the Opposition injures many interests and provokes reprisals. Should they lack the co-operation of a certain number of interested parties at a critical moment, they will have only themselves to blame for it. Having gone that far, we are free now to confess our satisfaction at seeing a certain item of expenditure struck off from the Estimates, for the present at least. The idea of expending $1,000,000 for rifles and guns to make ourselves agreeable to Great Britain is a most preposterous one; and at a time when the Government of Great Britain are heaping up lies over lies in order to come, in spite of their free trade policy, to schedule our live cattle, it is our dissatisfaction and not our gratitude we must give vent to towards her, under the circumstances.

In its next issue, the same paper wrote editorially as follows:—

> Messrs. Laurier and Cartwright have opposed the vote of one million dollars for the militia, but without giving the grounds of their opposition; both the hon. gentlemen are aware that the Government do not wantonly propose so unpopular a measure, and that, should they come into power, after the next general elections, Great Britain might exact from them the same sacrifice; hence their reticence. It is for the voters of this country to impose upon their representatives the obligation of opposing this unproductive expenditure. The voters shall soon be masters of the situation, for some time, not very long, though. Well, let them dictate without control.

Such are the views expressed by the "Presse," a Conservative journal, about the Government policy, in connection with the purchase of rifles which we are now asked to authorize. I fully coincide in the views expressed by that paper, and on the grounds alleged by the hon. members for Rouville and Maskinongé, I cannot let this item pass without, on behalf of the electors of my constituency, entering my serious and strong protest in condemnation of what the Government have done. We have always been and still are loyal subjects of England. Whenever Great Britain required the help of our arms, whenever she asked the French Canadians for their active co-operation, they always responded to the call. We have respected the treaty under which the country became a British dependency. Why, if Great Britain still retains the possession of Canada, it is owing as much to the loyalty of the French Canadians as to their bravery. As I said before, we are loyal subjects of Great Britain; but, under the circumstances, we believe that this expenditure is altogether uncalled for, unwarrantable, and I, for one, am in favour of refusing to give the Government this item.

Annual Drill—Amount required to provide for 4 days' additional drill pay of the active militia; 12 days' drill for field batteries in camp, city corps at their local headquarters	$20,000

Sir RICHARD CARTWRIGHT. Will the hon. gentleman please explain this item.

Mr. DICKEY. This is to provide for four days' extra drill of the city corps. I was only able to obtain enough to pay for eight days, and they actually drilled for twelve days, and this is to pay them. Of course it is a most desirable thing that the city regiments, the flower of the militia, should not be discouraged in the work of keeping up their organizations.

Mr. MARTIN. This is another case where the Government have assumed to take the matter out of the hands of Parliament. While the drill was performed, it was performed on a promise from the Government that it should be paid. I say the Government have no right to make any such promises.

Mr. DICKEY. It was rather on a misunderstanding of the Government promise. The city regiments understood the promise to be for the full twelve days' drill. The Finance Minister when he made the promise, really meant only eight days' drill.

Mr. MARTIN. I understand that when the deputation waited upon the Finance Minister, he expressly told them he could not get the money until the next session of Parliament.

Mr. DICKEY. As far as I remember, when the Finance Minister was parting with the deputation he said, "You will get your drill this year." They understood that to mean full twelve days' drill.

Mr. MARTIN. Was that not a natural understanding?

Mr. DICKEY. I am inclined to think that there was some ground, but the Finance Minister did not understand it as they did.

Mr. FOSTER. For my part I knew but little about militia drill and I was speaking with a view to the rural militia, and the promise was of full drill; and that promise went to the city corps as well as to the rural corps, while I had in view particularly the rural corps.

Mr. MARTIN. My objection is entirely to the manner in which these things are done. I have no objection to the drill. I think it was a most ill-advised business on the part of the Government to propose to cut down the drill as they did. They wanted to make a show of economy. There was a considerable reduction in the estimates of a number of the departments, and amongst them was the Militia Department. Now, I believe there is great room for a reduction of expenditure in that department, but not in trenching on the time of drill for either the rural or the city corps. The reduction could be made in the permanent corps and in items of waste which have nothing to do with the drills. The Government have no right to take the matter out of the hands of Parliament. They only asked Parliament for a certain amount of money, they asked for altogether too little, intentionally they asked too litttle, because they intended to cut down the drill. They found that was going to affect them unfavourably with the militia throughout the country, and then they weakened and agreed to restore the amount of drill. This Government seems to have no idea of their responsibility to Parliament, they go on and do things, relying upon their mechanical majority in this House to condone anything they may do, no matter whether that majority agrees with them or not. They go on and say: Well, we have done it, and you have either to put us out or put it through. I protest against the Government putting the House in that position. They have no right to put even their own supporters in the position of either turning them out of power, or of condoning all their actions. The Government should remember that it is not part of their duty to spend public money, that is not one of the functions of Government. It is the duty of the Government only to spend such money as Parliament appropriates for the various purposes of government; and the particular cases of emergency which require them to go beyond that are duly provided for by statute. When they go beyond that, as they did in connection with buying these guns, as they did with this drill, as they did with the railway matter I have referred to, they are violating a principle. It is not a question of this item or that item, it is a question of destroying parliamentary institutions and destroying the power which Parliament has in the administration of public affairs.

Salaries and wages—Civil employees in the military stores, public armouries, &c.	$10,000

Mr. FOSTER. This is too large an amount. We cut that estimate down somewhat. But I propose to make this $8,000 instead of $10,000, which makes the vote just the same as it was in the preceding year.

Sir RICHARD CARTWRIGHT. Why did you not ask for money enough before?

Mr. DICKEY. The Militia Department estimated last year for $65,000 for this service; the Government cut that down against the protest of the department, to $55,000. While I was in the department I made a desperate effort to meet that contingency. This vote will make $55,000 and $8,000; last year the vote was $68,000 odd.

Sir RICHARD CARTWRIGHT. It is well to emphasize these little games, because it amounts to that, on the part of the Finance Department. Last year, for a purpose, there is no question about it, the hon. gentleman applied his pruning knife to the Estimates that were brought down, and the Minister of Militia has just explained to us the process. He asked for what he knew would be required, and the Minister of Finance cut it down to make a show, with the full intention, no doubt, of having it replaced by Supplementary Estimates.

Mr. FOSTER. That is very uncharitable.

Sir RICHARD CARTWRIGHT. However, the effect had been produced at the elections that were then imminent. That was the little game that was transacted. Now, the hon. gentleman would have our full support in all well-considered economies that we can make, but there is no use in cutting down estimates with the express intention, at a later day, of replacing them, and doing this for the sake of producing an effect.

Pay and allowances—Active militia at schools of instruction, including a school at Halifax, N.S., and Vancouver, B.C.	$45,000

Mr. DICKEY. This is a new service altogether. The General in command expressed the view that we did not get enough work out of the permanent corps, and out of the schools, and he submitted a scheme to me to be carried out in this quarter, for putting 230 additional men through the schools; and this is necessary in order to do that.

Sir RICHARD CARTWRIGHT. Do you mean non-commissioned officers?

Mr. DICKEY. Non-commissioned officers and men, giving them a training. I cannot say just in what proportion they are divided.

Mr. DAVIES (P.E.I.) How do you get the men?

Mr. DICKEY. They are chosen by the commanding officers from the different regiments; practically they are volunteers.

Mr. FLINT. How is it that this appears as a Supplementary Eestimate, and why was it not a substantial estimate in the regular Estimates ?

Mr. DICKEY. The scheme was adopted early in this or late in the last calendar year.

Mr. MARTIN. Does that include the School of Mounted Infantry at Winnipeg ?

Mr. DICKEY. I think so.

Sir RICHARD CARTWRIGHT. I would like to inquire what is the programme. Does the Minister of Justice, speaking for the Minister of Militia, mean now to set to work regularly and train two or three hundred non-commissioned officers every year, through the medium of our schools.

Mr. DICKEY. I think if Parliament will provide the money, that demand will probably be made by the department.

Sir RICHARD CARTWRIGHT. What will be the cost ? About $100 ?

Mr. DICKEY. A little more. We would only go on, of course, for a certain time, because the object of the General is to get a certain leaven in every corps in Canada, a certain leaven of thoroughly trained non-commissioned officers. The idea is to train a thorough body of non-commissioned officers.

Mr. MARTIN. What regiments do members of the Winnipeg school join ?

Mr. DICKEY. The school is not on the list mentioned here ?

Sir RICHARD CARTWRIGHT. I understand the object of the General in command of the department is to turn out, say, 1,000 or 1,200 non-commissioned officers, enough for 25 000 or 30,000 men.

Mr. DICKEY. Yes.

Sir RICHARD CARTWRIGHT. There is a great deal to be said in favour of that plan, if it is properly carried out.

Mr. DICKEY. It strikes me very favourably.

Mr. O'BRIEN. The training of non-commissioned officers is not a new plan. As many are trained as the schools will accommodate. Certain qualifications are required. The men must be able to read and write, have good characters, and possess some other qualifications. The result will be that no non-commissioned officers will be appointed unless they have taken certificates at the military schools. We shall have the great advantage of a regular body of non-commissioned officers ; but it is to be regretted that the accommodation at the various schools is not sufficient to meet the requirements, and the department is obliged to refuse many applications. One-half the applications I have made have been refused. I am quite satisfied that a great deal more could be done with the schools than is at present done. Certainly this arrangement was undertaken when there was apprehension of danger, and so the demand might be more than usual. It is a step in the right direction, and so long as there is no increased cost in the way of instructors but the demand is limited to actual allowances to men and necessary accommodation, it is all right. If we are going to establish additional schools and additional staff I would object, because there is already sufficient staff for the work required ; but as regards feeding and providing for the men who attend the schools, it is money well spent.

Sir RICHARD CARTWRIGHT. How long are the men kept there ?

Mr. DICKEY. Three months.

Mr. MARTIN. I understand these schools are for the purpose of educating non-commissioned officers and men. If the Winnipeg school is for the purpose of educating officers and men, what is the general plan ?

Mr. O'BRIEN. It was planned by General Middleton or General Herbert as a means of establishing a mounted infantry corps. It is practically a cavalry school, and is on the same footing as all the other schools.

Mr. MARTIN. Then it is intended to educate cavalry men ?

Mr. O'BRIEN. It is, and the cavalry school in Toronto is the only other one in the Dominion.

Mr. MARTIN. If that is the intention, the school is a lamentable failure, because practically no men go to the school. The corps is recruited from the city.

Mr. DICKEY. You have a good man there now, Williams.

Mr. MARTIN. I am not speaking of the man, I am talking of the school. The men who go to the Winnipeg school do not stand apart. Is this part of the standing army ?

Mr. O'BRIEN. It is a part of the permanent corps. In all the schools none are admitted but men who belong to the force.

Mr. MARTIN. These men are recruited in Winnipeg.

Mr. HUGHES. The hon. gentleman is making a mistake as regards the difference between men who enroll themselves in the permanent corps and men who enroll themselves in the military schools for the purpose of obtaining certificates.

Mr. MARTIN. Those attending the Winnipeg school are young men who attend there and are kept at the expense of the country and paid wages for three years. This is an absolute waste of money. I endorse the principle that the men who attend these schools should be thoroughly trained, but practically none of these men attend the Winnipeg school. They enter that school for three years and are paid $10 or $12 a month and expenses. I never could understand that any benefit would be derived from these schools. I suppose the city of Winnipeg gets a little benefit out of it.

Mr. DICKEY. It is not intended for that purpose.

Mr. MARTIN. No doubt the people of the city will be down on me for keeping out sources of revenue. It is a great expense to keep up a company of that kind, fifty or sixty men and their horses.

Mr. DICKEY. The hon. gentleman's remarks apply to all the permanent corps. It is a question very well worthy of consideration, and it has been discussed many times. When Minister of Militia I took the view that the permanent force should be very considerably reduced and I struck off 20 per cent of the whole force everywhere, in Winnipeg as elsewhere. The practical difficulty about the permanent corps is that succeeding majors-general take different views of the possibilities of the schools. Originally they were intended to be schools, but General Herbert took a wide view of their functions. The permanent officers of the department look upon them as teaching staffs. and that they are not intended to exceed that function.

To pay Capt. F. Manley, late of the 10th Royals, Toronto, compensation for injuries sustained during the North-west Rebellion	$500

Mr. DAVIES (P.E.I.) What is the explanation for this ?

Mr. DICKEY. Capt. Manley was with the 10th Royals in the North-west. He was shot in the foot, and his injury has developed into rather serious form, with rheumatism and lameness. The wound was a pretty serious one.

Mr. DAVIES (P.E.I.) In common with a great many other people who have rheumatism.

Mr. DICKEY. There is no doubt about this case. I went into it very carefully myself, and I came to the conclusion that the Government was doing very well if they got off with paying this $500.

Mr. O'BRIEN. This is a grant which the House ought to approve of. I would have supported it equally as well if it were twice the amount. Had Capt. Manley had made application at the time of the wound, he would have had a pension from that day forward. He was not anxious to be placed on the pension list, and so he neglected to make any application. The wound has increased, and in time, it threatens that he will become a cripple from it. This is the least possible thing the Government could have done.

Compensation to Sergeant J. Watson, caretaker of the Drill Hall at Winnipeg, consequent upon the unsanitary state of the quarters in the building occupied by him as the caretaker	$300

Mr. DICKEY. This is a case which I dealt with when I was Minister of Militia, and I am responsible for it. Sergeant Watson was put into quarters at Winnipeg, which had been reported by the surgeon of the department as being in an unsanitary condition. A disease developed in his family, typhoid fever, I think, his wife died and his children were ill for a considerable time, and he was put to a very considerable expense. This $300 is the amount that he established that he actually paid out for medical attendance. It is a peculiar case. I do not know whether there is any liability on the part of the Crown, but this matter is in the hands of the committee, and there is no particular wish to press it if the committee does not desire to pass this vote. But, here is this man, a servant of the Crown, ordered into quarters that were unsanitary, and he obeyed, and sickness ensued through which he incurred this expense.

Mr. DAVIES (P.E.I.) When did this happen ?

Mr. DICKEY. About four or five years ago, but I cannot give the date. It is I think a very meritorious claim.

Mr. MARTIN. The Government already have officers quarters of considerable size at Fort Osborne, where the school is. Might I ask the Minister if it is the intention to enlarge these quarters and buy some adjacent land ?

Mr. DICKEY. No.

Mr. MARTIN. Has that been suggested to the department ?

Mr. DICKEY. I heard a rumour of that sort in Winnipeg.

Mr. MARTIN. And that is all there is in it ?

Mr. DICKEY. Yes.

Mr. MARTIN. I am glad to hear it.

Mr. FLINT. From the explanation of the Minister of Justice, I believe this to be a meritorious case. During my first three sessions here, I had the duty thrown upon me to press upon the Militia Department a case much stronger than this. In the town of Yarmouth, while the artillery company there was practising with its heavy guns, a gun discharged a missile which passed through the rear of the drill shed, went through a stable, and killed the employee of a livery stable quite a distance away. The bullet struck the man in the back and he was killed. He was very poor, and left a family absolutely in distress. If ever there was a case deserving of compensation, it was this one. It was held to be very doubtful from a legal point of view, if the widow could have recovered from the Government, but even if she could recover in the Exchequer Court, of course she was entirely too poor to make the attempt. A petition signed by the most influential inhabitants of the town, and supported by the officers of the artillery company was presented, asking the Government for some compensation for this valuable life destroyed. I have been informed officially by the department, that although they had the utmost sympathy with the bereaved family, yet they felt they could not give compensation to this poor widow, without establishing a dangerous precedent. In connection with this vote, which I find no fault with, I think this claim which I mention might receive the consideration of the Government. I would ask the Minister of Justice, who is well up in the affairs of the Militia Department to use his influence with the Minister of Militia, and to make a note of this case which I mention, and perhaps to press it again, having this precedent in his mind.

Mr. DICKEY. What was the man's name ?

Mr. FLINT. The name of the man was Cosman. Three or four hundred dollars would certainly be ample, and as I understand the circumstances of the family, they are still in need of the money. This accident took place just before the meeting of the House in 1891. The case which I refer to is one in which there need be no danger of establishing a precedent, because such an extraordinary accident as that would probably never happen again in the history of the country.

Mr. DICKEY. That was not brought to my notice when I was Minister of Militia. I went into a great many cases that had been standing a good while. I dealt with them as far as possible on legal principles, and refused payment in all cases where there was no negligence. There were cases in Barriefield, which the hon. member for South Oxford will know of. There was one very hard case of a woman's cow being killed at target practice ; but as there was no negligence, I declined to consider the claim The claim the hon. gentleman mentions may be open to the same objection. In the case in hand, I thought there was negligence, and that was the reason I advised payment.

Sir RICHARD CARTWRIGHT. The range at Barriefield is Government property and is allowed to be a common for the villagers ; and they are aware that they put their cattle there at their own risk, and that it is their duty when the flag is hoisted to remove them. So that, however hard the case may be, I am inclined to agree with the Minister that it is impossible to give compensation, otherwise a very old cow in the vicinity of Kingston at election times would be converted into beef at Her Majesty's expense ; and they might, as my hon. friend (Mr. Davies) says, bring as much as cows in North Victoria. But I rise to say that if the Minister of Justice were inclined to take a favourable view of the case my hon. friend (Mr. Flint) has mentioned, it seems to me it might be fairly dealt with out of the sum of $25,000 which we give for unforeseen expenses. I do not think there is much risk of a case of that kind forming a dangerous precedent.

Mr. DICKEY. I will ask the Department of Militia to send me the papers.

Mr. FLINT. If the Minister will promise to look through the papers, he will find the most extraordinary circumstance recorded there, almost in the whole annals of artillery practice. It was something that puzzled the experts sent to look into the matter.

Mr. DAVIES (P.E.I.) The hon. Minister says he allowed this claim of Watson because there was negligence. Are there claims from outside parties, or is the claim paid to Watson ?

Mr. DICKEY. They are all claims by him, and this money will go to him.

Railways and Canals. Capital—Improvements to the Governor General's private car "Victoria"	$1,300

Sir RICHARD CARTWRIGHT. How many private cars do the Government own altogether ? I suppose the country owns this.

Mr. FOSTER. No, we do not. It is the private property of His Excellency ; bought and paid for by him.

Mr. DAVIES (P.E.I.) Then, why are we improving it?

Mr. FOSTER. He made the capital expenditure.

Sir RICHARD CARTWRIGHT. How many other cars have we got ?

Mr. HAGGART. Only a fortnight ago I brought down a statement showing in full detail all the cars owned by the Government, the expenditure on each car, the employees, and everything else about them.

Mr. MARTIN. If we built the car, of course we ought to repair it ; but if the car belongs to the Governor General, why should we repair it ?

Mr. HAGGRAT. The Governor General pays a rate of the expenditures, by an arrangement with Lord Derby. He wished a car, but he did not wish to own it altogether, and he pays annually the interest on the expenditure. We built the car.

Sir RICHARD CARTWRIGHT. What was the cost of the car ?

Mr. HAGGART. Twelve thousand, six hundred and thirty-three dollars and eighty-nine cents.

Sir RICHARD CARTWRIGHT. What do you charge him ?

Mr. HAGGART. Three per cent on the cost.

Mr. McMULLEN. What are the improvements ?

Mr. HAGGART. The improvements cost $1,290.31.

Mr. McMULLEN. I ask what are the improvements ?

Mr. HAGGART. There were new water closets put in, for one thing.

Mr. McMULLEN. They surely did not cost $1,200. What else was put in, and who made the improvements ?

Mr. HAGGART. It was built at the shops of the Intercolonial Railway at Moncton. That was the actual expenditure.

Mr. McMULLEN. I want to know what other accommodations or improvements were put in. Was the ventilating improved?

Mr. HAGGART. No, I do not think so. I suggested that, and I think it would be a great improvement if some new patent for ventilation were adopted in the car ; but it was not put in this car.

Mr. McMULLEN. What other improvements were put in this car ?

Mr. HAGGART. All I know was the improvement I have mentioned. The whole car was upholstered again, and Lord Derby had the interior fitted with ship bunks, and there was an alteration made in the whole interior.

Beauharnois—To Deepen Entrance Channels	$7,600

Mr. HAGGART. Owing to the low water last season, it was very difficult to enter this canal, and this vote is required for lowering the mitre sills and lock at the lower entrance.

Rideau Canal—Final Estimate—R. Waddell	$2,275

Mr. HAGGART. The Waddell Company were the contractors for the erection of a high water bridge over the Rideau Canal at Smith's Falls. Contract price was $3,265 ; they were paid $190, and the balance is $2,275.

Land Damages	$10,000

Sir RICHARD CARTWRIGHT. This was intended to pay for the last general election. Where are the damages ?

Mr. HAGGART. Some are on the Tay Canal and some on the Rideau. Mr. Wood, the land appraiser, values them at $11,250.

Mr. McMULLEN. I would suggest that you give up the Tay Canal for the damages.

Sir RICHARD CARTWRIGHT. How much for land damages on the Tay Canal ?

Mr. HAGGART. The total amount for last year was $27,000. A settlement was arranged for at $10,000 on the Tay Canal.

Sir RICHARD CARTWRIGHT. The amount, then, is on the Tay Canal and not the Rideau.

Mr. HAGGART. The amount to be paid is $10,000 on the Tay Canal.

Sir RICHARD CARTWRIGHT. That all goes to the Tay Canal as land damages ?

Mr. HAGGART. Yes.

Sir RICHARD CARTWRIGHT. How much was paid altogether on the Tay Canal for land damages ?

Mr. HAGGART. I think that is the whole of the land damages.

Sir RICHARD CARTWRIGHT. How much land does this cover ?

Mr. HAGGART. About 3,000 or 4,000 acres.

Mr. McMULLEN. Who owns the land ?

Mr. HAGGART. There are about twenty owners.

Mr. McMULLEN. Have those damages been arbitrated ?

Mr. HAGGART. They have been appraised by Mr. Wood, the Government appraiser.

Mr. McMULLEN. Is this the same Mr. Wood who was then M.P. ?

Mr. HAGGART. He used to be the member for Hastings.

Sir RICHARD CARTWRIGHT. Brother of E. C. Wood ?

Mr. HAGGART. Yes.

St. Peter's Canal—Completing Repairs to Lock (G.G.W.)	$10,000

Mr. HAGGART. The work was contracted for by S. Donnelly, but he found he was unable to pump out the lock. He was unable to complete the work, and it was taken out of his hands and completed by day labour.

Mr. McSHANE. Had the Government any security from Mr. Donnelly for the performance of his contract ?

Mr. HAGGART. They had the usual contract, which was retained by the Government.

Mr. BOWERS. Is it in thorough repair now ?

Mr. HAGGART. Yes, but there is a small amount of work to do which is provided for in the main Estimates.

Mr. BORDEN. Is the canal being used ?

Mr. HAGGART. Yes.

Mr. McSHANE. I understand from the hon. Minister that the contractor, Mr. Donnelly, has a claim against the Government.

Mr. HAGGART. He had.

Mr. McSHANE. Did the Government perform this work ?

Mr. HAGGART. Yes, he claims that he made the dam according to the specification, and he contends that all he was intended to do was fulfilled, and that after that he had to get extra work done, and I believe the contractor is partially right in reference to that. I think the contractor is partially right and he has a claim against the Government up to the time we took the contract from him and completed it.

Mr. McSHANE. What right have the Government to take the contract from him if he has a claim against the Government ?

Mr. HAGGART. He could not complete it under his contract, because he was required to do more than he thought was necessary, but it was taken from him and completed by the Government.

Mr. McSHANE. I do not understand this. Here is a man performing a contract. You say he has a claim against the Government. Then why does the Government take the contract from him and complete the work ?

Mr. HAGGART. I do not understand the hon. gentleman's question.

Mr. DAVIES (P.E.I.) I understand the hon. gentleman to point out that the man had a contract and he performed part of the work to the satisfaction of the Government, and then the Government steps in and takes the remainder of the work from him.

Mr. HAGGART. He gave up his contract. He said that the plan upon which he was required to complete the work was not sufficient and the Government had to build two other dams to complete it.

Mr. MILLS (Bothwell). Then are we to understand that the plans of the department were inadequate ?

Mr. HAGGART. That is his claim—that the contracts were inadequate, and from the way we had to build it, it was found they were inadequate. So it would have been no use to carry out the contract in accordance with the plans.

Mr. McSHANE. I do not understand this. Here is a man who has a contract with the Government. The Government take the contract from him——

Mr. HAGGART. He abandoned the contract himself.

Mr. McSHANE. Then what claim can he have if he abandoned the contract ?

Mr. HAGGART. The hon. gentleman must imagine that himself.

Mr. McSHANE. We are not here to imagine. I am talking about business, and there is no imagination about business, particularly where the people's money is to be paid. If Mr. Donnelly has a claim against the Government and the Government had to complete his contract at a cost of $43,000, what is his claim against the Government ? What is the amount of the claim ? I hope it is not $200,000 like Mr. Goodwin's claim.

Mr. HAGGART. He claims between $1,300 and $1,400.

Expenses of deep water way commission. $10,000

Sir RICHARD CARTWRIGHT. I suppose this is under the charge of the Minister of Railways and Canals. I should like to have a tolerably full explanation as to who composed this commission, what work has been done, what their instructions are, and why the hon. gentleman wants $10,000 for their expenses.

Mr. HAGGART. I think the instructions to these commissioners have been laid upon the Table. I made a statement some time before these commissioners were appointed that I intended to appoint commissioners. The United States appointed three commissioners and asked us to appoint three to meet with them. These gentlemen were appointed as a commission to report upon the deep water ways. Messrs. Keefer, Monro and O. A. Howland were appointed. They receive no salary but are paid their travelling and living expenses. They have made a first report, which I will bring down, if the hon. gentlemen wish it, to-morrow.

Sir RICHARD CARTWRIGHT. What is covered by this—the entire water-way from Lake Superior to the Atlantic ?

Mr. HAGGART. Yes.

Sir RICHARD CARTWRIGHT. What precisely is the scope of this commission ? Is it the idea that they should report on the feasibility of making a channel of communication for ocean going vessels from Lake Superior to the Atlantic ?

Mr. HAGGART. That is one of the subjects they reported on.

Mr. McMULLEN. Is it the same Mr. Monro that was engaged on the Soulanges Canal ?

Mr. HAGGART. Yes.

Mr. McMULLEN. He is already under salary ?

Mr. HAGGART. Yes.

Mr. McMULLEN. Is Mr. Keefer also in the employ of the Government ?

Mr. HAGGART. No. Mr. Keefer is the president of the association of engineers for the whole of North America.

Mr. McMULLEN. How long were they engaged in their work ?

Mr. HAGGART. It is five or six months, I think, since they were appointed. I do not know how long they were actually engaged in their work.

Mr. McMULLEN. If they were engaged five months this would be at the rate of about $75 a day.

Mr. HAGGART. Their work is not finished yet.

Mr. McGREGOR. They have only met four or five times and a few days at a time ; at Toronto, Detroit, and I think they have been to Chicago once.

Mr. DAVIES (P.E.I.) I suppose they have a lot of officials connected with the work ?

Mr. McMULLEN. Who is secretary of the board ?

Mr. HAGGART. I do not think they have a secretary at all.

Mr. McMULLEN. They have no officials with them ?

Mr. HAGGART. No ; they have no official with them.

Mr. McMULLEN. We are asked to vote $10,000 and it appears that this commission has sat three or four times. We are supposed to be dealing with the tail end of last years' apropriations. Why are we asked to vote $10,000 if they have had only a few meetings and no salaries are paid to them ?

Mr. HAGGART. My deputy says it is in excess of the amount required. They finished an estimated amount of their living and travelling expenses, which they think will amount to $10 a day each.

Mr. McMULLEN. The Minister says they have been engaged five months or 150 days, and $10 a day each for three men, would make $4,500. Now, why are we asked to vote $10,000.

Mr. HAGGART. The deputy says that this amount may be in excess of the requirements, but there will be several expenditures outside that for travelling and living allowance, such as collecting information, and examining experts.

Mr. McMULLEN. I do not think this committee would be justified in voting a sum outside what has been actually spent within the past year or will be spent up to the 30th June. When the new Parliament meets it will be time enough to deal with the future expenditure.

Mr. HAGGART. Nothing has yet been voted, and I have been unable to pay them a single cent for travelling and living allowances. They sent in an estimate to the department that the amount of expenditure would probably be in the neighbourhood of $10,000. It is possible the amount may not be required before the 1st July. I will reduce the amount to $5,000 if the committee thinks proper.

Mr. McGREGOR. They have only had three or four meetings, of one day at a time. I think one-half of $5,000 would cover the expenditure thus far.

Mr. HAGGART. I will bring down tomorrow the Order in Council for their appointment, and I will bring down their first report, and the estimate which the gentlemen themselves made of their probable expenditure.

Mr. DAVIES (P.E.I.) If they will take $10,000, and show how they propose to divide it, I do not suppose there will be much objection.

Mr. McSHANE. While we are on the canal estimate, I want to get from the Minister of Railways and Canals an answer to a question which is asked in the newspaper article which I will read to the committee :

> In the threatened delay in the opening of the Welland Canal the Corn Exchange has a distinct grievance. In former years this canal has been opened on or about April 20th, and contracts have been usually made on this understanding. It was announced on the Corn Exchange yesterday that several contracts had been made this season on the understanding that grain might be brought from the Lake Superior and Lake Erie ports through the Welland Canal in time to catch the steamers leaving Montreal on May 1st. Several communications have been addressed to the Government in the matter, the Corn Exchange and the Board of Trade having requested information as to when the canal was to be opened. No answer to these communications has been received, but the Government has apprised private persons in Montreal of the fact that the canal will not be opened until May 1st.
>
> It will be seen from the sailing notices, that several vessels are booked to sail on May 1st and during the following week. Mr. Reford told the Corn Exchange yesterday that he had two vessels at Quebec and that as there was every chance of an early breaking up of the ice bridge these vessels might be in Montreal by the end of the month. He said that they should have taken their cargoes and left port by May 4th or 5th, but this would be impossible if the Welland Canal was not opened till May 1st. Mr. Torrance said that if the canal was not opened till May 1st there would be no grain at Montreal till May 7th or 8th. Mr. Thomson reiterated the assertion that the grain men had always calculated on the opening of the canal on April 20th, and that this year they had made their contracts accordingly. Several vessels, he said, were now waiting in Lake Ontario to get up to Toledo. They were under charter, and every day of delay involved substantial loss.
>
> The view was expressed that the Government should take immediate steps to prepare the canal for an early opening. A force of men large enough to secure this result should be put into the canal at once, and preparations for the opening should be hastened by every possible means. To this end a strongly worded resolution has been drafted and forwarded to the Government.
>
> In the absence of explanation by the Government it looks almost like criminal negligence

that so important a matter should be neglected. The season of navigation on the St. Lawrence is little over six months in length, and of that six months not even a day, much less a couple of weeks should be wasted. It is the business of the Government to attend to these things, but it is to be presumed that it has been so earnestly engrossed in the task of hanging on to office that it has had no time to give to the performance of purely routine duties. As usual it has been kept informed as to the requirements of Montreal and the country at large, and as usual, where Montreal is concerned, it has paid no attention to the requests of the business men of the metropolis. It is to be hoped that the shaking up which it has received at the hands of the Corn Exchange will have the effect desired, and that it will see that the Welland Canal is opened in time to save a fortnight's business which is at present gravely menaced.

* * * * * * * *

It seems hard to explain the attitude of the Dominion Government towards the interests of Montreal except upon the basis of a wilful desire to neglect them. In the failure to provide for the opening of the Welland Canal this year at the date at which the canal has been usually opened in former years, the Government has done itself a great injury among the business men of the city. It looks very much as if the Government was in search of ways to get itself disliked in Montreal.

Now, Mr. Chairman, I felt it my duty to bring this important question before the committee, and before the Minister of Railways and Canals. I do not reproach him, it may not be his fault, but I can assure the hon. gentleman that business has been bad enough in the city of Montreal for a long time past, and our shipping merchants, like Mr. Thompson, the McLellan Company, and others, have difficulty in getting their grain down to the port of Montreal through the neglect of the Government in opening the Welland Canal. The Government should have done everything possible to keep that canal open in order that the shippers of grain might be able to get their cargoes down to Montreal. Now, it would be a very unfortunate thing if these steamers, two for Reaford, three or four for Torrance, and some for the Allan lines, were unable to get grain for cargoes at the opening of navigation. Freight for grain is very low. They cannot take cattle at a profit, because people shipping cattle over to Great Britain just now, find it a losing business. And besides hundreds of workingmen will be kept out of employment for over ten or twelve days.

Mr. DEPUTY SPEAKER. The hon. gentleman is not speaking to the question.

Mr. McSHANE. I do not want any lessons on questions of order. I know them better than you do.

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. I call the hon. gentleman's attention to the fact that there is no question of this kind now before the committee.

Mr. McSHANE. I understand the people of the city of Montreal——

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. The hon. gentleman is not speaking to the question.

Mr. McSHANE. I desire to speak to the question. But I desire to say this——

Mr. DEPUTY SPEAKER. I repeat that the hon. gentleman is speaking to a question which is not before the committee. There is no such question before the committee, and he is not in order.

River St. Lawrence Ship Channel......... $20,000

Mr. McSHANE. Do I understand that I am not allowed to speak for the shipping trade of Montreal when the question of canals is up ? Do I understand you, Mr. Chairman, to rule that I am out of order in speaking on that important question ? The people of Montreal have for a long time had no representative to speak here.

Some hon. MEMBERS. Oh, oh.

Mr. McSHANE. You may cry me down if you choose, and you may say "oh, oh," if you choose, and it shows very little common-sense when representatives of the people are standing here trying to do what they can. The Finance Minister may laugh, but he may not laugh before Parliament closes. He shows a dislike to my nationality and my race, not only in this city, but in the Dominion. No insinuation or sneer made by the Finance Minister will put me down. I will not be bullied or censured by the Finance Minister. When he does that, he lowers his position as Finance Minister of this great Dominion, and I tell him that my position here is as good as his, and that I am not ashamed of the people I represent. I assure the committee that my character and career will bear investigation here, and the people of Montreal have sent me here as their representative. Last night I was attacked by the Minister of Trade and Commerce.

Some hon. MEMBERS. Order.

Mr. McSHANE. They mistook their man.

Some hon. MEMBERS. Order.

Mr. McSHANE. I am in order when I stand here and do what I can for the people who have sent me here. I am not afraid of the sneers and jeers of the Finance Minister, and I tell him the day will come when he will be told by the people I represent that he made a decided mistake. In the meantime, let me go on. I am sorry I am so frequently interrupted by Ministers. Do I hurt them so much ? Some of the newspapers have attacked me for twenty-five years, and the people of Montreal cannot think I am all they say or I would not be here. What have I done that the Finance Minister should lower himself by attempting to stop me voicing the sentiments of the working people, the merchants, the commerce and the shipping trade of Montreal. I am not ashamed to do what is right; hon. members may attempt to frown me down, but they will not succeed. I live and will live, and while living I intend to do my duty, and that is all I want to do. I will now continue my remarks on the Welland Canal. I appeal to the Government to attend to this matter for the sake of business. Business has been very bad. I do not blame the Minister of Railways and Canals, but I hope the Government will do what they can to endeavour to have the Welland Canal opened as soon as possible, in order that our merchants and ship-owners will be able to do the best they can with their business. That was the only reason I brought the question up. I think I have done my duty, and I would be recreant to the Board of Trade and Corn Exchange, and the people of Montreal, if I did not do so.

Mr. HAGGART. There was no intention to interrupt the hon. gentleman or prevent him making his speech. If the hon. gentleman had waited quietly, he would have been satisfied that there was nothing before the Chair at that time to which his remarks would have reference, and on the next item he would have the opportunity of making his remarks. In regard to the first charge made by the hon. gentleman that I made no answer to the request of gentlemen who telegraphed me in respect to the opening of the canal, I may say that I handed the telegram to my deputy, and he afterwards told me he answered every one of them. The Minister of Marine and Fisheries got similar telegrams, and he answered them. In regard to the Welland Canal, on account of the lock repairs necessary this winter, the opening may be a few days later than usual, but I expect it will be open before 1st of May, which will be in plenty of time for vessels passing through that canal and down the St. Lawrence. I telegraphed the engineering superintendent of the Welland Canal to ascertain if the opening of the canal could not be hurried, and I also telegraphed the engineer in charge of the St. Lawrence Canals asking him what would be the first day it was possible to have the canals open in order that boats might go through.

Mr. GIBSON. Are they working night and day?

Mr. HAGGART. Yes. The Welland Canal will be opened about the 27th inst., as soon as the St. Lawrence Canals will be available for traffic, because the deputy informs me that those canals cannot be opened before May 1st, which is as soon as any boat could go down. Everything has been done by the department to hurry the opening of the canals in order to facilitate business and meet the representations not only of the Board of Trade, but of the several gentlemen who telegraphed me. I feel keenly the charge made in the newspapers that I received communications on the subject and had not attended to them. I instructed my engineers on the subject, and those communications were answered. I made inquiries at once. I hurried the work and ordered it to be carried out night and day in order that the canal might be opened at the earliest possible moment, and in time for the navigation of the St. Lawrence Canal and river.

Mr. McSHANE. Since I have been in this House no hon. gentleman has treated me with more courtesy and kindness than the Minister of Railways and Canals. The few requests I have made on behalf of the city of Montreal he has granted, if possible. So far as my intercourse with the Minister of Railways is concerned, he has measured out to me a kindness and fair-play which is in striking contrast to the conduct of some hon. gentlemen in the same Cabinet with him. I do not know that I have done any harm to the hon. Minister of Finance, or to the hon. Minister of Trade and Commerce, only to try and do my best for Montreal, and I do not intend to harm them. My hon. friend the Minister of Marine and Fisheries has also treated me with that kindness and respect which characterizes him.

River St. Lawrence Ship Channel........ $20,000

Mr. OUIMET. This appropriation was reduced by $20,000 last year, and I expected to make all the economies possible, and to save that sum. But, owing to the unusually low water last summer, the dredges had to work late in the season, and were not sent into winter quarters until the last steamers had left the St. Lawrence. That explains why the hoped-for reduction has not been realized.

Mr. TARTE. Is this $20,000 now due?

Mr. OUIMET. No, but this money is to work the dredges from the commencement of the season to the first of July. This, I may say, is the best time of year for the dredges to work. We intend to dredge at various places where it is necessary in order to make the channel perfectly safe for the increased draft of steamers we have now. It requires 28½ feet of water to make the ship channel 27½ feet clear, at every season of the year.

Mr. TARTE. I suppose the channel has been filling in every year?

Mr. OUIMET. No, our experience is not to that effect.

Mr. BRUNEAU. (Translation.) I wish to invite the attention of the Minister of Public Works to the statement I made two or three years ago. In 1892 or 1893, I suggested to work the Government dredges at the mouth of the River Richelieu. As the hon. Minister of Public Works is aware, that part of the river is of great importance from the standpoint of navigation, and it is not only necessary but of extreme urgency to have this dredging done. As the Government dredges are in their winter quarters at Sorel, remaining there until the 10th or 12th May, I suggested to the hon. Minister, two or three years ago, to have the dredges work at the mouth of the Richelieu River during the time which elapses between the breaking up of the ice, and the moment when those dredges are required elsewhere. The hon. Minister then promised me that he would take the matter into consideration, but I believe that nothing has been done since. We are in the spring season, and owing to the rise of the river, some time will elapse before the dredges are sent to work elsewhere; and that is the reason why I press again my demand upon the attention of the hon. Minister of Public Works, in the hope that he will accede to it.

Compassionate allowance to the following sufferers by the accident on I. C. Ry. at Lévis: Mrs. S. Godbout, $200; Albert Coffin and family, $500; Mrs. Jenny Granville, $100 .... $800

Mr. HAGGART. On the 18th June, 1890, an accident occurred on the Intercolonial Railway near Lévis, and a number of persons were injured. Some of them brought claims against the Government, and judgment was given against them. Last session a compassionate appropriation of $12,000 was made, and that has been mostly distributed. The following persons, however, have received nothing:—Mrs. S. Godbout, Albert Coffin and family, and Mrs. Jennie Granville.

Mr. DAVIES (P.E.I.) I know about that claim of the Coffin family, and the amount which the Minister suggests here is ridiculously small. Mr. Coffin got very seriously injured, either his arms or his legs were broken, I forget which, and he was many weeks laid up. His wife was also seriously injured, and some of the children had bones broken. There is not an arbitrator in the world that would venture to offer them such a small sum as this.

I am aware that the hon. gentleman paid their board for the four or five weeks during which they were recovering from the injuries they received, and I suppose the doctors bills were paid too. But the man was unable to do any work for many months after he left there. I think it was six months before he was able to do a stroke of work. Either his two legs or his two arms were broken. Last year I submitted to the Minister their claim, which I think was $2,000, and it did not seem to me to be an excessive amount. I certainly think that $500 is too small. The man is not able to bring a suit against the Government; he is too poor for that.

Mr. HAGGART. The hon. gentleman wrote me a letter enclosing their claim. I wrote to Mr. Pottinger, and asked him to state exactly what they were entitled to, and I was guided entirely by his report. If the hon. gentleman wishes, I may make further inquiries on the subject, and perhaps add a supplementary amount.

Mr. GIBSON. It would be a pity to deprive them of the $500 at present. If there is more to be granted, perhaps it can be brought down later.

Mr. MILLS (Bothwell). I understood the Minister to say that some of the parties had brought suits and failed. I suppose that was on the ground that they were torts and not contracts, and that therefore they could not succeed against the Crown.

Mr. HAGGART. The others brought actions, and I believe they would have succeeded against any other party than the Crown; and for that reason the judge recommended that the Crown should pay them.

Mr. MILLS (Bothwell). I think myself that the law should be amended in that regard. In the Australian Colonies, where the Government undertake to run railways and to manage public works as ordinary carriers, they have legislated so as to make the Crown responsible in cases of tort exactly as in cases of contract; but here that has not been done. I know that in Prince Edward Island a few years ago, action was brought against the Government, and the parties failed just on the ground I mention. Either the legislation should be amended so as to give these parties the right of action, or all these matters should be open to arbitration, so as to give equitable relief to the parties, just as if the Crown were made liable.

Mr. DAVIES (P.E.I.) Did the hon. gentleman say that the action was brought in the Exchequer Court?

Mr. HAGGART. Yes.

Mr. DAVIES (P.E.I.) Because if the judge of that court has expressed the view in some cases that the Government were not liable, he has distinctly held in two cases that in the last consolidation of the statutes the liability of the Government is changed, and that now the Crown is liable for negligence.

Mr. HAGGART. I do not suppose there was any negligence proved in this case. However, the court recommended that an amount should be granted to them, although they had no legal claim.

Cornwall Canal—Repairs, old locks, 15 and 17 (break of June and July, 1895).. $11,500

Mr. HAGGART. That is to pay for repairs to a break in these locks by the steamer "Ocean" and a barque. Seven lock gates were carried away.

Mr. DAVIES (P.E.I.) Has the work never been paid for?

Mr. HAGGART. No, it has not been paid for yet.

Mr. GIBSON. Who did this work ?

Mr. HAGGART. Davis & Son.

Mr. GIBSON. Will the Government charge the amount of damage to this steamer ?

Mr. HAGGART. The amount has been assessed, and I think the steamer has been seized.

Mr. DAVIES (P.E.I.) Was this work done under contract ?

Mr. HAGGART. Yes.

St. John Custom House—Amount due W. H. Thorne for Interest on Account of Goods supplied $381 36

Mr. OUIMET. The appropriation ran short, and Mr. Thorne had to wait over a year for his payments, and we pay interest after the three months allowed for credit.

Mr. BOWERS. I would suppose that the immense dealings which he had with the Government would have prevented his charging any interest.

Mr. OUIMET. The three months' credit was allowed, and it was only after that that interest was charged.

Mr. DAVIES (P.E.I.) Have the Government allowed interest on any other accounts for supplies ?

Mr. OUIMET. Whenever there was unreasonable delay it was allowed.

Sir RICHARD CARTWRIGHT. I think that this is wholly unknown. I do not remember in the whole scope of my experience having seen a claim for interest on account of goods supplied. I think this ought to stand over. I never knew such a claim to be allowed by any department before.

Mr DAVIES (P.E.I.) How long has it been due ?

Mr. OUIMET. Over a year.

Mr. FOSTER. There are special circumstances in this case.

Sir RICHARD CARTWRIGHT. I do not think that from Confederation down to the present time the hon. gentleman can show a single instance of an item of this character appearing in the estimates before.

Mr. OUIMET. At the top of the next page there is another item.

Sir RICHARD CARTWRIGHT. So much the worse. It shows how these things will grow. There is not the slightest doubt that the Government pay amply for all that they get, and quite enough to allow the tradesmen who supply them to go unpaid for a few months or even for a year without charging interest. In the case of private parties, it is extremely rare, as hon. gentleman know, for interest to be allowed. The rule is the other way, discount on cash payment being allowed. If this is allowed, many other similar claims will be made.

Mr. FOSTER. I did have a very clear idea of the transaction, but as it is some time ago, my recollection of the details is not so perfect. But let us see what there is in the case. The department was at work with reference to the Customs House, and there came a time when they had no money. But the work was let and the contractor was going on. That was about the beginning of the year. I do not know whether the failure of the money was due to an insufficient estimate or wrong calculation. However, about the beginning of the calendar year, the money for carrying on the work ran out. But the work was in a position to go on, and if it went on without a break it could be done much more cheaply than if the contractors had to knock off for about six months and wait until the beginning of the fiscal year. I talked it over with the Minister, and I advised him, if he could get the men to go on with the work and could get the supplies, to go on, with the understanding that when the money was voted on the 1st of July or about that time they would get their pay. Rather than stop the work, that was done. The workmen went on with the work and the supplies were furnished. The supplies in this instance were given not with the idea that they were not to be paid for on a cash basis. The work went on, on this basis, but another error crept in by which the money was not voted sufficient for the next year, and consequently, the supplier was out the return for what he had sold to the department on a cash basis not only for the remaining months of that years, but also for the whole of the succeeding year.

Mr. MILLS (Bothwell). That is through bad estimating. Who is responsible ?

Mr. FOSTER. I cannot help that. We must look at this not from a point of view. of the man who made the estimates, but from the point of view of the man who supplied the material thinking he was selling upon a cash basis but who has been kept out of his money for a year and six months.

Mr. DAVIES (P.E.I.) He sold on time.

Mr. FOSTER. Three months' time, perhaps—practically a cash basis.

Mr. OUIMET. I may be allowed to add to what the Minister of Finance has mentioned that the arrangements made enabled the department to occupy the building a year sooner than we could have done had we been obliged to wait to get the cash voted. That has saved $3,000 of rent. Moreover there was a special agreement in this case and I think there can be no objection to it.

Mr. FOSTER. That is a point I had omitted to mention. Other premises were rented during this building was being put in a state of repair. It had been burned down. Unless the department could get in by the 1st of May they would have to pay rent for the Pugsley building, which they then occupied for another year. I am as much against paying interest on these claims as any one can well be, unless there is good reason for paying it. But in this case, I think it is perfectly right.

Mr. GIBSON. Will the hon. Minister give us the price he paid per pound for this copper ?

Mr. OUIMET. I cannot give that at the moment.

Mr. GIBSON. Then we are hardly in a position to judge of the merits of this case.

Mr. FOSTER. Well, let it stand until to-morrow.

Mr. OUIMET. My impression is that we got the copper at a very low figure. It had been imported for the contractor for the roof, and the contractor having failed in carrying out his contract, we succeeded in getting it at a very small advance on the cost price. So I am confident that the bargain was really a very good one. But I will give the exact figure to-morrow.

Mr. GIBSON. Before the item is allowed to stand over I would like to say that last year when this custom-house at St. John was up for discussion a great many objections were raised to the extravagant prices paid for the various items of construction, and it was pointed out to the Minister that the greater part of the work was to be done by the day and the material supplied by the Government and that if ordinary care and economy had been exercised in the purchase of material, there was no need to pay any extras, but that everything had been ordered at fabulous prices.

Mr. FOSTER. Oh, no, no.

Mr. GIBSON. Yes ; I remember the case distinctly because we spent a whole day discussing this very building. And I will remind the hon. Minister of one circumstance which will recall the case to his memory. He said I was taking a great deal of interest because I was preparing to take his position, and I told him that I was not anxious for the job.

Mr. OUIMET. I am glad to know that the hon. gentleman was not offended by that reference to his political bright prospects.

Mr. GIBSON. Not at all. If ordinary care had been taken at that time, the estimate given by the engineer would have covered the expenditure. But there was no reduction as to prices. Favoured contractors in the city were allowed to supply bricks, lumber and material of all kinds at fancy prices.

I think the papers will show, when they are brought down, that this gentleman had sufficient profit to have allowed the Government to take over this coffer without making a claim for interest. Now, the Minister of Finance says he is as much opposed to granting interest on back due payments as any one in the House. This is the first time since I have been in the House that a claim of this time has come up, and in granting it you are establishing a precedent under which other claims will come in from other contractors who have done work for the last ten or fifteen years. Many of these claims, perhaps, have been set aside by the Government, not because they did not intend to pay them at all, but because they wanted to pay them at a more convenient season, when the elections were coming on. Now, if these claims are allowed, these men can, afterwards come back upon the Government and say : You owed us, as a firm, $10,000 five years ago, and now that you have acknowledged that our claim is just, we want the interest on that $10,000 for five years. I shall be glad to have the explanations of the Minister to-morrow with reference to the price paid this firm.

Mr. OUIMET. The hon. gentleman is mistaken. The excess in the cost of the building over the estimate did not depend on the cost of the material, but arose from the necessity of demolishing more of the masonry than they thought at first would be necessary. The architects had made a mistake in ascertaining the exact amount of damage that had been done to the walls by fire.

Mr. GIBSON. I said that I was aware that the work had been done under the estimate. I rather wished to pay the engineer a compliment. I thought if care had been taken by the Government in purchasing the material that went into this building, the work would have been done under the engineer's estimate.

Mr. HAGGART. Let the item stand.

St. Vincent de Paul Penitentiary......... $8,000

Mr. OUIMET The amount voted last session was $5,000. As a matter of fact, the whole work of the penitentiary would have had to be stopped when the vote ran out, and it was thought better to let the work go on. This is to pay for the material, stone, sand, limestone, and other materials and plant that were necessary for the boundary wall that the convicts were building.

Mr. TARTE. Where is the stone bought?

Mr. OUIMET. The stone is taken out of a quarry, two or three miles away from the penitentiary.

Mr. TARTE. A quarry belonging to the Government ?

Mr. OUIMET. A part of it used to be taken from the quarry bought by the Government, but I think it has been exhausted for the last two years. It is now taken from several places.

Mr. TARTE. To whom was that money paid ?

Mr. OUIMET. It has not been paid yet. There is an amount for 35,800 cubic feet of limestone, in blocks, supplied by C. Bastien, at 16½ cents per cubic foot.

Mr. TARTE. If I remember right, there was a quarry bought by the Government a few years ago, and stone has been taken from that quarry. Now, I think the Government has ceased taking stone from that quarry.

Mr. OUIMET. That was five or six years ago. It was more expensive.

Mr. TARTE. What was the price paid for that quarry.

Mr. OUIMET. I do not know, it is a long time ago. It was bought in 1873-74.

Mr. TARTE. This is a peculiar case, indeed. You bought and paid for a quarry, and now you are buying stone elsewhere.

Mr. OUIMET. The property that was bought containing the quarry is still in the possession of the penitentiary, and is worked as a farm by convict labour. I do not think we paid much more than it was worth as farm land.

Mr. TARTE. Can the hon. gentleman tell me if Mr. Bastien uses the work of the convicts to get out the stones that he is supplying the Government ?

Mr. OUIMET. No.

Mr. TARTE. Is my hon. friend sure about that ?

Mr. OUIMET. I am positive.

Mr. DAVIES (P.E.I.) What about the Montreal Dominion public buildings, $8,000?

Mr. OUIMET. This is a work that has not been paid for this year, the most of it being improvements in the post office building. That post office building had become insufficient for the requirements of the service, and we had either to build another one, or to fix this one. The building has four stories and it was decided to move the inspectors' offices and customs office on the third floor. On the second floor there are the registered letters, and the savings bank offices, and also the offices of the postmaster and other members of the staff. We had to build an elevator, and to fit up the whole office, so that now the building is certainly sufficient as a post office for the next twenty years. We had a vote last year, and it was insufficient.

Mr. MILLS (Bothwell). This is all expended ?

Mr. OUIMET. Yes.

Mr. MILLS (Bothwell). This is a very extraordinary proceeding. We had last evening a discussion of an expenditure of upwards of $2,000,000 without the sanction of Parliament, and here the hon. gentleman says that $16,000 have been expended, and they now ask us for an appropriation, after the work is done.

Mr. OUIMET. In this particular instance the whole matter was before Parliament, and it was decided to repair the building in a certain way. The expenditure was properly sanctioned although a sufficient sum was not asked for at the time.

Mr. MILLS (Bothwell). I call attention to the fact that in England in similar cases there is no further expenditure without a vote.

Winnipeg Military Buildings—To pay W. C. Reamen, administrator of the estate of the late D. N. McDonald, the amount of his contract for heating barracks and mess-rooms at Fort Osborne, with hot water	$3,200

Mr. OUIMET. This balance was settled long ago, but a dispute arose as to the parties to whom payment should be made.

Sir RICHARD CARTWRIGHT. I have been informed by some parties residing there that the hot water heating at Fort Osborne has not been successful.

Mr. OUIMET. My deputy has not received any complaint on that score. After the building is completed, it goes out of our hands.

Mr. DALY. I have never heard any complaints.

Victoria Post Office	$20,000

Mr. OUIMET. This post office was commenced last year. The first vote was taken two years ago. It is being built by contract.

Mr. MILLS (Bothwell). The Government had a site there before, and expended $18,000 in making a cellar below the proposed building. What has become of the site and the cellar ?

Mr. OUIMET. The excavation was there when we bought the site. We have used it to some extent, and we consider we made a good bargain.

Public Buildings, Ottawa, including ventilation and lighting—Repairs, materials, furniture, &c	$10,000
Rideau Hall, including grounds—Renewals, improvements, repairs, furniture and maintenance	4,000
Gas and electric light—Public Buildings, Ottawa	5,000
Lighting Dominion Public Buildings....	6,500
Rents Dominion Public Buildings	2,500
Telephone service—Public Buildings, Ottawa—Additional connections..........	350

Water Dominion Public Buildings—To provide for payment of arrears due to Quebec City Corporation for water supplied, 1893 to 1895	2,312

Mr. McMULLEN. I desire to call attention to the Montreal post office. I have it on the best authority, and I can prove it before a committee of this House, that there is in the employment of the Government a clerk in the Montreal post office who is a public contractor. The firm is known as Madden & Fréchette. They take public contracts, although one of them is a clerk in the Montreal post office. The Minister may shake his head, but I am prepared to prove it, and also that this individual was drawing pay as clerk in the post office and at the same time taking public contracts and attending to them.

Mr. OUIMET. What is his name ?

Mr. McMULLEN. He is a member of the firm of Madden & Fréchette. That firm is doing public contracting, and yet he is drawing pay as a clerk at the same time.

Sir ADOLPHE CARON. What is his name ?

Mr. McMULLEN. The firm is Madden & Fréchette. They hold contracts now, and one of the firm, I repeat, is a clerk in the Montreal post office. If the Minister is prepared to deny it, I am prepared to prove it.

Sir ADOLPHE CARON. I do not know anything about it.

Mr. McMULLEN. I say he is engaged in public contracts, and he does the clerical part of the work in the Montreal post office, and at the same time he is drawing salary as an official. He does the work in the post office as a member of that contracting firm, and he is drawing his pay as a clerk in the service of this Dominion at the same time.

Sir ADOLPHE CARON. I have not heard of any clerk in the post office being a contractor, but I will certainly look into the matter. If the facts are as stated by the hon. gentleman, I will prevent him using the post office for his contracting business.

Mr. McMULLEN. I do not charge that the Postmaster General is aware of the matter, but such is the case and should not be tolerated.

Harbours and Rivers, Maritime Provinces Generally	$5,000

Mr. BORDEN. Will the Minister state where this money has been expended ?

Mr. OUIMET. It will be expended where it is most needed, and on the report of our engineers.

Mr. BORDEN. Surely the Minister must have some statement as to what is going to be done with this $5,000. This is a Supplementary Estimate and the works must have

been completed, or are under construction now.

Mr. OUIMET. All these repairs are done wherever they are most necessary. All these works have reached a time of life when it is very difficult to keep them in repair, and if all the money needed was voted by Parliament to keep them in an efficient state, it would amount to several millions of dollars.

Mr. BORDEN. I am not objecting to the vote but the committee ought to know where the money is going to be expended. I know that there are a great many breakwaters requiring repairs, and several of them in my own county, and I would like to know how much of this vote is going to be expended in that part of the country.

Mr. OUIMET. I will get the details from my engineer and give it to the hon. gentleman to-morrow.

Owen Sound Harbour	$1,204

Sir RICHARD CARTWRIGHT. I understand there is a great deal of difficulty in keeping Owen Sound Harbour open at present, and that it silts there rapidly.

Mr. OUIMET. The water on Lake Huron has lowered three feet within the last two years, and a good deal of dredging is required in order to give twenty feet, so as to give accommodation to the large boats plying on the lakes. I was informed yesterday that the boats of the Canadian Pacific Railway could not turn at their wharf when loaded, and dredging is absolutely needed now.

Mr. McMULLEN. The lowering of the water in the lakes is becoming a serious matter. Have the Government taken any steps to ascertain as to what the result of the Chicago Canal will be ?

Mr. FOSTER. Surely on a simple item like this we need not at this hour of the session go into the history of that matter.

Mr. OUIMET. The subject has not escaped the attention of the Government. The Department of Railways and Canals has instructed one of their engineers to act as a commissioner with two or three American engineers to investigate that question.

Mr. McGREGOR. The water will get higher with the opening of spring.

Navigation Kootenay Rapids, B. C.	$4,000

Mr. OUIMET. A good deal of traffic has developed lately on the Kootenay River between Revelstoke and the Mines and the Kootenay rapids are an obstacle to the navigation on that river. Work has already been done, but navigation is still interrupted for two or three months in the year. This work will facilitate the navigation of the rapids on that route which is the natural outlet for the ore, and also for carrying in supplies to the mines.

Nova Scotia, New Brunswick, Prince Edward Island	$ 8,000
Dredging Quebec and Ontario	10,000
Dredge vessels—Repairs	3,000

Mr. FORBES. Has this money been spent or is it meant to be spent this year ?

Mr. OUIMET. It is meant to be spent until the 1st of July. The expenditure has not yet been made. It is to be made at Campbellton, Richibucto, Fouchu Harbour, St. John River and Charlottetown Harbour.

Mr. DAVIES (P.E.I.) Where is the dredging going to be done at Charlottetown ?

Mr. OUIMET. In front of the wharfs—three or four of them.

Mr. DAVIES (P.E.I.) There can be no dredging in front of the wharfs ; there may be some at the side of the wharfs. I want to know which of the wharfs you are going to dredge. Are you going to dredge at the railway wharf at the east end, or at some of the private wharfs ?

Mr. OUIMET. I will give the hon. gentleman a list of the places before concurrence.

Mr. MILLS (Bothwell). Two Ministers in succession have promised to remove the obstructions in the Sydenham River. I want to know whether these obstructions which are practically impeding navigation at the present time, although the water is unusually high, are to be removed out of this appropriation.

Mr. OUIMET. I think I told the hon. gentleman the other day that I intended to do it, and I hope to keep my promise.

Mr. GIBSON. I want to ask the Minister if it is the intention of the Government to do some dredging in the Burlington Canal. I had a letter from a gentleman who delivers a great deal of coal from Cleveland, and he says that the depth of water in the Burlington Canal has decreased to eleven feet. This is a serious matter, because that canal forms an entrance to Hamilton.

Mr. CAMPBELL. There is a Government dredge at Amherstburg, and I want to ask the Minister whether it is his intention to send that dredge to the River Thames to remove a bar there. It is very important that that should be done, and the dredge could do it in a very short time.

Mr. OUIMET. Several gentlemen from Chatham have made representations to that effect.

Mr. CAMPBELL. Yes, I understand so. They have been making representations for the last ten years.

Swing bridge over the Burlington Canal. $15,000

Mr. GIBSON. Who has been awarded the contract for this work ?

Mr. OUIMET. The Dominion Bridge Company for the iron-work and F. Webb for the masonry.

Mr. GIBSON. Does this include the substructure and the superstructure ?

Mr. OUIMET. No, it will cost $37,000 altogether.

Mr. GIBSON. Was the Dominion Bridge Company the lowest tenderer ?

Mr. OUIMET. The Canadian Bridge Company was lower by $200, but the contract was given to the Dominion Bridge Company as being in a better position to do the work at once. The Canadian Bridge Company did not agree to do the work within the time specified. The Dominion Bridge Company have agreed to reduce their price by $200.

Mr. GIBSON. And the bridge is not delivered yet ?

Mr. OUIMET. Because the time has not expired yet. The whole bridge will be complete and ready to be operated on the 1st of July.

Mr. GIBSON. A job that was started last October or November. It has taken eight months to do a work which should have been done in the same number of weeks.

Mr. OUIMET. I will bring down the Order in Council in which all the reasons are set forth. If the work is delayed, it is on account of difficulties that arose with the club which wanted another kind of bridge because this was going to interfere with their club building. That took a long time to settle.

Mr. GIBSON. It would have only been fair to the committee to have had this information before it so that the hon. gentleman could answer questions intelligently. I happen to know a little about the locality, and the work, and I am sure that it will interfere very materially with the owners of the club. I am aware that they sent down a deputation after the Government to move the club-house at the Government expense, and the Government refused. If the hon. Minister had been fair to the committee he would have had this information before it.

For Fortnightly Steam Communication between Liverpool, G.B., and St. John, N.B., from November, 1895, to April, 1896, 10 round trips $25,000

Mr. IVES. The contract contains the clause that the payment of subsidies is subject to its being approved by vote of Parliament of Canada, and if it at any time no further sum be voted, the contract shall become void, and no indemnity due the parties. We have not infringed upon the authority of Parliament in this matter. The arrangement was proposed by the Beaver Line Steamship Company, who undertook to make the experiment of shipping Canadian export from the city of St. John during the past winter. The experiment proved largely successful. One clause required a very large portion of the cargo to be from western Ontario and Quebec, and that clause has been complied with. Another clause requires rates as low as those from any port in the United States, and that also has been complied with.

Mr. DAVIES (P.E.I.) Had you parliamentary authority to enter into such contract.

Mr. IVES. No, but I reserved to Parliament the right to reject the contract, in which case no subsidy or damages would be payable. If we had waited until the 15th January, the experiment could not have been made this winter at all.

Mr. DAVIES (P.E.I.) You should have brought it up last session. We are getting into the habit of doing everything by Orders in Council, and ignoring Parliament.

Amount required for Ocean Mail Service between Great Britain and Canada to July 8th, 1895	$6,083 34

Mr. IVES. This is practically a revote, caused by the fact that the vote was for the Allan Company, and the Government have employed some steamers of the Dominion Line, by consent of the Allans, to perform part of the service.

For Steam Service between Canada, France and Belgium to June 30, 1896.	$8,333 34

Mr. IVES. This is in anticipation of authority being granted to enter into arrangements with the direct line. This is a vote for the remainder of the fiscal year.

For Steam Service between St. John and Digby	$6,250

Mr. IVES. The Government have, with the authority of Parliament entered into a compact with a steamship company to perform that service, and, by arrangement, part of it has been transferred to the Dominion Atlantic Railway. But we have no authority to pay anything to that company, therefore we ask this vote. There will be a sufficient lapse in the vote or the steamship company to make up the amount.

Mr. BORDEN. Last year $12,500 was voted for a mail service between St. John, Digby and Annapolis. I find that in these Estimates Annapolis is dropped out.

Mr. FOSTER. The mails go to Annapolis by rail.

Mr. BORDEN. In that connection I would like to ask the Minister why is it that this service does not appear in the main Estimates. Is it not intended to continue the service next year ?

Mr. FOSTER. Yes ; there would have been an item in the Supplementary Estimates.

Mr. IVES. I sent an item for insertion in the Supplementary Estimates, but there is no prospect of it passing.

Mr. BORDEN. Was it for the same amount ?

Mr. IVES. I proposed a better service at a slightly increased amount, but deducted $1,000 for what the Postmaster General pays for the postal service between Digby and Annapolis.

Mr. BORDEN. There is a magnificant boat on that line now.

Mr. FOSTER. That is the one that is performing this contract.

Mr. BORDEN. Will the hon. gentleman say what amount was to have gone into the Supplementary Estimates.

Mr. IVES. I have not been to the Government with the Estimates yet.

Repairs to Str. "Quadra," owing to casualty on Fulford Reef	$12,000

Mr. GIBSON. How much was this vessel worth in the first place ? This seems a large sum of money to be paid for repairs for a vessel that is shipwrecked.

Mr. COSTIGAN. The amount is very considerable. I was surprised at it myself. The actual repairs only cost about $5,000 under contract. The balance was spent in removing her from the rocks.

Mr. GIBSON. Everything comes high in British Columbia.

Mr. COSTIGAN. Yes ; but we did the best we could. We held an inquiry to ascertain whether there was any fault to be found with the captain. The inquiry exonerated him, but a nominal penalty was imposed.

To provide for additional amount in connection with the mail service	$2,000

Mr. DAVIES (P.E.I.) If it was earlier I would give my views on the subject.

Mr. FOSTER. Give them next year when Parliament is not moribund.

To provide for the payments of Collector of Customs for services in connection with the issuing of fishing licenses to United States vessels during season 1895	$278 55

Mr. FORBES. In connection with these fisheries items, I wish to make a statement with regard to one particular matter, the pounding of lobsters. What I wish to get from the Minister of Marine and Fisheries is a definite statement of his policy with reference to that matter. I want to lay before the Minister the fact that his officers on the south shore of Nova Scotia have been putting up bills reading in part as follows :—

> Public notice is hereby directed to the following close season for fish——

And he goes on :

—on the part of the coast extending westward to Cape Canso, westward to the provincial boundary line, it shall be unlawful to fish for, catch, kill, buy, sell, or have in possession any lobsters from the 1st July to 31st December.

Now, I want to point out to the hon. Minister that the Act, as far as I can discover provides that it shall be "unlawful to fish for, catch, kill, buy, sell or have in possession without lawful excuse, any lobsters," and so on. Now, the hon. gentleman's officers have deliberately omitted these words "without lawful excuse" from the notice. Now, the fishermen fear that according to this notice they are likely to be very much hampered in the right to dispose of their property. In the first place they write to the fishery officer Mr. J. R. Kinney the following letter :—

> Dear Sir,—We are thinking of building a pound to keep lobsters in, and, as it will be quite expensive, don't you think we can keep a lot over and ship after the close season under the present law. Or are we obliged to sell within the close season at a loss. Please reply.
>
> Yours truly,
> JOHN MARDEN.

Mr. Kinney wrote back as follows : —

> As the law is at present, I do not see why any fish caught legally may not be kept over as long as the owner sees fit.
>
> J. R. KINNEY,
> Inspector.

That was in September, 1893. In order that they might have an official confirmation, the fishermen met and decided to write to the Minister himself, then Sir Charles Hibbert Tupper. Mr. Marden, on behalf of the fishermen of the south shore, wrote to the Minister, and on 27th July, 1894, the following letter was received from John Hardie, acting Deputy Minister :—

> In reply to your letter of 19th instant, making certain inquiries regarding the possession and export of lobsters during the close season, I am directed to inform you that provided it can be proved the fish were taken out during the open season, there is nothing to prevent them being exported as you describe.

Now, under that authority, the men engaged in that business invested large capital, and undertook to construct these ponds in order that they might hold the fish they had caught during the legitimate season, for the purpose of selling them at a later period when the markets afforded a better price. The Minister can see that there should not be the slightest difference made between fish which are caught within season and packed in barrels or canned in tins and then held for better markets, and fish which are taken and kept in ponds, as long as they are properly kept, and since the Deputy Minister himself says that as long as the fish have been taken out of the water or caught during the open season, there is no reason why that should not be allowed. Now, I want the Minister to tell me whether it will be permitted to fishermen to catch fish within the open season, which begins the 1st July in that part of Nova Scotia, and hold them in these ponds and ship them when they chose. I cannot see that it would interfere with the regulations of the Fishery Department in any way. The Minister might say that it would require his officers to watch and see that the fish are caught in the proper season. Well, that is the duty of his officers to see that they are not caught after season. There is nothing to hinder or prevent these ponds, where the fish are put after having been legally caught, from being inspected and officially closed and marked, so that they may only be opened under the inspector's eye. I say it is not right for the fishermen to be compelled to dispose of all their fish immediately on the first day of July. Last year and the year before, the steamers, with the full knowledge of the department, refused to carry these fish after first of July, although three days was given to the fishermen, and that time was further extended to ten days. It would be impossible for them to dispose of the fish within that time. No care was taken of the mode in which the fish were carried to the various markets where they were sold. I do not see why the Minister should not permit fish to be kept in ponds until November or December. If these fish are allowed to be held in pond during the close season, it will tend very greatly to allow the open season to be shortened. I believe the fishermen would consent to the limitation of the close season to a month or two, say, March, April and May. They could take away January and February from the fishing season, because the fish that are caught after the 1st of July could be disposed of during January and February following, and would bring a much better price to the fishermen. I ask the Minister to observe that if fish could be sold after the close season, it would tend to reduce the catch and preserve the fish. If a fisherman can be allowed to hold the fish, he would not be compelled to slaughter them in a falling market. The market is full in July and August with the fish coming from other quarters. I think the Minister has no right to interfere with the profits of the fishermen, he has no right to compel them to sacrifice their property at a slaughter price. I would like the Minister to give me a short statement of what arrangement he expects to make during this coming season. If he cannot make a statement now, the fishermen will have no security for their shipments of this season's catch.

Mr. COSTIGAN. The hon. gentleman is quite correct in taking a practical view of the difficulty that exists on account of keeping the close seasons under which it may be impossible to export fish caught, perhaps, the night before. The department considers that a reasonable time should be given to export fish to get them off their hands, but I have not been influenced by any argument I have heard that the department should recognize the right of the fishermen to make these ponds, and catch lobsters and put them in the ponds, and sell them after the close season.

Mr. McGREGOR. May I ask if the Minister has made any change in the Detroit River, in the regulations with reference to catching fish ?

Mr. COSTIGAN. Yes ; in the Detroit River, the St. Clair River, and Lake St. Clair, in view of the fact that negotiations are going on with the United States authorities. On account of the narrowness of these waters, we have withdrawn restrictions, pending a final decision with the United States.

Mr. GIBSON. Does that apply to the Niagara River ?

Mr. COSTIGAN. No.

Mr. ALLAN. Is it the intention of the department to allow fish to be caught in December ?

Mr. COSTIGAN. The regulations have been relaxed so as to allow fishing to be nearly as free on the one side as on the other.

Mr. ALLAN. Last year, when it was expected that the elections would be held, I believe a prominent citizen of Essex County had a communication from the Minister, which was read to the county council, promising the fishermen on our side of the lake that they would have the same privilege as the American fishermen, and the county council passed a vote of thanks to the hon. gentleman. Now, I would like to ask him if it is the intention of the Government to relax the regulations so as to permit fishing in the month of November, the only time that whitefish can be caught in the Detroit River.

Mr. COSTIGAN. I think it is likely that is covered by the changes made.

Mr. ALLAN. I did intend to refer at some length to the fishery regulations on the great lakes, but as the time is late, I shall not detain the committee very long. We are entitled to an answer from the Minister as to whether he intends to permit fishing on the Detroit River in November, the only time in the year when fish can be caught.

Mr. COSTIGAN. All these matters are regulated by Orders in Council, and I will bring them down to-morrow morning.

Mr. ALLAN. I desire to call the hon. gentleman's attention to one or two matters. I call attention to the report of the Minister of Marine and Fisheries.

Mr. FOSTER. I suggest that the hon. gentleman should come at ten o'clock to-morrow morning.

Mr. ALLAN. Yes, if I have the opportunity from 10 to 10.30. This is a very important question to which I invite the attention of the House and the country. I wish to refer to the unreliable character of the fishery statistics. This matter should come up. Special reference has been made in this years' report of the Department of Fisheries to the accuracy of their statistics. In this report, at page 12, it is stated as follows :—

> As the yield of the fisheries for the season closing on the 31st December is not yet available for publication, a few statistical tables have been prepared and form Appendix No. 8.
>
> The statements show the general extent of the Canadian fisheries ; their yield and value in each province of the Dominion, as well as the capital invested and the number of men engaged in this important industry.
>
> For the past few years the yield of the fisheries of Canada has exceeded twenty million dollars. Over 70,000 fishermen exploit our seas and inland waters for a livelihood, and over $9,000,000 are now invested in fishing vessels, boats, nets and other implements.

It is stated that our fisheries yield an annual return of about $20,000,000, whereas investigation will show that this statement is grossly exaggerated and that the actual yield is not over one-half that sum. If any one will go over the fishery statistics for Ontario, which are estimated as producing, annually, $1,600,000, he will find they are over estimated threefold, and that the true value is about $500,000. Why does the Minister continue to so value the fisheries ? Herring is put down at about four or five times its value, trout is entered at 10 cents a pound, when the price is 4 cents, and whitefish is entered at 8 cents. That is a sample of the way in which the statistics are made up. I called the attention of the House last session to the extraordinary character of the fishery report. I will now call attention to the report in regard to the lake fisheries. These reports have been very misleading. In order to make a favourable showing and to meet the contentions that the Americans are getting the lion's share of the products of our lake fisheries, the department values the Canadian catch at from three to six times their value and in the same table puts down the Americans at one-third the value, pound for pound, that has been put on Canadian-caught fish, although they are worth more. By this extraordinary method of calculation, they succeed in making a very fair showing for Canada. Taking the year 1889, for example, the department figures that the Canadian catch for that year was within $11,000 of the American. But, instead of only between $10,000 and $11,000, the actual difference applying the same values to American catch of fish as the department has given to the Canadian, the difference for that year is over $3,700,000. In order to put this matter clearly before the House, I will read from the report of the Minister of Marine and Fisheries for 1891, page 50, Roman numerals :

> Another great cause of complaint among the advocates of free fishing is the alleged enormous difference in the catch between United States and Canadian fishermen. They point to the fact that with no restrictions whatever as to the number of fishing apparatus and with no close seasons of any kind, their neighbours stand in a far better position than they do in this respect. In order to set this long debated matter at rest, comparisons have been made with a view of establishing whether these contentions were founded on facts. The recent publication of the last report of the Commissioner of Fish and Fisheries proves the most interesting in this respect, inasmuch as it affords an opportunity of practically testing the matter and once more showing the immense value of the Canadian lake fisheries as compared with those of the other side.

And, Mr. Chairman, in order to set this long-debated matter at rest and to show the immense value of the Canadian lake fisheries, as compared with those on the other side. The department values the Canadian catch in the year 1885, $1,268,551. Total American catch, 1885, $1,813,078, or about 50 per cent more. Whereas there was, in round numbers, twenty-seven million pounds of Canadian fish to seventy-six million pounds of American ; and, using the same values for both, instead of there being a difference of only $600,000 in favour of the American catch, the actual difference for that year is over $2,200,000. These remarkable statements having escaped criticism in 1891, and having, apparently, served its purpose of deceiving the public. The department, in 1893, returned to the same methods, and the report of the Deputy Minister contains the following statement :—

> In the annual report of this department for the year 1891, comparative tables were published showing the variations in the yield and value of the fisheries on both sides of the great lakes. This was done for the purpose of establishing whether the contentions of certain Canadian fishermen that there was an enormous difference in favour of the United States, were founded on facts or not. These tables comprised the years 1880 and 1885. A recent census bulletin, published by the United States Department of the Interior, affords an opportunity of extending these tables by comparing the returns for the years 1885 and 1889, and drawing the conclusions therefrom.

Then, again, in reference to fish eggs, as an evidence of the depletion of the American fisheries, the following appears in the report of the department :—

> But the depletion of the United States waters has made it impossible, in some cases, for adequate supplies of fish-eggs to be obtained for some of the hatcheries in the United States. Season after season for many years, requests have been made for permission to procure spawn upon the Canadian side of these contiguous waters. Unless, indeed, such supplies, especially of eggs, of whitefish and lake-trout, were obtained from Canadian fishermen, some of the lake-hatcheries in the United States could not continue their operations.
>
> It has not in every case appeared advisable to officially grant such requests, or sanction the draining of the spawning beds in our waters in order to populate the depleted waters on the other side of the international dividing line. No doubt, the planting of fry on either side must, in the long run, be advantageous to both countries, but it is also beyond doubt that salmoniods all have the same habit of returning, when mature, to the locality where they spent their earliest days as small immature fry. Whitefish and salmon-trout have not been proved to be so rigidly obedient to this law as the sea-salmon, but, belonging as they do to the same great family, they are characterized by common habits. Hence there is every probability that the fry of whitefish and salmon-trout planted on the United States side of the great lakes, even though the eggs were obtained on the Canadian breeding grounds, will continue season after season to return to the American localities, especially at the spawning period.

Here we have given us a proof that our fisheries are in a flourishing condition, and that the American fisheries have become depleted ; the fact that the Americans come over on our side of the lake and buy fish spawn. Well, there is nothing very wonderful in that. The men on the other side of the Detroit River have been for many years buying fish spawn from us, for the simple reason that they can obtain it much cheaper than they could obtain it on their own side of the lake. It costs a very large sum to gather the eggs in the great lakes, and to confirm that statement, I have only to refer to the report of the department. No one will doubt about the quantity of fish in Lake Winnipeg, particularly whitefish, and Mr. Latouche Tupper, in his report, narrates the very great difficulty he experienced in obtaining whitefish eggs. He says :

> I left on September 10th for Grand Marais where I decided again to take ova, although it had not been satisfactory the two previous years. As I was asked to keep down expenditure as low as possible, I did not like going a greater distance than I could help, so decided to try Grand Marais another year. I left five days earlier as I determined to cut my own net stakes. On the 15th the stakes were driven for the first net. I was disappointed in not getting a second net from officer Chadwick of Rat Portage which had been ordered to be sent me—but unfortunately had been sold. I had then to take the only net I could get here, which was old and unable to stand the severe storms we experienced.
>
> On the 18th, we had both nets set and fishing, on the 25th the fish were coming in nicely, but on the 26th it blew a gale from the north-west which piled the water over our nets taking out some stakes and releasing our fish, the fish had been coming in fully as plentifully as last year. On the 31st we again lifted and found the whitefish coming in. On the 1st October there was another heavy blow which caused us a loss again, and it was necessary to drive three new stakes. On the 7th there was a gale and heavy snow, on the 8th we lifted and found there was not a large increase, on the 14th October we lifted again and got 18 ripe fish, on the 16th 56 fish spawned.

There had been so much storm and our nets had been so damaged and cleaned out of fish that on the 17th we lifted again and only got twelve quarts of eggs.

This clearly shows the difficulty of obtaining fish eggs in the open lakes. I wish to refer to these few points to show the incorrect statements which are put in this report of the Fishery Department. They give statistics in this blue-book, year after year, that are utterly unreliable, and which in some instances are altogether false. Their tables are altogether wrong when they valued 29,000,000 pounds of Canadian fish as equal to 91,000,000 pounds of American fish. Every year that sort of thing has been going on. As an additional proof of the unreliable character of the fishery statistics, I may allude to another matter. Year after year, from 1887 down to 1893, a very large quantity of whitefish, trout, and herring, is recorded as having been caught in the Thames River, whereas, as a matter of fact, not one single pound of this fish was ever caught in that river. Take the year 1888-89 as an example. I find it stated :—

Name of Station.	Kinds of Fish.					
	White-fish.	White-fish.	Trout.	Trout.	Herring	Herring.
	Brls.	Lbs	Lbs.	Brls.	Brls.	Lbs.
Thames River..........	127	23,300	54,600	176	750	140,300

These are the false statistics which have been furnished the Canadian people for a great many years. I have pointed out, Sir, that the comparisons made between the catches of fish on the American and Canadian sides are absolutely false. I called attention to the matter last session of Parliament, because I feel strongly that our blue-books should be absolutely correct. We find errors in them—well not errors, because they are no doubt inserted intentionally designed for a purpose—and that purpose I believe is to deceive the Canadian people and keep from them the result of the ruinous fishery policy which has been pursued by this Government in reference to our lake fisheries. As a matter of fact, our Lake Erie fisheries have been fooled away, and the Americans have been catching ten or fifteen fish on Lake Erie, to the one caught by Canadians. If you take the figures supplied by the Department, and compare the respective value of the catches by the fishermen of the two countries, you will find that millions of dollars have been lost by the province of Ontario, and that thousands of men have been deprived of employment on account of their not being able to get licenses to fish in waters where the fish swim from one side to the other. I do not intend going into the question at any very great length at this hour in the morning, but I think we are entitled to an explanation as to why such nonsensical statements are incorporated in the statistics in reference to the value of the catch of fish on each side of the lake. If the Minister of Marine and Fisheries will give an explanation, I will be satisfied, but if not I will take an opportunity to go into the question some time to-morrow. Surely, Sir, I cannot be accused of taking up the time of this House unnecessarily. I do not pretend to have any special knowledge in this fishery matter, but I have looked into it somewhat, and I can point out errors innumerable in the report circulated by the Government with respect to our lake fisheries. I can not comprehend how a comparison like that can be given year after year, to the people of Canada, and it is full time that we should know whether our blue-books are to continue to be made out in this incorrect way or not.

Mr. COSTIGAN. I hope the hon. gentleman will not think me discourteous, if I say that I would not be able to give satisfactory explanations at this very early hour in the morning.

Mr. ALLAN. Then I will bring the matter before the House to-morrow morning, because I think it is high time we should know why these inaccurate statements are published in the blue-books.

Resolutions reported.

SENATE AND HOUSE OF COMMONS.

Bill (No. 111) further to amend the Act respecting the Senate and House of Commons, was read the second time, considered in committee, reported, and read the third time, and passed.

Mr. FOSTER moved the adjournment of the House.

Motion agreed to, and House adjourned at 1.55 a.m. (Thursday).

HOUSE OF COMMONS.

Morning Sitting.

THURSDAY, 23rd April, 1896.

The SPEAKER took the Chair at 10.30 a.m.

PRAYERS.

QUESTION OF PRIVILEGE.

Mr. MARTIN. I rise to a question of privilege. I am informed by the accountant of the House that it is impossible for members to receive the balance of their indemnity unless they produce a pair. I wish to protest against any such condition. I do not know what the accountant of this House has to do with my voting in this House. Either a member is entitled to receive the balance of his indemnity or he is not. If I am entitled to receive it, I want it. If not, I do not. I know that other hon. members have received the balance of their indemnity, and I do not know why there should be any difference made between one member and another. It does seem to me to be carrying politics a long way to insist on a person furnishing a pair. The question as to how I am going to vote is a matter for myself and my constituents. I am informed that this order was given by you, Mr. Speaker, to the accountant, and I wish to protest most respectfully against any such condition being imposed. I do not wish to be favoured, but to be treated the same as all other members of the House.

Sir CHARLES TUPPER. I am not aware of any arrangement of the kind. I have not heard of it, and was not aware that any such proposition was made by any person.

Mr. MARTIN. I went to the accountant's office and asked for my indemnity, and was informed by him that the Speaker had instructed him not to pay until the parties applying furnished a pair.

Mr. SPEAKER. The accountant must have misunderstood the instructions given by me to him. No member is entitled to receive his indemnity until the House is prorogued; but under an arrangement which has prevailed, at all events, ever since I have been a member of Parliament, on the last day of the session it is customary to allow members, on receiving from the whips a memo., initialed by the Speaker, to receive the balance of their indemnity, and no difference has been made with regard to any member. I have not authorized the payment of any member, except according to the practice which has prevailed since I have been Speaker, and no discrimination has been exercised.

Sir RICHARD CARTWRIGHT. I am quite aware, Sir, that you have made no discrimination between members, but at the same time it appears to me that my hon. friend's point is quite right, that if any one member is paid his indemnity every other member is entitled to it. Whatever our practice has been it must be revised, and there can be no reasonable ground for refusing my hon. friend the right to draw his indemnity and allowing it to others.

Mr. FOSTER. As a question of principle that is exactly right, but there is the practice which has always prevailed since I have been a member of this House, and it is simply intended for the convenience of members. Of course, now that the hon. member for Winnipeg has taken exception to it on the ground of principle, I suppose it must be abandoned, the convenience of members can no longer be consulted, and no payments can be made until the House is prorogued.

Sir RICHARD CARTWRIGHT. But if payments have been made, it seems to me it is now a question of right if the hon. gentleman wishes to draw his indemnity. We can recognize no pair in this House. It is a very great many years since I have taken a pair because I disapprove of the principle.

Mr. MARTIN. Other members have been paid their indemnity, and if that was in violation of the law it should not have been done. If it is a violation of the law to pay them, it is no more a violation of law to pay me. I protest against the question of pairing and voting in this House being raised in this way. The accountant and officers of the House have nothing to do with my vote, and I consider it a direct insult on the part of the accountant, not personally, of course, but through the orders he has received, to ask me if I wished to vote one way or the other in this House before I could draw my indemnity.

Sir CHARLES TUPPER. The matter is in a simple shape. It is simply this, that by common consent, the practice has prevailed that on the last day of the session, those members who were initialled by the whip as having paired.

Mr. MARTIN. What have they to do with it ?

Sir CHARLES TUPPER. Just this, that by common consent that practice has prevailed; but the hon. member for Winnipeg having taken exception to it, and the parties having had no right to it, but having had it simply as a matter of convenience, the practice now ends and it cannot be continued.

Mr. MARTIN. If some members have already been paid, the accountant has no right to distinguish between them and others.

Mr. IVES. Some members have been paid under the arrangement which has existed for years, and no exception was made in the case of the hon. gentleman.

Mr. SPEAKER. I can only point out the practice that has prevailed for the convenience of members, as stated by the hon. leader of the House. If exception is taken to that, I must give the accountant instructions not to pay further sums until the House is prorogued. These payments have been made on the authority of the Speaker himself in each particular case. No general directions had been given to pay, but on the authority of the Speaker, on the last day of the session, for the convenience of members. The practice has prevailed to allow members to be paid on producing a memorandum from the whips, initialled by the Speaker. But of course I shall issue instructions at once to discontinue the practice.

Mr. MARTIN. I do not object to the members being paid ; what I object to is——

Mr. DALY. Sit down.

Mr. MARTIN. I will not sit down. I beg to move the adjournment of the House. I think it is very impertinent for the Minister of the Interior to tell me to sit down. I decline to permit any member of this Government to be so impertinent to me as that. The hon. gentleman has acted in that way in the past.

Some hon. MEMBERS. Order.

Mr. SPEAKER. The word "impertinent" is not parliamentary, of course.

Mr. MARTIN. I ask, Mr. Speaker, if it is parliamentary for the Minister of the Interior to order me to sit down ?

Mr. DALY. I did not order you to sit down. I would not demean myself to be impertinent to you.

Mr. MARTIN. Mr. Speaker, what I say is that I have not objected to the arrangement for paying members their indemnity on the last day before prorogation. What I do object to is the condition attached to that arrangement, that we should furnish a pair, which is something with which the officials of this House have nothing to do. Either this order to pay the members on the last day before prorogation, is legal or it is not. If it is legal, then there is no reason for attaching to it the improper condition which I am objecting to, and that condition should be withdrawn,—not the whole order, because that would not be fair to those who desire to receive their whole indemnity and get away, as between them and those who have already received their indemnity. Personally I do not care one way or the other ; but I do object to the accountant of this House asking me how I am going to vote.

Mr. TAYLOR. Mr. Speaker, I may just say that it will be a great relief to the chief whip of the Opposition and to myself if the request of the hon. member for Winnipeg (Mr. Martin) is complied with. For several years this arrangement has been in existence. The chief whip of the Opposition and myself generally select the members who live at great distances from the capital to make pairs ; and it is a great convenience to members to be able to draw their money a few hours in advance of prorogation, settle their bills, and get away. This has been done chiefly for the convenience of members, but it gives the whips a great deal to do. I have not been able to read my letters this morning, having to sign pairs which the chief whip of the Opposition and myself have made, so that the members might get their pay. I hope, in the interest of the chief whip of the Opposition and myself, that the request of the hon. member for Winnipeg will be complied with.

Mr. SPEAKER. I suppose, then, that I am to say to the House that it is not upon the pairing of members that the accountant is to pay, but on the certification of the Speaker himself. If, as I understand, the House objects to the arrangement that has prevailed, I shall give instructions to the accountant to pay no more until after the prorogation.

Mr. TAYLOR. Does the hon. member for Winnipeg withdraw his objection ?

Mr. MARTIN. I do not withdraw my objection.

Mr. TAYLOR. That settles it.

MONTREAL TURNPIKE TRUST.

Mr. FOSTER moved third reading of Bill (No. 107) respecting certain debentures of the Montreal Turnpike Trust held by the Government of Canada.

Mr. McSHANE. I desire to ask a question before that Bill passes. I understand that the Government have made an arrangement with the bondholders of the Turnpike Trust to buy a debt of $400,000 for $200,000 ; and I desire to ask whether, after that bargain is carried out, the bondholders or the Government will own the road ?

Mr. FOSTER. I think the explanations were made pretty fully the other night ; my hon. friend may not have been here. The situation is this : A trust that was brought into existence in 1840, and had power to issue bonds, has from time to time issued bonds. A time came when the Government of Canada became possessed of practically all those bonds. The interest upon the bonds had not been paid for from fifteen to sixteen years, and an arrearage had accrued. The bonds bore 6 per cent interest. After carefully thinking it over, the Finance Department came to the conclusion that it would be impossible to administer the trust on the basis of the bonded indebtedness and the arrearages of interest at 6 per cent; and this is an arrangement by which the old bonds are to be replaced by new bonds bearing 3½ per cent. and the surplus is to be devoted to the retirement of the bonds. The Turnpike Trust still remains; and when in the future. 40 or 50 years from now, all the bonds are changed, I do not know exactly what will happen. Whatever is left of the value of the property will, I think, belong to the trust; but the march of civilization, so far as turnpike roads and toll roads are concerned, with the encroachment of other means of travel, notably the electric, will probably solve that question in a natural way.

Mr. McSHANE. I thank the hon. gentleman for the answer, and I hope the time will come very soon——

Mr. SPEAKER. The hon. member has already spoken.

Motion agreed to and Bill read the third time and passed.

THIRD READING.

Bill (No. 110) respecting the Harbour Commissioners of Montreal.—(Mr. Foster.)

OCEAN STEAMSHIP SUBSIDIES.

House again resolved itself into committee on Bill (No. 106) further to amend the Act relating to Ocean Steamship Subsidies.

(In the Committee.)

M. EDGAR. There could certainly be no objection to a provision that a contract shall not be entered into in a binding way until Parliament shall meet again, and in order to meet that point, I propose an amendment after the word "year" in line 16 the following words:—

> Provided that such a contract shall not be binding on Canada until it shall have been laid before the House of Commons and shall have been approved by resolution thereof.

Amendment agreed to.

Sir RICHARD CARTWRIGHT. I applied twice for the correspondence and was informed that my hon. friend (Mr. Foster) had it. But he says he has not got it.

Mr. FOSTER. I think the correspondence was shown to the hon. gentleman.

Sir RICHARD CARTWRIGHT. No.

Mr. IVES. I have the correspondence in my desk. I showed it to the leader of the Opposition yesterday. But the hon. gentleman (Sir Richard Cartwright) was engaged at the time and I could not show it to him. I had not time to get the correspondence copied and so brought the original files. The papers are being copied and will be laid on the Table to-day.

Motion agreed to, and Bill read the third time and passed.

SUPPLY—THE GOODWIN CONTRACT.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Mr. DAVIES (P.E.I.) Yesterday I was not in my place when a question was asked of the Minister of Justice to which I hoped he would give a more unqualified answer. We discussed the other day the Goodwin contract and the hon. Minister, in closing the debate, rather left the impression on the House, that he was disposed to have the dispute in question referred to the courts.

Mr. DICKEY. I meant to leave that impression.

Mr. DAVIES (P.E.I.) But the hon. Minister did not say so in terms which left no doubt. He left himself quite open and reserved a discretion which he might exercise. Considering the circumstances, and considering the mass of opinion collected against the payment of the claim and considering the expression of opinion given in this House by legal and other professional gentlemen, engineers and others, I think the House is entitled to a positive assurance that the hon. gentleman will relegate the matter to the courts before paying the money. And I desire to obtain that assurance from him to-day. I have consulted with a number of gentlemen on both sides of the House upon the subject, and the general impression is that assurance should be given. If there is a good claim, let it be decided in the courts and paid, and if not let it not be paid at all. I invite the hon. gentleman to say so.

Mr. DICKEY. I think I have gone as far as I possibly can. The hon. gentleman and the House perfectly well know my own personal feelings. But the hon. gentleman will see that I cannot go further without pledging the office and I cannot pledge the office; I do not know anything about the branch of it. The hon. gentleman certainly can have no doubt whatever about my own personal feelings.

Mr. DAVIES (P.E.I.) Why not make the statement?

Mr. DICKEY. I could not decide that case here. If I decided it according to the majority of opinions that have been expressed in the House, I should say I would refuse the claim altogether and not even allow it to go to the courts. I could not decide the matter in an off-hand way like that. I have spoken very strongly; I have expressed myself very clearly.

Mr. MULOCK. But your wicked partners may overrule you.

Mr. DICKEY. They cannot overrule me, I assure you. I do not see that I can go further than give the House the assurance I have given it.

Sir RICHARD CARTWRIGHT. The leader of the Government, or the gentleman in charge of the matter especially, can certainly tell us that under all the circumstances of the case, the Government won't pay unless they are compelled to pay by the courts ; that is all we want. There is a statement that such and such an opinion was expressed that this case must go to the courts if Mr. Goodwin presses his claim, but there are two opinions clearly against him. Now, it is only right, after all that has been said, that there should be no hesitation on the part of the Government in saying that Mr. Goodwin will be left to the courts for a settlement of that kind. Of course, I recognize the fact that the Minister of Justice can only give a legal opinion, but the Government can give a distinct statement as to their intentions. I am sure it has been discussed enough to enable them to make up their minds by this time.

Sir CHARLES TUPPER. I can only say that I think the hon. gentlemen are very hard to satisfy. The Minister of Justice has indicated that so far as he has had an opportunity to examine the papers, he is disposed to advise a reference to the courts. It is customary for the Government to be guided by the opinion of the Minister of Justice, and I think the hon. gentleman has no right to press for anything further.

Mr. LAURIER. If the statement made by the Minister of Justice was as emphatic as the statement just made by the leader of the House, we might be satisfied.

Sir CHARLES TUPPER. That is as I understand it.

Mr. DICKEY. I do not want to be unfair to the House at all : I want the House to understand in an unqualified way what my position is at the present time. I have expressed my opinion, but I positively decline as a lawyer to state now what opinion I may give when I have had an opportunity of looking thoroughly into the case. I intend to look into it honestly, and I intend to give an honest opinion.

Mr. DAVIES (P.E.I.) There is no doubt thrown upon that.

Mr. DICKEY. I have no hesitation whatever in saying, as I have already said, what I would decide to do, if I were to decide at this moment, and what my strong views are on that question. But I cannot bind myself to go any further.

Mr. DAVIES (P.E.I.) The hon. gentleman misunderstood me altogether. I did not ask him to bind himself to an opinion one way or the other. He may give an opinion in favour of Mr. Goodwin, or against Mr. Goodwin, and he may modify the opinion already given. I am not asking him to give as his opinion. The papers have been brought down, the case has been discussed, a great many gentlemen have formed a very strong opinion that this claim ought not to be paid, we do not ask him to say that it will not be paid, we ask him to say that in view of all the facts, it will not be paid without a judgment of the court being taken upon it. We do not ask him to express an opinion, but surely this House has a right to say that, under all the circumstances of the case, we shall not separate without an assurance being given to them that this matter will be settled, not by a passing opinion of the Minister of Justice, or by a majority of the Treasury Board, but by the courts of law. If the court shall determine that this is a good claim, well and good. We don't ask for any opinion to be expressed now, nor do we want the Government to be governed by an opinion the hon. gentleman may pass afterwards ; we want this case to go to the courts of law before it is paid, and I do not think that is asking too much.

Mr. SPEAKER. I would point out that the hon. gentlemen has spoken once.

Mr. DAVIES (P.E.I.) I know I can only speak through the indulgence of the House.

Mr. DICKEY. I do not think any Minister of Justice can go further than I have gone.

Sir CHARLES HIBBERT TUPPER. I believe the pressure that is attempted to be put upon the Minister of Justice is absolutely without precedent. I think it would be difficult, if at all possible, to find in the British Parliament the law officers of the Crown pressed as the Minister of Justice has been pressed here in regard to what he will do when he is called upon, formally and officially under the statute, to discharge his functions on a future occasion, an occasion which has not arisen, in regard to the advice that he will tender to the Government. This question must come under the statute, according to what has been stated in debate, on the challenge of the Auditor General to the Treasury Board. Under the statute, the Minister of Justice, holding an official position, is called upon to decide at that time, and not now, after that appeal has been prepared and properly brought to his notice, or that reference from the Treasury Board, with the facts as they shall appear, and with the papers as they shall then exist—at that time he will have to discharge his duty, and the responsibility will rest upon him. Hon. gentlemen opposite have in great heat, hon. gentlemen hostile to this Government, every man of them who has criticised this claim, hon. gentlemen anxious to make capital against this Government, have expressed opinions from their seats that the Minister shall come down and tell this House what he will do and what he will recommend after he has had an opportunity for making a review of the situation —it is absolutely, in my opinion, unprecedented. It is ridiculous to ask him to place himself in this position, a position that no Minister of Justice would place himself in, and no Government would yield to it unless they had no business to occupy their positions as a Government. The Minister of Justice has stated in my hearing, at least three times, that he would not bind himself to any course, but that his opinion, so far as it had been affected by the debate, would make him very careful whether he entertained the claim at all: and that one reason why he would not pledge himself to refer the case to the Exchequer Court was that possibly he would find that there were no grounds for this claim to be further urged, and in that event, instead of referring it to the Exchequer Court, he would advise that the claim be not entertained.

Mr. MILLS (Bothwell). The position which the junior member for Pictou (Sir Charles Hibbert Tupper) has taken is rather an unusual one. This matter was discussed pretty fully a few days ago, and a great majority of those who spoke upon the subject were of the opinion that this was an invalid claim. They did not concur in the legal opinion expressed by the member for Pictou when acting as Minister of Justice. Well, Sir, you have a carefully reasoned opinion from a former Minister of Justice, Sir John Thompson, you have a different opinion from the hon. member for Pictou, and you have from the present Minister of Justice an impression given without careful consideration, an opinion by which he says he would not wish to be bound, and the opinion expressed in the first instance was not the opinion expressed by the member for Pictou. Now, this is a claim upon the treasury of Canada, it is a claim that this House must assume responsibility for: and looking at the different opinions that have been expressed by the legal advisers of the Government, the law officers of the Crown, the House takes this position, that this ought not to be paid unless upon a judgment of the Exchequer Court. Now, that is a simple proposition. The House has before it the fact that the law officers of the Crown before whom this subject has come, do not agree, do not concur in opinion, and that being so, the House says that we do not want this to be paid upon the opinion of the Minister of Justice: we want a judgment of the Exchequer Court on the subject. That is a reasonable proposition, and one in which the Government ought to acquiesce.

Mr. EDGAR. The amount involved in this claim is so very great that when there is any doubt whatever as to the validity of the claim, it is the duty of the Government to put the machinery of the courts of the law in motion before paying a doubtful claim of such an enormous magnitude. We must remember that the chief engineer of the Soulanges Canal has given his professional opinion on the question of cost to the country. If the Minister of Justice does not agree with the engineer as to the meaning of a clause in the specifications, he cannot successfully dispute the engineer's accuracy when he tells the department that a decision in favour of Mr. Goodwin on this claim will involve a loss to this country ranging from half a million to $750,000. I cannot understand why when a suggestion is made from this side of the House that the Government should agree to have the case submitted to a court, the Minister of Justice should consider that to be unfair pressure to put upon the Government. I think the attempt to bully the Minister of Justice has been made by the hon. member for Pictou (Sir Charles Hibbert Tupper), who endeavours to prevent the Government, of which he is not a member, doing what the Minister of Justice says his deliberate opinion favours, and that his advice now would be that the case should be submitted in the first instance to a court. I am sure the Minister of Justice would welcome an expression of opinion of this House that would strengthen his hands in his present view against the pressure which his colleagues and others may bring upon him in regard to this case. For that reason, I move:

> That you, Mr. Speaker, do not now leave the Chair, but that in the opinon of this House the claim of George Goodwin, recently refused by the Auditor General, should not be passed by the Government except by authority of a court of law.

Mr. McCARTHY. I think it is greatly to be regretted that the House is not able to get from the Minister of Justice a definite pledge on this very important matter. What has been asked, and I think most reasonably asked, is that before a payment is made on this disputed claim the question should be submitted to the ordinary tribunal for that purpose, constituted by the Government itself, the Exchequer Court. The position of the affair is this. The claim has been certified by the engineer under the direction of his chief, under the authority of the late Minister of Justice. The claim is therefore probably payable according to that certificate. But when it came before the Auditor General it was accompanied by a statement of the engineer that, although his hand has certified to the amount, he has done so under the direction of his chief, that the sum is not payable, and the work has not been done. Under these circumstances, the Auditor General has refused to honour the draft, as it were, of the department, and from that an appeal is threatened to the Treasury Board. If the Treasury Board overrules the Auditor General there is no redress in the court—the claim is established. What we want is not a Treasury Board determination of the matter. but that the question should be submitted to the court, and the court should say whether the debt should be paid or not. The Minister of Justice said he could not do so because. peradventure, it would appear there was no claim. We do not want the case submitted to the court in that event ; but we want a pledge that the Goodwin claim, or any claim of such a class. shall be submitted to the court before it is paid. and we will have that pledge before the Supply Bill goes out of that door.

Mr. MULOCK. I can understand that the ex-Minister of Justice does not wish this case submitted to the courts. He has undertaken to overrule the authority of the next Minister of Justice. and all the officers of the department. and of course he does not desire that his own opinion, given after he had ceased to be in office. or communicated after he had ceased to be in office. should be reversed. No matter what his motive may be. he has no right to bulldoze the Government and pose as the power behind the throne. to try and prevent justice being done to the people of Canada. This is a most extraordinary position. The Government. representing the people and having charge of the people's money. are manifesting an anxiety to pay an increased claim. This is not the first time this has happened. It is not very long ago since I had occasion to bring before the House a transaction very like this one. There was a contract made with Mr. Onderdonk to build a section of the Canadian Pacific Railway. The contract provided that at any stage the Government might. if they choose, take over the railway stock and plant on hand and in use.

Mr. SPEAKER. The hon. gentleman must confine himself to the question before the House. He can refer to the Onderdonk case if he chooses. but he cannot go into any particulars and discuss it.

Mr. MULOCK. I do not intend to do so. I intend to illustrate the case now under discussion by what happened on a former occasion. and I will show a parallel between that case and the case in hand. History is going to repeat itself here. In the Onderdonk case the Government decided to take over the rolling stock, and arbitrators made an award of $150,000. and the Government then went out of their way to have the award increased ; instead of guarding the Treasury they went out of their way and manifested their anxiety to pay more than the award. That is what happened then. Here we have again the Government. instead of protecting the Treasury. manifesting anxiety to raid the Treasury. The ex-Minister of Justice says it is a new claim. Has any new work been done ? We are told that the work now certified to was done and the claim presented to the ex-Minister of Justice. How does he mean to say that this is a new claim ? There has not been a blow struck on the contract since. The engineer in charge of the work pronounced the claim unfounded in fact ; the chief engineer. who has to do with the construction of contracts pronounced against it ; every one of the engineers decided the question of fact against the claimant. Sir John Thompson decided the question. so far as it was a question of law, against the claimant, and the matter remained in suspense until the retirement of the ex-Minister of Justice. After his retirement he walked into the office one day. told his late deputy he had formed an opinion on it. But for that mere accident the treasury of the country would have been saved possibly $250,000. What case was submitted to Mr. Lash ? Mr. Lash was formerly Deputy Minister of Justice. a Queen's Counsel. and a lawyer of eminent standing. I fancy quite as eminent a lawyer as the ex-Minister of Justice. Mr. Lash. on the 17th March. gave an opinion. Was that opinion on a different claim. or upon the claim submitted to the ex-Minister of Justice ? I fancy it cannot be pretended that Mr. Lash advised on any different claim. Mr. Lash unreservedly gave it as his opinion that the claim was unfounded in law and in fact. That is the last opinion given. Against his opinion. against the opinions of the engineers. against the opinion of Sir John Thompson. we have the verbal statement of the hon. member for Pictou (Sir Charles Hibbert Tupper). and in this conflict where lawyers differ. we are told that in regard to a claim of this enormous sum we should not have the protection of the judgment of a court of law. Sir. it is an extraordinary thing that members of this House. and men who were formerly members of the Government, should manifest an anxiety to so recklessly pay away the people's money. If the claim is valid the court will so pronounce it. I maintain that where there is a grave question as to whether the claim is valid. or recoverable. or not. the mere fact that there is a decided difference of opinion between able counsel, demands that the Government. as the trustees of the money of the people, should at least do what an ordinary citizen would do under similar circumstances. There is overwhelming testimony that there is more than a grave doubt as to the validity of this claim. Therefore. why should the Government assume to decide against the people. instead of giving to the people all the protection with which the law surrounds them. If it had not been for the mere accident of our having a careful, wise, safe and trusted Auditor General, this country would to-day be poorer by $210,000. and probably $750,000 because of the meddlesome interference of an ex-Minister of Justice. If this is the last day of the Parliament. and this the last hour of it. and the Supply Bill is to be blocked entirely. and every other bit of legislation. I for one say. that we will be only doing our duty by the country if we do that, in the absence of a promise that this money shall not be paid until it is granted by a court of law. So far as I am concerned, no Supply Bill can go through this House until we get that pledge.

Mr. DICKEY. Let us review the circumstances of the case briefly. The hon. gentleman from Queen's (Mr. Davies) raised this question. I listened with a great deal of interest to his argument, and I listened with a great deal of interest to the argument of the ex-Minister of Justice (Sir Charles Hibbert Tupper), and I heard a great deal of the discussion that succeeded. The question seemed to me one of very considerable interest, and I said a few words to the House upon it. I was pressed then to express an opinion——

Mr. DAVIES (P.E.I.) Excuse me, not by me. I did not press the hon. gentleman to express an opinion. I do not want to anticipate his opinion at all.

Mr. DICKEY. Well, I was pressed to commit myself. I declined the request of the hon. gentleman from Queen's, on the ground that I might altogether refuse this claim. Now, I have been pressed this morning upon the same subject. I think my former statement to the House was very frank. I told the House, that while my present opinion was perfectly evident to hon. gentlemen, yet, from a personal standpoint I declined to commit myself to an opinion. The hon. gentleman from Queen's (Mr. Davies) has said, that he does not want me to commit myself to an opinion, and that he wants me simply to consent, practically not to give an opinion, but to refer the matter somewhere else.

Mr. DAVIES (P.E.I.) The hon. gentleman will excuse me. I did not even say that. If the hon. gentleman forms an adverse opinion to the claim it of course drops. I want an assurance from the Government that the money will not be paid, unless it is ordered by a court of law to be paid.

Mr. DICKEY. I was about to refer to that. The hon. member from Simcoe (Mr. McCarthy) and the hon. member for York (Mr. Mulock) give notice that they will not allow Supply to be passed, unless I give up my professional scruples,——

Mr. MULOCK. That is not the point at all.

Mr. DICKEY. Well, unless I do what I have refused to do with regard to this matter.

Mr. MULOCK. Allow me to correct the hon. Minister. As far as I am concerned, I am taking my own course. I say that there has been a conflict of opinion as to the validity of this claim. Whilst the majority of opinions is against its validity, there is such a serious difference of opinion amongst legal gentlemen, as to whether it is a valid claim or not, that that circumstance alone, should cause the Government to stay its hand, and not to allow the money to be paid unless a competent court of jurisdiction should order it to be paid.

Mr. DICKEY. The hon. member for Queen's (Mr. Davies) says he does not want me to give an opinion, but he asks that I should give a pledge that I would not allow this money to be paid without going to court. In view of the situation, I am willing to give that pledge to the House. It is not a pleasant thing for me personally to do, but I am face to face with this circumstance, that otherwise the whole business of the country would be blocked. I will not allow my personal pride, or my professional pride, to stand in the way of the business of the country. For that reason, I waive any consideration of that sort, and I say that so far as I am concerned, I will give no opinion as to that claim without a reference to the courts.

Sir CHARLES HIBBERT TUPPER. In justice to myself I wish to say a few words. I quite agree with the decision of the Minister of Justice, just given, and the pledge just given under the circumstances. So far as I am concerned, and so far as my position in the matter is concerned, a reference to the Exchequer Court would have been most gratifying, and I appeal with confidence to all that I have said, and which is taken down in "Hansard," in order that it may be understood, that I would have resented under ordinary circumstance, such a pledge being extracted from a Government that I supported; in consequence of that pledge involving in my humble judgment, a want of confidence in the Minister of Justice of the day.

Some hon. MEMBERS. No.

Sir CHARLES HIBBERT TUPPER. Well that is my ground, and I am giving my reasons, and hon. gentlemen opposite may not agree with me. Personally, I have no pride or stubborness in this matter. I have strong views as to the correctness of my own opinion, but so far as I am concerned, that reference to the Exchequer Court is considered and was always considered by me, a most happy thing. I do not know that under ordinary circumstances it would be in accordance with reason, or that it was respectful to the occupant of the office of Minister of Justice of the day, that a pledge like that should be extracted. But, I see the situation of the Government, with Parliament expiring now in a few moments, and I quite agree with the statement.

Mr. FOSTER. I want to say this: That whatever supply is to be obtained we must have the items passed before one o'clock.

Mr. LAURIER. I quite understand that the pledge given by the Minister of Justice is the pledge of the Government.

Sir CHARLES TUPPER. Hear, hear. Certainly.

Mr. FOSTER. I think that ought to remove the discussion.

Mr. MULOCK. I cannot allow the ex-Minister of Justice to give any incorrect colouring to what I said. My attitude is this: The Minister of Justice must see that the mere fact that there is such a difference of opinion, demands a reference to the court. I am not seeking to bias the Minister of Justice or to interefere with his independence or freedom of action or responsibility. It was not the pledge of the Minister of Justice that was wanted. I wanted the pledge of the Government. Now, I have something to say when this motion is voted down.

Mr. McCARTHY. It is settled. The amendment will be withdrawn.

Mr. EDGAR. In view of the assurance of the Government that they will meet the views expressed in this amendment, at the suggestion of my leader, I beg leave to withdraw it.

Amendment (Mr. Edgar) withdrawn.

CASE OF LIEUT.-COL. HAMILTON.

Mr. MULOCK. Yesterday I read a telegram in reference to Lieut.-Col. Hamilton, and to-day I have received a telegram in respect to the supposed influence of Sergt. George on the action of the court or commission that inquired into the case of Colonel Hamilton. I have received a telegram from Sergt. George, and, in justice to him, I simply want to put it on record, for whatever it is worth. The telegram is as follows:—

> April 23rd, 1896.
>
> You are misquoted morning papers, or misinformed as to facts. My resignation in morning. After meeting president of court of inquiry, said no charge whatever against me. Ready for fullest inquiry. Fair play is a jewel.
>
> HUGH M. GEORGE.
> Late Sergeant-Major Queen's Own Rifles.

Whatever the telegram means, I read it because I wish to give him the benefit of the statement.

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

North-west Mounted Police—	
Amount required to complete the service of the year	$35,000 00
Amount required to pay claim of Wm. Gordon for horse-shoeing at the rate of 75c. per shoe instead of 50c. already paid	$ 613 25

Mr. DALY. The first item is occasioned by the sending of a detachment of police to the northern Yukon district. The other item is an old claim for horse-shoeing from a man named William Gordon of Prince Albert. The price of horse-shoeing at that time was 75 cents per shoe, and Gordon was paid that price up to a certain period. The police wanted to settle at 50 cents, but Gordon claimed that, owing to the high price of coal, iron and nails at the time of the rebellion, he should be paid 75 cents.

Sir RICHARD CARTWRIGHT. We shall have another rebellion in the North-west to a dead certainty if you are going to pay for horse-shoeing at the rate of 75 cents per shoe. This claim is ten years out of date. I think it had better stand.

Mr. DALY. We have the opinion of the late Sir John Thompson that, as 75 cents per shoe was the rate which Gordon charged to the public, he had a right to charge us the same rate. Wages, charcoal, iron and nails were all at war prices at the time of the rebellion.

Indians—Ontario and Quebec—	
To compensate John Ormiston, Esq., Collector of Customs of the Port of Gananoque, for services as agent of this department for the sale of islands in River St. Lawrence during the seasons of 1894 and 1895	200
To provide for legal and other expenses incurred on behalf of the Mississaguas of the Credit in connection with the presentation of their claims to the Board of Arbitrators	$2,000

Mr. DALY. As to the first item, Mr. Ormisston could not be paid out of the consolidated revenue without the money being voted by Parliament, he being an officer of the Government. He has sold a number of islands there, and this is his commission. The money will be recouped to the Government out of the funds of the band who owned the islands, but it has to be voted in this way. The next item is for legal expenses incurred by the Mississaguas in the arbitration between Ontario and Quebec, in connection with a claim they had against the province of Ontario, which was found by the arbitrators not to be well founded. This is to recoup them for their legal expenses. The decision against them reduced their capital to such an extent that they were not able to pay their legal expenses.

Mr. PATERSON (Brant). Are they to pay back the principal?

Mr. DALY. That is a matter to be arranged afterwards.

Sir RICHARD CARTWRIGHT. To whom does this money go?

Mr. DALY. To a firm in Hamilton. I cannot remember the name. They were engaged by the Indians themselves.

To provide for the purchase of seed grain and implements in connection with the scheme for improving the condition of the Half-breeds in the North-west Territories	$2,000

Mr. DALY. When the industrial school at St. Boniface was built, the land was acquired from the archipiscopal corporation. At that time, it appears some arrangement was made for an exchange by our giving them land in lieu of the forty-four acres. That exchange could not be carried out, and the matter has been hanging fire ever since, and this is to settle the claim in full.

To provide for the payment to the widow of George McPherson, late Indian Agent for Lake of the Woods District, for services rendered by him as an Indian agent at the North-west Angle from 1st October, 1875, to 1st July, 1896, the date of his permanent appointment to that position. $200 00

Sir RICHARD CARTWRIGHT. The amount is small no doubt, and it is very disagreeable to discuss this thing, but I put it to the common sense of the House where are these things going to end ? Twenty years ago this claim accrued, and it is now brought up. I think really, in the general interests, the hon. Minister of Finance ought to let that stand or drop it.

Mr. DALY. We will let that stand.

Geological Survey—Amount required to provide for continuing artesian boring in the North-west Territories $3,957 57

Mr. CHARLTON. What success has attended the experiment ?

Mr. DALY. This is for boring for oil in the Athabasca Mountains. They have got down 1,700 feet and expect to strike the oil at 1,800 or 1,900 feet, and so far the indications are very satisfactory.

To defray the expenses of delimiting the boundary between Canada and the United States along the frontiers of New Brunswick, Quebec, Ontario and British Columbia $25,000 00

Mr. DALY. This is in connection with the Passamaquoddy Bay, New Brunswick. We are restoring some of the monuments along the line between Quebec and Vermont and finding the line in Lake Erie and Lake of the Woods, disputes having arisen in connection with the fisheries. It appears that in British Columbia, in running the 40th parallel, one party went from a westerly direction and another from an easterly direction, and there is one line to the north and another to the south. Settlement has been going in to our part of the country on the south. Up to the present there has not been settlement on account of the Indian reserve, but that is about to be opened, and we are afraid disputes will occur as to it being Canadian or United States territory, and we propose to send out an officer to continue the line in order to ascertain if it is a true one.

To recoup the North-west Mounted Police for temporary relief afforded in cases of actual destitution, and for the purchase of seed-grain for distribution among distressed settlers in the North-west Territories $31,000 00

Mr. DALY. This is owing to distress which we had to relieve, caused by a very destructive prairie fire last fall. These fires destroyed stacks of grain, buildings, implements, and the horses and cattle of the settlers and their hay, and left them in such a position that we had to come to their rescue through the Mounted Police. Every case was investigated by an officer of the police, and the money spent in the most economical way.

Mr. DAVIES (P.E.I.) I would like to ask by whom this was distributed ? The reason I ask is, there was some reference made in the newspapers to the previous distribution, and it was hinted that there was some dissatisfaction with the manner in which these funds were distributed.

Mr. DALY. The hon. gentleman has reference to another matter—to the distribution of money by the North-west government. This distribution is by the North-west Mounted Police and advisedly, so that no question could arise as to the money not being given to the proper people. I will undertake that every dollar has been properly expended.

Mr. DAVIES (P.E.I.) Who has control of this ?

Mr. DALY. Major Griesbach has had most to do with it. He is in command of the North-west Mounted Police at Edmonton.

Mr. DAVIES (P.E.I.) What is his mode of procedure in these cases ?

Mr. DALY. He made a personal inspection.

Mr. DAVIES (P.E.I.) It is a matter of personal judgment.

Mr. DALY. Yes.

Mr. DAVIES (P.E.I.) And the department is guided entirely by that ?

Mr. DALY. Yes. Major Griesbach is a responsible man and has had twenty years' experience in the North-west.

Mr. McMULLEN. Have these disbursements all been made by one party ?

Mr. DALY. No ; he has had his junior officers under him, and one portion of the expenditure, as I said, was made at Prince Albert by Major Moffat, who is in charge of the Mounted Police there.

Mr. McMULLEN. Are the returns made under statutory declaration ?

Mr. DALY. Every item is accounted for by voucher. If the hon. gentleman knew the perfect system the police have in connection with these matters he would understand that there is no possibility of anything going wrong. So far as the distribution is concerned, Major Griesbach was assisted by officers of the department who speak the language of the settlers—Hungarians and others—and there was thus a check, so far as that was concerned.

Mr. DAVIES (P.E.I.) Were they all foreigners ?

Mr. DALY. Not all.

Mr. McMULLEN. I can understand how easy it is to get vouchers for money supposed to be spent in this way. I am not imputing anything wrong to the Mounted Police. But I say that besides the voucher being got from the party who gets the money or the seed grain, there should be a statutory declaration setting out that this relief was given to these several individuals, and in addition to that there should be in all cases at least two persons present when the disbursements are made.

Mr. DALY. So far as the seed grain is concerned, every person who receives it gives an acknowledgment and a lien upon his land. We expect to be repaid the amounts given to these people for the seed grain.

Mr. EDGAR. Do you ever get anything ?

Mr. DALY. Yes ; large sums are repaid. The people cannot get the deeds for their land until repayment is made.

Mr. McMULLEN. Is any return made, such as I have suggested should be made ?

Mr. DALY. I am satisfied the officer will receive an acknowledgment and the acknowledgment will accompany his report, so systematic is the way in which they do their work. It is just the same as with any military organization.

Mr. McMULLEN. But a distribution of that kind is not satisfactory. It is quite within the power of the Mounted Police to make an unjust return, and you have no check upon them. But if they made the return under oath and it was learned that it was wrong, the officer could be prosecuted.

Mr. DALY. I think I can satisfy the hon. gentleman. This distribution is always made by two men, and a receipt is taken from the settler to whom the relief is given. This is returned to the officer in charge of these men who make the return to the commandant in the usual way. It is impossible to make the distribution in a better way, it seems to me. It was with a view to meeting all difficulties that the Mounted Police were selected to perform this duty.

Mr. MARTIN. Was this relief distributed at the same time as the relief given by the North-west government ?

Mr. DALY. No ; this is being distributed now.

Mr. MARTIN. Was it on account of the dissatisfaction with the manner in which the North-west government had made the distribution that the Mounted Police were selected for this service ?

Mr. DALY. No ; it was because this was to be distributed up in the Edmonton district, and the North-west government had not the facilities for meeting the conditions that existed there. I had no dissatisfaction myself so far as the North-west government were concerned, as they were disbursing their own money.

Amount required to pay Mr. J. L. P. O'Hanly, C.E., for services investigating the subject of the probable effect of the Chicago drainage canal upon the lakes and harbour levels	$2,500

Mr. CHARLTON. I would like to ask the hon. Minister if any information has been accumulated with regard to this matter and if any facts are known which would lead to a conclusion as to the probable effects of this canal ?

Sir RICHARD CARTWRIGHT. And what was done for this money ?

Mr. COSTIGAN. On my attention being called to the fact that the scheme of the Chicago drainage canal had been commenced, and in view of the fact that the United States government thought it of sufficient importance to appoint three engineers to examine into and make a report as to the probable effect upon the water-level on the great lakes that might be produced by the construction of this canal, believing that Canada was equally interested from that point of view, I employed the services of an engineer to make an inquiry. For that purpose, I selected Mr. O'Hanly, as a competent man, especially as a hydraulic engineer, and I have been ever since the more satisfied with his appointment because it was impossible to get any data, either in the United States or in this country, and in support of that assertion, I may quote a report made by the eminent engineers who were selected in the United States to make this inquiry, to the effect that no data was available in the United States, or elsewhere that would enable them to make a satisfactory report upon that subject, and that to make engineering and scientific inquiries, instrumental surveys would have to be made before they could make a complete report. Mr. O'Hanly went to work, under those circumstances, and put himself in communication with some of the most eminent engineers in the United States, collected all the information possible, and made an interim report, which I laid upon the Table of the House some time ago, and which I think will prove of great value as a matter of record in this country, not only for my own department, but for the public at large.

Sir RICHARD CARTWRIGHT. I think this had better stand over. It is just one of those items that will require considerable discussion, and the time is extremely short in which we can discuss it. It is an item that can take no harm by being aired for a couple of months.

Mr. COSTIGAN. But the work is done, and done in good faith.

Sir RICHARD CARTWRIGHT. That may be, but I do not hold to paying sums of this kind without full discussion, and no such discussion can take place upon it now.

Mr. McMULLEN. I may say to the Minister that I want to make an hour's speech on this question, and if he is prepared to listen to me now, I am prepared to go on.

Mr. COSTIGAN. Of course, under these circumstances, I shall have to let it stand, as I do not want to delay the rest of the Estimates; but I do not see why this should not go through as well as any other item in the Estimates.

To pay travelling expenses of the Deputy Minister of Marine and Fisheries in connection with the Imperial Commission for the manning of British ships..	$746 89

Mr. COSTIGAN. This is to pay the expenses of Deputy Minister Smith when he was attending to that commission in England.

Sir RICHARD CARTWRIGHT. Did the British Government ask the Canadian Government to send a representative to this commission, or was it a spontaneous move of the hon. gentleman ?

Mr. COSTIGAN. I cannot say for certain whether it was the British Government, or British Board of Trade.

Sir RICHARD CARTWRIGHT. I do not exactly see what we had to do with it.

Mr. COSTIGAN. The hon. gentleman can understand that Canadian shipping was much interested on this question, and Mr. Smith went to represent the Canadian shipping interests. The British Government agreed to pay the expenses, and did pay most of the expenses, except this $746.

North-west Territories—Further amount required for schools, clerical assistance, printing &c.	$25,000 00

Mr. DALY. This is supplementary to the large vote that is given every year to the North-west government. The hon. gentleman will see in the main Estimates a sum of $242,879. The North-west government have stated that it was impossible for them to carry on the works that are contemplated with the sum they had last year, and they have asked us to supplement that vote this year by $25,000.

Sir RICHARD CARTWRIGHT. What is the population of the North-west Territories now ?

Mr. DALY. Eighty-three thousand.

Mr. MARTIN. I do not think the Minister of the Interior has been very frank with the committee in connection with this item. The fact is that the North-west government claim that the hon. gentleman agreed to advance the money for the purpose of affording aid to distressed settlers in the Territories last year. In 1894 the Estimates for the North-west Territories amounted to $297,509 ; in 1895 that item was $313,009. Now, there was included in that Estimate for 1894, a sum for elections, which, of course, only occur once in three or four years. The hon. gentleman came down last year and got the same amount that he got for 1894, or a little larger amount, without explaining to the committee why it was that he required as much money, there being no elections in the Territories during 1895. The hon. gentleman told the North-west Government that they could apply this amount, together with a sum of $25,000 for a bridge, to this money which he had agreed to give them, which, I believe, amounted to $45,000 or $50,000.

Mr. DALY. Twenty-five thousand dollars.

Mr. MARTIN. But the whole amount they expended was $45,000 or $50,000. I think this is a matter that should be thoroughly understood and ventilated in this committee. In 1894 Mr. Ross and, I think, one other member of the North-west government, called upon the Minister of the Interior when he was in Winnipeg and got from him, as they say, a promise. As I understand the matter, the government of the North-west Territories claim that the Minister of the Interior promised them $50,000 for the purpose of relieving the needs of settlers in the Regina district. The North-west government went to work in 1894 and used that sum for that purpose, employing men on necessary public works and in other ways. They expected there would be in the Estimates for 1895 an item for that amount. No such item appeared, and no explanation was made in Committee of Supply ; but the Government gave the North-west Territories a rather larger grant than in the previous year, in fact $25,000 more, because there was included in the grant $5,000 for a bridge and $20,000 for elections. So, in that indirect way, which was a very wrong one to adopt, the North-west was recouped to the extent of $25,000. They are still short $25,000, and the Government propose to vote this amount of $25,000 under the head of schools, printing, &c. But the grant is for no such purpose ; it is really intended to recoup the North-west government. I understand the Minister of the Interior denies that any promise was made to give $50,000 for the North-west Territories. This has been a live question in the North-west. Its discussion occupied several days at the last session of the assembly. Some members of the assembly were very much opposed to the action of Mr. Haultain and his government in connection with the matter, and blamed them for using the territorial funds. The provincial government advanced $50,000 out of money in their possession for schools and other purposes, and which was not at the time required. Mr. Haultain has been in Ottawa this session, and, no, doubt, he discussed the claim with the Government, and this item is the result. I am not discussing the question as to whether it was proper to advance $50,000 to settlers or not for relief purposes ; but what I am pointing out is that $50,000 of Dominion money has gone for the purpose of relieving settlers in the Regina district without this House knowing it, and without any explanation being offered. The Minister of the Interior adopted a very improper mode of smuggling a grant through the House without giving any explanation. In the assembly, Mr. Haultain made a similar explanation to that I have already given, namely, that the grant by the Dominion Government in 1895 was really $25,000 more than in 1894, and that the amount now proposed is the additional $25,000.

Mr. DALY. I have nothing to conceal. I have no intention to deceive the House nor any one. This item was not discussed last year because the items in regard to the North-west government were not discussed at all. If I wished to deceive the House, I could have brought down the Estimate in a different form. The disbursements of the government of the North-west Territories were made for public works in the district. I never mentioned $50,000 to Mr. Haultain. The only sum mentioned was $25,000. The position was simply this. Large petitions had been sent to the Government asking that we would do something to relieve the distress in Moose Jaw and Regina districts. I protested that this was a matter entirely outside our jurisdiction and within the jurisdiction of the North-west assembly. I met Mr. Haultain when I went west that summer, after having had considerable correspondence with Mr. Davin and others, and Mr. Haultain thought it would not be wise to afford relief without receiving a 'quid pro quo' from assisted settlers, and so his government undertook local public works and money was paid to these men who worked on them. The amount here asked, $25,000, is a final amount to recoup the North-west government for that amount given for relief purposes.

Mr. MARTIN. The hon. gentleman has not given an explanation in regard to the Estimate of last year. What the hon. gentleman did last year was to vote $25,000 for the purpose of relieving settlers without giving any explanation on the Estimates.

Mr. DALY. I did nothing of the kind.

Mr. MARTIN. The item was increased in 1894 by $25,000, on account of the items for bridge and elections. But, although in 1895 those two items had been dropped, still the same amount practically was asked.

Mr. DAVIN. That would not necessarily be so much less every year. A great deal more is given than is asked for and a great deal more should be given than is asked for every year ; about $100,000.

Mr. MARTIN. Probably the hon. gentleman is right. If the same amount was given in 1893 and as in 1894, the Territories would get $25,000 more, because they had to meet $20,000 for the elections and $5,000 for a bridge, which they did not require the previous year. I say that increase was not for the ordinary purposes of the Territories, but for the payment of this relief money.

Mr. FOSTER. I want to remind my hon. friend (Mr. Martin) that the Winnipeg train leaves at one o'clock.

Mr. MARTIN. I do not think so.

Mr. FOSTER. It may be a little before time to-day.

Sir RICHARD CARTWRIGHT. Do you not wish it was ?

Mr. MARTIN. I do not intend to be long. By pretending to increase that amount for schools and clerical assistance, he gives them $25,000 more for this relief, but their grant for schools and clerical assistance has not been increased a cent. The hon. gentleman did take the responsibility in his promise to Mr. Haultain to refund the money, by saying it was a Dominion liability and not a Territorial liability.

Electric light inspection $2,000 00

Sir RICHARD CARTWRIGHT. There are a great number of small towns which have electric lights, and complaints have been made to me from several quarters, that quite a considerable charge is made by the Government for inspection. It seems to me that it is desirable to encourage these lights in small towns, and that the charge for inspection in towns less than 5,000 population should be made very low. I do not object to the employment of an inspector. In the great majority of these cases the companies do not pay dividends, and it is rather a hard thing to saddle them with $50 or $40 additional expense for inspection. If the Controller of Inland Revenue would agree that the inspection fee should be a nominal one in these small towns, he would confer a considerable boon upon these companies, fifty or sixty of which are scattered over Ontario.

Mr. SPROULE. I fully agree with what has been said by my hon. friend (Sir Richard Cartwright). I know that in my part of the country there are complaints of the onerous fees charged by the Government for the inspection of electric light in these small towns. If a fee is to be exacted at all, it should be made as small as possible.

Mr. McMULLEN. On behalf of the town in the constituency I represent, I appealed to the former Controller (Mr. Wood), and a reduction was made from $50 to $25 in towns of less than 3,000 inhabitants. In my humble opinion, it ought even be less. I quite endorse what the hon. member for South Oxford (Sir Richard Cartwright) has said. The electric light is a very great advantage to the public in these small towns and the least possible sum should be charged in the way of inspection fees. I do not think that $10 would be too low.

Mr. BOYLE. In the town where I live, the same difficulty arises. I add my voice to that of the hon. member for South Oxford (Sir Richard Cartwright) in asking that the fee be made as low as possible.

Mr. PRIOR. Hon. gentlemen cannot expect me to make a promise at the present time. I will take the matter into my most serious consideration.

To provide for payment at a uniform rate for mail service on various small sections of the Canadian Pacific Railway, from 1st January, 1896.......... 7,100 00

Sir RICHARD CARTWRIGHT. What has the Minister to say about this ?

Sir ADOLPHE CARON. Great inconvenience has been found, both by the department and by the Canadian Pacific Railway Company, to result from the various rates paid for mail service on the small sections of the Canadian Pacific Railway, the payment being in some cases 8 cents per train mile, and in other cases 6, 2, 3 and 4 cents per train mile. An arrangement is now being made to fix an annual rate of $100 per mile per year between Montreal and Quebec and between Ottawa and Prescott, and uniform rates on the various small sections of the line. The total increase resulting from these changes is $14,115 per annum.

Mr. DAVIES (P.E.I.) On what basis were the increases made ?

Sir ADOLPHE CARON. On the basis of $100 per train mile per annum.

Mr. DAVIES (P.E.I.) Is that the usual rate ?

Sir ADOLPHE CARON. Yes, it is the same as we paid to the Grand Trunk.

To meet the additional expense required to provide for payment to the Canadian Pacific Railway Company at the rate of $130 per mile per annum for the conveyance of mails over their line between Vancouver, B.C., and St. John, N.B., instead of the rate now paid them $99,000 00

Mr. CHARLTON. Is the rate higher on this section than on the other sections ?

Sir ADOLPHE CARON. This is on the main line. We pay a higher rate on the main line than on the side lines.

Mr. CHARLTON. Do you pay the same on the main line of the Grand Trunk ?

Sir ADOLPHE CARON. Yes.

Mr. EDGAR. This may be all right on its merits, but I find that an Order in Council was passed on the 12th of June, 1895, making this increase ; and on the 12th of July last year the Postmaster General, when asked in this House by the hon. member for South Oxford if there was to be any increase in the expenditure in his department for the year 1895-96, said :

> I can tell the hon. gentleman that there is no increase at all in the amount.

And now he comes here and asks for this increase in pursuance of an Order in Council which had been passed a month before that day. I think the House is entitled to some explanation of that.

Sir ADOLPHE CARON. I must first give a few words of explanation in reference to the reason why the increase took place. We are now paying for accommodation which was absolutely necessary. We had not sufficient room on the cars for the conveyance of the mails. Some had to be carried in freight cars and in baggage cars, which rendered it quite impossible for the service to be carried on as it should be. Consequently, when it became a question of revising the rates, the company and the Government agreed that for this increased amount of money we would get the accommodation which was required. The reason why I stated last session that there was no increase in my estimates, was that I was not asking any amount of money to meet that improved service, as it was not intended that it should be paid out of the estimates of that year. Consequently, I think I was quite right in understanding the question put to me to mean whether my estimates were to be increased in consequence of any new service, and in answering that there was no increase contemplated. Moreover, one of the strong reasons which satisfied me that the information I was giving was correct was that that amount was only part of a very much larger amount, $400,000, which was what the Canadian Pacific Railway asked us to pay for this improved service. Negotiations were then going on with the company, and therefore I did not consider that it was necessary to provide money to pay for it. I certainly did not mean to hide anything from the House ; but I thought, as I do to-day, that I was quite justified in giving the information which I did, because I was not asking for any money to meet that improved service.

Mr. DAVIES (P.E.I.) What is the basis of this arrangement.

Sir ADOLPHE CARON. It is just the difference between 125 and 130 miles, and is on the same basis as that on which we pay other lines compared with the accommodations.

To provide for the payment of the claim made by Mr. Robert Hastey in connection with his contract for the mail service between Ottawa and North Wakefield, viz.: In lieu of three months' notice of termination of contract $125 00

Mr. DEVLIN. What is the explanation of this?

Sir ADOLPHE CARON. Mr. Hastey is contractor for the mail service between Ottawa and Wakefield by the old route from Ottawa via Chelsea. The Gatineau Valley Railway was being constructed, and the mails were carried over the railway as each section was completed. This put the contractor to some expense for extra services, and this is to compensate him.

Special service between Ottawa and Hull from 1st January, 1884, to 31st December, 1889, at 80 cents per day $1,497 60

Mr. DEVLIN. We require some explanation of this.

Sir ADOLPHE CARON. This is the same as the other.

Mr. DEVLIN. Here is an item that has not been paid from 1884 to 1889, nearly $1,500, and after ten years the claim is put in. The only explanation is that Mr. Hastey was carrying the mails, but that gentleman must have been paid during all those years.

Sir ADOLPHE CARON. Mr. Hastey carried this mail, and I do not know why it was not paid between 1884 and 1889, but the claim was submitted to me and looked into by my officers, and I thought it a fair claim and only fair to put this amount in.

Sir RICHARD CARTWRIGHT. This is not an item that should be brought up under existing circumstances.

Mr. FOSTER. We will let it stand.

Amount required to complete the payment of the following items to 30th July, 1896, viz.: Inspectors' and city postmasters' salaries $36,233 33

Sir RICHARD CARTWRIGHT. This is a very large sum, and I must remind the hon. Postmaster General that there is a very big deficit. I shall want details of this inspector and city postmaster's salary. $36,000 a year added to them is no trifle.

Sir ADOLPHE CARON. That is the amount that was struck off the Estimates last year, and we found it impossible to get along without it. We had our Estimate reduced by that amount, but we found it quite impossible to carry on the services without it.

Mr. McMULLEN. Unquestionably in the Post Office Department there can be very considerable reductions made in the way of salaries. I have drawn the attention of the committee several times to the excessive salaries paid both to officials in the city offices and in Ottawa with the miserable salaries paid to country postmasters. The whole system wants to be recast. For instance, in cities like Montreal and Toronto you pay the postmasters $4,000 a year to step around virtually with kid gloves, and you allow country postmasters to serve the country and keep their offices open night and day and Sundays, and pay them $36 a year and in some cases only $15 a year. The whole system should be recast, city postmasters cut down to not more than $2,000, with towns in proportion, and then the salaries paid to country postmasters raised to something like a decent figure. I know people who have kept post office for fifteen years, and they are not getting more than $30 or $35, though the work takes almost the entire time of one. Much more could be said but I do not wish to take up the time.

Mr. McSHANE. I have had many letters urging me to press upon the Postmaster General the propriety of reducing the rate on drop letters to one cent. That is a change which should be made in the interests of the mercantile community, and of poor people in all the cities of the country. In consequence of the rate for these letters being two cents, merchants now send their clerks and office boys with such letters. This rate is too much altogether, particularly when contrasted with the fact that in the United States for two cents a letter is carried to any part of the country.

Mr. BOWERS. I do not wish to take up the time of the House in discussing this matter, but I may say I received over 200 letters from the twelve cities in the Dominion, and nineteen out of twenty of those who wrote them agreed that the Dominion Government was losing money by reason of this two-cent rate, as so many sent around clerks and boys with these letters.

Sir RICHARD CARTWRIGHT. This question no doubt deserves consideration, but I am afraid it is not possible to discuss it now. But before we pass the amount the Postmaster General asks, the hon. gentleman ought to be in a position to state to us who are the inspectors and city postmasters for whom this amount is required. The number of these officers cannot be very great, and we ought to have a list of the persons to whom this $36,000 is to be paid.

Sir ADOLPHE CARON. That information can easily be brought down. I had no reason to expect that the names of these officers would be asked.

Sir RICHARD CARTWRIGHT. I think that is exactly what the hon. gentleman ought to have expected.

Sir ADOLPHE CARON. I may have been wrong in not supposing that the names would be required, but they are all in the Civil Service list and in my own report. I could not, from memory, give the hon. gentleman the names, but I can easily get the list if the hon. gentleman wishes it.

Mr. DAVIES (P.E.I.) I do not think the House is being treated as it ought to be treated in this matter. The hon. gentleman came down last year with a marked reduction in his Estimates for the coming year. Now, the House has had a right to assume, and did assume that this was not a hasty, hap-hazard education, but one that had been made after careful consideration and consultation between the Postmaster General and the deputy. Now, the hon. gentleman tells us that the reductions could not be made, and he wants $36,000. Surely the House has a right to be told why the reduction was made and why now it is found that these reductions have to be made up for. To accept the mere casual statement of the Minister that the reductions were not practicable is not business-like. The hon. gentleman, with his usual suavity, pressed his former Estimate through without full explanation, and now he comes to us at the last moment and asks us to note this large sum without reasonable explanation. I protest against this as a most unbusiness-like proceeding.

Mr. EDGAR. Last year the Postmaster General made a flourish of trumpets about his reductions. He said that the amount for salaries and allowances was $17,965 less than had been voted the previous year. Now he tells us that he has not enough money for this item by over $36,000. I am surprised that the Postmaster General did not assume that this committee would require some explanation, especially as his present request is in contradiction to his statements of last year.

An hon. MEMBER. Dropped.

Mr. FOSTER. I think we had better think twice before we say that the item is not to pass. Last year this item was reduced by $17,000, in round numbers, the Postmaster General proposing to make that reduction. But you must take into the account the facts that the total amount voted for salaries is $1,211,000. Then there is a certain amount of accretion in this salary-list from year to year, and this amount does not represent a large percentage on the total. Allowing for the reduction of last year, this is an increase of only $19,000. That is not a very extraordinary increase for such an immense staff.

Sir RICHARD CARTWRIGHT. I think the hon. gentleman is going away from the record. If he will look at it, he will see that the class for whom this vote is asked, is a very small class. They are inspectors and city postmasters.

Mr. FOSTER. The salaries total up about $500,000.

Sir RICHARD CARTWRIGHT. What the hon. gentleman asks is $36,000 for inspectors' and city postmasters' salaries.

Mr. FOSTER. That is a mistaken drafting, for it goes over the whole service.

Mr. BORDEN. The hon. gentleman came down a few months ago and made a reduction of some $18,000 in this service. He must have known why he made that reduction, he must have had some business principle upon which he made that reduction. Now he comes down, and for the same year he asks $36,000, and does not give us any particulars.

Mr. FOSTER. If you will look at page 88 of the Estimates, you will see how it comes. There is a total of city post offices and inspectors' offices; the two total up for the year 1895-96 to $1,193,000, and for this next year we ask $1,223,000. Although the wording does not carry this out in the Supplementary Estimates, that is what is meant to be carried out. It is the amount necessary to supplement the total city post offices and inspectors' offices, the two together going up to $1,223,000. Therefore, this needs amendment as far as its verbiage is concerned. It should be "Inspectors' and city postmasters' offices." There are so many of them that the amount paid each year is $2,200,000.

Mr. McSHANE. Let it drop.

Mr. FOSTER. If you insist upon dropping it, what will happen is this, that city postmasters and their employees and the employees in inspectors' offices, the total amount of whose salaries is $1,200,000, will be, to the extent of $36,000, docked of what they have earned. Now, my hon. friend does not want that.

Mr. DAVIES (P.E.I.) That was the proposition made by the Government. The Government and the Postmaster General have, I assume, carefully considered the matter, and made that proposition to us a few months ago. Now, assuming that the hon. gentleman came to the conclusion that this was a proper sum to vote, he must have done it on the ground that he had good departmental reasons for not asking more. Now, for the next year he asks $36,000 extra, and without full explanation why he has made this extraordinary change in his departmental estimates.

Mr. McSHANE. The Finance Minister says that if we do not vote this sum, the post office employees will be without their salaries. I deny that such would be the case. I want to say that in the Montreal post office there are one-half too many employees. Every Minister who has a relative, has hoisted him into that post office, or into somewhere else. Does the hon. Minister mean to tell me that these men cannot find any other business? Why, Sir, these men, before they were appointed, were either returning officers or active agents of the Government, and travelled all over the city working in favour of the Government candidates, and it is for these men that we are asked now to vote $36,000. If the Minister had acceded to the request I made in the early part of the session, backed up by the merchants and professional men of Montreal, that the price of drop letters should be reduced from 2 cents to 1, then I could understand his desire to have this $36,000 voted. But I will not stand here and vote this money, because there is no necessity for it, because one-half the employees in the Montreal post office could be dispensed with and the business could be carried on just as well. In England and the United States we do not see this class of men hoisted into public offices where they are allowed to live on the earnings of the rest of the people. I hope the hon. member will drop this item ; if not, I shall speak on it for four hours.

Mr. FOSTER. Stand.

Dominion Lands—Further amount required for surveys, examination of survey returns, printing of plans, &c.	$8,500 00

Mr. DALY. The vote was cut down last year by about $75,000 from the usual appropriation. There are some townships in the North-west that are occupied by settlers that have not been blocked out yet, and this is to complete the survey. There is a reduction of $75,000 in the vote.

Mr. MULOCK. This is another sample. Last session the Government made profession of great economy.

Mr. DALY. Look at the difference between $75,000 and $8,000. We knocked off $75,000 from last year's vote, and all I am asking for now is $8,000. This work is absolutely necessary between now and first of July. The men have got to start out at once, or else they will lose the whole season. If we get this money, we can start parties on Monday, so that we can get to work. These townships are up north of Edmonton, perhaps one is north of Prince Albert. But this is for work absolutely needed.

Mr. MULOCK. There is a certain amount of honesty about the hon. gentleman's statement ; at the same time, I am obliged to view a good many of these recommendations with some degree of suspicion.

Mr. DALY. I would not have it here, if it was not all right.

Mr. MULOCK. How much of this is for electioneering purposes ?

Mr. DALY. There is nothing of that kind about it.

Mr. MULOCK. Will you give me the details showing how this amount is made up ?

Mr. DALY. I cannot give any further explanation than I have given. Our vote was reduced by $75,000, but we find that there are certain townships now occupied by settlers that are unsurveyed. It is necessary to survey those this year, and the work can be done if we send parties out now, because the hon. gentleman will understand that, if we do not send them in April or the beginning of May, probably they lose the whole summer.

Mr. MULOCK. How many parties will be in the field ?

Mr. DALY. There will be three parties.

Mr. MULOCK. How many persons to a party ?

Mr. DALY. I have not the information at hand. There is no politics in the matter. This amount is to do actual necessary work. All the work is subjected to the most careful inspection, it is being done at a greatly reduced price, and there is no possibility that there is anything in it for politics.

Mr. MULOCK. I suppose I shall have to accept the hon. gentleman's statement.

To provide for taking and compilation of the census of Manitoba	$15,000 00

Mr. FOSTER. It is absolutely necessary to take this vote, as it is statutory. The census is taken quinquenially and must be taken before July.

For printing and compilation of French and English edition of Statistical Year-Book, 1894	$2,200 00

Sir RICHARD CARTWRIGHT. This may safely stand over.

Mr. OUIMET. The English edition has been completed, and the practical result of holding it over will be to prevent the French edition being issued.

Mr. FOSTER. It is only a charge made by one department against another.

Mr. McSHANE. If the French edition is yet to be issued, let the item pass.

To introduce Canadian meats and other perishable food products into the markets of the United Kingdom in such a way that consumers may obtain them regularly in their best condition under the name "Canadian" ; the revenue from sales of all products to be deposited to the credit of the Consolidated Revenue Fund	$60,000 00

Sir RICHARD CARTWRIGHT. I am not disposed to criticise or oppose this proposition, but it is a complete new departure and will require a very long discussion.

Mr. FOSTER. In that event we will drop it.

Mr. MONTAGUE. It will defer the matter for a year.

Mr. DAVIN. The people of the North-west take a deep interest in this item.

Sir RICHARD CARTWRIGHT. It is utterly impossible at the present time to discuss a new departure like this. The discussion would take a whole day.

Mr. DAVIN. I have had letters from farmers——

Sir RICHARD CARTWRIGHT. I do not care. We are not going to discuss it now.

Item dropped.

Experimental Farm—For printing bulletins $2,000 00

Mr. McSHANE. I understand a letter was sent by the Montreal Poultry Association to the Experimental Farm asking certain questions. I am informed that the association never obtained any answer to their letter. I ask the Government for an explanation. In the meantime, speaking on their behalf, I ask the Government why it is that no answer was given to their letter to the Government ?

Mr. MONTAGUE. I cannot speak for the past, but so far as the future is concerned, we are now taking that matter up, and it will be attended to.

Mr. McSHANE. I understand if they renew their application it will be granted ?

Mr. MONTAGUE. No, I do not say that. I say we are considering the whole question.

Mr. McMILLAN. We are keeping up the experimental farm at an enormous cost, and the farmers of the country know nothing about what is going on, on the farm, for the reason that the report is not being distributed amongst them. If it is to cost the country $75,000 a year to keep up this Central Experimental Farm, it is a necessity to the farmers of the country that they should get the report with regard to it. The report has not been distributed amongst the farmers in the manner it ought to be.

Mr. MONTAGUE. The hon. gentleman expresses my sentiments exactly, and it is with a view of carrying out that idea, that this work was undertaken. I may say that the subject referred to in these bulletins, were, first, to give the farmers of the country information with regard to the grain experiments ; second, to give the results of experiments in hop growing ; and, third, with regard to the experiments in flax growing. We circulated some forty thousand of these bulletins in English, and some twelve thousand in French. This vote is to cover the expense of the three issues.

Further grant in aid of the North-west Territories Exhibition to settle unpaid accounts $12,000 00

Sir RICHARD CARTWRIGHT. Oh, this must stop.

Mr. FOSTER. I will say this with regard to this vote, and then my hon. friend can give his ultimatum, Czar-like, if he chooses. There were a lot of unpaid accounts. They have been thoroughly gone through by my own department here, in connection with Mr. Pope and Mr. Gordon, and so far as we can get at the accounts which are payable, they come to about $12,000. These are now at Regina, and are being thoroughly gone over by the proper officers so that the accounts may be examined with the vouchers, to see whether they are expenditures properly authorized, and as to the prices and the like of that. There is no doubt that a considerable proportion of these are just claims. Somebody must pay them, and I do not know who in the world would pay them except ourselves.

Sir RICHARD CARTWRIGHT. We can discuss that two months hence.

Mr. FOSTER. If the hon. gentleman would allow this to go through, I will take care that the payments are made solely through the Auditor General's Department.

Sir RICHARD CARTWRIGHT. This can very well stand over.

Mr. FOSTER. Well, if you object.

Mr. DAVIN. These amounts are due to poor men, carpenters and builders, and men who cannot afford to be out of their money, and they will be out of it, if this vote does not pass.

Mr. McMULLEN. It has been an exceedingly unfortunate thing from the beginning. It appears to have been gone into with unlimited extravagance. Some good may have been accomplished, but I must say that, in my humble opinion——

Mr. FOSTER. If you are going to oppose it, we will have to drop it.

Mr. McMULLEN. Very well.

Mr. DAVIES (P.E.I.) Of course, it will be dropped with the understanding that we do not prejudge the matter at all. It can wait for a few months.

To provide for balance of pay and field pay of Major G. Guy as paymaster to the North-west forces during the suppression of the rebellion of 1885 .... $1,067 20

Mr. DICKEY. I will read the following report with regard to this vote, from the Deputy Minister of Militia :—

6th March, 1896.

The Honourable
The Minister of Militia and Defence.

The undersinged, deputy head of the Department of Militia and Defence, has the honour to represent that an application has been for some time under the consideration of the department, from Major George Guy, for a balance to the Northwest forces, during the suppression of pay and field pay claimed by him as paymaster of the rebellion of 1885.

That clause 81 of the Militia Act, on the subject of pay, is as follows :—

81. Whenever the militia or any part of corps thereof, is called out for active service, the officers and men so called out shall be paid at such rates of daily pay as are paid to officers and men of the relative and corresponding grade in Her Majesty's service, or such other rates as are for the time being fixed by the Governor in Council.

That when the militia was ordered out on active service in 1885 no rate of pay had been fixed by the Governor in Council for the appointment of paymasters to the forces.

That, consequently, Major Guy claimed to be entitled, while so serving, to the rate of pay and field pay allowed by the royal warrant of 1884, for such an appointment in the Imperial service, viz. : $6.09 per diem, and charge pay, likewise pay in the Imperial service, while in charge of the accounts of the campaign, at $1.21 a day ; also field pay at the rate of $1 per day.

This principle was recognized in the payment of Major Generals Laurie and Strange, and the other officers of the field force, also of the Surgeon General, who served at headquarters during the rebellion. Major Guy points out, in his letter hereto annexed, that a strict analogy of the duties performed by him during that campaign, as accountant and paymaster in charge of all the accounts and expenditures, amounting to some $4,000,000, a force of over 5,000 being in the field, with similar duties in the Imperial forces would entitle him to claim the higher emoluments of chief paymaster in Her Majesty's service.

He was, however, only paid by the department at the rate of $5 a day, a less rate of pay even than that which was subsequently fixed by the Regulations and Orders of 1887 for ordinary staff paymasters in the militia.

That during the whole of his service in connection with the North-west campaign, both as paymaster to the forces and as one of the commissioners upon the war claims (the amount paid him in which latter capacity is deducted from the present claim as paymaster), the onerous and very arduous, as well as responsible duties, which devolved upon Major Guy, were performed with the utmost fidelity and care, and in a highly efficient manner. The undersigned is therefore strongly of the opinion that Major Guy is justly and equitably entitled to the balance of pay and allowances which he claims, and therefore respectfully recommends payment of the annexed account of that officer for the balance due him, amounting to $1,067.20, the Major General Commanding the Militia having likewise recommended the same for payment.

Mr. DAVIES (P.E.I.) Carried.

Lachine Canal—Enlargement.......... $20,000 00

Mr. HAGGART. This $20,000 is to pay the expenses between the opening of navigation and the 1st of July, 1896. The work is being carried on by days' labour by the Government dredge.

Mr. McMULLEN. I would ask this item to stand over.

Mr. FOSTER. How will the men on the dredge be paid, then ?

Mr. McMULLEN. I object to a large vote of $65,000 being rushed through in a few moments.

Mr. HAGGART. I will not be able to employ the dredge if you do not give it.

Mr. LAURIER. Do I understand the hon. gentleman to say that the $20,000 is simply for dredge work, and nothing else ?

Mr. HAGGART. That is the information from my department.

Mr. LAURIER. Carried.

Cornwall Canal—Enlargement $74,000 00

Mr. HAGGART. The work on the enlargement of this canal has progressed more rapidly than was expected. The first appropriation of $350,000 is found to be insufficient. There was expended, on the 1st of March, 1896, $3,380,000, out of an estimated cost of $4,200,000, and this is to pay the estimates on the work going on.

Mr. McMULLEN. How many men are employed ?

Mr. HAGGART. It is all by contract.

Mr. FOSTER. The contracts are going on. There is no new contract.

Mr. HAGGART. The work is very nearly finished. It will be all finished, I believe, by the 1st of July.

Rapide Plat Canal—Enlargement...... $87,000 00

Mr. HAGGART. This work is all under contract, and this amount is to pay up to the 1st of July. There is an amount of $22,578 unpaid, because the contractors did more work than the Estimates of last year provided for.

Rideau Canal—Wm. Davis & Sons, final estimate and interest $11,200 00

Mr. HAGGART. This is the final estimate on the Tay Canal section.

Mr. MULOCK. That had better stand. We would like to discuss that.

Mr. HAGGART. The work is done, and this is the final estimate.

Mr. MULOCK. I would like to have a lot of information on this.

Mr. FOSTER. It is exactly in the same position as the preceding vote. The work is done, it has been done under contract, and the final estimate of the engineer is in. I do not know on what ground the hon. gentleman objects.

Mr. MULOCK. I do not know anything about the contract. Is it an extension or is it an improvement ?

Mr. HAGGART. It is for the improvements on the Tay section of the Rideau Canal in 1889. When the work was completed, a final estimate was prepared, which Messrs. Davis refused to accept, inasmuch as they alleged that the measurements were not correct ; and the matter remained in abeyance until last year, when a thorough examination of the ground was made and measurements were taken, and the engineer's note books were overhauled by Messrs. Lynch and Phillips, with the result that it was found that $7,692.32 was due to them. All claims in which no measurements could be taken or obtained or information obtained were rejected, and interest from the 13th of February, 1891, to the 1st of July, 1893, is allowed.

Mr. MULOCK. Well, I do not think there is any urgency whatever. The claim has been standing since 1889, according to the Minister's statement.

Mr. FOSTER. If the hon. gentleman is going to object to it we will drop it.

Mr. MULOCK. I am not objecting to the cost, but time will not permit us to get the information.

Item dropped.

Sault Ste. Marie Canal—Equipment and construction	$265,000 00

Sir RICHARD CARTWRIGHT. This, I think, had better stand over.

Mr. HAGGART. I will explain to the hon. gentleman the balances due on the different contracts. J. & R. Miller, offices and shops—total amount, $14,716 ; amount paid, $11,234 ; balance due, $3,482. Dominion Bridge Company, movable dam—amount of contract, $75,700 ; amount paid, $51,097 ; balance due, $24,602. H. Ryan & Co., lift lock, balance due, $150,000 ; supply pipes, balance due, $8,220 ; guard pier, nothing paid, leaving a balance due of $10,924. Allan & Fleming, who are dredging the upper entrance, $36,000. J. & R. Miller, bolting breast wall, nothing paid ; $550 due. Dominion Bridge Company, appliances to work the dredge, nothing paid, $1,520 due. Sweeping, $1,000.

Sir RICHARD CARTWRIGHT. I dare say the claims are right enough, but I know that there will be a long discussion on this, which it is utterly impossible to have now, so that we shall have to let it stand.

Mr. HAGGART. Suppose we allow the smaller claims to be paid, and let the $150,000 for the lift lock stand.

Mr. DAVIES (P.E.I.) Leave both the contracts, and pay the others.

Mr. HAGGART. Then I understand that hon. gentlemen opposite will consent to the following items, under this heading, passing :

Dominion Bridge Company	$24,602
J. & R. Miller	550
Dominion Bridge Company	1,520
Sweeping	1,000

Item, as amended, agreed to.

St. John, N.B., Custom-house—Amount due W. H. Thorne for interest on account for goods supplied	$381 36

Mr. CAMPBELL. I object to this on account of the nature of the claim. This man is a large contractor, and he supplies the Government with a very large amount of goods every year. He supplied the Custom-house last year with a very large amount of goods at an enormous profit, and he now asks for interest on balance due him. The item should be dropped, at all events until further investigation is made.

Mr. OUIMET. I stated distinctly last night that this was a special agreement, made in order to have the buildings finished and ready for occupation on the 1st May, and in consequence of that arrangement we save $3,000 in rent. If we had not made that arrangement, Mr. Thorne was entitled to be paid, we would not have been able to pay the labourers, and the building would not have been ready for occupation the 1st May. This would have involved another year's rent at $3,000, so that we have really saved $3,000 by this expenditure of $381.

Item agreed to.

Amount required to complete the payment of the following items to 30th June, 1896, viz. :

Inspectors' and city postmasters' salaries	$36,233 33
Mileage to railway mail clerks	13,600 00
Provisional allowance	260 00

Mr. FOSTER. I do not think the hon. member for Montreal (Mr. McShane) should object to that.

Mr. MULOCK. I want to have a little discussion with the Postmaster General——

Mr. FOSTER. He will accommodate you with a discussion at another time.

Mr. MULOCK. This is the proper time. If it does not take place now, it cannot take place at all. I find that the Postmaster General renews contracts without public notice of tender. I have a case in point where he has renewed a contract for 90 per cent more than the work could be done for.

Mr. FOSTER. The Postmaster General found that he could not make the reduction of $18,000 proposed. I would suggest that $18,000 be struck off this item, leaving it $18,233 33. That, at least, ought to be given.

Item as amended agreed to.

Mr. FOSTER. In the main Estimates there are two items that I would like to have passed. What I want to ask hon. gentlemen opposite is to make it unnecessary that the House should assemble here in July and have a summer session, which is inconvenient and expensive as well. The proposition I would make to them is, if they cannot see their way clear to give us our working Estimates for next year, to give us, at least, two or three months' Estimates, in order that Parliament may find it unnecessary to meet so soon. I think there is nothing unreasonable in that.

Sir RICHARD CARTWRIGHT. It is utterly impossible.

Mr. McMULLEN. When hon. gentlemen opposite considered it necessary to pass a Franchise Act for the benefit of their party, they could keep us here in August and September, with no consideration for questions of convenience and expense.

Mr. FOSTER. Very well. On the main Indian Estimates I wish to take up the six items at the first :

Indians—Manitoba and North-west Territories:

Annuities and commutations	$124,905 00
Implements, tools and hardware	5,200 00
Field and garden seeds	1,103 17
Live stock	3,835 00
Supplies for destitute and working Indians	176,093 00
Triennial clothing	2,634 00

I would like the whole item of "triennial clothing," because that is to be given, as I understand it, about the 1st of next July. We can do with $55,000 of "Annuities and commutations," but we should have the whole of "Implements, tools and hardware," the whole of "Field and garden seeds," and the whole of "Live Stock;" but $20,000 "Supplies for destitute and working Indians" will be sufficient for the remainder of the fiscal year.

Sir RICHARD CARTWRIGHT. Very well.

Item, as amended, agreed to.

PROROGATION.

Mr. SPEAKER communicated to the House the following letter which he had received :—

> Office of the Governor General's Secretary,
> Ottawa, 23rd April, 1896.
>
> Sir,—I have the honour to inform you that His Excellency the Governor General will proceed to the Senate Chamber, to prorogue the Session of the Dominion Parliament, on Thursday, the 23rd instant, at 8 o'clock, p.m.
>
> I have the honour to be, Sir,
> Your obedient servant,
> JOHN SINCLAIR,
> Governor General's Secretary.
>
> The Honourable
> The Speaker of the House of Commons.

After Recess.

SUPPLY—CONCURRENCE.

House proceeded to concur in resolutions reported from Committee of Supply.

Militia—Arms and ammunition ..	$1,000,000 00

Mr. RINFRET moved :

> This House regrets that the Government, without the authority of Parliament, has entered into contracts for the purchase of arms and equipments to the amount of nearly $2,000,000.

House divided :

YEAS :

Messieurs :

Allan,
Bain,
Bernier,
Boston,
Bowers,
Campbell,
Carroll,
Cartwright (Sir Rich'd),
Charlton,
Christie,
Davies,
Dawson,
Devlin,
Edgar,
Featherston,
Gibson,
Godbout,
Grieve,
Guay,
Laurier,
Lavergne,
Leduc,
Legris,
Macdonald (Huron),
McCarthy,
McGregor,
McMillan,
McShane,
Mignault,
Proulx,
Rinfret,
Semple,
Stubbs,
Tarte, and
Yeo.—35.

NAYS :

Messieurs

Belley,
Bennett,
Bergeron,
Bergin,
Boyle,
Carpenter,
Caron (Sir Adolphe),
Carscallen,
Chesley,
Coatsworth,
Cochrane,
Corby,
Costigan,
Craig,
Daly,
Davin,
Davis,
Dickey,
Dugas,
Dyer,
Earle,
Fairbairn,
Ferguson (Leeds and Grenville),
Foster,
Fréchette,
Gillies,
Girouard,
Grant (Sir James),
Guillet,
Haggart,
Henderson,
Hodgins,
Hutchins,
Joncas,
Kaulbach,
Lachapelle,
Langevin (Sir Hector),
Lépine,
Lippé,
Macdowall,
McAlister,
McDonald (Assiniboia),
McDougald (Pictou),
McDougall (Cape Breton)
McInerney,
McLean (King's),
McLennan,
Mara,
Montague,
Northrup,
Ouimet,
Pridham,
Prior,
Reid,
Robillard,
Rosamond,
Ross (Lisgar),
Sproule,
Stairs,
Stevenson,
Tisdale,
Tupper (Sir Charles Hibbert),
Turcotte,
Tyrwhitt,
Wallace,
White (Shelburne), and
Wilmot.—67.

Amendment negatived.

Mr. BERGERON. The members for South Ontario (Mr. Smith), Annapolis (Mr. Mills), and North Victoria (Mr. Hughes) did not vote, and they are in the House.

Mr. HUGHES. I am paired with the hon. member for Carleton, N.B. (Mr. Colter) ; otherwise I would have voted against the amendment.

Mr. SMITH (Ontario). I paired with the hon. member for West Durham (Mr. Beith) ; otherwise I would have voted against the amendment.

Mr. MILLS (Annapolis). I am paired with the hon. member for Yarmouth (Mr. Flint) ; otherwise I would have voted against the amendment.

Mr. GUAY. The hon. member for Rouville (Mr. Brodeur) did not vote.

Mr. BRODEUR. I was paired with the hon. member for Montreal East (Mr. Lépine);

otherwise I would have voted for the amendment.

Mr. GIBSON. The hon. member for Stanstead (Mr. Rider) has not voted.

Mr. RIDER. I was paired with the hon. member for Vancouver Island (Mr. Haslam); otherwise I would have voted for the amendment.

Beauharnois Canal—Deeper entrance to channel	$7,600 00

Mr. EDGAR. I do not think the House should concur in this resolution. I understand that the amount of $7,600 which has been voted for this purpose hitherto has been wasted, and if the amounts voted from time to time had been properly expended there would not have been a large mud bank, necessitating the employment of hundreds of men for its removal. I am afraid this item is put in the Estimates to be wasted and thrown away as was the case with the previous expenditure. Just at this particular time it will give employment to a few hands.

Mr. HAGGART. The hon. gentleman is entirely mistaken. There never was such an item before in the Estimates, and no previous expenditure has been made for that purpose. The amount is required to carry out a recommendation of a committee of the Board of Trade of Montreal, which waited on the Government last summer for the purpose of urging them to deepen the canals and river at certain points and improve the navigation, and that the work should be carried out before the season of navigation opened. The forwarders on the St. Lawrence supported these recommendations.

Mr. CAMPBELL. There is no urgency in this matter, and work can very well stand over for a few months. We have not had time to discuss it. Several important works have been brought to the attention of the Government, year after year, but nothing has been done; yet here is a new work undertaken. I called the attention of the Minister of Public Works last night to an important matter with respect to dredging. Although the dredge has been in the locality where its services were required, nothing had been done, although almost all the residents of the locality had petitioned for it.

Mr. HAGGART. Most of this work has been done, for it had to be carried out before the opening of navigation.

Mr. BERGERON. The hon. gentleman (Mr. Edgar) who brought this question forward has evidently been wrongly informed. I know the place very well. The work done there is most important, and it has been asked for for some years. It has been asked for by the Board of Trade of Montreal, and I myself have impressed on the Government during two or three years its necessity. It is at the foot of the Beauharnois Canal where the lower end of the rapids strikes the bank, the guard pier at the foot of the channel. The current has thrown into the channel large boulders, and the channel is filling up with earth at that point. Last year the Government engineer made the necessary surveys. In respect to the plea put forward that the work could be postponed, I may state that it is almost completed. It was commenced last fall, it has been carried on during the winter, and will be ready for the opening of navigation on May 1st, and most of the money has been already expended.

Mr. TARTE. If I thought the amount asked would be spent for public purposes, I would certainly not object to it. But I have been informed by the best citizens of Beauharnois that the large sums of money which have been expended have been wasted, and if the hon. gentleman (Mr. Bergeron) was called upon to give an account of all the money spent there he might have some difficulty in doing so. If the money spent for dredging purposes in the river had been expended in a legitimate way, Beauharnois to-day would be better off than it is. I know, so far as a man can know, that if this money is voted to-day it will be squandered as in the past. The explanation is that this item is put in the Estimates for political purposes. The reason why I object to this item is that I want money expended for legitimate purposes.

Mr. CHARLTON. This evidently is a debatable question, and some hon. members have information which causes them to hesitate to concur in this proposed vote. I do not suppose it is of very grave importance whether the amount asked is voted now or two months hence. The Government had better let the vote drop. On my information, I do not feel warranted in concurring in it.

Mr. BERGERON. The hon. gentleman is entirely mistaken. This is a vote for a canal, it is not a vote in connection with the Department of Public Works. This work is being carried out for the purposes of navigation. The hon. member for North Norfolk (Mr. Charlton) accepted the insinuation thrown out by the hon. member for L'Islet (Mr. Tarte); but I may inform him that the work is being carried on under the supervision of the Dominion engineers in Montreal, and that is the reason why it has been done at comparatively small cost. The work would have cost two or three times as much if it had not been executed under the chief engineer of the Dominion.

Mr. FOSTER. I happened to be with the Minister at the time the deputation waited on him and discussed with him this and other points in connection with the River St. Lawrence. It was a representative delegation from the Board of Trade of Montreal, and forwarders at different points from St. Catharines to Montreal. We talked over many points, and this was one in regard to which they pressed urgency, and that the work should be entered upon and completed by the opening of navigation. I remember hearing the Minister state that he would endeavour to carry out their wishes in that respect. That has been done, and the work is being completed under the engineers of the department. It was done in answer to the request of the Montreal Board of Trade and forwarders on the St. Lawrence. What are we coming to, if on an expenditure of this kind, any gentleman comes up and says : This is a debatable point and you shall not have your Supply. I think that is too responsible a position to be taken. I happen to have some personal knowledge of how this originated, and I think it would be an outrage upon the general forwarding interests of the St. Lawrence River if we should cast any doubt upon it, after a man has done this work, and done it for a purpose of this kind, and under supervision of the engineer of the department. If we should stop the vote, just on account of a hearsay piece of business, surely that would not be right.

Mr. DAVIES (P.E.I.) There have been circumstances prior to these referred to, which will go a long way to control my vote on the matter. I think I am in the judgment of the committee when I say that when we were going through the committee last night and to-day, every consideration was given to the statements made by the Ministers with respect to the necessity for the expenditure of public money. I may fairly challenge the hon. gentleman to admit that the Opposition concurred in every reasonable proposition that was made by Ministers, to the effect that the expenditure of any money was necessary. We voted the money in all these cases without hesitation, and after very short debate. What I am anxious now to call the attention of the committee to is the fact that we are face to face with another flagrant evidence in which the constitutional usages which ought to control the expenditure of money have been violated.

Mr. FOSTER. No.

Mr. DAVIES (P.E.I.) Yes. I voted for this sum on the statement of the Minister, that it was a work which ought to be done when navigation opened, and that he wanted the money to do it. I find now that the whole thing is a farce. The money has been taken, the work has been done, and Parliament has not been consulted. The more we look into those items, the more I see that the old English system of voting supplies to the Government of the day has become a very farce. The Ministry are waited upon by a deputation of Montreal merchants, who point out that it is necessary, in the interest of the trade generally, that certain public works should be done. What should have been the course taken by the Ministery in a case of this kind? If they considered, on the representations made that the work should have been done, they should have replied to the delegation : This is a matter which we will bring before Parliament with our recommendation that the money should have been voted for it. They should then have obtained the necessary authority from Parliament, Parliament being the controlling power under all circumstances. We find in this case that Parliament has been ignored altogether. The Montreal Board of Trade represent to the Minister that certain things should be done, and without any authority under heaven for doing so, he incurs the expenditure, and then on the last day of the session he asks us to ratify it. We emphasized our position upon matters of this kind with reference to the expenditure on the militia. I repeat here, that the policy which has been adopted of spending the public money, and then coming to Parliament afterwards to authorize it, is a policy in direct violation of every constitutional principle, and a policy which in the long run will land the country in the position that they had better do away with the expense of Parliament altogether, and elect eight or ten men, leaving to them the absolute control to carry out the Government of the country for five years. If the money is spent without authority, I say that the Minister who did it ought to be punished, because it is a direct violation of the control of Parliament and of constitutional usages. I will register my vote against this unconstitutional arbitrary and dangerous method of expenditure.

Mr. HAGGART. A few words in reply to the extraordinary position taken by the hon. gentleman (Mr. Davies) in reference to this particular work. I take issue with him directly as to the constitutional mode of dealing with such works as this. The attention of the Government was drawn to the abnormal condition of the St. Lawrence River, and to the fact that the water was unusually low. There was no Parliament sitting at the time. The Montreal Board of Trade, my own officers, and the forwarders of the country, asked that the canal should be deepened, in order to utilize it for navigation. If it were not deepened, then the navigation of the country would be suspended. The only possible time to do the work is in the winter. The only possible time to lower the mitre sill was in winter, and, Sir, I would have been neglectful of my duty as Minister of Railways and Canals, if I did not do it. The hon. gentleman (Mr. Davies) talks about the old English constitutional style. Why, I could give him a thousand instances of where the same thing was done in England as has been done by my department. We did not expend one cent of the money. We made the arrangements for doing the work, and we proposed to Parliament afterwards to ratify it by granting the money. The hon. gentleman and his friends, for the sake of making a charge against the Department of Railways and Canals, would propose to stop the navigation of the St. Lawrence for nearly one year. I leave the country to decide whether I was right or wrong. I did what I considered my duty. I incurred the expenditure when it was impossible for me to consult Parliament in regard to it. I did it at the only time at which the work could possibly be done; I did only one portion of the work, and I ask Parliament now to ratify it by granting the money which it was necessary to expend in the interest of the country. That is my position.

Mr. MULOCK. The Minister of Railways proposes to defend this transaction because he says it comes within the special provision of the Act which allows the Government, under certain circumstances, to incur an expenditure which has not been previously sanctioned by Parliament. The statute only authorizes such expenditure when the occasion for it is unexpected and unforeseen.

Mr. DALY. That is this case.

Mr. MULOCK. And when it cannot be provided for in other ways.

Mr. HAGGART. It could not be provided for.

Mr. MULOCK. Even if it comes within that class of cases what would have been the duty of the Government. The Minister defends this transaction on the ground that it comes within a special class of cases mentioned in the statute. Sir, it was his duty after he incurred that expenditure, within fifteen days after the assembling of Parliament, to have given the information to Parliament, and laid it upon the Table of this House.

Mr. HAGGART. The hon. gentleman (Mr. Mulock) must see the distinction. I have not paid one cent of money.

Mr. MULOCK. That is because you have been able to do it on credit. Does the hon. gentleman mean to tell us that the water fell particularly low last summer. Why, Sir, the necessity for this work existed when Parliament was in session last summer, and the money should have been asked for then. I do not wonder at the Minister of Railways and Canals trying to cover up his irregularity by a seeming manifestation of indignation. Nevertheless the transaction has no justification and should not be ratified. I submit, Sir, that the Government have not been candid with us in committee. We were left under the impression that this money was all voted for expenditures which was for work which was to be commenced. But there was not one word to the effect that this was to pay a liability already incurred.

Mr. HAGGART. I beg the hon. gentleman's pardon. The hon. member for South Oxford (Sir Richard Cartwright) asked what it was to be used for, and I said it was for lowering the mitre-sill nearly two feet, for the purpose of utilizing the navigation. The hon. gentleman knows that it is impossible that that could be done at any other time than when the water is out of the canal.

Mr. MULOCK. The hon. gentleman should have told the committee that it was to pay an existing debt. Does the hon gentleman think he was dealing frankly with the committee ?

Mr. HAGGART. I do not say that it is to pay an existing debt. The only part that could be done only in winter has been done, but there is a large portion to be expended at the different entrances yet.

Mr. MULOCK. That is a new version. The hon. member for Beauharnois said it had been expended.

Mr. BERGERON. No, I said the work had been done.

Mr. MULOCK. The Minister says the work has not yet been done.

Mr. BERGERON. The work for the $7,000 has been done during the winter.

Mr. TARTE. The Minister does not say so.

Mr. BERGERON. The men have been at work since last fall. They did the work during the winter because they could not do it in the fall. I imagine that what is asked for to-day is to pay for the work that has been done.

Mr. HAGGART. Partly, and partly for the work at the entrances.

Mr. MULOCK. The proper thing to do is to have the House go into committee again, if we are to get at the facts. The committee has not been treated with frankness. The Minister left the committee under the impression that this was for work intended to be performed. Now we have the hon. member for Beauharnois, who is familiar with the work, telling us that it has been performed. The Minister said at first that it had been performed, and now he tells us that a part of the work is yet to be done. Is it not manifest that a decision has been obtained from the committee by their not being informed of the facts ?

Mr. HAGGART. Yes, if your statement is correct.

Mr. MULOCK. I am taking the Minister's own statement, and I am trying to reconcile two conflicting statements. There is only one source of information when the House is voting the money, and that is the statements made by the Minister who ought to know the facts. We have no way of weighing the facts or examining witnesses ; and if the hon. gentleman wishes to explain the item further, let him resolve the House into committee again, and let us understand what the facts are ; but as it is at present, you have a vote which you are not entitled to. The hon. gentleman's own language is capable of two constructions. He says he told the committee that the vote was to pay for lowering the mitre sills. That language is vague, and is as applicable to the future as to the past ; and when we get an answer like that, do you suppose that we are to imagine it is for an exceptional transaction ? We interpret a statement like that in the spirit of our position here. The hon. gentleman points to the statute. Let me read it :

> If, when Parliament is not in session, any accident happens to any public work or building which requires an immediate outlay for the repair thereof, or any other occasion arises when any expenditure not foreseen or provided for by Parliament is urgently and immediately required for the public good, then upon the report of the Minister of Finance and Receiver General that there is no parliamentary provision, and of the Minister having charge of the service in question that the necessity is urgent, the Governor in Council may order a special warrant to be prepared, to be signed by the Governor General for the issue of the amount estimated to be required, which shall be placed by the Minister of Finance and Receiver General to a special account, against which cheques may issue from time to time, in the usual form, as they are required.

Now, I ask the hon. Minister to lay on the Table the documents on which this expenditure was incurred. It is mere trifling to say that the money has not been paid out. The liability has been incurred, and the liability will have to be implemented by payment. If he has proceeded by law, I demand, before this vote is taken, that the necessary reports under the law be laid on the Table. Has he the report of the Minister of Finance and Receiver General and his own report ? Were they submitted to the Governor in Council and did the Governor in Council issue an order ? I ask him to produce the Order in Council required by the statute. The warrant should precede the check. The Governor General's warrant is the only thing that will warrant the procedure which is said to have taken place, and it is your duty, if you can justify this under a Governor General's warrant, to lay the warrant upon the Table. That you have not got, you have no authority whatever for the expenditure, and a deception has been practiced upon Parliament. According to the Act :

> The Auditor General shall, in all such cases, prepare a statement of all such legal opinions, reports of council, special warrants and documents issued without his certificate and of all expenditure incurred in consequence thereof, which he shall deliver to the Minister of Finance and Receiver General to be by him presented to Parliament not later than the third day of the session thereof next ensuing.

Now, the hon. Minister of Railways purports to justify his transaction under this statute.

Mr. HAGGART. No.

Mr. MULOCK. Under what does he propose to do it ?

Mr. HAGGART. I will explain.

Mr. MULOCK. There are only two ways in which he can justify it. One is by a vote of Parliament in advance, and the other, according to the provision of this Act for expenditure in the class of cases coming within the letter of this Act. There is no other way known to the law. The hon. gentleman has no authority whatever for any expenditure or liability except under one or the other. The hon. Minister of Justice will tell him so. There is not a member of the Government, except the Minister of Railways, who will controvert what I am saying, and I do not believe he will. He can neither make any expenditure nor incur any liability that will lead to any expenditure. The honour of the Crown is pledged when a contract is entered into, and it is perfectly idle for the hon. Minister to think that he is not evading the law when he enters into a contract, in the name of the Crown, for which there has been no provision made by Parliament. There has been no provision made in this House. You had no right to incur liability without the sanction of Parliament. We are in that position that we have to make good this transaction or repudiate the contract. If we were to repudiate the contract, where would the honour of the country be ? When the Governor in Council authorizes the execution of a document creating a liability, it would be an extreme course for Parliament to refuse to vote the necessary money. Circumstances might warrant such a course, but, while it is possible that there is no legal liability and that every contractor of the Crown is bound to see that there has been a vote, or that the contract comes within the spirit of the law, I submit that a contractor with the Crown ought to be protected by either a previous vote or by the circumstances bringing the matter within the class of cases mentioned in the statute respecting the revenue. But if the contractor has not either of these guarantees, and the Crown has chosen to enter into a contract, what is the position of the Crown ? The hon. gentleman does not propose to pay the money out of his own pocket. He asks Parliament to recognize that he has entered into a legal bargain. He is not asking Parliament to repudiate this bargain, but to admit that he has entered into a valid and legal contract, which entitles him to call upon Parliament to pay the money. There is only one kind of contract he could have entered into that would have warranted him in calling for a vote of Parliament, and that is the contract in the spirit of this statute. This statute did not draw its inspiration from circumstances of to-day. The principle underlying it is as old as the principle of responsible government. It is as old as the principle that requires Parliament to come together every year because it cannot get supplies except in that way. It is the principle that only allows us to vote money for one year, and under which every dollar that is not expended in the fiscal year lapses and falls back into the Treasury. The whole principle of the control of public money is involved in this act of the Minister. If any one of the fifteen Ministers of the Crown can to-day enter into contracts without authority of Parliament, or without the authority of the Governor General in Council—because the hon. gentleman has not even got the authority of his Treasury Board for it, but only the stroke of his own pen—if every one of the fifteen Ministers of the Crown can, at his own sweet will, create liabilities that will have to be made good by the people afterwards, there is an end to parliamentary representation, there is no use of our assembling here. We are only the recorders and registrars of the wills of the members of the Government. Under the circumstances I protest against such an illegal act. I protest against this usurpation of authority and violation of the constitution, I protest against this abuse of power. If I could add further words to express my indignation, I only wish that the vocabulary was extensive enough to enable me to do so.

Mr. GIBSON. Last night, when this item was up for discussion, it was stated by the hon. Minister that this expenditure was required because the work had to be done on account of the lowering of the water, that the lock and the mitre sill had to be lowered and the lower entrance as well. To-day we find that this has been done. Last night the hon. Minister said the money was required to do the work, and, in proof of that, I shall read the statement of the hon. gentleman to the House, contained in "Hansard," page 7184 :

> Owing to the low water last season, it was very difficult to enter this canal, and this vote is required for lowering the mitre sills and lock at the lower entrance.

What do we find ? We find that nearly $7,600 has been spent upon the work already done, although the hon. Minister came before Parliament last night and asked the committee to slip this item through because it was a work of necessity. We find now that the hon. Minister, without any authority from Parliament, directly or indirectly, took the expenditure upon his own shoulders. This is only in keeping with his conduct in other matters. When cornered about what has been done in his department wrongfully, he says : I know nothing about it ; I left it to my deputy. In this case he says distinctly that this is for work about to be done. There was no opposition to the vote. Not a member on this side objected to the expenditure, but the committee are justified now in holding the expenditure back, because the hon. Minister went outside of his powers, and is simply making a laughing-stock of this House and the country. He simply incurs any expenditure he may think fit, relying on a majority in Parliament to vote it. This is only in keeping with the administration of the whole Department of Railways and Canals. Deputations come down here, they urge the necessity of the Government expending some money in the county they come from, and then, without the authority of Parliament, the hon. gentleman goes to work and spends $7,600 of the people's money, and then comes to the committee and says this is a work of necessity. The committee, relying upon the information given, relying upon the word of the Minister of Railways and Canals, grants the money without reluctance, and to-day we find that the work was done, and done without the sanction of Parliament. Parliament sat late enough last year for the Minister to have provided in last year's Estimates money enough for this work.

Mr. HAGGART. I cannot let the remarks of the hon. gentleman pass without observation. The hon. gentleman would lead the House to believe that I stated one thing last night and another thing to-day. While the hon. gentleman knows the meaning of plain English as well as any man in the House, and yet he make insinuation against me that I got that vote last night under false pretenses. Here is what I stated :

> Owing to low water last season it was very difficult to enter the canal, and this vote is required for lowering the mitre sills as well as the locks at the lower entrance.

Is there anything in that to justify the hon. gentleman's insinuation ?

Mr. GIBSON. Yes.

Mr. HAGGART. The hon. gentleman is acquainted with the facts and he knows that the mitre sills could not be lowered after this time of the year and that the work must be done before this. There is no man in the House knows that better than he does. I will venture to say the hon. gentleman, with all his inquiries into the canal before the vote was made, knew that this work was done as well as I did, and yet he will rise and make a statement that I have been in the habit of making expenditures without any vote of Parliament at the request of members in the different constituencies. He may make the charge, but he cannot place his finger upon a single item to substantiate it. In answer to the hon. gentleman (Mr. Mulock) I know my statutory duty as well as the hon. gentleman does. The hon. gentleman knows that that statute is to provide for cases where an expenditure is necessary before the money can be voted. Does the hon. gentleman say that if no money was voted and five or six of the gates of the canal were carried away that I would have to get a Governor General's warrant? This perhaps was not an unforeseen expenditure. The carrying away of the gate may not cause an unforeseen expenditure. It ought to be calculated upon. But suppose a gate were carried away, perhaps I could not make the recommendation or the Finance Minister perhaps, would not back me in making the recommendation for a Governor General's warrant. I made no expenditure. I simply, for the carrying on of the ordinary business of the canal did what in my opinion and in the opinion of the department was necessary. I had no power to expend a cent of money upon it, and I did not expend a cent of money upon it. I did it as every Government has done it and must do it. Surely the Minister who controls the department can be trusted for the expenditure of a couple of thousand dollars which, right or wrong, he thinks is absolutely necessary in the public interest to spend and which expenditure cannot be allowed to wait until a vote of Parliament is given. He would not be doing his duty if he did not do it. There is no liability and the hon. gentleman knows it as well as I do. I trusted to come to the people's representatives and say that the work was necessary in the interests of the country and ask them to indemnify me by voting the money. They can refuse to do it. The total amount expended, I find, was $1,353. Surely in an important undertaking like the Beauharnois Canal the House must see that I was justified in doing the work and trusting to be justified by the House in the expenditure. In answer to the hon. gentleman I will say there has been no expenditure, there has been no liability for the amount, because I have not the power to enter into a contract or incur the liabilty. I simply trusted that the expenditure was such a one that when the House met and the explanation was made the peoples' representatives would vote me the money.

Mr. GIBSON. If the House will pardon me a moment, I wish to correct the hon. gentleman, as I do not wish him to put words in my mouth that I did not use. He stated that I was aware that the work had been done. I desire to say that I was not aware. It was because the hon. Minister said the work was to be done.

Mr. HAGGART. The Minister did not say anything of the kind.

Mr. GIBSON. The hon. Minster said the money "is required for" and so on.

Mr. HAGGART. It does not bear such an interpretation as that.

Mr. GIBSON. The committee at all events understood that.

Mr. HAGGART. The committee cannot understand anything but what I said.

Mr. SPEAKER. I would call the attention of hon. members that we are not now in committee.

Mr. McMULLEN. It was understood that we would vote the money for work already done or necessary to be done up to the end of the present fiscal year, as it was urged that there were many men as well as the officers of the House who had not been paid. We have here an item of $7,600, and the Minister says that $1,353 has been spent. Now the hon. gentleman (Mr. Bergeron) who represents the constituency says that it has all been spent. Which is right and which is wrong? We are in a different position from an ordinary Parliament. Hon. gentlemen opposite are within twenty-four hours of being in the same position as the rest of us and not entitled to any more than others to spend money in the name of the people. We have no right to grant them the money and they have no right to ask it. We are simply here to grant sufficient to cover the money already spent and for which no provision has been made in past estimates. The Minister says that $1,353 is all that has been spent. Why then does he ask $7,600? The elected representatives of the people will meet here within sixty days, possibly, and it will be their duty to decide whether these sums should be expended or not. The committee should only be asked to vote the $1,353 that has been expended. I would be quite agreeable to vote that amount. The hon. Minister says that the time for making these improvements on the canal is passed for this season. In that case, you cannot work any more at mitre-sills or any work of that kind. I admit, if these men had not got their pay, they should be paid. But why should we be asked to vote an additional sum? That belongs to the new Estimates, and not to past items.

Mr. HAGGART. There is no use in the hon. gentleman going on, because I stated that this amount was an amount for work that could only be done in the winter, and that the dredging at the mouth of the canal must be done in the summer between now and 1st July, or it is useless.

Mr. McMULLEN. The hon. Minister must present other arguments than a mere statement that it must be done between now and 1st July. Would not the Minister put the point far better if he were to say that it must be done between now and polling day? Would not that be a better shape to put it? I dare say it is the intention to spend it before that time, and it is only about a week difference between polling day and 1st July. But I contend that there must be better evidence of the necessity of spending this money than the mere statement of the Minister that it must be done between now and 1st July. It is an old canal, it cannot be greatly in need of repairs. If any particular accident had occurred which necessitated the spending of money to put the canal in repair, then we could easily understand it. We are willing, in the interests of the trade of the country, to consent to any reasonable demand, but we do not want to consent to demands for which there is no absolute necessity at the present moment. There is nothing about this case that shows any necessity at all that we should vote this money and have it spent between now and 1st July. We want better evidence, clearer indication, of the necessity of spending this money than has been offered to us yet. The House are prepared to grant the passage of an item where men have been employed and have not been paid, or where the Estimates of last year have not been sufficient to meet the demands of the work done. We have been compelled to consent to the passage of additional items, and in the case of the post office vote——

Mr. SPEAKER. The hon. member must confine himself to the item under discussion.

Mr. McMULLEN. The Minister, in other cases, has come before the House and altered the sums. For my part, I should be willing to alter this vote. I will take the Minister at his word; he says that $1,350 of this money has been spent. Now, if he is willing to make a division of the vote as he did in other cases, the House would be willing to consider the proposition.

Mr. FOSTER. I hope we may take the vote soon, otherwise I want to remind the House again that we will lose all the work we have done.

Sir RICHARD CARTWRIGHT. Before the vote is taken, I would like to say a word or two on the rather important question that has been raised by the remarks of the Minister of Railways. Now, I do not accuse the Minister of Railways of any intentional deception, far from it: but I think that when in any case money is asked for purposes on which money has been spent and liabilities incurred, the Minister in charge of the item, whoever he may be, should undoubtedly acquaint the House with the particulars. Now, the Minister of Railways won't say that he actually left it to be supposed that this was for future expenditure.

Mr. HAGGART. The hon. gentleman was asking me about lowering the mitre-sill, and I told him that it was. I knew it must be done before this.

Sir RICHARD CARTWRIGHT. I am not accusing him, but I am pointing out what ought to be done in all cases where money has been spent or liabilities incurred. It appears to me it was the duty of the Minister in charge to have stated those facts, because they are important facts. The House ought to know, when it is asked for a sum of money, whether it is for work to be done, or for work that has been done, because it would very materially affect the whole discussion, of necessity, and we ought to have heard that. Of course, we were very much hurried last night, and a great many of these things were let through a great deal easier than they ought to have been. But I would say with respect to the other matter—in the Minister's own Estimates for this year and for other years, there are items such as this: "Miscellaneous works not provided for." A certain limit is always given to the Ministers for the purpose of meeting contingencies, and I have not been adverse to giving reasonable latitude in that way.

Mr. FOSTER. It is for public works, not for railways and canals.

Mr. HAGGART. I don't think I have a vote of that kind.

Sir RICHARD CARTWRIGHT. The Minister is Minister of Railways and Canals, and under the head of Railways and Canals, I see there is a vote "Miscellaneous works not provided for."

Mr. FOSTER. That is never used for such a purpose.

Sir RICHARD CARTWRIGHT. I think it is just one of those things that might be properly done, if there is an emergency. But as to the other matter, I think the Minister was entirely incorrect. If it becomes necessary, in the public service, to incur any special expenditure, it is undoubtedly just the time where a Governor General's warrant is justified. If the expenditure occurs for something unforeseen, you may ask a Governor General's warrant. But a Governor General's warrant ought not to be asked for under other circumstances, because it would be a dangerous precedent to allow any Minister to think that he was justified in committing the country to a large expenditure or a small expenditure, the principle is the same, without the authority of Parliament.

Mr. HAGGART. For what purpose is a Supplementary Estimate for the current year unless it is to provide exactly for these cases?

Sir RICHARD CARTWRIGHT. Not at all. A Supplementary Estimate is intended, no doubt, to provide for future sums which the Estimate granted up to that particular time, or for that particular year, won't meet. The hon. gentleman seems to be without ballast; I suppose he has displayed exactly what he thinks. The Supplementary Estimates were intended, according to him, to provide for expenditures which the Ministry have incurred without authority.

Mr. HAGGART. Does the hon. gentleman not know that 99-100ths of them are so?

Sir RICHARD CARTWRIGHT. They ought never to be so. No expenditure should be incurred without the authority of Parliament. The only excuse for these Supplementary Estimates is this : It happens, as we all know, especially in public works, that now and again the expenditure goes faster than the appropriation provides for. It may well happen that a larger part of an appropriation is required within one year than was anticipated, and in proper time the authority of Parliament ought to be got for the extra sum required. But there, mind you, the authority of Parliament had been had to the whole expenditure. Of course, the Estimate should not pass without knowledge on the part of the House of the sum total required : so that although the House did not contemplate all the expenditure in one year, it contemplated the whole expenditure. That is the true function of the Supplementary Estimates, and no doubt also to provide for expenditure which will come due for unforeseen emergencies, but it was never intended that the Government should have authority to commit the House and the country to expenditures, and after having practically deprived Parliament of all control, then they come down and say : We expended so and so, and we want the money for it. That is not the way parliamentary government can be carried on. But if an accident occurs, if a special case occurs, if an unforeseen incident occurs, then there is a special provision made by our statutes under which the hon. gentleman may get authority to do it, and such authority he ought to have got.

Mr. LAVERGNE. (Translation.) I regret that the hon. Minister of Finance has not concurred in the very reasonable proposition made by the hon. member for Wellington (Mr. McMullen), who said he was willing to alter this vote, that is, to make a division of the amount by giving the Minister the sum of $1,350 that has been expended, according to the information given by the hon. Minister of Railways and Canals and to drop the balance of the amount for this session. That was a very reasonable proposition, and I think the hon. Minister ought not to have opposed it. Before the committee voted that item last night, we were put under a false impression by the Minister. I do not accuse the Minister of Railways of any intentional deception, but we all understood, and were left under the impression that this vote was for work intended to be performed, and for work of the highest importance, that there was urgency in the matter, and the work had to be carried on and completed within the shortest possible period. The House was thus put under a false impression, or the committee has put a false construction on the statement made by the hon. Minister who controls the work in question.

Mr. HAGGART. If the House will give me $1,350 we will drop the balance of the amount ; and if the House refuses to grant the sum, I will withdraw the item altogether and allow the responsibility to rest on hon. gentlemen opposite.

Mr. FOSTER. Then hon. gentlemen opposite take the full responsibility for stopping navigation.

Resolution negatived.

St. Peter's Canal—Completing repairs..$10,000 00

Mr. OUIMET. I beg to submit to the House a memorandum covering the proposed dredging for the season of 1896, for the lower provinces, as follows :—

Dredge " Prince Edward "—
  Charlottetown.
  Souris.
  Crapaud.
  Nine-Mile Creek.
  Orwell Bay.
  Wood's Island.
Dredge " Geo. McKenzie "—
  Fourchu Harbour.
  Cow Bay.
  Grand Etang.
  St. Peter's Canal (at entrance).
Dredge " New Dominion "—
  On the St. John River, principally at Fredericton and at Oromocto Island, with a view of giving 11 feet navigation between St. John and Fredericton.
Dredge " St. Lawrence "—
  Restigouche.
  Pointe du Chêne.
  Yarmouth.
Dredge " Canada "—
  Richibucto—Albion Channel.
  Clifton.
New dredge " Cape Breton." After 1st July, if appropriation is granted—
  Digby.
  St. John Harbour.

Fishery inspection $2,000 00

Mr. DAVIES (P.E.I.) So far as the inland service is concerned in connection with the fisheries, the concensus of opinion is that it is a very great failure. I thought the Minister was taking money to increase the fishery protection on the sea fisheries. As a matter of fact, while one or two lobster factories are kept closed, it is a matter of public notoriety that some of them keep open just as long as they like and under the nose of the inspectors. Of course, if the inspector goes down, proper notice is given, and the factories are cleaned up and everything looks nice. On the shores of Egmont Bay, for months after the season closed, last year, canning went on openly, and hardly the slightest attempt was made to stop it. It does appear to me, that we are only throwing money into the sea by voting additional money to those overseers and attendants. The predecessor (Sir Charles Hibbert Tupper) of the hon. gentleman (Mr. Costigan) made an attempt at one time to carry out the law. I commended him for it at the time, and I hoped that his back would be strengthened, but I am afraid it was not. My hon. friend the Minister of Marine and Fisheries (Mr. Costigan) is too good-natured altogether.

Mr. COSTIGAN. Is the hon. gentleman referring to an appeal he made himself.

Mr. DAVIES (P.E.I.) I should be very sorry to form an opinion as to the hon. gentleman's general character on the result of a single appeal. I do not, for a moment, wish to impute wrong-doing to the hon. gentleman, but I do say that political and other friends may forward memorials, and that the hon. gentleman, in his good nature, may allow this favour and that favour. The result is that the close season regulations amount to very little in any case. It is so much money thrown away, and if I had been in my place last night, I would have most strongly objected to the hon. gentleman incurring any additional expense in this matter, at any rate until he had effectively carried out, with his present staff, the existing regulations as to the close season.

Mr. COSTIGAN. We are doing the best we can.

Mr. DAVIES (P.E.I.) If the manner in which the regulations are now being carried out is the best he can do, I can only characterize it as a failure. I speak with reference to the close lobster season, and I speak from knowledge acquired on the spot.

To provide for the taking and compilation of the census of Manitoba.. $15,000 00

Sir RICHARD CARTWRIGHT. When this matter was up, one or other of the Ministers promised to produce the statute requiring this to be done before the 1st of July.

Mr. FOSTER. My view was that it had to be done before the 1st of July, 1896, and I think that is perfectly correct. The decennial census is provided for, of course, in the Confederation Act. The arrangement with Manitoba as to financial terms, after successive Acts, came at last to be settled on a basis of so much per head of the population. It was enacted in the statutes of 1885 that the province should not wait for the ten years' increase of population before getting an increase in the per capita allowance; and an arrangement was first made that between the decennial and quinquennial periods an estimate should be made of the increase in two and a-half years, and that a census should be taken within the five years, upon which was to be based, accurately, the per capita allowance. The decennial census was taken in the spring of 1891, and on the 1st of July of that year, the payment of the subsidy upon the population, as shown by the census, commenced. Five years from that date would be the 1st of July, 1896, upon which the payments should begin to run. So that I think it imperative under the statute that the enumeration, which is simply a per capita enumeration, should be had, in order that the payments may be based upon it from the 1st of July.

Sir RICHARD CARTWRIGHT. I am not quite sure the thing is imperative, but the assumption is it should be taken about the 1st July, as our census is taken the 1st April.

Canals. Lachine—Enlargement $20,000

Mr. McSHANE. I wish to speak on this point. I wish to get some explanations from the Minister. I think the Finance Minister had better drop this item. Some of us will want to speak upon it.

Mr. SPEAKER. If the hon. member is going to speak, let him go on.

Mr. McSHANE. I have no wish to stop any improvement on the canal, but I understood this $20,000 was for work that had been done by the contractors, but so far as I can learn now, this is additional work that is being done by the Government by means of dredges. I wish to ask the Government for some particulars. Is this amount intended to pay for work for the whole summer ?

Mr. FOSTER. It cannot extend beyond next July.

Mr. McSHANE. Then I say it is impossible to spend anything like $20,000 for the dredging of the Lachine Canal before July. They cannot begin work until the 15th or 20th of May, and they cannot, with the dredge that is there and the force of men on board, spend even $10,000. If the Government will reduce this amount to $5,000 I will agree to its passing. I may be told by the Minister of Railways and Canals that the work has been done. We heard the contradiction here to-day. The Minister of Railways and Canals, speaking about the Beauharnois Canal, said that $7,600 had been spent upon the Beauharnois Canal, that the work had been done. To-day he tells us the contrary. And the hon. member (Mr. Bergeron), who so ably represents Beauharnois, stated that the work has been done. Yet the Government accepts about $1,300 on that vote.

Mr. FOSTER. I wish to state one thing, if the House will allow me. The exigencies of the session must be somewhat considered. We have passed this vote in committee after an explanation. The department informs me that if this is thrown out the whole calculations will have to be gone over, and it will require at least an hour or an hour and a half to do that. So it will be impossible for us to get the Supply Bill through if this is changed.

Mr. DAVIES (P.E.I.) I was going to ask if the Minister would not accept the suggestion of the hon. member, and, instead of throwing the vote out, reduce the amount.

Mr. FOSTER. It amounts to exactly the same thing; the whole Bill has to be changed.

Mr. McSHANE. This is a separate item. I am willing to reduce the amount.

Mr. OUIMET. Is the hon. gentleman quite sure there is only one dredge up there ? He makes his calculation on the work of one dredge. But I think there are two or three.

Mr. McSHANE. I have no objection to consenting, if you reduce the amount just the same as you did in the case of Beauharnois Canal. But I do not see why you should ask for $20,000 for work of that kind to be done in four weeks' time.

Mr. OUIMET. The hon. gentleman knows that it cannot be paid out unless on the certificate of the engineer and the sanction of the Auditor General.

Mr. McSHANE. I hope the Government will put it down to $10,000.

Mr. FOSTER. My hon. friend takes the House altogether at a disadvantage. He admits that full explanations were given at the time.

Mr. McSHANE. I do not take the House at a disadvantage. I am here performing my duty to the people of Montreal, who sent me here.

Mr. DAVIES (P.E.I.) Say $5,000, and have it done with.

Mr. McSHANE. Now, Mr. Speaker, I brought up a matter last night—and I suppose I will be out of order in referring to it —concerning the Welland Canal ; and I blamed the Finance Minister and the Government for negligence in not taking measures to have that canal opened early to allow the grain to come down.

Mr. SPEAKER. Order.

Mr. McSHANE. I knew I should be called to order. The Minister of Finance now stands up here, and asks us to give him $20,000, without telling us how it is to be expended. Here you are asking for $20,000 for the enlargement of the Lachine Canal by dredging, within four or five weeks. We have no right to depend on the future, we have no right to ask the future to pay anything, unless we know what it is for. A little while ago, the amount asked for the Beauharnois Canal was reduced, and the sum was granted. I am willing to accept a similar compromise with regard to this vote ; I am willing to give you $10,000.

Mr. MONTAGUE. If the hon. gentleman wants to register his protest against this vote, he has done so ; and now let us get on.

Mr. McSHANE. I do not see why this Government should ask for $20,000 for work that has not been done, but for work, he says, must be done by 1st July. Why, Sir, it is impossible to spend $20,000 on such a work before that time. When I spoke before, I thought this was a work under a contract that had been given to Mr. McNamee, but when I learned this afternoon that this was a work to be performed by the Government before the 1st July, I thought it my duty to insist upon some explanations as to how that money is to be spent, where it is to be spent, and who is to spend it. I know how that money is to be spent, we all understand it, and it is in keeping with what this Government have been doing year after year. There has been for years a popular delusion that a certain party owned the country, and that they could do what they pleased with the people's money, without any authority whatever. That has been shown every time this Government has presented Estimates to this House. Now, I desire to say that we cannot concur in this vote without explanations. Is there any hon. gentleman on the other side of the House who can give me an explanation as to how this $20,000 is to be spent between now and 1st July ? Has it been spent ? If it has been spent, it has been spent without the consent of this Parliament ; and, if it is to be spent, it is an impossibility that within so short a time $20,000 can be spent by the Government with one or two dredges in enlarging the Lachine Canal. With all the traffic going up and down that canal, after 10th or 15th May, it would be an impossibility to expend any such amount of money in the way proposed. Why, Sir, the canal is full of barges, and steamers, and small tows, and every other sort of vessel, and it is impossible that these dredges can do that amount of work within so short a time. I therefore hope that this amount will be reduced. I am willing to make it $10,000, and, if you concur in that, there will be no opposition ; but, if not, this item will not pass the House to-night.

Sir DONALD SMITH. As I understand it, this vote is asked for to do what is considered to be necessary work in enlarging the canal, the work to be done between now and 1st July, that is to say, in a little over eight weeks' time. I presume that the engineers who reported on this work, are better judges with regard to what can be done within that time, than either the hon. gentleman or myself ; and the House is in the habit of taking on faith, very largely, what these professional men propose and what they say can be done. The hon. gentleman from Montreal Centre (Mr. McShane) has assumed to himself to be the friend of the workingmen. I do not dispute that title in any sense whatever. But there are others also who know something of the needs and necessities of the workingmen, and, for one, I would say that I think, without presumption, I know something of what the case is in that respect in Montreal. The hon. gentleman knows that this past winter has been a very serious one for a great many of the labouring classes in Montreal, and that, having suffered a good deal in the winter, they have been looking forward most hopefully to have work in the spring and as the summer goes on. From their point of view, taking it for granted that this work is considered necessary for the proper enlargement of the canal, I hope the House will concur in the vote. The hon. gentleman has said that it is impossible to do so much work as $20,000 would represent, before the 1st July ; but he knows very well that there is more or less dredging going on the whole time in the canal, notwithstanding that there are so many vessels passing to and fro. I have no doubt that, if the House does permit this vote to be carried, it will be spent for a good purpose, and I am sure it will give employment to many who are eagerly looking forward to have it, and who are very much in want of such work. I trust, therefore, that the House will concur in this vote.

Mr. McMULLEN. When the question of the enlargement of this canal was before the committee, the Minister of Railways and Canals stated that the money was actually due on contracts that had been already let, and on that condition it was allowed to pass. Now the Minister of Finance says it is for dredging.

Mr. FOSTER. I think my hon. friend is mistaken. My hon. friend the Minister of Railways and Canals distinctly stated it was for dredging, and that the dredging was done by days' work. I am informed that any change proposed will render it impossible to pass the Supply Bill before 7.30. The hon. gentleman well knows that prorogation is fixed for 8 o'clock, and if this Bill is not before the Senate before a quarter past seven or half past seven its fate entirely depends on any obstructor. I make an appeal to the leader of the Opposition ; I ask him if he will be kind enough to state whether this item may go through or not. If the hon. gentleman will not take the responsibility of assenting to the passage of this item, we should know it. The item was explained in committee, and objection has only been raised at the present stage.

Mr. McMULLEN. If the Minister of Finance is willing to reduce it to $10,000, in my opinion it might pass.

Mr. FOSTER. If the item is changed, it will affect the whole Supply Bill.

Mr. McMULLEN. There appears to have been a misunderstanding in regard to this matter, and I should like to come to an amicable settlement of this difficulty. I think the Minister of Finance should accept the suggestion I have thrown out.

Mr. FOSTER. At the request of the leader of the Opposition I am prepared to reduce the item to $10,000.

Mr. LAURIER. I move that the amount be reduced from $20,000 to $10,000.

Resolution, as amended, concurred in.

Mr. FOSTER moved second reading of following resolutions :—

1. Resolved, That towards making good the Supply granted to Her Majesty, on account of certain expenses of the public service for the financial year ending the 30th June, 1896, the sum of $2,151,493.80 be granted out of the Consolidated Revenue Fund of Canada.

2. Resolved, That towards making good the Supply granted to Her Majesty, on account of certain expenses of the public service for the financial year ending the 30th June, 1897, the sum of $87,772.17 be granted out of the Consolidated Revenue Fund of Canada.

Resolutions read the second time and concurred in.

SUPPLY BILL.

Mr. FOSTER moved for leave to introduce Bill (No. 112) for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service, for the financial years ending respectively the 30th June, 1896, and the 30th June, 1897, and for other purposes relating to the public service of Canada.

Motion agreed to, and Bill read the first and second times.

Mr. FOSTER moved the third reading of the Bill.

Sir RICHARD CARTWRIGHT. At this point, it may possibly be as well that we should understand what time the new House will meet. I think that ought to be definitely declared before the Supply Bill leaves our hands.

Sir CHARLES TUPPER. In reply to the suggestion of the hon. gentleman I wish to say : That as nearly as I can form an opinion at the present moment, it will be about the middle of July. I suppose it would not be impossible to bring the new House together before that date. We are anxious to meet at as early a period as possible, and indeed we must meet, on account of the exigencies of the public service. As the hon. gentleman knows, we are without supplies for the coming year, and that necessitates our meeting Parliament at the earliest possible date.

Sir RICHARD CARTWRIGHT. I suppose it is too late for the hon. gentleman to alter the intention of the Government, but I would suggest that it would be wiser to have the elections at least a week earlier than he proposes now to have them. He will have trouble enough as matters stand, in carrying out the understanding. However, if it cannot be altered, I have nothing more to say.

Motion agreed to, and Bill read the third time, and passed.

SECOND READING AND THIRD READINGS.

Bill (No. 66) respecting debentures of Loan Companies (from the Senate).—(Mr. Foster.)

Bill (No. 84) further to amend the Supreme and Exchequer Courts Act (from the Senate). —(Mr. Dickey.)

Sir CHARLES TUPPER moved the adjournment of the House.

Motion agreed to, and House adjourned at Six o'clock.

Evening Sitting.

The Speaker took the Chair at 7.30 o'clock.

PRAYERS.

THE CASE OF VALENTINE SHORTIS.

Mr. BERGERON. Mr. Speaker, now that the work of the session is very nearly completed and that I may not be accused of obstruction, I desire, with your permission, to bring before the House a matter which I consider of sufficient importance to justify me in rising to speak about it at this time. I refer to some papers which I asked for at the commencement of the session, relating to a case which at that time occupied a great deal of attention in the public mind; I mean the Shortis case. I gave verbal notice to my hon. friend, the chief of the Opposition, that I would bring up this matter now, and when I proceed with my remarks, the House will understand why I am doing so. I obtained an address for all correspondence and papers connected with the case of the prisoner Shortis. The papers were brought down, and I found them very elaborate. In fact, I was surprised on reading all the papers that were brought down. I had no idea of all the petitions and demands that had been presented to the Government in that case. The principal papers were: the demand on the judge, Judge Mathieu, for his report, the report of the judge, in fact, two reports, which were sent one after the other; the report of the Minister of Justice, which is a recommendation to His Excellency that the law be allowed to take its course; the telegram of the Governor General to the Home Office in England; the answer of the Secretary of State for the Colonies, and the draft warrant commuting the sentence of Shortis. I think these are the principal papers in connection with the case. When these papers came down, what struck me was that, so far as I could see, it was purely and simply a commutation of sentence by His Excellency the Governor General. Now, I want to say immediately, that I do not want to cast any blame at all upon His Excellency. On the contrary, I want to be fair, and I would look upon it as a piece of cowardice to accuse His Excellency, instead of holding the Government responsible; because they are here to defend themselves and they will do so, I am sure. But the papers show a great inclination on the part of His Excellency to come to the conclusion to which His Excellency came. There is no doubt that the commutation of the sentence of Shortis at that time made a very deep impression upon the public. What struck me was that the moment that the people of the country are led to believe that the law is not administered in the same way for everybody, then it is a sad day for Canada. In fact, this is the position I took the first time I spoke on this subject; but at the same time I thought that members of Parliament, and public men generally occupying high position in the country, should be the first to dissuade the masses from entertaining such a belief. But I find, from some extracts which I am going to read, from speeches and papers, that the fact has been the reverse. Politicians have tried to make political capital out of this case, in the press and on the stump. In the county I represent there is a paper published caller the "Progres de Valleyfield." I do not want to repeat anything which that paper contains, because it does not amount to anything where it is known. On the contrary, those who know the paper believe the opposite of what it says. But its statements in regard to this case have been carried to the Montreal papers and others. I have here extracts from an article which appeared in "Le Cultivateur," a paper which is not very different from the Valleyfield paper I have mentioned, except that it is edited by a member of Parliament who sits in this House. In its issue of April 4th, 1896, it says:

> Shortis, the triple murderer of Valleyfield, is enjoying a splendid health at the St. Vincent de Paul penitentiary. With money, under the present Administration, criminals are pretty sure to be on the safe side. Before his departure for Europe, Shortis' father declared that his son's life had cost him $60,000. An investigation into the circumstances which accompanied the commutation of the murderer's sentence would bring to light extraordinary things.

"La Patrie," of the 13th April has an article reflecting on myself for use in the campaign which the hon. member for L'Islet (Mr. Tarte) has opened in my county since three weeks. This is what that paper says:

> The population of this county have a big reckoning to settle with that flighty and inconstant member, Mr. Bergeron, who will have to explain why Shortis was not hung to pay for the crime of having butchered fathers of families, when Riel was executed for having loved his prairie lands and for having stood up for the sacred cause of liberty. We understand that the "Beauharnois Boy" is anxious to withhold such explanation, and that since Saturday last he is less hopeful than ever.

"La Patrie" is one of the principal Liberal papers published in Montreal, and has a very large circulation. In a meeting which took place in Valleyfield, the other day, the hon. member for L'Islet (Mr. Tarte) spoke thus, as reported in "La Patrie" on the 13th April, and as "La Patrie" is the Liberal organ in Montreal, I do not suppose the hon. gentleman will repudiate it:

> Everything is for sale in this county, even criminal justice. I allude to the Shortis case. What did Mr. Bergeron do in all this? What did he do with your petitions? He simply forwarded them as one posts a letter. I want to know if there is equal justice for all in this country? I want to know if criminals can be made to escape punishment with money in this country? The widow and children of Maxime LeBœuf, the father and mother of young Loy, the blood spilt—are they not all urging retribution? What is to become of the property and life of citizens if criminal justice is for sale in this country? The Shortis case has no parallel in the history of the whole world. The $60,000 of old Mr. Shortis have unhinged the administration of criminal justice in this country.

"Le Cultivateur," on the 18th April, which is the last number published, I believe, said this:

> What can be said of the commutation of the sentence passed upon that triple murderer, Shortis? Does not public opinion clearly indicate that it was openly bought and paid for? Let any one, if he can do so, show a similar case in the whole history of the civilized world?

Hon. members who are listening to me will understand, when they take into account the feelings of the people, many of whom were under the impression at the time that money had something to do with the pardon, that writings of that sort and speeches of that kind, coming from men occupying positions such as the hon. member for L'Islet occupies, are not apt to prevent them from thinking that really criminal justice is bought and sold in this country. But I was disposed to let all this pass. I did not intend referring to these statements in the House, but thought I would wait until I was in my county, the people of which are most deeply interested in this matter, although it is a case which has attracted the attention of the whole country. I thought I would not bother the House with these statements and remarks, but would content myself with replying to them in my county; but when I find the leader of the Opposition, when I find a gentlemen occupying so high a position in this House and country, expecting, as his friends behind him say, to be Premier of this country, making a speech in Valleyfield, in which he sought to make political capital out of this matter, I thought it was about time to bring it before the House, and if there has been any money paid to anybody, let us see where it has gone to. The "Sunday Sun," of Montreal, thus referred to that speech:

> The leader of the Opposition did not look his best, but he made an able speech. He made a good deal of capital out of the Government's action in the Shortis case, although he exonerated the Minister of Justice (Sir Charles Hibbert Tupper) from all blame in the matter. He claimed that the Government had not acted in the Shortis case as in that of Riel, and claimed that his platform was equal rights and justice for all.

This is from the "Sunday Sun," which is looked upon as an independent newspaper. I have in my hand the Montreal "Herald," which is the organ af the Opposition, which thus reported the speech of the hon. leader of the Opposition:

> The eloquent speaker then recalled in vivid terms the terrible drama which was enacted in their midst one Friday night last summer, by which two respectable young men had lost their lives at the hands of a cold-blooded murderer. "That murderer's trial took place," said he. "Twelve of your fellow-citizens found him guilty, and would not recommend him to the mercy of the court, and he was condemned to death. His mother made desperate efforts to save her son from the gallows."
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> We cannot blame her for having tried to save her son—any mother would have done the same. But it is not the Governor General who is responsible for having commuted the sentence; the responsibility must fall upon the shoulders of the Cabinet Ministers. Lord Aberdeen's instructions from England are not to pardon except on the advice of his Ministers. I must render this justice to Sir Charles Hibbert Tupper, who was then Minister of Justice, that he wanted the sentence to be executed. The Cabinet was equally divided, eight to eight, and if there had been a man at the head of the Government, he would have said: "Accept the Minister of Justice's wish or get out." Seeing the turn which the affair had taken, Lord Aberdeen referred the whole question to the Secretary of the Colonies, and then he commuted the sentence. "I am not a man to thirst for blood, but the law is the law, and justice must be equal for everybody. Riel was condemned to death, although his lawyers had pleaded insanity, and although the jury had recommended him for mercy, he was executed. I want equal justice for everybody, equal rights to everybody, to every race, and to every religion. The Ministers were not only guilty before the people, but they are also responsible to the representatives of the Queen."

Now, this is from the lips of the hon. gentleman who leads the Opposition. Then, as I understand the reports which I get from my county—and I suppose the same thing is carried on in other places—the fight there is waged to a great extent over that question, and as I have had no more to do in the matter than you, Mr. Speaker, I intend to put before the House some correspondence which otherwise I would not have liked to put before it. When I called for the papers at the opening of the session, I mentioned the fact that I had written twice to the then Minister of Justice, and that he had replied. My letters were private, and I did not care particularly about having letters of that sort published and naturally they were not published. As a rule, people are not apt to publish letters in which they are not asking for mercy but asking that the law be carried out. It was not, therefore, my intention to publish them, but I think that now I will be justified in giving those letters to the House and country, and let the responsibility fall upon those who are trying to make use of this case on the public platform and make political capital out of it, not only in my county but, I am told, in other counties as well. I may say at once that when the case of Shortis was brought to Beauharnois. I was asked by the lawyer who had the case in hand, Mr. Foster, of Montreal, to take a part in the defence, and I refused. I refused, in the first place, because I did not think I was under any obligation to take a brief. There were many other lawyers looking for it, and besides I had too deep a sympathy with the families of the victims. I could not have defended him. Had I done so, I would have been lying to myself, and I would rather a thousands times have acted for the Crown than for the defence. Consequently I refused. Not only did I refuse, but I felt the tragedy so deeply that in an election which took place in the county of Jacques Cartier, sometime in December last, when I was invited to speak at a meeting which Mr. Foster, who was not only a political friend but a personal friend of mine, was to address, I refused to attend because I did not want to be on the same platform with him. I may be told that that was carrying things too far, but that is the way I felt at the time, and Mr. Foster felt my conduct so deeply that he wrote me this letter, which I have his permission to publish :

Montreal, December 26th, 1895.

Hon. J. G. H. Bergeron, M.P.,
Ottawa, Ont.

My dear Sir,—From time to time since I have been endeavouring to obtain for my client, Valentine Shortis, that justice which I believe he is entitled to receive from the hands of the Dominion Government, and a proper consideration of the petition we have filed for the commutation of the sentence of death passed upon him—I am reminded at almost every turn of the fact that you appear to have appointed yourself Crown Prosecutor for the district of Beauharnois, and as well, to have put yourself at the head of certain men who demand his life, irrespective of the question as to whether he is entitled by law or not to be declared a lunatic, which I believe him to be. I had no reason to find fault, when, last summer, in the early stages of this case, I offered to you a retainer to assist in the defence, that you should have seen fit to have declined the same ; and while as a lawyer you would have been, I consider, justified in accepting, you as a politician saw fit to refuse as was your right ; but having declined to take part in the trial, and having sympathized throughout with our opponents, it seems to me that you have no reason to make this matter, as you have, a personal one, and not even to confine your abuse to the unfortunate prisoner, but it appears that you are classing me among those who deserve your ill-will. We have, since we were very young men, always been on terms of intimacy and friendship, and I think it ill-becomes one in your position to go so far as you did the other day, when, after you were advertised to speak at the political meeting in Lachine, you refused to attend, and gave as your reason the fact that I was going to take part on behalf of the Conservative candidate.

Now, I am not writing you to complain so much at this, of which, perhaps, on political grounds I might have some cause to complain, but to express to you my surprise at the fact that you are acting in the whole of this matter as though you were the paid attorney for the prosecution rather than as a prominent member of Parliament, and as a lawyer occupying the position you do it seems to me you should take.

You, of course, are entitled to your own opinion the same as any other citizen in this country, and have a right to use any personal influence in attaining your desire in connection with this matter, but it does seem strange that you should be making a life and death struggle of it, as you appear to be, when the matter, after all, does not concern you any more than a humblest man in the country.

I feel bound to add that among some of our friends your attitude is being criticised as overzealous, and as though you were constituting yourself a public avenger rather than as a citizen of a country who should only desire that justice should be done to my client as well as to your political friends.

I have contented myself with asking my friends to study the record and the case we have presented to them, and to do us justice on that record, and it seems to me that that is all you should ask or hope for.

I write you this letter because in view of our past relations I think it is only right that you should know how I feel about the matter, and especially at your going the length you did with regard to the Lachine meeting.

Yours truly,
GEORGE G. FOSTER.

Now, as I am at that part of the case, I may as well give these letters. I want to put them on record. I say again, I am sorry to put these letters on record, but I do it because I think I am obliged to do so, considering the insinuations cast against my conduct by the hon. leader of the Opposition in his speech at Valleyfield, or rather the insinuations cast upon me in his presence without his saying anything to contradict them. This is the letter from Sir Charles Hibbert Tupper :—

Ottawa, March 4th, 1896.

My dear Bergeron,—Herewith I send you compared copies of two private letters which you wrote to me when I was Minister of Justice in re Shortis.

Yours sincerely,
CHARLES HIBBERT TUPPER.

The first of these letters is as follows :—

(Private.) 4427 Prairie Avenue,
Chicago, 9th November, 1895.

The Hon. Sir Charles H. Tupper.

My dear friend,—Although far away in the land of Uncle Sam, I see by our Canadian papers that it is intended to present you with a petition to commute Shortis's sentence to imprisonment for life on the plea of insanity. I do not need to tell you the bad effect such a commutation would have in our district after the fair trial he had. Also, after your judgment in the Chatelle and their own pleading in favour of Riel in 1885 on the plea of insanity.

Shortis deserves to be hanged ten times—he is purely a monster.

I hope you will not be annoyed with this letter. Do unto others, &c. Wishing you lots of good things, I remain,

Your friend,
J. G. H. BERGERON.

P.S.—Please remember my wife and I to Lady Tupper. J. G. H. B.

Hon. gentlemen will see that I pretty well foresaw the course our political opponents would take in this case. The answer to that letter is here :—

Office of the Minister of Justice,
Ottawa, November 12, 1895.

My dear Bergeron,—I beg to acknowledge receipt of your letter of the 9th inst., respecting Shortis. You may rely on my looking into this case in the most careful possible manner. Reciprocating all your good wishes, and with kindest regards to Mrs. Bergeron and yourself, in which my wife would join did she know I was writing, believe me,

Always sincerely yours,
CHARLES HIBBERT TUPPER.

My second letter was dated from Montreal. I could not see how that sentence could be commuted. But I heard there was a great deal going on in that matter, that petitions were being got up, that there were delegations, and I was told at that time there were immense petitions which had come from Ireland. So I wrote again :—

(Private.) 15 St. James Street,
Montreal, 14th December, 1895.

The Hon. Sir Charles H. Tupper.

My dear friend,—As I see by the papers that great efforts are made to have Shortis's sentence commuted to imprisonment for life, I again wish you to remember my letter to you from Chicago, asking that the law be carried out.

The commutation of the sentence would have a most terrible effect, and the more so as the prisoner's parents are rich.

Hoping that the law will be carried out according to the verdict of the jury and the sentence of the judge, I remain,

Yours very sincerely,
J. G. H. BERGERON.

Now, this is all that I did so far as that case is concerned. But the unfounded stories which have been told, and to which some high personages afterwards gave currency, have gone so far as to say—and I am very sorry to bother the House with all this,but it seems to me it is a good thing to know what kind of warfare we are to have and to prepare ourselves for it—that Mrs. Shortis, being an Irishwoman, and my wife also being an Irishwoman, my wife had presented Mrs. Shortis to Lady Aberdeen. The story went on very seriously, so much so that the mayor of Valleyfield, Mr. Loye, who is an old friend of mine and a thorough Conservative, is opposed to me, and it is reported to me that all he has against me is this Shortis business, and I think I am justified in referring to the story and answering it. I want to say here to those who know me and think that I can be belived—and those who know me, I think, will be of that opinion—that I have never in my life spoken to either Mrs. Shortis or Mr. Shortis. I have seen them in court, but I have never spoken to them. And that seems very strange. Mrs. Shortis went to many people ; she went to Ministers of the Crown, she went to the railway magnates and those who were at the head of great corporations, she did everything that, as the chief of the Opposition said, a mother would do in such a case—and yet she never came to my home. It is a very short distance from where she was boarding to where I live in Beauharnois, and I do not know why she did not come to my home. If she had come I would have received here with a great deal of attention, for I had great sympathy for her. But she did not do it, and, consequently, I have never communicated, directly or indirectly, either with her or with her husband. It seems to me that that settles the question so far as I am concerned. Now, I want to know this before I sit down : Is it possible that we have come down in this country to this kind of political warfare ? Is it possible that a political party, no longer relying upon its policy, or upon what it can bring before the people, will stoop to the use of such weapons as these in order to defeat a man in a county or a government in a country. As long as the hon. member for L'Islet (Mr. Tarte) repeated these things—and I am told he is making great use of them at small gatherings, not merely in Valleyfield but in Beauharnois, I did not care, as I shall meet him often in the presence of my electors. But I shall not have the pleasure of meeting my hon. friend the leader of the Opposition very often. Now, there is one thing I have to complain of. I waited until the last moment, because I always thought that some members of the Opposition would get up in the House and make some motion about that case, men who think that criminal justice in this country is for sale, men who occupy high positions in this country and who say that $60,000 were actually paid to save Shortis's neck, and who have not the boldness, who have not the courage, to stand up here and say so as responsible members of Parliament in this House, where they can be answered. That is one of the reasons which has prompted me to stand up here and show the position in which I stand upon this question, and also because I wish to cast upon those gentlemen who have thrown out such insinuations, the responsibility of their deeds. I am sorry to have occupied the attention of the House so long when we are about to prorogue in a few minutes.

Mr. LAURIER. I will in the first place answer the concluding remarks of my hon. friend from Beauharnois (Mr. Bergeron) when he said he expected that the Opposition would move upon this matter. The hon. gentleman rightly expected that the Opposition were prepared to move in this matter, and if they did not move earlier, it is simply because, as every body knows, many things that should have been brought before the attention of the House, could not be brought before it, for reasons which every body knows ; and partly because my hon. friend himself had told me that he intended to bring this matter up, and give me due notice, and I have been waiting ever since for his action.

Mr. BERGERON. I notified my hon. friend two or three days ago.

Mr. LAURIER. It comes with bad grace from my hon. friend to taunt anybody with not having moved in the matter, when he considers that I was duly warned that he was going to bring this matter up, and that I should have anticipated his movements. Now, I will next refer to the opening sentence of the hon. gentleman's remarks. I was not astonished to hear that sentence from my hon. friend, because it was in keeping with the tone which has been adopted all along by the ministerial press. Here are the words which were spoken not fifteen minutes ago by the hon. member for Beauharnois ; I took them down, and if I do not repeat them correctly, he can appeal to "Hansard." Speaking of the voluminous records that we have had before us in this case, the hon. gentleman said :

> These papers show a great inclination on the part of His Excellency to come to the conclusion to which he came.

These are the words spoken by the hon. gentleman not fifteen minutes ago. I have read these papers myself, they have been in the hands of members for at least a month, and I ask that hon. gentleman now, What is there in these papers which show that His Excellency the Governor General had ever displayed any intention of doing what at least he did do ? There is not a single word. I challenge any man on the floor of this House to show me a single word in those papers that indicates that His Excellency harboured any such extraordinary inclination. I will not characterize this insinuation as it ought to be characterized ; but it is in accord, as every body knows, with the tone of the ministerial press upon this question. The attitude of the ministerial press upon this question has been to transfer the responsibility for the commutation of the sentence of Shortis, from the shoulders of the advisers of His Excellency to the shoulders of His Excellency himself. That has been the case all along, and the very remark with which my hon. friend opened his speech to-night only emphasized the attitude that has been taken by that press, namely, a desire to displace responsibility for the commutation of Shortis's sentence. Whether it be worthy of blame, or worthy of praise, His Excellency the Governor General is not to be looked to at all, but there sit the men, opposite me, who are responsible.

Mr. BERGERON. I said so in my remarks.

Mr. LAURIER. If my hon. friend said so in his remarks, the words were very colourless indeed. Next the hon. gentleman referred to something I said at Valleyfield. I have not looked at the report of my speech at that meeting, but I take it for granted it was accurate. But what is there wrong in my remarks upon that subject ? What fault has the hon. gentleman to find in anything I said upon that question at Valleyfield ? I said at Valleyfield what I have said on the floor of this House, in this present session, and what I repeat again, that in the Riel case the Government laid down the proposition that when the defence of insanity had been entered on the part of a prisoner, and when the jury had passed upon that plea and had declared the prisoner guilty, it was not open to the Government to re-open the case and commute the sentence. That is what I said, and is it not a fact ? Now, this is what I find strange. My hon. friend finds fault with me for having referred to the Riel case as a precedent, yet in the private correspondence, as shown in the papers laid before the House, the then Minister of Justice, the hon. member for Pictou (Sir Charles Hibbert Tupper), referred to that very Riel case as a precedent.

Mr. BERGERON. I knew my political opponents would use that.

Mr. LAURIER. Certainly his political opponents will use it. When a precedent was laid down in this House upon a case of this kind, what reason can there be why this precedent should not be followed ? Now, Mr. Speaker, I have a criticism to make upon the advisers of His Excellency. They had a duty to discharge. The law and their oath of office compelled them, made it obligatory on their part, to tender advice to His Excellency the Governor General. A petition for commutation of sentence had been placed in the hands of His Excellency. He could not act upon it, he had to act upon the advice of his responsible advisers. The case was discussed in the Council, and the report came before His Excellency, an extraordinary report, an unheard of report, an unconstitutional report, that the Cabinet were divided. Who ever heard of a Cabinet being divided ? Why, the Cabinet are one. They can have but one voice ; and if a Cabinet is divided, as will sometimes happen, there is only one thing to do to maintain the solidarity of the Cabinet, and that is for the dissenting members to retire. They have to put their resignations into the hands of the Premier, into the hands of His Excellency, if they cannot concur in the policy of the administration. In this matter what do we find ? We find that when the advisers of His Excellency were called upon to make a report to His Excellency, they took no such action, but reported to His Excellency that they could not agree upon a decision. I stated before and I repeat now, that if the Prime Minister had done what it was his duty to do, he should have said to these gentlemen who did not agree with the report of the Minister of Justice, that they must resign their positions, either concur with the report of the Minister of Justice, or resign their portfolios. I stated at Beauharnois, and I have no fault to find with the report of my speech which the hon. gentleman read ; I stated that the Minister of Justice had taken the proper course when he advised that the law should take its course. Then under the circumstances it seems to me there was nothing to do for the members of the Cabinet but either to adopt the report of the Minister of Justice, or to resign their positions, if, in their conscience and their judgment, they could not agree to the recommendation of the Minister of Justice. But it is an unheard of thing, it is unconstitutional, that upon such a question as that, a report should go to the head of the Government, to the Governor General, to the representative of the Crown, that the Ministry cannot give any advice because they are divided. Then, Sir, the Governor General had nothing to do but to do as he did, that is to say, to ask the Colonial Office in England for instructions, since the parties who were charged by the constitution to give him advice, would not give him any advice ; and the hon. member for Beauharnois instead of casting an insinuation upon His Excellency, would do better to put the blame where it belongs, and that is upon the members of the Government.

Mr. BERGERON. I beg my hon. friend's pardon, I cast no blame upon His Excellency. I said it would be cowardice to do so. I distinctly held the Government responsible, but I repelled the insinuation that money had been spent to secure the commutation of that sentence.

Mr. LAURIER. Since that is my hon. friend's view, he will admit that he had a very unfortunate way of expressing it, especially in view of what he had said only a few moments ago, that the papers brought down showed a great inclination on the part of His Excellency to come to the conclusion to which he finally came. The hon. gentleman speaks of insinuations which were made in my presence against him. I can tell the hon. gentleman that I am not responsible for words spoken in my presence. If I attend a public meeting and any one speaks, he speaks in his own behalf. and I cannot be held responsible for any word he utters. But so far as the meeting at Valleyfield is concerned, I did not hear any one make any insinuation against the hon. member personally,for the very simple reason that as soon as I delivered my address, having gone from Ottawa to do so, I left the meeting and I did not hear anything afterwards. The hon. gentleman has spoken about money being offered. I do not attach great importance to that, but the House will attach importance to the action of the Government in this matter. The hon. gentleman asks, what kind of warfare are we to expect ? He is to expect in this as in all other matters what any government is to expect when the Government does not discharge the duties which appertain to it. What are these men sitting here for ? Their duties are well known, and chief among them is that of giving advice to His Excellency in matters of this kind. If the Ministers in office deliberately refuse to give His Excellency the advice to which he is entitled, it would be a breach of duty on the part of the Opposition if they failed to call the attention of the public to the matter, and they would specially be remiss in their duty if they failed to call the attention of the public to such a failure as this. Is the Government in a matter of this kind expected to act, or any member of the Government to act, or not to act, and the conduct not be criticised and approved or condemned ? Are not hon. members on the Treasury benches responsible for matters of this kind, and if they fail to act, are we not bound to call the attention of the public to the matter ? We are within our rights in so doing, and I fail to see the point which the hon. gentleman has made. I say again that in regard to this matter a certain law has been laid down, and this law should be adhered to, unless good reasons are given to the contrary.

Mr. DICKEY. I cannot endorse the course taken by the hon. gentleman in this matter. The hon. gentleman says the Government is responsible for His Excellency's acts. Well and good. It suits the hon. gentleman to adopt that argument at the one instant, at the next moment the hon. gentleman, who holds the Government fully responsible for their remission of the sentence of Shortis, finds fault because the Government did not advise His Excellency. If the hon. gentleman places upon the shoulders of the Government, and the Government accepts the issue of pardoning Shortis, the Government, so far as its responsibility to this House is concerned, has advised the commutation of the sentence of Shortis. If the hon. gentleman takes that view, he should not take the other view, that the Government is to be blamed because it was divided in opinion. The hon. gentleman says that those who do not agree with the Minister of Justice should resign. If that is said on the assumption that the Council was equally divided, I cannot understand the constitutional law laid down. When questions of this kind are to be decided in Council the Minister of Justice is no more than any other member of the Council. It is true that for convenience the Minister of Justice submits a recommendation in these matters. It is not a recommendation of the Government or of the Premier, but it is simply a proceeding necessary to bring the matter before Council. In the case of a division in Council the hon. gentleman urges that half of the Council should have resigned. Which half should have resigned ? Suppose the Prime Minister was on the one side and the Minister of Justice on the other, which half should have resigned? The leader of the Opposition assumes that the Council was equally divided in this case.

Mr. LAURIER. I did not assume so; the papers state so.

Mr. DICKEY. I would ask the hon. gentleman if in an issue of life and death he would so act. We will take the case of a member of the Council who thought this man was innocent, and the decision of the Council was to hang him. Should any member of the Council who conscientiously held a different opinion, be asked to vote against his conscience that the man should be hanged. If, on the other hand, a member of the Council believed that this was a criminal whose execution was necessary under the laws of the country, and required in order to properly carry out the criminal law, should that member of the Council vote for a remission of the sentence for an act which he considers a public wrong? Would the hon. gentleman have advised either of those courses? Surely not. The hon. gentleman would say that this was not a question of policy, and therefore of compromise, that there is a question of conscience in it; that it was a question involving the highest judicial functions, where men swear to do justice between man and man; that it was not a question of compromise, in which one man has to give away his opinion to another, but that it was a question of serious opinions as regards every member of the Cabinet. If a case of that sort unfortunately arose when members of the Cabinet were equally divided, the suggestion was made that the dilemma should be met by the Minister of Justice submitting a representation and the Council adopting it; but it must be remembered that the report of the Minister of Justice is simply laid before the Council for the purpose of bringing the matter up for discussion. Council may have been divided upon this question, but Council has accepted the responsibility of the act of His Excellency. The hon. leader of the Opposition charges in this House that the inconsistent part of the Government's action was in not advising His Excellency. This was a crime which created great feeling in the district where it took place. It was a crime the details of which were horrible to the last degree, which shook the moral sense of the community—and I am speaking now altogether irrespective of the man's state of mind. The hon. leader of the Opposition went to that locality to begin his political campaign, and in that locality, where the feeling is of that character, a feeling which is deep down in the savage instinct that comes to us from the past, and which civilisation ought to wipe out, he deliberately stirs up those feelings which lie against that criminal. Did the hon. gentleman find fault at Valleyfield with the Government for not advising His Excellency? Not at all. He found fault with the commutation of the sentence, and he tried to stir up the people of that neighbourhood because the sentence had been commuted. If the hon. gentleman had confined himself to the statement that the Government had acted unconstitutionally, inasmuch as they had not advised His Excellency—as I have no doubt he will do when he discusses the matter in places far away from Valleyfield—I would not so much complain. The hon. gentleman says the Government must expect to be attacked as every other Government is attacked. The sentence of the murderer has been commuted. The Government are responsible for that commutation. Will the hon. gentleman tell me of any Government in any civilised country that was ever attacked on a platform for that action? Will he tell me of any political party that ever made as part of its political platform an attack on the Government because it commuted the sentence of a criminal. Does the hon. gentleman find that in English politics or in French politics? Surely the hon. gentleman must realize that, whatever may be the unfortunate results of this Shortis case, the climax will be capped if it appears on the political platforms and is used in political campaign against any candidate for this House. I do not propose to discuss the case at all. I wish to say simply, in conclusion, that whatever members opposing the hon. member for Beauharnois, or whatever canvassers against him say, I hope the hon. gentleman who leads Her Majesty's Opposition will cease bringing a matter of this kind into politics, will cease endeavouring to invite censure upon the Government not for having refused to do their duty, but for the responsibility which lies upon them for commuting the sentence of a man, who, he says, was criminal.

Mr. DAVIES (P.E.I.) Although I watched the hon. Minister very closely to follow exactly the line of his argument, I was not able to learn what the hon. gentleman meant. I do not know whether he meant the House and the country to understand that the Government were prepared to assume the full responsibility for the action taken by His Excellency. I interrupted the hon. Minister during the progress of his speech, and some of his colleagues called me to order. And there is quite time, I think, for the hon. gentleman to answer that point yet. That is the only point we wish to be advised upon.

Some hon. MEMBERS. Order.

Mr. DAVIES (P.E.I.) I am perfectly in order. I understand what I am doing.

The Sergeant-at-Arms. Mr. Speaker, a message from His Excellency the Governor General.

Mr. DAVIES (P.E.I.) The hon. gentleman who talks about order does not know what he is talking about. I want to ask the hon.

Minister if he is prepared to accept the responsibility taken by His Excellency.

Mr. DICKEY. I stated so, there is no doubt about our constitutional responsibility.

Mr. DAVIES (P.E.I.) There is no doubt about the responsibility of the Government——

PROROGATION.

A message from His Excellency the Governor General by the Gentleman Usher of the Black Rod :

Mr. SPEAKER :

His Excellency the Governor General desires the immediate presence of this House in the Senate Chamber.

Accordingly, Mr. Speaker, with the House, went up to the Senate Chamber.

IN THE SENATE CHAMBER.

His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Bills :—

An Act to consolidate and amend certain Acts relating to the Nipissing and James Bay Railway Company.

An Act respecting the Guelph Junction Railway Company.

An Act respecting the South Ontario Pacific Railway Company.

An Act respecting the Lake Erie and Detroit River Railway Company.

An Act respecting the St. Lawrence and Adirondack Railway Company.

An Act to confirm a certain lease and agreement between the Grand Trunk Railway Company of Canada and the St. Lawrence and Adirondack Railway Company.

An Act respecting the Nelson and Fort Sheppard Railway Company.

An Act respecting the Brandon and Southwestern Railway Company.

An Act respecting the Lindsay, Bobcaygeon and Pontypool Railway Company.

An Act to amend the Act incorporating the Supreme Court of the Independent Order of Foresters.

An Act respecting the St Lawrence and Ottawa Railway Company.

An Act relating to the Board of Trade of the City of Toronto.

An Act respecting the Huron and Erie Loan and Savings Company.

An Act to incorporate the Queenston Heights Bridge Company.

An Act respecting the Montreal and Ottawa Railway Company.

An Act respecting the Canada and Michigan Bridge and Tunnel Company.

An Act to incorporate the Hamilton Blast Furnace Company.

An Act to incorporate the Imperial Life Assurance Company of Canada.

An Act respecting the South-western Railway Company and the St. Lawrence and Adirondack Railway Company.

An Act to incorporate the Canadian Peat Fuel Company.

An Act further to amend the Act respecting the Adulteration of Food, Drugs and Agricultural Fertilizers.

An Act respecting the Winnipeg Great Northern Railway Company.

An Act to incorporate the South Shore Suburban Railway Company.

An Act respecting the Montreal Island Belt Line Railway Company.

An Act respecting the Toronto, Hamilton and Buffalo Railway Company.

An Act respecting the Canadian Jockey Club.

An Act respecting the Thousand Islands Railway Company.

An Act to incorporate the Schomberg and Aurora Railway Company.

An Act to amend the Act incorporating the International Radial Railway Company.

An Act to incorporate the National Sanitarium Association.

An Act respecting the Pontiac Pacific Junction Railway Company.

An Act respecting the Montreal Park and Island Railway Company.

An Act respectting the Kingston, Smith's Falls and Ottawa Railway Company.

An Act to incorporate the Huron and Ontario Railway Company.

An Act to revive and amend the Act to incorporate the Alberta Irrigation Company.

An Act respecting the Voters' Lists of 1896.

An Act to provide for the amalgamation of the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway Company, under the name of "The Bay of Quinté Railway Company."

An Act to incorporate the Edmonton District Railway Company.

An Act respecting the Behring Sea Claims Convention.

An Act to amend the Animal Contagious Diseases Act.

An Act further to amend the Customs Tariff, 1894.

An Act further to amend the Railway Act.

An Act to incorporate the Montreal and Province Line Railway Company.

An Act further to amend the Act respecting the Senate and House of Commons.

An Act respecting the liability of Her Majesty and public companies for labour used in the construction of public works.

An Act to incorporate the Yukon and British Columbia Trading and Development Company of Canada, Limited.

An Act to incorporate the Manitoba and Northwest Millers' Association.

An Act respecting the Harbour Commissioners of Montreal.

An Act respecting certain debentures of the Montreal Turnpike Trust held by the Government of Canada.

An Act further to amend the Act relating to Ocean Steamship Subsidies.

An Act further to amend the Supreme and Exchequer Court Act.

An Act respecting Debentures of Loan Companies.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor General as follows :—

May it please Your Excellency :

The Commons of Canada have voted certain Supplies required to enable the Government to defray the expenses of the Public Service.

In the name of the Commons, I present to Your Excellency the following Bill :—

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial year ending 30th June, 1896, and the 30th June, 1897, and for other purposes relating to the Public Service, to which Bill I humbly request Your Excellency's assent.

To this Bill the Royal Assent was signified in the following words :—

In Her Majesty's name, His Excellency the Governor General thanks Her Loyal Subjects, accepts their benevolence, and assents to this Bill.

After which His Excellency the Governor General was pleased to close the Sixth Session of the Seventh Parliament of the Dominion with the following

SPEECH :

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

I am glad to be able to relieve you from further attendance in Parliament.

I desire to express my regret that the mission which my Government recently despatched to confer with the local authorities of Manitoba, has been unproductive of any immediate result, and that the question relating to schools in that province still awaits settlement.

I thank you for the appropriation which you have made towards providing for the better arming and equipment of the Militia Forces of the country.

The powers with which you have endowed the Commissioners appointed under the Behring Sea Claims Convention will, I trust, facilitate the investigations of that tribunal and hasten a just settlement of these long standing claims.

Gentlemen of the House of Commons :

I have to thank you for the Supplementary provision you have made for carrying on the services of the current year.

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

Inasmuch as in the opinion of my advisers it is desirable that the judgment of the people upon the questions which now engage public attention should be obtained at an early day, I have to announce my intention of causing this Parliament to be immediately dissolved.

The SPEAKER of the Senate then said :

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

It is His Excellency the Governor General's will and pleasure, that this Parliament be prorogued until Tuesday, the second day of June next, to be here held, and this Parliament is accordingly prorogued until the second day of June next.

OTTAWA : Printed by S. E. Dawson, Printer to the Queen's most Excellent Majesty, 1896.

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SIXTH SESSION—SEVENTH PARLIAMENT, 1896.

Abbreviations of well known words and Parliamentary expressions are used in the following :—1°, 2°, 3°, First Reading, Second Reading, Third Reading; 3 m. h., 6 m. h., 6 w. h., Three Months' Hoist, Six Months' Hoist, Six Weeks' Hoist; *, without remark or debate; Acts., Accounts; Adj., Adjourn; Adjd., Adjourned; Amt., Amendment; Amts., Amendments; Amalg., Amalgamation; Ans., Answer; Ass., Assurance; B., Bill; B.C., British Columbia; Can., Canada or Canadian; C.P.R., Canadian Pacific Railway; Com., Committee; Co., Company; Conc., Concur, Concurred, Concurrence; Consd., Consider; Consdn., Consideration; Cor., Correspondence; Deb., Debate; Dept., Department; Depts., Departments; Div., Division; Dom., Dominion: Govt., Government; His Ex., His Excellency the Governor General; Hse., House; H. of C., House of Commons; Incorp., Incorporation; Ins., Insurance; I.C.R., Intercolonial Railway; Man., Manitoba; Mess., Message; M., Motion; m., moved; Neg., Negatived; N.B., New Brunswick; N.W.T., North-west Territories; N.S., Nova Scotia; O.C., Order in Council; Ont., Ontario; P.E.I., Prince Edward Island; P.O., Post Office; Par., Paragraph; Prop., Proposed; Q., Quebec; Ques., Question; Recom., Recommit; Ref., Refer, Referred, Reference; Rep., Report, Reported; Reps., Reports; Res., Resolution; Ret., Return; Ry., Railway; Rys., Railways; Sel., Select; Sen., Senate; Sp., Special; Stmnt., Statement; Sup., Supply; Suppl., Supplement, Supplementary; Wthdn., Withdrawn; Wthdrl., Withdrawal; Y.N., Yeas and Nays; Names in Italic and parenthesis are those of the mover.

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